



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

AUG 5 1985
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Dr. N. Clifford Sorensen
President
Walla Walla College
College Place, Washington 99324

Dear Dr. Sorensen:

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

We have recently reviewed your request (copy enclosed) in which you describe several policies practiced at Walla Walla 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 (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 Walla Walla College an exemption to those sections of the Title IX regulation specified in your 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. Walla Walla College 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. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Walla Walla College is controlled by the Seventh-day Adventist Church. Walla Walla College is owned and operated by the Seventh-day Adventist Church and is an integral part of the Church. In addition, your letter stated that Walla Walla College, as a Church institution, is obligated to uphold, in its relationships with its students and employees, the religious standards of the Church. This relationship between the Seventh-day Adventist Church and Walla Walla College adequately establishes that Walla Walla College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

In your letter you indicate that "the eighth Fundamental Belief of the Seventh-day Adventist Church states 'that the law of the ten commandments points out sin' (Church Manual 33)[,]" and that the Church interprets the seventh commandment "to cover adultery, fornication, various perversions, and certain remarriages[.]"

Based on the above principle, Walla Walla College has requested and is granted by this letter, exemption to: 34 C.F.R. § 106.21, which pertains to admission; 34 C.F.R. § 106.40, which addresses treatment of students with respect to marital or parental status; and, 34 C.F.R. § 106.57, pertaining to treatment of employees or applicants for employment with respect to marital or parental status.

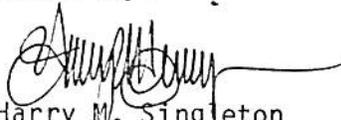
Your letter also indicates that the Seventh-day Adventist Church and Walla Walla College believe that, according to basic Biblical teachings, wearing apparel should be modest, jewelry should not be worn, and there should be distinctions between men's and women's clothing. Section 106.31(b)(5), which concerned student appearance, was deleted from the Title IX regulation. Thus, an exemption for appearance codes is unnecessary.

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 Walla Walla College, 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 Walla Walla College are not based on the religious tenets of the Seventh-day Adventist Church, OCR is obligated to contact the Seventh-day Adventist Church to verify those tenets. If the Seventh-day Adventist Church provides an interpretation of tenets that has a different practical impact than that described by Walla Walla College, 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 the original request. If you have any questions, please do not hesitate to contact the Seattle Regional Office for Civil Rights. The address is:

Gary D. Jackson
Regional Civil Rights Director
Office for Civil Rights, Region X
Department of Education
2901 Third Avenue, M/S 106
Seattle, Washington 98101

Sincerely,


Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

cc: Gary D. Jackson, Regional Civil Rights Director, Region X