



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

AUG 27 1985

Dr. Haddon W. Robinson
President
Denver Conservative Baptist Seminary
Post Office Box 10,000
Denver, Colorado 80210

Dear President Robinson:

The Office for Civil Rights (OCR) appreciates the prompt responses from Mr. Evan C. Morgan, Vice President of Business Affairs, to our requests for additional information regarding your application for religious exemption under Title IX of the Education Amendments of 1972. We have reviewed this additional information describing certain policies practiced at Denver Conservative Baptist Seminary (DCBS) as consistent with the tenets of the religious organization that controls the institution. These policies would violate certain sections of the regulation implementing Title IX absent a religious exemption.

DCBS has supplied information that establishes that the institution 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 an exemption to those sections of the Title IX regulation specified in the July 19, 1985, request letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. DCBS is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. § 106.21(c)(2) and § 106.38. The basis for our decision to grant this exemption is discussed in further detail below.

The request letters from Mr. Morgan indicate that DCBS is affiliated with the Conservative Baptist Association of America. Religious tenets of the Conservative Baptist Association of America are referenced in the "Statement of Faith," a doctrinal statement to which degree-seeking students at DCBS must subscribe and which members of the Board of Trustees, faculty and staff

must affirm and sign without reservation each fiscal year. This relationship between the Conservative Baptist Association of America and the Denver Conservative Baptist Seminary adequately establishes that DCBS is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The request letter of July 19, 1985, states:

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.

Based on the above principle, DCBS has requested and is granted by this letter exemption to 34 C.F.R. § 106.21(c)(2) (admission, including prohibitions relating to pregnancy).

The letter also states:

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.

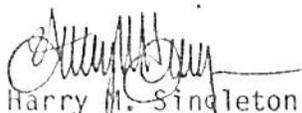
Based on the above principle, DCBS has requested and is granted by this letter exemption to 34 C.F.R. § 106.38 (employment assistance to students).

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. If the organization provides an interpretation of tenets that has a different practical impact than that described by the institution, or if the organization denies that it controls the institution, this exemption will be rescinded.

I hope this letter responds fully to your request. I regret the inordinate delay in responding to your original request. If you have any questions, please do not hesitate to contact the Denver Regional Office for Civil Rights. The address is:

Gilbert D. Roman
Regional Civil Rights Director
Office for Civil Rights, Region VIII
Department of Education
Federal Office Building
1961 Stout Street - Room 1185
Denver, Colorado 80294

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

cc: Gilbert D. Roman, Regional Civil Rights Director, Region VIII