



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

SEP 26 1985

Dr. Harrell Austin
Superintendent
Crowley's Ridge Academy
626 Academy Drive
Paragould, Arkansas 72450

Dear Superintendent Austin:

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 Crowley's Ridge Academy 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 certain policies practiced at Crowley's Ridge Academy 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 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 Crowley's Ridge Academy an exemption to those sections of the Title IX regulation appropriate to your request. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the institution. Crowley's Ridge Academy is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.31, 106.34 and 106.41. The basis for our decision to grant this exemption is discussed in further detail below.

Your letter indicates that Crowley's Ridge Academy is controlled by the Church of Christ. The Academy is under the management, direction and control of a Board of Trustees, and each trustee must be a member of the Church of Christ. This relationship between the Church of Christ and the Academy adequately establishes that Crowley's Ridge Academy 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 stated that, "[b]ecause of our religious belief that females should not take leadership roles, with males present, in worship periods, we request exemption from females being allowed to lead in our daily devotionals and other assemblies with religious connotations." Based on this principle, Crowley's Ridge College is granted by this letter exemption to: § 106.31 (education programs and activities), regarding the participation of female students in leadership roles during religious activities.

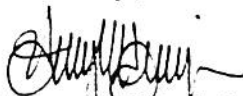
Your letter also indicates that, because of religious beliefs, female students may be excluded from any activity requiring immodest dress. On September 16, 1985, you clarified by telephone that these activities included physical education and interscholastic athletics programs. Based on this principle, Crowley's Ridge Academy is granted by this letter exemption to: § 106.34 (access to course offerings), for physical education courses, and § 106.41 (athletics), regarding athletic apparel.

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 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,



Harry M. Singleton
Assistant Secretary
for Civil Rights

Enclosures

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