



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

SEP 3 1985

Dr. Calvin B. Rock
President
Oakwood College
Huntsville, Alabama 35896

Dear President Rock:

The Office for Civil Rights of the Department of Education (OCR/ED) has reviewed your response to our letters of March 25, 1985, and July 3, 1985, requesting clarification of your request for a religious exemption from Title IX of the Education Amendments of 1972.

In the request of August 6, 1985, Dr. Banks (Vice President of Administration and Development) describes certain policies practiced at Oakwood 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 absent a religious exemption. Oakwood College has supplied information 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 Oakwood 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. Oakwood College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21(c), 106.40 and 106.57. The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Oakwood College is controlled by the Seventh-day Adventist Church. The General Conference of Seventh-day Adventists, your institution's parent body, owns all of Oakwood College's buildings and property. The doctrines, policies, and practices of the Seventh-day Adventist Church govern Oakwood College. This relationship between the Seventh-day Adventist Church and Oakwood College adequately establishes that Oakwood College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The request letter indicates that your religion views sexual relations outside of marriage as a sin. Unmarried students or employees who become pregnant are not permitted to remain enrolled or employed at the institution.

Based on this principle, Oakwood College has requested and is granted by this letter, exemption to: 34 C.F.R. § 106.21(c) (marital or parental status, including pregnancy, of applicants for admission), § 106.40 (marital or parental status of students, including pregnancy), and § 106.57 (marital or parental status of employees, including pregnancy).

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 herein 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 your request. I regret the inordinate delay in responding to your original request. If you have any questions, please do not hesitate to contact the Atlanta Regional Office for Civil Rights. The address is:

William H. Thomas
Regional Civil Rights Director
Office for Civil Rights, Region IV
Department of Education
101 Marietta Street, N.W., 27th Floor
Atlanta, Georgia 30323

Sincerely,


Harry M. Singleton
Assistant Secretary
for Civil Rights

cc: William H. Thomas, Regional Civil Rights Director, Region IV