



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

SEP 3 1985

Dr. W. R. Davenport
President
Campbellsville College
200 College Street, West
Campbellsville, Kentucky 42718

Dear President Davenport:

The Office for Civil Rights of the Department of Education (OCR/ED) has reviewed your response to our letters of March 25, 1985, and July 3, 1985, requesting clarification of your request for a religious exemption from Title IX of the Education Amendments of 1972.

In your letter you describe certain policies practiced at Campbellsville College as consistent with the tenets of the religious organization that controls the institution. These policies would violate certain sections of the regulation implementing Title IX absent a religious exemption. You have supplied information in your letter of July 31, 1985, 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 Campbellsville College an exemption to those sections of the Title IX regulation specified in your 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. Campbellsville College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.40, 106.57 and 106.60. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Campbellsville College is affiliated with the Kentucky Baptist Convention which is an association of Southern Baptist Churches in Kentucky. The Kentucky Baptist Convention elects the trustees and provides financial support to your institution. This relationship between the Kentucky Baptist Convention and Campbellsville College adequately establishes that Campbellsville College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

In your letter you indicate that your religion emphasizes the importance of the family, the home, the role of parents, and the marriage of parents. Sex, pregnancy or childbirth out of wedlock are inconsistent with your religious tenets.

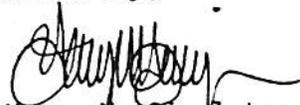
Based on these principles, Campbellsville College has requested and is granted by this letter, exemption to: 34 C.F.R. § 106.40 (marital or parental status of students, including pregnancy), § 106.57 (marital or parental status of employees or applicants for employment, including pregnancy), and § 106.60 (pre-employment inquiries regarding marital status or sex).

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