



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

SEP 13 1985

Mr. Doug Carter
President
Circleville Bible College
P.O. Box 458
Circleville, Ohio 43113

Dear President Carter:

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 Circleville Bible College filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed your letter of May 31, 1985, in which you describe certain policies practiced at Circleville Bible College as consistent with the tenets of the religious organization that controls the College. 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 Circleville Bible College 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 Circleville Bible 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 College. Circleville Bible College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. § 106.21(c)(1) and (2), § 106.40(b)(1), § 106.57(a)(1) and (b), and § 106.60(a). The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Circleville Bible College is owned and operated by the Churches of Christ in Christian Union. The Constitution and Bylaws of the denomination state, "[a]ny and all actions of the college Board may be appealed to the General Board of Trustees of the Churches of Christ in Christian Union who hold the right to uphold or set aside their actions." This relationship between the Churches of Christ in Christian Union and Circleville Bible College adequately establishes that Circleville Bible 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 students and employees at Circleville Bible College must follow Biblical principles teaching "against sexual relations outside of matrimony, homosexuality and artificial termination of pregnancy." Based on these principles, Circleville Bible College has requested and is granted by this letter exemption to § 106.21(c)(1) and (2) (admissions); § 106.40(b)(1) (marital or parental status of students, including pregnancy); § 106.57(a)(1) and (b) (marital or parental status of employees, including pregnancy); § 106.60(a) (pre-employment inquiries).

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

Enclosure

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