

No. 81-3

IN THE
Supreme Court of the United States

October Term, 1981

BOB JONES UNIVERSITY,

Petitioner.

v.

UNITED STATES OF AMERICA,

Respondent.

On Writ of Certiorari to the United States Court of
Appeals for the Fourth Circuit

JOINT APPENDIX

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PETITION FOR CERTIORARI FILED JULY 1, 1981
CERTIORARI GRANTED OCTOBER 13, 1981

International Printing Co., 711 So. 50th St., Phila., Pa. 19143 -- Tel. (215) 727-8711

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The Opinions and Judgments below appear as
appendices to the Petition for Certiorari.

DOCKET ENTRIES

* * *

United States District Court, District of South Carolina,
Greenville Division

C. A. 76-775—Bob Jones University vs. U.S.A.

<u>Date</u>	<u>Proceedings</u>
5- 4-76	Complaint and Summons 3 c. U. S. M.
	* * *
7- 9-76	Answer of deft. with C of S.
	* * *
4-15-77	Motion By the Def. to dismiss w/memorandum supporting its motion and w/cert. of service.
	* * *
5- 2-77	Memorandum (Received) by pltf. in opposi- tion to deft. motion to dismiss complaint
5-11-77	Reply Memorandum (Received) by def. in support of motion to dismiss
	* * *
5-27-77	Amended Complaint by the pltf. w/cert. of service.
6- 9-77	Answer to Amended Complaint & Counterclaim by the def. w/cert. of service
6-29-77	Motion By pltf. to dismiss counterclaim or in the alternative to sever the issues.
	* * *

(A1)

- | <u>Date</u> | <u>Proceedings</u> |
|-------------|---|
| 10- 6-77 | Order (RFC) denying plaintiff's Motion to dismiss Government's counter-claim, and granting plaintiff's motion to sever. (cc to counsel) |
| | * * * |
| 5-10-78 | Non Jury Trial (RFC/js) witnesses & exhibits —taken under advisement. Briefs to be submitted by 7/15/78. Reply 8/15/78 7-7-78 Deft. exh. 12A received DC. 111A (Rev. 1/75) |
| 7-26-78 | Transcript of non-jury trial (5-10-78) |
| | * * * |
| 12-26-78 | Findings of Fact, Conclusions of Law and Order (RFC) that pltf. was entitled to exemption for calendar year 1975; that pltf. have judgment against deft. for amt. of \$21.00 representing refund of F. U. T. A. tax previously paid. (mld) (eod 12-26-78) |
| 12-27-78 | Judgment Entered that pltf. Bob Jones Univ. recover of the deft. USA sum of \$21.00 which represents refund of FUTA tax previously paid; and that action is dismissed. (mld) (eod 12-27-78) |
| 1-11-79 | Order (RFC) dismissing defendant's counter-claim, based on the Order of this Court filed December 26, 1978. (MLD) |

DOCKET ENTRIES

United States District Court, District of South Carolina,
Greenville Division

C. A. 79-163—Bob Jones University -vs- W. Michael
Blumenthal, et al.

<u>Date</u>	<u>Proceedings</u>
1-24-79	Summons & Complaint 8 c. U. S. M. for service.
1-24-79	Notice & Motion for Preliminary Relief (ref (ref. 5-14-79).
	* * *
2- 6-79	Motion by defts. to dismiss with cert. of service (ref. 5-14-79).
	* * *
4-16-79	Hearing (RFC/js) Pltf's Motion for Prelim. Re- lief (1-24-79) taken under advisement. Pltf's Ex- hibit 1 into evid. <i>Deft's oral motion to stay pro- ceedings in event ct. rules against gov.—Granted.</i>
	* * *
5-14-79	Order (RFC) defts' Motion to dismiss is de- nied; pltf's Motion for prelim. injunc. relief is granted, defts. Blumenthal & Krutz in official ca- pacities, restore status of pltf. as an organization exempt from taxation in accord w/Order in C/A 76-775 filed 12-26-78, publish notice of res- toration, etc. in next & all future IR Bulletins, etc. & enjoined from making future publica. un- less pltf. is listed as tax exempted; prelim. injunc. in effect until further order of court. (MLD) (EOD 5-14-79).

Docket Entries (No. 79-163)

<u>Date</u>	<u>Proceedings</u>
5-15-79	Notice of Appeal by defts. CC's to counsel, court report and 4CCA.
5-15-79	Motion by defts. for stay of enforcement of Court Order granting injunctive relief. w/c of
5-15-79	Memorandum (Received) supporting defts.' motion for stay.
	* * *
5-21-79	Order (Certified Copy) of 4CCA staying injunctive order filed in District Court 5-14-79. MLD.
	* * *

DOCKET ENTRIES
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Appeal from United States District Court for the District
of South Carolina, at Greenville.

Case No. 791215

Cons. LR 19 79-1216. NOTE: Although not consolidated
with 79-1293 because of briefing schedules, should be
looked at for consolidating for argument.

Bob Jones University,

Appellee,

v.

United States of America,

Appellant.

7-2-79

J. D. Todd

O. Jack Taylor

Wesley M. Walker (Call)

P.O. Box 2248

Greenville, SC 29602

803-242-6440

Attorneys for Appellee

A6

Docket Entries (No. 79-1215)

4/11/79

John F. Murray (I)
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Tax Div., Dept. of Justice
Washington, D. C. 20530
202-633-3361

6/1/79

Gilbert E. Andrews
Leonard J. Henzke, Jr.
Attys., Tax Division
Dept. of Justice
Washington, D. C. 20530
202-633-3361 633-2987

Attorneys for Appellant

No. Below: C/A 76-775

Judge Below: Robert F. Chapman

Date of Judgment: February 27, 1979

Notice of Appeal Filed: March 13, 1979

GENERAL DOCKET

- | <u>Date</u> | <u>Proceedings</u> |
|-------------|---|
| 4- 2-79 | Record in one volume (Vol. I), filed and appeal docketed. |
| 4- 2-79 | Transcript in one volume (Vol. V), filed. |
| 4- 2-79 | Exhibits in one volume (Vol. VI), filed. |
| 4- 2-79 | Depositions in one volume (Vol. IV), filed. |
| 4- 2-79 | Plaintiff's Answers to Interrogatory No. 22 in one volume (Vol. II). |
| 4- 2-79 | Plaintiff's request for admissions in one volume (Vol. III), filed. |
| 4- 3-79 | Order consolidating LR 19 (79-1215 & 79-1216) and establishing a briefing schedule filed. Copies mailed. Appellant's brief due 5/14/79. |
| 4-11-79 | Appellant's designation of items for inclusion in the record appendix, filed. |
| 5- 9-79 | Motion (A-50) for correction of the record on appeal to include "motion exhibit A" as a supplement to the record, filed. Motion granted. |
| 5- 9-79 | Motion (A-58) of appellant for extension of time to file opening brief to May 24, 1979, filed. Motion granted. |
| 5- 9-79 | Supplement to record on appeal to add "motion exhibit A" which is the admissions policy adopted on May 29, 1975 by the Bob Jones University, filed. |
| 5-25-79 | Twenty-Five (25) copies of the appellant's brief filed 5/24/79 |
| 5-25-79 | Ten (10) copies of the appendix filed 5/24/79 PM/rba. Vol. I & II. |

Docket Entries (No. 79-1215)

- 6-26-79 Twenty-Five (25) copies of the appellee's brief filed
- 6-26-79 Negative Local Rule 17 (Bob Jones) filed.
- 7-11-79 Twenty-Five (25) copies of the appellant's reply brief filed 7/9/79
- 8-27-79 Petition for Hearing (D-207) en banc of appellee and motion to consolidate appeals, filed. Transmitted to CFH, w/copy to all circuit judges.
- 10-25-79 Order consolidating case nos. 79-1215, 79-1216, 79-1293, for briefing and oral argument, and denying the suggestion of initial en banc hearing, filed. Copy to Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke; McKnew.
- 12-17-79 Motion (H-137) to continue oral argument and motion for permission to file supplemental brf, filed.
- 1- 2-80 Motion (I-15) of A for leave to file response of the taxpayer's motion to continue oral argument out of time, filed. Motion granted.
- 1- 2-80 Response to Taxpayer's motion for continuance of oral argument, filed.
- 1- 8-80 Order granting the motion to continue a case for argument at the March session; and granting the taxpayer's request for additional briefing, filed.
- 1-17-80 Twenty-five (25) copies of the supplemental brief of Bob Jones Univ. filed.
- 2-11-80 Twenty-five (25) copies of the appellee's supplemental brief filed.
- 3- 3-80 Cause argued before Judge Widener, Judge Hall, circuit Judges and Judge Merhige District Judge and submitted.

- 12-30-80 Opinion filed. KKH (HEW dissenting).
- 12-30-80 Opinion and notice of judgment mailed to appellant, council of record and clerk of the district court at Greenville, South Carolina. Judgment of the district court reversed and remanded with instructions.
- 1-12-81 Petition for Rehearing (V-71) and suggestion of rehearing en banc of appellee, filed Transmitted to HEW, KKH, RRMerhige w/copy to entire court on 1/14/81.
- 1-19-81 Order correcting opinion filed 12/30/80, filed. Copies to McKnew-Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke.
- 2- 4-81 Response-A to Es' petition for rehearing, filed.
- 2- 9-81 Submitted to HEW, KKH, MERHIGE, DJ, response to pet. for reh. w/copy to entire ct.
- 4- 8-81 Order denying petition for rehearing and suggestion for rehearing en banc, filed. Copy to Murray-Andrews-Henz; Lydon-McCoy; Walker-Todd-McKnew-Taylor. Also copy to Judge Merhige.
- 4-15-81 Certified copy of the judgment and printed copy of the opinion transmitted to the Clerk of the District Court at Columbia.
- 4-15-81 Record on appeal in one volume, transcript in one volume, exhibits in one volume, depositions in one volume, plaintiff's answers to interrogatory No. 22 in one volume and plaintiff's request for admission in one volume returned to the Clerk of the District Court at Columbia, SC.
- 4-15-81 Motion (Y-136) of E for stay of mandate filed.

- | <u>Date</u> | <u>Filings—Proceedings</u> |
|-------------|--|
| 4-15-81 | Order granting E's motion for stay of mandate filed. Copies to McKnew-Todd-Walker-Taylor; Lydon-McCoy; Henzke-Murray-Andrews. |
| 5-14-81 | Motion (Z-103) of E for extension of stay of mandate filed. |
| 5-14-81 | Order staying mandate for additional 30 days to and including 6/15/81 filed. Copies to Ball, Lydon/McCoy, Henzke/Murray/Andrews, Todd/Taylor/Walker. |
| 6-12-81 | Motion (A-80) E for extension of stay of mandate filed. |
| 6-22-81 | Order staying mandate for additional 30 days to and including 7/15/81 filed. Copies to Ball; Todd/Taylor/Walker; Murray/Andrews/Henzke; Lydon/McCoy. |
| 7- 1-81 | Notice evidencing the filing petition for writ of certiorari in the Supreme Court July 1, 1981 filed. (No. 81-3) |

DOCKET ENTRIES
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Appeal from the United States District Court for the District of South Carolina, at Greenville.

Case No. 791216

Cons. LR 19 79-1215.

Bob Jones University,

Appellee,

v.

United States of America,

Appellant.

7-2-79

J. D. Todd (Call)

O. Jack Taylor

Wesley M. Walker (Call)

P. O. Box 2248

Greenville, SC 29602

803-343-6440

Attorneys for Appellee

7-2-79

Thomas E. Lydon, Jr., USA

James D. McCoy, III, AUSA

United States Courthouse

Columbia, SC 29201

Attorneys for Appellant

A12

Docket Entries (No. 79-1216)

No. Below: C/A 76-775

Judge Below: Robert F. Chapman

Date of Judgment: 12/26/78; 1/11/79; 12/27/79.

Notice of Appeal Filed: 2-16-79 (amended: 2-27-79).

Appeal from the United States District Court for the District of Maryland, at Baltimore. Alexander Harvey, II, District Judge.

Argued August 25, 1980

Decided January 23, 1981

Before HAYNSWORTH, Chief Judge; WINTER and MURNA-
GHAN, Circuit Judges.

Paul D. Bekman (William H. Engelman, Harriett E. Cooperman, Kaplan, Heyman, Greenberg, Engelman & Belgrad, P. A. on brief) for Appellant in 79-1540; (James W. Bartlett, III, Francis J. Gorman, David R. Owen, Semmes, Bowen & Semmes on brief) for Appellant in 79-1541; George J. Koelzer (Thomas D. Monte, Jr., George Beall; Evans, Koelzer, Marriott, Osborne & Kreizman; Miles & Stockbridge on brief) for Appellee.

4- 2-79 Record in 79-1216 incorporated by reference to 79-1215.

4- 2-79 Order consolidating LR 19 (79-1215 & 79-1216) and establishing a briefing schedule, filed. Copies mailed. Appellant's brief due 5/14/79.

4-11-79 Appellant's designation of items for inclusion in record appendix, filed.

- | <u>Date</u> | <u>Filings—Proceedings</u> |
|-------------|--|
| 5- 9-79 | Motion (A-50) for correction of the record on appeal to include "motion exhibit A" as a supplement to the record, filed. Motion Granted. |
| 5- 9-79 | Motion (A-58) of appellant for extension of time to file opening brief to May 24, 1979, filed. Motion Granted. |
| 5 -9-79 | Supplement to record on appeal to add "motion exhibit A" which is the admissions policy adopted on May 29, 1975 by the Bob Jones University, filed. |
| 5-25-79 | Twenty-Five (25) copies of the appellant's brief filed 5/24/79 |
| 5-25-79 | Ten (10) copies of the appendix filed 5/24/79
Vol. I & II |
| 6-26-79 | Twenty-Five (25) copies of the appellee's brief filed |
| 6-26-79 | Negative Local Rule 17 (Bob Jones) filed. |
| 7-11-79 | Twenty-Five (25) copies of the appellants reply brief filed 7/9/79 |
| 8-27-79 | Petition for Hearing (D-207) en banc of appellee and motion to consolidate appeals, filed. Transmitted to AVB, JDB & JDM. |
| 10-25-79 | Order consolidating case nos. 79-1215, 79-1216, 79-1293, for briefing and oral argument, and denying the suggestion of initial en banc hearing, filed. Copy to Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke; McKnew. |
| 12-17-79 | Motion (H-137) to continue oral argument and motion for permission to file supplemental brf., filed. |

- 1- 2-80 Motion (H-137) of A for leave to file response of the taxpayer's motion to continue oral argument out of time, filed. Motion Granted.
- 1- 2-80 Response to Taxpayer's motion for continuance of oral argument, filed.
- 1- 8-80 Order granting the motion to continue a case for argument at the March session; and granting the taxpayer's request for additional briefing, filed.
- 1-17-80 Twenty-five (25) copies of the supplemental brief of Bob Jones Univ. filed.
- 2-11-80 Twenty-five (25) copies of the appellee's supplemental brief filed.
- 3- 3-80 Cause argued before Judge Widener, Judge Hall Circuit Judges and Judge Merhige District Court Judge and Submitted.
- 12-30-80 Opinion filed. KKH (HEW dissenting).
- 12-30-80 Opinion and notice of judgment mailed to appellant, counsel of record and the clerk of the district court at Greenville, South Carolina.
- 12-30-80 Judgment of the district court reversed and remanded with instructions.
- 1-12-81 Petition for Rehearing (V-71) and suggestion of rehearing en banc of appellee, filed. Transmitted to HEW, KKH, RRMerhige w/copy to entire court on 1/14/81.
- 1-19-81 Order correcting opinion filed 12/30/80, filed. Copies to McKnew-Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke.
- 2- 4-81 Response-A to Es' petition for rehearing, filed.

- | <u>Date</u> | <u>Filings—Proceedings</u> |
|-------------|--|
| 2- 9-81 | Submitted to HEW, KKH, Merhige, DJ, response to pet, for reh. w/copy to entire ct. |
| 4- 8-81 | Order denying petition for rehearing and suggestion for rehearing en banc, filed. Copy to Murray-Andrews-Henz; Lydon-McCoy; Walker-Todd-McKnew-Taylor. Also copy to Judge Merhige. |
| 4-15-81 | Docket entry for return of mandate and record in detail in 79-1215 |
| 4-15-81 | Motion (Y-136) of E for stay of mandate filed. |
| 4-15-81 | Order granting E's motion for stay of mandate filed. Copies to McKnew-Todd-Walker-Taylor; Lydon-McCoy; Henzke-Murray-Andrews. |
| 5-14-81 | Motion (Z-103) of E for extension of stay of mandate filed. |
| 5-14-81 | Order staying mandate for additional 30 days to and including 6/15/81 filed. Copies to Ball, Lydon/McCoy, Henzke/Murray/Andrews, Todd/Taylor/Walker. |
| 6-12-81 | Motion (A-80) of E for extension of stay of mandate filed. |
| 6-22-81 | Order staying mandate for additional 30 days to and including 7/15/81 filed. Copies to Ball; Todd/Taylor/Walker; Murray/Andrews/Henzke; Lydon/McCoy. |
| 7-10-81 | Notice evidencing the filing petition for writ of certiorari in the Supreme Court July 1, 1981 filed. (No. 81-3) |

DOCKET ENTRIES

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Appeal From the United States District Court for the
District of South Carolina, at Greenville

Case No. 791293 Civil

Note: Although not consolidated with below because of
briefing schedules, 79-1215, 79-1216 should be con-
sidered for consolidation for argument.

Bob Jones University,

Appellee,

v.

W. Michael Blumenthal, Secretary of the Treasury
and Jerome Kurtz, Commissioner of
Internal Revenue,

Appellants.

Wesley M. Walker 5/25/79

J. D. Todd, Jr.

Natalma M. McKnew

O. Jack Taylor, Jr.

LEATHERWOOD, WALKER, TODD & MANN

217 East Coffee St.

P. O. Box 2248

Greenville, SC 29602

(803-242-6440)

Attorneys for Appellee

6-11-79

Thomas E. Lydon, Jr., Esq.

U. S. Attorney

P. O. Box 12107

Columbia, SC 29211

Attorneys for Appellant

No. below: 79-163

Judge below: Robert F. Chapman

Date of Judgment: May 14, 1979

Notice of appeal filed: May 15, 1979

Date

Filings—Proceedings

5-17-79 Case docketed prior to receipt of record for purpose of consideration of Rule 8 motion.

5-17-79 (A-116) Appellants' motion for stay of injunctive order filed in Judge Bryan's office on May 15, 1979, filed.

5-17-79 Memorandum in support of motion for stay, filed.

5-17-79 Order staying injunctive order entered by Judge Bryan on May 15, 1979, filed.

5-21-79 Record on appeal in one volume (Vol. I) and transcript of motions in one volume (Vol. II) filed.

5-21-79 Briefing schedule established. Appellant's brief due 7-2-79.

- 5-23-79 Motion of appellee to vacate stay and for hearing by a panel of the court filed. Referred to AVB, JDB, Judge Dumbauld. (A-158)
- 5-31-79 Motion of appellants for continuation of stay and for denial of motion to vacate; memorandum in support thereof; affidavits of S. Shapiro and C. Powell; appendices (including appendix in two volumes filed in 79-1215/1216); and certificate of service, filed. Referred to JDB (Copies mailed by counsel to AVB; Dumbauld).
- 6- 6-79 Argument heard before Senior Judge Bryan, Judge Butzner circuit Judges, Judge Dumbauld, on stay question (merits not argued at this time).
- 6- 6-79 Order denying appellee's motion to vacate stay, filed.
- 7-10-79 Twenty-five (25) copies of the appellant's brief filed. CS 6-29-wc
- 7-10-79 Ten (10) copies of the joint appendix filed.
- 7-25-79 Twenty-five (25) copies of the appellee's brief filed.
- 8- 1-79 Motion (D-4) of As for extension of time to file reply brief, filed.
- 8- 2-79 Order extending time to file As' reply brief to 8/20/79, filed. Copy to Walker-Todd-McKnew-Taylor; Lydon; Ferguson-Andrews-Henzke.
- 8-27-79 Petition for Hearing (D-207) en banc of appellee and motion to consolidate appeals, filed. Transmitted to AVB, JDB & JDM.
- 9-13-79 Local Rule 17 disclosure (Bob Jones Univ.) negative filed -11-79.

- 10-25-79 Order consolidating case nos. 79-1215, 79-1216, 79-1293, for briefing and oral argument, and denying the suggestion of initial en banc hearing, filed. Copy to Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke; McKnew.
- 12-17-79 Motion (H-137) to continue oral argument and motion for permission to file supplemental brf., filed.
- 1- 2-80 Motion (H-137) of A for leave to file response of the taxpayer's motion to continue oral argument out of time, filed. MOTION GRANTED.
- 1- 2-80 Response to Taxpayer's motion for continuance of oral argument, filed.
- 1- 5-80 Order granting the motion to continue a case for argument at the March session; and granting the taxpayer's request for additional briefing, filed.
- 1-17-80 Twenty-five (25) copies of the supplemental brief of Bob Jones Univ. filed.
- 2-11-80 Twenty-five (25) copies of appellee's supplemental brief filed.
- 3- 3-80 Cause argued before Judge Widener, Judge Hall, circuit Judges and Judge Merhige, district Judge and submitted.
- 12-30-80 Opinion filed. KKH (HEW dissenting)
- 12-30-80 Opinion and notice of judgment mailed to appellant, counsel of record and the clerk of the district court at Greenville, South Carolina.
- 12-30-80 Judgement of the district court reversed and remanded with instructions.

- | <u>Date</u> | <u>Filings—Proceedings</u> |
|-------------|--|
| 1-12-81 | Petition for Rehearing (V-71) and suggestion of rehearing en banc of appellee, filed. Transmitted to HEW, KKH, RRMerhige w/copy to entire court on 1/14/81. |
| 1-19-81 | Order correcting opinion filed 12/30/80, filed. Copies to McKnew-Todd-Taylor-Walker; Lydon-McCoy; Ferguson-Andrews-Henzke. |
| 2- 4-81 | Response-A to Es' petition for rehearing, filed. |
| 2- 9-81 | Submitted to HEW, KKH, Merhige, DJ, response to pet. for reh. w/copy to entire ct. |
| 4- 8-81 | Order denying petition for rehearing and suggestion for rehearing en banc, filed. Copy to Murray-Andrews-Henz; Lydon-McCoy; Walker-Todd-McKnew-Taylor. Also copy to Judge Merhige. |
| 4-15-81 | Certified copy of the judgment and printed copy of the opinion transmitted to the Clerk of the District Court at Columbia, SC. |
| 4-15-81 | Record on appeal in one volume and transcript returned to the Clerk of District Court at Columbia, SC. |
| 4-15-81 | Motion (Y-136) of E for stay of mandate filed. |
| 4-15-81 | Order granting E's motion for stay of mandate filed. Copies to McKnew-Todd-Walker-Taylor; Lydon-McCoy; Henzke-Murray, Andrews. |
| 7-10-81 | Notice evidencing the filing petition for writ of certiorari in the Supreme Court July 1, 1981 filed. (No. 81-3) |

AO-137

Bob Jones University

vs.

United States of America

Cause No. C/76-775

PLAINTIFF'S EXHIBITS

	Date	Identification No. Witness	Description	
Taylor	5-10-78	1 Jones	Booklet "Is Segregation Scriptural"	received
"	"	2 "	Copy of Certificate of Incorporation State S. C.	"
"	"	3 "	(3) Application Form	"
"	"	4 "	Minutes—May 27, 1975	"
"	"	5 "	Rules—(Dean of Women)	"
"	"	6 "	Rules (Dean of Men)	"
"	"	7 "	Bob Jones Univ. Student Handbook	"
"	"	8 "	IBM Student Signature Card	"
"	"	9 "	letter, dated 1-19-76	"
"	"	10 "	letter, " 5-3-76	"

Defendant's Exhibits

DEFENDANT'S EXHIBITS

Date	Identification		Description	
	No.	Witness		
Whitaker 5-10-78	1	Jones	Revised & Amended By-Laws BJU	received
" "	2	"	letter, 6-2-75 to IRS	"
" "	3	"	BJU Bulletin/Catalog issue	"
" "	4	"	Article "Can Two Walk Together Except They Agree"	"
" "	5	"	letter, Sept. 10, 1971	"
" "	6	"	Package Containing Press release etc.	"
" "	7	"	letter, Dec. 9, 1970	"
" "	8	"	Composite of Various Minutes	"
" "	9	"	Letters on BJU Stationary Dean of Men & Dean of Women	"
" "	10	"	Letter on BJU Stationary Dean of Men & Dean of Woman	"
" "	11	"	Pamphlet "Why"	"
" 7-6-78	12A	"	letter from Dept of Justice w/attached explanation	

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

CIVIL No. 76-775

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

**DEFENDANT'S INTERROGATORIES AND
REQUESTS FOR PRODUCTION**

[Filed July 19, 1976]

* * *

19. Identify the various religious denominations represented in the student body of the classes maintained by the plaintiff, identifying, if possible, the particular convention, synod or other subdivision of the denominations involved and the percentage of students attending from that denomination or subdivision.

* * *

Plaintiff's Answers

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
CIVIL ACTION No. 76-775
—

BOB JONES UNIVERSITY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

**PLAINTIFF'S ANSWERS TO DEFENDANT'S
INTERROGATORIES AND RESPONSES TO
REQUESTS FOR PRODUCTION**

—
[Filed August 13, 1976]

* * *

19. Identify the various religious denominations represented in the student body of the classes maintained by the plaintiff, identifying, if possible, the particular convention, synod or other subdivision of the denominations involved and the percentage of students attending from that denomination or subdivision.

Independent Baptist	36.7
General Association of Regular Baptists	8.7
Non-Denominational	8.7

[Page 19.]

Conservative Baptist Association	7.5
Independent Fundamental Churches of America	7.3
Southern Baptist Convention	5.7
Baptist Bible Fellowship	5.1
American Baptist Convention	2.0
Grace Brethren	1.6
United Methodist	1.2
Christian and Missionary Alliance	1.2
Bible Presbyterian	1.0
Missionary Baptist	Less than 1%
Southern Presbyterian	"
Free Will Baptist	"
Baptist General Conference	"
Fundamental Baptist	"
Berean Fellowship	"
Plymouth Brethren	"
Christian	"
United Presbyterian	"
Independent Methodist	"
Southern Methodist	"
Assemblies of God	"
United Baptist	"
Evangelical Free Church	"
Orthodox Presbyterian	"
Evangelical Covenant	"
Wesleyan	"
Bible Protestant	"
Baptist Church of Canada	"
Church of God (Anderson)	"
North American Baptist Association	"
American Lutheran	"
Church of Christ	"
Congregational	"

General Baptist	Less than 1%
Nazarene	”
Associated Gospel Churches	”
Bible Fellowship Church	”
Fellowship Baptist	”
Lutheran	”
World Baptist Fellowship	”
Associated Gospel Church of Canada	”
Congregational Christian	”
Evangelical Mennonite	”
Landmark Baptist	”
Pentecostal	”
Reformed Presbyterian	”
Associated Reformed Presbyterian	”
Church of Christian Liberty	”
Church of God (Lee)	”
Cumberland Presbyterian	”
Episcopal	”
Evangelical Congregational	”
Evangelical Fellowship	”
Evangelical Methodist	”
Foursquare Gospel	”
Pentecostal Holiness	”
Reformed Episcopal	”
American Baptist Association	”
Anglican Orthodox	”
Baptist Church of Korea	”
Baptist Church of Puerto Rico	”
Christian Union	”
Church of God (Pennsylvania)	”
Churches of God of North America	”
Congregational Methodist	”
Evangelical Church	”

Evangelical Lutheran	Less than 1%
Free Congregational	"
Independent Episcopal	"
Lutheran (Wisconsin Synod)	"
Mennonite	"
Mennonite Brethren	"
Pilgrim Holiness	"
Primitive Methodist	"
Society of Friends	"
United Church of Christ	"
Ukranian Evangelical Baptist	"
Advent Christian	"
Apostolic Christian	"
Baptist Church of Venezuela	"
Baptist Missionary Association of America	"
Bible Church of Iran	"
Bible Church of West Africa	"
Bible Methodist	"
Christian Reformed	"
Church of England	"
Evangelical Church of India	"
Evangelical Church of Lebanon	"
Free Methodist	"
Holiness Church of Formosa	"
Hungarian Baptist	"
Independent Christian	"
Independent Church of Australia	"
Independent Presbyterian	"
Independent Reformed Church	"
Korean Presbyterian	"
Lutheran (Missouri Synod)	"
Mexican Baptist Church	"

Plaintiff's Answers

Moravian Church	Less than 1%
Primitive Baptist	”
Reformed	”
Salvation Army	”
United Baptist Church of Canada	”

[page 23.]

