



CHRISTIAN
HERITAGE
COLLEGE

2100 Greenfield Drive, El Cajon, CA 92021

March 28, 1979

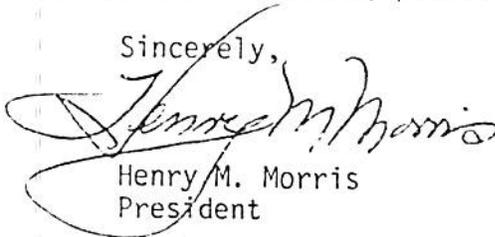
Mr. Benjamin Saunders
Office of Civil Rights
Office of Compliance and Enforcement
Division of Post-secondary Education
Department of Health, Education & Welfare
330 Independence Avenue, S. W.
Washington, D. C. 20201

Dear Mr. Saunders:

Enclosed is the statement as per 45CFR 86.12(b), which you requested by letter dated March 1, 1979.

Thank you for your cooperation and assistance. We trust this statement adequately expresses our position and satisfies governmental requirements. If there are any further questions, please let me know.

Sincerely,



Henry M. Morris
President

HMM:lr

Enclosure

DIRECTOR, OFFICE OF CIVIL RIGHTS
DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
March 28, 1979

Dear Sir or Madam,

The following statement has been prepared to satisfy the requirements of 45CFR Part 86, Section 86.12(b). The statement contains two portions, the first of which demonstrates that Christian Heritage College is controlled by a religious organization. The second specifically identifies the provisions of Part 86 which are in conflict with our religious tenets.

A copy of the 1978-'79 Christian Heritage College catalog is enclosed as a supporting document.

A. Control.

Christian Heritage College was founded by Scott Memorial Baptist Church of San Diego and El Cajon, California. This church continues to exercise control over the College through the College Board of Trustees, which is comprised of the President of the College, the Pastor and Senior Pastor of the Church, the Director of Christian Unified Schools, and six members elected by the membership of the Church. The College corporation membership is identical with the Church membership. Annual business meetings are held at Scott Memorial Baptist Church, at which church members may propose policy or budgetary changes and vote on such issues.

Both the Church and the College are committed to faithful obedience in all things to the principles of Christianity as revealed in God's Word, the Bible. The educational philosophy of the College, as stated on pp. 15-16 of the catalog, is based on the "Biblical framework of history and philosophy," and the College attempts to "develop a thoroughly Biblical and Christian world-view in each discipline." Each member of the faculty and administration is required to adhere to the doctrinal position given on pp. 17-20 of the catalog, the first paragraph of which stresses the integrity, inspiration, inerrancy, authority, and completeness of the Holy Scriptures, both the Old and New Testaments.

Prior to admission to Christian Heritage College, each prospective student is required to submit a statement of personal faith in the Person and work of the Lord Jesus Christ. The applicant must also produce a letter of recommendation from a Pastor, and "agree to abide by the doctrinal position and the standards of conduct of the College," as indicated on p. 32 of the catalog.

B. Specific Areas of Conflict.

On the basis of both the Church's and College's expressed faith in the Bible, we take exception to the following Sections of 45CFR Part 86. Brief explanations of the religious tenets at issue are provided for each section from which exemption is claimed.

1. Section 86.21, paragraphs (a) and (b).

While the College does not restrict its enrollment on the basis of

sex for the majority of its programs, the Ministerial Training program is restricted to men only. Although all students are required to take certain Bible courses, and may take any course as an elective, no woman student would be permitted to receive the degree in Ministerial Training. This restriction is based on the Biblical position that church pastors and teachers should be men (1 Timothy 3:2; Titus 1:6; 1 Timothy 2:11-13; 1 Corinthians 14:34).

In addition, the Scriptures teach that the primary responsibility for the operation of the household in a marriage relationship is given to the woman. The Home Economics program has therefore been designed to teach women the qualities exemplified in Proverbs 31, Titus 2:3-5, and elsewhere. On this basis, enrollment in the Home Economics program is restricted to women only.

2. Section 86.21, subparagraphs (c)(2) and (c)(3).

Since pregnancy out of wedlock, or abortion, or illegitimate child-birth would be indications of immorality, as defined in the Bible, the College requests exemption from these regulations and the right to make an admissions decision against an applicant on this basis (Galatians 5:19-21, Ephesians 5:3, Colossians 3:5, 1 Thessalonians 4:3).

3. Section 86.23, paragraph (a).

In accordance with the discussion of Section 86.21 (a) and (b) above, the College will only recruit male students for the Ministerial Training program and female students for the Home Economics program. In other areas, recruiting will be non-discriminatory.

4. Section 86.31, paragraph (a).

The College takes exception to the broad coverage cited in this paragraph of the regulations. Though the College does not discriminate in the majority of its educational programs and activities and makes a conscientious effort to respect and assist all students regardless of sex, there are certain areas in which we may make policy and take action on the basis of sex. The College will always attempt to make these decisions in a manner consistent with Biblical principles. The College requests exemption from this regulation on the basis of the Biblical teaching that there is a difference between males and females in their roles in society (Proverbs 31, Titus 2:3-5; 1 Timothy 2, etc.). Other principles, such as the commandment to "abstain from all appearance of evil" (1 Thessalonians 5:22) and the commandment to not "put a stumblingblock or an occasion to fall in his brother's way," (Romans 14:13) could require in some situations a decision or policy that necessitated different treatment based upon sex.

5. Section 86.31, paragraph (b).

For the same reasons listed immediately above in the discussion of paragraph 86.31(a), the College requests exemption from the specific prohibitions listed under paragraph (b), especially the following subparagraphs:

a. 86.31(b)(5).

