



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

SEP 13 1985

Dr. Paul H. Dixon
President
Cedarville College
Box 601
Cedarville, Ohio 45314

Dear President Dixon:

The Office for Civil Rights of the Department of Education (OCR/ED) is in the process of resolving a number of pending requests for religious exemption from Title IX of the Education Amendments of 1972. Our records indicate that Cedarville College filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request filed by former President Jeremiah (copy enclosed) in which he described several policies practiced at Cedarville College as consistent with the tenets of the religious organization that controls the College. These policies would violate certain sections of the regulation implementing Title IX (copy enclosed) absent a religious exemption. The former president supplied information in his request letter that establishes that Cedarville College 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 Cedarville 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 Cedarville College. Cedarville College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. § 106.21(c)(1), (2) and (4); § 106.40(a), (b)(1), (4) and (5); and § 106.57(a)(1), (b) and (c). The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Cedarville College is a Baptist college that "was founded upon and continues to present a curriculum based upon a doctrinal position that the Bible is our sole basis for faith and practice Cedarville College is subject to annual approval by the General Association of Regular Baptist Churches (GARBC) to assure the continuity of the educational program in conformity with the Scriptural position of the majority of the GARBC." This relationship between the GARBC and Cedarville College adequately establishes that the 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 students and employees at Cedarville College must adhere to tenets of the Baptist Church relative to a prohibition of pregnancy, childbirth or termination of pregnancy that occurs out of wedlock. Based on this principle, Cedarville College has requested, and is granted by this letter exemption to § 106.21(c)(1), (2) and (4) (marital or parental status of applicants for admission); § 106.40(a) and (b)(1), (4) and (5) (marital or parental status of students); and § 106.57(a)(1), (b), and (c) (marital or parental status of employees and applicants for employment).

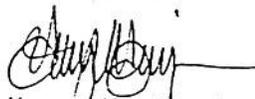
Cedarville College also requested exemption for § 106.31(b)(5) concerning rules of appearance. Section 106.31(b)(5) was formally revoked and deleted from the Title IX regulation. Therefore, an exemption for appearance codes is not necessary.

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

Enclosures

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