

# SOUTHEASTERN UNIVERSITY

Kent J. Ingle, DMin  
*President*

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August 25, 2016

United States Department of Education  
Office for Civil Rights  
Seth Galanter  
400 Maryland Ave. S.W.  
Washington, DC 20202-1100

Dear Mr. Galanter,

Thank you for your response to our initial request for Title IX exemption, and thank you for the opportunity to clarify Southeastern University's ("University") position as a religious organization affiliated with the Assemblies of God ("Denomination") with qualification for exemption. In your response you indicated that our initial request for exemption "does not provide information regarding how the denomination or districts control the University." Your response requested that we "provide additional clarification regarding how the Assemblies of God denomination and/or Assemblies of God districts control the University." The purpose of this letter, then, is to provide the requested additional clarification so that our request for religious exemption from Title IX may be granted as entitled to the University at 20 U.S.C. § 1681(a)(3) and 34 C.F.R. § 106.12.

## **Southeastern University's Affiliation with the Assemblies of God**

As mentioned in our initial request, Southeastern University is "affiliated with the Assemblies of God and is affiliated with and sponsored by several Assemblies of God districts." Additionally, we outlined that we are "governed by a board that must include either an ordained Assemblies of God minister or a member in good standing of an Assemblies of God church from each sponsoring district." What follows is a clarification of both statements.

The University's "affiliation with the Assemblies of God" is derived from our endorsement by the Alliance for Assemblies of God Higher Education ("Alliance"). As an endorsed member of the Alliance, the chair of our board of trustees and the President of the University sit on the board of the Alliance. The Alliance was created by the General Council of the Assemblies of God ("General Council"), the highest governing board of the Assemblies of God denomination, to establish a standard criterion for endorsement and financial sponsorship of higher education

institutes. The Alliance states that it exists “to act as an agency of the Assemblies of God in fulfilling its mission through:

- . (1) Guiding in the development of a higher education system and structure, both traditional and non-traditional; and
- . (2) Directing the national promotion of Assemblies of God higher education and developing resources in cooperation with AG Trust for all postsecondary institutions endorsed by the Alliance for Assemblies of God Higher Education.”<sup>1</sup>

The Alliance also mandates in Article I, Section B(5) that all endorsed Universities must include in their mission, “the development of loyalty to the doctrines and principles of the Assemblies of God.”

In order for the University to maintain our endorsement by the Alliance, we are mandated to constantly and consistently provide “evidence that their mission relates to the Assemblies of God movement and Pentecostal doctrine.”<sup>2</sup> This is why we have developed policies relating to human sexuality, such as those mentioned in our initial request. These policies demonstrate our adherence to the doctrinal positions outlined by the Assemblies of God in both their bylaws and in their official position papers.<sup>3</sup>

Our endorsement by the Alliance, and thus affiliation with the Denomination, is dependent on our commitment to maintain fidelity to the doctrinal positions of the General Council. Thus the Endorsement Criteria of the Alliance not only dictates our doctrinal position, it also dictates how the University will organize its governing structure. In our initial request we stated that we are “governed by a board that must include either an ordained Assemblies of God minister or a member in good standing of an Assemblies of God church from each sponsoring district.” Currently, the University’s governing board has nine sponsoring districts from the Assemblies of God. To be considered a sponsoring district, the District must both contribute financially and provide an individual from the district to serve as a voting member of the board of trustees<sup>4</sup>. In adherence to the Endorsement Criteria<sup>5</sup>, these individuals from the voting district “shall be either an ordained minister of the Assemblies of God credentialed by said Sponsoring District Council or a member in good standing of an Assemblies of God church within the bounds of the sponsoring district.”

In addition to these sponsoring districts, the University’s bylaws also dictate that the President and Executive Committee of the board of trustees may elect up to 20 “at-large” members to serve on the board of trustees. The criteria for the nomination of these “at-large” members, in adherence to the Endorsement Criteria of the Alliance, include provisions detailing that these

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<sup>1</sup> The Alliance for AG Higher Education, *Endorsement Criteria: College, Institute, Seminary, and Distance Education Level Schools*, pg.1 (<http://colleges.ag.org/pdfs/Final%20Criteria.pdf>)

<sup>2</sup> The Alliance for AG Higher Education, *Endorsement Criteria: College, Institute, Seminary, and Distance Education Level Schools*, pg.2 (<http://colleges.ag.org/pdfs/Final%20Criteria.pdf>).