* * *

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Civil Action No. 76-775

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

**PLAINTIFF'S SECOND INTERROGATORIES
TO DEFENDANT**

[Filed August 9, 1976]

The Plaintiff, pursuant to the Federal Rules of Civil Procedure propounds the following interrogatories to the Defendant.

The Definitions, Instructions and Admonition set forth in Plaintiff's First Interrogatories to Defendant apply to Plaintiff's Second Interrogatories to Defendant.

57. Relative to the exempt status of the University define:

- (a) race
- (b) religion
- (c) admissions policy
- (d) religious belief

58. List all races as defined in the answer to the preceding interrogatory.

Defendant's Answers

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Civil No. 76-775

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

**DEFENDANT'S ANSWERS AND OBJECTIONS TO
PLAINTIFF'S SECOND INTERROGATORIES**

[Filed September 13, 1976]

The defendant responds to plaintiff's interrogatories, served August 6, 1976, as follows:

57. (a) The American Heritage Dictionary of the English Language (1969 ed.) contains an adequate definition of race, for purposes of the present case, as follows: "a local or global human population distinguished as a more or less distinct group by genetically transmitted physical characteristics."

(b) The American Heritage Dictionary of the English Language (1969 ed.) contains an adequate definition of religion, for purposes of this case, as follows: "The expression of man's belief in and reverence for a super-human power recognized as the creator and governor of

the universe." The defendant does not contend that this definition is an all-inclusive definition which would apply equally in all contexts. See, for example, the decision in *United States v. Seeger*, 380 U. S. 163 (1965). However, the defendant's understanding is that the plaintiff alleges that its policies and practices are based upon its biblical interpretation of God's commandments. (See plaintiff's response to defendant's Interrogatory No. 10.) Hence, the definition would be adequate in the context of this case.

(c) As the defendant understands the term "admissions policy" in the context of this case, it is the various rules and conditions applied by the plaintiff in determining which students it will accept and, further, is the various rules and conditions which the students are required to accept upon admission in order to receive and continue their status as students.

(d) In the context of this case, a religious belief is a belief arising from and relating to one's practice of his religion.

58. As pertinent to this case, the Negro race and the caucasian race are the important races. The defendant does not presently understand that other races are relevant to this case, and, therefore, objects to further answering this interrogatory.

* * *

Plaintiff's Answers

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Civil Action No. 76-775

BOB JONES UNIVERSITY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

**PLAINTIFF'S ANSWERS TO DEFENDANT'S
INTERROGATORIES AND RESPONSES TO
REQUESTS FOR PRODUCTION**

[Filed August 13, 1976]

* * *

9. Has the plaintiff ever differentiated among the races for purposes of determining whom it would accept for admission to study? (Please include all differentiation whether it be unconditioned exclusion of one or more races, conditional admission of one or more races on conditions not applicable to all races or any other differentiation.) If this question is answered in the affirmative, state the precise nature of the differentiation that the plaintiff made and identify the period during which such differentiation was made.

Answer: Yes. From the beginning of the school until September 1971, no black students were allowed to enroll in the Plaintiff University. From September 1971 until August 1973 married black students were allowed to en-

roll. From September 1973 until May of 1975 any black staff member of the University who had been employed for four (4) years or more was allowed to enroll in the University. From May 1975, until the present, the University has had a totally nondiscriminatory admissions policy. As used in this answer to Interrogatory No. 9, enrollment in the University refers to regular enrollment in regularly conducted academic curriculum.

[page 10.]

* * *

13. Does the plaintiff require that the students admitted to the school subscribe to any belief that the races should not mix culturally or biologically? If the answer to this interrogatory is in the affirmative, please answer the following interrogatories and produce the requested documents:

(a) State the manner in which the students are advised that this is a requirement of their admission.

(b) If the advice is in writing, produce the written documents conveying the advice.

(c) Are the students required to affirmatively indicate their subscription to this belief?

(d) If the answer to subparagraph (c) is in the affirmative, state the manner in which the students affirmatively indicate their subscription to the belief; and

(e) If the students must indicate in writing that they subscribe to the belief, produce copies of the documents wherein they indicate the subscription.

Answer: Plaintiff requires that all students admitted to the University submit to the University's institutional policies.

Plaintiff's Answers

- (a) In writing.
- (b) See response to Interrogatory No. 1.
- (c) Students are required to affirmatively indicate that they will live up to the rules and regulations of the University.
- (d) In writing.
- (e) See response to request No. 1.

[page 16.]

* * *

15. Does the plaintiff require the teachers or other employees to subscribe to a belief that the races should not mix culturally or biologically? If the answer to this interrogatory is in the affirmative, please answer the following interrogatories and produce the requested documents:

(a) State the manner in which the teachers or other employees are advised that this is a requirement to their employment.

(b) If the advice is in writing, produce the written documents conveying the advice.

(c) Are the teachers or other employees required to affirmatively indicate their subscription to the belief?

(d) If the answer to subparagraph (c) is in the affirmative, state the manner in which the employees affirmatively indicate their subscription to the belief, and

(e) If the teachers or other employees must indicate in writing that they subscribe to the belief, provide copies of the documents wherein they indicate that they do so subscribe.

Answer: Faculty and staff members are expected to conduct themselves in accordance with the Plaintiff's religious belief and practices including its belief that the races should not mix culturally or biologically. The Plaintiff does not have different standards for faculty as those for students. Each prospective employee is carefully screened and if Plaintiff senses in an interview that there is a problem in these areas, that applicant is not hired. Upon information and belief all applicants are aware of the University's position and are aware that they would not be retained if they did not adhere to the University's rules and regulations. The Plaintiff further answers Interrogatory No. 15 as follows:

- (a) Orally, informally and by word of mouth.
- (b) Not applicable.
- (c) Yes.
- (d) By accepting employment with the Plaintiff.
- (e) Not applicable.

[page 17.]

* * *

Request for Admissions

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

C. A. No. 76-755

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

REQUEST FOR ADMISSIONS

[Filed March 22, 1977]

3. The University maintains and operates its campus in Greenville, South Carolina, enrolling more than 5,000 students and employing a faculty and staff in excess of 850.

* * *

5. At all times relative to this cause, the University had the following admissions policy:

Bob Jones University is required by law to admit students of any race to all rights, privileges, programs and activities generally accorded or made available to students at the University and the University does

not discriminate on the basis of race in the administration of its educational policies, admission policies, scholarship and loan programs, and athletic and other administered programs.

* * *

7. The above quoted rules and regulations are based upon the University's religious beliefs and practices to the effect that the principles of the Bible prohibit the inter-marriage of the races.

* * *

9. The University conducts all its activities, including its educational activities in a religious environment.

10. Examples of the religious environment at the University are:

(a) Classes and University sponsored meetings are begun with prayer.

(b) Students are required to attend chapel services daily.

(c) Religious services of some type (formal services, informal services, prayer meetings) are regularly conducted in all University buildings.

(d) The University buildings contain religious plaques and pictures.

(e) All students are required to take at least one course in religion each semester.

(f) All faculty members are required to teach the religious beliefs and principles of the University.

11. The University's religious beliefs and practices concerning inter-marriage of the races have been published and made known to the faculty and students of the University and to the public. Examples of such publications are:

Request for Admissions

(a) Address of Bob Jones, Sr. given over radio station WMUU, Greenville, South Carolina, April 17, 1960.

(b) Transcript of the above identified radio address in pamphlet form distributed to the public.

(c) Article entitled "Can Two Walk Together Except They Be Agreed?", published in the April, 1971 issue of "The Voice of the Alumni", (a University related magazine).

(d) Reproduction of the above magazine article in pamphlet form distributed to the public.

(e) Chapel sermons delivered to the student body by the President and Chancellor of the University.

12. The University maintains and enforces admissions and attendance requirements based on religious beliefs and practices which are not directly related to this cause. For example, no atheist or agnostic is considered for admission. Any student or faculty member espousing or promoting atheistic or agnostic views is subject to expulsion.

13. The University has promulgated and enforces strict dating rules designed to maintain a high Christian moral climate for students attending the University. Examples of such dating rules are:

(a) Young lady students may date as follows:

Seniors—Number unlimited. Dates must be in the parlor during the following times: 1:00—5:45 p.m. and 7:00—10:30 p.m. on Monday through Saturday and 1:30—7:00 p.m. on Sunday.

Juniors—Four two-hour dates per week.

Sophomores—Three two-hour dates per week.

Freshmen—Two two-hour dates per week.

(b) Girls dating on Friday, Saturday and Sunday must fill in a form with the name of the boy she is dating and the time checking in.

(c) Women underclassmen are not permitted to date off campus except for dinner dates on Friday, Saturday and Sunday nights when accompanied by an official hostess.

(d) Faculty or staff women are official chaperones for couples. However, men faculty act as one when their wives are present. Single men do not act as chaperones for couples off campus except on an occasion when an official chaperone is present. Since faculty men have mixed classes, it is permissible for a faculty man to chaperone a mixed group on campus when permission is secured through the proper channels.

(e) Couples who plan to be married and to live in Greenville may secure a lady faculty or staff member to go with them one time to look for apartments from 4:00—5:45 p.m.

(f) When women students are assigned to use the University swimming pool, no men are allowed in the pool or the observation area and vice versa.

(g) The University's Student Handbook states "it is the business of Bob Jones University where its students go and with whom they associate. Therefore, dormitory students must have written permission to date off campus."

13. Organized and established religious groups recognized as exempt from taxation by the Government have rules, regulations and/or dogma which proscribe the intermarriage of the races. Some of these rules, regulations and/or dogma are implemented to the extent that those

violating such rules, regulations and/or dogma are expelled from such organized and established religious groups.

O. JACK TAYLOR, JR.

O. Jack Taylor, Jr.

Wesley M. Walker

J. D. Todd, Jr.

Counsel for Plaintiff

Leatherwood, Walker, Todd & Mann

217 East Coffee Street

Greenville, South Carolina 29602

_____, 1977

Of Counsel:

John Stophel, Esquire

450 Maclellan Building

722 Chestnut Street

Chattanooga, Tennessee 37402

[Certificate of Service omitted]

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

CIVIL ACTION No. 76-775

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

**DEFENDANT'S RESPONSES TO PLAINTIFF'S
REQUEST FOR ADMISSIONS**

[Filed April 22, 1977]

* * *

5. Defendant admits that the University had the stated admissions policy during the time period covered by the complaint, but avers that the complaint is jurisdictionally defective, for the reasons set forth in defendant's Motion to Dismiss.

* * *

7. Admits that the above quoted rules and regulations are alleged to be based upon a religious belief that the principles of the Bible prohibit the inter-marriage of the races. However, defendant is without knowledge as to the "University's religious beliefs." Defendant admits that the University has established practices which deter or prohibit the inter-marriage of the races.

* * *

9. Admits, but avers that the atmosphere in which plaintiff conducts its educational activities is irrelevant to whether or not plaintiff is entitled to tax-exempt status. Plaintiff's qualification for tax-exempt status must be based, if at all, upon its operation as an educational institution.

10. Admits, but avers that the subject matter of the request is irrelevant.

11. Admits that the publications, addresses, articles and sermons referred to in the request have been published and made known to the faculty, the students and the public. However, the defendant is without knowledge as to whether these publications constitute the "University's religious beliefs".

12. Admits that the University maintains and enforces admissions and attendance requirements based upon what it professes to be religious beliefs and practices. Admits the second and third sentences of this request.

13. Admits that plaintiff has promulgated and enforces the strict dating rules alleged, but avers that defendant is without knowledge as to the purpose and effect of said rules.

* * *

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Civil Action No. 76-775

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

AMENDED COMPLAINT

[Filed May 27, 1977]

The Plaintiff would respectfully show:

1. The Plaintiff is an eleemosynary corporation created and existing under the laws of the State of South Carolina, carrying out educational and religious activities on its campus in Greenville, South Carolina. The Defendant is the United States of America.

2. This action arises under the Provisions of Title 28, Section 1346(a)(1) of the United States Code and Title 26, Section 7422 of the United States Code.

Amended Complaint

3. Plaintiff, since its foundation and for a period in excess of forty (40) years has operated exclusively for religious, educational and/or charitable purposes and has heretofore been recognized as an exempt organization under Section 501(c)(3) and related provisions of the Internal Revenue Code. As an exempt organization under Section 501(c)(3) of the Internal Revenue Code, Plaintiff is exempt from Federal Unemployment Taxes under Section 3306(c)(8) of the Internal Revenue Code.

4. By letter dated January 19, 1977, the Commissioner of Internal Revenue acting by and through the District Director of Internal Revenue, Atlanta, Georgia, abused his discretion and retroactively revoked the tax exempt status of the Plaintiff solely because of Plaintiff's adoption of its rules and regulations in accordance with its religious beliefs and practices. As a result of said revocation, Plaintiff became subject to payment of Federal Unemployment Taxes.

[page 1]

5. On February 4, 1976, the Plaintiff duly paid to the Internal Revenue Service the sum of \$19.13 and on May 24, 1977, the Plaintiff duly paid to the Internal Revenue Service the sum of \$1.87 for a total of \$21.00, as payment in full of Federal Unemployment Taxes arising from the employment of one employee of the Plaintiff for the calendar year 1975. On May 24, 1977, the Plaintiff duly filed its claim for refund of said taxes, which claim for refund was denied on May 25, 1977.

6. The revocation of Plaintiff's tax exempt status and imposition of Federal Unemployment taxes is illegal and unconstitutional in that:

- (a) it exceeds the authority vested in the Internal Revenue Service by the Internal Revenue Code of 1954;
- (b) it is contrary to the provisions of Section 501(c) (3) and related provisions of the Internal Revenue Code in that said provisions set forth certain criteria for exempt status, some of which involve the rules and regulations of exempt organizations carrying out religious and educational activities;
- (c) it is in violation of the First Amendment to the Constitution of the United States in that it would deprive Plaintiff of the right to the free exercise of its religious beliefs;
- (d) it is in violation of the First Amendment to the Constitution of the United States in that it would promote, benefit and establish those religions believing in the mixing of the races;
- (e) it is in violation of the Fifth Amendment to the Constitution of the United States in that it would deny Plaintiff due process and equal protection of the law;
- (f) it is in violation of the First Amendment to the Constitution of the United States in that it would deprive Plaintiff of its rights to express and practice its beliefs by conducting and sponsoring the

[page 2]

peaceful assembly and association of those who share those beliefs.

- (g) it is unlawful and in violation of the Constitution of the United States in that it constitutes an

Amended Complaint

attempt to exercise legislative powers by the Executive Branch;

- (h) Plaintiff is operated exclusively for religious purposes as set forth in Section 501(c)(3) and related provisions of the Internal Revenue Code;
- (i) Plaintiff is operated exclusively for educational purposes as set forth in Section 501(c)(3) and related provisions of the Internal Revenue Code;
- (j) Plaintiff is operated exclusively for charitable purposes as set forth in Section 501(c)(3) and related provisions of the Internal Revenue Code;
- (k) Plaintiff has been recognized as exempt under Section 501(c)(3) and related provisions of the Internal Revenue Code (including substantially identical prior provisions of the Internal Revenue Code) since at least April 30, 1942, from which time to the present the Congress of the United States has consistently re-enacted said Internal Revenue Code provisions granting exempt status in essentially identical form thereby approving, condoning and mandating exempt status for the Plaintiff.

7. As an exempt organization under Section 501(c)(3) of the Internal Revenue Code, Plaintiff is not liable for the payment of Federal Unemployment Taxes under Section 3306(c)(8) of the Internal Revenue Code and is entitled to a refund of said taxes paid as alleged herein.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the sum of Twenty-One and No/100

(\$21.00) Dollars plus interest at the legal rate, the costs of this action and for such other and further relief as the

[page 3]

Court deems just and proper.

WESLEY M. WALKER

Wesley M. Walker

J. D. TODD, JR.

J. D. Todd, Jr.

O. JACK TAYLOR, JR.

O. Jack Taylor, Jr.

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May 27, 1977.

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[page 4]

Answers to Amended Complaint

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

CIVIL No. 76-775

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

ANSWER TO AMENDED COMPLAINT
AND COUNTERCLAIM

[Filed June 9, 1977]

The defendant, United States of America, for its answer to plaintiff's amended complaint herein, admits, denies and alleges as follows:

1. Admits the allegations contained in paragraph 1, except is without information or knowledge sufficient to form a belief as to any implication that the plaintiff is exclusively engaged in educational and religious activities on its campus in Greenville, South Carolina, and, if the characterization "eleemosynary" is meant to include "charitable" within the meaning of Section 501(c)(3), Internal Revenue Code of 1954, then denies that the

plaintiff is such a charitable corporation. Defendant further avers that plaintiff's attempt to qualify as an exempt organization under Section 501(c)(3) of the Code must be based, if at all, upon plaintiff's alleged status as an educational institution, not its alleged status as a religious institution.

[2]

2. Admits that this is a suit for refund of federal taxes and, therefore, within the jurisdictional statutes alleged in paragraph 2, but denies that the plaintiff is entitled to a refund.

3. Admits that the plaintiff has been previously recognized as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, but denies that, for the period for which refund of taxes is sought in the complaint, plaintiff was an exempt organization as described in Section 501(c)(3), and, therefore, denies that the plaintiff is exempt from Federal Unemployment Tax Act taxes under Section 3306(c)(8), and is further without information or knowledge sufficient to form a belief as to whether the plaintiff has operated exclusively for religious, educational and/or charitable purposes. Defendant affirmatively avers that plaintiff has not operated exclusively for religious, educational, or charitable purposes within the meaning of Section 501(c)(3).

4. Admits only that the Commissioner of Internal Revenue, in fact, revoked the plaintiff's tax-exempt status, alleges affirmatively that this revocation was consistent with the dictates of Section 501(c)(3), Internal Revenue Code of 1954, and denies all other allegations in paragraph 4.

5. Admits the allegations contained in paragraph 5, and avers that plaintiff filed a claim for refund of the

\$19.13 payment on February 4, 1976, which claim was denied on May 3, 1976. Defendant affirmatively alleges that denial of both of said claims was correct and proper.

[3]

6. Denies the allegations contained in paragraph 6.
7. Denies the allegations contained in paragraph 7.

COUNTERCLAIM

For its counterclaim, which is authorized and sanctioned by the duly authorized delegate of the Secretary of the Treasury of the United States of America and is directed by the Attorney General of the United States of America, and is brought pursuant to the provisions of Section 7401 of the Internal Revenue Code of 1954 and Title 28, U. S. C. Section 1346, the defendant avers as follows:

1. This Court has jurisdiction of this counterclaim by virtue of Title 28, U. S. C. Sections 1343 and 1346(c).
2. On September 15, 1976, plaintiff filed with the Internal Revenue Service forms 940, Federal Unemployment Tax (FUTA) Returns, for the period December 1 through 31, 1970, and for each of the calendar years 1971 through 1975. The returns for the years 1971 through 1975 reflect balances due and owing to the Internal Revenue Service, which amounts were and have not been paid.
3. Upon examination of plaintiff's FUTA returns, the Commissioner of Internal Revenue, by his duly authorized delegate, determined that said returns improperly claimed tax credit, and that the computation of the balance due and owing was incorrect. Accordingly, on June 2, 1977, the Internal Revenue Service made additional FUTA tax assessments

[4]

against plaintiff with respect to said returns. Interest with respect to the unpaid taxes was also assessed on June 2, 1977. On the same date, notice and demand for payment of the taxes and interest were duly made.

4. The amounts of the taxes and interest shown due on the returns filed September 15, 1976, and additionally assessed on June 2, 1977, are as follows:

<u>Year</u>	<u>Tax</u>	<u>Assessed Interest</u>	<u>Total</u>
1971	\$79,215.36	\$27,312.48	\$106,527.84
1972	\$74,544.32	\$21,215.45	\$ 95,759.77
1973	\$79,556.86	\$17,799.28	\$ 97,359.14
1974	\$79,527.86	\$13,080.19	\$ 92,608.05
1975	\$89,535.80	\$ 7,808.79	\$ 97,424.59

5. Plaintiff has paid the amount of \$21.00 with respect to the FUTA tax for the year 1975. No other payments have been made.

6. Accordingly, there remains due and owing the unpaid balances of the taxes shown due on the FUTA returns for the years 1971 through 1975, the unpaid additional assessments, and the unpaid assessed interest, totaling \$489,654.59, plus interest on all unpaid amounts according to law.

[5]

WHEREFORE, the defendant prays for judgment in its favor in the amount of \$489,654.59, plus interest on all unpaid amounts according to law, for dismissal of plain-

tiff's complaint, for its costs, and for such other and further relief as this Court may deem just and proper.

THOMAS C. LYDON, JR.
United States Attorney

J. D. McCoy
Assistant United States Attorney

By: /S/ JOHN F. MURRAY
JOHN F. MURRAY

/S/ MARTIN B. WHITAKER
MARTIN B. WHITAKER
Attorney, Tax Division
Department of Justice
Washington, D. C. 20530

[Certificate of Service omitted]

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
C. A. No. 76-775
—

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

—
PLAINTIFF'S SECOND REQUEST FOR ADMISSIONS

[Filed December 16, 1977]

* * *

3. The sole factual reason for revocation of the University's tax exempt status derives from the University's promulgation and enforcement of certain of its rules and regulations as follows:

(a) Applicants and/or students who are partners in an interracial marriage will be denied admission and/or expelled.

(b) Applicants and/or students who are members of or affiliated with any group or organization which holds as one of its goals or advocates interracial marriage will be denied admission and/or expelled.

(c) Applicants and/or students who date outside their own race will be denied admission and/or expelled.

(d) Applicants and/or students who espouse, promote, or encourage others to violate any of the University's rules or regulations, including those set forth above, will be denied admission and/or expelled.

[Page 1]

* * *

5. The foregoing rules and regulations were in force and effect and on a formal basis at all times relative to this cause.

6. The foregoing rules and regulations have been formally or informally expressed and enforced by the University since its foundation.

7. The foregoing rules and regulations are based upon the religious beliefs and practices of the University.

8. The foregoing rules and regulations are an expression of the religious beliefs and practices of the University.

* * *

11. The religious beliefs and practices of the University are entitled to protection under the First Amendment to the Constitution of the United States.

WESLEY M. WALKER

J. D. Todd, Jr.

O. Jack Taylor, Jr.

Attorneys for the Plaintiff

Leatherwood, Walker, Todd & Mann

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(803) 242-6440

December 16, 1977.

Of Counsel:

John C. Stophel, Esquire

450 Macellan Building

722 Chestnut Street

Chattanooga, Tennessee 37402

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
CIVIL No. 76-775
—

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

**DEFENDANT'S RESPONSE TO PLAINTIFF'S
SECOND REQUEST FOR ADMISSIONS**

[Filed January 17, 1981]

* * *

3. Denies that the sole reason, factual or legal, for revocation of the University's tax-exempt status derives from the University's promulgation and enforcement of the stated rules and regulations. Defendant admits that the University has promulgated, has enforced, and does enforce the stated rules and regulations, and avers that said rules and regulations are inconsistent with the requirements for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code. Defendant avers that the tax-exempt status of the University was revoked because of the failure of the University to accord its practices with the requirements set forth in Revenue Rulings and Procedures 71-447, 72-54, 75-50 and 75-231, promulgated by the Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code.

* * *

5. Admits, with the understanding that the time period referred to in the Request for Admissions is the year 1975.

6. Defendant is without information as to the history of the subject rules and regulations, and must therefore deny Request for Admission 6. On the basis of plaintiff's answer to defendant's Interrogatory No. 7, defendant admits that from September 1965 to the present time plaintiff has maintained and enforced the subject rules and regulations as part of plaintiff's overall policy with respect to students and prospective students. Defendant further admits that the subject rules and regulations are consistent with the racially discriminatory practices, policies and reliefs expressed and enforced by plaintiff since its foundation.

7. Admits, except denies that plaintiff is a religious organization within the meaning of Section 501(c)(3) of the Internal Revenue Code, and denies that the basis for plaintiff's discriminatory policy with respect to students and prospective students, whether or not that basis is a religious belief, is relevant to the issue of whether or not plaintiff is entitled to tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

8. Admits, except denies that plaintiff is a religious organization within the meaning of Section 501(c)(3) of the Internal Revenue Code, and denies that the basis for plaintiff's discriminatory policy with respect to students and prospective students, whether or not that basis is a religious belief, is relevant to the issue of whether or not plaintiff is entitled to tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

* * *

11. Admits, but expressly denies any implication that the First Amendment of the Constitution of the United States protects or sanctions plaintiff's racially discriminatory policies and practices so as to entitle plaintiff to tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, and denies that denial to plaintiff of tax-exempt status constitutes a violation of or an infringement upon plaintiff's Constitutional rights, privileges and benefits.

THOMAS E. LYDON, JR.
United States Attorney

JAMES D. MCCOY, III
Assistant United States Attorney

By: /S/ MARTIN D. WHITAKER
MARTIN D. WHITAKER
Attorney, Tax Division
Department of Justice
Washington, D. C. 20530

[Certificate of Service Omitted]

Plaintiff's Reply to Counterclaim

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
C. A. 76-775
—

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

**PLAINTIFF'S REPLY TO DEFENDANT'S
COUNTERCLAIM**

[Filed April 28, 1978]

Replying to the Counterclaim of the Defendant, the Plaintiff would show:

1. Admits the allegations contained In Paragraph 1 of the Counterclaim.
2. Admits that on or about September 15, 1976, the Plaintiff filed FUTA returns for the period December 1-31, 1970, and for each of the calendar years 1971 through 1975.
3. Admits that FUTA taxes were assessed by the Internal Revenue Service, but denies that such assessments are correct.
4. Admits it has paid Twenty-One and No/100 (\$21.00) Dollars with respect to the FUTA tax for the year 1975.

5. Each and every allegation contained in the Defendant's Counterclaim not hereinabove specifically admitted, is denied.

6. Further replying to the Defendant's Counterclaim, the plaintiff would re-allege the allegations of the Complaint herein as if fully set forth in this Reply.

WHEREFORE, having fully replied, the Plaintiff prays that the Defendant's Counterclaim be dismissed with costs.

Of Counsel:

WESLEY M. WALKER

J. D. TODD, JR.

O. JACK TAYLOR, JR.

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Chattanooga, Tennessee 37402

[Acceptance of service omitted]

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

BOB JONES UNIVERSITY

Plaintiff

v.

THE UNITED STATES OF AMERICA

Defendant

Non Jury Trial

May 10, 1978

Greenville, South Carolina

[May 10, 1978]

Appearances:

WESLEY M. WALKER, Esq., and O. JACK TAYLOR, JR., Esq.,
of the Firm of Leatherwood, Walker, Todd & Mann,
Attorneys at Law, 217 E. Coffee Street, Greenville,
South Carolina, for the Plaintiff.

JAMES D. MCCOY, III, Assistant U. S. Attorney, for the
District of South Carolina, and Mr. MARTIN B. WHITAKER,
Assistant U. S. Attorney, Tax Division, Washington,
D. C., for the Defendant.

JOSEPH D. SMITH
Official Court Reporter

* * *

DIRECT EXAMINATION:

QUESTIONS BY MR. TAYLOR:

Q. State your full name, please, sir.

A. Bob Jones, III.

Q. Dr. Jones, where are you employed?

A. Bob Jones University.

Q. What is your position there?

A. I'm President.

Q. Would you briefly state your duties as President?

A. All right. I fulfill the role of Chief Executive Officer. The University is administered under the authority granted. The offices are administered under the authority

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granted by the Board of Trustees. I have jurisdiction over the academic, the disciplinary, the cultural and certainly the religious aspect of the institution.

Q. All right, sir. Dr. Jones, could you tell us briefly what Bob Jones University is, what sort of institution it does and what its activities are?

A. Yes. I think that perhaps three sentences from our by-laws and charter would best explain that. My Grandfather founded the school in 1927 when he was an evangelist. He felt burdened that so many young people were going off to colleges and having their faith stolen. And that God impressed on him that there ought to be a school that stressed the importance of quality academics, culture, refinement, all the rest, but at the same time, train the individual to be a proper Christian.

And in the preamble to the by-laws of the charter says that the general nature and objective of the corporation shall be to conduct the institution for learning for the general education of youth in the essentials of culture and the arts of sciences, giving special emphasis to the Chris-

tian religion and the ethnics revealed in the holy scriptures, combating all atheistic agnostic, pagan, so called scientific adulterations of the gospel, unqualifiedly affirming and teaching the inspiration of the Bible, both the Old and New Testaments; the creation of man by the direct

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act of God, the incarnation and virgin birth of our Lord Jesus Christ, his identification as the Son of God, his vicarious atonement for the sins of mankind by the shedding of his blood on the cross, the resurrection of his body from the tomb, his power to save men from sin the new birth through the regeneration by the Holy Spirit and the gift of eternal life by the grace of God. That is the purpose of Bob Jones University.

Q. All right, sir. I believe you testified that the University was founded in 1927, in Florida, by your Grandfather. Could you quickly give us a history of the university since its founding?

