



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

SEP 13 1985

Dr. Charles U. Wagner
President
Grand Rapids Baptist College
and Seminary
1001 East Beltline, N.E.
Grand Rapids, Michigan 49505

Dear President Wagner:

The Office for Civil Rights of the Department of Education (OCR/ED) is in the process of resolving a number of pending requests for religious exemption from Title IX of the Education Amendments of 1972. Our records indicate that Grand Rapids Baptist College and Seminary (GRBCS) filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request filed by former President Welch (copy enclosed) in which he described several policies practiced at GRBCS 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 (copy enclosed) absent a religious exemption. The former president supplied information in his request letter that establishes that GRBCS 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 Grand Rapids Bible College and Seminary an exemption to those sections of the Title IX regulation specified in his request letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by your institution. Grand Rapids Bible College and Seminary is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. § 106.21(c); § 106.23(a); § 106.34; § 106.40(b)(1), (4) and (5); § 106.51(a)(1) and (2); § 106.55(a); § 106.57; and § 106.60. The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Grand Rapids Baptist College and Seminary is responsible to an evangelical Baptist constituency, and is supported basically by that constituency and student fees. This Baptist constituency and GRBCS believe that "Biblical principles . . . include clear instructions regarding sexual morality," and that "the Bible excludes women from the ordained ministry." This relationship between Grand Rapids Baptist College and Seminary and its supporting evangelical Baptist constituency adequately establishes that Grand Rapids Baptist College and Seminary is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The request letter indicates that students and employees at GRBCS must adhere to tenets of its Baptist constituency relative to sexual morality and the marital status of its religious leaders. Thus, Grand Rapids Baptist College and Seminary has requested and is granted by this letter, exemption to: § 106.21(c); § 106.40(b)(1), (4) and (5); § 106.57 and § 106.60 relative to a student's or employee's marital or parental status, including pregnancy. Additionally, the request letter indicates that GRBCS follows Biblical guidelines that men should take positions of leadership and teaching in the church. Thus, GRBCS recruits only men and permits access only to men for certain courses preparing students for the ministry. Also, certain administrative and teaching positions are considered more appropriate for men. Based on the above principle, Grand Rapids Baptist College and Seminary has requested and is granted by this letter, exemption to: § 106.23(a); § 106.34; § 106.51(a)(1) and (2); and § 106.55(a).

GRBCS also requested exemption to § 106.31(b)(5) concerning rules of appearance. Section 106.31(b)(5) was formally revoked and deleted from the Title IX regulation. Therefore, an exemption is not necessary.

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.

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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 Chicago Regional Office for Civil Rights. The address is:

Linda A. McGovern
Acting Regional Civil Rights Director
Office for Civil Rights, Region V
Department of Education
300 South Wacker Drive, 8th Floor
Chicago, Illinois 60606

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

cc: Linda A. McGovern, Acting Regional Civil Rights Director, Region V