



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

SEP 24 1985
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Dr. Bruce C. Stewart
President
The Reformed Presbyterian
Theological Seminary
7418 Penn Avenue
Pittsburgh, Pennsylvania 15208

Dear President Stewart:

The Office for Civil Rights of the Department of Education (OCR/ED) recently requested information regarding the Reformed Presbyterian Theological Seminary's (Seminary) request for a religious exemption from Title IX of the Education Amendments of 1972.

In your response, you describe a policy practiced at the Reformed Presbyterian Theological Seminary as consistent with the tenets of the religious organization that controls the institution. These policies would violate a section of the regulation implementing Title IX (copy enclosed) absent a religious exemption. You have supplied information in your request letter that establishes that the institution is controlled by a religious organization and that tenets followed by this organization conflict with a specific section of the Title IX regulation. Therefore, I am granting the Reformed Presbyterian Theological Seminary an exemption to the section of the Title IX regulation specified in your request letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. The Reformed Presbyterian Theological Seminary is hereby exempted from the requirements of the following section of the Title IX regulation: 34 C.F.R. § 106.34. The basis for our decision to grant this exemption is discussed in further detail below.

In your request letter, you state that the Reformed Presbyterian Theological Seminary is controlled by the Reformed Presbyterian Church of North America. The Seminary's professors are elected by the Synod of the Reformed Presbyterian Church as are the members of the Board of Trustees who must be elders in the Church. The purpose of the Seminary is to instruct candidates for the ministry and others preparing for special lines of Christian service. This relationship between the Reformed Presbyterian Church and the Seminary adequately establishes that the Reformed Presbyterian Theological Seminary is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

Your request letter indicates that the Reformed Presbyterian Church does not allow the ordination of women to the ministry, nor does it permit women to preach. Thus, the Seminary does not offer classes in homiletics to women. You indicate that all other courses are open to men and women. Based on this practice, the Reformed Presbyterian Theological Seminary has requested and is granted by this letter exemption to: § 106.34 (access to course offerings) for homiletics courses.

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. If the organization provides an interpretation of tenets that has a different practical impact than that described by the institution, or if the organization denies that it controls the institution, this exemption will be rescinded.

I hope this letter responds fully to your request. I regret the inordinate delay in responding to the original request. If you have any questions, please do not hesitate to contact the Philadelphia Regional Office for Civil Rights. The address is:

Ronald Gilliam
Acting Regional Civil Rights Director
Office for Civil Rights, Region III
Department of Education
Gateway Building, 6th Floor
3535 Market Street
Post Office Box 13716
Philadelphia, Pennsylvania 19104

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosure

cc: Ronald Gilliam, Acting Regional Civil Rights Director, Region III