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March 4, 2016

Assistant Secretary Catherine Lhamon
U.S. Department of Education
Office for Civil Rights
400 Maryland Avenue, SW
Washington DC 20202-1100

Re: Application for Exemption from certain Title IX Regulations

Dear Assistant Secretary Lhamon:

Please find enclosed a letter from Mac Heavener, as President of Trinity Baptist College located in Jacksonville, Florida, requesting exemption from certain Title IX requirements as further explained in the letter. If you have any questions or would like to discuss this matter further, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Robert L. Jones, III'.

Robert L. Jones, III
For the Firm

RLJ/ac
Enclosure
cc: Mac Heavener, Jr.

February 9, 2016

Catherine Lhamon, Assistant Secretary
U.S. Department of Education, Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100

Re: Trinity Baptist College, Inc.'s Request for Title IX Religious Exemption

Dear Ms. Lhamon:

As the highest ranking official of Trinity Baptist College, Inc. (“Trinity” or “College”), a private, religious liberal arts college in Jacksonville, Florida, I hereby request, under 20 C.F.R. 1681(a)(3) and 34 C.F.R. §106.12, an exemption for Trinity from certain regulations of Title IX, due to the religious beliefs of our institution. The particular regulations for which an exemption is requested are:

- 34 C.F.R. §§ 106.31(b)(4) (governing different rules of behavior or sanctions);
- 106.32 (governing housing),
- 106.33 (governing comparable facilities such as restrooms and locker rooms);
- 106.41 (governing athletics),
- 34 C.F.R. 106.21(b)(iii)(governing differential treatment on the basis of sex);
- 34 CFR 106.21(c)(Governing admissions prohibitions on the basis of marital or parental status);
- 34 CFR 106.40(governing different rules based on marital or parental status of students);
- 34 CFR 106.51(a)(governing employment);
- 34 CFR 106.51(b)(6)(governing the granting of pregnancy related leave); and
- 34 CFR 106.57(governing the consideration of marital or parental status in employment decisions).

Trinity is a Christ-centered learning community committed to developing each student in mind, faith and character for a lifetime of meaningful work and service in a constantly changing world. Our identity as a Christian institution is central to all that we do and teach at Trinity. Trinity is controlled by and affiliated with the Trinity Baptist Church of Jacksonville, Inc. (the “Church”). The Church, and the College itself, believe in the inerrancy and truth of Scripture as presented in the Holy Bible. We believe the Bible speaks to many social issues of our time, including human sexuality, and provides guidelines for morally acceptable behavior.

We believe that God has commanded that no intimate sexual activity should be engaged in outside of marriage between a man and a woman. We believe that any form of

homosexuality, lesbianism, bisexuality, trans-sexuality, bestiality, incest, fornication, adultery, and pornography are sinful perversions of God's gift of sex (Genesis 2:24; 19:5, 13; 26:8-9, Leviticus 18:1-30; Romans 1:26-29; I Corinthians 5:1; 6:9, I Thessalonians 4:1-8; Hebrews 13:4).

We also believe that marriage was instituted by God to be a permanent union between a man and a woman and therefore we are opposed to same sex marriages. We further believe that God hates divorce and intends marriage to last until one of the spouses dies. Divorce and remarriage is regarded as adultery except on the grounds of fornication. Although divorced and remarried persons or divorced persons may hold positions in the service of the Church and be greatly used of God for Christian service, they may not be considered for the offices of pastor or deacon (Genesis 2:24; Malachi 2:14-17; Matthew 19:3-12; Romans 7:1-3; I Timothy 3:2, 12; Titus 1:6).

We reject all attempts at constructing one's own sexual identity by medically altering the human body, cross dressing, or similar practicing behaviors characteristic of the opposite sex as morally objectionable and sinful (Deuteronomy 22:5). We affirm the dignity of all human beings. We also separate the value of each person from the behavioral choices one makes. We believe that, as Christians, we are called to treat all people, including those who practice sexual behavior in conflict with the Bible, with compassion, and to extend the gospel of repentance, forgiveness, and transformation through Jesus Christ to such persons without reservation. However, in keeping with our biblical beliefs surrounding the morality of such actions, we cannot in good conscience support or encourage an individual to live in conflict with biblical principles. Moreover, any individual who violates campus standards for biblical living is subject to discipline, including expulsion.

Because of our biblical beliefs regarding gender and sexual morality, our practices might be deemed a violation of Title IX. However, under 20 U.S.C. §1681(a)(3) and 34 C.F.R. §106.12(a), certain provisions of Title IX do not apply to Trinity: "This part does not apply to an educational institution which is controlled by a religious organization to the extent application of this part would not be consistent with the religious tenets of such organization."

Thus, on behalf of Trinity, I hereby request an exemption from the following provisions of Title IX:

- 34 C.F.R. §§ 106.31(b)(4) (governing different rules of behavior or sanctions);
- 106.32 (governing housing),
- 106.33 (governing comparable facilities such as restrooms and locker rooms);
- 106.41 (governing athletics),
- 34 C.F.R. 106.21(b)(iii)(governing differential treatment on the basis of sex);
- 34 CFR 106.21(c)(Governing admissions prohibitions on the basis of marital or parental status);
- 34 CFR 106.40(governing different rules based on marital or parental status of students);
- 34 CFR 106.51(a)(governing employment);

- 34 CFR 106.51(b)(6)(governing the granting of pregnancy related leave); and
- 34 CFR 106.57(governing the consideration of marital or parental status in employment decisions).

Trinity is making this request in keeping with its religious beliefs and tenets as set forth above. If you require anything further, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mac Heavener, Jr.", with a stylized flourish at the end.

Mac Heavener, Jr., President

cc: Robert L. Jones, III, Esq.