



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

SEP 24 1985  
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Rabbi Joseph Elias  
Administrative Dean - Principal  
Rika Breuer Teachers Seminary for Women  
95-103 Bennett Avenue  
New York, New York 10033

Dear Rabbi Elias:

The Office for Civil Rights of the Department of Education (OCR/ED) recently requested additional information regarding Rika Breuer Teachers Seminary for Women's (Seminary) request for a religious exemption from Title IX of the Education Amendments of 1972. Based on information provided by the Seminary, OCR has determined that your institution need not have applied for a religious exemption. The reasons for our determination are discussed below.

Subpart C (in effect, 34 C.F.R. §§ 106.21, 106.22 and 106.23) of the Title IX regulation (copy enclosed) prohibits discrimination in the admission and recruitment of students. Section 106.15 of the Title IX regulation specifically exempts private undergraduate institutions from compliance with Subpart C.

In your letter, you indicated that religious tenets "require us to admit only female students." Based on this practice, you requested exemption to 34 C.F.R. § 106.21 (admission), § 106.22 (preference in admission) and § 106.23 (recruitment of students). OCR has determined, through contacts with the institution, that the Seminary offers only undergraduate level programs. Under § 106.15, the Seminary, a private institution offering undergraduate level programs only, is already exempt from the admission and recruitment provisions of the Title IX regulation.

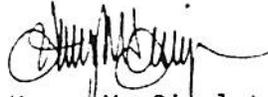
The statutory exemption from the admission and recruitment provisions of Subpart C does not relieve the institution of its obligation to comply with the regulation as it relates to graduate or other programs. Should there be conflicts in this regard, it would be necessary to request exemption from specific provisions of the regulation which are deemed to be inconsistent with certain tenets of your religion.

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If you determine that your institution does not need a religious exemption, please note your wish to withdraw the request so that OCR may close your request file. Otherwise, if we do not hear from you within 60 days, OCR will assume that your institution has no need for a religious exemption and will close your request file. If you have any questions, please do not hesitate to contact the New York Regional Office for Civil Rights. The address is:

Stanley Seidenfeld  
Acting Regional Civil Rights Director  
Office for Civil Rights, Region II  
Department of Education  
26 Federal Plaza, Room 33-130  
New York, New York 10278

Sincerely,



Harry M. Singleton  
Assistant Secretary  
for Civil Rights

Enclosure

cc: Stanley Seidenfeld, Acting Regional Civil Rights Director, Region II