The Scriptures clearly teach that men and women are to have different standards of appearance. For example, Deuteronomy 22:5

states that "the woman shall not wear that which pertaineth to a man, neither shall a man put on a woman's garment, for all that do so are an abomination to the Lord." Also, 1 Corinthians 11:14-15: "Doth not even nature itself teach you, that, if a man have long hair, it is a shame unto him? But if a woman have long hair, it is a glory to her."

b. 86.31(b)(7).

The College feels that assisting such organizations that are in agreement with our doctrinal position, regardless of discriminatory practices, is a Biblical practice that should be followed when necessary. There are many Scriptural examples of this, notably Acts 11:27-30; Philippians 4:14-17; and Hebrews 13:16.

6. Section 86.31, paragraph (d).

The College requests exemption from this paragraph, since it is possible that an organization which is in agreement with the doctrinal position of the College may be considered discriminatory. The students and faculty are required to participate in local churches and other Christian organizations of like faith on the basis of such commandments as Hebrews 10:24-25; 1 Timothy 3:15; and others.

7. Section 86.32.

Since the College expects all its students, male or female, married or unmarried, to "abstain from all appearance of evil" (1 Thessalonians 5:22), to "live soberly, righteously, and godly in this present world" (Titus 2:12), and that they "should abstain from fornication"

(1 Thessalonians 4:3), the College has accordingly established rules governing housing for all students, on and off campus. These rules are not intended to be discriminatory, but rather to take a clear stand against immorality and to prevent situations which might appear to be immoral. The College therefore requests exemption from this entire section on housing.

8. Section 86.34.

For the reasons given under Sections 86.21(a) and (b) certain College programs are restricted by sex. In addition, in order to be consistent with the Biblical principles as given in the discussion of 86.31(a) above and in the discussion of 86.51(a) which follows, future programs at Christian Heritage College may be developed which would have to be segregated by sex. The College therefore asks exemption from this section.

9. Section 86.34, paragraph (f).

The College requests exemption on the basis that there are many Scriptural examples of singing groups organized on the basis of sex (Ecclesiastes 2:8; II Samuel 19:35, II Chronicles 35:25, Ezra 2:65).

10. Section 86.36.

The College requests exemption to this section since, while counseling students for program selection, it will be necessary to treat students differently on the basis of sex to be consistent with the principles cited above in the discussions of Sections 86.21 and 86.31.

11. Section 86.38, paragraph (a).

The College believes that the Scriptures teach that certain jobs in the church are reserved for men (I Timothy 2:12; 3:2; 3:12) whereas others, especially as concerns childraising, are more appropriate for women (Proverbs 31:10-31; Titus 2:4, I Timothy 5:14). The College, therefore, requests exemption from this regulation and will permit other agencies, organizations, or persons who wish to make employment available to our students to specify the sex when such designation is in accordance with the Biblical principles.

12. Section 86.38, paragraph (b).

The College requests exemption to this section. Student employees will be treated on the same basis as other employees. The discussion which follows for Sections 86.51 through 86.61 (subpart E) applies to students employees as well as other employees of the College.

13. Section 86.40.

As discussed above under 86.21 (c)(2) and (c)(3), the College requests exemption from this section since pregnancy, abortion, or childbirth is evidence of immorality in unmarried students. The College will exercise sanctions against such students. However, the College's policies against immorality and fornication apply equally to male and female students (Galatians 5:19-21; Ephesians 5:3; Colossians 3:5; I Thessalonians 4:3).

14. Section 86.51, paragraph (a).

The College requests exemption from all four subparagraphs of this paragraph (a) on the basis that certain jobs within the organizational structure of the College must be limited to men in order to be consistent with the Biblical teaching of the line of authority (I Timothy 2:12; Ephesians 5:23) and the principle that only men should be Pastor-teachers in the work of the church (I Timothy 3:2; Titus 1:6).

15. Section 86.51, paragraph (b).

While the College does not generally discriminate against female employees in any of the specific areas listed under 86.51(b), it does ask exemption from this section to the extent necessary under the policy expressed above under the discussion of 86.51(a).

16. Section 86.53.

The College also needs exemption from this section in order to be consistent with the policy stated under the discussion of 86.51(a) above, for the reasons stated.

17. Section 86.55.

The College requests exemption from this section on the same basis as discussed under 86.51(a) above.

18. Section 86.57, paragraph (b).

For the reasons discussed previously under 86.21 (c)(2) and (c)(3), the College asks exemption from this paragraph. Sanctions would be

exercised against any employee or prospective employee who evidenced immorality. Obviously, pregnancy or childbirth in an unmarried woman is normally an evidence of an immoral lifestyle, which is condemned in the Scriptures (Galatians 5:19; Ephesians 5:3, Colossians 3:5; I Thessalonians 4:3).

19. Section 86.59.

The College requests exemption to this section in order to be consistent with the policy stated in the discussion of 85.51(a) above, for the reasons given.

20. Section 86.60, paragraph (a).

The College requests exemption from this paragraph in that marital status could indeed be a factor in job suitability in certain instances. Since the Scriptures teach that the husband is the head of the wife (Ephesians 5:22-24; Colossians 3:18; I Peter 3:1), a woman whose employment came in conflict with her marriage obligations would be expected to be in submission to her husband. On this basis, the College may find it necessary to make an employment decision based upon marital status.

C. Conclusion.

Christian Heritage College and its controlling organization, Scott Memorial Baptist Church, are firmly committed to the principle that the Bible, the Word of God, is the inspired and infallible source for all rules of faith and practice. This principle and commitment is the sole reason for the exemptions claimed herewith.

Thank you for your consideration.