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TITLE 34 EDUCATION

**SUBTITLE B REGULATIONS OF THE OFFICES OF THE DEPARTMENT OF
EDUCATION**

CHAPTER I OFFICE FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION

PART 106 NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION

exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial

(m) means:

(1) An institution offering at least two but less than four years of college level study beyond the high school level, leading to a diploma or an associate degree, or wholly or principally creditable toward a baccalaureate degree; or

(2) An institution offering academic study leading to a baccalaureate degree; or

(3) An agency or body which certifies credentials or offers degrees, but which may or may not offer academic study.

(n) means an institution (except any institution of undergraduate higher education) which offers a program of academic study that leads to a first professional degree in a field for which there

- (2) Modify any of these policies and practices which do not or may not meet the requirements of this part; and
- (3) Take appropriate remedial steps to eliminate the effects of any discrimination which resulted or may have resulted from adherence to these policies and practices.

(d) Recipients shall maintain on file for at least three years following completion of the evaluation required under paragraph (c) of this section, and shall provide to the Assistant Secretary upon request, a description of any modifications made pursuant to paragraph (c)(ii) of this section and of any remedial steps taken pursuant to paragraph (c)(iii) of this section.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

§ 106.4 Assurance required.

(a) Every application for Federal financial assistance shall as condition of its approval contain or be accompanied by an assurance from the applicant or recipient, satisfactory to the Assistant Secretary, that the education program or activity operated by the applicant or recipient and to which this part applies will be operated in compliance with this part. An assurance of compliance with this part shall not be satisfactory to the Assistant Secretary if the applicant or recipient to whom such assurance applies fails to commit itself to take whatever remedial action is necessary in accordance with §106.3(a) to eliminate existing discrimination on the basis of sex or to eliminate the effects of past discrimination whether occurring prior or subsequent to the submission to the Assistant Secretary of such assurance.

(b) (1) In the case of Federal financial assistance extended to provide real property or structures thereon, such assurance shall obligate the recipient or, in the case of a subsequent transfer, the transferee, for the period during which the real property or structures are used to provide an education program or activity.

(2) In the case of Federal financial assistance extended to provide personal property, such assurance shall obligate the recipient for the period during which it retains ownership or possession of the property.

(a) The obligations imposed by this part are independent of, and do not alter, obligations not to discriminate on the basis of sex imposed by Executive Order 11246, as amended; sections 704 and 855 of the Public Health Service Act (42 U.S.C. 292d and 298b-2); Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e); the Eq

(b) An educational institution which wishes to claim the exemption set forth in paragraph (a) of this section, shall do so by submitting in writing to the Assistant Secretary a statement by the highest ranking official of the institution, identifying the provisions of this part which conflict with a specific tenet of the religious organization.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

§ 106.13 Military and merchant marine educational institutions.

This part does not apply to an educational institution whose primary purpose is the training of individuals for a military service of the United States or for the merchant marine.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

§ 106.14 Membership practices of certain organizations.

(a) This part does not apply to the membership practices of social fraternities and sororities which are exempt from taxation under section 501(a) of the Internal Revenue Code of 1954, the active membership of which consists primarily of students in attendance at institutions of higher education.

(b) This part does not apply to the membership practices of the Young Men's Christian Association, the Young Women's Christian Association, the Girl Scouts, the

(d) To overcome the effects of past exclusion of students on the basis of sex, each educational institution to which §106.16 applies shall include in its transition plan, and shall implement, specific steps designed to encourage individuals of the previously excluded sex to apply for admission to such institution. Such steps shall include instituting recruitment which emphasizes the institution's commitment to enrolling students of the sex previously excluded.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

[45 FR 30955, May 9, 1980, as amended at 65 FR 68056, Nov. 13, 2000]

Subpart C—Discrimination on the Basis of Sex in Admission and Recruitment Prohibited

§ 106.21 Admission.

