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To ELENOR BAKER	From KAMAR DANIEL	
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**SAMFORD UNIVERSITY
SESQUICENTENNIAL**

For God • For Learning • Forever

April 29, 1992

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Assistant Secretary
 Department of Education
 c/o Mr. Archie B. Meyer, Sr.
 Regional Civil Rights Director
 Office for Civil Rights
 PO Box 2048, 04-3010
 Atlanta, GA 30301-2048

RE: Application for Institution Exemption from Certain Provisions of Title IX of the Education Amendments of 1972

Dear Mister or Madam Secretary:

Samford University ("Samford"), pursuant to 34 C.F.R. 106.112(b), hereby requests exemption from application of certain of the regulations promulgated under Title IX of the Education Amendments of 1972. In support of such exemption, Samford states as follows:

1. Samford, incorporated by Act of the Legislature of Alabama as Howard College on December 19, 1841, is an entity of The Alabama Baptist State Convention (the "Convention").

2. The Convention is a religious organization, incorporated under the laws of the State of Alabama, whose purpose is:

to offer an agency of cooperation for the churches, to promote the preaching of the gospel in Alabama and throughout the world, to support ministerial and Christian education, to publish and distribute Christian literature including the Bible if desirable and organize and promote all phases of work fostered by the Convention and the southern baptist convention, and to aid any benevolent or moral movements it may deem promotive of God's kingdom. (Article II of the Constitution of the Alabama Baptist State Convention).

The President

SAMFORD UNIVERSITY • BIRMINGHAM, ALABAMA 35220 U.S.A. • 205-870-2727

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3. Samford University's relationship to the Convention is expressed in Article III of the Convention's Constitution:

The Convention shall have ultimate control of any literary, theological, eleemosynary, or other institutions which have been acquired by or originated in this body.

4. The members of the Board of Trustees of Samford are elected by the Convention and must hold membership in a Baptist Church in Alabama which cooperates with the Convention. (Articles III and XIV of the Constitution of The Alabama Baptist State Convention.)

5. The Convention contributed approximately \$4,000,000 to the operating budget of Samford this fiscal year.

6. Samford seeks exemption from the below listed regulations, as they are inconsistent with the religious tenets of The Alabama Baptist State Convention, the Convention's member churches located within the State of Alabama, or the Southern Baptist Convention:

34 CFR	106.21
34 CFR	106.31
34 CFR	106.32
34 CFR	106.36
34 CFR	106.37
34 CFR	106.38
34 CFR	106.39
34 CFR	106.40
34 CFR	106.51
34 CFR	106.52
34 CFR	106.53
34 CFR	106.55
34 CFR	106.57
34 CFR	106.60

7. The specific religious tenets with which the Regulations conflict are as follows:

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(a) Regulations 106.21, 106.31, 106.37, 106.39, 106.40, 106.57 and 106.60 would, if applicable, generally require Samford to ignore the sex, marital or parental status of employment applicants, faculty, staff and students in the offering of employment, educational programs and services, and health insurance. Such requirements interfere with the ability of Samford to provide role models of Christian moral character and to make decisions consistent with Baptist tenets concerning Christian sexual conduct, the sanctity of male-female marriage and the primacy of the nuclear family.

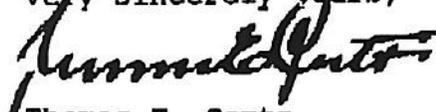
(b) Regulations 106.32, 106.34, 106.38, 106.51, 106.52, 106.53 and 106.55 would, if applicable, generally require Samford to ignore its religious purpose and the religious tenets of the Convention, its member churches and The Southern Baptist Convention, insofar as their tenets allow and indeed, require the individual member churches of the Convention to ordain and license clergy, which, as a result of these and other tenets, results in appointment of predominantly male ministers. This basic tenet of the Baptist faith requires that the academic, scholarship, employment, recruitment, housing and other programs and practices of Samford be unconstrained by the above cited regulations in order to properly serve Samford's religious educational mission. Be assured, however, that Samford shall not discriminate on the basis of sex where such is not required by the aforementioned religious tenets.

In summary, Samford and the Convention adopt the principal of equality among God's children of all races, both male and female, and will endeavor to operate Samford University in accordance with this principal. Our concern is that the regulations from which we seek exemption might somehow be interpreted and enforced in such a way as to require Samford to ignore religious tenets in order to comply with the law. We believe that 34 C.F.R. 106.12(a), which enables the religious exemption sought herein, and the First Amendment of the United States Constitution, ensure that Samford should not be subject to such conflicts.

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We appreciate your consideration and understanding of our request and trust that the requested exemptions will be promptly granted.

Very sincerely yours,



Thomas E. Corts
President

/ewh