

*no tenet stated;
unsigned statement*

ASSURANCE OF COMPLIANCE WITH TITLE IX OF THE
EDUCATION AMENDMENTS OF 1972 AND THE
REGULATION ISSUED BY THE DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE IN
IMPLEMENTATION THEREOF

[PLEASE READ EXPLANATION OF HEW FORM 639 BEFORE COMPLETING THIS DOCUMENT]

Pursuant to 45 C.F.R. §86.4, Asbury College - Kentucky
(insert name of Applicant or Recipient)

(hereinafter the "Applicant") gives this assurance in consideration of and for the purpose of obtaining Federal education grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other Federal financial assistance to education programs or activities from the Department of Health, Education, and Welfare (hereinafter the "Department"), including payments or other assistance hereafter received pursuant to applications approved prior to the date of this assurance.

ARTICLE I—TYPE OF INSTITUTION SUBMITTING ASSURANCE

The Applicant is (check the following boxes where applicable):

- A state education agency.
- A local education agency.
- A publicly controlled educational institution or organization.
- A privately controlled educational institution or organization.
- A person, organization, group or other entity not primarily engaged in education. If this box is checked, insert primary purpose or activity of Applicant in the space provided below:

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- Claiming a religious exemption under 45 C.F.R. §86.12(b). (If religious exemption is claimed, attach statement by highest ranking official of Applicant identifying the specific provisions of 45 C.F.R. Part 86 which conflict with a specific religious tenet of the controlling religious organization.)

The Applicant offers one or more of the following programs or activities (check where applicable):

- Pre-school
- Kindergarten
- Elementary or Secondary
- Graduate
- Other (such as special programs for the handicapped even if provided on the pre-school, elementary or secondary level). If this box is checked, give brief description below:
- Undergraduate (including junior and community colleges)
- Vocational or Technical
- Professional

HEW-639 (7/76)

ARTICLE II—PERIOD OF ASSURANCE

This assurance shall obligate the Applicant for the period during which Federal financial assistance is extended to it by the Department.

ARTICLE III—TERMS AND CONDITIONS

The Applicant hereby agrees that it will:

1. Comply, to the extent applicable to it, with Title IX of the Education Amendments of 1972 (P.L. 92-318), as amended, 20 U.S.C. §1681, 1682, 1683, and 1685 (hereinafter, "Title IX"), and all applicable requirements imposed by or pursuant to the Department's regulation issued pursuant to Title IX, 45 C.F.R. Part 86 (hereinafter, "Part 86"), to the end that, in accordance with Title IX and Part 86, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives or benefits from Federal financial assistance from the Department. (This assurance does not apply to sections 904 (proscribing denial of admission to course of study on the basis of blindness) and 906 (amending other laws) of Title IX, 20 U.S.C. 1684 and 1686.)
2. Require any person, organization, group or other entity to which it subgrants or with which it contracts, subcontracts or otherwise arranges to provide services or benefits or to assist it in the conduct of any program covered by this assurance, or with which it contracts or otherwise arranges for the use of any facility covered by this assurance, to comply fully with Title IX and Part 86 and to submit to the Department an assurance satisfactory to the Director, Office for Civil Rights (hereinafter, the "Director"), to that effect.
3. Make no transfer or other conveyance of title to any real or personal property which was purchased or improved with the aid of Federal financial assistance covered by this assurance, and which is to continue to be used for an education program or activity and where the Federal share of the fair market value of such property has not been refunded or otherwise properly accounted for to the Federal government, without securing from the transferee an assurance of compliance with Title IX and Part 86 satisfactory to the Director and submitting such assurance to the Department.
4. Submit a revised assurance within 30 days after any information contained in this assurance becomes inaccurate.
5. If the Applicant is a state education agency, submit reports in a manner prescribed by the Director under 45 C.F.R. §80.6(b) as to the compliance with Title IX and Part 86 of local education agencies or other education programs or activities within its jurisdiction.

ARTICLE IV—DESIGNATION OF RESPONSIBLE EMPLOYEE AND ADOPTION OF GRIEVANCE PROCEDURES

(Check the appropriate box.)

Pursuant to 45 C.F.R. §86.8, the Applicant has adopted grievance procedures and designated the following employee to coordinate its efforts to comply with Part 86 and has notified all of its students and employees of these grievance procedures and the following name, address, and telephone number of the designated employee:

Dr. J. Paul Ray
(name of employee)
CPO Box 632, Asbury College, Wilmore, KY
(office address) 40390
606-858-3511, Ext. 233
(telephone number)

The Applicant is not presently receiving Federal financial assistance subject to Part 86 and, consequently, has not designated a responsible employee or adopted grievance procedures pursuant to 45 C.F.R. §86.8 but will do so immediately upon award of such assistance and will immediately notify the Director, its students and employees of the name, office address, and telephone number of the employee so designated.

ARTICLE V—SELF-EVALUATION

(Check the appropriate box.)

The Applicant has completed a self-evaluation as required by 45 C.F.R. §86.3(c) and has not found it necessary to modify any of its policies and practices or to take any remedial steps to come into compliance with Part 86.

The Applicant has completed a self-evaluation as required by 45 C.F.R. §86.3(c) and has ceased to carry out any policies and practices which do not or may not meet the requirements of Part 86 and is taking any necessary remedial steps to eliminate the effects of any discrimination which resulted or may have resulted from adherence to such policies and practices.

The Applicant has not completed the self-evaluation required by 45 C.F.R. §86.3(c) but expects to have it completed by _____ (insert date)

The Applicant is not required to conduct a self-evaluation under 45 C.F.R. §86.3(c) since it did not receive any Federal financial assistance to which Part 86 applies prior to July 21, 1976.

Date: September 30, 1976

Asbury College
(Insert name of Applicant)
By Aennis F. Kulew
(This document must be signed by an official legally authorized to contractually bind the Applicant.)
President
(Insert title of authorized official.)

Asbury College



Wilmore, Kentucky 40390
606/858-3511

Dennis F. Kinlaw, president

Asbury College is an undergraduate institution of higher education, controlled by an independent board of trustees, and bound by Articles of Incorporation that commit it to the fundamental doctrines of the Protestant Christian faith as found in the Bible. Its faculty and staff are required to believe in those doctrines and are charged with operating an educational program consistent with those doctrines. As such an institution it finds itself concerned with 45 C.F. R. Part 86 at four points:

- 1) The sanctity and the permanently binding character of marriage vows,
- 2) the legitimacy of sexual relations only within marriage,
- 3) the sanctity of human life, including fetal life,
- 4) and the divinely established differences between the sexes.

We therefore reserve the right to make inquiry about marital status (86.21 (c) (4), 86.60 (a) in order to present proper models to our academic institutional community. This right has not and will not be used to discriminate against one sex or for one sex.

We reserve the right, if future interpretation of Sections 86.21 C, 86.40 (a), (b) (1) (5), and 86.57 make it necessary, to continue to treat pregnancy and abortion as moral/ethical matters.

We reserve the right to differentiate in our community life on occasion between the male and the female (Sections 86.31 (b) (4), (5) (d), 86.34 (f)). This is not to discriminate or to perpetuate any stereotyped characterizations of one or the other sex. It is to acknowledge the divinely established difference between a man and a woman and that a true self-understanding is an appropriate goal in human education.

Dennis F. Kinlaw
President