



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

AUG 3 1985

The Reverend J. Terrence Fitzgerald
President - Rector
Mt. Angel Seminary
St. Benedict, Oregon 97373

Dear Reverend Fitzgerald:

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. We have reviewed your response to our letter of March 22, 1985, in which you describe a policy practiced at Mt. Angel Seminary as consistent with the tenets of the religious organization that controls the institution. This policy would violate certain portions of the regulation implementing Title IX absent a religious exemption. You supplied information in your letter of April 12 that establishes that Mt. Angel Seminary is controlled by the Catholic Church and that tenets followed by the Church conflict with specific portions of the Title IX regulation. Therefore, I am granting Mt. Angel Seminary an exemption to the section of the Title IX regulation specified in your letter. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by Mt. Angel Seminary. Mt. Angel Seminary is hereby exempted from the requirements of the following section of the Title IX regulation: 34 C.F.R. § 106.21.¹ The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Mt. Angel Seminary is owned and operated by the Catholic Church for the training of students for the Catholic priesthood. This relationship between the Catholic Church and Mt. Angel Seminary adequately establishes that Mt. Angel Seminary is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

In your letter you indicate that the Catholic Church does not allow the ordination of women or married men. Thus, only unmarried males are accepted into your program for priestly training. Based on this principle, Mt. Angel Seminary has requested and is granted by this letter, exemption to 34 C.F.R. § 106.21 (Admissions).

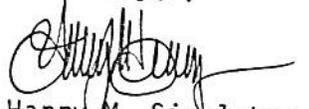
¹ The regulation implementing Title IX of the Education Amendments of 1972 was recodified with the establishment of the Department of Education in 1980. The regulation, formerly at 45 C.F.R. Part 86, is now at 34 C.F.R. Part 106.

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 Mt. Angel Seminary, 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 Mt. Angel Seminary are not based on the religious tenets of the Catholic Church, OCR is obligated to contact the Catholic Church to verify those tenets. If the Church provides an interpretation of tenets that has a different practical impact than that described by Mt. Angel Seminary, or if the Church 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 the original request. If you have any questions, please do not hesitate to contact the Seattle Regional Office for Civil Rights. The address is:

Gary D. Jackson
Regional Civil Rights Director
Office for Civil Rights, Region X
Department of Education
2901 Third Avenue, M/S 106
Seattle, Washington 98101

Sincerely, .


Harry M. Singleton
Assistant Secretary
for Civil Rights

cc: Gary D. Jackson, Regional Civil Rights Director, Region X