



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

SEP 13 1985

Very Reverend Gerald Kicanas  
Rector  
Saint Mary of the Lake Seminary  
Mundelein, Illinois 60060

Dear Father Kicanas:

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 Saint Mary of the Lake Seminary filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request filed by former President Murphy (copy enclosed) in which he described the admission policy practiced at Saint Mary of the Lake Seminary as consistent with the tenets of the religious organization that controls the institution. This policy would violate certain sections of the regulation implementing Title IX (copy enclosed) absent a religious exemption. The former president 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 Saint Mary of the Lake Seminary an exemption to those sections of the Title IX regulation appropriate to 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. Saint Mary of the Lake Seminary is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21, 106.22 and 106.23. The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that "Saint Mary of the Lake Seminary is a school of theology attended by seminarians training for the Roman Catholic priesthood in the Archdiocese of Chicago." The Archdiocese of Chicago and Saint Mary of the Lake Seminary practice tenets which exclude females in the study for the priesthood. This relationship between the Archdiocese of Chicago and Saint Mary of the Lake Seminary adequately establishes that Saint Mary of the Lake Seminary is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

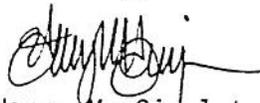
The request letter indicates that Saint Mary of the Lake Seminary only admits male seminarians pursuing the vocation for priesthood. Based on this principle, Saint Mary of the Lake Seminary has requested, and is granted by this letter exemption to §§ 106.21, 106.22 and 106.23, relative to student admissions and recruitment.

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 Chicago Regional Office for Civil Rights. The address is:

Linda A. McGovern  
Acting Regional Civil Rights Director  
Office for Civil Rights, Region V  
Department of Education  
300 South Wacker Drive, 8th Floor  
Chicago, Illinois 60606

Sincerely,



Harry M. Singleton  
Assistant Secretary  
for Civil Rights

Enclosures

cc: Linda A. McGovern, Acting Regional Civil Rights Director, Region V