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EXECUTIVE DIRECTOR

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PRESIDENT



*Via Certified Mail*

August 28, 2015

Brian Mueller, President  
Grand Canyon University  
3300 W. Camelback Road  
Phoenix AZ, 85017

President Mueller,

The American Civil Liberties Union of Arizona ("ACLU") writes on behalf of Grand Canyon University ("GCU") employees who have contacted our office about their denial of health insurance and other employee benefits based solely on their marriage to a person of the same sex. The denial of benefits to LGBT employees in same-sex marriages is in violation of federal law and severely harms those employees and their families.

We commend GCU for recently announcing its decision to evaluate its employee benefits policies. Given the significant legal concerns and actual, detrimental impact of not having medical insurance and other benefits, we urge GCU to conduct that review expeditiously and revise those policies to ensure that LGBT employees in same-sex marriages are granted full employee benefits.

GCU's current employee benefit policies violate Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., because they deny employees in same-sex marriages the same employment benefits and privileges afforded to employees in opposite-sex marriages simply because of the gender of the employee's spouse. In *Complainant v. Foxx*, the United States Equal Employment Opportunity Commission ("EEOC") found that "Title VII's prohibition of sex discrimination means that employers may not 'rely upon sex based considerations' or take gender into account when making employment decisions... This applies equally in claims brought by lesbian, gay, and bisexual individuals under Title VII." Appeal No. 0120133080, Agency No. 2012-24738-FAA-03, p. 5. The EEOC further explained that Title VII prohibits "employers from treating an employee or applicant differently than other employees or applicants based on the fact that such individuals are in a same-sex marriage or because the employee has a personal association with someone of a particular sex." Id. at 9.

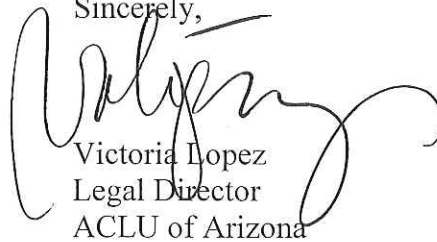
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GCU has a legal and ethical duty to provide full employment benefits to LGBT employees in same-sex marriages. LGBT employees are a vital part of the GCU community, working across diverse departments in the university, performing important jobs with skill and care. No person should face discrimination in their workplace because of who they are or who they love. LGBT employees should be treated just as any other GCU employee by receiving fair consideration for employee benefits.

Please contact us by September 15, 2015 to advise us when you plan to revise the current policy of denying full benefits to employees in same-sex marriages. If you have any questions or concerns, I can be reached at 602-773-6011 or by email at [vlopez@acluaz.org](mailto:vlopez@acluaz.org).

AMERICAN CIVIL  
LIBERTIES UNION FOUNDATION  
OF ARIZONA

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Lopez', is written over the typed name and title.

Victoria Lopez  
Legal Director  
ACLU of Arizona