



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

SEP 20 1985

Sister Waldia Ann Warden, OP
President
St. Mary's Dominican College
7300 St. Charles Avenue
New Orleans, Louisiana 70118

Dear Sister Waldia Ann Warden:

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 St. Mary's Dominican College filed such a request (copy enclosed), but we have no record that OCR adequately acknowledged this request. We have recently reviewed the request and have determined that your institution need not have applied for a religious exemption. The reasons for our determination are discussed below.

Subpart C of the Title IX regulation (copy enclosed) prohibits discrimination in the admission and recruitment of students. Section 106.15 of the Title IX regulation specifically exempts private undergraduate institutions from compliance with Subpart C. Based on the information provided in your institution's letter (copy enclosed), St. Mary's Dominican College sought a religious exemption because the undergraduate education programs are limited to one sex. Under § 106.15, the exemption for limiting admissions is already provided.

The statutory exemption from the admission and recruitment provisions of Subpart C does not relieve the institution of its obligation to comply with the regulation as it relates to graduate or other programs. Should there be conflicts in this regard, it would be necessary to request exemption from specific provisions of the regulation which are deemed to be inconsistent with certain tenets of your religion.

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If we do not hear from you within 60 days, we will assume that your institution has no need for a religious exemption and close the original request file. 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,

Alicia Corro for

Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

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