(a) No person shall, on the basis of sex, be denied admission, or be subjected to discrimination in admission, by any recipient to which this subpart applies, except as provided in §§106.16 and 106.17.

(b) (1) In determining whether a person satisfies any policy or criterion for admission, or in making any offer of admission, a recipient to which this subpart applies shall not:

(i) Give preference to one person over another on the basis of sex, by ranking applicants separately on such basis, or otherwise;

(ii) Apply numerical limitations upon the number or proportion of persons of either sex who may be admitted; or

(iii) Otherwise treat one individual differently from another on the basis of sex.

(2) A recipient shall not administer or operate any test or other criterion for admission which has a disproportionately adverse effect on persons on the basis of sex unless the use of such test or criterion is shown to predict validly success in the education program or activity in question and alternative tests or criteria which do not have such a disproportionately adverse effect ar()5 (e)1 1 (t)4 ()5arn1 (s)1 ()4 (or3 (())3 (a)4)-1 (i)(a)4ia undit4 Tm()TjETQ0 0 630 810 reW

(7) Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

(c) A recipient educational institution may administer or assist in the administration of scholarships, fellowships, or other awards established by foreign or domestic wills, trusts, or similar legal instruments, or by acts of foreign governments and restricted to members of one sex, which are designed to provide opportunities to study abroad, and which are awarded to students who are already matriculating at or who are graduates of the recipient institution; a recipient educational institution which administers or assists in the administration of such scholarships, fellowships, or other awards which are restricted to members of one sex provides, or otherwise makes available reasonable opportunities for similar studies for members of the other sex. Such opportunities may be derived from either domestic or foreign sources.

(d) (1) This paragraph applies to any recipient which requires participation by any applicant, student, or employee in any education program or activity not operated wholly by such recipient, or which facilitates, permits, or considers such participation as part of or equivalent to an education program or activity operated by such recipient, including participation in educational consortia and cooperative employment and student-teaching assignments.

(2) Such recipient:

(i) Proportionate in quantity and

(ii) Comparable in quality and cost to the student.

A recipient may render such assistance to any agency, organization, or person which provides all or part of such housing to students only of one sex.

(Authority: Secs. 901, 902, 907, Education Amendments of 1972, 86 Stat. 373, 374, 375; 20 U.S.C. 1681, 1682, 1686)

§ 106.33 Comparable facilities.

A recipient may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374)

§ 106.34 Access to classes and schools.

(a) Except as provided for in this section or otherwise in this part, a recipient shall not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

(1) This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

(2) This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

(3) Classes or portions of classes in elementary and secondary schools that deal primarily of c [(of)3 Tf10.

(iii) Student enrollment in a single-sex class or extracurricular activity is completely voluntary; and

(iv) The recipient provides to all other students, including students of the excluded sex, a substantially equal coeducational class or extracurricular activity in the same subject or activity.

(2) A recipient that provides a single-sex class or extracurricular activity, in order to comply with paragraph (b)(1)(ii) of this section, may be required to provide a substantially equal single-sex class or extracurricular activity for students of the excluded sex.

(3) Factors the Department will consider, either individually or in the aggregate as appropriate, in determining whether classes or extracurricular activities are substantially equal include, but are not limited to, the following: the policies and criteria of admission, the educational benefits provided,

(2) To ensure nondiscriminatory awards of assistance as required in paragraph (b)(1) of this section, recipients shall develop and use procedures under which:

(i) Students are selected for award of financial assistance on the basis of nondiscriminatory criteria and not on the basis of availability of funds restricted to members of a particular sex;

(ii) An appropriate sex-restricted scholarship, fellowship, or other form of financial assistance is allocated to each student selected under paragraph (b)(2)(i) of this section; and

(iii) No student is denied the award for which he or she was selected under paragraph (b)(2)(i) of this section because of the absence of a scholarship, fel

(a) A recipient shall not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.

(b) (1) A recipient shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.

