



P.O. Box 40060 • Lansing, Michigan 48901-7260 • Phone: (517) 321-0242

Chi
1/18
Asig
of AS
(OASPLLEWTS)

December 21, 1988

Assistant Secretary for Civil Rights
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Re: Title IX Religious Exemption

Dear Sir:

Great Lakes Bible College hereby claims an exemption from the requirements of Title IX of the Education Amendment of 1972 ("Title IX") as herein specified, pursuant to Sections 901(a)(3) and 908 of Title IX and 34 C.F.R. Section 106.12(b). The college believes that it may in the past have received, and may currently be receiving, indirect federal aid within our understanding of the Supreme Court decision in Grove City College v. Bell, 465 U.S. 555 (1984).

Great Lakes Bible College is a regionally accredited liberal arts college, offering courses of instruction in the humanities, arts and sciences. The college is controlled by its board of trustees, whose members represent various Churches of Christ and Christian Churches in the Michigan area. It is a non-profit educational corporation which was incorporated in the State of Michigan in 1972 as a Christian institution of higher education under the control of a board of trustees, and is exempt from federal income taxation as a not-for-profit religious institution under Section 501(c)(3) of the Internal Revenue Code. The trustees of the corporation and faculty, students and employees of the college are all required to espouse a personal belief in the religious tenets of the Christian faith. The Articles of Incorporation of the corporation and the catalogs and other official publications of the college contain explicit statements that the college is committed to the doctrines of the Christian religion. The college is completely governed by its church representative board of trustees and receives its entire financial support from such churches and their members. The college maintains its religious tradition, standards and beliefs in accordance with the requirements of Churches of Christ and Christian Churches.

Assistant Secretary for Civil Rights
December 21, 1988
Page Two

The college adheres to biblical tenets for matters of faith and practice, following its religious tradition. It specifically utilizes a religious preference in employment practices to assure that faculty and staff adhere to a common religious understanding of the religious beliefs, values and purposes that guide the educational mission of the college. Accordingly, the personnel of the college accept religious standards in matters of moral behavior, dispute and grievance resolution and disciplinary matters, as well as in the performance of any religious role or office in which gender distinctions may be required. The Holy Bible sets forth the standards for Christian morality and practice in far too many places and forms to be identified comprehensively in this letter; however, see for example, Ephesians 4:11, I Timothy 2:9-15, I Timothy 3:2 and 5, and Titus 1:6.

The college seeks to maintain its religious freedom to make certain gender distinctions in matters of moral behavior, marriage and residential living environments and standards. It specifically holds religious standards for personnel and students in matters conducive to the fostering of proper moral behavior and the discouragement of inappropriate behavior as understood by the religious tradition and tenets accepted by the college. Such standards include matters relating to the expression of human sexuality, living environments, respect for the institution of marriage, language and attire.

The college adjudicates matters of moral behavior, including the misuse of human sexuality, in accordance with Scriptural teaching about moral behavior. See, for example, Matthew 19:1-9, I Corinthians 5:9-13, I Corinthians 6:9-20, and II John 9 and 10.

The college hereby claims exemption from the application of Title IX and the regulations thereunder (including, without limitation, the following provisions of the Title IX regulations), to the extent that they conflict with the college's religious tenets and traditions as described above: 34 C.F.R. Sections 106.21(c), 106.40, 106.57 and 106.60 (treatment based on marital and parental status), Section 106.34 (access to course offerings in ministerial or pre-ministerial programs limited by religious tenets to students of one gender) and Section 106.51 (employment opportunities for religious offices or positions such as chaplains limited by religious tenets to one gender), together with any application of Sections 106.38 (employment assistance to students), 106.53 (recruitment), 106.55 (job classification and structure) or 106.59 (advertising) that relates to such employment opportunities that are limited to one gender by the religious beliefs of the college.

Assistant Secretary of Civil Rights
December 21, 1988
Page Three

There are a number of issues central to the religious beliefs and practices of the college that may not have been discussed in this letter because of our understanding that no specific exemption is required. For example, the college believes that Title IX, as amended by the Civil Rights Restoration Act of 1987, shall not be construed to require the college to provide or pay for any benefit or service, including the use of facilities, related to an abortion. Additionally, pursuant to 34 C.F.R. Section 106.15(d), the provisions of Sections 106.16 through 106.23, inclusive, do not apply to the college because it is a private institution of undergraduate higher education. Finally, the college understands that Sections 106.32 and 106.33 permit the college to provide separate, although substantially comparable, housing, bathroom locker room and similar facilities for men and women.

The college generally opposes gender-based discrimination and affirms its intention to comply with the provisions of Title IX and the regulations thereunder except to the extent that such compliance would cause the college to violate its religious tenets and traditions. The college specifically claims its right to exercise a religious preference in its employment decisions, pursuant to Section 702 of Title VII of the Civil Rights Act of 1964 and the decision of the Supreme Court in Corporation of the Presiding Bishop v. Amos, 107 S. Ct. 2862 (1987). In seeking to provide equal employment opportunities for men and women, the college shall not under any circumstances waive or be deemed to have waived its primary requirement of hiring only persons whose religious beliefs and practice are consistent with the Christian tenets, principles and traditions accepted by the college and its board of trustees.

In the event of future amendments to Title IX or the regulations thereunder, or changes in the application thereof or the facts surrounding the operation of the college and the burden of such statute and regulations on the college's ability to pursue its religious mission, the college reserves its right to claim an amendment to its exemption or an additional exemption in order to fully protect the religious tenets, practices and traditions of the college.

Assistant Secretary for Civil Rights
December 21, 1988
Page Four

Thank you for your assistance and for your prompt consideration of this letter. If you have any questions or require any further information, please contact the undersigned at (517) 321-0242.

Very truly yours,

A handwritten signature in cursive script, reading "Philip H. Schlaegel". The signature is written in dark ink and extends across the width of the page.

Philip H. Schlaegel, President
Great Lakes Bible College

PHS/gc