

CONSERVATIVE BAPTIST THEOLOGICAL SEMINARY

OFFICE OF ADMINISTRATIVE VICE PRESIDENT
DOUGLAS V. BIRK

July 23, 1976

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Mr. Martin H. Gerry
Office for Civil Rights
Department of Health, Education and Welfare
Washington, D.C. 20201

Dear Mr. Gerry:

We are writing concerning the completion of HEW Form 639, Assurance of Compliance under Title IX of the Education Amendments of 1972. We are claiming a religious exemption under 45 C.F.R. 86:12 (b). According to your instructions on Religious Exemption "an applicant or recipient will normally be considered to be controlled by a religious organization if one or more of the following conditions prevail:"

1. It is a school or department of divinity; or
2. It requires its faculty, students or employees to be members of, or otherwise espouse a personal belief in, the religion of the organization by which it claims to be controlled; or
3. Its charter and catalog, or other official publication, contains an explicit statement that it is controlled by a religious organization or an organ thereof or is committed to the doctrines of a particular religion, and the members of its governing body are appointed by the controlling religious organization or an organ thereof, and it receives a significant amount of financial support from the controlling religious organization or an organ thereof.

The term "school or department of divinity" means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects. (This definition is adopted from section 1201 (1) of the Higher Education Act of 1965, P.L. 89-329).

We are covered by all three of the above conditions.

Mr. Martin H. Gerry - Page 2

We do recognize, however, that: "even institutions whose admissions are exempt from coverage must treat all students nondiscriminatorily once they have admitted members of both sexes."

We agree with this above statement and practice it.

We shall await your reply.

Most gratefully yours,

Douglas V. Birk

Douglas V. Birk
Administrative Vice President

DVB:tt

Denver, CO
George (D)

DENVER SEMINARY

July 19, 1985

Gilbert D. Roman, Ed.D.
Department of Education
Region VIII
Federal Office Building
1961 Stout Street
Denver, CO 80294

Dear Dr. Roman:

Thank you for your letter of July 11, 1985 regarding our exemption from Title IX. The specific sections of Title IX from which we request exemption are as follows:

1. Subpart C, Section 106.21(c)(2) - "...shall not discriminate against or exclude any person on the basis of pregnancy, childbirth, termination of pregnancy, or recovery therefrom, or establish or follow any rule or practice which so discriminates or excludes."

Denver Conservative Baptist Seminary has strong moral and religious convictions regarding abortion. A student who receives an abortion may be subject to dismissal depending upon the circumstances surrounding the pregnancy.

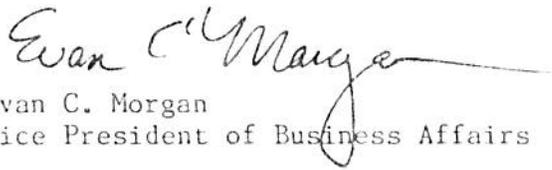
2. Subpart D, Section 106.38 - "...assistance by recipient in making available outside employment. A recipient which assists any agency, organization or person in making employment available to any of its students shall assure itself that such employment is made available without discrimination on the basis of sex."

Students which attend the Seminary are required to complete a Field Education requirement. This Field Education requirement is often filled through local churches. Many of our affiliated churches have religious convictions that the ordination of women is not Biblical. Therefore certain positions in the local church are not available to women, such as the senior pastor position. Thus, certain employment possibilities are available to our male students which are not available to the female students.

Gilbert D. Roman, Ed.D.-
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As I mentioned in my letter of June 28, 1985, we do not discriminate in any way against women in our admissions and employment practices. However, we feel that these two items carry such strong convictions with us and/or our constituency, that we ask for exemption from Title IX of the Education Amendments of 1972. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Evan C. Morgan". The signature is written in dark ink and has a long, sweeping horizontal line extending to the right.

Evan C. Morgan
Vice President of Business Affairs

ECM:lr