

Grove City College v. Bell - Facts and Case Summary

Facts

Grove City College is a private, church-affiliated, co-educational institution of higher education in Grove City, a small town in northwestern Pennsylvania. Since its founding in the 19th Century, the college had refused to accept directly any forms of government assistance on grounds that compliance with the rules that accompany such assistance would compromise its independence and ability to deliver high-quality education at low cost.

In July 1976, the Executive Branch department, now known as the Department of Education, required the college to file an assurance of compliance stating that it was following the Title IX regulations prohibiting discriminating on the basis of gender. The directive was based, in part, on the fact that 140 of the college's approximately 2,200 students received direct grants through the federal government's Basic Educational Opportunity Grant (BEOG) program.

The college refused to comply with this request on grounds that it did not receive federal financial assistance. As a result, the department initiated formal proceedings to terminate the students' BEOGs. After a hearing, an administrative law judge decided that because the college received federal assistance, it was required under Title IX to file an assurance of compliance report. The college's refusal was sufficient grounds for the department to prohibit its grants to the students.

Procedural History

In November 1978, the college and a few student grant recipients, brought a lawsuit in the United States District Court for the Western District of Pennsylvania. The suit asked the court to do two things: 1) overturn the Department's termination of the student grants; and 2) order the department not to require an assurance of compliance.

In June 1980, the district court ruled in favor of the college. It said that the department could not terminate the students' BEOGs, even though the grants constituted Title IX "federal financial assistance." The court gave the following reasons: (a) the regulations requiring the college to file an assurance of compliance were invalid; (b) there was no finding that the college discriminated on the basis of gender; and (c) the students who received the grants did not have the opportunity to participate in an administrative hearing on the matter.

Both the department and the college appealed to the United States Court of Appeals for the Third Circuit, which partially reversed the district court's decision. The appellate court agreed with the district court that the college was a beneficiary of the federal grants received by its students. In light of that, it was covered by Title IX.

Unlike the district court, it said the department did have the authority to enforce the Title IX requirements in this case. The appellate court upheld the Department's regulations requiring an assurance of compliance. It said the students' federal financial assistance could be terminated based on the college's failure to file, even if there was no finding of actual discrimination.

The appellate court also decided that the students were not entitled to a hearing on the termination of their grants because the funds could be used at other educational institutions. The college petitioned the Supreme Court of the United States to hear the case, the Court agreed, and oral arguments were heard on November 29, 1983.

Issues

- Was Grove City College subject to the requirements of Title IX because its students received federal grants for educational purposes?
- If Grove City was required to follow the Title IX requirements, could the students be prohibited from using their federal grants because the college refused to comply with the Department of Education's regulations?
- Would applying the requirements of Title IX violate the rights of the college and/or its students to free association under the First Amendment?

Holding

On February 28, 1984, the Supreme Court issued its decision in *Grove City College v. Bell*.

A 6-3 majority of the Court held that when students receive federally funded grants, Title IX requirements only apply to the specific program or activity that was benefited by the grants. In such instances, Title IX requirements do not apply across the entire institution.

The Majority Opinion

Justice White wrote the majority opinion affirming the decision of the Third Circuit Court of Appeals. He was joined by Chief Justice Burger and Justices Blackmun, O'Connor, Powell, and Rehnquist. The majority held that Title IX applied in this case because students used BEOGs to pay for their education at the college. However, the Court decided that an assurance of compliance could only be required of the student financial aid program because the grants benefitted only that program.

The majority made the following key points:

- The majority had "little trouble" deciding that Title IX compliance is required across the institution even though "federal funds are granted to Grove City's students rather than directly to one of the college's educational programs." The Court based its decision on "clear statutory language," "powerful evidence" of Congressional intent, and a "longstanding and coherent" agency interpretation of the statute.
- The Court found that there was "no evidence" that the students' financial assistance was diverted to other areas of the institution. At the same time, it also acknowledged that, since most financial assistance has "economic ripple effects" throughout an institution, it would be "difficult, if not impossible" to determine which other programs or activities benefit directly from the federal aid.
- The department has the authority to demand an assurance of compliance regarding the program receiving federal financial assistance, i.e., the financial aid program. The college's failure to do so warrants termination of the BEOGs that

would be used at the college. Students receiving grants may either take them elsewhere or attend the college without using them there.

The Concurring and Dissenting Opinions

Justice Powell, joined by Chief Justice Burger and Justice O'Connor, concurred in the majority opinion. They wrote separately to express their view that this case was an "example of overzealousness on the part of the Federal Government." The college did not, in fact, discriminate against anyone, and the department eventually conceded that Title IX applied only to the college's financial aid office.,

Justice Stevens partly concurred in the majority opinion and concurred in the result that Title IX requirements applied to the college. Justices Brennan, joined by Justice Marshall. He concurred in part and dissented in part from the majority opinion. They also agreed with the majority and the concurring justices that Title IX applied to the college.