

LOYOLA MARYMOUNT UNIVERSITY

Office of the President

March 15, 1979

Mr. Waite H. Madison, Jr.
Acting Director
Division of Postsecondary Education
Office of Compliance and Enforcement
Office for Civil Rights
Department of Health, Education, and Welfare
Washington, D.C. 20201

Dear Mr. Madison,

In response to your letter of February 27, 1979, concerning Loyola Marymount's assurance of compliance with the provisions of Title IX, I am enclosing the attached copy of our original Statement Claiming Exemption under Title IX of the Education Amendments of 1972.

It should be noted that we claim an exemption for a very small part of our total operation, some few courses and programs designed by and administered by our three sponsoring religious communities, the Jesuits, Religious of the Sacred Heart of Mary, and Sisters of St. Joseph of Orange. Each group has young members of their order studying on campus and at off-campus centers and a few classes are given by an order member and restricted to students of that order.

So the "tenet" of Roman Catholicism that we believe is in conflict with all our classes and programs being open to students with regard to sex, is that the training of priests and Sisters is not in all aspects coeducational, at least in these college-level programs. These few programs constitute in effect a "school or department of divinity."

As to the second point you raise, the religious control, I believe that the reference under (1) at the end of the explanation of the Title IX Assurance of Compliance Form is sufficient. Some few programs are under the direct control of the religious orders, though accredited through the University, these, being "specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation," are exempted.

Sincerely,


Rev. Donald P. Merrifield, S.J.
President

Enclosure

LOYOLA MARYMOUNT UNIVERSITY

Office of the President

STATEMENT CLAIMING EXEMPTION UNDER TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

45 CFR - Part 86

Loyola Marymount University is claiming a religious exemption for the following reasons: Although we have a non-discriminatory policy with respect to admission and access to educational programs at this institution we are, however, affiliated with three religious organizations, the Society of Jesus which is limited or restricted in its membership to males only, the Religious of the Sacred Heart of Mary and the Sisters of St. Joseph of Orange which admit females only. This institution offers some programs and courses which are designed to further the education of members of these religious communities. These programs and courses are directed by the corresponding religious communities and participation may be restricted to members of these communities. Further, some of campus residences are restricted to members of these communities. Occasionally, the University may also offer or sponsor workshops or conferences for Catholic priests or for religious brothers or sisters. To the extent that any of this may be in conflict with 45 CFR 86.14 we claim the right to be considered exempt from the application of that section, since these particular programs constitute in effect a "school or department of divinity."


Rev. Donald P. Merrifield, S.J.
President