A. Yes. We stayed in Florida through the depression. All the banks in Florida went broke. My Grandfather cashed out his life insurance to pay the school's debts. Shortly after the depression, people were not able to travel extensively, funds were limited. It became evident that if we wanted to draw students, we should move to a more central location. My Father had seen an abandoned campus in Cleveland, Tennessee. Subsequently we bought that campus. We were there approximately thirteen years and, as you have stated earlier, the city had grown up around us, we could not expand. We had looked at a number of locations. In fact, my Grandfather and business manager, Dr. Johnson, were in Knoxville, Tennessee. We were ready to sign an option on

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some land there. And E. Roy Stone, a realtor here in Greenville called and said don't sign anything until you come and look at something, we will send a plane over. And my Grandfather—I believe my Father was present, I'm not sure—stepped on the land that we now occupy. God impressed on them this is the place. They felt very settled about the matter. Thirteen months Daniel Construction completed the original campus, and we opened school. We have been here now almost thirty years in Greenville, just over thirty years, and the university has grown to a school of fifty-seven hundred students. And the student body coming from every state in America and about foreign countries. I think that takes care of the history pretty well.

THE COURT: Where did you start in Florida?

THE WITNESS: Near Panama City, New Haven, Florida.

Q. (By Mr. Taylor) Dr. Jones, would you describe for us the educational activities of the university? What sort of educational levels are provided, and what sort of degrees are provided or awarded?

A. All right. We have a kindergarten through graduate school actually. On the college level, we have a school of education, a school of fine arts, a school of religion, a college of arts and sciences and a school of business. That's five. We offer fifty different academic degrees. And in our graduate schools we offer the Masters Degrees in

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various phases of education, in religion and in the fine arts, and we offer the Doctorate PHD in Bible. We have

about a thousand young men studying for the ministry; we have about thirteen hundred men and women preparing to teach. Most of them will go into christian schools, It's estimated that a christian school is springing up in America every seven hours, and we are called upon to help staff those schools.

The university's position is that whatever the Bible says is so. Everything taught in the classroom is taught from that premise. We teach the students in science what Darwin had to say and what the many shades of evolutionists since then have had to say, but we then take the Bible and say we reject this as being factual because the word of God says that man was recreated by a direct act of God and not through an evolutionary process. We would teach what Marx and Lenin would have said, but we would say the Bible says they are wrong, because the Bible puts the emphasis upon the worth of the individual, not upon the value of society. In every area where any of man's philosophies contradicts, cuts across the grain of the word of God, we take the Bible position. We are training Christian leadership, we are not training people just to be professional people.

There are twenty-five hundred institutions of higher learning in America where these people could go to get the essentials of math, science, English, history,

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modern language, etcetra. We are teaching them to be Christian leaders. As mentioned earlier, every class opens with prayer, the close of every day in the dormitories the student have a fifteen minute period where they gather together with their room or with four rooms, depending on the day of the week, for prayer meeting, where they share one another's prayer burdens. Every cultural event, every athletic event opens with prayer. We take the posi-

tion that the students come to learn from us, not to teach us. Nobody makes them come, it's purely voluntary. We say that attendance is a privilege and not a right. If they violate that privilege, they forfeit the privilege to be there. We enforce our discipline. There is no way you can separate the university's academic position from its spiritual position; the warf and woof cross with one another. And every teacher, for instance, has to be a born again individual. We would not hire, for instance, a PHD in English who did not also give testimony to a saving experience with Jesus Christ, who did not also consider his mission at Bob Jones University to be the training of Christian character. We would not have a teacher whose life style was in opposition to the building of Biblical principle in the lives of our students; in other words, we would not teach the students what the Bible says about Christian character and then hire a teacher whose life style is contrary to it.

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We insist that the teachers hold the essentials of faith embodied in this statement I have just read from our Bible, the Preamble. We insist that they live it, not only believe it but live it in practice, and if they don't, then they disqualify themselves, and we will not keep them as teachers in the institution. We are not merely imparting academic understanding, we are imparting an understanding of what the Bible says to these young people. And in every subject matter, the Bible position is presented; for instance, in the study of literature, if a man's—take in the writing of a short story or a novel or whatever it might be they are studying, a poem; if his position is antisciptural in the sutdy of that piece of literature, the unscriptural position is that is pointed out to him, so that the student can learn to distinguish between that which is of God and

that which is the product of an atheistic or antigod mind, so that he can combat that. That's part of the preamble, combating all atheist, agnostic and so called scientific adulteration of the scripture. That's the purpose of Bob Jones University.

Q. All right, sir. Doctor Jones, does the university have any religious belief concerning the mixing of the races or the racial issue?

A. Yes, sir, we always have. And if the Court would like, I could turn to a few passages of scripture and discuss

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those matters, whatever you would like.

THE COURT: Well, I want to know what your basis is, that's the reason I asked the question earlier in the proceedings.

THE WITNESS: All right, sir. Let me start in the Book of the beginning in Genesis. Let me preface this by saying that we believe the Bible, from beginning to end, teaches that man was created to be the—for the pleasure and the glory of God. Man, when he sinned, put himself as the enemy of God and forfeited the right of Godly sonship, became the child of the devil. We believe that through a regenerating saving experience with Jesus Christ, through the virtue of His shed blood on Calvary's Cross, that man is reconciled to God and is redeemed, the Savior has redeemed him, that man does not redeem himself by his morality, his membership in a church. We believe that the kingdom of man, which is essentially in opposition to the plan of God, through the fall in the garden, that history reveals that man has, through a series of subsequent events, raised himself up to challenge God's authority over mankind.

In the Book of Genesis, the Tower of Babel, man said we will build us a tower and we will ascend unto God. The Hebrew meaning of those words is, we will pull God down from his heaven, that we will build a united kingdom so mighty and strong that God will not be able to rule over us any more.

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Again in the Book of Daniel, Nebuchadnezzar built the great image ninety feet high and commanded that all the kingdoms come and worship and fall down before that image. There were three men who didn't, Shadrach, Meshach, Abednego; they said our God is able to deliver us, and he will, but if he doesn't, he is still God, and we will not bow down before your image.

We feel that Bob Jones University is in the position, because of its scriptural position of refusing to bow down before the image of government, which is really demanding our worship.

THE COURT: Now, tell me the scripture verses. I'm familiar with the various books and Shadrach, Meshach and the Tower of Babel. What's that got to do with the races?

THE WITNESS: That's what I'm trying to show is that man is trying to build a united world to overrule God's authority.

And in Revelation and Ezekiel and Jeremiah it speaks about the antichrist who will one day rule the world under a one-world government, one religion, one army. We believe the efforts of one race and everything else is a part of building of antichrist. Believing the Bible, we don't want to contribute to that which is of the devil and of the antichrist. And the breaking down of the barriers that God has established to divide the world so that it can't get

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together in rebellion against Him, that the observance of those lines of distinction we feel, as Christians, we feel we must adhere to and propagate. Now, for instance, some of the verses that talk about the lines that God has established, Genesis in the tenth chapter, the thirty-second verse, after the flood: "These are the families of the sons of Noah, after their generations, in their nations: And by these were the nations divided in the earth, after the flood."

Again passage in Genesis, Chapter 11, Verses 8 and 9, speaking of the division God has made: "So the Lord scattered them abroad from thence upon the face of all the earth."

THE COURT: This is after the Tower of Babel?

THE WITNESS: No, these verses are dealing with the Tower of Babel, after the tower is built, God destroyed it and got scattered them—"And they were left off to build the city, the name of it called Babel, because the Lord did there confound the language of all the earth; from thence did the Lord scatter them abroad upon the face of the earth."

In Deuteronomy, the 32nd Chapter, Verse 8: "When the Most High divided to the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people."

In Acts, Chapter 17, again it speaks: God hath set the bounds of their habitation, if happily they might seek after God; Acts 17, 32, God keeps the nations divided

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so that they might seek after him, and the people he divided here were three; Shem, Ham and Japheth, and from

those the three basic races of mankind had sprung. That was all that was left after the flood, all the decendants of one of those three families, and God scattered them, God divided them for the purpose of men seeking after God. Our purpose is to train people to seek after God. So, we feel that we can't contribute to the bringing together again of that which God has divided. So, this is the basis of our religious conviction; that God's intent for the races to remain distinct and different. We are not saying there is inferiority involved, we are just saying distinction and different that God himself has established.

Then in Daniel the 7th Chapter, Verses 13 and 14, speaking again of this, of what's going to be in the end time, the effort being made by man to bring the world together which God had divided, Daniel said: "I saw in the night visions, and, behold, one like the Son of man came with the clouds of heaven, and came to the Ancient of days, and they brought him near before him.

And there was given him dominion, and glory, and a kingdom that all people, nations, and languages, should serve him: his dominion is an everlasting dominion, which shall not pass away, and his kingdom that which shall not be destroyed."

[47]

God said there is going to come a day when the world will be united, but it will be united under the authority and the rule of Jesus Christ. And that's the day we look forward to, and the day we are preparing for; not the day when man says we can go from God and we are going to pull the world together by our efforts, but the day when the Lord overrules all of those efforts of man himself and pulls the world together and rules over it and is the Lord of it.

In Zechariah the 14th Chapter, this is again spoken of that day in the future: "And it shall be, that whoso will not come up of all the families of the earth unto Jerusalem to worship the King, the Lord of hosts, even upon them shall be no rain."

And in Revelation the 11th Chapter, the 15th Verse, speaking of that future kingdom which the Lord will rule over, when all the world will be united under his dominion, Revelation 11, 15: "And the seventh angel sounded; there were great voices in heaven, saying, the kingdoms of this world are become the kingdoms of our Lord, and of his Christ : and he shall reign for ever and ever."

Then one more verse, Revelation 21, Verse 24: "And the city had no need of the sun, neither of the moon, to shine in it: for the glory of God did lighten it, and the Lamb is the light thereof.

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And the nations of them, which are saved shall walk in the light of it: and the kings of the earth do bring their glory and honour into it."

The Bible teaches that man tries to bring his world together over God's objection to unite everything, to make everything one. God says, no, I'm saving that day for myself when I will do that. And as those who love and worship the Lord, we don't want to contribute to man's efforts which God has cursed, we want to wait for that day that the Lord is going to bring all things together in subjection to him.

This is why we have religious convictions against things—anything, whether it be religious equanimism, the taboos against the marriage between the races; God has divided people religiously, he has divided them geographically, he has divided them racially. But there is

coming a day when all of that will cease, and until that day comes, we intend to do our best to keep the lines that God has established.

* * *

[50]

Q. (By Mr. Taylor) Doctor Jones, how has the university sought to express these religious beliefs that you have just testified to? What concrete step has the university taken to put this into action, so to speak?

A. All right. The school has always, in an effort to enforce, we believe to be the Bible position against interracial dating and marriage or the obliteration of any other line of distinction that God has established. In this particular case, we have forbidden interracial dating and marriage. It was not necessary to enunciate these things in writing until the racial revolution took place in America, and until we saw concerted efforts being made to achieve the acceptance of interracial marriage as being perfectly all right.

The university will enforce, will observe its conviction against interracial dating and marriage at all costs.

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Our previous admissions policies we felt were the safest way we knew to protect that conviction, since the agitation between the blacks and the whites on the matter of acceptance of interracial marriage and dating, was a hot issue and a focal point. We said the only way we know to be sure our convictions are observed, is during this time to say that we cannot accept blacks. That was not through any animosity towards blacks.

I can remember hearing my Grandfather on many occasions saying I wish there could be—back in the early '50's—I wish there could be a Bob Jones University train-

ing just exactly like this for blacks. And he had a great burden for these people as we do today. I am glad they are there today. And we have not had one moment's difficulty since the admissions policy was changed in May of 1975. When it was changed, it was changed because of the court ruling that private institutions could no longer have racially discriminatory admissions policies.

We say we are a law abiding people. The Lord says, "Render to Caesar what is Caesar's." Caesar has said in this case you have to open your doors, you can't any longer do without tax exemption or do without whatever you have to do without in order to abide by your convictions in this regard. So, we said, "All right, we will not sacrifice our convictions against interracial dating and marriage, we

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will still enforce it as its always been enforced; we think it may be more difficult to enforce it now, but our conviction was not against the admission of blacks, our conviction was against the interracial dating and marriage. And our admissions policy previous to 1975 were the easiest way we knew, the safest way, to protect that conviction. But since the courts have stripped us of that protection, we say, all right, we have no conviction against admitting, we will admit them, but we will have to be sure that our convictions are continued against interracial dating and marriage. And that has been continued, and we have not had one moments trouble, we are not a discriminatory institution. Anybody can walk there and find the blacks engaged in every activity that the whites are engaged in. And, I think, Your Honor, you hit right on the substance of the matter when you said if it is discriminatory, I guess the whites, orientals are discriminated against as much as the blacks. But we do not maintain there is a discrimination. It is an applied rule just like

our rules against drinking, against adultery, a lot of other things, they are applied without respect to a person's race.

Q. (By Mr. Taylor) All right, sir. Doctor Jones, has the university admitted blacks pursuant to this policy that you have just described?

A. Yes. In 1975, in the Fall of that year, we admitted

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our first black. At this time, we have five blacks. We have received other applications. They are processed just like the white students' applications. There is not the slightest designation in the admissions files of the fact that this person is black, and therefore he is segmented over here in some special area. We have had not the least bit of problems of any nature since we have admitted these blacks; it's been a very, very happy situation. And we are glad to be able to train these to be Christian leaders in America.

Q. All right, sir. Doctor Jones, perhaps it would help the Court if you would tell us exactly what the admissions policy of the university is now, and what are these dating rules and regulations that you have referred to. Could you be more specific in those areas?

A. I don't have a copy of the admissions policy with me.

* * *

[54]

Q. (By Mr. Taylor) I understand, Dr. Jones, you do not remember it verbatim as to the policy, but if you would tell us basically what it is. I'm not sure, I think you explained to some extent how it works, but I'm not sure you really testified as to what it is, now.

A. Essentially it says that Bob Jones University does not discriminate on the basis of a person's race.

THE COURT: How do you get into Bob Jones, you make an application?

THE WITNESS: Yes, sir.

THE COURT: What happens then?

THE WITNESS: All right. Then the admissions officer takes that application and sends out a request for references from three individuals that the applicant has listed as his references. And we tell the applicant that he must send to us a copy of transcripts of all his previous education from high school on up. And we get a certificate of health from the doctor, which the applicant must furnish. We require that the applicant take the ACT Examination, which is a college testing exam. And then when all of these records are in hand, they are evaluated as to the person's character.

THE COURT: Well, then, how do you confirm on your applications his religious beliefs?

[55]

THE WITNESS: We ask him to give a brief statement of his—

THE COURT: This is on the application?

THE WITNESS: Yes, sir, of his educational objective. We also ask him to state what church he comes from, and basically a person who has personal relationship with Christ, when he states his educational objective, he states there that he wants to prepare himself to serve the Lord Jesus Christ, to get a Christian education. He is coming to us not for education but for a religious indoctrination. And then if there is anything in that to indicate that this person is a heathen, then we would go back to him, and you know, and ask him what is your background specifically.

* * *

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MR. TAYLOR: By the way, Dr. Jones, at this point I will ask you simply if you would, could you tell us what the institute of Christian service is at Bob Jones University?

THE WITNESS: This is a three year nondegree, non-credit program designed for those who have been out of high school a number of years and don't feel that they can subject themselves to the rigors of academic pursuit again; or designed for those who did not do well in high school but feel called of God into some kind of Christian service, investment of their life in a fulltime way for the Lord. And this program is designed to help get them thorough knowledge of the Bible principles of the word of God and Christian character training. The work does not transfer into Bob Jones University or any other institute of higher learning, it is a Christian training institute.

Q. (By Mr. Taylor) Do the same admissions policies apply to applicants for that part of the university as to regular students?

A. Yes, they do.

* * *

[65]

Q. By the way, Dr. Jones, who owns Bob Jones University?

A. The university is a corporation not for profit, chartered by the State of South Carolina, it's not owned by anybody. I receive a salary. My Father receives a salary. My Grandfather received a salary when he would take it. The Jones family does not own Bob Jones University, it never has owned it doesn't want to own it. We are a charitable institution in that we are nonprofit and we serve the general public meeting their spiritual

needs. No faculty member owns it, the Board of Trustees doesn't own it. No denominational church owns it; a totally independent Christian arts university.

* * *

[68]

Q. (By Mr. Whitaker) Dr. Jones, there is nothing in the charter or in the bylaws which specifically refers to the university's belief with respect to interracial marriage and dating, is there?

A. No, there is nothing in the bylaws relating to a great many of our beliefs and practices.

Q. Concerning the academic quality of the university, would it be fair to say that a teaching degree or Bachelors Degree from the university would carry at least the same weight as the degree from the University of South Carolina?

A. Yes.

Q. So, that a person with a teaching degree would meet the state requirements for teaching, for instance?

A. Yes.

THE COURT: You haven't been reading the law, you have to take an exam. There has been about how many federal lawsuits over that question of the teachers' exam?

[69]

Q. (By Mr. Whitaker) The applicants to the university, Dr. Jones, would it be fair to say that a great many of these applicants referred from former students or friends of the university?

A. Yes.

Q. So, that would—would you feel that it would be fair to say that many applicants, when they apply, are already familiar with the general nature of the university?

A. Many of them are.

Q. Does the university have any regular recruiting program, for instance, with high school counseling services, placement offices, that type of recruiting?

A. The university selects high schools around the state each Fall, to which we send one of our admissions officers for their college dates. Other than that, we have nothing you could call a formal recruiting effort.

Q. Do you receive applicants or are applicants referred to you from members of the clergy, religious persons around the country, with whom the university is familiar?

A. Yes.

* * *

[70]

Q. Concerning the change of admissions policy, if you would, please, sir, refer to the May, 1975 minutes of the

[71]

board meeting. If I may approach the Witness.

THE COURT: All right.

Q. (By Mr. Whitaker) On the third page, which has page 197 printed at the top, if you would please refer to the resolution, describe that in the exhibit.

A. All right. That resolution authorizes the officers of the school to change the admissions policy as they saw the need to, and in conformity with the beliefs of the school, would that be a fair summary?

A. Yes, sir.

Q. Did the—and you are one of the officers; in fact, the primary officer of the university?

A. Yes.

Q. Did the officers of the university change the admissions policy pursuant to this authorization?

A. Yes.

Q. Do you recall when that change took place?

A. Yes. I had to refresh my memory on that. It was May the 29th, 1975.

Q. And what did you look at in refreshing your memory on that?

A. There were some memographed copies of the statement to be released to people who wrote inquiring as to why the policy had been changed. And I looked at one of those statements. That's also, I believe, copied in our Brief.

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Q. Now, does the statement—I haven't seen a copy of it—does that have a date on it as to when it was published?

A. Well, it says the university admissions policy changed as of April 29, 1975, and it stated the policy.

Q. Do you have a copy of that with you?

A. No, I do not.

Q. Do your Attorneys have a copy with them?

A. I don't know.

Q. At this time, under Rule 612 of the rules, we would request the Court allow us to inspect it.

THE COURT: Do you have a copy of that? You said May 29 one time and April 29 one time.

THE WITNESS: I meant May.

MR. TAYLOR: Your Honor, we do not have a copy of what Dr. Jones is referring to.

THE WITNESS: There is an extract of it in your Brief.

MR. TAYLOR: Well, there may be an extract of the policy, Your Honor, setting forth what it was.

THE COURT: Could you check and see if there is such a document and make it available to the Court and to Counsel for the Government?

MR. TAYLOR: Yes, sir.

THE COURT: All right.

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Q. (By Mr. Whitaker) Doctor Jones, did you also—did the officers of the university have any formal resolution, writing, document, setting forth as of this date we have adopted the following policy?

A. Well, the statement I referred to is the official statement, and it came as a result of the decision to change the policy.

Q. Now, didn't you write a letter, Dr. Jones, to the university's counsel, to Mr. Taylor, saying as of a certain date the university has changed its policy, and the new policy is as follows?

A. I don't know what the Court would consider to be the privilege of a client-attorney correspondence.

Q. My question is whether you did write the letter?

THE COURT: To whom?

MR. WHITAKER: To Counsel for the university.

THE WITNESS: Yes, I told the Counsel we had changed our policy.

Q. (By Mr. Whitaker) Do you recall when that letter was written?

A. It would have been after this meeting. I'm not sure I know the date. It would have been around May the 29th, could have been written on the very date the policy was changed, for all I know, I don't have the letter in front of me. In fact, I haven't seen that letter, I don't guess, since—

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I wrote it.

Q. How is the Director of Admissions, Mr. Christ advised of the change in policy?

A. I don't know whether he would have been referred a copy of that letter, or whether we wrote up the statement which I referred to previously, the memographed statement, which went out, which was memographed over his signature, but whether it came to him in that form or in a form of a copy of the letter to the Attorney, I don't recall.

Q. But there would have been something in writing to notify him of the change?

A. Yes, that's right.

Q. I would like to show you what's been marked for identification as Defendant's Exhibit 2, which is a letter from the university's Counsel to the Internal Revenue Service. And referring—if I may approach the Witness, Your Honor—the bottom of the first page and top of the second page referring to adoption of admissions policy. My question, sir, while you are reading over that, is what is set forth in the letter the policy which was adopted?

A. I believe this is the policy which I referred to as being memographed.

Q. Thank you. Did the university issue any press releases when the policy was changed, or at any time thereafter?

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A. To the best of my knowledge, we did not.

Q. All the university did was have the memographed form to respond to inquiries?

A. No, that's not all we did.

Q. In the way of notice?

A. No. As a matter of fact, my Father and I toured the country speaking at, I guess, in excess of forty differ-

ent banquets where prospective students, alumni, friends, donors, would be gathered. We do this every summer. In that particular summer, I know that I spent considerable time addressing the issue of the admissions policy change, which was notifying our constituents of the fact. I don't know what my Father did, I assume he did the same thing.

Q. And these banquets, these were regular annual banquets of friends, alumni, donors of the university?

A. It's primarily a recruiting time to which our friends and former students bring prospective students to get them acquainted with the school.

Q. Concerning the religious belief of the university, with respect to interracial dating and marriage, it's your testimony, I gather, that this belief has never changed since the school was founded?

A. That's correct.

Q. I would like to ask you—I would like to read to you a sentence from the Affidavit which you wrote in September,

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1971. If you would like to look at it, certainly you may.

A. Go ahead, read it.

Q. I will just read you the sentence and ask you if this is still the university's belief. "I further believe that if Bob Jones University were to admit members of the Negro race, that the university would be promoting such intermarriage and would be providing conditions under which such intermarriage is more likely to occur contrary to religious beliefs and practices upon which the university was founded and has been continuously operated."

A. If you recall just a few minutes ago, I said that the previous admissions policies were the safest way we knew to protect our religious conviction against interracial dating and marriage, and I still contend that that would

be the safest way to protect our policy. But the courts do not afford us that luxury any more, and, therefore, we are protecting the convictions the best way we know how by not—by enforcing the rules against interracial dating and marriage.

Q. With that background in mind, however, would it be fair to say that the statement I have just read was the university's belief in 1975?

A. Yes, sir, and it's still our belief, that was the safest way to protect our convictions.

* * *

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Q. (By Mr. Whitaker) And the university, during 1970, through 1975, it would not have been contrary to the religious beliefs of the university to admit blacks, is that correct?

A. State that again.

Q. From 1970 through 1975, admitting blacks would not have contrary to the university's religious beliefs?

A. I already stated that we did not have any religious convictions against admitting blacks—against interracial dating and marriage.

Q. And, in fact, in the late 1940's the university had a few part-time black students, special students, is that correct?

A. That was prior to my having anything to do with the school.

Q. Prior to the change in mid 1975, however, the

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university would not admit single blacks, is that correct?

A. I don't recall the year we agreed to admit married blacks. Until 1975, we did not admit single blacks.

Q. Doctor Jones, I would like to, if I might approach the Witness, Your Honor—

THE COURT: All right.

Q. (By Mr. Whitaker)—to ask you to refer to the executive committee meeting minutes for September 1, 1971. The fifth paragraph and the sixth paragraphs.

A. Okay.

Q. My question, Doctor Jones, is if the university had admitted married students, married black students, would their children being on campus have presented any problem to the university?

A. Well, their children would not have been on campus unless they had been enrolled in the elementary school. If you refer to the children coming on campus with their parents, the answer is no, it would have created no problem. As far as I know the married students brought their children on campus, they were never told they couldn't.

Q. And having the colored children on campus, as the reference said in the minutes, would not have been in any way contrary to the school's religious beliefs?

A. Not at all.

Q. Would having the children in the kindergarten be

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contrary to the school's religious beliefs?

A. No.

Q. Having black faculty members would not be contrary to the school's religious beliefs, would it?

A. No.

Q. Or having oriental faculty members?

A. No.

Q. In 1975, the university did not have any black faculty members, did it?

A. No.

Q. It did have at least one oriental faculty member, is that correct?

A. Yes.

Q. Do you recall the matter with the Veterans Administration concerning student loans, don't you?

A. That's a very unpleasant subject.

Q. With respect to that, in 1975, did the university agree to sign a statement of compliance with the Civil Rights Act?

A. No. I might add that the reason that we did not, the Civil Rights Compliance Act contained a clause that we would agree to any positions enacted by HEW pursuant thereto. We didn't like what HEW was doing then, let alone we would be willing to trust them and sign an agreement to anything that they would do pursuant to that act. That would have been

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suicide to swear away our future as a free religious institution having the right to carry on the practice of our religious beliefs. We feel like the government has raped us as it is.

* * *

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DAVID CHRIST, a witness on behalf of the Government, having been duly sworn, testified as follows:

DIRECT EXAMINATION:

QUESTIONS BY MR. WHITAKER:

Q. Would you state your name please?

A. David Christ.

Q. Is it Doctor Christ?

A. No, sir.

Q. What is your occupation?

A. I'm currently Director of Admissions at Bob Jones University.

Q. Have you been Director of Admissions since 1970?

A. Yes, sir, I have.

Q. And for some time prior to 1970?

A. My first association with the Admissions Office

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began in 1966.

Q. You were here this morning when Dr. Jones testified as to how students learned about the school, were you not?

A. Yes, sir, I was.

Q. In addition to the methods of promoting the knowledge of the school to which Dr. Jones testified, you also use a spring visitation period?

A. Yes, sir, that's correct.

Q. Would you please explain generally what is the spring period?

A. The spring visitation period is a program that we term let's get acquainted days. It's a two-day period of time in which we invite young people to come to the campus, stay on the campus and get the feel of the campus atmosphere for that period of time.

Q. These people would stay in the dormitories, generally?

A. Most of them do.

Q. Approximately how many people attend the spring period?

A. That will vary from year to year. This past year we feel that there was something just under two thousand young people visiting.

Q. And the attendance was fairly substantial in 1975?

A. Yes, sir, that would be correct.

Q. Is the spring visitation period—would be used

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primarily for persons who have not yet applied or have not yet been admitted to the school, would that be correct?

A. Yes, sir, that's the basic objective of the program.

Q. So, it's more of a long range recruiting device?

A. Yes, sir, that's correct.

Q. Would it be fair to say that during this spring visitation period, the get acquainted days, that the students would become well aware of the social life and atmosphere of the school?

A. I think that could be assumed, since they stay in the dormitories and have contact with our present students.

Q. And in most cases they would become familiar with the various student rules and regulations?

A. That would be likely, yes.

Q. As Director of Admissions, and speaking on behalf of the Admissions Office, would it be a fair statement to say that the role of the admissions committee is to insure that applicants are compatible with the university and that the university is compatible with the applicants?

A. That would be one of the functions of the committee.

Q. What is the Admissions Committee as opposed to the Admissions Office?

A. The Admissions Committee is comprised of those who would be involved in making decisions on applicants.

Q. And you and—

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A. The Admissions Office would be more along the clerical lines.

Q. You and Dr. Jones and several of the deans and several of the other persons are on the Admissions Committee?

A. That's correct.

Q. And I believe the Admissions Committee that makes the final determination on whether an applicant is accepted in the school?

A. Yes, sir, they would be the final authority.

Q. And would it also be the functions of the Admissions Office and the Admissions Committee to apply the university guidelines, rules, regulations, beliefs, to specific situations?

A. Yes, sir.

Q. Prior to—you are aware of the change in admissions policy in the middle of 1975, aren't you?

A. Yes, sir.

O. How did you become aware of that change?

A. I was made aware of that change by having referred to me a copy of the letter which was dictated by the President to Mr. Jack Taylor.

Q. That is to the Counsel for the university?

A. That's correct.

Q. And it is upon this letter that you relied in formulating the application of the new admissions policy?

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A. That is the means by which I officially found out about the change in the policy.

MR. WHITAKER: At this time, Your Honor, we do request the production of the letter. Mr. Taylor and I discussed this letter; according to Mr. Taylor, doesn't contain attorney-client information.

