



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

SEP 26 1985

Mr. Alan Carter
Executive Vice President
Crowley's Ridge College
Route 4, Box 192
Paragould, Arkansas 72450

Dear Mr. 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 Crowley's Ridge College filed such a request, but there is no record that OCR adequately acknowledged this request.

We have recently reviewed the letter from former Chancellor Emmett Smith (copy enclosed) in which he described several policies practiced at Crowley's Ridge 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. Crowley's Ridge College has 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 College an exemption to those sections of the Title IX regulation appropriate to the request. The exemption is limited to the extent that compliance with the Title IX regulation conflicts with the religious tenets followed by the College. Crowley's Ridge College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.34, 106.37(a) and (b), 106.40, 106.41, 106.51, 106.53, 106.55 and 106.57. The basis for our decision to grant this exemption is discussed in further detail below.

The request letter indicates that Crowley's Ridge College is controlled by the church of Christ. This relationship between the church of Christ and Crowley's Ridge College adequately establishes that Crowley's Ridge College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The former chancellor indicates that the religious tenets of the church of Christ prohibit sexual activity outside of marriage on the part of students or staff. Based on this principle, Crowley's Ridge College is granted by this letter exemption to: § 106.40 (marital or parental status of students) and § 106.57 (marital or parental status of employees).

The request letter indicates that the churches of Christ "hold to Biblical teaching that women do not teach or usurp authority over men[.]" Thus, Crowley's Ridge College does not employ women to teach Bible in a class to which men are assigned. Also, only men have access to courses designed solely for preachers, and the College offers preacher scholarships to men only. Based on this principle, Crowley's Ridge College is granted by this letter exemption to: § 106.34 (access to course offerings), § 106.37 (financial assistance), § 106.51 (employment), § 106.53 (recruitment of employees) and § 106.55 (job classification and structure).

The former chancellor states that due to "our strict religious feelings as to modest dress we do not mix men and women in swimming and other physical activities that require scant attire." Based on this principle, Crowley's Ridge College is granted by this letter exemption to: § 106.34 (access to course offerings, including physical education) and § 106.41 (athletics), to the extent that this section applies to athletic apparel.

The request letter also listed § 106.32, regarding housing, because the College may give preference on the basis of sex in hiring dormitory supervisors. This practice does not demonstrate a conflict with § 106.32. Therefore, no exemption is granted regarding housing. However, the exemption granted above to §§ 106.51, 106.53 and 106.55 will extend to employment practices regarding dormitory supervisors where preference is given on the basis of sex because of religious tenets.

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 College 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 the 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