

85-105-557



BEREA COLLEGE

Berea, Kentucky 40404

606-986-9341

Office of the President

July 19,

1985
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Mr. William H. Thomas, Regional Director
Region IV
Office for Civil Rights
United States Department of Education
101 Marietta Tower
Atlanta, Georgia 30323

Dear Mr. Thomas:

Your letters of March 25 and July 3, regarding religious exemption from Title IX of the Education Amendments of 1972 have been received. Frankly it raises a question which requires more than a simple response and therefore cannot be answered easily. Since we had not heard anything for almost nine years the matter was assumed settled as presented in our Assurance of Compliance transmitted by President Weatherford's letter of September 28, 1976.

We are pleased that the information provided regarding religious tenets we follow and the pertinent Title IX regulations is sufficient. The question about "the name of the religious organizations that control your institution" can be answered as "none", unless our Board of Trustees can be so identified. The founders of Berea College were not only strongly anti-slavery and anti-caste but were anti-sectarian and we have continued in this tradition. At the same time our original charter, our constitution, our program and our pronouncements call for a commitment to Christianity which we take seriously.

The question your July 3 letter raises is whether or not we continue to desire a religious exemption. As our earlier letter states, "Berea College has no intention of discriminating against its students or its employees on the basis of sex." However, in regard to standards or moral behavior, we do wish to reserve the right to make judgments based on our religious commitments. These might involve such issues as described in our earlier letter.

We are aware of the litigation and rulings of the Grove City case and some of the remaining questions about the extent of Title IX's application. And we are aware of the current debate in Congress about additional legislation some of which touches on matters of religious exemption and moral standards.

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It appears best for us to advise you that at this point we do wish to pursue religious exemption as proposed in our earlier submission. But we would request additional time to consult with our attorneys and to prepare a more complete response to question number one of your March 25 letter regarding control by religious organizations. We will proceed on this basis unless we hear from you that some other response is desired.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John B. Stephenson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John B. Stephenson
President

JBS/rks