THE COURT: Well, let me see the letter.

MR. WHITAKER: I do not have it.

THE COURT: Well, I can't pass on the question of whether it's excluded or included until I see it.

MR. WALKER: Your Honor, I don't have it with me. As a matter of fact, Your Honor, we don't have it. We will get the copy and submit it to the Court.

THE COURT: All right.

MR. WHITAKER: We would ask Your Honor to consider the extent to which the letter should be made a part of the record.

THE COURT: I will.

MR. WHITAKER: There could be statements in there that reflect the intent and purpose behind the change of the policy, and we submit those would be disclosable.

Q. (By Mr. Whitaker) Concerning the academic standards of the university, one of the functions of you and your office would be to assure students, prospective students of the quality of education they could get at the university,

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would that be correct?

A. Yes, that's correct.

Q. And do you assure the applicant that the quality of education will be as good, if not better, than what they could get; for example, at the university of South Carolina?

A. We would be more specific than that in terms of what the applicant was looking for in the way of a major, but we would probably not do that on a comparative basis, since there would be ethical consideration there from our standpoint.

Q. But you would at least assure the applicants that a degree from Bob Jones University would enable one to proceed into the professional world?

A. On generally the same basis as they would from any other recognized school, yes, sir.

Q. And the admission application contains—that was in use prior to the change in policy in 1975, contains a blank for the applicant to fill in race, is that correct?

A. That's correct.

Q. And the admissions application after the change of policy in mid 1975, also has a blank for the applicant to fill in race?

A. Correct.

Q. After the change in admissions policy, in the middle of 1975, you did not take any steps with respect to publicizing

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the changed policy, except in response to specific inquiries?

A. Yes, sir, that would be correct. However, I think it should be kept in mind that that normally is our routine function in the publicizing area anyway.

Q. Concerning the admission policy, prior to 1971, and first, are you generally familiar with the change in policy which occurred in September of 1971?

A. Generally, yes, sir.

Q. And that policy was changed so as to admit or consider for admission married blacks?

A. Yes, sir.

Q. Prior to that change, what did your office do with an application which came in from a black person?

A. Our response in that case would be rather than to process the application, simply write to the applicant and explain our policy and return his application fee, which is submitted with the application.

Q. And after the change in 1971, from 1971 to 1975, during that period, if an application were received which indicated that the applicant was black and not married, what would the practice of your office be?

A. Essentially the same.

Q. Concerning the policy after it was changed in the middle of 1975, if the application form indicated that the applicant were black and was a participant—or the applicant's

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spouse were a member of another race, what would be the practice of your office?

A. The practice there again would be not to process the application and advise the applicant of our policy and return his application fee.

Q. Now, what if the application indicated the applicant were black and did not indicate the race of the spouse?

A. We would begin to process the applicant and request that additional information from the applicant.

Q. And if the additional information revealed that the spouse was black, the procedure would be to return the application?

A. I cannot answer that question specifically, because it never occurred. If the application revealed that the applicant was a member of an organization which advocated interracial marriage, what would your office do in response to the application?

A. I can't answer that question, since that particular thing is not indicated on the application. By that I mean that there is no question on the application that asks are you a member of such an organization.

Q. Would you look at the character reference to try to ascertain such?

A. We look at all character references. And if that were indicated on the character references, then some action

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would be taken.

Q. So, in a sense you depend on—to a great deal on the character references to reveal an indication that the applicant does not comport with the university's beliefs?

A. Are you asking that question in this area alone, or in any area?

Q. I will ask you first, just in general?

A. In a very general sense, yes, we rely very heavily on the character references.

Q. Now, in specific regard to advocating interracial marriage, belonging to a group which advocates interracial marriage, would you rely a great deal on the character references?

A. If that information were revealed to us on the character references, we would take action; however, there is nothing in our contact with the references which asks specifically for that type information from the references themselves.

Q. Are the character references frequently persons who have contact with the university such as alumni or pastors or religious members?

A. Yes, they are.

Q. The black student who is admitted in the fall of 1975, Mr. Christ, he was married, wasn't he?

A. Yes, sir, I believe he was.

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Q. So, he would have been considered for admission even before the policy was changed in mid '75?

A. He could very well have, had he applied prior to that time.

Q. Concerning the letters which are Exhibits 9 and 10, Defendant's Exhibits 9 and 10—

MR. WHITAKER: May I approach the Witness, Your Honor?

THE COURT: Yes, sir.

Q. (By Mr. Whitaker) Would you please examine Defendant's Exhibits 9 and 10, and especially the paragraph in the middle of the letters referring to race or admissions policies?

A. Yes, sir.

Q. And explain to us the difference between the letters. First—

A. You intend for me to read the differences?

Q. First, if you would explain why there are two letter in each package, in each exhibit.

A. There are two letters. One was used earlier than the other; in otherwords, one letter is an updated version of the other.

Q. Which one was the earlier letter, would that be Exhibit 10?

A. I need one moment to read through the information.

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Q. Excuse me.

A. I believe Exhibit 9 is the more current letter, and Exhibit 10 was an earlier letter.

Q. So, that Exhibit 10 contains a specific reference to the university's belief concerning interracial marriage? That was the earlier letter?

A. That's correct, I believe that's correct, to the best of my knowledge.

Q. And that letter would have been changed into what is Exhibit 9 sometimes after the change in admissions policy, is that correct?

A. I can't make a statement with respect to the timing of the change nor its proximity to the change in the admissions policy. I know it was changed and updated, but—

Q. Was it updated—

A. I'm not sure enough of the time frame to know when or what the thinking was behind it.

Q. Can you say whether it was updated after they changed the admissions policy?

A. I'm fairly certain it was updated after the change of admissions policy in 1975.

Q. And what generally are these letters?

A. These are letters sent from the Dean of Men's Office and Dean of Women's Office, which are included as a part or as an insert in the acceptance letter to the

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individual when a decision is made.

Q. So, even though it's written by the Dean of Men or Dean of Women, it would be sent out from your office along with the acceptance?

A. That's correct.

Q. In referring to Exhibit 11, a xerox of a pamphlet entitled, "Why Bob Jones University Was Founded"—and here is the original—would you please generally explain your office's function with regard to a pamphlet such as this?

A. Yes, sir. This pamphlet is occasionally sent out by our offices; in most instances where an applicant has inquired specifically about our membership in regional educational associations. It answers that question.

Q. Do you have other pamphlets and brochures which you send in response to an inquiry about the school?

A. Yes, sir, we do.

Q. And these other pamphlets and brochures would in a general sense describe the nature of the school?

A. Yes, sir.

Q. And the type of atmosphere that a prospective student could expect at the school?

A. Yes, sir.

MR. WHITAKER: No further questions, Your Honor.

THE COURT: All right.

* * *

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QUESTIONS BY MR. TAYLOR.

Q. Mr. Christ, first, in order to clarify in my mind, I believe Mr. Whitaker was asking you about publicity requirements. Is your office in charge of publicizing any university policies?

A. No, sir.

Q. Now, I believe at that time he was asking you about what your office did. Was that your understanding of the question he was asking you, concerning any publicity requirements of your office as opposed to the university as a whole?

A. That was my understanding.

Q. Mr. Christ, does your office segregate in any way applications being received on account of or by race?

A. No, sir.

* * *

PLAINTIFF'S EXHIBIT 1

IS SEGREGATION SCRIPTURAL?

ADDRESS GIVEN OVER
RADIO STATION WMUU,

BOB JONES UNIVERSITY,
GREENVILLE, SOUTH CAROLINA

APRIL 17, 1960

(This address was mechanically recorded
and has not been edited.)

My friends, I am going to bring you today one of the most important and most timely messages I have ever brought. I hope you will sit close to the radio. Do not let anything disturb you. I want you to hear this message through.

Now, we folks at Bob Jones University believe that whatever the Bible says is so, and we believe it says certain fundamental things that all Bible-believing Christians accept; but when the Bible speaks clearly about any subject, that settles it. Men do not always agree, because some people are dumb—some people are spiritually dumb; but when the Bible is clear, there is not any reason why everybody should not accept it.

The Bible makes some things plain. It makes it plain how to be saved. We are saved by grace through faith in the atoning

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blood of Christ. The Bible makes it plain that man is naturally a sinner and that he has to become supernaturally a Christian—born again.

All orthodox, Bible-believing Christians agree on one thing; and that is, that whatever the Bible says is so. When they had old religious debates, they used to get together and say, "Well, we will discuss this subject." One man would say, "The Bible says this," and another man would say, "You are mistaken. It say this." They argued about what the Bible said. They agreed that whatever it said was so, but they argued about what it said.

In recent years there has been a subtle, Satanic effort to undermine people's faith in the Bible; and the devil has led the race along until men have put their own opinion above the Word of God. You will find that practically all the troubles we are having today have come out of the fact that men in many instances have ceased to believe in an authoritative Bible.

For instance, we are living in the midst of race turmoil all over the world today. Look at what they are facing in Africa, and look at what we are facing in this country. It is all contrary to Scripture—

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it is all contrary to the Word of God. I am going to show you that the Bible is perfectly clear on races—just as clear as it can be.

People come along say, "Well, God is the Father of everybody." No, He is not. God is the Father of born-again people. The Bible says this as clearly as it can be put in language. We are children of God by faith in Jesus Christ.

There is no trouble between a born-again white man and a born-again colored man or a born-again Chinese or a born-again Japanese. Born-again, Bible-believing Christians do not have trouble. They may not undersand some things; but when we give them the Word of God for it, they see it and understand it.

You know, we have gotten away from the Bible. Modern education came along and put the opinion of man above the Word of God, and man has come along and tried to give us an explanation. All you have to do is live up to the Word of God, and you will have no trouble about knowing how to meet life's problems.

What does God teach about the races of the world? If you will go to the seventeenth chapter of the Acts of the Apostles, you

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will find where Paul preached a special sermon on Mars Hill. Remember now, Athens was the center of culture. There are still fragments of the Athenian culture today in the museums over there; and you can walk around among the crumbled ruins. Paul was there. Paul was chosen of God (he was a Jew) to be the great apostle of the Gentiles. I think the greatest man who ever lived was Paul—I mean I think he was greater than Moses and greater than any other man who ever lived. Of course, I am not talking about the Lord Jesus Christ Who was God-Man. But to my mind, no other mere human ever reached the height of greatness that Paul reached. He was honored as God never honored any other man. He suffered as few men have ever had to suffer. He was misunderstood; but, oh, what man he was.

Paul tells us in his sermon on Mars Hill, "God that made the world and all things therein, seeing that he is Lord of heaven and earth, dwelleth not temples made with hands." Now, the statue of the Grecian goddess, Athena, was in the Parthenon; and Paul said that God did not dwell in buildings made with hands. "Neither is worshipped with men's hands, as though he needed any thing, seeing he giveth to all life, and breath, and all things."

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Now, notice—this is an important verse—the twenty-sixth verse of the seventeenth chapter of the Acts of the Apostles. “And hath made of one blood all nations of men for to dwell on all the face of the earth” (in some of the best original manuscripts, the word “blood” is not there; but it is not important anyhow, because the thoughts are the same). “And hath made of one blood all nations of men for to dwell on all the face of the earth. . . .” But do not stop there, “. . . and hath determined the times before appointed, and the bounds of their habitation.” Now, what does that say? That says that God Almighty fixed the bounds of their habitation. That is as clear as anything that was ever said.

If you have a legal document and there is a paragraph that is clear and you come across an obscure passage, you interpret the obscure passage in the light of the clear passage. Any lawyer will tell you that. If he has a case in court, he will say, “Now, gentlemen of the jury, here is what this paragraph says. This one paragraph is not quite clear, but this other paragraph is clear; and we will interpret this in the light of the clear passage.”

God almighty did not make of the human race one race in the sense that He did not fix the bounds of their habitation. That is

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perfectly clear. It is no accident that most Chinese are in China. There has been an overflow in the world, but most Chinese live in China. There are millions and millions of them there, and there are no greater people in the world. I have never known lovelier and more wonderful people than the Chinese.

We were over in Formosa a few years ago and conferred an honorary degree on Generalissimo Chiang Kai-

shek, and I never met a greater man. I never met a man of more intelligence or a more wonderful Christian; and Madame Chiang Kai-shek is a wonderful woman. There they are. Now, what happened? They married each other. She was a Christian Chinese woman educated in America. When she finished her education, she went back to her home in China. How God has used Generalissimo and Madame Chiang Kai-shek—not only as Christian witnesses but also in other ways. I was never with a man who pulled me to him with stronger ties than Generalissimo Chiang Kai-shek when I was over there and conferred an honorary degree on him. All right, he is a Chinese. He married a Chinese woman. That is the way God mean it to be.

Paul said that God “. . . hath made of one blood all nations of men” But

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He also fixed the bounds of their habitation. When nations break out of their boundaries and begin to do things contrary to the purpose of God and the directive will of God, they have trouble. The world is in turmoil today because men and nations go contrary to the clear teaching of the Word of God. Let's understand that. The Chinese people are wonderful people. They have internal troubles, of course, because Communism has gone into China and disturbed a great deal of the population. But the Chinese people are wonderful people. The Japanese people are ingenious—they are wonderful people. The Koreans are wonderful people. The Africans are wonderful people. In many ways, there are no people in the world finer than the colored people who were brought over here in slavery in days gone by.

You talk about a superior race and an inferior race and all that kind of situation. Wait a minute. No race is

inferior in the will of God. Get that clear. If a race is in the will of God, it is not inferior. It is a superior race. You cannot be superior to another race if your race is in the will of God and the other race is in the will of God. But the purposes of these races were established by Almighty God; and when man attempts to run contrary to the

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directive will of God for this world, there is always trouble. Now, that is the trouble.

What happened? Well, away back yonder our forefathers went over to Africa and brought the colored people back and sold them into slavery. That was wrong. But God overruled. When they came over here, many of them did not know the Bible and did not know about Jesus Christ; but they got converted. Some of the greatest preachers the world has ever known were colored preachers who were converted in slavery days. John Jasper was one of them. One of the greatest preachers who ever stood before an American audience was John Jasper. And Sam Jones, years ago down in Georgia, told us about an old, colored preacher down there. He said, "There is no man who ever stood on two legs who could preach like him."

God Almighty allowed these colored people to be turned here into the South and overruled what happened, and then He turned the colored people in the South into wonderful Christian people. For many years we have lived together. Occasionally there will be a flare-up. But the white people have helped the colored people build their churches, and we have gotten

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along together harmoniously and peacefully; and everything has come along fine. Sometimes we have a little

trouble, but then we adjust everything sensibly and get back to the established order. But the good white folks have always stood by their good colored friends, and the good colored folks have always stood by their good white friends. No two races ever lived as close together as the white people and the colored people here in the South and got along so well.

Now, what is the matter? There is an effort today to disturb the established order. Wait a minute. Listen, I am talking straight to you. White folks and colored folks, you listen to me. You cannot run over God's plan and God's established order without having trouble. God never meant to have one race. It was not His purpose at all. God has a purpose for each race. God Almighty may have overruled and permitted the slaves to come over to America so that the colored people could be the great missionaries to the Africans. They could have been. The white people in America would have helped pay their way over there. By the hundreds and hundreds they could have gone back to Africa and got the Africans converted after the slavery days were over.

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All right, now what is happening? Down in Africa there is trouble and turmoil. There is racial disturbance all over the world, and it is not of God. The Bible is clear on this. When people come along and say, "Well, God is the Father of everybody," they are wrong. He is not the Father of everybody. That is not in the Bible. That is a Satanic lie. Let me repeat, the Bible says as clearly as language can put it that people are children of God by faith in Jesus Christ. We are children of God by faith in Jesus Christ. That is what the Bible says. Let's take the Word of God and quit slandering the Word of God. We are children of God by faith in Jesus Christ. A born-again

white man and a born-again colored man can settle any differences they have. God is their Father. They are children of God by faith in Jesus Christ.

Individually, Christian people in the South—white and black—through the years have been able to work together and to understand each other. But now a world of outside agitation has been started, and people are coming in the name of piety, but it is a false piety, and are endeavoring to disturb God's established order; and we are having turmoil all over America. This disturbing movement is not of God. It is not in line with the Bible. It is Satanic.

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Now, listen and understand this. Do not let people lead you astray.

"Well," you say, "The colored folks have not been treated right." I agree with you. Neither have the poor white people been treated right. When I was a boy in Southeast Alabama, we lived in what was called the white section of the State. There were not many colored people there. The slaves were in the western part and in the mid-section of the State. Down in Southeast Alabama there were some slaves but not many; but they had the reconstruction days—hard days—and the time came along when people were having a hard time. Some white folks were not treated right. They paid 20 per cent interest on money. They were oppressed by people who had money. The colored people down in my country were treated just as well as the white people by businessmen. Any man who would mistreat a colored man would mistreat a white man. If he is mean enough to mistreat one man, he is mean enough to mistreat another.

You can go to any city in the country and find the poor people living in a certain section there. I do not say

that things are right. But things are not going to be made right by trying to overthrow God's

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established order. That is not the way to make things right. You cannot make them right that way. The colored people in the South today are better off than they are anywhere else in the world. The situation is not a perfect situation for the white folks or the colored folks or for anybody else; but we have never had a perfect situation in this world since Adam and Eve disobeyed God in the Garden of Eden.

I want you folks to listen—you white and you colored folks. Do not let these Satanic propagandists fool you. This agitation is not of God. It is of the devil. Do not let people slander God Almighty. God made it plain. God meant for Christian people to treat each other right. If you are a Christian white person or a Christian colored person, you will treat each other right. We Christians are children of God by faith in Jesus Christ. We are one in Christ; but let us remember that the God Who made of one blood all nations also fixed the boundaries of their habitations..

Yes. Paul said, "God . . . hath made of one blood all nations of men" All men, to whatever race they may belong, have immortal souls; but all men have mortal bodies, and God fixed the boundaries of the races of the world. Let me repeat

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that it is no accident that most of the Chinese live in China. It is not an accident that most Japanese live in Japan; and the Africans should have been left in Africa, and the Gospel should have been taken to them as God commanded His people to do.

Wherever we have the races mixed up in large numbers, we have trouble. They have trouble in New York. They have trouble in San Francisco. They have had trouble all over California. Back in the old days when I was a young fellow, Captain Richmond Pearson Hobson went up and down this country and lectured on the "yellow peril" and told us we were going to have trouble with Japan. He said there would be a war with Japan someday. People said, "Oh, well, he is crazy." Other leaders went over this country and lectured on the "yellow peril" and the dangers we were facing. Remember, we did have a war with Japan.

The best friends we have in many ways are in the Orient. There are millions of Chinese over there. Dr. Grace Haight, who used to be on our faculty and who was a missionary to China, told us that the Chinese were the best people in the world. Let me tell you something. When it comes to quality of races, all these races have

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quality. They have good qualities and bad qualities.

If we would just listen to the Word of God and not try to overthrow God's established order, we would not have any trouble. God never meant for America to be a melting pot to rub out the line between the nations. That was not God's purpose for this nation. When someone goes to overthrowing His established order and goes around preaching pious sermons about it, that makes me sick—for a man to stand up and preach sermons in this country and talk about rubbing out the line between the races—I say it makes me sick. I have had the sweetest fellowship with colored Christians, with yellow Christians, with red Christians, with all sorts of Christians—the sweetest fellowship anybody has ever had, we have had. Christians have always had it. We have never had any trouble about that.

The trouble today is a Satanic agitation striking back at God's established order. That is what is making trouble for us. Of course, it is easy to look back over the years and see the situation from another standpoint; but when the folks up North went to Africa and brought the slaves over to this country and sold them to the Southern

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people, the Southern people should have been Christian enough to have said, "We will not have any slaves. We are not going ahead." But, you know, they went ahead.

Only a small percentage of the Southern people held slaves. Only a small percentage of them were slave owners. A great many people in the South in the old days did not believe in slavery—they stood against slavery. But they went ahead, and the commercial element was dominant; and people bought slaves and sold them. This slavery was not right. It should not have been. What we should have done was to have sent missionaries to Africa. Yes, that is what we should have done. That would have been in line with Scripture.

God put the Africans over there. They are fine people. They are intelligent people. Do not think they are inferior in every way. It is not so. But we should have sent missionaries over there, and Africa should have been a great nation of colored Christians. If we had done what God had told us to do and sent the Gospel to them and made a Christian nation out of them instead of bringing them over here and selling them into slavery, Africa could have been a great nation of colored Christians. What we did was wrong. It was not right.

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It cannot be justified. We should not try to justify it. But people went along. Some good people fell for it and went ahead with it; and God overruled it.

I will venture there is not a population in the world where there is a larger percentage of professing Christians than among the colored people in the South. We Christian white people all have good friends among the colored people. The colored Christian people are sensing the dangers we are facing now. There is already an uprising among good, Christian colored people in the South. They are trying to fight back the subtle, Satanic disturbance we have in this country.

There has never been a time, especially in the last ten years, when the white people in the South were so eager to help the colored people build their schools and see that they get what they ought to have. All this agitation going on is not headed up by real, Bible-believing, Christian people.

These religious liberals are the worst infidels in many ways in the country; and some of them are filling pulpits down South. They do not believe the Bible any longer; so it does not do any good to quote it to them. They have gone over to modernism, and they are leading the white

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people astray at the same time; and they are leading colored Christians astray. But every good, substantial, Bible-believing, intelligent, orthodox Christian can read the Word of God and know that what is happening in the South now is not of God.

God gave every race something. He gave the Africans something. He gave the Chinese something that he did not give the Japanese. He gave races certain things. He chose the Jews. They are the most wonderful people who ever lived in the world. God chose them; and God segregated them, not because they were inferior but because He had a purpose for that race.

God Almighty had a purpose for the Jewish race; and for that purpose to be carried out, He had to separate

them from among the nations of the earth. God chose Israel; and through the loins of Israel, He brought us the Messiah. He gave us the Bible through Israel. The Jews have outlived all the nations. They have been scattered over the face of the earth, and they have kept their racial identity through the years. You will find the Jew in London, the Jew in New York, the Jew in San Francisco, the Jew in Tokyo, the Jew in Hong Kong. I congratulate them. I am a friend of the Jew. I believe that the

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Covenant that God made with Abraham holds good until this day, "I will bless them that bless thee and curse him that curseth thee"

The Jews are back in Palestine with a Government today. God scattered them, but He brought them back to their homeland. I am for them, and I am for their homeland and for their Government. I do not agree with them about Jesus. I know Jesus Christ was the Son of God; and I know that when Jesus Christ comes back again, He will be the King of the Jews and will be accepted, and a nation will be born in a day, and Jerusalem will be the capital of the world. That is all in the Bible. It is clear as day.

Yes, God chose the Jews. If you are against segregation and against racial separation, then you are against God Almighty because He made racial separation in order to preserve the race through whom He could send the Messiah and through whom He could send the Bible. God is the author of segregation. God is the author of Jewish separation and Gentile separation and Japanese separation. God made of one blood all nations, but He also drew the boundary lines between races.

Of course, in America we do not have a serious problem with the Orient. If we

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had as many Chinese and Japanese as we have colored people in the South, we would run into the same problem; but we have no Oriental problem here in the South.

Some of the most wonderful people in the world are Chinese and some are Japanese; and some of the most wonderful people who ever breathed the breath of life are colored people. Every one of you white folks who are listening to me now have colored friends. I have, and I would fight for them; and you would, too. It has always been that way. Individually, we are friends. Racially, we are not at enmity; but we are separate races. We have lived here in the South through these years.

After the Civil War the colored people wanted to build their schools and churches, and white friends made financial contribution to the building of these schools and churches. Back in those days it was not easy when the white folks were paying most of the taxes—don't you colored friends forget when you are inclined to turn away from your white friends. You colored people might also remember that your ancestors in the South who were slaves breathed an atmosphere of culture back in those pre-Civil War days. Think of what your ancestors received in such an atmosphere. Think of the religion that they

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learned and how they found God in slavery days. Think of those old white preachers who preached to your colored ancestors when they were slaves.

Now listen, the time has come when we ought to sit down and go to thinking some things through in this country. And you colored people listening to me and you white people listening to me ought to keep your heads cool and your minds clear and your hearts warm

and keep up these friendly relations we have had through the years. Do not let this outside, Communistic, Hellish influence disturb the friendly relation we have had in the South. The situation in the South had been better in recent years than it had ever been; and all of this agitation is going to set this country back in the South for twenty-five to fifty years. We are headed that way. We ought to rise up and begin to face this thing like we ought to face it as neighbors and friends. Every one of you colored people know your white friends. All you white people know your colored friends. We have some of them, and we would not let anybody mistreat them if we could help it; and they would not let anybody mistreat us. It has always been that way in the South.

But racially, we have separation in the Bible. Let's get that clear. Any race has

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a right to come to America. We do not mean that when we came over here we wiped out the line between races. We did not do that. We should have let the Africans stay in Africa instead of bringing them here for slaves, but did you colored people ever stop to think where you might have been if that had not happened? Now, you colored people listen to me. If you had not been brought over here and if your grandparents in slavery days had not heard that great preaching, you might not even be a Christian. You might be over there in the jungles of Africa today, unsaved. But you are here in America where you have your own schools and your own churches and your own liberties and your own rights, with certain restrictions that God almighty put about you—restrictions that are in line with the Word of God. The Jews have lived a separated race. They have been separated from the other races of the world. They have been miraculously preserved. Now they have a homeland. They are

back there today, and what a wonderful thing is happening.

The time has come when we good folks down here in the South—the good colored people and the good white people—need to use our heads. We should not let this outside agitation disturb us down here.

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Now, listen just a minute. You colored people are entitled to good schools. You ought to have them. I would like for you to remember something. Just remember that the South went through reconstruction and had a hard time. It was not easy. Then remember something else, too. When your ancestors were slaves in the homes of these Southern people, they got a breath of culture that they could not have gotten even in the schoolrooms of America. They heard the old-time preachers. I have said many times that the greatest preachers who have lived since the Apostolic days were the preachers of the South—the preachers who preached to the colored people. And back there the slaves had the Gospel. They heard it and were converted. They were saved.

Many of these slave owners were godly, spiritual people. I remember hearing about when John Jasper was converted at a corn husking and began to shout. His master said, "John, what is the matter?" He said, "I have just been converted—been saved." "Well," he said, "I am a Christian, too. We are brothers." They shook hands. He said, "Now, John, you take a day off and go around and tell all the colored folks how you found the Lord. Take a day off and tell them."

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Back in the old days when I began to preach, over sixty years ago, nearly every church I went to had a few

old colored people who never did leave. They said, "We want to stay here. We got converted here and want to stay here." They were encouraged, and the white people helped build their churches. They stood by them through the years.

Now, you intelligent-thinking colored people know that you are with your friends. Do not lose your friends. Your friends are not somewhere else. They are right down here in this country. Remember that now.

I have no axe to grind. I would like to tell you something. We had planned to build a school, just like Bob Jones University, here in the South for colored people. We wanted to build it. But we have run into this agitation now that makes it difficult, and the years are piling up. I do not suppose I will ever be able to build it. We wanted to build a great school where colored people could come and get all the culture that we offer here at Bob Jones University. We would not have faced the problems that are faced where there is integration. We wanted to build a place where Christian colored people could get their education in an atmosphere where

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their talents in music and speech and art and all could be preserved and handed down. We wanted to build that kind of a school. We had that in mind until all this agitation started. Now we have a mess on our heads, and it is spreading out over this country.

You white folks listen to me. Just remember the good, old, colored friends you had in the days gone by. I remember mine. I remember that old, colored woman who was with my wife's grandmother when she died. She used to be a nurse in the home way back in slavery days. I remember how my wife's grandmother said the happiest day she ever saw was when the slaves were freed. She owned hundreds of them, and she said, "I was so happy.

I was afraid some of them would be lost; and I felt that God might hold me accountable." That spirit represented the Old South.

You say slavery was not right. Well, I say it was not right. I say the colored people should have been left over in Africa, and we should have sent missionaries over there and got them converted. That is what we should have done. But we could not have converted them as fast that way and God makes the wrath of men to praise

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Him. They were brought over here, and look what they have. They have their churches. They have a freedom here they do not have anywhere else in the world. They have an understanding here. Let's not wipe out the line of understanding.

Now, I am appealing to you colored people and to you white people. Let's use our heads. Let's be intelligent. Let's not try to kick the Bible off the center table. Keep your Bible where it belongs. When they tell you that God Almighty is not the author of the boundaries of nations, you tell them that is wrong. You tell them it is perfectly clear in the Bible that God made of one blood all nations but that He also fixed the bounds of their habitation. There is nothing unscriptural about that.

Listen just a minute. We are trying to bring a few people from other lands here to Bob Jones University so we can educate them and help them. We have two Chinese gentlemen teaching here in this school. They are Christian men. They are intelligent men, and they understand what we are doing. They know where we are going. We honor them and respect them.

