



OAK  
VALLEY  
COLLEGE

-

2759 Ayala Dr  
Rialto, CA 92377

January 17, 2023

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

To Whom It May Concern,

I write in response to the letter dated August 10, 2021 regarding Oak Valley College's original request for waiver from Title IX regulations. Oak Valley's original request was dated March 17, 2021.

I request, under 20 U.S.C. § 1681(a)(1); 34 C.F.R. § 106.12, that the Department of Education's Office for Civil Rights acknowledges that Oak Valley College be exempt from Title IX of the Education Amendments of 1972 and its accompanying regulations to the extent that they are interpreted to curtail the College's freedom to respond to individuals in accordance with its religious convictions. As President of Oak Valley College, I serve as the "highest ranking official of the institution, 34 C.F.R. § 106.12(b) and am qualified to seek these exemptions.

Oak Valley College is a private non-profit institution of higher education with its main campus in Rialto, California. Oak Valley College was founded in 2006 as a liberal arts college focused on providing future leaders with a well-rounded undergraduate education framed by a Christian worldview.

As outlined in Oak Valley's Catalog  
*Oak Valley College - Live. Learn. Grow.*

*Transforming lives through applied education within a Christian community with no student loans.*

*Oak Valley College offers a Bachelor of Arts in Business, providing a holistic education, teaching students critical thinking, creative problem solving, communication, analytical, and business skills.*

*Christian teaching, principles, and service are reinforced throughout the program. Lessons challenge students to serve others and apply a Christian worldview in their daily lives.*

In an employment and admission context, Oak Valley asks students, faculty, and staff to affirm certain behaviors that align with the College mission, vision, and values. Those beliefs are outlined and framed by Oak Valley's Statement of Faith:

Oak Valley College is a nondenominational Christian College. We welcome students from diverse backgrounds to explore their spirituality in an environment that supports and challenges you to live, learn, and grow in your faith.

At Oak Valley, we believe that:

1. God is the creator and ruler of the universe. He has eternally existed in three persons – the Father, the Son, and the Holy Spirit. These three are co-equal and are one God.
2. We are made in the spiritual image of God, to be like him in character. We are the supreme object of God's creation. Although we have tremendous potential for good, we are impaired by an attitude of disobedience toward God called "sin." This attitude separates us from God.
3. We were created to exist forever. We either exist eternally separated from God by sin or in union with God through repentance, forgiveness, and salvation.
4. Jesus Christ is the Son of God. He is co-equal with the Father. Jesus lived a sinless human life and offered himself as the perfect sacrifice for the sins of all mankind by dying on a cross. He arose from the dead after three days to demonstrate His power over sin and death. He ascended to heaven and will return to earth to reign as King of Kings and Lord of Lords.

5. Salvation is a gift from God to us. We can never make up for our sin by self-improvement or good works – only by trusting in Jesus Christ as God’s offer of forgiveness can we be saved from sin’s penalty.
6. The Holy Spirit is equal with the Father and the Son as God. He is present in the world to make us aware of our need for Jesus Christ. He also lives in every Christian from the moment of salvation. He provides the Christian with power for living, understanding of spiritual truth, and guidance in doing what is right. The Christian seeks to live under His control daily.
7. The Bible is God’s word to us. It is uniquely inspired by God, the Holy Spirit, and is the final authority to understanding how we should live our lives in order to be pleasing to God, including all matters of faith and practice. Because it is inspired of God, it is truth without any mixture of error.

Since we hold these articles of faith to be true, it leads us to believe in:

1. Moral absolutes. That God’s moral nature is absolute and unchanging.
2. Human dignity. That we were all created in the image of God.
3. The possibility of redemption. That the work of Jesus Christ on the cross redeemed humanity and will finally restore the world back under God’s sovereign rule.

Further, Oak Valley’s Honor Code asks students, faculty, and staff to uphold the following standards.

The Honor Code provides guidance (and some boundaries) when living within the Oak Valley College community. Wherever and whenever possible issues dealing with behavior are met with an attitude of humility and grace. This is, after all, a Christian college, and colleges are places of instruction, learning, and maturation.

Oak Valley College is a unique environment built on a commitment to follow Christ. "Love the Lord your God with all your heart and with all your soul and with all your mind. Love your neighbor as yourself" (Matthew 22:37-39) serves as the foundation of community. Community is born of Christian discipleship, strengthened when members -

- live with integrity
- practice confession, repentance, and forgiveness
- live in reconciled relationships
- accept responsibility for actions and words
- submit to biblical instruction and authority

As members of the OVC community, we are not asked to be perfect (we all fall short), but to actively pursue integrity and growth in dynamic relationships with the living God and with others in the community. Those in leadership at OVC are eager to serve by coming alongside you and offering support, accountability, and, when necessary, loving discipline, in order to help you grow.

We are a community of Christians committed to the principles of Christian living found in the Bible. We hold that these biblical standards are vital to our relationship with God and one another.

