



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

SEP 3 1985

Dr. Oswald P. Bronson, Sr.
President
Bethune-Cookman College
Daytona Beach, Florida 32015

Dear President Bronson:

The Office for Civil Rights (OCR) has reviewed the letter of July 22, 1985, from Anderson C. Hill II, attorney for Bethune-Cookman, regarding your institution's request for religious exemption from Title IX of the Education Amendments of 1972. In his letter, Mr. Hill describes certain policies practiced at Bethune-Cookman College as consistent with the tenets of the controlling religious organization. These policies would violate certain sections of the regulation implementing Title IX absent a religious exemption. Bethune-Cookman College has supplied information that establishes that the institution 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 Bethune-Cookman College an exemption to those sections of the Title IX regulation specified in the request letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. Bethune-Cookman College is hereby exempted from the requirements of the following section of the Title IX regulation: 34 C.F.R. § 106.40(a) and (b)(1). The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Bethune-Cookman College is controlled by the United Methodist Church. The management of the College, through its Board of Trustees, is subject to the rules and regulations of the United Methodist Church and to the Discipline of the Methodist Church. This relationship between the United Methodist Church and Bethune-Cookman College adequately establishes that Bethune-Cookman College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The request letter indicates that Methodism social principles ". . . reject all sexual expressions which damage or destroy the humanity God has given us as birthright . . ." Thus, the College does not allow unmarried, pregnant students to reside on campus so as not to imply approval of pre-marital sex.

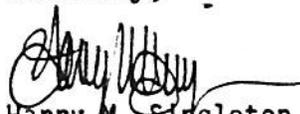
Based on these principles, Be.hune-Cookman College has requested and is granted by this letter exemption to § 106.40(a) and (b)(1) (marital or parental status of students, including pregnancy).

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.

I hope this letter responds fully to your request. I regret the inordinate delay in responding to your original request. If you have any questions, please do not hesitate to contact the Atlanta Regional Office for Civil Rights. The address is:

William H. Thomas
Regional Civil Rights Director
Office for Civil Rights, Region IV
Department of Education
101 Marietta Street, N.W., 27th Floor
Atlanta, Georgia 30323

Sincerely,


Harry M. Singleton
Assistant Secretary
for Civil Rights

cc: William H. Thomas, Regional Civil Rights Director, Region IV