(2) A recipient may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

(3) A recipient which operates a portion of its education program or activity separately for pregnant students, admittance to which is completely voluntary on the part of the student as provided in paragraph (b)(1) of this section shall ensure that the separate portion is comparable to that offered to non-pregnant students.

(4) A recipient shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom in the same manner and under the same policies as any other temporary disability with respect to any medical or hospital benefit, service, plan or policy which such recipient administers, operates, offers, or participates in with respect to students admitted to the recipient's educational program or activity.

(5) In the case of a recipient which does not maintain a leave policy for its students, or in the case of a student who does not otherwise qualify for leave under such a policy, a recipient shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom as a justification for a leave of absence for so long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status which she held when the leave began.

(Authority: Secs. 901,

- (1) Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;
- (2) The provision of equipment and supplies;
- (3) Scheduling of games and practice time;
- (4) Travel and per diem allowance;
- (5) Opportunity to receive coaching and academic tutoring;
- (6) Assignment and compensation of coaches and tutors;
- (7) Pro

Subpart E—Discrimination on the Basis of Sex in Employment in Education Programs or Activities Prohibited

§ 106.51 Employment.

(a) (1) No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, consideration, or selection therefor, whether full-time or part-time, under any education program or activity operated by a recipient which receives Federal financial assistance.

(2) A recipient shall make all employment decisions in any education program or activity operated by such recipient in a nondiscriminatory manner and shall not limit, segregate, or classify applicants or employees in any way which could adversely affect any applicant's or employee's employment opportunities or status because of sex.

(3) A recipient shall not enter into any contractual or other relationship which directly or indirectly has the effect of subjecting employees or students to discrimination prohibited by this subpart, including relationships with employment and referral agencies, with labor unions, and with organizations providing or administering fringe benefits to employees of the recipient.

(4) A recipient shall not grant preferences to applicants for employment on the basis of attendance at any educational institution or entity which admits as students only or predominantly members of one sex, if the giving of such preferences has the effect of discriminating on the basis of sex in violation of this part.

(b) The provisions of this subpart apply to:

(1) Recruitment, advertising, and the process of application for employment;

[45 FR 30955, May 9, 1980, as amended at 65 FR 68056, Nov. 13, 2000]

(c) Maintain or establish separate lines of progression, seniority systems, career ladders, or tenure systems for similar jobs, position descriptions, or job requirements which classify persons on the basis of sex, unless sex is a bona-fide occupational qualification for the positions in question as set forth in §106.61.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

§ 106.56

F For purposes of this part, means: Any medical, hospital, accident, life -sharing or bonus plan, leave, and any other benefit

(b) A recipient shall not:

- (1) Discriminate on the basis of sex with regard to making fringe benefits available to employees or make fringe benefits available to spouses, families, or dependents
- (2) Administer, operate, offer, or participate in a fringe benefit plan which does not provide either for equal periodic benefits for members of each sex, or for equal contributions to the plan by such recipient for members of each sex; or
- (3) Administer, operate, offer, or participate in a pension or retirement plan which establishes different optional or compulsory retirement ages based on sex or which otherwise discriminates in benefits or

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

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(2) Which is based upon whether an employee or applicant for employment is the head of household or principal

(b) A employment on the basis of pregnancy, childbirth, false pregnancy, termination

(c) A pregnancy, and recovery therefrom and any temporary disability resulting therefrom as any other term for all job related purposes, including commencement, duration and extensions of leave, payment of disability income, accrual of seniority and any other benefit or service, and reinstatement, and under any fringe benefit offered to employees

(d) In the case of a recipient which does not maintain a leave policy for its employees, or in the case of an employee with insufficient leave or accrued employment time to qualify for leave under such a policy therefrom as a justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

§ 106.58 Effect of State or local law or other requirements.

(a) The obligation to comply with this subpart is not obviated or alleviated by the existence of any State or local law or other requirement which imposes prohibitions or limits upon employment of members of one sex which are not imposed upon members of the other sex.

