



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

JAN 10 1989

Dr. Howard Wilburn  
President  
Piedmont Bible College  
716 Franklin Street  
Winston-Salem, North Carolina 27101-5197

Dear Dr. Wilburn:

The Office for Civil Rights (OCR) of the Department of Education has reviewed your letter of September 29, 1988. You requested a religious exemption for Piedmont Bible College from certain sections of the regulation implementing Title IX of the Education Amendments of 1972 (Title IX).

In your letter, you describe certain policies practiced at Piedmont Bible College (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. You have supplied information in your request letter that establishes that the College is controlled by a religious organization and that tenets followed by this organization and the College conflict with specific sections of the Title IX regulation. Therefore, I am granting the College an exemption to the nine sections of the Title IX regulation specified in your request letter (34 C.F.R. §§ 106.21(c), 106.31, 106.32, 106.34, 106.40, 106.51, 106.55, 106.57, and 106.60).

Piedmont Bible College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21(c), 106.31, 106.32, 106.34, 106.40, 106.51, 106.55, 106.57, and 106.60. This exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the College. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that the College is controlled by a Board of Trustees whose members are elected in accordance with the constitution and by-laws of the College, which require that each member of the Board be a member of a Baptist organization. This relationship between the College and Baptist organizations adequately establishes that Piedmont Bible College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

Your request letter states that applicants for admission, students and employees of the College are all required to espouse a personal belief in the Doctrinal statement of the College. The College is Baptist in polity and doctrine, and finds biblical support for its positions on divorce, abortion, homosexuality, premarital sex, and sexual abstinence outside the marriage bond. For instance, the pastoral training program is limited to males because only a male can serve as pastor. Based on these principles, Piedmont Bible College is granted by this letter exemption from: 34 C.F.R. § 106.21(c) (marital or parental status

of applicants for admission); § 106.31 (education programs and activities); § 106.32 (housing); § 106.34 (access to course offerings); § 106.40 (marital or parental status of students); § 106.51 (employment); § 106.55 (job classification and structure); § 106.57 (marital or parental status of employees); and § 106.60 (pre-employment inquiries), to the extent that application of these sections conflict with the religious tenets practiced by the College.

As mentioned in your letter, 34 C.F.R. 106.15(d) excludes private institutions of undergraduate higher education from certain provisions of the regulation, including § 106.21, which relates to admissions. However, it is the practice of this office to grant an exemption from § 106.21(c), as in this case, so that any activities of the institution which may not be undergraduate in nature, are exempt, if the application of that section of the regulation conflicts with the religious tenets practiced by the College.

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.

I hope this letter responds fully to your request. I regret the delay in responding to your original request. If you have any questions, please do not hesitate to contact the Atlanta OCR. The address is:

Mr. Jesse L. High  
Regional Civil Rights Director  
Office for Civil Rights, Region IV  
Department of Education  
101 Marietta Tower, 27th Floor, Suite 2702  
P.O. Box 1705, 04-3010  
Atlanta, Georgia 30301-1705.

Sincerely,



LeGree S. Daniels  
Assistant Secretary  
for Civil Rights

Enclosure

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