



Roberts  
Wesleyan  
College

Office of the President

ROCHESTER, NEW YORK 14624 116 594 9471

September 29, 1976

Mr. Martin H. Gerry, Director  
Office of Civil Rights  
Department of Health, Education, and Welfare  
Washington, D.C. 20201

Dear Mr. Gerry:

The provision in H.E.W. Form 639 for claiming a religious exemption [45 CFR 86.12 (b)] obligates the applicant to identify specific provisions of the law in question which are in conflict with specific religious tenets of the sponsoring religious denomination of the applicant. This presents the applicant with a most difficult task since, in the practice of most religious groups, governing statements are broadly drawn, and, for interpretation they rely to a considerable degree on an understanding of the denomination's history, tradition, and religious practice. The most explicit statements are usually discovered in those areas of governance which are matters of procedure determined solely by the legislative body of the denomination. That specificity stands in marked contrast to the more general statements of moral and spiritual expectations for the members of that specific religious group, expectations which are derived from interpretation of Scripture and which are made operative through denominational norms of Christian experience. In other words, the emphasis is upon the spirit of the document rather than upon precise statements of prescription or prohibition.

It may well be that action by the instrumentalities of Federal or State government may force more legalistic statements into the practice of religious denominations. At least it is true that the Board of Bishops of the Free Methodist Church of North America has provided an explicit statement on the question of abortion that would formerly have been considered by the denomination as a logical corollary to the denomination's position on marriage and on the family. That position emphasizes the positive values of Christian marriage and the responsibilities of partners each to the other as well as their responsibilities as parents. In the spirit of that position, actions involving illicit sexual relationships are treated as if express prohibitions existed in legal form.

Attached to this is the statement submitted by this college to H.E.W. in response to the requirements of Title IX. This statement attempts to state unequivocally that:

- (1) The essential character of discrimination based on sex, race, and national origin has been absent from the Free Methodist Church, and

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the schools it has established, since its founding in 1866.

- (2) Church membership has no such barriers as referred to in (1), nor has this college in admissions and employment.
- (3) The religious purpose of the college does compel consideration of factors which bear significantly on the attainment of those religious purposes.

The factors which the college identified for consideration in relation to Title IX were:

1. Inquiry in regard to marital status.
2. Treating pregnancy as any other temporary inconvenience.
3. Treating abortion as any other temporary inconvenience.
4. Discrimination (differentiation?) in regard human sexuality.

In regard to 1. above, marital status, no specific denominational directive is available. However, Par. 329, Page 50 of the 1974 edition of the Book of the Discipline of the Free Methodist Church covers the denomination's position on Marriage and Divorce (see attached exhibit). In the context of that statement, it should be clear that proper marriage and family relationships are indispensable to the achievement of the religious objectives and ideals of the college. Pre-employment or pre-admission inquiry into marital status is not a question of race, sex, or national origin, but a question of character. The present preponderance of women on campus should demonstrate that this inquiry is not a device for excluding women.

Item 2. above, pregnancy, also has no specific church statement to which to appeal. The treatment of Marriage and Divorce already referred to clearly indicates that the Free Methodist Church affirms the sacredness of the human sexual experience, of family relationships, and the unacceptability of pre-marital intercourse or sex acts outside the marriage bond. Pregnancy within the marriage bond is no problem, but pregnancy out of wedlock is a most serious breach of morals for both parties involved.

Item 3., abortion, is one to which the ruling of the Bishops (previously referred to and attached as an exhibit) does apply. This ruling clearly states the unacceptability of induced abortion except in those cases where responsible and competent persons have judged the life or sanity of the mother to be at stake. In any other terms, the Free Methodist Church regards induced abortion as a serious crime whether or not it is punishable by the legal authorities.

Item 4. of those listed, human sexuality, has no specific

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denominational directive to which to refer. Those directives attached as exhibits declare the denomination's commitment to treating every person according to Christian ideals and his or her personhood. Since, to the best of our knowledge, no present campus practice constitutes discrimination, as defined by Title IX, this may not be a problem area.

Faithfully yours,



Paul L. Adams  
President

PLA:mjv  
Enclosures