

(All references by number and letter refer to Part 86, Subtitle A, Title 45 of the Code of Federal Regulations, which appeared in the Federal Register, June 4, 1976.)

1. 86.31 (b) (5) In this clause, the regulations require that colleges not discriminate against any person in the application of any rules of appearance.

We believe that it is within the purview of a college such as ours to require students and employees to abide by certain rules of appearance. Such rules are properly designed on the basis of differing expectations of the sexes. The Bible does give us guidelines concerning modesty as well as sex-related appropriate grooming and attire. Therefore, we believe that the college should be exempt from 86.31 (b) (5).

2. 86.34 This section denies the college the option of providing any academic course to one sex only.

We believe that women should be excluded from Pastoral Studies courses--simply put, that we will not prepare women for the ordained ministry. Therefore, the college should seek exemption from 86.34 with respect to Pastoral Studies classes only.

3. 86.40 (b) (1), (4), (5) The regulations state that the college may not discriminate against or exclude any student on the basis of pregnancy or termination of pregnancy. They further require that pregnancy, false pregnancy, childbirth, termination of pregnancy, and recovery therefrom be treated as any other temporary disability with respect to student health insurance. In addition, it is required that the college treat pregnancy as justification for a leave of absence for as long as medically necessary, with the student reinstated to the status she held when the leave began.

We believe that the college has the right to suspend any student, male or female, involved in practices defined by scriptures as sexual immorality. We also believe that the school has the right to take other appropriate disciplinary actions, which may include forfeiture of academic credit for a given semester in which such infraction occurs. Therefore, we would recommend that the school apply for exemption from 86.40.

4. 86.51 (a) (1), (2) These portions of the regulations require the college to end discrimination between sexes in all hiring. Their effect is to end the school's right to select men only for certain teaching and administrative positions.

We believe that the New Testament indicates that men ought to take the positions of leadership and teaching in the church. By extension, we have thought it fitting that men only be involved in teaching Bible, teaching Pastoral Studies, and taking responsibilities in administrative leadership for the college. Therefore, we should apply for exemption from 86.51 for those particular positions.

5. 86.55 (a) This paragraph of the regulations states that the college cannot classify a job as being for males or females.

We believe on the basis of the arguments set forth for number (4) above that the school should request exemption from 86.55 (a).

6. 86.57 Again, the regulations prohibit discrimination in employment based upon pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. These paragraphs also require that the college treat pregnancy as a temporary disability, and as sufficient justification for a leave of absence with guaranteed reinstatement privileges.

We believe that the principles regarding morality and marital status as qualifications for Christian service are clearly set forth in the Bible. In addition, the Bible provides injunctions concerning marital status for those who would be Christian leaders. Therefore, we would deem it advisable to request exemption from 86.57.

7. 86.60 This section, parallel to (6.) above, prohibits any inquiry of prospective employees concerning marital status.

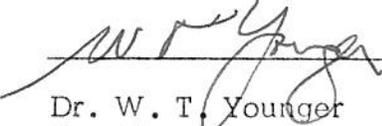
We believe that arguments set forth in (6.) above are sufficient to request exemption from this part.

CONCLUSION

Western Baptist Bible College wishes to comply fully with the provisions of Part 86, except those sections violating our religious tenets. Finally, we wish to note that while we agree that Christian institutions of higher education ought to be obligated to provide equal opportunities to members of both sexes, we do not believe that it is within the scope of the law to require such institutions to seek eradication of all distinctions between the sexes. Therefore, our internal committee has made careful examination of the regulations and has recommended these areas for requests for exemption.

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