(b) A recipient which provides any compensation, service, or benefit to members of one sex pursuant to a State or local law or other requirement shall provide the same compensation, service, or benefit to members of the other sex.

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

(Authority: Secs. 901, 902, Education Amendments of 1972, 86 Stat. 373, 374; 20 U.S.C. 1681, 1682)

Appendix A to Part 106—Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs

Editorial Note: For the text of these guidelines, see 34 CFR part 100, appendix B.

[44 FR 17168, Mar. 21, 1979]



(B) for seven years from the date an educational institution begins the process of changing from being an institution which admits only students of only one sex to being an institution which admits students of both sexes, but only if it is carrying out a plan for such a change which is approved by the Secretary of Education, whichever is the later;

(3) Educational institutions of religious organizations with contrary religious tenets

this section shall not preclude father-son or mother-daughter activities at an educational institution, but if such activities are provided for students of one sex, opportunities for reasonably comparable activities shall be provided for students of the other sex; and

(9) Institution of higher education scholarship awards in "beauty" pageants

this section shall not apply with respect to any scholarship or other financial assistance awarded by an institution of higher education to any individual because such individual has received such award in any pageant in which the attainment of such award is based upon a combination of factors related to the personal appearance, poise, and talent of such individual and in which participation is limited to individuals of one sex only, so long as such pageant is in compliance with other nondiscrimination provisions of Federal law.

(b) Preferential or disparate treatment because of imbalance in participation or receipt of Federal benefits; statistical evidence of imbalance

Nothing contained in subsection (a) of this section shall be interpreted to require any educational institution to grant preferential or disparate treatment to the members of one sex on account of an imbalance which may exist with respect to the total number or percentage of persons of that sex participating in or receiving the benefits of any federally supported program or activity, in comparison with the total number or percentage of persons of that sex in any cror xne1 (f)3o5810 reW nBTT, 630 8630S 0 0 b-1 (r)25tcc4 (co)0S 0 0 c(r)25tc oo5810 reooo58r3 (h)-0 oo58tcohh

Sec. 1683. Judicial review

Any department or agency action taken pursuant to section 1682 of this title shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 1682 of this title, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of section 701 of that title.

Sec. 1684. Blindness or visual impairment; prohibition against discrimination

No person in the United States shall, on the ground of blindness or severely impaired vision, be denied admission in any course of study by a recipient of Federal financial assistance for any education program or activity, but nothing herein shall be construed to require any such institution to provide any special services to such person because of his blindness or visual impairment.

Sec. 1685. Authority under other laws unaffected

Nothing in this chapter shall add to or detract from any existing authority with respect to any program or activity under which Federal financial assistance is extended by way of a contract of insurance or guaranty.

Sec. 1686. Interpretation with respect to living facilities

Notwithstanding anything to the contrary contained in this chapter, nothing contained herein shall be construed to prohibit any educational institution receiving funds under this Act, from maintaining separate living facilities for the different sexes.

Sec. 1687. Interpretation of "program or activity"

For the purposes of this subchapter, the term "program or activity" and the term

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3);

any part of which is extended Federal financial assistance, except that such term does not include any operation of an entity which is controlled by a religious organization if the application of section 1681 of this title to such operation would not be consistent with the religious tenets of such organization.

Sec. 1688. Neutrality with respect to abortion

Nothing in this chapter shall be construed to require or prohibit any person, or public or private entity, to provide or pay for any benefit or service, including the use of facilities, related to an abortion. Nothing in this section shall be construed to permit a penalty to be imposed on any person or individual because such person or individual is seeking or has received any benefit or service related to a legal abortion.

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P6P/-P`-/2S2173"t/QP"URXW4Q2"PVV4P547"/Q"214"e4745P-".40/3245"UQ"LPQXP5S")KC"(()+

"

-NXOPZN]!&PZNYZS\R_!WPVU!T^R!8@!@A!/OZXMNyR

!

