

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

*file*  
*6/11/77*

(PLEASE READ EXPLANATION OF HEW FORM 639 A (3/77)\* BEFORE COMPLETING THIS DOCUMENT)

Pursuant to 45 C.F.R. 86.4:

<u>BETHANY LUTHERAN COLLEGE</u> (Name of Applicant or recipient)
<u>734 Marsh Street</u> (address)
<u>Mankato, Minnesota 56001</u> (city, state, zip code)
<u>OE - 002337</u> (identifying code-FICE, OE, or IRS) <i>27002337</i>

(hereinafter the "Applicant") gives this assurance in consideration of and for 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.

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

1. ( ) A state education agency.
2. ( ) A local education agency.
3. ( ) A publicly controlled educational institution or organization.
4. (x) A privately controlled educational institution or organization.
5. ( ) 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:

\*HEW Form 639 A (3/77) This form supersedes HEW Form 639 (7/76). HEW Form 639 (7/76) submitted prior to this revision are valid and recipients need not submit a new assurance.

- B.  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.)
- C. The Applicant offers one or more of the following programs or activities (check where applicable):
- |                             |   |  |   |
|-----------------------------|---|--|---|
| 1. <input type="checkbox"/> | Pre-school  | 6. <input checked="" type="checkbox"/> | Undergraduate (including junior and community colleges) |
| 2. <input type="checkbox"/> | Kindergarten  | 7. <input type="checkbox"/>            | Vocational or Technical                                 |
| 3. <input type="checkbox"/> | Elementary or Secondary   | 8. <input type="checkbox"/>            | Professional  |
| 4. <input type="checkbox"/> | Graduate  |  |   |
| 5. <input type="checkbox"/> | 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: |  |   |

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. Assure itself that all contractors, subcontractors, subgrantees or others with whom it arranges to provide services or benefits to its students or employees in connection with its education program or activity are not discriminating on the basis of sex against these students or employees.

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.)

A. 1. ( x ) 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:

2. Calvin K. Johnson  
(name of employee)
3. 734 Marsh Street  
(office address)
4. (507) 625-2977  
(telephone number)

B. 1. ( ) 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.)

- A. ( ) 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.
- B. ( ) 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.
- C. (x) The Applicant has not completed the self-evaluation required by 45 C.F.R. 86.3(c) but expects to have it completed by July 1, 1977.  
insert date
- D. ( ) The Applicant is not required to conduct a self-evaluation under 45 C.F.R. 86.3 since it did not receive any Federal financial assistance to which Part 86 applies prior to July 21, 1976.

Date: May 24, 1977

BETHANY LUTHERAN COLLEGE  
(Insert name of Applicant)

By

Raymond M. Brantel

(This document must be signed by  
an official legally authorized  
to contractually bind the Applicant.)

President

(Insert title of authorized official.)

ARTICLE I, B.

The Applicant claims exemption from paragraph 86.55/a insofar as it pertains to those who preach and officiate in the religious exercises of the institution. It is a religious tenet of the Evangelical Lutheran Synod which owns and operates the institution that such positions be restricted to qualified males who are in religious fellowship with the Evangelical Lutheran Synod.

*Raymond M. Brantel*  
*President*