Consistent with the example and command of Jesus Christ, we believe that life within a Christian community must be lived to the glory of God, with love for God and others. As maturing Christians, we strive for the holiness of God (I Peter 1:13-19) and love Him with all our hearts, souls, and minds (Matthew 22:37). In addition, we are called to love others as God loved us (Matthew 22:39; I John 4:7-11). We will achieve this calling by walking by the power of the Holy Spirit, pursuing the fruit of the Spirit from our Lord with one another (Galatians 5:22-24): love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control (e.g., Luke 10:27; Galatians 2:20, 5:14-24; Ephesians 2:3; 1 Corinthians 6:9-10).

As we strive to walk by the Spirit, “crucifying the flesh with its passions and desires” (Galatians 5:24), we seek to avoid sins forbidden in Scripture (Galatians 5:16-21; I Corinthians 6:9-11; Ephesians 5:1-14). Specifically, we are not to engage in activities that Scripture forbids or advocate positions inconsistent or contrary to these standards. Such activities include, but are not limited to, dishonesty (Academic Honesty is outlined in the Catalog), thievery, fornication, adultery, violations of the law, drunkenness, unscriptural divorce, homosexual practice, and the destruction of innocent human life after conception through abortion on demand, covetousness, jealousy, pride, and lust—sins, which the maturing Christian should avoid.

When the Bible is not clear regarding a specific behavior, we will be guided by the desire to glorify God in our bodies as temples of the Holy Spirit (1 Corinthians 6:19-20) and will discern if any of our brothers or sisters in Christ would stumble in their faith (1 Corinthians 8; Romans 14). If our Lord is not glorified or another Christian is harmed or offended by behavior, then we will freely abstain from that activity. We know that many behaviors are lawful, but not all are profitable (1 Corinthians 10:23-33). Therefore, we will constantly be teachable regarding those activities where the Bible is not clear and will evaluate them in light of our pursuit of holiness and love for our Lord and each other.

Given that we are at various ages, varying levels of Christian maturity, and have varying levels of understanding regarding Christian conduct in neutral areas, we may be able to practice liberties in good conscience, but we need to be conscious that some practices may cause others to stumble in their faith. The principle that regulates conduct in neutral matters, therefore, applies: glorify God by seeking the welfare of others. This is imitating the self-sacrificing example of Christ (I Corinthians 10:31-11:1).

Freedom of expression and speech are the hallmarks of a civil society, but individuals must also respect authority and take responsibility for a dialog that is respectful and God-honoring. Disruptive, antagonistic, or vulgar speech or actions, within or outside of class, are contrary to good moral conduct (Colossians 4:6).

As the Office of Civil Rights (OCR) has issued some guidance and courts have interpreted some requirements on higher education institutions regarding compliance with Title IX and its accommodating regulations, Oak Valley anticipates the OCR may reasonably presume the interpretation of Title IX to impose obligations upon covered institutions that are contrary to the standards outlined above. To the extent these presumptions are correct, it appears as though compliance with Title IX, as interpreted by OCR to reach "discrimination" may be inconsistent with the religious tenets of Oak Valley College.

For these reasons, I request under 20 U.S.C. § 1681(a)(1); 34 C.F.R. § 106.12 that OCR acknowledge that Oak Valley College is exempt from Title IX of the Education Amendments of 1972 and its accompanying regulations to the extent that they are interpreted to curtail Oak Valley's theological-grounded convictions that pertain to discrimination.

Accordingly, Oak Valley requests that your office acknowledge that the College is exempt from Title IX and the following implementing regulations to the extent that they are interpreted to reach discrimination and to the extent these regulations may restrict Oak Valley's freedom to apply and enforce its Statement of Faith and Honor Code ([www.oakvalleycollege.org/honorcode](http://www.oakvalleycollege.org/honorcode)).

- 34 C.F.R.. § 106.21 (admission)
- 34 C.F.R.. § 106.22 (preference in admission)
- 34 C.F.R.. § 106.23 (recruitment)
- 34 C.F.R.. § 106.31 (education program and activities)
- 34 C.F.R.. § 106.32 (housing)
- 34 C.F.R.. § 106.33 (comparable facilities)
- 34 C.F.R.. § 106.34 (access to classes and schools)
- 34 C.F.R.. § 106.36 (counseling)
- 34 C.F.R.. § 106.37 (financial assistance)
- 34 C.F.R.. § 106.38 (employment assistance to students)
- 34 C.F.R.. § 106.39 (health and insurance benefits and services)
- 34 C.F.R.. § 106.40 (marital and parental status)
- 34 C.F.R.. § 106.41 (athletics)
- 34 C.F.R.. § 106.43 (standards for measuring skill or progress in physical education classes)
- 34 C.F.R.. § 106.51-61 (relating to employment)

Sincerely,



Eric C. Blum  
President