



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

AUG 9 1988

Reverend H. Maurice Lednicky
President
Central Bible College
3000 North Grant Avenue
Springfield, Missouri 65803

Re: 07-88-2531

Dear Reverend Lednicky:

The Office for Civil Rights (OCR) of the Department of Education has reviewed your request for religious exemption from certain sections of the regulation implementing Title IX of the Education Amendments of 1972 (Title IX). Central Bible College submitted letters of May 27 and June 27, 1988, to support this request.

In your letters, you describe certain policies practiced at Central Bible College as being 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. You have supplied information in your request letters that establishes that the College 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 College an exemption to those sections of the Title IX regulation specified in your request letters. In addition, you have filed your request in response to a complaint filed in reference to the College's student health insurance plan. The requirements of 34 C.F.R. § 106.39, which pertains to student health insurance plans, conflict with the religious tenets you have identified that are followed by the College. Accordingly, I am granting the College an exemption to that section as well. Central Bible College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21(c), 106.39, 106.40 and 106.57. This exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the College. The basis for our decision to grant this exemption is discussed in further detail below.

Your letters indicate that the College is owned and controlled by the General Council of the Assemblies of God (General Council). Article IV of the College Bylaws 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." This relationship between the College and the General Council adequately establishes that Central Bible College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

Article V of the College's bylaws specifies that the College is "bound to give Christ the preeminence in all things and is bound to the statement of Fundamental Truths and to the policy and standards as set forth in the constitution and bylaws of the General Council." Your request letters state that religious tenets require the College to dismiss unmarried female students who become pregnant and married female students who become pregnant because of an adulterous relationship, and to deny admission to a female applicant who is pregnant or who has biological children but has never been married. Your letters also state that these same tenets apply to employees of the College. Based on this principle, Central Bible College is granted by this letter exemption to: 34 C.F.R. § 106.21(c) (marital and parental status of applicants for admission); § 106.39 (health and insurance benefits and services); § 106.40 (marital and parental status of students); and § 106.57 (marital and parental status of employees), to the extent that application of these sections conflict with the religious tenets practiced by the college.

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 herein 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.

I hope this letter responds fully to your request. If you have any questions, please do not hesitate to contact the Kansas City OCR. The address is:

Ms. Judith E. Banks
Acting Regional Civil Rights Director
Office for Civil Rights, Region VII
Department of Education
Post Office Box 901381
10220 N. Executive Hills Blvd. - 8th Floor
Kansas City, MO 64190-1381

Sincerely,



LeGree S. Daniels
Assistant Secretary
for Civil Rights

Enclosure

cc: Judith E. Banks, Acting Regional Civil Rights Director, Region VII