



Written by [James Murphy](#) on August 3, 2022

Christian University Sues Washington AG Over Investigation of Hiring Practices

Seattle Pacific University (SPU), a private Christian liberal arts college, is suing the State of Washington's attorney general, Bob Ferguson, a Democrat, over an investigation regarding the university's hiring practices as it relates to the LGBTQ community. The university accuses Ferguson of "wielding state power to interfere with the religious beliefs of a religious university, and a church, whose beliefs he disagrees with."

The [complaint](#) was filed in the United States District Court in Tacoma and cites its constitutionally protected rights as a reason for the lawsuit.



spu.edu

Seattle Pacific University

"The U.S. Constitution recognizes and protects the right of Seattle Pacific University to decide matters of faith and doctrine, to hire employees who share its religious beliefs, and to select and retain ministers free from government interference," the complaint declares.

"Defendant does not recognize that right. Despite the Constitution's clear prohibition on interference in matters of church governance, including entangling investigations of religious employment decisions and the selection of ministers, Washington's attorney general has launched a probe that does just that," the complaint goes on to say.

According to Ferguson, his investigation is a civil-rights probe and was largely brought on by students and staff members uncomfortable with the Christian doctrine insisted on by the University's board of trustees.

"Seattle Pacific University admits that it refuses to hire gay faculty and staff. In May, Seattle Pacific University students and staff staged a sit-in and called for the removal of the University's board of trustees after they voted to keep in place school policies that prohibit employees from engaging in 'same-sex sexual activity,'" read a [statement](#) from Ferguson's office. "Numerous Seattle Pacific University students, faculty, and others reached out to my office to file complaints or otherwise express deep concern that the University administration's policies illegally violate Washingtonians' civil rights."

The plaintiffs say Ferguson is using his office as part of a pressure campaign to get the university to change its policy regarding the hiring of LGBTQ people.

"[Ferguson] is using the powers of his office (and even powers not granted to his office) to pressure and retaliate against Seattle Pacific University," the suit claimed.

In June, Ferguson's office sent a terse [letter](#) to Nicholas Glancy, the university's assistant vice principal for risk management, demanding copies of the university's hiring and termination policies and how those policies might pertain to an employee's or potential employee's "sexual orientation or status of being in a same-sex marriage and/or intimate relationship."



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SPU's attorneys argue that Ferguson is overstepping his bounds in investigating the religious school's hiring practices.

"The attorney general's probe inquires into confidential religious matters and is beyond the scope of authority granted under state law and the federal constitution," the lawsuit states.

But Ferguson claims he's not attacking the religious freedom of the university and is not judging SPU ahead of time — but only asking questions.

"My office respects the religious views of all Washingtonians and the constitutional rights afforded to religious institutions. As a person of faith, I share that view," Ferguson's statement read. "My office did not prejudge whether Seattle Pacific University's employment policies or its actions are illegal."

Furthermore, Ferguson insists that it is the university, not his office, that is making all the fuss over the matter. Ferguson also hinted that the university believes that it is, somehow, above the law.

"We did not publicize the letter, nor did we announce our investigation. In response to our inquiry, Seattle Pacific University filed a federal lawsuit," Ferguson's statement read. "The lawsuit demonstrates that the University believes it is above the law to such an extraordinary degree that it is shielded from answering basic questions from my office regarding the University's compliance with state law."

Federal [law](#) allows religious institutions to hire only members of their faith — in other words, a Christian university is allowed to require a job seeker to be a Christian. However, LGBTQ persons can still claim to be Christians, regardless of their sexual orientation.

"What is it that makes someone a member of a religion?" asks Denise Diskin, an attorney for an LGBTQ advocacy group. "LGBTQ Christians would disagree with the idea that they are not members of their religions by virtue of their sexual orientation."

The complaint also contends that SPU would be disaffiliated from the Free Methodist Church should they hire people in so-called same sex marriages.



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