



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

SEP 20 1985

Mr. Oral Roberts  
President  
Oral Roberts University  
Post Office Box 2187  
Tulsa, Oklahoma 74171

Dear President Roberts:

The Office for Civil Rights of the Department of Education (OCR/ED) is in the process of resolving a number of pending requests for religious exemption from Title IX of the Education Amendments of 1972. Our records indicate that Oral Roberts University filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request filed by former Provost Hamilton (copy enclosed) in which he described certain policies practiced at Oral Roberts University 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 provost supplied information in his 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 Oral Roberts University 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. Oral Roberts University is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21(c), 106.40(b)(1) and (4) and 106.57(b) and (c). The basis for our decision to grant this exemption is discussed in further detail below.

The former provost's letter indicates that Oral Roberts University is controlled by the Oral Roberts Evangelistic Association (the Association). The Association's primary purpose is described as the propagation of Christian principles. The Association and Oral Roberts University "adhere to the tenets, principles and teachings embraced by the Bible." Additionally, the request letter indicates that the University's Articles of Incorporation require that members of the controlling board be members of the Association. This relationship between Oral Roberts University and the Oral Roberts Evangelistic Association adequately establishes that Oral Roberts University 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 the specific sections of the Title IX regulation set forth in the University's exemption statement "could conflict with the Bible's statements on illicit sexual activity, marriage and homosexuality." Thus, the institution indicated that regulations prohibiting the exclusion of students or employees because of pregnancy and related conditions may be inconsistent with the University's religious tenets. Based on these principles, Oral Roberts has requested and is granted by this letter, exemption to: 34 C.F.R. § 106.21(c) (marital and parental status of applicants for admission), § 106.40(b)(1) and (4) (marital or parental status of students, including pregnancy) and § 106.57(b) and (c) (marital or parental status of employees or applicants for employment, including pregnancy).

Oral Roberts University also requested exemption to § 106.31(b)(5) concerning rules of appearance. Section 106.31(b)(5) has been rescinded from the Title IX regulation. Therefore, an exemption for appearance codes is not necessary.

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 Dallas Regional Office for Civil Rights. The address is:

Taylor D. August  
Regional Civil Rights Director  
Office for Civil Rights, Region VI  
Department of Education  
1200 Main Tower Building, Suite 400  
Dallas, Texas 75202

Sincerely,



Harry M. Singleton  
Assistant Secretary  
for Civil Rights

Enclosures

cc: Taylor D. August, Regional Civil Rights Director, Region VI