<sup>3</sup> The official doctrinal statements of the Assemblies of God may be found at [http://ag.org/top/About/constitution\\_bylaws.cfm](http://ag.org/top/About/constitution_bylaws.cfm) and [http://ag.org/top/Beliefs/Official\\_Statements/](http://ag.org/top/Beliefs/Official_Statements/)

<sup>4</sup> Bylaws of Southeastern University Article II, Section 2, Article VII Section 3(A).

<sup>5</sup> The Alliance for AG Higher Education, *Endorsement Criteria: College, Institute, Seminary, and Distance Education Level Schools*, pg.3 (<http://colleges.ag.org/pdfs/Final%20Criteria.pdf>).

members be affiliated with the Assemblies of God or with churches that maintain compatible doctrinal views with the Assemblies of God.<sup>6</sup> Additionally our bylaws state that any president of the University, the “highest ranking official of the university,” shall be “credentialed by the Assemblies of God or a member of an Assemblies of God church who shall sign a statement affirming loyalty to the Statement of Fundamental Truths of the General Council of the Assemblies of God.”<sup>7</sup>

### **Southeastern University’s Endorsement by the Alliance for the Assemblies of God Higher Education**

Southeastern University is committed to maintaining all of the necessary requirements to be endorsed by the Alliance and ultimately affiliated with the Denomination to the degree that it meets the standard for “control” by the Office for Civil Rights (OCR). While the above information should satisfy the “additional clarification” requested by the OCR, the University would also like to provide several brief additional examples of how we maintain our endorsement by the Alliance, and how this endorsement qualifies as “control” by the General Council and the Denomination.

The University mandates that faculty and staff be affiliated with the Assemblies of God to the degree that satisfies the requirements of the Endorsement Criteria.<sup>8</sup> The only exceptions to this mandate are with part-time faculty and with non-religious faculty, and only to the degree that we maintain our compliance with the Endorsement Criteria. Faculty are also mandated to attend our weekly chapel services, of which the Assemblies of God doctrine serves as the foundation. This mandate can be found in the Southeastern University Faculty Handbook.

The University also requires a statement of faith and a pastoral recommendation from every applicant in both graduate and undergraduate degrees. While students are not required to have direct affiliation with the Assemblies of God, their statement of faith must demonstrate congruence with essentials of the Christian faith as outlined in the Assemblies of God doctrine. Students are also mandated to attend weekly chapel services, of which the Assemblies of God doctrine serves as the foundation. All of these requirements for our students are derived from our commitment to maintain the University’s endorsement by the Alliance and ultimately our affiliation with the Denomination and control by the General Council.<sup>9</sup>

This endorsement by the Alliance is essential to the University because it allows the University to receive financial support from the General Council and Denomination. The Alliance develops financial resources for all of its endorsed colleges in cooperation with the Assemblies of God Trust (“Trust”). Part of the reason the Trust exists is to fund academic training for future ministers of the Denomination, which is why it works with the Alliance to support endorsed

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<sup>6</sup> Bylaws of Southeastern University Article VII Section 3(B).

<sup>7</sup> Bylaws of Southeastern University Article XII, Section 1(E)(1).

<sup>8</sup> The Alliance for AG Higher Education, *Endorsement Criteria: College, Institute, Seminary, and Distance Education Level Schools*, pg.4 (<http://colleges.ag.org/pdfs/Final%20Criteria.pdf>).

<sup>9</sup> The Alliance for AG Higher Education, *Endorsement Criteria: College, Institute, Seminary, and Distance Education Level Schools*, pg.8 (<http://colleges.ag.org/pdfs/Final%20Criteria.pdf>).

universities.<sup>10</sup> Southeastern University receives financial support from the Trust through endorsement of the Alliance for the explicit purpose of training ministers of the Denomination.

### **Southeastern University's Title IX Exemption**

In summary, Southeastern University is requesting exemption of Title IX, specifically from the way the OCR may interpret and enforce 34 C.F.R. 106. OCR's recent interpretation of Section 1681(a) comes in conflict with the organizational structure and doctrinal beliefs of the University. As outlined in our initial request, and demonstrated in this follow up letter, it is our belief that Southeastern University is entitled to an exemption because of its doctrinal beliefs and religious affiliation with the Assemblies of God in compliance with 20 U.S.C. § 1681(a)(3) and 34 C.F.R. § 106.12. Thank you in advance for your consideration. If OCR needs any additional information or resources, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kent J. Ingle', written in a cursive style.

Kent J. Ingle, D.Min.  
President

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<sup>10</sup> <http://agtrust.org/about/>