



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

December 14, 2017

Dr. Eddie G. Grigg
President
Charlotte Christian College and Theological Seminary
P.O. Box 790106
Charlotte, NC 28206-7901

Dear Dr. Grigg:

I write in response to your June 21, 2016, letter to the U.S. Department of Education's Office for Civil Rights (OCR), in which you requested a religious exemption for Charlotte Christian College and Theological Seminary (College) of Charlotte, North Carolina, from Title IX of the Educational Amendments of 1972 (Title IX), 20 U.S.C. § 1681.

Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Title IX and its implementing regulation at 34 C.F.R. § 106.12 provide that Title IX does not apply to an educational institution that is controlled by a religious organization to the extent that the application of Title IX would be inconsistent with the controlling organization's religious tenets. Therefore, such educational institutions may request an exemption from Title IX by identifying the provisions of Title IX that conflict with a specific tenet of the religious organization. The request must identify the religious organization that controls the educational institution and specify the tenets of that organization and the provisions of the law or regulation that conflict with those tenets. An institution may be considered controlled by a religious organization if it is a school or department of divinity.

Your request letter states that the College "exists to prepare Christ-centered leaders academically, professionally and spiritually, in order that they may be equipped to address creatively and effectively the needs and challenges of urban communities and society at large." Your letter further states that the College "seeks the global advancement of the gospel of Jesus Christ and His church." The College also "relies on and requires all Board Members, officers of the College, and faculty to affirm [certain] doctrines, as foundational to all that it does, including what is taught in classes." These doctrines include, in part, an understanding that "there is one and only one eternal living and true God," that "the Scriptures... are divinely inspired," and that "the human race was created by a special act of God, in his own image, and that humanity is the crowning work of His creation." Your letter states that "The Board of Directors and the College submit themselves to the Bible and to these expressions of its doctrine and seek to convey positions that accord with those standards."

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Your letter requests exemption from certain provisions of Title IX “to the extent they are interpreted to reach gender identity or sexual orientation discrimination and to the extent they restrict the College’s freedom to apply and enforce its Sanctity of Human Life Policy.” In support of this request, you cite the Human Sexuality and Gender Identity Policy for the College, which states “any attempt to blur the demarcations between maleness and femaleness – e.g., identifying oneself as a transvestite, transsexual, or transgendered – is contrary to biblical principles.” Your letter also explains that the College affirms that “human sexuality, as designed by God, is intended to be expressed solely in a heterosexual monogamous marriage. ... Scripture teaches that God views marriage, sexual relationships, and procreation as good, and that male and female are indispensable colleagues in procreation and a fulfilling sexual relationship.” Finally, “consistent with a biblical interpretation of the value of life,” the College’s Sanctity of Human Life Policy provides that the College “stands against abortion, infanticide, euthanasia, mercy killing, etc., and considers such acts to go against Scripture and to be morally wrong.”

Your letter states that, for the above reasons, the College is requesting an exemption from the following regulatory provisions to the “extent that they are interpreted in a manner to reach gender identity or sexual orientation discrimination, and to the extent they restrict the College’s freedom to apply and enforce its Sanctity of Human Life Policy”:

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

The College is exempt from these provisions to the extent that compliance would conflict with the controlling organization’s religious tenets.

Please note that this letter should not be construed to grant exemption from the requirements of Title IX and the regulation of other than as stated above. In the event that OCR receives a complaint against your institution, we are obligated to determine initially whether the allegations fall within the exemption here recognized.

I hope that this letter fully responds to your request. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jackson', with a long horizontal flourish extending to the right.

Candice Jackson
Acting Assistant Secretary for Civil Rights