



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

SEP 20 1985

Reverend Joseph D. Simon, S.V.D.
Acting President
Divine Word College
Epworth, Iowa 52045

Dear Father Simon:

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. In response to OCR's letter of June 27, 1985, you provided information clarifying your institution's request for religious exemption.

In your letter of July 24, 1985, you indicated that Divine Word College is a private undergraduate institution which limits admission to males. You requested an exemption from §§ 106.21(a) and (b) of the regulation implementing Title IX. Based on the information you have provided, OCR has determined that your institution need not have applied for a religious exemption. The reasons for our determination are discussed below.

Subpart C (in effect, §§ 106.21, 106.22 and 106.23) of the Title IX regulation (copy enclosed) prohibits discrimination in the admission and recruitment of students. Section 106.15 of the Title IX regulation specifically exempts private undergraduate institutions from compliance with Subpart C. Based on the information provided in your letter (copy enclosed), you sought a religious exemption because your undergraduate education programs are limited to one sex. Under § 106.15, the exemption for limiting admissions is already provided.

The statutory exemption from the admission and recruitment provisions of Subpart C does not relieve the institution of its obligation to comply with the regulation as it relates to graduate or other programs. Should there be conflicts in this regard, it would be necessary to request exemption from specific provisions of the regulation which are deemed to be inconsistent with certain tenets of your religion.

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If we do not hear from you within 60 days, we will assume that your institution has no need for a religious exemption and close your original request file. If you have any questions, please do not hesitate to contact the Kansas City Regional Office for Civil Rights. The address is:

Jesse L. High
Regional Civil Rights Director
Office for Civil Rights, Region VII
Department of Education
324 East 11th Street, 24th Floor
Kansas City, Missouri 64106

Sincerely,

Harry M. Singleton

Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

.cc: Jesse L. High, Regional Civil Rights Director, Region VII