



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

January 30, 2018

David Moore
Director
North Carolina School of Biblical Studies
8999 Lasater Road
Clemmons, NC 27012-8452

Dear Director Moore:

I write in response to your October 27, 2017, letter to the U.S. Department of Education's Office for Civil Rights (OCR), in which you requested a religious exemption for the North Carolina School of Biblical Studies (School) of Clemmons, North Carolina, from Title IX of the Educational Amendments of 1972 (Title IX), 20 U.S.C. § 1681.

Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Title IX and its implementing regulation at 34 C.F.R. § 106.12 provide that Title IX does not apply to an educational institution that is controlled by a religious organization to the extent that the application of Title IX would be inconsistent with the controlling organization's religious tenets. Therefore, such educational institutions may request an exemption from Title IX by identifying the provisions of Title IX that conflict with a specific tenet of the religious organization. The request must identify the religious organization that controls the educational institution and specify the tenets of that organization and the provisions of the law or regulation that conflict with those tenets. An institution may be considered controlled by a religious organization if it is a school or department of divinity.

Your request letter states that the School "prepares men to become preachers or ministers of religion." The School's website indicates that it is "overseen by the elders of the Warners Chapel Church of Christ."

Your letter requests exemption from certain provisions of Title IX and its implementing regulations to the extent that they are interpreted to curtail the School's practice of not allowing female students to participate in its preacher training program.

In support of this request, your letter states that "[b]ased upon the New Testament scripture, churches of Christ have a religious tenet that prohibits women from serving as a preacher or minister. Therefore, [the School] is unable to train female preachers. Female students may participate in Bible classes, but are not allowed to participate in the preacher training program."

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Your letter states that, for the above reasons, the School is requesting an exemption from Title IX to the extent that compliance would conflict with the religious tenet that prohibits women from serving as a preacher or minister, which the Department interprets this as a request for exemption from the following regulatory provisions:

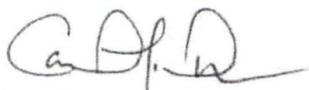
- 34 C.F.R. § 106.21 (governing admission);
- 34 C.F.R. § 106.22 (governing preference in admission);
- 34 C.F.R. § 106.23 (governing recruitment of students);
- 34 C.F.R. § 106.31 (governing education programs or activities);
- 34 C.F.R. § 106.34 (governing access to classes and schools); and
- 34 C.F.R. § 106.36 (governing counseling).

The School is exempt from these provisions to the extent that compliance would conflict with the controlling organization's religious tenets.

Please note that this letter should not be construed to grant exemption from the requirements of Title IX and the regulation other than as stated above. In the event that OCR receives a complaint against your institution, we are obligated to determine initially whether the allegations fall within the exemption here recognized.

I hope this letter fully responds to your request. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jackson', with a stylized flourish at the end.

Candice Jackson
Acting Assistant Secretary for Civil Rights