



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

SEP 30 1985

Dr. William A. Shoemaker  
President  
William Tyndale College  
35700 West Twelve Mile Road  
Farmington Hills, Michigan 48018

Dear President Shoemaker:

The Office for Civil Rights of the Department of Education (OCR/ED) recently requested additional information regarding William Tyndale College's (formerly the Detroit Bible College) request for religious exemption from Title IX of the Education Amendments of 1972.

We have reviewed your response of August 21, 1985, which supplements the original exemption request filed by former President Wendell G. Johnston, and the additional information you provided by telephone on September 24, 1985. You and the former president have described several policies practiced at the College as consistent with the tenets of the religious organization that controls the institution. These policies would violate certain sections of the regulation implementing Title IX (copy enclosed) absent a religious exemption. William Tyndale College has supplied information that establishes that the College is controlled by a religious organization and that tenets followed by this organization conflict with specific sections of the Title IX regulation. Therefore, I am granting William Tyndale College an exemption to those sections of the Title IX regulation appropriate to the request. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. William Tyndale College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.31, 106.34, 106.36, 106.40, 106.51 and 106.53. The basis for our decision to grant this exemption is discussed in further detail below.

The original request letter indicates that William Tyndale College follows tenets of the Christian faith. Your letter of August 21, 1985, states that the College is "intentionally non-denominational[,]" and that the College is controlled by an independent Board of Directors. You clarified by telephone that members of the Board of Directors must be members of a Protestant Evangelical church. The Board of Directors, faculty and staff must sign annually a doctrinal statement followed by the College. Additionally, the College receives significant financial support from approximately 60 Protestant Evangelical churches. This relationship between the Christian faith, Protestant Evangelical churches and the College adequately establishes that William Tyndale College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

Your letter indicates that the College desires an exemption that is "parallel" to the original exemption request. The original request letter states that "leadership in the Christian community normally is a responsibility of Christian men and our programs, courses, and policies, while not denying educational opportunity on the basis of sex, will be so cast as to reflect this belief." You clarified that opportunities in chapel activities are more limited for women. Additionally, you indicated that, while course offerings in homiletics and pastoral theology are not closed to women, women are not encouraged to enroll in such courses because of religious tenets regarding the leadership role of men in the Christian community. You also indicated that female students are advised of which courses more appropriately address the role of women in the church, and that the College's counseling practices reflect the fact that leadership roles for women are limited. Based on these practices, William Tyndale College has requested and is granted by this letter exemption to: § 106.31 (education programs and activities), § 106.34 (access to course offerings) and § 106.36 (counseling), for those programs and activities where opportunities are limited on the basis of sex in accordance with religious tenets.

The original request letter indicates that the College follows standards of conduct appropriate in the Christian community and reserves the right to make decisions on the basis of such standards. You clarified that the College reserves the right to take action appropriate to its religious tenets regarding unmarried, pregnant students. Based on this principle, William Tyndale College has requested and is granted by this letter exemption to: § 106.40 (marital or parental status of students).

The original request letter states "that authoritative instruction in the areas of doctrine and governance of the church normally are also the responsibility of Christian men. Therefore our recruiting and hiring practices for key faculty responsibilities in these areas would reflect these beliefs." You clarified that women are not hired to teach homiletics and pastoral counseling courses. Based on these practices, William Tyndale College is granted by this letter exemption to: § 106.51 (employment, general) and § 106.53 (recruitment of employees), for those positions reserved for men in accordance with religious tenets.

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.

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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 Chicago Regional Office for Civil Rights. The address is:

Linda A. McGovern  
Acting Regional Civil Rights Director  
Office for Civil Rights, Region V  
Department of Education  
300 South Wacker Drive, 8th Floor  
Chicago, Illinois 60606

Sincerely,

Harry M. Singleton  
Assistant Secretary  
for Civil Rights

Enclosure

cc: Linda A. McGovern, Acting Regional Civil Rights Director, Region V