

**CENTRAL BIBLE COLLEGE**

3000 NORTH GRANT AVENUE  
SPRINGFIELD, MISSOURI  
65803

H. MAURICE LEDNICKY  
PRESIDENT

TELEPHONE  
(417) 833-2551

May 27, 1988

Ms. LaGree Daniels  
Assistant Secretary for  
Civil Rights  
Office for Civil Rights  
United States Department  
of Education  
330 C Street, SW  
Washington, DC 20202

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Re: Claim of Exemption from Title IX Coverage

Dear Ms. Daniels:

I am writing, in my capacity as the highest ranking administrative official of Central Bible College (the "College") to claim exemption for the College from the application of Title IX of the Education Amendments of 1972, pursuant to the provisions of 34 C.F.R. §106.12, which provides:

- (a) Application. This part does not apply to an educational institution which is controlled by a religious organization to the extent application of this part would not be consistent with the religious tenets of such organization.
- (b) Exemption. An educational institution which wishes to claim the exemption set forth in paragraph (a) of this section, shall do so by submitting in writing to the Assistant Secretary a statement by the highest ranking official of the institution, identifying the provisions of this part which conflict with a specific tenet of the religious organization.

This section lists two preconditions to exemption: (1) the educational institution seeking exemption "is controlled by a religious organization," and (2) application of Title IX to the educational institution would conflict with a specific tenet of the religious organization. I will demonstrate compliance with each precondition in turn.

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1. The College is controlled by a religious organization

The College is a four-year educational institution that is owned and controlled by The General Council of the Assemblies of God ("General Council"). The General Council is an association of some 11,000 Assemblies of God churches in the United States, and it has been recognized by the Internal Revenue Service to be exempt from federal income taxation as a religious organization described in section 501(c)(3) of the Internal Revenue Code (enclosure A). I am enclosing the General Council's charter (enclosure B) as well as a copy of its Constitution and Bylaws (enclosure C), which will demonstrate conclusively that the General Council is a religious organization.

Article V of the articles of incorporation (enclosure D) of the College specifies:

This Association is formed for the purpose of,

To provide and maintain an Educational Institution for advanced education in Theological and other courses of study upon a Collegiate level.

To stimulate missionary and evangelistic interest and zeal, foster and nourish the Spiritual life of its students.

To provide Bible centered courses of training to prepare Christian workers for effectual service at home and abroad.

To serve as an instrument to perpetuate and strengthen the distinctive testimony and ministry of the Assemblies of God.

Article IV of the College Bylaws (enclosure E) further provides:

Central Bible College, a non-profit organization, is and shall be at all times controlled by the General council of the Assemblies of God. The execution of policy and administration may be delegated, but the General Council of the Assemblies of God shall have control over all phases of the institution.

The General Council of the Assemblies of God has charged its board of directors to be guardian of this institution, to see that it promotes forever the ideals and purposes for which it was founded,

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and to take whatever steps are necessary to insure purity of doctrine and excellence of scholarship.

The above-quoted provisions clearly demonstrate that the College is owned and controlled by a religious organization (the General Council).

2. Compliance with Title IX would conflict with a specific tenet of the controlling religious organization

Compliance by the College with Title IX would conflict with specific tenets of the controlling religious organization (the General Council). Article V of the College bylaws (enclosure C) specifies that "Central Bible College is forever bound to give Christ the preeminence in all things and is bound to the statement of Fundamental Truths and to the policies and standards as set forth in the constitution and bylaws of the General Council of the Assemblies of God." The General Council's Statement of Fundamental Truths (constitution, article V) contains sixteen tenets, of which the following two are most pertinent:

The Scriptures, both the Old and New Testaments, are verbally inspired of God and are the revelation of God to man, the infallible, authoritative rule of faith and conduct.

Sanctification is an act of separation from that which is evil, and of dedication unto God. By the power of the Holy Ghost we are able to obey the command: "Be ye holy, for I am holy."

Sanctification is realized in the believer by recognizing his identification with Christ in His death and resurrection, and by faith reckoning daily upon the fact of that union, and by offering every faculty continually to the dominion of the Holy Spirit.

At a minimum, compliance by the College with 34 C.F.R. §§106.20(c), 106.40(b), and 106.57 would conflict with the tenets of the College and its controlling religious organization. These provisions prohibit discrimination based on pregnancy or childbirth in student recruitment and employment, and in educational programs and activities. These requirements conflict directly with the relevant tenets quoted above, since compliance would in some cases contradict the Bible and the church's view on sanctification. The conflict could occur in a number of ways. Consider the following. (1) An unmarried female student becomes pregnant; (2) a female applicant for admission informs the College that

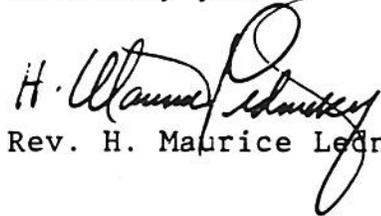
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she is pregnant or has one or more biological children but has never been married; or, (3) a married female student becomes pregnant because of an adulterous relationship with another student or third party. In the first and third examples, the student would be dismissed. In the second example, the applicant would not be admitted to the College. The only possible exception would be in the case of forcible rape.

In summary, compliance with the anti-discrimination provisions referenced above would force the College to violate some of the most fundamental Biblical and moral precepts ever established, and upon which Western civilization has been predicated.

I trust that I have adequately demonstrated compliance on the part of the College with the requirements for exemption from the provisions of Title IX of the education amendments of 1972. Please confirm our exemption in writing at your earliest convenience.

Sincerely yours,



Rev. H. Maurice Lednicky

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Enclosures

cc: Ms. Maye Miller-Bozeman