



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

JUN 18 1985

Sister Marian William, I.H.M.
President
Immaculata College
Immaculata, Pennsylvania 19345

Dear President William:

The Office for Civil Rights of the Department of Education (OCR/ED) is in the process of clearing a backlog of requests for religious exemption from Title IX of the Education Amendments of 1972. Our records indicate that Immaculata 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 Sister Marie Antoine (copy enclosed) in which she described certain policies practiced at Immaculata 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 (copy enclosed) absent a religious exemption. The former president supplied information in her request letter 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 Immaculata 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. Immaculata College is hereby exempted from the requirements of the following sections of the Title IX regulation: 106.40(b) and 106.57(b). The basis for our decision to grant this exemption is discussed in further detail below.

The institution's letter indicates that Immaculata College is controlled by the Roman Catholic Church. The Roman Catholic Church and Immaculata College practice the tenets of prohibiting abortion. The relationship between the Roman Catholic Church and Immaculata 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.

It is stated in the request letter that termination of pregnancy is "contrary to the religious teaching of the Roman Catholic Church; therefore, [Immaculata College] could not condone such action." Thus, the institution prohibits termination of pregnancy.

Based on the above principle, Immaculata College has requested and is granted by this letter, exemption to:

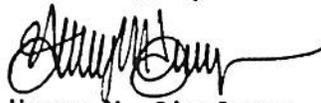
Sections 106.40(b): Marital or parental status; Pregnancy and related conditions (students) and 106.57(b): Marital or parental status; Pregnancy (employees).

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 here 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 the College's request. I regret the inordinate delay in responding to the original request. If you have any questions, please do not hesitate to contact the Philadelphia Regional Office for Civil Rights. The address is:

Dewey E. Dodds
Regional Civil Rights Director
Office for Civil Rights, Region III
Department of Education
Gateway Building, 6th Floor
3535 Market Street
Philadelphia, Pennsylvania 19104

Sincerely, .


Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures