



Truett-McConnell College

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Office of the President

March 21, 1994

U.S. Department of Education
Office of the Assistant Secretary
for Civil Rights
400 Maryland Avenue, S.W.
Washington, D.C. 20202

This letter shall constitute Truett-McConnell College's request for exemptions from Title IX of the Education Amendments of 1972. The exemptions are requested pursuant to 34 C.F.R. § 106.12. The College requests exemptions from Title IX regulations insofar as those regulations impose duties and obligations that are inconsistent with the "Statement of Purpose" of the College and the religious tenets of the institution and the Baptist Convention of the State of Georgia.

Truett-McConnell College is an institution of the Baptist Convention of the State of Georgia. The Convention is composed of messengers from cooperating Baptist churches within the State of Georgia. The College is controlled by the Baptist Convention of the State of Georgia. All members of the institution's Board of Trustees are elected by the Convention. Trustees must be resident, active members of Baptist churches affiliated with the Convention. The Convention fosters the College and provides it substantial financial support. I am completely satisfied that the nature of the Baptist Convention of the State of Georgia, and its relationship with the College, establish that Truett-McConnell College is "controlled by a religious organization" as required for exemption under Section 106.12.

The College and the Convention adhere to certain biblical tenets as their standard of faith and practice. These religious tenets are based upon the College's and the Convention's Christian understanding of the Scriptures. The College is compelled by Scripture to be faithful to these religious tenets. To the extent these religious tenets permit, the College is committed to compliance with the spirit and the letter of all applicable federal laws regarding equal opportunity and nondiscrimination, including Title IX. However, in some instances, these religious tenets require the College to act in ways that may conflict with specific regulations under Title IX.

Cleveland, Georgia 30528 • 706-865-2134 • FAX 706-865-7566

The faculty, employees and students of the College are expected to conduct themselves in a manner consistent with the tenets of the Christian faith. For example, the College requires that all employees and students refrain from conduct that is in conflict with strict standards of Christian morality. It would be in violation of the College's religious tenets to compel it to treat an unmarried woman's pregnancy, childbirth, or termination of pregnancy as a temporary disability, or to compel it to award certain benefits or privileges in spite of her condition, as required by 34 C.F.R. §§ 106.40(b) and 106.51(b).

The College and its controlling organization's religious tenets are directly related to issues such as human sexuality, cohabitation, the institution of marriage, language, and other subjects of a moral character or dimension. The College expects its students and employees to be Christian role models. For example, it is a violation of the College's religious principles and stated policy for employees to engage in any conduct that would call into question its religious tenets, such as use of public profanity or cohabitation with a non-relative of the opposite sex outside of marriage.

In keeping with its religious beliefs, some positions of employment within the institution may be restricted on the basis of gender. Therefore, with respect to positions of employment which carry with them religious or ministerial qualifications and/or functions, we request an exemption from §§ 106.51 (employment); 106.52 (employment criteria); 106.53 (recruitment of employees); 106.55 (job classifications and structure); and 106.59 (advertising). The College requests an exemption from sections 106.57 (marital or parental status of employees) and 106.60 (pre-employment inquiries as to marital status and gender) insofar as these regulations prohibit the College from applying standards of Christian moral conduct in the selection and discipline of its employees.

The College provides an education to a significant number of students who are training for the gospel ministry. The College may provide different scholarship assistance and academic and professional advising to ministerial students on the basis of gender. Dormitory arrangements are segregated by gender. The College deems it necessary to minister in unique and different ways to men and women in encouraging and preparing them to fulfill their roles as committed Christian citizens. Of particular relevance and significance is the institution's role in encouraging those intending to marry and become parents to adhere to the College's and the Convention's religious tenets regarding the Christian view of the sanctity of marriage and the importance of family life.

Therefore, this College requests an exemption from 34 C.F.R. §§ 106.21(c) and 106.40 that prohibit inquiring into the marital or parental status of applicants for admission and treating students differently on the basis of such status. This institution requests an exemption from 34 C.F.R. § 106.31 because, to the extent ministerial students are involved, counseling, scholarship funds, job placement, and academic and professional advising often differ on the basis of gender. The College requests exemptions from the following sections insofar as ministerial students are concerned: §§ 106.34 (access to course offerings); 106.37 (financial assistance); and 106.38 (employment assistance to students). An exemption from § 106.36 regarding counseling and use

of appraisal and counseling materials is requested to the extent that religious tenets require differentiating between counseling services on the basis of sex.

Finally, the College requests an exemption from § 106.39 regarding student health services to the extent that this regulation would require the institution to make maternity benefits available to its single female students.

Thank you for your attention to these requests. Please contact me if you need elaboration or clarification on points covered by this letter, or if you have any general or specific questions about the institution and its constituencies.

Sincerely,



Dr. T. Clark Bryan

President

Truett-McConnell College

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