



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

SEP 24 1985

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Dr. Gordon L. Shipp
President
Faith Baptist Bible College
1900 N.W. 4th Street
Ankeny, Iowa 50021

Dear President Shipp:

The Office for Civil Rights of the Department of Education (OCR/ED) has reviewed your response to OCR's letter of June 27, 1985, in which you provided additional information regarding Faith Baptist Bible College's request for religious exemption from Title IX of the Education Amendments of 1972.

In the original request for religious exemption, former President Nettleton described certain policies practiced at the 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. Faith Baptist Bible College has provided 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 Faith Baptist Bible College an exemption to those sections of the Title IX regulation specified in the 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. The College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21(c) and 106.34. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Faith Baptist Bible College is affiliated with the General Association of Regular Baptist Churches (GARBC). Ninety-two percent of the College's students come from GARBC churches, and all Board members are members of GARBC churches. Ninety-eight percent of the financial support for the College comes from GARBC churches. "All . . . administration and faculty members belong to Regular Baptist Churches." This relationship between the General Association of Regular Baptist Churches and the College adequately establishes that Faith Baptist Bible College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The original request letter stated that, "[d]ue to doctrinal position and religious conviction pre-admission inquiry is made of applicants to determine the marital status of prospective students. We do not admit

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students who are divorced or married to divorced persons." Based on this principle, Faith Baptist Bible College has requested and is granted by this letter exemption to: § 106.21(c) (marital and parental status of applicants for admission).

The request letter also specified, "Homiletics, a course in training pastors, is limited to men only," since women may not become pastors in the association. Based on this principle, Faith Baptist Bible College has requested and is granted by this letter exemption to: § 106.34 (access to course offerings).

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 the College's request. I regret the inordinate delay in responding to the original request. If you have any questions, please do not hesitate to contact the Kansas City Regional Office for Civil Rights. The address is:

Jesse L. High
Regional Civil Rights Director
Office for Civil Rights
Department of Education, Region VII
324 East 11th Street, 24th Floor
Kansas City, Missouri 64106

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosure

cc: Jesse L. High, Regional Civil Rights Director, Region VII