

## RELIGIOUS EXEMPTION IN CONNECTION WITH TITLE IX COMPLIANCE

Lees Junior College was founded in 1883 as Jackson Academy, becoming S.P. Lees Collegiate Institute in 1892 and Lees Junior College in 1927. In 1906 Lees became and has continued to be related to the Synod of Kentucky, Presbyterian Church in the United States (now merged into the Synod of the Mid-South, PCUS, and the Synod of the Covenant, the United Presbyterian Church in the United States of America).

Lees Junior College has no intention of discriminating against its students or its employees on the basis of sex. Because of the principles upon which it was founded however, Lees Junior College asserts its exemption as a religious organization to the extent the Regulations contained in Part 86 are inconsistent with the religious tenets of the Christian religion. In particular Lees Junior College asserts its exemption from those provisions of 86.40 which would require Lees Junior College not to exclude any unmarried student from its education program or any activity because of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom and the provisions which appear to require Lees Junior College to treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom of an unmarried person in the same manner and under the same policies as any other temporary disability.

Lees Junior College claims exemption from those provisions of Section 86.57 which appear to prevent the College from excluding any unmarried employee or applicant for employment on the basis of pregnancy, childbirth, false pregnancy and termination of pregnancy and appears to require the College to treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom of an unmarried person as any other temporary disability.

Lees Junior College claims exemption from the provisions of Section 86.60 which appear to require the College not to make any pre-employment inquiry as

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to the marital status of an applicant for employment, including whether such applicant is married or unmarried.

Adhering to the ethical and moral principles of Christianity, pregnancy out of wedlock, both on the part of the male and female who participated in its cause, cannot be treated as any other temporary disability. Members of the faculty of Lees Junior College are expected to constitute role models for the students and in such roles - stable, moral family relationships are extremely important in adhering to the principles of Christianity. It is therefore, essential that Lees Junior College knows in advance of employment whether prospective faculty members have a good family relationship or whether, at the other extreme, such prospects indulge in acts which would be detrimental to good family relationships.

  
Dr. Troy R. Eslinger, President

LEES JUNIOR COLLEGE

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