%2"RUQ2/QX43"2U"4"214"RP34"21P2"P"3/0Q/T/RPQ2"QXW`45"UT"32X74Q23C"1P54WP/45PQR47"34^XP-"
1P5P33W4Q2C"[1/R1"RPQ"/Q225T452X74Q2R374W/R"V45TU5WPQR4"PQ7"4WU2/UQP-"PQ7"4Q68/RP-"[4--
@5464Q2/Q0"54V747S/Q0"34^XP-"1P5P33W4Q2"/Q"3R1UU-3"/3"4334Q2/P-"2U"4Q3X5/Q0"PT4"4Q6/5UQW4Q2"
32X74Q23"RPQ"-4P5Q+"#3"/[21"214")KK\`0X/7PQR4C"214"546/347"0X/7PQR4"214"4645S"-464RUP2/UQ+"
FR1UU-"V453UQQ4-"[1U"XQ74532PQ7"214/5"XQ74532PQ7"%&C"4+0+C"XQ74532PQ7"21P2"34^XP-"1P5P33W4Q2"
34^7/3R5/W/QP2/60/P2/UQ"UT"\$2-4"%&C"P54"/Q"214"432"VU3/2/UQ"2U"V5464Q2"3P5P23W4Q2W"Q7"2U"
32X74Q23"/TC"743V/24"214/5"432"4TTU523C"1P5P33W4Q2"URRX53+

"

EQ4"UT"214"TXQ7PW4Q2P-"P/W3"UT"U21"214")KK\`0X/7PQR4"PQ7"214"546/347"0X/7PQR4"3/d4"21P2C"/Q"
P775433/Q0"P--40P2/UQ3"UT"34^XP-"1P5P33W4Q2W4Q2U20P07"WWUQ"34Q34"UT"24PR1453"PQ7"3R1UU-"
P7W/Q/325P2U53"P54"/W"452PQ23"UT"P"543VUQ34"21P2"W4423"214"54bX/54W4Q23"UT"\$2-4"%&+

"

#"R5/2/RP-"/33X4"XQ745"\$2-4"%&"/3"[142145"214"3R1UU-"54RU025P33W4Q234PXP"URRX5547"PQ7"2UUF"V5UWV
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!
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54V5434Q2/Q0"PVV5U^/WP24-S"jP05006/PQ7/6/7XP-3+ ">UWW4Q2453"V5U6/747"3V4R/T/R"3X00432/UQ3"540P
1U["214"546/34X/7PQR4"RUX-7" 4"R-P5/T/47+"OPQS"UT"21434"3X0043247"R1PQ043"1P64F/00T/BRQ3VU5P24
PQ7"54RX55/Q0"/33X43"P54"05UXV47" `S"3X`j4R2"PQ7"7/3R1PQ7"/Q"214"TU
34R2/UQ3_
"

PR2/UQ" 4TU54"/33X/Q0"P/T/Q7/Q0"U"16U3PRUQ3/324Q2"/[21"21g>00745-S/Q0"RUQR45Q"/Q":4`345"PQ7"
<P6/3+

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R-P5/2S"PPWV-43"540P57/Q032X4"[454"Q44747+>UWW4Q2453"P-3U"3X054TS4Q0"54QR43"2U"bX/7"V5U"
bXU"PQ7"1U32/-4"4Q6/5UQW4Q2"1P5P33W4Q2"P3"21432"1UX"RUQR4X2C7U"QU2"74245W/Q4"214"/33X4"UT"
[142145"214"3R1UU-"/234-T"/3"RU63745Q3/-4"TU5"214"1P5P33W4Q2"544"/[21"21434"RUQR45Q3"PQ7"1P64"
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N4Q4T/2"T5UW"214"97XRP2/UQ"@5U05PWa"PQ7]BP5P33W4Q2"19\$0FR1-LS4PQ2"2U"R-#5X5PQR4"/Q"
21434"543V4R23+

