



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

SEP 23 1985

Dr. Anthony J. Diekema
President
Calvin College and Seminary
Grand Rapids, Michigan 49506

Dear President Diekema:

The Office for Civil Rights of the Department of Education (OCR/ED) has reviewed the response of Mr. Henry De Wit, Vice President for Business and Finance, to OCR's letter of May 10, 1985, requesting clarification of Calvin College and Seminary's request for a religious exemption from Title IX of the Education Amendments of 1972.

In his response, Mr. De Wit described a policy practiced by the Seminary as consistent with the tenets of the religious organization that controls the Seminary. This policy would violate a section of the regulation implementing Title IX (copy enclosed) absent a religious exemption. Mr. De Wit supplied information that establishes that Calvin College and Seminary are controlled by a religious organization and that tenets followed by the Seminary conflict with a specific section of the Title IX regulation. Therefore, I am granting Calvin Seminary an exemption to the section of the Title IX regulation appropriate to the request. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by Calvin Seminary. Calvin Seminary is hereby exempted from the requirements of the following section of the Title IX regulation: 34 C.F.R. § 106.31(a), (b) and (d). The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Calvin College and Seminary are owned and sponsored by the Christian Reformed Denomination. This relationship between the Christian Reformed Denomination and Calvin College and Seminary adequately establishes that Calvin College and Seminary are 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 religious tenets of the Christian Reformed Denomination limit the ordination of ministers to males. Thus, internship programs among the churches that lead to the ordination of ministers are restricted to male students. Based on this principle, Calvin Seminary has requested and is granted by this letter exemption to § 106.31(a), (b) and (d) relative to student participation in internship programs.

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 Chicago Regional Office for Civil Rights. The address is:

Linda A. McGovern
Acting Regional Civil Rights Director
Office for Civil Rights, Region V
Department of Education
300 South Wacker Drive, 8th Floor
Chicago, Illinois 60606

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosure

cc: Linda A. McGovern, Acting Regional Civil Rights Director, Region V