There is no problem here. But it could be a problem. It could be a problem in California. It could be a problem anywhere.

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Whenever you get a situation that rubs out the line that God has drawn between races, whenever that happens, you are going to have trouble. That is what is happening today in this country. All this agitation is a Communistic agitation to overthrow the established order of God in this world. The Communistic influence is at work all about us. Certain people are disturbing this situation. They talk about the fact that we are going to have one world. We will never really have one world until this world heads up in God. We are not going to have one world by man's rubbing out the line that God has established. He is marking the lines, and you cannot rub them out and get away with it.

The established order cannot be overthrown without having trouble. That is what wrecked Paradise. God set up the order of Paradise. He told Adam and Eve how to live and what food to eat and what not to eat. He drew the lines around that Garden; and when Adam and Eve crossed over the lines of God, thorns grew on roses. The first baby that was born was a murderer and killed his own brother. So it has gone down through the ages. It is man's rebellion (due to the fall) against a Holy God to overthrow the established order of God in this world.

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Now I can sit down with any Christian Japanese, any Christian Chinese, any Christian African, etc., anywhere in the world and as a Christian have fellowship. That is a different relationship. A Christian relationship does not mean a marriage relationship. You can be a Christian and have fellowship with people that you would not marry and that God does not want you to marry and that if you should marry you would be marrying outside the will of God. Why can't you see that? Why can't good, solid,

substantial people who do not have any prejudices and do not have any hatred and do not have any bitterness see this? Let's approach this thing in a Christian way. Let's make the battle a Christian battle. Do not let people run over you by coming along and talking about the Universal Fatherhood of God and the Universal Brotherhood of man. There is no Universal Fatherhood of God and Universal Brotherhood of man. There is not a word about that in the Bible.

We have three classes in the Bible. We have the Jew (a segregated race), the Gentile (and this includes everybody else), and the Church of God (meaning the Body of Christ, as it is used here). In the Church of God there are no Jews, no Gentiles, no white folks, no black folks. We are one in Christ. There is no trouble between a colored

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Christian and a white Christian. They operate as individuals and deal with each other as Christians who have their citizenship in Heaven. Up in Heaven there will be no boundaries. We will be one forever with Christ. But we are not one down here, as far as race is concerned and as far as nations are concerned. God said so, and Paul made it clear when he preached at Athens in the midst of Athenian culture. He said that God "... hath made of one blood all nations of men" But God has also done something else. He has fixed the bounds of their habitations.

A lot of this agitation comes from evangelists of a certain type who have never gone into this situation but who are going up and down rubbing out the line between those who believe the Bible is the Word of God and those who believe the Bible just contains or may contain the Word of God. They do not get all of this "hot-air" stuff

out of the Bible. It is not in the Bible. It is nothing in the world but "hot-air" glamour with a sentimental, soap-bubble, anemic kind of a religion that is not in the Word of God.

I have been in this business all these years. I know something about it. I know what the Word of God teaches. I know

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what the great evangelists believed. I know how they stood through the years. We are facing serious dangers today—more serious than we can ever imagine. May God help us to see it and understand it and to be true to Him.

When you run into conflict with God's established order racially, you have trouble. You do not produce harmony. You produce destruction and trouble, and this nation is in the greatest danger it has ever been in in its history. We are facing dangers from abroad and dangers at home, and the reason is that we have got away from the Bible of our forefathers. The best Christians who ever put foot on this earth since the Apostolic days were the men and women in America back in the old days. Some of them owned slaves, and some of them did not; and some of them were slaves, and some of them were not. Back in those days they believed the Bible, and God called this nation into existence to be a witness to the world and to be true to the Word of God. Do not let these religious liberals blowing their bubbles of nothing over your head get you upset and disturbed. Let's get back to the Word of God and be sensible.

You white folks and you black folks listening to me this morning, if you are

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Christians, we are one in Christ. If you are yellow or red or whoever you are, if you are Christians, we are one in

Christ. We can get along together as Christians, and we had better stand together as Christians.

You preachers, listen to me. I know what is going on. We are facing dangers in America. Enemies are being made now that are dividing this country as it has never been divided in its history. We are facing the greatest dangers we have ever faced, and the religious liberals are riding in now on the crest of a wave of what seems to be popular.

If you are a Christian, you are not going to mistreat anybody. You will not mistreat a colored man or a white man or anybody else. Individually, we are one in Christ; but God has also fixed the boundaries of nations, and these lines cannot be rubbed out without having trouble. The darkest day the world has ever known will be when we have one world like they are talking about now. The line will be rubbed out, and the Antichrist will take over and sit down on the throne and rule the world for a little while; and there will be judgment and the cataclysmic curses found in the book of Revelation. We are going to face all this.

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May God help us to see it and to be true and faithful to Him.

“Our heavenly Father, bless our country. We thank Thee for our ancestors. We thank Thee for the good, Christian people—white and black. We thank Thee for the ties that have bound these Christian white people and Christian colored people together through the years, and we thank Thee that white people who had a little more money helped them build their churches and stood by them and when they got sick, they helped them. No nation has ever prospered or been blessed like the colored people in the South. Help these colored Christians not

to get swept away by all the propaganda that is being put out now. Help us to see this thing and to understand God's established order and to be one in Christ and to understand that God has fixed the boundaries of the nations so we would not have trouble and misunderstanding. Keep us by Thy power and use us for Thy glory, for Jesus' sake. Amen."

PLAINTIFF'S EXHIBIT 2

Book 467 Page 395

The State of South Carolina
EXECUTIVE DEPARTMENT

**Certificate of Incorporation
By the Secretary of State**

WHEREAS, Dr. Bob Jones, Sr., Dr. Bob Jones, Jr., R. K. Johnson, and James H. Price, all of Greenville, S. C. and R. C. McCall of Easley, S. C., and R. L. McKenzie of Panama City, Florida, and Robert Baker, of Mobile, Alabama two or more of the officers or agents appointed to supervise or manage the affairs of

**BOB JONES UNIVERSITY, INC.,
OF GREENVILLE, S. C.**

which has been duly and regularly organized, did on the 20th day of November, A. D. 1952 file with the Secretary of State a written declaration setting forth:

That, at a meeting of the aforesaid organization held pursuant to the by-laws or regulations of the said organization, they were authorized and directed to apply for incorporation.

That, the said organization holds, or desires to hold, property in common for Religious, Educational, Social, Fraternal, Charitable or other eleemosynary purposes, or any two or more of said purposes, and is not organized

for the purpose of profit or gain to the members, otherwise than is above stated, nor for the insurance of life, health, accident or property; and that three days' notice in the Greenville Piedmont, a newspaper published in the County of Greenville, has been given that the aforesaid Declaration would be filed.

AND WHEREAS, Said Declarants and Petitioners further declared and affirmed:

FIRST: Their names and residences are as above given.

SECOND: The name of the proposed corporation is

BOB JONES UNIVERSITY, INC.,
OF GREENVILLE, S. C.

THIRD: The place at which it proposes to have its headquarters or be located is GREENVILLE, S. C.

FOURTH: The purpose of the said proposed Corporation is

"The general nature and object of the corporation shall be to conduct an institution of learning for the general education of youth in the essentials of culture and in the arts and sciences, giving special emphasis to the Christian religion and the ethics revealed in the Holy Scriptures, combating all atheistic, agnostic, pagan and so-called scientific adulterations of the Gospel, unqualifiedly affirming and teaching the inspiration of the Bible (both Old and New Testaments); the creation of man by the direct act of God; the incarnation and virgin birth of our Lord and Savior, Jesus Christ; His identification as the Son of God; His vicarious atonement for the sins of mankind by the shedding of His blood on the cross; the resurrection of His body from the tomb; His power to save men from sin; the new birth through the regen-

eration by the Holy Spirit, and the gift of eternal life by the grace of God.”

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FIFTH: The names and residences of all Managers, Trustees, Directors or other officers are as follows:

Dr. Bob Jones, Jr., Greenville, S. C., President

Dr. Bob Jones, Sr., Greenville, S. C., Chairman Board of Trustees

R. K. Johnson, Greenville, S. C., Secretary and Treasurer

SIXTH: That they desire to be incorporated: in perpetuity.

Now, Therefore, I, O. Frank Thornton, Secretary of State, by virtue of the authority in me vested, by Chapter 158, Article III, Code of 1942, and Acts amendatory thereto, do hereby declare the said organization to be a body politic and corporate, with all the rights, powers, privileges and immunities, and subject to all the limitations and liabilities, conferred by said Chapter 158, Article III, Section 8158-8159 and 8168, Code of 1942, and Acts amendatory thereto.

GIVEN under my hand and the seal of the State, at Columbia, this 20th day of November in the year of our Lord one thousand nine hundred and fifty-two and in the one hundred and seventy-seventh year of the Independence of the United States of America.

(signature) O. Frank Thornton
Secretary of State

[Seal]

Recorded November 28, 1952 at 11:36 A. M. # 26318

Department of State

SOUTH CAROLINA

of the

.....
CERTIFICATE OF INCORPORATION
.....
.....
.....

Filed for record in the office of the (illegible) for Green-
ville, County, S. C. at 11:36 o'clock A. M. November 28,
1952 and recorded in Deed Book 467 at page 395

(signature)
.....

(illegible)

By

O. FRANK THORNTON,
Secretary of State

PLAINTIFF'S EXHIBIT 3

BOB JONES UNIVERSITY
Greenville, South Carolina
Telephone (803) 242-5100 Ext. 255
APPLICATION FOR ADMISSION

Do Not Write in This Space

Date By

.....
Attn. of

Attd. to

.....
Checked

Full Legal Name
Last

.....
First Middle (Name by which called)

Check semester for which you are making application.

- Fall 19....
- Spring 19....
- First Summer Session 19....
- Second Summer Session 19....
- Special Summer Session 19.... (Dates.....)

Are you applying for a dormitory reservation?

(All students under twenty-three years of age must live in the University dormitories unless they are married or live nearby with close relatives.)

Social Security Number Telephone
Area Code Number

Race Sex Citizenship (country)

Place of Birth Date of Birth
City State

Present mailing address
Number, Street City State Zip Code

Permanent home address
Number, Street City State Zip Code

Father's name
(Indicate deceased if not living)

Permanent Address

Mother's name
(Indicate deceased if not living)

Permanent Address

Have you ever been a student in Bob Jones University,
Academy, or Institute of Christian Service?

If so, when?

Check your present marital status: Single Married

Widow or Widower Divorced and remarried

If your status is single, have you ever been married?

Yes No *If answer to this question is affirmative,
letter of explanation must accompany the application.*

Do you plan to be married before time of enrollment?

Yes No *If you are married (or will be before en-
rollment), give wife's or husband's name.*

Has she or he ever been enrolled in Bob Jones University,
Academy, or Institute? Yes No

If you are a married woman, give full maiden name.
Give names of members of your immediate family who
have attended Bob Jones University, Academy, or

Institute.
Names Relationship Name Relationship

Are you a church member?.. If so, what denomination?..

Do you attend church regularly? If so, where?

Name of pastor Address

Please list below as references three persons who are well
acquainted with you, not including your pastor, relatives,
or former teachers:

Name

Complete Address

Name

Complete Address

Name

Complete Address

Are you now or have you ever been under the supervision
of a parole officer or under the custody of a juvenile or
other court? Have you ever had a police record?

If so, give dates.

*If answer to either of the above questions is affirmative,
give full information, including the names and address of
the judge or probation officer, on a separate sheet of paper.*

Have you ever served in the United States Armed Forces? If so, give the dates: from to If you have been separated from such service, state the nature of such separation, and, if other than honorable, specify the type thereof and the circumstances of your release.

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.

If you have not yet been separated, state your expected date of release.

EDUCATIONAL

High School Record

Is your high school work still in progress?

When will you be graduated?

Are you a high school graduate? If so, give exact date diploma conferred.

Name and address of high school you are now attending or of last high school in which you were enrolled.

.

Number, Street City

State Zip Code

List any other high schools you have attended and give the addresses.

.
.

American College Test

Have you taken the ACT? If so, have the results been sent *directly* to Bob Jones University?

It is each applicant's responsibility to take the ACT and to request that his scores be sent to Bob Jones University directly from the American College Testing Program. This must be done prior to the student's actual enrollment unless special permission has been received from the Director of Admissions to meet this requirement after enrollment.

College Level Record

List all colleges, Bible institutes, professional, and technical schools you have ever attended whether or not you received any credit. Please be sure to use full, official name of school and give complete address.

(1)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

.
Complete Address

(2)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

.
Complete Address

(3)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

.
Complete Address

(4)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

.
Complete Address

Transcripts of the record of any applicant transferring to Bob Jones University from another institution of higher learning will be required. Applicant must request the institution from which he is transferring to mail a copy of his transcript directly to Bob Jones University. Transcripts are accepted only when sent directly from the institution formerly attended. No reservation is final until all such transcripts are received.

Were you ever expelled, dropped, or suspended by any school or college? Yes No If answer is affirmative, state details, including name of school, time, and reason for such action, on separate sheet of paper.

Circle major: check school if major not indicated (one only):

No school; no major Major not offered at B. J. U.

- | | |
|-----------------------------|---------------------------|
| College of Arts and Science | 250 Ph.D. O. T. Interp. |
| 110 Humanities | 251 Ph.D. O. T. Text |
| 115 English | 255 Ph.D. N. T. Interp. |
| 120 French | 255 Ph.D. N. T. Text |
| 125 German | 260 M.A. Pastoral Studies |
| 130 Spanish | 265 M.A. Church Adm. |
| 140 Premed | 270 Ph.D. Church Adm. |
| 150 Biology | 275 M.A. Theology |
| 155 Chemistry | 280 Ph.D. Theology |
| 160 Mathematics | 285 M.A. Church History |
| 165 Home Economics | 290 Ph.D. Church History |
| 170 Nursing | |
| 180 Prelaw | School of Fine Arts |
| 190 History | 310 Art |
| | 315 Sacred Music |
| School of Religion | 320 Piano |
| 215 Bible | 321 Piano Pedagogy |
| 220 Church Adm. | 325 Voice |
| 222 Pastoral Studies | 330 Organ |
| 225 Christian Missions | 335 Instrument |
| 230 Medical Missions | 340 Interpretative Speech |
| 240 Master of Divinity | 345 Public Speaking |
| 245 M.A. Bible | 350 Dramatic Production |

355 Radio-Television	430 Home Economics Education
360 Broadcast Engineering	435 Language Education
365 Cinema	440 Mathematics Education
370 M.A. Radio-Television	445 Music Education
371 M.A. Broadcast Mgmt.	460 Science Education
375 M.A. Art	470 Social Studies Education
380 M.A. Sacred Music	480 Speech Education
381 M.A. Organ	490 M.S. Educational Adm. and Supervision
382 M.A. Piano	491 M.S. Personnel Services
383 M.A. String	493 M.Ed. Elementary Education
384 M.A. Voice	494 M.Ed. Teaching English
385 M.A. Interp. Speech	495 M.Ed. Science
386 M.A. Platform Arts	496 M.Ed. Mathematics
387 M.A. Public Speaking	498 M.Ed. Physical Education
388 M.A. Dramatic Production	499 M.Ed. History
390 M.F.A.	School of Business Adminis- tration
395 M.A. Cinema	520 Accounting
School of Education	540 Management
405 Elementary Education	580 Office Adm.
410 Secondary Education— special permission only	590 One-Year Business
415 Art Education	595 Two-Year Church Secretarial
420 Business Education	
425 English Education	
427 Health and Physical Education	

Classification you expect to have:

(circle one)

Freshman

Sophomore

Junior

Senior

Special (undergraduate)

Graduate (degree candidate)

Postgraduate Special

Part-time

Have you made application for admission to any other institution—or institutions—for the same period covered by this application to Bob Jones University? Yes No
If so, list below all institutions to which you have applied and indicate after the name of each institution whether your application was (1) Accepted (2) Rejected (3) Pending.

.....
.....
.....

Are you *now holding* a reservation in any of the above institutions? Yes No If so, which ones?

.....
.....
.....

Note: In the opinion of Bob Jones University, it is not honorable to hold a reservation in any institution unless you definitely expect to attend. You cannot attend more than one institution.

Should you meet all our entrance requirements, we would not under any circumstances hold a reservation for you unless you sign the following statement:

I declare and affirm on my honor that I am not holding any reservations for admission to any educational institutions except such as may be listed above. I am making application to Bob Jones University because it is of all institutions the one I wish most to attend. If accepted, I pledge that I will within 48

hours cancel all reservations elsewhere. I promise and affirm that I will *not make application* for admission to any other institution without first canceling my reservation at Bob Jones University.

.....
Signature

EDUCATIONAL OBJECTIVE

Please use the space below to write in your own words your educational objective and purpose in life.

.....
.....
.....
.....

HEALTH

A medical record must be in our files before a student is finally and definitely accepted. This information is secured by means of a questionnaire which will be provided to each applicant after his application has been submitted. Several laboratory and x-ray procedures will be administered upon the student's arrival on our campus.

Have you any serious handicap? Please explain. . . .
Have you ever been treated for any nervous, mental, or emotional disorder? If so, over how long a period? and when? Give name and address of attending physician or psychiatrist.

Have you ever used narcotics or dangerous drugs?
If so, please state on separate sheet of paper the drugs used, dates used, frequency, and the last date you used them.

FINANCIAL RESPONSIBILITY

I hereby make application for admission to Bob Jones University and enclose the \$10 application fee with the understanding that the fee will be retained to cover the cost of processing my application. I understand that my application will be processed and I will be notified when my records are ready to be submitted to the Admissions Committee. Three weeks from the time I receive such notification I will pay the \$50 matriculation fee, which is refundable only if later information forces the University to refuse my application.

Since the University will be holding a place for me if I am accepted, and possibly will turn away other applicants, I hereby acknowledge that unless I cancel my reservation at least 48 hours before the formal opening of the semester for which application is made, I will owe and will pay promptly the entire semester's tuition and one month's room and board. If I leave before the end of a semester for any reason whatever (either voluntary withdrawal or expulsion), I will owe the tuition and fees for the semester and the room and board through the current school month. If I do not cancel my reservation for the second semester by 48 hours prior to the opening of the second semester, I will owe the tuition and fees plus one month's room and board. This agreement carries over from year to year. If I should be accepted, I agree to give cheerful and ready obedience and to cooperate with the spirit and regulations of the University.

any time, who, in the opinion of the University, does not fit into the spirit of the institution, regardless of whether or not he conforms to the specific rules and regulations of the University.

PLEASE CHECK APPLICATION CAREFULLY.
ALL QUESTIONS MUST BE ANSWERED AND APPLICATION FEE MUST BE SUBMITTED BEFORE APPLICATION CAN BE CONSIDERED OR PROCESSED.

BOB JONES UNIVERSITY
Greenville, South Carolina 29614
(803) 242-5100

APPLICATION FOR RE-ENROLLMENT

Do Not Write in This Space

Date By

Attn. of

Attd. to

Checked

Full Legal Name
Last

.....
First Middle (If married woman, please give full maiden name as well as husband's initials.)

Check semester for which you are making application.

- Fall 19....
- Spring 19....
- First Session Summer 19....
- Second Session Summer 19....
- Special Session Summer 19.... (Dates

Are you applying for a dormitory reservation?

(All students under twenty-five years of age must live in the University dormitories unless they are married or live nearby with close relatives.)

Date of Birth Sex Telephone
Area Code Number

Present Address
Number Street City State Zip

Permanent Home Address
Number Street City State Zip

When were you last enrolled in Bob Jones University or Bob Jones Academy or Institute of Christian Service?
What classification did you have when you were last enrolled?

Circle major: check school if major not indicated (one only):

No school; no major Major not offered at B. J. U.

- | | |
|----------------------------------|---------------------------|
| College of Arts and Science | 230 Medical Missions |
| 110 Humanities | 240 Master of Divinity |
| 115 English | 245 M.A. Bible |
| 120 French | 250 Ph.D. O. T. Interp. |
| 125 German | 251 Ph.D. O. T. Text |
| 130 Spanish | 255 Ph.D. N. T. Interp. |
| 140 Premed | 256 Ph.D. N. T. Text |
| 150 Biology | 260 M.A. Pastoral Studies |
| 155 Chemistry | 265 M.A. Church Adm. |
| 160 Mathematics | 270 Ph.D. Church Adm. |
| 165 Home Economics | 275 M.A. Theology |
| 170 Nursing | 280 Ph.D. Theology |
| 180 Prelaw | 285 M.A. Church History |
| 190 History | 290 Ph.D. Church History |
| School of Religion | School of Fine Arts |
| 210 Practical Christian Training | 310 Art |
| 215 Bible | 215 Sacred Music |
| 220 Church Adm. | 320 Piano |
| 222 Pastoral Studies | 325 Voice |
| 225 Christian Missions | 330 Organ |

- | | |
|---|-----------------------------------|
| 335 Instrument | 415 Art Education |
| 340 Interpretative Speech | 420 Business Education |
| 345 Public Speaking | 425 English Education |
| 350 Dramatic Production | 427 Health and Physical Education |
| 355 Radio-Television | 430 Home Economics Education |
| 360 Broadcast Engineering | 435 Language Education |
| 365 Cinema | 440 Mathematics Education |
| 370 M.A. Radio-Television | 445 Music Education |
| 371 M.A. Broadcast Mgmt. | 460 Science Education |
| 375 M.A. Art | 470 Social Studies Education |
| 380 M.A. Sacred Music | 480 Speech Education |
| 381 M.A. Organ | 490 M.S. Educational Adm. |
| 382 M.A. Piano | School of Business Administration |
| 383 M.A. String | 520 Accounting |
| 384 M.A. Voice | 540 Management |
| 385 M.A. Interp. Speech | 560 Marketing |
| 386 M.A. Platform Arts | 580 Office Adm. |
| 387 M.A. Public Speaking | 590 One-Year Business |
| 388 M.A. Dramatic Production | 595 Two-Year Church Secretarial |
| 390 M.F.A. | |
| 395 M.A. Cinema | |
| School of Education | |
| 405 Elementary Education | |
| 410 Secondary Education—
special permission only | |

CHECK CLASSIFICATION
AND CIRCLE MAJOR:

ACADEMY

- 9th Grade
- 10th Grade
- 11th Grade
- 12th Grade

UNIVERSITY

- Freshman
- Sophomore
- Junior
- Senior

OTHER

- | | | | |
|--------------------------------|--------------------------|----------------------|--------------------------|
| Institute of Christian Service | <input type="checkbox"/> | Postgraduate Special | <input type="checkbox"/> |
| Graduate | <input type="checkbox"/> | Undergraduate | |
| Graduate Assistant | <input type="checkbox"/> | Special | <input type="checkbox"/> |
| | | Part-time | <input type="checkbox"/> |

CHECK PRESENT MARITAL STATUS: Single Married

Widow or Widower Divorced and Remarried

Have you ever been married? Yes No

Do you plant to be married before time of enrollment?

Yes No

If answer is yes, please provide following information:

Name of person

Has (he, she) ever attended Bob Jones University, Academy, or Institute of Christian Service?

If so, when?

I have attended the following schools since last enrolled in Bob Jones University, Academy, or Institute of Christian Service:

.....
Name	Address	Date of attendance

.....
Name	Address	Date of attendance

Transcripts of the record of any applicant transferring to Bob Jones University from another institution of higher learning will be required. Applicant must request the institution from which he is transferring to mail a copy of his transcript directly to Bob Jones University. Transcripts are accepted only when sent directly from the institution formerly attended. No reservation is final until all such transcripts are received.

Were you ever expelled, dropped, or suspended by any school or college? Yes No If answer is affirmative, state details, including name of school, time, and reason for such action, on separate sheet of paper.

Have you ever served in the United States Armed Forces?

..... If so, give the dates: from to

Did you receive an honorable discharge?

Have you made application for admission to any other institution—or institutions—for the same period covered by this application to Bob Jones University? Yes
No

If so, list below all institutions to which you have applied and indicate after the name of each institution whether your application was (1) Accepted (2) Rejected (3) Pending.

Are you now holding a reservation in any of the above institutions? Yes No

If so, which ones?

Note: In the opinion of Bob Jones University, it is not honorable to hold a reservation in any institution unless you definitely expect to attend. You cannot attend more than one institution.

Should you meet all our entrance requirements, we would not under any circumstances hold a reservation for you unless you sign the following statement:

I declare and affirm on my honor that I am not holding any reservations for admission to any educational institutions except such as may be listed above. I am making application to Bob Jones University because it is of all institutions the one I wish most to attend. If accepted, I

pledge that I will within 48 hours cancel all reservations elsewhere. I promise and affirm that I will not make application for admission to any other institution without first canceling my reservation at Bob Jones University.

.....
Signature

Have you been treated for any nervous, mental, or emotional disorder since last enrolled?

If so, over how long a period and when?

Give name and address of attending physician or psychiatrist.

Have you used narcotics or dangerous drugs since last enrolled?

If so, please state on separate sheet of paper the drugs used; dates used, frequency, and the last date you used them.

It is my desire and purpose to return to Bob Jones University for the semester indicated on this form. If I am accepted as a student, I solemnly promise to be loyal to the rules, regulations, and spirit of the University; and I promise to cooperate with the administration in building and sustaining the spirit and Christian morale of the University. I also promise to do all in my power to encourage and assist new students in order that they may fit into our University life in a satisfactory and happy way. If I find it impossible to return, I promise to notify the University immediately so that my reservation may be canceled.

I attach herewith my \$50 matriculation fee. I understand that this fee will be refunded only if my application is refused by the University. I further understand that since the faculty is employed by the year and since students' reservations are held with the expectation that the students will claim such reservations and remain for at least one full semester, if I do not cancel my reservation at least 48 hours before the formal opening of the semester for which I am making application I will owe and will pay promptly the tuition and fees for the full semester and one month's room and board. If I leave before the end of a semester for any reason whatever (either voluntary withdrawal or expulsion), I will owe the tuition and fees for the semester and the room and board through the current school month.

Date Signed

IMPORTANT

It is understood that attendance at Bob Jones University is a privilege and not a right, which privilege may be forfeited by any student who does not conform to the standards and regulations of the institution, and that the University may request the withdrawal of any student at any time, who, in the opinion of the University, does not fit into the spirit of the institution, regardless of whether or not he conforms to the specific rules and regulations of the University.

PLEASE CHECK APPLICATION CAREFULLY.
ALL QUESTIONS MUST BE ANSWERED AND
MATRICULATION FEE MUST BE SUB-
MITTED BEFORE APPLICATION CAN
BE CONSIDERED OR PROCESSED.

A140

Plaintiff's Exhibit No. 3

INSTITUTE OF CHRISTIAN SERVICE

BOB JONES University Greenville, South Carolina 29614

APPLICATION FOR ADMISSION

Do Not Write in This Space

Date By

Attn. of

Attd. to

Checked

Full Legal Name
Last

.....
First

Middle

(Nickname, if any)

Check semester for which you are making application.

Fall 19....

Spring 19....

Regular Session Summer 19....

Post Session Summer 19....

Are you applying for a dormitory reservation?

Social Security Number Telephone
Area Code Number

Race Sex Citizenship (country)

Place of Birth Date of Birth
City State

Present mailing address
Number, Street City State Zip Code

Permanent home address
Number, Street City State Zip Code

Father's name
(indicate deceased if not living)

Permanent Address

Mother's name
(indicate deceased if not living)

Permanent Address

Have you ever been a student in Bob Jones University, Academy, or Institute of Christian Service? Yes No

If so, when?

Check your present marital status: Single Married

Widow or Widower Divorced and remarried

If your status is single, have you ever been married? Yes No If answer to this question is affirmative, letter of explanation must accompany the application.

Do you plan to be married before time of enrollment? Yes No If you are married (or will be before enrollment), give wife's or husband's name

Has she or he ever been enrolled in Bob Jones University, Academy, or Institute? Yes No

If you are a married woman, give full maiden name.

Give names of members of your immediate family who have attended Bob Jones University, Academy, or Institute.

.....
Name Relationship

.....
Name Relationship

Are you a church member?

If so, what denomination?

Do you attend church regularly?

If so, where?

Name of pastor

Address

Please list below as references three persons who are well acquainted with you, not including your pastor, relatives, or former teachers:

Name

Complete Address

Name

Complete Address

Name

Complete Address

Are you now or have you ever been under the supervision of a parole officer or under the custody of a juvenile or other court? Have you ever had a police record?

If so, give dates.

If answer to either of the above questions is affirmative, give full information, including the name and address of the judge or probation officer, on a separate sheet of paper.

Have you ever served in the United States Armed Forces? If so, give the dates: from to If you have been separated from such service, state the nature of such separation, and, if other than honorable, specify the type thereof and the circumstances of your release.

.....

.....

If you have not yet been separated, state your expected date of release.