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34^XP-"1P5P33W4Q2"21P2"1P64"JP52/T/R"54385/R247"214"0X/7PQR4"1P5P33W4Q2"/Q"214"TB5U7XR2"
UT"P"34^XP-"QP2X54C"21X3C"/WV-S/Q0"2147"145P33W4Q2"43U"RUQR45Q"PQ7"31UX-7" 4"46P-XP247"
7/TT454Q2-S+

H4"1P64"QU2"TX52145"4^VPQ747"21/3"34R2/UQ" 4RPX34C"[1/-4"[4"P54/P132"4"RUQR452PQ2"/33X4"UT"
04Q745P347"1P5P33W4Q2C"[4" 4-/464"21P2"1P5P33W4Q2"QP2X54343"XQ/bX4"PQ7"3X2-SW4Q52PQ2"
/33X43"21P2"7/32/Q0X/31"/2"T5UW42U5"04QP44"1P5P33W4Q2"PQ7"[P55PQ23"/23"U[Q"0X/7PQR4+

=4645214-433C"[4"1P64"R-P5/T/47"21/3"34R2/UQ"UT"214"0X/7PQR4"/Q"34645P-"[PS3+"\$14"0X/7PQR4"R-P5/T
`P347"1P5P33W4Q2C"/QR2XP2V547/RP247"UQ"34^"32454U2SV/Q0C"/3"RU64547" `S"\$2-4"%&"/T"/2"/3"3XTT/
2U"74QS"U5"-/W/2"P"32X74Q2g3"P`/-/2S"2U"VP52/R/VP24"/Q"U5" 4Q4T/2"T5UW"214"V5U05PW+"\$1X3C"/2"RF
UQ"214" P3/3"UT"34^"2U"1P5P33"P"32X74Q2"UQ"214"6R2/Wg3"TP/-X54"2U"RUQTU5W"2U"32454U2SV47"QU
WP3RX-/Q/2S"PQ7"T4W/Q/Q/2S+"#-21UX01"21/3"2SV4"UT"1P5P33W4Q2"/3"QU2"RU64547" `S"214"0X/7PQR4C
345/UX3C"04QP44"1P5P33W4Q2"/3"P"3R1UU-g3"543VUQ3/`-/-2SC3PQ7P573PQ45P--S"/--"PVV-S+"H4"
1P64"P-3U"P7747"PQ"4Q7QU24"540P57/Q0"FXV54W4">UX52"V54R474Q2"TU5"214"V5UVU3/2/UQ"21P2"34^"3
RUQ32/2X24"34^"7/3R5/W/QP2/UQ+

