



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

AUG 6 1985

Dr. Hubert P. Black
President
West Coast Christian College
6901 North Maple Avenue
Fresno, California 93710-4599

Dear President Black:

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 West Coast Bible College, now West Coast Christian College (WCCC), filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the request (copy enclosed) in which former President Ward described several policies practiced at WCCC 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. Former President Ward 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 WCCC 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. WCCC is hereby exempted from the requirements of the following sections of the Title IX regulation: § 106.21(c), § 106.40(b), § 106.51(b)(6), § 106.57 and § 106.60(a). The basis for our decision to grant this exemption is discussed in further detail below. Former President Ward also requested exemption for § 106.31(b)(5). Section 106.31(b)(5), regarding rules of appearance, was rescinded from the Title IX regulation. Thus, an exemption for appearance codes is unnecessary.

The request letter indicates that WCCC is controlled by the Church of God. WCCC and the Church of God adhere to traditional moral standards of Christianity. This relationship between the Church of God and WCCC adequately establishes that WCCC is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The letter from former President Ward indicates that WCCC follows the Church of God's position with regard to abortion, divorce, fornication, adultery, extramarital pregnancy and termination of a pregnancy, and the Title IX regulation conflicts with WCCC's religious position on these issues.

Based on the above principle, WCCC has requested and is granted by this letter, exemption to:

§ 106.21(c) marital and parental status of potential students.

§ 106.40(b) marital or parental status of students, including pregnancy and related conditions.

§ 106.51(b)(6) employment: granting and return from leaves of absence for pregnancy and related conditions and child care.

§ 106.57 marital or parental status of employees; a general exemption to § 106.57, limited to the extent that this section conflicts with your religious tenets, is more appropriate to the issues listed in former President Ward's letter than the specific exemption to § 106.57(a)(2) requested by Dr. Ward.

§ 106.60(a) inquiry as to the marital status of an applicant 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.

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I hope this letter responds fully to your institution's request. I regret the inordinate delay in responding to your original request. If you have any questions, please do not hesitate to contact the San Francisco Regional Office for Civil Rights. The address is:

John E. Palomino
Acting Regional Civil Rights Director
Office for Civil Rights, Region IX
Department of Education
221 Main Street, 10th Floor
San Francisco, California 94105

Sincerely,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

cc: John E. Palomino, Acting Regional Civil Rights Director, Region IX