



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

JUN 19 2013

Dr. Marty Marriott
President
Maranatha Baptist Bible College
745 West Main Street
Watertown, Wisconsin 53094

Dear President Marriott:

The purpose of this letter is to respond to your letter to the U.S. Department of Education, Office for Civil Rights (OCR), in which you requested for Maranatha Baptist Bible College (College), of Watertown, WI, a religious exemption from Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance.

The implementing regulation at 34 C.F.R. § 106.12 provides that Title IX does not apply to educational institutions controlled by religious organizations to the extent application of Title IX would be inconsistent with the institution's religious tenets. Therefore, such educational institutions are allowed to request an exemption from Title IX by identifying the provisions of Title IX that conflict with a specific tenet of the religious organization. The request must identify the religious organization that controls the educational institution and specify the tenets of that organization and the sections of the Title IX regulation that conflict.

In your request for a religious exemption from Title IX, you explained that the College is controlled by Baptist principles. The information you provided indicated the College is controlled by a constituency of independent Baptist churches that practice tenets of biblical teachings and morals. The College requires applicants to submit a clear salvation testimony.

Your request explained that the College has the primary purpose of training Christian leaders in the local church and the world; it is because of biblical teaching concerning the requirements of church leaders that the College requests the Title IX exemption. You have supplied information that establishes that the admissions policy at the College does not allow consideration of applications of persons who are divorced as consistent with the tenets of the religious organization that controls the institution. Students admitted to the College are also expected to abide by the College's "Personal Life and Testimony" policies, which prohibit obtaining or assisting someone to obtain an abortion. The College's Admissions website indicates it does not process applications from divorced individuals or individuals married to a divorced person. The College's application forms request medical information regarding pregnancy.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

You claim that the policies you identify would violate certain sections of the regulation implementing Title IX absent a religious exemption. Specifically, you are seeking an exemption from the provision of the Title IX implementing regulation 34 C.F.R. §106.21(c), to the extent that the provision prohibits the application of any admission rules concerning the marital status of a student or applicant that treats persons differently based on sex and discrimination in admissions based on termination of pregnancy.

Based on the foregoing considerations, the College is exempted from the requirements of 34 C.F.R. §106.21(c) of the Title IX regulation as it pertains to the application of any admission rules concerning the marital status of a student or applicant that treats persons differently based on sex and discrimination in admissions based on termination of pregnancy to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution.

Please note that 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 here 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, this exemption will be rescinded.

I hope this letter responds fully to your request. I regret the delay in responding to your original request. If you have any questions, please do not hesitate to contact me.

Sincerely,



Seth Galanter
Acting Assistant Secretary
Office for Civil Rights
U.S. Department of Education