EDUCATIONAL

High School Record

Graduation for high school is not a requirement for admission to the Institute of Christian Service, but the applicant's school records will be secured by Bob Jones University directly from the principal of the last school the applicant attended.

Is your high school work still in progress? When will you be graduated?

Are you a high school graduate? If so, give exact date diploma conferred.

What grade have you completed? When were you last enrolled?

Name and address of high school you are now attending or of last high school in which you were enrolled.

.....

.....

Street

City

State

Zip

List any other high schools you have attended and give the addresses.

.....

.....

American College Test

Have you taken the ACT? If so, have the results been sent *directly* to Bob Jones University? *It is each applicant's responsibility to take the ACT and to request that his scores be sent to Bob Jones University directly from the American College Testing Program. This must be done prior to the student's actual enrollment unless special permission has been granted from the Director of Admissions to meet this requirement after enrollment.*

College Level

List all colleges, Bible institutes, professional, and technical schools you have ever attended whether or not you received any credit. Please be sure to use full, official name of school and give complete address.

(1)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

Complete Address

(2)
Name of School Dates of Attendance Approx. No. Credits (Degree Received)

Complete Address

Transcripts of the record of any applicant transferring to the Institute of Christian Service from another institution of higher learning will be required. Applicant must request the institution from which he is transferring to mail a copy of his transcript directly to Bob Jones University. Transcripts are accepted only when sent directly from the institution formerly attended. No reservation is final until all such transcripts are received.

Were you ever expelled, dropped, or suspended by any school or college? Yes No *If answer is affirmative, state details, including name of school, time and reason for such action, on separate sheet of paper.*

Have you made application for admission to any other institution or institutions for the same period covered by this application to the Institute of Christian Service? Yes No

If so, list below all institutions to which you have applied and indicate after the name of each institution whether your application was (1) Accepted (2) Rejected (3) Pending.

.....
.....
.....

Are you *now holding* a reservation in any of the above institutions? Yes No If so, which ones?

.....
.....
.....

Note: In the opinion of Bob Jones University, it is not honorable to hold a reservation in any institution unless you definitely expect to attend. You cannot attend more than one institution.

Should you meet all our entrance requirements, we would not under any circumstances hold a reservation for you unless you sign the following statement:

I declare and affirm on my honor that I am not holding any reservations for admission to any educational institutions except such as may be listed above. I am making application to the Institute of Christian Service because it is of all institutions the one I wish most to attend. If accepted, I pledge that I will within 48 hours cancel all reservations elsewhere. I promise and affirm that I will *not make application* for admission to any other institution without first canceling my reservation at the Institute of Christian Service.

.....
Signature

EDUCATIONAL OBJECTIVE

The applicant is asked to give a complete statement in regard to his educational objective, his purpose in entering the Institute of Christian Service program, and his plans for occupational activity after the completion of the course. A detailed statement is asked for here, since it will provide a basis for advising the applicant concerning his course of study. If additional space is necessary, please continue on a separate sheet of paper.

HEALTH

A medical certificate must be in our files before a student is finally and definitely accepted; however, the medical examination must be made not more than six months prior to the opening of the semester for which application is made. This medical report must come from a medical doctor and should be written on the Bob Jones University Physical Report form which will be provided to each applicant within the six-month period before the semester for which he applies. Applicants should be careful not

to submit their health reports earlier than the period designated. Reservations made before health reports are valid will be held until such time as the health reports are due and valid.

Have you any serious handicap? Please explain. . . .

Have you ever been treated for any nervous, mental, or emotional disorder? . . If so, over how long a period? and when? Give name and address of attending physician or psychiatrist.

Have you ever used narcotics or dangerous drugs? If so, state on separate sheet of paper the drugs used, the frequency, the duration, and the last date which you used them.

FINANCIAL RESPONSIBILITY

I hereby make application for admission to the Institute of Christian Service and enclose \$10 application fee with the understanding that the fee will be retained to cover the cost of processing my application. I understand that my application will be processed, and I will be notified when my records are ready to be submitted to the Admissions Committee. Three weeks from the time I receive such notification I will pay the \$50 matriculation fee, which is refundable only if later information forces the Institute to refuse my application.

Since the Institute will be holding a place for me if I am accepted, and possibly will turn away other applicants, I hereby acknowledge that unless I cancel my reservation at least 48 hours before the formal opening of the semester for which application is made, I will owe and will pay promptly the entire semester's tuition and one month's

room and board. If I leave before the end of the semester for any reason whatever (either voluntary withdrawal or expulsion), I will owe the tuition and fees for the semester and the room and board through the current school month. If I do not cancel my reservation for the second semester by 48 hours prior to the opening of the second semester, I will owe the tuition and fees plus one month's room and board. This agreement carries over from year to year.

I hereby declare on my word of honor that I have not omitted the name of any school in which I was ever registered, even for a brief period, and that I have answered all of the above questions truthfully and fully. Further, I give to the University my approval to gather my transcripts and other data from all schools which I have attended, together with other records and references that it believes to be necessary for the processing of my application.

.....
Date Signature of Applicant

The parent or guardian of the student making application must sign in the space provided below unless the applicant is over twenty-one years of age or is entering the institution under veteran benefits.

As parent (or guardian) of the above applicant, I agree to cooperate with Bob Jones University in the enforcement of the rules and regulations of the institution and to meet the terms of the agreement about expenses, business details, etc., as outlined by Bob Jones University.

.....
Signature of Parent or Legal Guardian

If signature is that of legal guardian, the following information is necessary:

Name of Guardian Address

IMPORTANT

It is understood that attendance at the Institute of Christian Service is a privilege and not a right, which privilege may be forfeited by any student who does not conform to the standards and regulations of the institution, and that the Institute may request the withdrawal of any student at any time, who, in the opinion of the University, does not fit into the spirit of the institution, regardless of whether or not he conforms to the specific rules and regulations of the Institute.

PLEASE CHECK APPLICATION CAREFULLY.
ALL QUESTIONS MUST BE ANSWERED AND APPLICATION FEE
MUST BE SUBMITTED BEFORE APPLICATION CAN BE CON-
SIDERED OR PROCESSED.

PLAINTIFF'S EXHIBIT 4

ANNUAL MEETING OF THE BOARD OF TRUSTEES

May 27, 1975

The annual meeting of the Board of Trustees was held in the Pauline Rupp Memorial Room in the Founder's Memorial Amphitorium at 10 a.m. May 27, 1975. Dr. Bob Jones, Chairman of the Board, called the meeting to order; and Dr. William Ward Ayer led in prayer. Mr. Garrett called the roll of both the Regular Board and the Cooperating Board: and the following were present:

Dr. Bob Jones, Dr. Bob Jones, III, Mr. Bob Garrett, Dr. Charles Bishop, Dr. Otis Holmes, Dr. Monroe Parker, Dr. Harold Kilpatrick, Dr. William Ward Ayer, Mrs. W. J. Barge, Dr. James W. Crumpton, Mr. Robert Erhard, Dr. Marion Fast, The Honorable George Grant, Mrs. Bob Jones, Mrs. R. R. Jones, Rev. Walter Kirk, Mr. Harry Kissinger, Dr. Laurence Lautenbach, Rev. Reynold Lemp, Dr. Tom Malone, Mr. Harry Newcomer, Dr. Earl P. Paulk, Mr. Paul Ramsey, Mr. V. D. Rupp, Dr. Glen Schunk, Mrs. J. W. Stewart, Mrs. Lawrence Stewart, Mr. John Stophel, Mr. John Strong, Dr. Joe Temple, Dr. Wayne Van Gelderen, Mr. J. Ed Whitley, Mrs. Clyde Yeilding, Mr. Charles W. Bell, Mrs. Dwight Coffman, Mr. David D. Davis, Mr. Stu Epperson, Mr. Henry Ewald, Dr. Robert Gray, Mr. Gene Hall, Mr. Ken Hess, Mrs. Bob Jones, III, Mr. Jon Jones, Mrs. Joe Keyes, Mr. Russ Lash, Dr. Clifford Lewis, Dr. John McLario, Mrs. Ed Nelson, Dr. Roland Rasmussen, Mr. Walter Rumminger, Mr. Earle Sargent, Rev. Raymond Seay, Dr. Phil Shuler, Dr. Ed Ulrich, Rev. Don Wilson, Mrs. H. D. Winship, and Mr. Bob Wood.

The following names were read as members of the Voting Board: Dr. Bob Jones, Dr. Bob Jones, III, Mr. Bob Garrett,

Dr. Charles Bishop, Dr. Otis Holmes, Dr. Monroe Parker, Dr. Harold Kilpatrick, Dr. William Ward Ayer, Mrs. W. J. Barge, Dr. William Bedford, Mrs. Albert Brown, Dr. James Crumpton, Dr. Clarence Didden, Mr. Robert Erhard, Dr. Marion Fast, The Honorable George Grant, Mrs. Bob Jones, Mrs. R. R. Jones, Mr. Daryl Jones, Rev. Walter Kirk, Mr. Harry Kissinger, Dr. Laurence Lautenbach, Rev. Reynold Lemp, Mrs. R. L. McKenzie, Dr. Lester Maddox, Dr. Tom Malone, Dr. Jim Mercer, Mr. Harry Newcomer, Dr. Earl P. Paulk, Dr. Ford Porter, Mr. Paul Ramsey, Mr. V. D. Rupp, Dr. Glen Schunk, Mrs. J. W. Stewart, Mrs. Lawrence Stewart, Mr. John Stophel, Mr. John Strong, Dr. Joe Temple, The Honorable Strom Thurmond, Dr. Wayne Van Gelderen, Mr. J. Ed Whitley, and Mrs. Clyde Yeilding.

The following names were read as members of the Co-operating Board: Mr. Arnold Fletcher Anderson, Dr. Russell Anderson, Mr. Ed Anthony, The Honorable O. K. Armstrong, Mrs. William D. Bailey, Mr. Charles W. Bell, Mr. C. S. Bowen, Rev. Mark Buch, The Honorable Frank Carlson, Dr. Hugh A. Clarke, Dr. Martin Clough, Mrs. Dwight Coffman, Dr. D. W. Crankshaw, Mr. David D. Davis, Mr. Wm. Jennings Bryan Dorn, Dr. Burgin E. Dossett, Dr. Alex Dunlap, Mr. Stu Epperson, Mr. Henry Ewald (introduced as new member), Dr. Robert Gray, Dr. Eric T. Gurr, Mr. Gene Hall, Mr. Clarence Halvorson, Mr. Fred Hansen, Mr. Jesse Helms, Dr. Harold Henniger, Mr. Ken Hess, Dr. Jack Hyles, Mrs. Bob Jones, III, Mr. Jon Jones, Mr. William Jost, Mrs. Joe Keyes, Dr. B. R. Lakin, Mr. Rus Lash, Mr. Shafford Lasley, Mr. W. W. Lee, Dr. Clifford Lewis, Dr. Harry M. Lintz, Dr. Charles M. Lockwood, Mr. Charles K. Loving, Dr. Robert McCulley, Dr. John McLario, Dr. Bob, III, in his remarks, thanked everyone for coming and for their prayers for the University. He said we have the finest freshman class we have

ever enrolled, which seems surprising in light of the climate of the country. People would expect that the freshmen would get worse and worse each year, but that is not the case. The school's position eliminates the weaker ones. Most come here because they want to be here and are eager to learn. The enthusiasm and heart acquiescence on the part of the freshmen has been wonderful. There has been a real spirit of revival this year.

He described the newest academic effort we have launched—the DART program. DART stands for Degree Achieved Reduced Time. Under this program high school juniors with a sufficient grade level may come for summer school and take as many as 12 hours of work, which credit will be held in escrow for them until after they are enrolled in Bob Jones University. At the end of their senior year in high school they may take another 12 hours of work, thus enabling them to actually enter college with 24 hours of credit, almost enough to be a sophomore. The value of this program is that it allows the student to finish college in three years; and with the increased costs of a college education, this will be welcomed by many. It is cheaper to attend during the summer than during the school year. Our summer school, which has always been a small affair (never more than 400 students) should probably double with this new opportunity.

In presenting the fund drive for the new dormitories, Dr. Bob, III, mentioned that we start the school year off each year with five students to a room, when ideally there should be only three to a room; therefore, we need these new facilities even if we never do expand. If we become taxable, the depreciation on the new buildings will be of benefit to us. If we have an increased enrollment, of course, the dorms are an absolute necessity. Right now we matriculate about 5,200 students each year, and he said he is not sure we want to grow any larger; but the

Lord may have that in store for us. The new girls' dorm will face the tennis courts at an angle to the other dorms, and the boys' dorm will be beside the Auditorium behind Reveal dormitory. The plans allow for eight stories, though the first phase of the building will be four stories—three for dorm rooms and the bottom floor for laundry facilities, etc. At the time these new buildings are constructed we also hope to be able to air condition all the existing dormitories.

He explained the circumstances surrounding the purchase of the land beside the library which has long been referred to as the "Wilson property." This is the spot where some years back it was proposed to build a shopping center and we had the big zoning dispute. Now the Lord has seen fit to let us have that property at a good price. It will appreciate in value, and probably sometime in the future we will want to put our high school, junior high school, and elementary school complex there. The front tier of the property was not purchased because of the high cost, but the back four tiers came to us at a total cost of \$350,000. We are going to have to do something in the near future about the situation at the high school, since they are fast outgrowing the space they have. The enrollment of the junior high has mushroomed since it was separated from the high school and the tuition was lowered somewhat, and we are going to have to add 12 classrooms on the elementary level. We also need to construct some kind of metal building to provide gymnasium facilities and classroom space for the junior high students.

* * *

[197] At this point Dr. Bob, III, recognized John Stophel, who moved that the following resolution be adopted:

Recognizing the duty of every Christian citizen and every Christian Institution to obey the laws of

the land; and recognizing the fact that the laws and interpretations of the laws are undergoing great changes from year to year; and recognizing that it is impractical to call the Board together for all decisions that must be made with regard to changes in policies of the University made necessary by changes in the laws and court interpretations of such laws,

BE IT RESOLVED, that the Board of Trustees of Bob Jones University hereby authorizes the officers of the University to make such changes in policies as are necessary to conform to the requirements [193] of the laws from time to time, without yielding to arbitrary and capricious rulings and regulations of government agencies, but abiding by decisions of the courts, guided by the University counsel, so long as such changes are not contrary to the commands of Scripture upon which the University's position is founded; and the officers of the University are authorized to use their judgment and discretion in connection with these matters so as to keep Bob Jones University faithful to the fundamental principles of the Faith as found in the Word of God and the methods of operation that have contributed positively to the education and training at Bob Jones University of thousands of Christian leaders serving God effectively around the world.

* * *

PLAINTIFF'S EXHIBIT 5

[1]

SOME REGULATIONS OF INTEREST AND
IMPORTANCE

1976-77

I. DATING REGULATIONS

A. Dating Parlor

Our young ladies may date in accordance with the following regulations:

Seniors: Number unlimited. Dates must be in the Parlor during the following times: 1:00-5:45 p.m. and 7:00-10:30 p.m. on Monday through Saturday and 1:30-7:00 p.m. on Sunday.

Juniors: Four 2-hour dates per week.

Sophomores: Three 2-hour dates per week.

Freshmen: Two 2-hour dates per week.

* Couples are given 2½ hours for a dinner date, but it will be recorded as a regular 2-hour date. Senior women and women students who have special privileges may date for dinner any night of the week with permission.

Juniors, sophomores, and freshmen in the University may date from 1:00-5:45 p.m. Monday through Saturday, from 7:00-10:20 p.m. on Friday and Saturday evenings, and during dating time on Sunday—in the Parlor; 1:30-7:00 p.m.

Institute Women: Date as freshmen and sophomores the first two years and as a junior the third year unless 21 years of age. A third year Institute woman 21 years of age may date under the same regulations as a University senior.

Women students who date graduate assistants or full-time faculty or staff, may date off campus according to the girl's classification if her parent is with them. They may have dinner dates (2½ hours) according to the girl's classification, and they may be chaperoned by a graduate assistant couple or faculty couple. They must sign in and out of the Parlor for tennis dates, as this counts as a date.

Academy: One 2-hour date per week. NOTE: Academy seniors may have one 3-hour date per week.

Academy students may have Parlor dates between 7:00-10:30 p.m. on Friday and Saturday nights and from 1:00-5:45 p.m. Monday-Saturday. (Academy students may not date in the Parlor on Sundays unless permission has been secured from the Dean of Women's Office to see an off-campus visitor.) NOTICE: UNIVERSITY MEN MAY NOT DATE ACADEMY GIRLS UNLESS THEY ARE AT LEAST 16 YEARS OF AGE AND IN THE JUNIOR OR SENIOR CLASS. Also, a University woman may never date high school boys more than 2 years younger than she.

[2]

All of the information of page 1 is predicated upon the young lady's classification.

When dating in the Parlor, couples must meet and say "good-bye" *in the Parlor* and not downstairs. Couples are to sit in the Parlor where the hostess request them to sit.

Girls dating on Friday, Saturday, and Sunday must fill in a form with the name of the boy she is dating and the time checking in. It is secured from the desk in the Parlor.

Couples are to leave at the end of the dating period without being told by the hostess to leave. Couples check out of the Parlor with the hostess at the desk. If they are still dating at 7 p.m., they need not check out individually. The hostess will check the card of everyone who is dating at 7 p.m. All couples must be out of the Parlor at 7 p.m. on Sundays. Those who have *out of town men guests* must receive special permission from the Dean of Women's Office to date between 7-9:30 p.m.

Couples may make telephone calls together only when signed up for a date in the Parlor. The telephones in the entrance of the Parlor (downstairs) may be used for such calls. Before a call is made, permission must be secured from the hostess on duty. Calls cannot be made after 7 p.m. on Sundays.

Sisters and brothers may go to the Parlor whenever they wish. They are not, however, to linger in front of dormitories after meals.

Students are not to be in the Parlor unless dating or with parents and other visitors, provided they have the proper permission, or with brothers and sisters.

For the Social Parlor *the week begins on Monday and ends on Sunday.* (1:00-5:45 p.m. for undergraduates and 7:00-10:30 for senior women students and women having guests and having special permission from the Dean of Women's Office.) The dating parlor is open to students of all classifications on Friday and Saturday nights.

Students will not be permitted to take books or typewriters to the Parlor when dating or any other time. There are to be no mixed group meetings in the Parlor, even if couples are signed up for dates.

When a student loses his social privileges *for any reason*, there will be no exceptions made, such as: dating on outings, artist series, and off campus with parents.

[3]

B. Snack Shop

Only Academy students who date on Friday or Saturday nights and University seniors who date on Saturday night may secure written permission from the hostess on duty in the Parlor to go to the Snack Shop during this dating time. This permission will be handed with the money to the cashier upon entering the Snack Shop.

Couples may go to the Snack Shop on Sunday nights from 6-6:45 p.m. if signed up for a date in the Parlor, at which time a slip is to be presented to the host or hostess on duty in the Snack Shop from the hostess on duty in the Parlor. Couples may go to the Snack Shop between Vespers and 6 p.m. without permission provided the time spent after being served does not exceed 30 minutes.

When leaving the Parlor to go to the Snack Shop, the fellow should go downstairs while his date is signing out. This will give him an opportunity to purchase their tickets and, thus, await her arrival.

Couples may go to the Snack Shop once a day for 30 minutes. The food order must be placed promptly upon arriving in the Snack Shop or Deauville Room. This applies to all students at any time of the day, whether dating, in groups, or alone. This does not mean that a young man may go to the Snack Shop once in the morning with one girl for 30 minutes and then go with another girl for 30 minutes in the afternoon. Neither does it mean that a girl may go for 30 minutes with different young men.

C. Date Line

No man student may walk a girl to her dormitory at any time except immediately after lunch and after dinner at night. Then they must walk directly from the Dining Common to the dormitory, or couples may walk directly to the front of the Student Center where they must separate immediately. This cannot be a date line but students walking together en masse.

On Sunday the young men may walk the girls to their dormitories after the morning service, Vespers, the young people's group, and from the Snack Shop *by 6 p.m.*

Couples may walk to the girls' dormitories after an outing.

Couples are not to meet before the evening meal until the 15-minute bell has rung. All couples must leave the Dining Common immediately after the meal and go directly to the dormitories. The young man is to say good-bye at the door of the girl's dormitory immediately. *He is not to wait outside* the dormitory.

[4]

Couples (single students), regardless of classification, are not to be together on the campus or in the Snack Shop after 6 p.m. during weekdays except to go directly to dormitories after the evening meals.

* * *

No young man may walk a girl on the campus unless both of them have legitimate reason for going in the same direction. If the young man is going to his dormitory, and the girl is going to class, he may walk her to the Alumni Building but must leave right away rather than linger in front of the building. This is after meals. If the girl is going from the classroom to the Library and both she and the boy are going to the Library, they may walk together.

Couples must not invent a reason to be going the same way; but must be going in the same direction for a definite purpose.

Couples are never to be together on sidewalks leading to the men's dormitories, Academy buildings, and the Hospital unless both have *classes* at the *same time* on that side of the campus. Otherwise, this will be considered loafing.

D. Off-Campus Dates

Women underclassmen are not permitted to date off campus except for dinner dates on Friday, Saturday, and Sunday nights when accompanied by an official hostess—two couples may go with one hostess. *On Sunday nights the time limit for dinner in town is 7:45 p.m. in homes, 9:30 p.m.*

Senior women and women with special privileges are permitted to leave the campus for dinner dates any night during the week, provided it does not conflict with an official program or service and provided proper permission is secured from the Dean of Women's Office.

A girl may date off campus in the company of her parents according to her classification, provided that *she remains with her parents while off campus*. In order to date off campus, the young man and young lady both must secure written permission at the proper time in the Dean of Men's and Dean of Women's Offices. Of course, the *young lady must secure her permission first*, then the young man will take her permission to the Dean of Men's Office to secure his permission. *Academy students are not permitted to date off campus, even with her parents.*

Mixed groups may go to dinner and church with their pastor whether or not his wife is along, provided he is in good standing with the school, his name is on the girl's permission form, and more than one girl is present.

[5]

B. General

Social privileges do not begin in the morning until after the first hour class. Couples are to say *good-bye when entering all buildings* with the exception of the Snack Shop and Dining Common for noon meal. FAILURE TO COMPLY WITH THESE REGULATIONS WILL RESULT IN THE LOSS OF SOCIAL PRIVILEGES.

Since all programs in the Auditorium and Amphitorium begin at 8 p.m., the young men may call for their dates at 7 p.m. unless announced otherwise.

Couples must go into the Dining Common as soon as the organ begins playing before meals.

Dormitory men and women are never to be in the Museum or Art Gallery together. Young women may, however, visit the Art Gallery with off-campus young men visitors if they will stop by the Dean of Women's Office for permission. The same applies to young men who visit the Art Gallery with off-campus girls.

Couples who plan to be married during the summer and return to Greenville to live may secure a lady faculty or staff member to go with them one time to look for apartments from 4:00-5:45 p.m. Monday through Friday beginning April 1 through May 15. Couples who plan to marry during Christmas holidays may secure same permission beginning November 15 through December 13 with exception of Thanksgiving weekend.

Young men are never to enter the lobbies of any of the girl's dormitories, including Georgia Creel. The only exception is when they call for their dates for the artist series.

For University functions only the men may call for their dates at the women's dormitories. This does not include

Vespers, Chapel, or church. Couples may meet in front of the Amphitheater for Vespers and church, but not for Chapel.

SOCIAL REGULATIONS DURING ALL OF OUR SPORT
ACTIVITIES IN THE STADIUM AND GYMNASIUMS

All social regulations are strictly in effect. Students are to set up and are to be good spectators.

Couples are to always meet and separate at the sport activity except for the Turkey Bowl.

Because no couples are to sit on the top three rows at the Stadium or the bleachers at the gymnasium at any time, may we ask that the girls leave the top three rows for the young men.

Couples may meet at 1 p.m. and 6:30 p.m. They are to meet and separate at the activity place.

For the soccer season, couples meet and separate at the walkway across from the practice studios closest to the gymnasium.

[6]

When students attend recitals or programs in the Auditorium, they must remain for the entire program. *Students are never to leave at intermission or any other time unless accompanied by the school nurse.*

Couples may plan tennis one afternoon a week. The afternoon will be listed on the bulletin board. Couples must meet in the Parlor, sign up for a date, secure written permission from the hostess on duty with names and time they go and the time they should return to the Parlor. Couples must check back in at the Parlor when the date time ends. (Check section VI, "Dress Regulations," for the appropriate attire while on a tennis date.)

A tennis date counts as a regular date according to the girl's classification. The hostess in the Parlor will give you the number of the court you may use for your tennis date.

* * *

Men and women who are cousins are under the same regulations as those who are not cousins unless an exception is made for a definite time by the Dean of Women or her assistant.

II. CHAPERONS FOR MIXED GROUPS.

Before a meeting for a mixed group (men and women) is called, permission to have it must be approved through the Dean of Women's Office. Secure a faculty member to be present. Mixed meetings can be called only from 7 a.m. to 7 p.m., except that regular officially scheduled groups, such as ACT, Student Teachers, and Student Body officers may have rehearsals at night in the Fine Arts Building with the *proper chaperon* and *permission*.

Faculty or staff women are official chaperons for couples, however, men faculty act as one when their wives are present. Single men do not act as chaperons for couples off campus except on occasions when an official chaperon is present (such as an outing). Since faculty men have mixed classes, it is permissible for a faculty man to chaperon a mixed group on campus when permission is secured through the proper channels.

III. HOSPITAL INFORMATION

Doctor's hours: Check with the Hospital.

Nurses' treatment hours: 7:30 a.m.-9 p.m. daily.

These are the only hours for treatment except in case of extreme emergency.

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Patients being admitted to the hospital must bring the following:

- | | |
|-------------|-------------------------|
| 1. Robe | 4. Toothbrush and paste |
| 2. Slippers | 5. Comb and brush |
| 3. Pajamas | 6. Bible |

Only roommates, prayer captains, and chaplains may visit patients in the hospital. Visiting hours are according to the doctor's discretion.

IV. DORMITORY INFORMATION

A. Quiet Hour—7 to 10 p.m. Sunday through Friday

** Anyone who enters a room with a sign on the door "Do Not Disturb" during quiet hour will be given 10 demerits. (No one can be in the room except roommates.)

Students must rise promptly at the ringing of the rising bell and lights must be out and students in bed and quiet at ringing of the retiring bell. It is important that our students have adequate rest; therefore, students must *not* be up before 5:30 a.m. Showers may be taken at 6:30 a.m.

No running in the halls of the dormitories or screaming in the dormitories at any time.

B. Prayer Meeting

Since we have only 15 minutes for room prayer meeting, all singing should be omitted so that the time may be given to testimonies, Scripture, and prayer.

Please remember that prayer meeting begins promptly at 10:30 p.m. Everyone should be seated and ready to begin at that time.

C. General Dormitory Information

The following people may stay in the dormitories during the year as overnight guests: former students, bona fide prospective students who are at least in the ninth grade. Of course, there will be a charge which will include linens and meals. Please make arrangements with the Dean of Women's Office *well in advance*.

Because of crowded conditions, we can accommodate only prospective students. In the future, we will not take anyone in the dormitory who is not at least in the *ninth grade* and definitely a prospective student, and by prospective student we mean someone who is considering us and someone who would normally be eligible for enrollment. Only high school students who are juniors and seniors, and former students who bring prospective students may stay in the dormitories during Thanksgiving, Bible Conference, "Let's Get Acquainted Days." Former students in good standing may stay at other times.

We will be glad to make the reservation, provided their appearance and dress meet our university standards. We will not keep in the dormitory long-haired, bearded men, or women in hippie clothes, mini-skirts, or pants.

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Students are not to go into another room in the dormitory unless one of the occupants of the room is present.

All rooms on the first floor must have cafe curtains.

Women students are not permitted to communicate with young men through windows.

All dormitory and campus day students are expected to attend Sunday School, the Sunday morning church service, and Vespers on the campus.

No telephone calls are to be made after 10:30 p.m. or before 6:55 a.m. on weekdays and 8:45 a.m. on Sundays and holidays except in cases of emergency. The extension phones on the first floor of the dormitories are for emergency calls to the hospital and for the Administrators to get students to phones. They are not to be used by students returning calls unless requested by faculty or staff members. Men and women students may not call each other's dormitories. Campus day students and dormitory students *may not* call each other after 6 p.m. No personal calls to any student who is a patient in the hospital may be made from the dormitory or elsewhere, and the hospital will not accept such a call.

DORMITORY NURSES'S HOURS

7—7:20 a.m. Monday through Friday	10-10:30 p.m. Sunday through Saturday
7:45—8 a.m. Saturdays	10:30—10:45 p.m. Wednes- days
8:45—9 a.m. Sundays	

Please do not disturb the nurse except in cases of an emergency. Kotex will be sold by the nurse at these times only. Please do not ask her roommates to help you.

