



DR. MARTIN LUTHER COLLEGE

NEW ULM, MINNESOTA 56073
TELEPHONE 507 / 354-8221

Office of the President

April 11, 1977

Mr. Albert T. Hamlin, Acting Director
Office for Civil Rights
Department of Health, Education, and Welfare
Washington, D.C. 20024

Re: Religious Exemption under 45 C.F.R.

Dear Mr. Hamlin:

Enclosed for the second time is the "Assurance of Compliance under Title IX of the Education Amendments of 1972" and is completed to the extent that we feel it is applicable to a post-secondary, degree-granting four year college owned, controlled, supported, and maintained by a recognized church body, the Wisconsin Ev. Lutheran Synod, with national headquarters at 3512 W. North Avenue, Milwaukee, Wisconsin 53208.

On July 21, 1976, the president of the Wisconsin Ev. Lutheran Synod, Reverend Oscar J. Naumann, submitted to the Office for Civil Rights a five page letter with supporting data which fully documents the claims for religious exemption on the basis of Title IX provisions. Repeated contacts with our national headquarters indicate that no response has been made to the exemption claim.

I wish to point out that no educational program on this campus, as a matter of church policy, has ever received federal support and that there is not one penny of federal money in any of its physical facilities. Nearly 60% of the funds necessary for the college's annual operating budget is a direct subsidy of the sponsoring church body. About 40% of the operating budget is derived from student fees which are substantially lower than those of comparable private and public institutions since the sole purpose of this college is to educate young people for service as elementary teachers in the Christian day schools within the Wisconsin Ev. Lutheran Synod which operates elementary schools in 23 states. It bears repeating that every building on this campus was paid for solely and alone by the members of the maintaining church body and that there is no capital or operating indebtedness.

Because the government has chosen to get into the religious-moral field, there are provisions in Title IX which either militate against the purpose for the existence of this college or at complete variance with the religious convictions and practices of the sponsoring church body. Permit me to point to a few.

The present student body has nearly three times more women than men. In connection with regulation 86.15 it should be stated that we recruit on the basis of the needs within the Church and not on the basis of quotas.

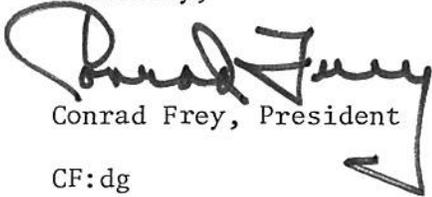
Without violating what we strongly feel would violate Biblical injunctions, we cannot and will not accommodate ourselves to regulation 86.21, particularly the points under c. We would also have deep conscientious concerns about 86.40 b as we do with the previously mentioned 86.21 c. Depending upon its interpretation, regulation 86.32 could run counter to the Church's theological position.

The interpretation we see in 86.34 militates against the purpose of the college. We feel that we must reserve to ourselves the right to determine how student gifts can best be utilized and, therefore, as prescribed by the church body, we determine the course offerings a student is to pursue as we seek to meet the needs of the elementary school system within the Church. The students are very aware of this when they enroll.

Interwoven throughout several of the regulations is the whole matter of discipline, Christian discipline, which is a responsibility we cannot abrogate by any fiat of an external agency.

We would refer you to the file which contains the July 21, 1976, letter of the president of the Wisconsin Ev. Lutheran Synod which provides in greater detail the substantiation for claiming religious exemption.

Sincerely,

A handwritten signature in black ink, appearing to read "Conrad Frey". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline that extends to the right and then loops back down to the left.

Conrad Frey, President

CF:dg

Enclosure: