



Word of Life
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August 21, 2020

Kenneth Marcus, 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: Request for Acknowledgment of Religious Exemption from Certain Applications
of Title IX

Dear Mr. Marcus:

I hereby request, under 20 U.S.C. § 1681(a)(3) and 34 C.F.R. § 106.12, that the Department of Education's Office for Civil Rights acknowledge that Word of Life Bible Institute ("WOL") is exempt from Title IX of the Education Amendments of 1972 and its accompanying regulations, to the extent that they are interpreted to curtail the WOL's freedom to act in accordance with its religious convictions. As President of Word of Life Bible Institute, I am the "highest ranking official of the institution," 34 C.F.R. § 106.12(b), and thus qualified to seek affirmation of these exemptions.

Word of Life Bible Institute was founded in 1970 as a religious institution of higher education and is incorporated as a nonprofit organization in the State of New York with campuses in both New York and Florida. The mission of WOL is "to educate each student within a rigorous academic and structured discipleship atmosphere preparing him or her to live a life of maximum effectiveness for the Lord." Our desire for each student is that they would be "prepared to make a difference in their community and around the world through the intensive biblical study and practical ministry training" due to their time at WOL.

To obtain assurance of this exemption, an educational institution must be controlled by a religious organization and must identify the provisions of Title IX that conflict with the organization's religious tenets, 34 CFR § 106.12. These criteria are set forth in the remainder of this letter.

Control by Religious Organization

Word of Life meets the criteria described on the OCR website and Secretary Singleton's 1985 memo for entities controlled by a religious organization.¹ A number of WOL's official publications including their web site contain explicit statements about its religious beliefs as a Christ-centered organization committed to teaching and upholding the Bible. It is governed by a board of trustees, each member of which is required to annually read and indicate

¹ <https://www2.ed.gov/about/offices/list/ocr/docs/singleton-memo-19850219.pdf>



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consent to WOL's statement of faith and religious tenets. Additionally, the institute also requires its faculty, students, and employees to espouse and affirm their personal belief in the following religious tenets of the institution as those tenets are set forth in WOL's statement of faith:

1. We believe that the Scriptures of the Old and New Testament are verbally inspired of God, and they are without error in the original writings, and they are the supreme and final authority for faith and life.
2. We believe in one God, Creator and Sustainer of the universe, Who is eternally existent in three persons—Father, Son, and Holy Spirit.
3. We believe in the deity of Jesus Christ, His virgin birth, sinless life, His death to pay the penalty for everyone's sins, His bodily resurrection, His exaltation at God's right hand, and His personal, imminent, pre-tribulational and pre-millennial return.
4. We believe that all have sinned and are therefore guilty before God and are under His condemnation.
5. We believe that all who by faith receive Jesus Christ are born again of the Holy Spirit, therefore children of God and eternally saved, and that the Holy Spirit dwells within every believer to enlighten, guide, and enable the believer in life, testimony, and service. We believe that God answers the prayers of His people and meets their needs according to His purpose.
6. We believe that God gives spiritual gifts to all believers for the building up of the body of Christ. However, the miraculous sign-gifts of the Spirit, such as tongues and healings, were limited to the early church.
7. We believe in the bodily resurrection of the just and unjust, the everlasting blessedness of the saved in Glory and the everlasting conscious punishment of the lost in hell.
8. We believe that all believers are called to a life of separation from all worldly and sinful practices and alliances.
9. We believe that from the beginning with Adam and Eve, God ordained marriage as only between one man and one woman. All sexual activity outside of this biblical definition of marriage, including homosexual practices, is in direct contradiction to God's Word and His intention for the institution of the home.
10. We believe that God wonderfully and immutably creates each person as male or female for His glory. These two distinct, complementary genders together reflect the image and nature of God, and the rejection of one's biological gender is a rejection of God's decreed will and good plan for humanity and the individual.

The U.S. Supreme Court's recent decision interpreting "sex" in Title VII to include gender identity and sexual orientation² poses a significant conflict with WOL's religious beliefs and

² *Bostock v. Clayton Cty.*, Nos. 17-1618, 17-1623, 18-107, 2020 U.S. LEXIS 3252 (June 15, 2020)



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tenets. While this is the first U.S. Supreme Court decision to interpret sex to mean categories other than biological sex, it is not the first entity to do so. A number of lower courts, governmental entities, and organizations had already taken this position in the Title VII context as well as in other contexts, including Title IX. If WOL were bound to abide by this interpretation, it would be forced to violate many of the religious beliefs set forth in this letter.

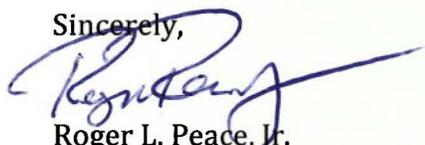
Additionally, any interpretation of Title IX that would require WOL to affirm its agreement with, support in any way the institute deems unacceptable, employ persons, or retain students who agree with or endorse abortion or euthanasia would be inconsistent with WOL's religious tenets on the sanctity of human life, which are set forth in its statement of faith.

To these ends, WOL requests exemption from the following provisions of Title IX and its implementing regulations to the extent they are interpreted to conflict with WOL's position on marriage, sexuality, and the sanctity of human life:

- 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 programs or 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 or parental status)
- 34 C.F.R. § 106.41 (athletics)
- 34 C.F.R. § 106.42 (standards for measuring skill or progress in physical education classes)
- 34 C.F.R. § 106.51-61 (relating to employment)

Thank you for your consideration, and please do not hesitate to contact me if I can provide further clarification.

Sincerely,



Roger L. Peace, Jr.

President

Word of Life Bible Institute

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