Do not ask the monitor to call the ambulance except in emergency. Try to see the nurse during her hours.

A student who sees the doctor in our hospital as an out-patient during class time will receive 25 demerits as a deliberate cut. Students are to see the doctor at a free period. If they do not have free periods when the doctor is available, they must secure permission in advance from the Dean of Women's Office to miss a class.

In order to avoid confusion, admission to the hospital for rest does not incur room or physician's charges but may

involve some lab or medication fees. Rest admission is usually allowed for minor illnesses, such as a common cold or health problems that would not normally involve hospital admission when one is at home.

The University has furnished a hot plate to be used in the *laundry room only*, from 8 a.m. to 10:30 p.m. every day except Saturday so that you may have hard-boiled eggs, soup, popcorn, or candy. Nothing else! There will be only one to a dormitory; so—first come, first served. Don't be selfish by being slow. You are expected to clean up after you have finished.

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V. TRANSPORTATION HOME

A. Permission

Girls who plan to ride home in cars at any time must hand a card in to their dormitory supervisors 72 hours in advance of the time they wish to leave. Cards may be secured from the monitor on duty in the lobby of each dormitory.

If you are not notified whether the card has been passed by the Administrative Conference within 48 hours, you will know your card has been approved. You will be notified if it is not approved.

B. Other Regulations

Mixed groups must arrange time so girls will arrive at their destinations by midnight. *No all-night traveling of mixed groups, except at Christmas time and at the end of the year*, unless with your own parents or older brothers.

Only six people are permitted to ride in one automobile. Only eight people are permitted to ride in one station wagon. (The American compact cars and the foreign compacts may carry four.)

VI. DRESS REGULATIONS

Women students must wear dresses that cover the knee-cap. They must come no higher than mid-knee when walking. Maxi dresses are permissible as long as they are sweet and feminine, do not reflect the hippie element, and are not worn with the hippie accoutrements. They may be worn every day except for church and Vespers on Sunday.

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Women students are permitted to wear slacks for gym classes and on the tennis court with or without dates. Girls may wear culottes on outings and for tennis if they meet the length requirements. Shorts cannot be worn outside of dormitories. Any young lady wearing a dress or skirt that is too short will be sent to the Dean of Women's Office. She will either be given 25 demerits or her social privileges will be taken indefinitely. It will be up to the discretion of the person on duty in the Dean of Women's Office.

All girls going on outings must wear outfit you plan to wear to be checked on Friday nights before outings between 10:00-10:25 p.m. by dormitory supervisors. Skirts that do not cover the knees will not be approved. Town and campus day students may have theirs checked any time during Dean of Women's office hours.

Women students may wear *loose fitting* slacks and blouses *with sleeves* at play rehearsal provided the change is made to and from slacks in the Auditorium.

Women students are requested to stay out of the halls and lobbies of the dormitories *unless they are fully dressed or are wearing modest housecoats.*

Girls should not go out back of dormitories with their hair rolled up. When sitting outside around the dormitories,

girls should be fully dressed. *No slacks. No blankets on campus.*

Graduate and undergraduate women who give recitals and wear formals should seek the advice of the appointed person in the Home Economics Department *before buying a recital dress.*

Girls may go to the sun deck in Georgia Creel from dormitories without hose. After dark girls may go from one dormitory to another without hose provided they do not enter the main lobby or reception room. When participating in physical education classes when slacks are worn, women students are not required to wear hose. Women students 14 years of age and over are required to wear hose at all times on campus except under conditions stated above.

Students are not to wear loud, heavy, woven hose on the following holidays, except to the athletic field: Thanksgiving, Bible Conference, and Commencement Week.

The only time you may leave the dormitory with hair rolled up is to go to society prayer meeting, and then it should be covered with scarf.

Women students and faculty members are expected to wear hats to church on Sunday mornings. If a veil is worn, the veil is to be big enough to serve as a hat; and, if any kind of a bow is worn, it must

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be attached to a good, sturdy piece of veiling large enough to cover the entire top of the head. It cannot be invisible, *neither can it blend with the hair. A hat is preferable.* A bow or scarf is never acceptable. Hats which are nothing more than a piece of veil the same color as the hair with maybe a few little bows or something about the

size of the end of finger on them are not permissible. *Any hat that cannot be seen from the pulpit is not a hat. Dresses with extremely low necklines, in back as well as in the front, and sleeveless are not appropriate for our morning worship service of Vespers.* The backs of dresses must be seen above the back of the seat in which you are sitting. Knees are to be *completely* covered when standing and mid knee when walking. When sitting, dresses should be pulled down and tucked under at the sides.

VII. PERMISSIONS

A. Visitors

Permission to see off-campus guests, parents, and relatives included, must be secured from the Dean of Women's Office. Permission to leave the campus with them must be secured at written permission time.

Girls should always check at the Dean of Women's Office before seeing any visitors even though permission from the parents has been sent and the Information Desk has notified them. If the Dean of Women's Office is closed, ask the Information Desk host or hostess to contact the person on duty so that proper permission to see visitors may be secured. Of course, girls may see their parents and sisters at any time; but they must have written permission to leave the campus.

B. Off Campus

One of the monitors on first floor in each dormitory gives permission when not missing classes or meals to go to town, to church, or walking at the times posted at the desk in the lobby of each dormitory. Permissions will be given two times a day for 10 minutes. Please consult permission schedule.

Women in groups of two or more with a previously enrolled chaperon with "-" or senior privileges will be permitted to check out without written permission to go across the street throughout the day from 8 a.m. to 6 p.m. Also, a sophomore woman may take two or three according to above regulation. This includes the Lake Forest Shopping Center, Bi-Lo's, Hardees, Wade Hampton Mall, North Hills Plaza, S&S, Wendy's, and Alexanders.

Students should leave check-out slips in Nell Sunday when checking off campus. After chapel on Saturdays, two girls will be in the lobby of the Amphitorium to collect check-out slips for those leaving campus immediately. Please check in at the Nell Sunday Desk when you return.

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Underclass women may secure written permission from the Dean of Women's Office to have dinner off campus until 7 p.m. on week nights. Seniors must accompany groups who stay in town after 7 p.m. on Friday and Saturday. Four must be in the group besides the senior, or four senior or special students may compose the group. Students may miss breakfast on Sunday mornings with written permission. *No student* should ever be allowed to miss any formal meal from the Dining Common such as: Valentine's Dinner, Founder's Day, Thanksgiving.

Academy students must be accompanied by a senior chaperon when off campus after 7 p.m. on Friday, Saturday, and Sunday nights for dinner or church, unless going on church buses. *Academy girls are not permitted to date off campus at any time.*

Girls who have appointments to see doctors off campus *must keep these* appointments. Come to your dormitory supervisor *well in advance*, and she will help you find a

chaperon. However, if you have a series of appointments, you should find your own chaperon. Freshman girls who have not received a number of demerits and other University girls who have good records may be left at the doctor's office or the beauty parlor while the senior chaperon goes shopping. This decision is to be made by the Dean of Women's Office. The senior chaperon should secure this permission before leaving the campus.

C. MISCELLANEOUS

Permission to miss classes or meals and to take cuts will be gotten from the Dean of Women's Office at written permission time. Consult the bulletin board for the office schedule.

Students under 21 years of age must have permission from home before they withdrawn from the University for any reason. All students who withdraw must do so through the Dean of Women's Office.

VIII. GENERAL POLICY

Academy girls should not go to the practice rooms or the hospital after dark unless accompanied by a University girl.

There must be two or more girls together when going to the practice rooms as well as anywhere else on the campus after dark.

Women students are not permitted to be alone on the campus after dark. Two or more must go to and from buildings together. However, they are permitted to go to Grace Haight, Georgia Creel, Nell Sunday, Estelle Sidons, and Margaret Mack, and the Fine Arts Building, and the Science Building alone after dark or to the Administration Building at the request of the Administration.

Women students are not permitted in any buildings after the evening meal unless they have official business there or unless special permission is given through the Dean of Women's Office.

[13]

The Alumni Building is never to be used as a passageway. Women students may study in the reception room of Georgia Creel and the lobby of Estelle Siddons until 10:30 p.m., provided they are fully dressed. Do not sit on the floor to study because parents and friends of students may be visiting.

No student is to be paged in the Library, Dining Common, or Chapel except by the chancellor, president, dean of administration, dean of women, dean of men, or director of religious activities, none of whom will ask for a student to be paged except in cases of extreme emergency. No student will ever be called out of Rodeheaver Auditorium, the Concert Center, the Chapel, or the Founders Memorial Amphitorium.

No women students are permitted on *Stadium View Drive* day or night unless accompanied by a faculty or staff member or with written permission.

No person can withdraw or leave the campus at the close of school until her automobile identification emblem is turned in. A student who withdraws must give her identification card to her supervisor, also.

It has been a policy of the University for a number of years not to permit dormitory students or faculty members to give bridal showers or any other kind of showers on or off the campus; however, in cases of faculty children being married or when the student is a family member of the one giving the shower, it is permissible to have a bridal shower in a faculty home. Faculty members may have showers in

University homes for other faculty and staff members. When students attend showers, the hostess must have the plans approved one week in advance.

Women students are not permitted to visit in the rooms of faculty and staff members or supervisors who live in the dormitories. Always see a teacher in her office. The only students permitted to visit in Campus View Apartments are: sisters, nieces, and cousins, if they are of the same sex—unless the brother or sister staff member is married or is living alone. This applies to women staff members living in apartments in men's dormitories as well.

Any student who uses or attempts to use another individual's credit card will be immediately expelled. This includes all retail credit cards, telephone credit cards, or any other credit cards.

Students in Bob Jones University will not be permitted to lend money to or borrow money from one another.

Men students are not to go to the women's dormitories for any reason, except to call for dates before an official program or to walk the young ladies to the dormitories after the noon and evening meals. Of course, a young man may bring a young lady's luggage to the front door (outside) when they return from cuts together.

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Ironing is permitted in dormitory rooms from 7 a.m. to 7 p.m. Monday through Friday, and 7 a.m. to 10 p.m. on Saturdays.

Women students are not to go into the Alumni Building except to classes and for appointments with teachers.

Graduate women *only* are permitted to be alone after dark. Graduate women do not have to be in the dormitories until 11 p.m.

Anonymous notes or letters of any kind are not in accord with our Christian standards.

Do not leave money in your room at any time.

Before a student consents to baby-sit for faculty members, she must leave her name, room number, and free hours at Mr. Butts' Office. Each card with information is checked by the Dean of Women's Office. Baby-sitters must always be in the dormitory by 10:30 p.m. except after an opera or play, at which time they are to be in by the time all other students are in. The following students may be considered for baby-sitting in faculty homes off campus: Sophomores who have been here two years in the Academy, and juniors and seniors and women over 21. Of course, all of these must have special approval from the Dean of Women's Office.

It is common courtesy to stand when in the presence of lady faculty members, elderly men, Administrators, etc. Your dormitory supervisor is an administrative representative and should be treated with due respect. This means you will address her as "Miss" instead of using her first name.

No dry cleaner truck is to be on this campus unless permission is secured in advance. With permission from the Dean Women's Office in the spring of the year you may have your winter things stored for the summer. Permission must be secured in the fall before having these things delivered to the dormitory.

Women students are requested not to leave anything on the campus during the summer unless it is in storage according to the regulations given at Commencement time. Stereos, sewing machines, typewriters, ironing boards, plants, and goldfish cannot be left with summer school

students or summer staff; this is also the same for the Christmas holidays. The reason for this regulation is that many of these things have been misplaced, lost, or damaged. If students refuse to keep things for you, do not blame them. It is not fair to store your things in rooms occupied because the rooms are already crowded.

IX. LIVING OFF CAMPUS

All students, both men and women, are expected to be dormitory students unless one or more of the following are approved:

- (1) Must be 20 or a senior and married
- (2) Living with parents, grandparents, blood aunt or uncles, an older brother or sister (usually married).

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- (3) 23 years of age or over

This includes the regular school year as well as both summer sessions. Seniors who lack only six hours completing graduation requirements during a summer session may live off campus during the summer session.

X. PLANETARIUM SHOWINGS

Students may secure tickets to attend the planetarium showings; however, there is never any dating for the showings, even with off-campus visitors.

XI. CHEERLEADERS

The earliest cheerleaders may go to the mall in front of the Dining Common for cheering is 5:30 p.m. The pep rally should not begin until 5:45 p.m. (Friday and Saturday only)

XII. TENNIS COURTS

Daytime:

The upper four courts are reserved for women students. Men students may use the six lower courts and any not being used by women students. Women students who do not get cooperation from the men students to vacate the upper four courts when they are asked, are to go to the gym and have the gym monitor return with them to have the men students leave, and take their names.

Nighttime:

Women students have courts Tuesday, Thursday, and Saturday from 6:30 p.m. to 10:30 p.m. Men students have courts Monday, Wednesday, and Friday from 6:30 p.m. to 10:30 p.m. Saturday afternoons couples may play from 2:30 p.m. to 5:30 p.m. They must sign in and out of the Parlor for tennis dates, as this counts as a date.

HCR:cb

A178

Plaintiff's Exhibit No. 7

PLAINTIFF'S EXHIBIT 7

BOB JONES UNIVERSITY

STUDENT HANDBOOK

1975-76

EXCERPT FROM THE
BOB JONES UNIVERSITY CHARTER

"The general nature and object of the corporation shall be to conduct an institution of learning for the general education of youth in the essentials of culture and in the arts and sciences, giving special emphasis to the Christian religion and the ethics revealed in the Holy Scriptures; combating all atheistic, agnostic, pagan, and so-called scientific adulterations of the Gospel; unqualifiedly affirming and teaching

the inspiration of the Bible (both the Old and the New Testaments); the creation of man by the direct act of God; the incarnation and virgin birth of our Lord and Saviour, Jesus Christ; His identification as the Son of God; His vicarious atonement for the sins of mankind by the shedding of His blood on the cross; the resurrection of His body from the tomb; His power to save men from sin; the new birth through the regeneration by the Holy Spirit; and the gift of eternal life by the grace of God.

this charter shall never be amended, modified, altered, or changed as to the provisions hereinbefore set forth."

A180

Plaintiff's Exhibit No. 7

STUDENT HANDBOOK

BOB JONES UNIVERSITY

Your Name

Local Address

.....

.....

IMPORTANT

It is understood that attendance at Bob Jones University is a privilege and not a right, which privilege may be forfeited by any student who does not conform to the standards and regulations of the institution, and that the University may request the withdrawal of any student at any time, who, in the opinion of the University, does not fit into the spirit of the institution, regardless of whether or not he conforms to the specific rules and regulations of the University.

MESSAGE TO THE STUDENTS

The discipline of Bob Jones University is perhaps more misunderstood by some than any other facet of the University's entire program; but there are few things you will get here any more important. Without the discipline, Bob Jones University would cease to be a Christian school. It would not be the kind of place you would want to attend; and we observe that students are most happy and secure when they know what is expected of them and realize that they are in a school where rules are made to be kept and not broken.

A well-disciplined life will be an effective and productive life; and so, that which is presented to you in this student handbook is not designed to make life unpleasant for you but is given in your best interest and with a genuine concern for the development of your character and Christian witness.

Bob Jones University graduates are much in demand because of the character building they have received in this institution through discipline. While some of our students come from backgrounds where they have been allowed to do as they please and, therefore, find themselves chafing under restraint, it is nonetheless true that the formula for building successful Christian lives offered by Bob Jones University is demonstrably good for you, right, and in your best interest. If it is your desire to be a servant of God, "thoroughly furnished unto all good works," I'm sure the discipline of Bob Jones University will not be resented, although you may not understand, at first, the reasons behind some of the rules. Instead of writing off these rules in your own mind as being foolish, you should have the maturity to realize that there is a reason behind each of them; and any time you would like an explanation for any

rule, you will find the Dean of Men or Dean of Women happy to sit down and go into the matter fully.

You are part of the happiest student body on any campus in America. It is no coincidence that the happiest student body is also the best disciplined student body in America.

Have a good year! May the Lord bless you.

Your friend,

/s/ BOB JONES, III
Bob Jones, III
President

A184

Plaintiff's Exhibit No. 7

No student shall be retained in Bob Jones University who enters for any reason whatsoever any of the following:

Caper House
East North Street Extension

Seven-Eleven Store
North Pleasantburg Drive

Quik Shop Groceries
Lake Forest Shopping Center

Capri's
All three locations

Allen Music Company
121 South Main Street

Red Lobster
Wade Hampton Boulevard

Northside Baptist Church
515 Tindal Road

Peoples Bible Church
State Park Road

GENERAL CONDUCT

The Founder of Bob Jones University had wide experience, over a period of many years, in working with Christian groups and organizations. It was his conviction, and his conviction is shared by the entire administration, that a "gripy," destructive, critical, and cynical attitude grives the Holy Spirit and is destructive to Christian growth and Christian fellowship. Constructive suggestions made to the administration will always be welcomed, but "gripping" in Bob Jones University will not be tolerated.

As a Christian institution, Bob Jones University expects that its students shall not only live lives that are above reproach but, also, that they shall exemplify Christian unselfishness and kindness in their dealings with faculty and fellow students. On this basis, there is no hazing in Bob Jones University.

Bob Jones University expects students living off campus to live above reproach in the local community. Though the institution cannot check every detail in the conduct of the student who lives at home or with his parents, in matters involving morals or Christian practice, dormitory and day students alike are under the same regulations at all times. If it is known that a day student violates the University's regulations with regard to smoking, drinking, dancing, movie-going, etc., he will be given the same disciplinary penalty as a dormitory student. Any student living off campus who at any time tempts a dormitory student to violate any rule under which dormitory students live will be expelled. Day students must not bring tobacco in any form onto the campus.

Since Bob Jones University believes that Christian

young people should manifest their loyalty to Jesus Christ by consecrated living, the institution does not permit dancing, card playing, the use of tobacco, movie-going, and other such forms of indulgences in which worldly young people often engage. The use of dope or harmful drugs of any kind and in any form will not be permitted. Of course, drinking, gambling, profanity, obscenity, smoking, etc., will not be tolerated.

Bob Jones University students are required to maintain an appearance in line with the standards of the University. Therefore, hairstyles, dress, etc., are subject to the regulations set forth by the offices of the Dean of Men and the Dean of Women.

GENERAL PRACTICE

In the interest of the Christian testimony and reputation of Bob Jones University for culture, no dormitory students will be permitted to take part in any social function or program away from the University without the permission of the Extension Department and the Dean of Men's or Dean of Women's Office. In the event a reading or musical number is to be given, it must be approved by the faculty member charged with this responsibility. Any number presented on a public program on the campus, as well as radio or television appearances, must be similarly approved. Any musical group that schedules programs from the University as a Bob Jones University group, either for the summer months or during the school year, must be approved. All numbers must be checked.

No announcements of programs and activities away from the University may be made without approval of the Director of Extension.

Every university student, including day students, is expected to remain until everyone is dismissed for the Christmas holidays. Every student is expected to attend all of the sessions of Commencement and to remain through Convocation. Day students may continue their regular work schedule through Convocation if the jobs will continue through the summer.

No student will release information of any kind to any local newspaper, radio station, or television station without first checking with the University Public Relations Director. Any student who is approached for information by a news reporter should refer the reporter to the Public Relations Department. This Department is in a position to answer the reporter's questions accurately and to speak officially for the University.

Solicitation by salesmen, survey-takers, or any other persons, whether students, staff members, or outsiders, is positively prohibited on this campus.

Bob Jones University students, both dormitory and day students, are not to participate in any selling which requires house-to-house solicitation.

All students secure mail through regular assigned boxes in the University Post Office. Every day student must have a telephone or access to a public telephone where calls may be received at any time. His mailing address and the telephone number must be on file at the Information Desk and in the various offices on the forms filled out at the time of registration. Any change in telephone number or mailing address must be reported to these offices at once. Any failure to receive official notices from the University because this requirement has not been met will be the responsibility of the student.

The Alumni Building is not to be used as a passageway or shortcut because of the disturbance created by entering and exiting the building.

No day student may enter the dormitories without a permission slip, secured by women from the Information Desk and by men from the Brokenshire check-out desk.

It is the responsibility of every day student to notify the Dean of Men or Dean of Women by telephone when he has been absent for more than two days. In addition, he must have a written statement from the Dean of Men or Dean of Women concerning every absence. If unexcused absences persist, a student will be automatically expelled. If excused absences continue in excess, the student will be asked to withdraw, or his future enrollment will be denied.

No student may be paged in the Library or a class without prior permission from the Dean of Men, Dean of Women, or Dean of Administration.

Bob Jones University maintains a special fund from which students may borrow small amounts up to \$3 in order to pay for small bills such as hair cuts, laundry, etc. Such loans must be repaid before examinations can be taken. Permission to receive a loan may be obtained at the office of Mr. Bruce Anderson in the Administration Building.

No student is to be in another student's room after the light bell at night without special permission from the dormitory supervisor.

All notices placed on bulletin boards must be initialed by the proper authorities.

Every student is expected to read the bulletin boards daily as well as listen carefully for announcements made during the daily chapel service.

Dormitory students are not permitted to carry charge accounts except such as have been arranged in their own home towns prior to their enrollment in Bob Jones University.

Women students are not to be in the classroom buildings except when actually in a class or in a conference in the office of a faculty member.

Women students are expected to be in the dormitories following the evening meal except with permission of the Dean of Women or when they are at a program, meeting, ball game, library, snack shop, typing rooms or practice studios.

Students are to be under all regulations of the University upon arrival on the campus at the beginning of the school year and at the close of the Christmas vacation. They are to report to the University upon their arrival in Greenville.

Any student who uses or attempts to use another individual's credit card except with permission from the Dean of Men will be expelled immediately. This includes all retail credit cards, oil company cards, telephone credit cards, and any other kind of credit card.

Sunday school is compulsory for all dormitory students.

All printed and mimeographed materials sent out to advertise student and extension groups must be approved by the Director of Public Relations in its rough and final form before being printed.

No recording or photographic equipment may be taken into any of the auditoriums, chapels, or concert halls

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of the University; and no photographs or recordings may be made in these buildings.

Also, since cameras and transistor radios are not permitted in the Amphitorium or Auditorium, the University will not assume any responsibility for radios or cameras left with the ushers.

All university personnel, students, faculty, and staff should be prepared at any time to give proper identification as to their name and business when questioned by a security officer.

Proper respect is to be shown to all faculty or staff members, and a student is expected to answer any inquiry of a faculty or staff member (or anyone acting in an official capacity) courteously and fully.

No student may have in his possession any key to any university building, unless that specific key has been issued to him directly in connection with his work. There will be a \$1 deposit for keys issued by the University. This must be paid when the keys are issued, and it will be refunded when the keys are turned in. No reproduction or copy may be made of any keys issued by the University. No lock-picking tools or machinery for the reproduction of keys may be in a student's possession.
PENALTY FOR VIOLATION OF THE ABOVE IS EXPULSION.

Students are not allowed in the University shops, storage rooms, kitchen, serving rooms, etc., except when assigned there in connection with their work.

All students who leave the country for any type missionary work must have a conference with the Director of Religious Activities. This includes those who go as individuals or as a member of a team for the Christmas

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holidays or summer vacation.

Bob Jones University campus is not a park; therefore, we do not want any students sitting on blankets anywhere on the lawns of the campus.

AUTOMOBILE INFORMATION

All automobiles must be registered with the Director of Campus Security. Every student, day and dormitory, is required to have a Campus Identification Emblem on his car whether the car is listed in his or his wife's name or if the car, although registered in his parents' or another person's name, is exclusively or generally supplied for his use. (This does not apply to a town student who *occasionally* drives his parents' car, provided he does not bring the car on campus.)

No dormitory student in any of the following categories will be permitted to have an automobile either on or off the campus: (1) Academy students (2) University freshmen and sophomores under 21 years of age (3) First- and second-year Institute of Christian Service students under 21 years of age. An exception to this regulation will be made for University freshmen and sophomores or first- and second-year Institute of Christian Service students who have had at least two full years of active duty in the armed forces.

CONCERNING THE USE OF THE TELEPHONES

For a student's convenience, all telephone calls, local and long distance, must be placed through the pay stations located in the dormitories, Student Center, and Alumni Building. After 6 p.m., the Student Center telephones are reserved for women students only. There is to be a ten-minute limit on all calls which tie up any dormitory phone.

Men and women students may not call each other's dormitories.

Students may not place personal calls to any student patient in the hospital.

Town students and dormitory students may not call each other after 6 p.m.

Students needing special services from the telephone company in conjunction with any student organization should contact the University switchboard to arrange for these services.

MUSIC

In giving special emphasis to the fine arts, Bob Jones University desires that all students learn to appreciate good music. Students are expected to refrain from singing, playing, and, as far as possible, from "tuning in" on the radio or playing on the record player jazz, rock-and-roll, folk rock, or any other types of questionable music. The following types of music may be used on campus programs, and students may have the following types of records in the dormitories:

1. Classical.
2. Semi-classical. That is, light concert music, music from operettas and older stage productions that have passed into the concert repertoire, band music, old familiar songs such as the music of Stephen Foster, or early-American songs where the album is obviously "serious" music.
3. Serious religious music.

The following types of records may not be kept by students in the dormitories and may *not* be used on campus programs.

1. Any current popular music or music recently popular including ballads, jazz, rock-and-roll, or folk-rock tunes. This includes any popular folk-singing, or "hootenanny" groups. No matter how sedate the performance or how "acceptable" the music itself, we will not allow any music that is associated with these current popular trends.
2. So-called "religious" music that is performed in folk style, Western style, or nightclub style.

ORGANIZATIONS

Literary societies will be the only student groups allowed to have permanent musical ensembles larger than eight in number. Choruses or larger ensembles organized within the literary societies may rehearse only at the time and place provided each week, 30 minutes prior to their society prayer meeting; and no additional times or facilities will be provided.

For the University class meetings, music groups larger than eight may be temporarily organized for individual programs, but such groups may not rehearse any longer than three weeks at a time. If these are mixed groups, they must abide by the regular university policy which states that unofficial mixed groups must complete their rehearsals by 7 p.m. As in the past, they must have a chaperon and must arrange for the use of university facilities by checking well in advance with the Fine Arts Office.

Music groups organized outside of the societies for extension purposes may have as many as eight members. Of course, we do not allow mixed, unofficial music ensembles to be organized for extension work.

No visitor or outsider may speak or perform on any program unless written permission is secured from the

Director of Religious Activities.

Any speaker for any organization must be approved before he is asked to speak to that student organization. It is the responsibility of the president and vice president to have this approval in advance before any contact is made with any individual concerning his speaking.

Films may not be shown for class meetings.

No clubs or groups may be organized in Bob Jones University without a charter from the administration. No dormitory student may attend any public or private function off the campus without the permission of the Dean of Men or Dean of Women.

Any society publications or papers must be checked with the Dean of Men's Office or the Dean of Women's Office before printing, and the contents must be restricted to material related to the society and written by members of the society.

No student may hold an office in any organization on the campus unless his academic record is satisfactory.

Any student who receives as many as 75 demerits in one semester will automatically lose any office he might have had in any student organization whether elected or appointed to that office.

Students are required to attend their own class meetings according to academic classification.

No individual or student organization is permitted to borrow anything from anyone in town. Students are to secure written permission from the Dean of Men's or Dean of Women's Office and from the private organization to use the facilities of that private organization.

DISCIPLINE COMMITTEE

Students are required to be on time for all meals, classes, and assemblies of any sort. (One demerit each for the first three violations; two demerits each for the next three; three demerits each for the next three convictions, etc.)

Any student who does not answer an official call slip from a faculty or staff member will be given 10 demerits automatically for the first offense; for each offense thereafter the penalty will be doubled.

No dormitory student may leave the University premises without permission after 10:30 p.m., or enter a building after 10:30 p.m. unaccompanied by the night watchman or an authorized chaperon.

Bob Jones University expects the cooperation of its students in the development of respect for and in the enforcement of the rules and regulations of the institution. Any student enrolled in this institution for at least one year who knows or suspects that another student intends to violate any rule of the school, and does not attempt to check the violation, will be considered disloyal and will be dealt with by the Discipline Committee.

Bob Jones University will not retain any student who is directly or indirectly involved in "civil rights" or other demonstrations, riots, or acts of violence.

WITHDRAWALS

Since Bob Jones University does not accept students on a one-semester basis without special arrangements, it is understood that admission is on a nine-month basis. Within a given school year, the student's reservation is automatically carried over from one semester to the next; therefore, if a student withdraws at the change of semesters, he must state his intentions in writing to the administration no later than the day on which first

semester examinations begin. If he fails to make such notification by this date, he becomes liable for the room and board for the first month of the second semester. If he has not made written notification within 48 hours prior to the opening of the new semester, he becomes liable for the entire semester's tuition and fees plus one month's room and board. Of course, no transcripts can be issued until these payments are made.

Any time a student withdraws, his I. D. card must be turned in.

