



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

FEB 28 1986

Dr. John Wagner
President
Southern College of Seventh-day
Adventists
Collegedale, Tennessee 37315

Dear President Wagner:

The Office for Civil Rights (OCR) of the Department of Education has reviewed your request for religious exemption from Title IX of the Education Amendments of 1972. In your request, you describe certain policies practiced at Southern College of Seventh-day Adventists (College) as being 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. You have supplied information in your 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 the College an exemption to those sections of the Title IX regulation specified in your request letter. Southern College of Seventh-day Adventists is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.21, 106.40 and 106.57. This exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the College. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Southern College of Seventh-day Adventists is owned and operated by the Seventh-day Adventist Church. Members "of its constituency and Board of Trustees are Seventh-day Adventists, as are its faculty and staff." This relationship between the College and the Seventh-day Adventist Church adequately establishes that Southern College of Seventh-day Adventists is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

Your request letter states that "pregnancy outside of marriage is considered immoral conduct inappropriate for a student in a Seventh-day Adventist educational institution." The Church "must register its decisive, emphatic disapproval of the sin of fornication, adultery, all acts of moral [indiscretion] and other . . . sin[.]" You state that the College must hold to this religious standard in its relationship with its students and employees. Based on this principle, Southern College of Seventh-day

Adventists has requested and is granted by this letter exemption to: § 106.21, to the extent that this section addresses the marital and parental status of applicants for admission; § 106.40 (marital or parental status of students); and § 106.57 (marital or parental status of employees and applicants for employment).

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. If you have any questions, please do not hesitate to contact the Atlanta Regional Office for Civil Rights. The address is:

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

Sincerely,



Alicia Coro
Acting Assistant Secretary
for Civil Rights

Enclosure

cc: W. Lamar Clements, Acting Regional Civil Rights Director, Region IV