

From: Ryan Ward
Sent: Tue, 8 Jun 2021 13:45:06 -0600
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (topic of the comment)

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Dear U.S. Department of Education Office of Civil Rights,
Thank you for seeking public comment as you seek to form policy around these important issues. To understand my comments, it is important for you to understand who I am and who I represent. I serve as the president of a non-denominational Bible College. We are nationally accredited by the Association of Biblical Higher Education (ABHE) under the USDE. I believe there are 154 institutions across North America accredited by ABHE. I certainly don't speak for other colleges, but I am a representative voice.
With respect to Title IX regulations about sexual harassment and resolving cases of actual or accused sexual misconduct, we fully support efforts to keep our campus free from sexual harassment or misconduct. Relationships of integrity and sexual ethics are core to our Biblical convictions. We value justice, meaning specifically here that we desire any complainant and any accused to be treated fairly. In Biblical language, we will strive to neither "acquit the guilty nor condemn the innocent." We also value gentleness and compassion for all who are experiencing pain associated with these traumatic situations. We believe that our processes should exhibit strong personal care and support.
We recognize that it is very difficult to create processes that pursue justice *and* protect privacy. When sexual harassment or misconduct occurs on a campus, a wrong has been committed against another human being, bringing a host of painful and difficult consequences. In our work of "soul care", we have worked with many students over the years who have come to us bearing deep wounds from sexual abuse/assault. If there is something that communities of faith can contribute to this discussion, it is perhaps to advocate for the Department to encourage all colleges and universities to help connect victims to "soul care" providers of their choice. There is healing that needs to happen from deep wounds.
My final comment with respect to the sexual harassment and misconduct regulations would be a plea for the Department to recognize the diversity of colleges in terms of size. A college like ours with relatively few students compared to a large university with many thousands will necessarily need a different plan in terms of scale. The same guiding principles can certainly apply across the board, but we would ask the Department to please remember that my college with just a small number of full time employees cannot create an entire office to address these issues. We would suggest that the Department may want to add specific guidance for colleges/universities based on thresholds of student headcount.
Next, I'll address issues related to sexual orientation and gender identity.
I recognize that the views of Christians whose identity is found in Jesus and who hold to the teachings of the Bible are the cultural minority at this point in time, especially with respect to sexual ethics and gender. At the same time, Christians and other worldviews find common ground in the belief that we should treat other people, even those with whom we disagree, with

dignity and civility. Christians even believe in loving people who hurt and persecute them. This kind of ethic is written into our human sexuality policy. We believe that no person should be the victim of violence or bullying or abusive speech, which is why we are committed to respectful and caring interactions even with people with whom we disagree.

Having said this, it is imperative that the Department, while seeking to protect students of various sexual orientations and gender identities ALSO protect those with religious identity. It is imperative that schools and churches be able to carry on their missions free of interference and harassment and discrimination. Our primary mission as a Christian organization is to train followers of Jesus to live in this world as people who exemplify His character and carry out His mandate of spreading the good news that God has acted through His Son, Jesus, to reconcile the world to Himself. For society, this means we are training people to be honest, loving, generous, humble, hard-working, and so on - the kind of people you want for neighbors and employees - the kind of government and law enforcement personnel who won't accept bribes or other forms of corruption, who care about justice.

As a school with a mission as I've described, it is essential that we be allowed to admit students who are followers of Jesus eager to serve and obey Him. It is essential that every employee is hired based on his/her commitment to Jesus and the mission He has given us. It is essential that the members of our community be united under and held accountable to our values and standards of conduct. This is not unreasonable. Take a business example. Every business must be free to hire employees who are competent and capable to do the job and who support the values and ethos of the business. UPS and Fed-Ex must be able to hire people who can lift the packages. A building contractor doesn't hire a blind man to run a tape measure and cut wood on the table saw or go up on high scaffolding. It's nothing against the blind man - nothing - it just doesn't work. Neither does a lobbying group hire a person who is diametrically opposed to the policies for which they want to advocate - a question of values. Neither does a company retain an employee who refuses to wear the company uniform, who speaks abusively to customers or embezzles funds - issues of conduct. Likewise, it is imperative that ALL employers be free to hire employees that fit their mission and values and ethos. You must protect religious exemption, or you end up discriminating against that whole segment of society.

Finally, I'll address issues of gender identity. We understand that society right now seems determined to allow people to define identity based on how a person feels. We certainly recognize that human beings feel things deeply; however, we also recognize that feelings cannot determine reality. As Christians, our view of gender and human identity corresponds to scientifically proven fact. Please hear the following questions from a tone of respect and sincerity. Should Native American tribes be forced to admit to their membership people who self-identify as Native but have zero Native blood? Should a person weighing 300 pounds be allowed to ride a waterslide with a 200 pound limit because he/she identifies as thin? Should a child standing 3' 3" be able to ride the 4' and above waterslide because he/she self-identifies as 5' tall and truly feels 5' tall? Should a man be allowed to compete in a women's sport because he identifies as a woman? In all of these examples, *actual physical/biological empirical evidence determines truth despite how a person might feel or self-identify*. If you call a dog's tail a leg, how many legs does the dog have? Answer? Just four. You can call the tail whatever you want, but that doesn't make it a leg. Again, simply hear a tone of logic. I'm not being snarky.

To allow biological men to compete in women's sports or come in women's restrooms and locker rooms is to discriminate against women and ignore scientific truth. Again, I'll emphasize that a Biblical worldview corresponds to scientific fact about gender. While ALL human beings

should be treated with dignity and respect, we ought not make the mistake of trying to say that sexual orientation and gender identity are on the same plane as race. Science has proven over and over again that there is but one human race. People of various skin shades are all of the same race. Science has also proven over and over again that there are but two biological genders and that male and female have certain differences. Even sex reassignment surgeries cannot erase those differences which are encoded into every cell of our bodies. So while people may experience and/or embrace their biological gender differently, we ought not seek to blur or obliterate gender. I believe we will come to look back on these days of giving children hormone treatments and giving people sex reassignment surgeries as we now look back on the days when we thought giving someone a labotomy was a good idea. So while we have compassion for the child who isn't tall enough to ride the slide or for the person who so "feels" Native as to self-identify as such, and while we don't hurt or harass them, we have to compassionately speak truth and uphold order and justice based upon real evidence. To continue trying to allow people to define their own gender identity, and to bring law and policy in to line with what is demonstrably false, inevitably leads to chaos. Using sports as a case in point, enact those policies that would allow biological men to compete in women's sports, and chaos ensues. What is the future of the Olympic games? Whose medal is meaningful? What is the future of the Women's NBA? It will take a courageous stand by our government in the times in which we live to speak and live by truth. May you do it!!

The last thing I'll say is that I'm refraining from using my name and the name of my institution because wisdom says that we may face retribution or blacklisting or persecution or harassment for simply speaking these views in a respectful manner. People of minority "race" (remember, there's only one human race) face the need to walk in wisdom and circumspection to avoid being hurt or harassed. People of minority viewpoints can relate.

Respectfully,