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CHICAGO



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November 13th, 1985

Ms. Linda A. McGovern  
Acting Regional Civil Rights Director  
Office for Civil Rights - Region V  
United States Department of Education  
300 South Wacker Drive, 8th Floor  
Chicago, IL 60606

Dear Ms. McGovern:

RE: TITLE IX RELIGIOUS EXEMPTION CLAIM

This is in response to your letter of October 16 regarding the claim of religious exemption made by our Yeshiva.

Upon receiving your letter, I got in touch with Agudath Israel of America, a New York based national Orthodox Jewish organization to whom we look for assistance in government related matters. Agudath Israel has been in direct contact with Harry M. Singleton, Assistant Secretary for Civil Rights in the U.S. Department of Education, regarding the nature and extent of the information that schools such as ours are obliged to provide OCR when claiming a Title IX religious exemption. As you surely will appreciate, that question raises some sensitive First Amendment considerations that cannot be taken lightly.

Agudath Israel has forwarded to us copies of three letters, two of which were authored by Mr. Singleton, and I pass them along to you herewith. The first is a letter from Rabbi Morris Sherer, President of Agudath Israel, to Mr. Singleton, setting forth a specific proposal regarding exemption claims advanced by rabbinical schools such as ours; the second is Mr. Singleton's affirmative response to Rabbi Sherer's proposal; and the third is a letter from Mr. Singleton to Rabbi A.H. Leibowitz, President and Rosh Hayeshiva of the Rabbinical Seminary of America (an institution much like ours), acknowledging that school's exemption.

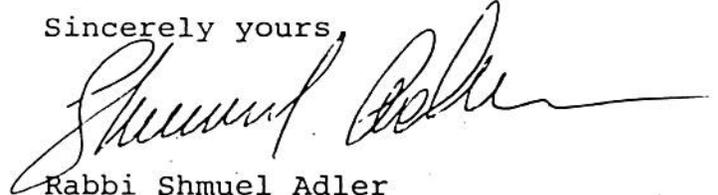
Ms. Linda A. McGovern  
Office for Civil Rights

November 13th, 1985

Telshe Yeshiva - Chicago is controlled, conducted and operated by the Orthodox Jewish religion. We reiterate that our religious tenets require us to admit only male students and hire only male faculty, and that we claim exemption from all regulations or portions thereof which are inconsistent with those tenets. As Mr. Singleton's letters make clear, the foregoing is sufficient for purposes of obtaining exemption from 34 C.F.R. sections 106.21, 106.22, 106.23, 106.51 106.52 106.53, 106.55 and 106.59. As we noted in our letter of September 6, exemption from those sections renders inapplicable all other regulatory provisions that assume admission of students of both sexes or employment of faculty of both sexes.

I trust this resolves the concerns expressed in your letter of October 16.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Shmuel Adler", written in dark ink.

Rabbi Shmuel Adler  
Administrative Director

RSA:mrp  
Encl.