F4645P-"RUWW4Q2453"P-3U"3X004"`.3Tf 0.009 Tc 10.8 0 0 10.8 54 302.64 Tm [(F46)1 (45)3 (P-)4 (")5 (R)1 (U)-1 (9

`4Q4T/2"T5UW"214"47XRP2/UQ"V5U05PWC"U5"2U"R54P24"P"1U32/-4"U5"P`X3/64"47XRP2/UQP-"4Q6/5UQW4
74T/Q/2/UQ3"P54"RUQ3/324Q2+"NU21"214">UX52g3"PQ7"214"<4VP52W4Q2"24--"3R1UU-3"2U"-UUF"P2"214"]RU
/Q24Q747"2U"RPV2X54"214"3PW4821PR4XQ745"\$2-4"%&C"214"RUQ7XR2"WX32"4"3XTT/R/4Q2-S"345/UX3
P764534-S"PTT4R23"P"32X74Q2g3"P`-/2S"2U"VP52/R/VP24"/Q"U5"4Q4T/2"T5UW"214"3R1UU-g3"V5U05PW+
[142145"1P5P33W4Q2"/3"PR2/UQP`-4C"U21"<P6/3"PQ7"214"<4VP52W4Q2"24--"3R1UU-3"2U"-UUF"P2"214"]RU
3X55UXQ7/Q0"R/5RXW32PQR43C"4^V4R2P2/UQ3C"PQ7"54-P2/UQ31/V3a"Y*",";+F+"P2",*)"YR/2/Q0"EQRP-4ZZ
>UX52"R/247"PVV5U6/Q0-S"2U"214"XQ745PR205BU543R5^47"/Q"214")KK"0X/7PQR4"TU5"46P-XP2/Q0"214"
RUQ24^2"UT"214"1P5P33W4Q2+"F4RUQ7C"3R1UU-3"4Q4T/2"T5UW"RUQ3/324QRS"PQ7"3/WV-/R/2S"/Q"XQ7
34^XP-"1P5P33W4Q2"TU5"[1/R1"214"3R1UU-"WX32"2Pf4"543VUQ3/64"PR2/UQP#2UQ2VUR/2SU2"74
34564"21/3"VX5VU34+"F4645P-"RUWW4Q2453"3X0043247"21P2"[4"7464-UV"P"XQ/bX4"\$2-4"%&"74T/Q/2/UQ
21P2"7U43"QU2"54-S"UQ"\$2-4"l%%"PQ7"21P2"2Pf43"/Q2U"PRRUXQ2"214"3V4R/P-"54-P2/UQ31/V"UT"3R154

RUQT-/R2" 42[44Q"e9. @#"PQ7"\$/2-4"%&"540P57/Q0"7/3R-U3X54"21P2"1PQR0#U03P"PSY/5464Q23"P"3R1UU-"
T5UW"7/3R-U3/Q0"32X7PQ2"[1U"RUWV-P/Q475P3W4Q2"/QTU5WP2/UQ"P`UX2"214"3PQR2/UQ"U5"7/3R/V-/Q4"/W
XVUQ"P"32X74Q2"[1U"1P8Q7"2064"4Q0P047"/Q"21P2"1P5P33W4Q2++
"

\$1454"/3C"1U[4645C"PQ"P77/2/UQP-"32P2X2U5S"V5U6/3/UQ"21P2"2P2S"UQ"V%82)K"7A62P3T"214"
%WV5U6/Q0"#W45/RPg3"FR1UU-3"#R2C">UQ"05433"Q45P"77XRP2/UQ"3@5Q3"#R2"Y:90#Z"[1/R"e9. @#"
/3"P"VP"522U"32P24P2"QU21/Q0"/Q":9@#"31P--" 4"RUQB75X4RZ"214"PVV-/RP`-/2S-U"7#8\$UT9ZKRP2/UQ"
#W4Q7W4Q2JT")K\I+d
"

e9. @#"/3"P-3U"54-46PQ2"[14Q"P"32X74Q2"PRRX343"P"24PR145"U5"32Y45"4W5P33W4Q2C" 4RPX34"[5/22(C)3 ("

3-E(4-1!4-50"!?"3"44%-*)!/0(1"*#-H "
?"3"44%-*)!\$+!4)01-*)4! ;!4#?\$!-\$%&'\$.--42!\$)?-3!4)01-*)42!\$3!)?(31!&"3)(-4 !
!

\$OT\ZNR!VW!#VNTRNT_

!

%+"%Q25UQR2/U

%%+"F4^XP-"BP5P33W4Q2

%%%"#VV-/RP`-/2S"UT"\$2-4"%&

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l+"<4245W/Q/Q0"P"FR1UU-g3".43VUQ3`-/2/43

#+"BP5P33W4Q2"21P2"<4Q/43"U5"8/W/23"P"F2X74Q2g3"#`-/2S"2U"@P52/R/VP24"/Q"U5

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)+"ePR2U53";347"2U"96P-XP24"BU32/-4"9Q6/5UQW4Q2"F4^XP-"BP5P33W4Q2

