

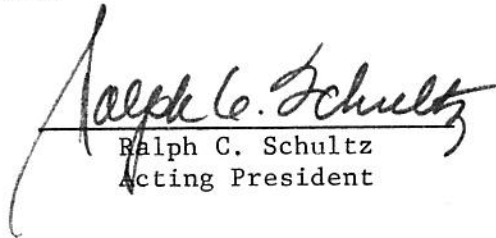


CONCORDIA COLLEGE

BRONXVILLE, NEW YORK 10708
914-337-9300

September 23, 1976

I respectfully request that a religious exemption to paragraph 86.51,a.1. be granted to Concordia College in order that it may continue to conform to the religious tenets of its sponsoring church body. These tenets require that those who are involved in the public teaching of religion be male. This would apply at this college to those faculty members who are involved in certain teaching areas in the religion curriculum.


Ralph C. Schultz
Acting President

RD 1541-85
SS
MR

CONCORDIA COLLEGE

BRONXVILLE, NEW YORK 10708 • 914-337-9300



July 22, 1985

Office of the President

Mr. Stanley Seidenfeld
Deputy Director
Office for Civil Rights, Region II
Department of Education
Federal Building
26 Federal Plaza
New York, New York 10278

RECEIVED

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O C R
REGION II

Re: Concordia College, Bronxville, New York

Dear Mr. Seidenfeld:

This letter is in response to letters received from the Office for Civil Rights on May 14 and July 11, 1985 with respect to a request that had been filed on behalf of Concordia College that it was exempt from the application of Title IX. The sole purpose of this letter is to withdraw that request, if the condition stated below can be satisfied.

Concordia College is controlled by The Lutheran Church-Missouri Synod, an international religious denomination. 20 U.S.C. Section 1681 (a) (3) states that Title IX does "not apply to an educational institution which is controlled by a religious organization if the application ... would not be consistent with the religious tenets of such organization."

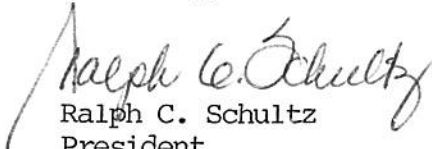
It is our understanding that Section 1681 (a) (3) will be applicable if all of the facts and circumstances justify it, that is, that it is determined that the educational institution is controlled by a religious organization, the religious organization has religious tenets with respect to discrimination on the basis of sex, and those tenets would not be consistent with application of Title IX to specific policies or practices of the educational institution.

We believe that the request that has been made of you was a request for an advance determination concerning the applicability of Title IX. If so, the withdrawal of a request for an advance determination should not in any way prejudice the college if it, subsequent to such withdrawal, seeks to justify any action that might be thought to be a violation of Title IX, advancing as its defense Section 1681 (a) (3). In other words, it will be in the same position in advancing such a defense as if it had never requested the advance assurance.

Mr. Stanley Seidenfeld
July 22, 1985
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If you are able to confirm that our conclusions are correct, we hereby withdraw the request for advance assurance concerning the application of Title IX to Concordia College. If you are unable to confirm that, we would appreciate the opportunity for a conference to discuss the situation.

Sincerely,


Ralph C. Schultz
President

RCS/ewf

xc: Mr. Philip E. Draheim
Mr. Louis T. Fischer