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July 22, 1985

Mr. William H. Thomas
Regional Civil Rights Director
U.S. Department of Education
101 Marietta Tower
Atlanta, GA 30323

RE: Exemption from Title IX
Bethune-Cookman College
Daytona Beach, FL

RECEIVED
1985 AUG -6 AM 11:19
U.S. DEPT. OF ED.
OFFICE FOR CIVIL RIGHTS
REGION IV

Dear Mr. Thomas:

President Bronson asked that I thank you for your letter of July 3, 1985. The College is still interested in obtaining the requested exemption in Dr. Bronson's letter of May 30, 1977. He has asked my office, as internal attorney, to respond to the three questions posed in your March 25, 1985 letter to the institution. I will track each of your questions with my responses as follows:

1. The United Methodist Church controls the college by and through its Board of Trustees. On page three of the manual for the Board it states that "through an amendment to the Corporate Charter in 1931, the management of the college through the Board of Trustees became subject to the rules and regulations of the Methodist (now the United Methodist) Church, a Tennessee Corporation, or its successors and subject to the Discipline of the Methodist Church.
2. The religious tenets of the United Methodist Church, expounded in The Book of Discipline of the United Methodist Church published in 1984, which the institution accepts and complys are:
 - (A) Of Faith in the Holy Trinity,
 - (B) Of the Word, or Son of God, who was made very man,
 - (C) Of the Resurrection of Christ,
 - (D) Of the Holy Ghost,
 - (E) Of the Sufficiency of the Holy Scriptures for Salvation,
 - (F) Of the Old Testament,
 - (G) Of Original or Birth Sin,
 - (H) Of Free Will,
 - (I) Of the Justification of Man,
 - (J) Of Good Works,
 - (K) Of Works of Supererogation,
 - (L) Of Sin after Justification,
 - (M) Of the Church,
 - (N) Of Purgatory,

- (O) Of Speaking in the Congregation in such a tongue as the People understand,
- (P) Of the Sacraments,
- (Q) Of Baptism,
- (R) Of the Lord's Supper,
- (S) Of Both Kinds,
- (T) Of the One Oblation of Christ, Finished upon the Cross,
- (U) Of the Marriage of Ministers,
- (V) Of the Rites and Ceremonies of Churches,
- (W) Of the Rulers of the United States of America,
- (X) Of Christian Men's Goods,
- (Z) Of Santification,
- (AA) Of the Duty of Christians to the Civil Authority.

3. The college, given the aforementioned religious tenets, request exemption from section 106.40(a) and (b)(1) of Title IX. All students residing in college residence halls are unmarried. If a student becomes pregnant, then that student must move from therein immediately upon receipt of evidence by the college. This is not the same college policy for other temporary disabilities, unless that disability is medically known as contagious. The two noted subparts of 106.40 expose the institution to potential charges of discrimination. Methodism social principles found under the nurturing community in the aforementioned text references states the following:

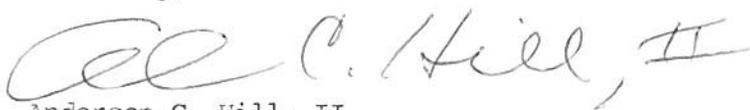
"Although men and women are sexual beings whether or not they are married, sex between a man and a woman is only to be clearly affirmed in the marriage bond. Sex may become exploitative within as well as outside marriage. We reject all sexual expressions which damage or destroy the humanity God has given us as birthright, and we affirm only that sexual expression which enhances that same humanity, in the midst of diverse opinions as to what constitutes that enhancement."

To allow a pregnant student campus residence may imply college approval of pre-marital sex. The Church and the College cannot allow this impingement to happen.

In conclusion, I do hope this information is sufficient to accomodate your determination about the college's exemption. If you need further information, please contact me and I will respond directly.

Thank you for your consideration.

Sincerely,


Anderson C. Hill, II

ACH:acf

CC: Dr. Oswald P. Bronson, Sr.