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743R5/ 47"Q3"0X/7PQR4+)J"%Q"P33433/Q0"P--"54-P247"R/5RXW32PQR43"2U"74245W/Q4"[142145"P"1U32/-4"

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!"#\$%&#"(), +!"#\$%&'()*\$+, *-<#

E:!1RTRPUZLNZNI!M!4Y^V\c_!3R_SVN_ZaZTZR_

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1XW/-/P2/UQ"PQ7"PQ045"RPX347" S"54V4P247"34^XP-"P76PQR43"PQ7"/Q2/W/P2/WQV'S"31645P-"24
21P2"R54P24"P"1U32/-4"4Q6/5UQW4Q2+"BP5P33/Q0"RUQ7XR2"/Q"21434"4^PWV-43"[UX-7"P-245"P"54P
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T5UW"214"3R1UU-g3"V5U05PW"UQ"214"4^P8/B"U37"3"4Q6/5UQW4Q2"RPQ"URRX5"464Q"/T"214"1P5P33W
QU2"2P504247"3V4R/T/RP--S"P2"214"/Q7/6/7XP-"RUWV-P/QPQ2+A?"eU5"4^PWV-4C"/T"P"32X74Q2C"05U
P"24PR145"540X-P5-S"7/54R23"34^XP-"RUWW4Q23"2U[P57"P"VP52/RX-P5"32X74Q2C"2PWR5"244"4Q6
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215UX01UX2"214"3R1UU-C"U5"/T"214"2PXQ237UQ4"U5"WU54"32X74Q23+"\$14"WU54"346454"214"RUQ7XR2C"21
214"Q447"2U"31U54P42/2/64"345/43"UT"/QR/74Q23k"21/3"/3"VP52/RX-P5-S"25X4"/T"214"1P5P33W4Q2"/3"V1S3
/Q

4TT4R2"Y4+0+C" 4"344Q"P3"WU54"2154Q24U/0W/-P5"RUQ7XR2"/Q"P"WU54V+RQ"214"U2145"1PQ7C"
1P5P33/RUQ7XR2"/Q"P"VX`-R"V-PR4"WPS" 4"WU54"1XW/-/P24Q0+W0R32"4R707/6/7XP-"S+

D(*+#%05%-*0)#/(#(*#)5'33"

>A!

!#\$%&#"'(), +!""#\$%&'()*\$+, * -<#

>B!

!#\$%&#"'(), +!""#\$%&'()*#&+,*-

3R1UU-3U/2-7`4"54P3UQP`-4"TU5"214"32X74Q2"2U"4-/464"21P2"214"24PR145"1P7"BE/A4PQ25Q" TU5WP-
PX21U5/2S"U645"32X74Q23"/Q"214"1P--[PS3+"\$1X3C"E>."[UX-7"RUPV745U7"BUQ7XR2"21P2"/3"URRX55/Q0"/Q"
214"RU^2"UT"214"4WV-US44g3"543VUQ3/5U8/73"2U7C"4Q4T/23C"U5"3456/R43+
"
E2145"4^PWV-43"UT"34^XP-"1P5P33W4Q2"UT"P"32X74Q2"URRX55/Q0"R-21P"RUQ124U24U74P(Q")5 (1)-Q q 0 0 63

54RX554QR4C"PQ7"54W47S4R26"UQ"214"6/R2/W"21P2"RUX-7"54P3UQP`-S"1P64` 44Q"V5464Q247"1P7"/2"543V
V5UWV2-S"PQ7"4TT4R2/64-S+
"
F/W/-P5-SC"34^XP--S"1P5P33/Q0"RUQ7XR2`S"21/57"VP52/43C"64B54"Q52"2"U5"32X74Q23"P2"214"3R1UU-"
Y4+0+C"P"6/3/2/Q0"3V4Pf45"U5"W4W`453"R21"42R/24Q0
-/W/2"P"32X74Q2g3