



WAYLAND
BAPTIST UNIVERSITY

OFFICE OF THE PRESIDENT

AS sig. 5/24

May 27, 1992

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



Dear Sir:

This letter shall constitute Wayland Baptist University's request for religious exemption from Title IX of the Education Amendments of 1972. The exemption is requested pursuant to section 106.12 of the Title IX regulations at 34 C.F.R. Part 106. The request for exemption is to the extent the policies practiced by the University because of its commitment to its religious tenets would be interpreted to violate certain sections of the regulations implementing Title IX absent a religious exemption.

This institution is a University of the Baptist General Convention of Texas. The Baptist General Convention of Texas is composed of messengers from cooperating Baptist churches within the state of Texas. The Convention fosters this institution and substantially supports it financially. The University is controlled by the Baptist General Convention of Texas. All members of the Board of Trustees of this institution are elected by the Convention and they must be resident members of Baptist churches affiliated with the Convention. I am satisfied that the nature of the Baptist General Convention of Texas and the relationship between Wayland Baptist University and the Baptist General Convention of Texas establishes that Wayland is "controlled by a religious organization" as is required for exemption under Section 106.12 of the Title IX regulations.

The University adheres to biblical tenets as its standard of faith and practice. The tenets require the University to act in ways which may conflict with specific Section IX regulations. The faculty, employees and students of the University are expected to conduct themselves in a manner consistent with the tenets of the Christian faith. The University requires, for instance, Christian sexual conduct on the part of its employees and student body. The University's religious tenets, for instance, would not permit the University to treat pregnancy, childbirth, or termination of pregnancy of an unmarried woman as a temporary disability. The University expects its personnel to be Christian role models and an employee or student living with a member of the opposite sex out of wedlock would be considered morally delinquent. The University has religious tenets regarding human sexuality, proper living environments, respect for the institution of marriage, language, and modest attire.

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Scholarship funds, and career offerings related to ministerial training students may be provided differently on the basis of sex. The University also offers sex separate organizations to students. The University deems it necessary to minister in unique ways to men as compared to women in preparing students to fulfill their roles as mothers and fathers in the context of religious belief in the sanctity of the home.

Therefore, this University requests an exemption from 34 C.F.R. section 106.21(C) (Marital or parental status of applicants for admission); 106.40 (Marital or parental status of students); 106.51(b)(6) (Granting leaves of absence for employees for pregnancy, childbirth, false pregnancy, termination of pregnancy, child care); 106.57 (Marital or parental status of employees); and 106.60(a) (Preemployment inquiries as to marital status).

Further this institution requests an exemption to 106.31 for membership practices in student organizations which are required by religious tenets to be limited on the basis of sex. We request exemption to 106.36 regarding counseling and use of appraisal and counseling materials to the extent the University's religious tenets will require differentiating counseling between sexes. We request an exemption for 106.39 (Student health and insurance benefits and services).

For those employment positions which are restricted on the basis of sex in accordance with the University's religious tenets we request an exemption to 105.1 (Employment); 106.52 (Employment criteria); 106.53 (Recruitment of employees); 106.55 (Job classification and structure); and 106.59 (Advertising).

To the extent that counseling, scholarship funds and career fundings related to ministerial training students are provided differently on the basis of sex and the requirement that certain sex separate clubs and organizations exist, the University requests an exemption from 106.31 (Education programs and activities); 106.34 (Access to course offerings); 106.36 (Counseling and use of appraisal in counseling materials); 106.37 (Financial assistance); 106.38 (Employment assistance to students); and 106.14 regarding membership practices of certain organizations.

Sincerely,



Wallace E. Davis
President

