



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

JUN 18 1985

Dr. Mark Jackson
President
Baptist Bible College and
School of Theology
538 Venard Road
Clarks Summit, Pennsylvania 18411

Dear Dr. Jackson:

The Office for Civil Rights of the Department of Education (OCR/ED) is in the process of clearing a backlog of requests for religious exemption from Title IX of the Education Amendments of 1972. Our records indicate that the Baptist Bible College and School of Theology filed such a request but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request filed by former President Pickering (copy enclosed) in which he described several policies practiced at the Baptist Bible College and School of Theology as consistent with the tenets of the religious organization that controls the institution. These policies would violate certain sections of the regulation implementing Title IX (copy enclosed) absent a religious exemption. The former president supplied information in his request letter that establishes that the institution is controlled by a religious organization and that tenets followed by this organization conflict with specific sections of the Title IX regulation. Therefore, I am granting the Baptist Bible College and School of Theology an exemption to those sections of the Title IX regulation appropriate to the request letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. The Baptist Bible College and School of Theology is hereby exempted from the requirements of the following sections of the Title IX regulation: 106.21, 106.22, 106.23, 106.31, 106.34, 106.51 and 106.55. The bases for our decision to grant this exemption are discussed in further detail below. The institution's letter also requests exemption from § 106.15 regarding admissions at particular types of institutions. The exemption granted by this letter to § 106.21 more accurately addresses the admissions of students and precludes the necessity for exemption to § 106.15.

The institution's letter indicates that the Baptist Bible College and School of Theology is controlled by the General Association of Regular Baptist Churches. The General Association of Regular Baptist Churches and the Baptist Bible College and School of Theology practice the tenets of prohibiting women from serving as preachers or pastors. The letter states

that the Baptist Bible College and School of Theology is approved by the General Association of Regular Baptist Churches. This relationship between the General Association of Regular Baptist Churches and the Baptist Bible College adequately establishes that the Baptist Bible College and School of Theology is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

In the request letter it states that based on religious tenets women are not permitted to enroll in classes that prepare students to become ministers of religion or to enter upon some other religious vocation. Also, women are not employed as theological instructors. Thus, the institution practices the following:

1. Only men are admitted to the School of Theology.

Based on the above, the Baptist Bible College and School of Theology has requested and is granted by this letter, exemption to § 106.21: Admission; § 106.22: Preference in admission; § 106.23: Recruitment.

2. Only men are admitted to academic programs and courses designed to train preachers, pastors, or theological teachers.

Based on the above, the Baptist Bible College and School of Theology has requested and is granted by this letter, exemption to § 106.31: Education programs and activities and § 106.34: Access to course offerings.

3. Employment and classification of men, exclusively, in areas of theological instruction.

Based on the above, the Baptist Bible College and School of Theology has requested and is granted by this letter, exemption to § 106.51: Employment and § 106.55: Job Classification and Structure.

This letter should not be construed to grant exemption from any section of the Title IX regulation not specifically mentioned. 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 granted. Also, in the unlikely event that a complainant alleges that the practices followed by the institution are not based on the religious tenets of the controlling organization, OCR is obligated to contact the controlling organization to verify those tenets. If the organization provides an interpretation of tenets that has a different practical impact than that described by the institution, or if the organization denies that it controls the institution, this exemption will be rescinded.

I hope this letter responds fully to your request. I regret the inordinate delay in responding to the original request. If you have any questions, please do not hesitate to contact the Philadelphia Regional Office for Civil Rights. The address is:

Dewey E. Dodds
Regional Civil Rights Director
Office for Civil Rights, Region III
Department of Education
Gateway Building, 6th Floor
3535 Market Street
Philadelphia, Pennsylvania 19104

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures