



BEREA COLLEGE

Berea, Kentucky 40403

Office of the President, Willis D. Weatherford

September 28, 1976

Mr. Martin H. Gerry, Director
Office for Civil Rights
Department of Health, Education, and Welfare
Washington, D. C. 20201

Dear Mr. Gerry:

I enclose the Assurance of Compliance under Title IX of the Education Amendments of 1972, as required.

Berea College claims a religious exemption as permitted by law, and this statement is included in its self-evaluation.

Berea College has no intention of discriminating against its students or its employees on the basis of sex. Because of the principles upon which it was founded and to which it has adhered throughout its history, however, and because it is controlled by its Articles of Incorporation, Berea College asserts its exemption as a religious organization to the extent the Regulations contained in Part 86 are inconsistent with the religious tenets of the Christian religion.

In particular, Berea College asserts its exemption from those provisions of Section 86.40 which would appear to require Berea College not to exclude any unmarried student from its education program or any activity because of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom and the provisions which appear to require Berea College to treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom of an unmarried person in the same manner and under the same policies as any other temporary disability.

Berea College claims exemption from those provisions of Section 86.51 that would appear to require the College to grant leaves for pregnancy, childbirth, false pregnancy and termination of pregnancy of an unmarried employee.

Berea College claims exemption from those provisions of Section 86.57 which appear to prevent the College from excluding any unmarried employee or applicant for employment on the basis of pregnancy, childbirth, false pregnancy and termination of pregnancy and appears to require the College to treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom of an unmarried person as any other temporary disability.

Berea College claims exemption from the provisions of Section 86.60 which appear to require the College not to make any pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is "Miss" or "Mrs."

Adhering to the ethical and moral principles of Christianity, pregnancy out of wedlock, both on the part of the male and female who participated in its cause, cannot be treated as any other temporary disability. Members of the faculty and staff of Berea College are expected to constitute role models for the students and in such roles, stable, moral family relationships are extremely important in adhering to Christianity's principles. It is, therefore, essential that Berea College may inquire in advance of employment whether prospective faculty members have a healthful moral family relationship or whether, at the other extreme, such prospects participate in extramarital sexual relationships.

Yours sincerely,


Willis D. Weatherford

Enclosure