



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

SEP 30 1985

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Dr. Milton B. Fletcher
President
Michigan Christian College
800 West Avon Road
Rochester, Michigan 48063

Dear President Fletcher:

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

We have recently reviewed the request filed by former President Gardner (copy enclosed), and the additional information which you provided by telephone on August 8, 1985, and September 24, 1985. The former president described certain policies practiced at Michigan Christian 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. Michigan Christian College has provided information that establishes that the 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 Michigan Christian 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. Michigan Christian College is hereby exempted from the requirements of the following sections of the Title IX regulation: 34 C.F.R. §§ 106.51, 106.53 and 106.55. The basis for our decision to grant this exemption is discussed in further detail below.

President Gardner's letter indicates that Michigan Christian College is controlled by the Churches of Christ, which provide the major portion of financial support to the College. In addition, you have indicated that the Churches of Christ and Michigan Christian College practice tenets that require action and conduct that reflect Christian ideals and beliefs. This relationship between the Churches of Christ and the College adequately establishes that Michigan Christian College is controlled by a religious organization as is required for consideration for exemption under § 106.12 of the Title IX regulation.

The original request letter indicates that "it is the doctrinal position of Churches of Christ that women may not preach at public meetings of the Church, nor serve as preachers of the Church. Accordingly, the college does employ only men to teach Bible or religion courses." Additionally, you have clarified

by telephone that the position of College President is limited to males. Based on this practice, Michigan Christian College is granted by this letter exemption to: § 106.51 (employment, general), § 106.53 (recruitment of employees), and § 106.55 (job classification and structure) for those positions reserved for men based on 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 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 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 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

Enclosures

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