No minor student may withdraw from school until permission for him to do so has been received from his parents or guardian by the Administration. Any student who withdraws without contacting the Administration is automatically expelled.

DRESS INFORMATION

In a day of slovenly and careless dress, it is essential to our Christian testimony that Bob Jones University maintain certain standards of refinement. Women students are expected to dress neatly and modestly at all times. Men students are required to wear a shirt with a tie until after lunch and whenever they leave the campus. (This should be the kind of a shirt designed with a collar to be worn with a tie, and the shirt should be buttoned and not left open at the neck.) Coats and ties should be worn to all evening meals as well as at all times out on the campus on Sunday.

Students are expected to come to meals, classes, and assemblies clean and properly dressed (not in work clothes).

Students will not be permitted to wear each other's clothes and cannot exchange clothes without permission of

the Dean of Men or the Dean of Women, when once exchanged, clothes may not be re-exchanged.

All women students 14 years old or over are to wear those at all times.

DATING INFORMATION

Couples may date for the length of time as stated by the Dean of Women's Office. The length of time is determined by the young lady's classification (freshman, sophomore, etc.).

The Social Parlor is a place for students to entertain their visiting friends and a place for couples here on the campus to date. **IT IS NOT A STUDY HALL.** Therefore, books, typewriters, etc., may not be taken to the Social Parlor.

Couples are not to be together at any time in any of the public buildings except the Dining Common, the Student Center, and the Amphitorium or Auditorium for dating programs.

There is to be no interracial dating.

1. Students who are partners in an interracial marriage will be expelled.
2. Students who are members of or affiliated with any group or organization which holds as one of its goals or advocates interracial marriage will be expelled.
3. Students who date outside of their own race will be expelled.
4. Students who expouse, promote, or encourage others to violate the University's dating rules and regulations will be expelled.

An academy girl must be both a junior in the Academy and at least 16 years of age to date a university student.

High school boys will not be permitted to date college girls who are more than two years older than they are.

It is the business of Bob Jones University where its students go and with whom they associate. Therefore, dormitory students must have written permission to date off campus.

Men and women students, day or dormitory, regardless of classification, are not to be together on the campus or in the Snack Shop after 5:55 p.m. during weekdays except to go directly to dormitories immediately after evening meals.

No young man may walk a girl on the campus unless both of them have a legitimate reason for going in the same direction. If the young man is going to his dormitory and the girl is going to class, he may walk her to the Alumni Building but must leave right away rather than linger in front of the building. If the girl is going from the classroom to the Library and both she and the boy are going to the Library, they may go together. *Couples must not invent a reason to be going the same way; they both must be going the same direction for a definite purpose.*

Couples are never to be together on any back walk unless both have classes in the same building at the same time. Any walk which is South of the walkway which passes in front of the Fine Arts Building, the Amphitheater, the Auditorium is considered a back walk. This means that you do not walk to the Science Building unless the two of you have classes there at the same time.

Social privileges do not begin in the morning until after the first hour class. Couples are to *separate* when entering all buildings with the exception of the Student Center except on dating occasions. This includes the Amphitorium for chapel. After separating, you may not rejoin your girl friend inside the building or in the hallway or in the classroom. FAILURE TO COMPLY WITH THESE REGULATIONS WILL RESULT IN THE LOSS OF SOCIAL PRIVILEGES.

Couples must go into the Dining Commons as soon as the organ begins playing before meals.

DAY STUDENTS

For our definition, a legal guardian is one with whom a student lives for reasons other than to get around our regulation that all students must live in the dormitory unless old enough to be exempt from dormitory life. That means that if a student assumes a guardian prior to coming here or after coming here solely for the reason of being able to live in town, he will not be accepted as a student; or if he is already a student, he will be dropped from school.

One or more of the following conditions must be met before the administration will consider any person being a day student:

1. Be a married student 21 years and over.
2. Live with parents.
3. Live with blood relative.
4. Live with older brother or sister who is married.
5. Be 25 years of age or older.
6. Be a graduate student.

Wives of day students should cooperate fully with

their husbands in their preparation as students in Bob Jones University. We would not retain any student whose wife is seen out of her own home immodestly dressed or in shorts. If she wears modest slacks around her own yard when she is working doing a job where slacks are more modest than a dress might be, that is all right; but she should not habitually wear slacks instead of dresses. We would not keep in school a student whose wife went out of her own yard in slacks.

Town students MUST attend Vespers. Any town student must attend chapel every day of the week in which he has a class. Exceptions may be made with written permission only. If a town student is not on campus before noon on Saturdays, attendance will not be required for Saturday services.

All students, married or single, who take their meals in the University Dining Common are considered campus day students. All campus day students are expected to attend church service Sunday morning and Vespers Sunday afternoon on the campus.

Single men and women are not to sit in parked cars on the University campus at any time.

SPECIAL NOTICE TO ACADEMY STUDENTS

1. Society prayer meeting is REQUIRED for all academy dormitory students.
2. Academy students are required to sit on the main floor of the Amphitorium and Auditorium for ALL PROGRAMS, including church, Vespers, concerts, artist series, etc.
3. Academy dormitory students will not be given permission to date off campus.

4. Academy town students who drive automobiles on campus must have their cars parked in the Academy parking lot on back campus only or along the fence between the laundry and the back campus gatehouse. The cars are to remain parked until the students leave the campus.
5. Academy town students' absences must be reported to the Academy Office immediately, and the Academy students' parents are requested to call the Academy Office the same day of the absence. Upon return, the student must bring a written excuse from the parent as to the reason for the absence.
6. There is to be no loitering in or around the Academy buildings. Students should spend free hours in the Academy study lounge, or the Library.

CARE OF PROPERTY

Willful damage to or destruction of university property will not be tolerated. All damage must, of course, be paid for whether willful or accidental.

No signs, banners, plaques, pictures, or other objects may be hung on the walls of any buildings without explicit permission in writing from the Manager of Institutional Affairs. (However, permission to hang any object on the wall of one's own dormitory room may be given orally by the dormitory supervisor, but such permission is required.)

There must be no tampering with electric bells, official timepieces, or electric equipment.

Students are expected to cooperate in conserving electricity, water, and heat. All lights are to be turned off when students leave their rooms. Faucets must not be left running, and all leaking plumbing is to be reported immediately. When steam heat is on and the students open

ATTENDANCE AT CLASSES
AND SCHEDULED ASSEMBLIES

Every student is required to attend all classes, chapel, and Vespers, except under the following circumstances.

1. When he is ill, and the illness has been properly reported.
2. When he is excused by the proper administrators because of some emergency which may have arisen in connection with a regular job.
3. When he has left the campus with official permission to be away from the city to take part in a program or religious service.
4. When he goes home according to the regulations given below:

Except in cases of emergency, permission for a dormitory or day student to leave Greenville must be secured from the Dean of Men or the Dean of Women **ONE WEEK IN ADVANCE**. If classes are to be missed, this permission must be signed by instructors of the classes to be missed; and class work must be made up **IN ADVANCE** or permission must be secured in advance from the instructors to make up the work or from work supervisors to be absent from a regularly assigned job.

If a student is a minor, permission to go home will be granted only upon receiving a written request sent directly to the Dean of Men or Dean of Women from his parents or guardian.

To obtain a cuts permission **OLD** students must have at least a **C** average for the previous **FINAL** grading period and not be on academic probation. **NEW** university and transfer students will not be permitted to take cuts during

the first nine weeks if on academic probation. They may take cuts during the second nine weeks if they have a C average for the first nine weeks. ACADEMY students through their junior year must have at least a D average with no F's. Seniors must have at least a C average and not more than one F. INSTITUTE students must have all S grades or above.

If a dormitory or day student has an excessive number of absences due to illness and if he is having academic difficulty, he will be denied the right to take cuts or his cut time will be shortened.

Work students must bring a note from their work supervisor indicating that satisfactory arrangements have been made for the time they plan to be away.

No student may miss any class or scheduled assembly such as Vespers or chapel more times in the semester than that event meets within one week. This means that a student may not be away for more than one week for all purposes, which includes extension cuts, emergency cuts, as well as the usual visits to one's home or to the home of relatives. Should he be away from the University on any holiday, he will be considered as having missed the classes regularly scheduled for that day even though the classes do not meet.

No cuts may be taken (1) during Bible Conference (2) within three weeks before or after Christmas holidays or Commencement (3) within three weeks following the beginning of any semester or a student's entrance into the University (4) during mid-semester examinations. Under no circumstances, except critical illness or death in the immediate family, will any student be permitted more than one week of cuts. No cuts of classes are allowed in either session of summer school.

For each class absence, a student will receive a grade of zero. This may be removed in the case of legitimate absences by the student's making up the work in a way that is satisfactory to his instructors. If a student knows he is to be out of the city and, therefore, absent from his class, he must secure the instructor's permission IN ADVANCE to make up his work.

LEAVING THE CAMPUS

Dormitory students may leave the campus on the following basis, provided that they go only to the city of Greenville or within a radius of ten miles from the University campus.

MEN

High School: Twice a week (daytime only); must check out and in.

Freshmen: Three times a week (daytime only); must check out and in.

Sophomores: Number of times unlimited; must check out and in during the day; permission necessary at night.

Juniors: Number of times unlimited; must check out and in at night.

Seniors: At their pleasure, but must not violate any rule by their absence.

WOMEN

They may leave only with proper permission and in the company of their parents or an authorized chaperon. Exceptions may be made in the case of upper-class women.

ALL STUDENTS

All students regardless of classification must obtain written permission to leave the campus on Sunday.

All students are urged to attend a good fundamental church of their own denomination each Sunday night. Men students must obtain permission to attend the Sunday night church service; however, once that permission has been obtained, the student may on succeeding Sunday nights attend services in that same church by simply checking out and indicating the church he has permission to attend. If the student decides he wishes to attend another church, he must then secure a new permission.

No student may leave the University campus except under the conditions specified above without written permission from the Dean of Men's or the Dean of Women's Office.

No dormitory student may visit any local home without the permission of the administration.

Permission for a student to visit any home outside of Greenville except his own or that of a close relative will not be granted, except in certain special cases. The Dean of Administration will be the judge of whether or not a case is "special."

PEP SONG

Bob Jones University, we're pressing on to victory,
Bob Jones University, our loyalty we pledge to thee,
Blue and white with purpose true,
And to your standards high we cling.
Bob Jones University, our praise to thee shall ever ring.

BOB JONES UNIVERSITY HYMN

Wisdom of God, we would by Thee be taught:
Control our minds, direct our ev'ry thought,
Knowledge alone life's problems cannot meet;
We learn to live while sitting at Thy feet.

Light of the world, illumine us we pray,
Our souls are dark, without Thy kindling ray;
Torches unlighted, of all radiance bare,
Touch them to flame, and burn in glory there!

Incarnate Truth, help us Thy truth to learn,
Prone to embrace the falsehood we would spurn;
Groping in error's maze for verity,
Thou art the Truth we need to make us free.

Unfailing love, we are so cold in heart,
To us Thy passion for the lost impart;
Give us Thy vision of the need of men,
All learning will be used in service then.

Great King of kings, this campus all is Thine,
Make by Thy presence of this place a shrine;
Thee may we meet within the classroom walls,
Go forth to serve Thee from these hallowed halls.

DEFENDANT'S EXHIBIT 2

[Letterhead of]

LEATHERWOOD, WALKER, TODD & MANN

Attorneys at Law

Greenville, South Carolina 29602

June 2, 1975

* * *

HAND DELIVERED

District Director
Internal Revenue Service
Atlanta, Georgia

Re: Bob Jones University
Wade Hampton Boulevard
Greenville, South Carolina 29614
Your Reference 730:TPS

Gentlemen:

By letter of H. E. Kenworthy, Chief, Employee Plans & Exempt Organizations Division, dated April 16, 1975, referenced above, the Internal Revenue Service gave notice of proposed revocation of the determination letter to Bob Jones University (the University) dated March 30, 1951. By letter dated April 29, 1975, the undersigned as counsel for the University protested the proposed revocation and submitted facts and arguments in support. Since the date of said protest letter, the University's Board of Trustees has met and taken action which counsel for the University feel is dispositive of this matter. Therefore, the University hereby amends its protest letter dated April 29, 1975 as follows:

On Tuesday, May 27, 1975, the Board of Trustees of the University authorized a change in the University's admissions policy. Pursuant to this authorization, the University has adopted the following admissions policy:

Along with all other educational institutions, Bob Jones University is now required by law to admit students of any race to all rights, privileges, programs and activities generally accorded or made available to students at the University; and the University does not discriminate on the basis of race in the administration of its educational policies, admission policies, scholarship and loan programs, and athletic and other administered programs subject to and in conformity with the University's religious beliefs and practices as embodied in its rules and regulations, including, but not limited to: (1) Applicants and/or students who are partners in an interracial marriage will be denied admission and/or expelled. (2) Applicants and/or students who are members of or affiliated with any group or organization which holds as one of its goals or advocates interracial marriage will be denied admission and/or expelled. (3) Applicants and/or students who date outside their own race will be denied admission and/or expelled. (4) Applicants and/or students who espouse, promote, or encourage others to violate any of the University's rules or regulations, including those set forth above, will be denied admission and/or expelled.

The University submits that its current admissions policy set forth above is racially neutral and thus is in compliance with the requirements of Rev. Rul. 71-447, 1971-2 CB 230.

The only limitation in the current admissions policy applies to action taken by applicants or students which would be controlling no matter what the race of the particular applicant might be. If an applicant was a partner in an interracial marriage, he would be denied admission no matter what his race. Thus, if a white who is married to a black applied, the white would be denied admission in exactly the same fashion as if his spouse applied. Similarly, if a white dated a black or oriental, both would be expelled if they were students. The other restrictions in the admissions policy are similarly neutral in their application. All limitations would apply to whites as well as blacks.

Should the Internal Revenue Service disagree with the University's position that its present admissions policy is racially neutral and in compliance with Rev. Rul. 71-447, *supra*, the University reiterates that the proposed revocation of its determination letter dated March 30, 1951 is illegal and unconstitutional as set forth in the above mentioned protest letter dated April 29, 1975. The University would also contend that the proposed retroactive revocation constitutes an abuse of discretion on the part of the Commissioner pursuant to Section 7805 of the Internal Revenue Code for the reasons stated in said protest letter.

The University would further assert that in view of the obvious racial neutrality of its current admissions policy that any continued revocation proceedings would only amplify and bring into sharper focus its contention that the proposed revocation is illegal, unconstitutional and in violation of the First Amendment to the Constitution of the United States. Obviously the only objection the Service could mount to the present admissions policy would be simply that it objects to the exercise of racially neutral religious beliefs.

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Defendant's Exhibit No. 2

The University is prepared to discuss publication requirements with appropriate Internal Revenue Service personnel.

I certify under penalty of perjury that I prepared the above amended protest and to the best of my knowledge and belief the information contained herein is true.

Respectfully submitted,

O. JACK TAYLOR, JR.
O. Jack Taylor, Jr.
Counsel for the University

OJTjr:nr

cc to Mr. Meade Whitaker
Chief Counsel
Internal Revenue Service
Washington, D. C. 20224

Defendant's Exhibit No. 3

A211

DEFENDANT'S EXHIBIT 3

BOB JONES UNIVERSITY

BULLETIN

CATALOG ISSUE

Volume XLVIII

February, 1975

Announcements

1975-76

Greenville, South Carolina

ADMISSIONS INFORMATION

GENERAL REQUIREMENTS

Candidates for admission to any of the schools of the University must give evidence of good character. Students transferring from other schools must present a statement of honorable dismissal.

Applicants under twenty-five years of age must live in the University dormitories unless married or housed with close relatives. Those between twenty-five and thirty years of age may attend either as dormitory students or as day students. Applicants thirty years of age and over may attend as day students only and are not eligible for dormitory accommodations.

American College Test (ACT) scores are required of all undergraduate applicants. Each applicant is urged to apply for and stand the required examination well in advance of the semester for which he seeks admission. Any applicant who finds it impossible to take this test prior to his enrollment will be tested at the beginning of his first semester in residence. The examination is administered nationally on established schedules with a closing date for each administration. A bulletin of information and application blank with the dates of administration and fees may be obtained by writing the American College Testing Program, P. O. Box 168, Iowa City, Iowa 52240. High school students may also acquire information about this test from their principals or counselors. These test scores are useful in processing a student's application and in advising him during his college career.

DEGREE ACHIEVED—REDUCED TIME (DART)

Bob Jones University offers an accelerated program through which students in many disciplines may complete their baccalaureate degree in three years. The program

involves attendance in two or three summers of eight weeks each in addition to three regular academic years of two semesters each. This program, consistent with the national trend toward acceleration of undergraduate study, makes possible the education of a substantially greater number of students than does the traditional four-year program. Students desiring to complete their program in three years should plan their schedule carefully with their academic advisor beginning with their work in the freshman year.

HOW TO APPLY FOR ADMISSION

Students Attending College for the First Time

1. Secure an "application for admission" from the Director of Admissions, Bob Jones University, Greenville, South Carolina 29614.
2. Fill in the application form completely.
3. Send this form with a ten-dollar application fee to the Director

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of Admissions.

4. Upon receipt of these materials, the Admissions Office will process your application, will notify you of your admission status, and will send further information.
5. Arrange to take the American College Test (ACT) by writing to Box 168, Iowa City, Iowa 55240. If already taken, request a copy of your scores to be sent to us by writing to the same address.

Students Transferring from Other Institutions

1. Follow Steps 1 to 5 under "Students Attending College for the First Time."

2. Request each college or university which you have previously attended to send a complete transcript of your work to Bob Jones University.

Time Required for Processing of Application

Ordinarily, an application can be processed in no less than three weeks, and it is not unusual for an application to require six weeks or longer for processing. It is necessary to secure the high school record, to evaluate for transfer students any transcripts of credit earned in other institutions of collegiate level, to secure the necessary character recommendations, and to coordinate all these records in the Admissions office before a final letter of acceptance can be sent. No reservation is final until all these records are in order. Consequently, an applicant should allow himself as much time as possible for the processing of his application.

A person admitted to the University in the last few weeks before the opening of a semester frequently can be given only a tentative reservation with the expectation that it will become final if the University receives a cancellation of reservation held by an earlier applicant. The application must be accompanied by the \$10 application fee in order to be processed. Reservations confirmed more than six months before the opening of a semester are contingent on the applicant's providing a satisfactory health certificate within the six-month period prior to the opening of the semester in which he enrolls.

FRESHMAN ADMISSION BY HIGH SCHOOL CERTIFICATE

Freshman Standing

The University Director of Admissions will request directly from the applicant's high school principal a properly certified statement that the applicant is a high school

graduate recommended for college work. Upon receipt of this information, and provided the applicant has met all other requirements for admission, students from approved high schools will be admitted to the freshman class.

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Required Units

Applicants should have at least 16 acceptable units of secondary school work and have received a high school certificate. (A unit is defined as five 45-minute periods each week for 36 weeks.)

Ten of these units must be in such academic subjects as English (three units), mathematics (two units), natural science (one unit), social studies or history (two units), or foreign language (two units).

If a student does not present one unit of United States History, he must take that course on the college level. This includes all foreign students.

Students deficient in entrance requirements, but whom the University is willing to accept, must make up deficiencies by taking additional hours on the University level. These hours are added to the total 130 required for graduation. Since one semester of college work is usually construed to be the equivalent of a year's high school course, a student deficient one half unit of academic electives is required 132 hours for graduation; a student deficient one unit, 133 hours for graduation, etc. These additional hours must be taken in the areas of study in which the student is deficient.

LIMITED EARLY ADMISSIONS PROGRAM (LEAP) FOR
HIGH SCHOOL STUDENTS OF DEMONSTRATED ABILITY

LEAP is designed for all qualified rising seniors in high school. The courses offered will be regular college

courses and those high school students admitted will attend classes with regular college students. The program is offered as a means of enriching the education of outstanding high school students and is not to be regarded as an effort to supplant the secondary school program.

The courses taken must not be the equivalent of those the student would get in his senior year of high school since these students are expected to return to high school and finish a normal senior year. Furthermore, courses may not be substituted for high school credit in order to secure early admission to college.

Each student will be admitted only upon recommendation of the high school principal. He should have superior test scores and should consistently be doing A and B work in his high school courses.

Upon the successful completion of these summer school courses, the right earned will be entered upon the university records but held in escrow until high school graduation has been achieved and the student has completed one full year of residence study in Bob Jones University at which time the credits earned will then be applied toward the student's degree objective in Bob Jones University.

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FRESHMAN ADMISSION BY EXAMINATION

Students whose educational backgrounds have been irregular, but whom the University is willing to accept, may be admitted on any of the following bases:

Equivalency Diploma

The High School Equivalency Diploma or certificate is now issued by the state departments of education of nearly all the states as part of their services in the field of

adult education. In many states this service is available on the same basis to veterans and non-veterans alike, in others on a differentiated basis, and in still others to veterans only. In all cases, however, it is awarded to persons of post high school age on the basis of achievement shown by examination rather than achievement shown by accumulation of high school credits, though in some states examination results must be supported by a partial high school record. Specific requirements vary from state to state, especially as to the minimum age at which one is eligible to take these examinations. An inquiry addressed to any state department of education will reveal current practices for that particular state. Other things being equal, an equivalency diploma is construed as sufficient basis for college admission and meets all the specific entrance requirements.

G. E. D. Tests

The USAFI General Education Development Tests also serve as a basis for admission for the veteran or other adult applicant when satisfactory scores have been achieved at an approved examination center prior to the enrollment of the student in the University. Satisfactory scores achieved on these examinations, whether or not they have resulted in the issuance of a diploma, are construed as meeting all entrance requirements. In some circumstances advanced standing is given on the basis of the College Level G. E. D. Tests.

Entrance Examinations

Bob Jones University Entrance Examinations are required of all applicants who do not qualify for admission by regular high school certificate or by one of the three kinds of examinations described in this section. This requirement holds even though an applicant may wish to

take special work only. For these special students the examination results serve as a basis for academic counseling. To be eligible for the University Entrance Examinations, however, an applicant must have an irregular educational background and must in most cases be at least twenty-one years of age. If a student seeking admission does not meet admission requirements in any of the ways previously described and does not qualify for the University Entrance Examinations, he may seek admission to the Bob Jones Academy only.

The University Entrance Examinations consist of a battery of five

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standard tests administered at the beginning of each semester. These examinations include an ability examination, an English placement test, and general achievement tests in social studies, natural sciences, and mathematics. Satisfactory scores on these examinations are construed as meeting all entrance requirements.

Other Tests

Other examination results such as those obtained from the tests of the College Entrance Examination Board or a similar approved organization are accepted as a basis for admission. Applicants who fall into this group should make this fact known in their correspondence with the Director of Admissions.

Conditions Applying to All Students Admitted by Examination

A student applying and accepted for registration on the basis of satisfactory examination results will be enrolled and placed on probation one semester. If such a

student meets the educational standards of the University during this time, this condition will be removed; and he may become a candidate for a degree. If at the end of one semester there remains a question as to the eligibility of the student to work for a degree, the condition will be continued one more semester. If at the end of two semesters the student's work is not of such quality as to justify his working for a degree, he must discontinue his enrollment. All entrance requirements must be met before any student becomes a candidate for a degree.

CONDITIONS APPLYING TO ALL NEW FRESHMEN

No student, even though he has no entrance deficiencies and is admitted unconditionally, may consider himself a candidate for a degree until he has demonstrated the ability to earn a degree by at least one full semester of satisfactory work. An equal number of semester hours and quality points, that is, a C average, is the minimum satisfactory record necessary for University graduation.

Each year the University admits a limited number of students whose high school records are below the level generally required for recommendation to college work. Such a student may be admitted conditionally and is not eligible to become a candidate for a degree until he has demonstrated his ability to do work of degree quality. The length of time that such students are retained on condition depends on their progress.

OTHER ADMISSION CATEGORIES

Admission as a One-Year Business Student

Students enrolled in the one-year business course are freshmen by classification and take the course of study outlined under the School of Business Administration for the one-year business student.

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To qualify for the one-year business certificate, the student must be a high school graduate and must complete the prescribed course of study and meet the minimum grade average specified in the requirements. A one-year business student differs from other freshmen in that he is not required to remove entrance deficiencies. If such a student, however, decides after one year to continue toward a degree program, he must remove all deficiencies and will retain freshman classification until such deficiencies are removed.

Admission as a Special Student

The University accepts a limited number of special students who fall into one of the following categories: (1) Students who have completed a bachelor's degree and who wish to take additional work in some area without working for a degree, (2) Mature students, past normal college age, who qualify for regular admission and who wish to take only a few courses on a part-time basis, but are not interested in a degree.

Special students are not required to remove entrance deficiencies and may take any course for which they have met the prerequisites. It should be borne in mind, however, that the University does not permit any student to take all his courses in one or two fields but recommends even for special students a program of general education. No student has the academic classification of "Special" unless he has applied and been admitted as a special student; or unless after he has been admitted as a regular student, he has been given permission by the registrar to become a special student. The fact that a dormitory student may be classified "Special" academically does not mean that he will be granted special privileges by the Dean of Men or Dean of Women.

A special student seeks admission in the same manner as a regular student. Work taken as a special student may be applied toward a degree program later if the student qualified for admission to a degree program at the time the work was taken.

Admission as a Part-Time Student

Since 12 semester hours constitute the minimum full-time load in the University and since all dormitory students are full-time students, a part-time student by definition then is a day student carrying fewer than 12 hours. Many part-time students are wives of full-time University students who wish to take certain special courses; others are residents of the local community who wish to enroll for a partial load of work only. Many part-time students by nature of their program of study are special students, although some part-time students follow a regular program of study.

To secure a permit to register, a part-time student must follow the regular procedure in filing application for admission.

A part-time student who wishes to take only an applied music course pays the special rates for such instruction according to the information under "Expenses for Part-Time Students."

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Admission of Foreign Students

One of the unusual features of Bob Jones University is that as a private liberal arts university it attracts its student body each year from practically all the states plus the District of Columbia, the outlying possessions of the United States, and more than a score of foreign countries. In addition to those who are foreigners by citizenship, the

University attracts each year a number of students who are of American citizenship but who were born and have been reared in foreign countries.

In recent years, the student body has included annually students from 18-30 states and from 20-30 foreign countries.

Bob Jones University is proud of its foreign students and does everything within its power to facilitate the admission of its qualified foreign applicants. The foreign student, however, who desires admission to Bob Jones University, and into whose hands may come a copy of this catalog will do well to read carefully the following paragraphs.

A foreign student makes application for admission to Bob Jones University in the same manner as any other student with the additional problem of meeting certain requirements of his own country plus the requirements of the United States for approval to study in this country. Before a letter can be sent from the University to the student to assist him in securing the necessary credentials to leave his own country to enter America for study, the foreign student must:

1. submit his application with the \$10 application fee plus the \$50 matriculation fee for the semester for which the reservation is requested (a total of \$60) which must be in United States funds or the equivalence of United States funds. In the event the application should be rejected, \$50 will be refunded.
2. furnish satisfactory evidence as to his character, ability to meet his financial obligations in this country, and academic preparation for study in an American university. He must also provide proof of his proficiency in the English language.

Because of the time involved, all foreign applicants should submit applications with all the necessary credentials at least six months to a year in advance of the semester when the individual student expects

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to enroll. Because of the considerable number of Canadian applications received each year, the initial letter from the University to every Canadian applicant will include a special syllabus giving further details concerning the admission of Canadian students.

A letter of tentative acceptance granted to a foreign student on the basis of satisfactory preliminary information is subject to final confirmation by the satisfactory completion of all records pertaining to the student, including the evaluation of academic credentials by the U. S. Office of Education, which is final and binding in all cases. It is understood that the foreign student in claiming his reservation accepts this provision as part of his contract with the University.

Admission of Service Personnel

A limited amount of credit may be allowed for training programs followed in military service provided this work is in line with baccalaureate requirements. Any veteran desiring an evaluation of such work must have his official transcript forwarded directly from the proper authorities to the Registrar of Bob Jones University. Credit is allowed on the basis of the recommendation in the manual, *A Guide to the Evaluation of Educational Experiences in the Armed Services*.

ADMISSION TO ADVANCED STANDING

General

Transfer students seek admission to the University in the same manner as entering freshmen. It will be helpful,

therefore, for every prospective transfer student to read the general requirements for admission and the requirements for freshman admission. The high school transcript of the transfer student will be secured by the Admissions Office of the University. The transfer student, himself, is responsible to see that transcripts of all previous college level work are sent directly from *each* institution attended to Bob Jones University. All such transcripts should be requested at the time the application is mailed to the University since the application cannot be processed until all records are in order. Transcripts are not accepted from students.

All transfer credits are accepted on a provisional basis, which means that they do not become a part of the student's permanent record until after he has successfully completed one semester of residence study

* * *

and that the unit of credit is the semester hour. Quarter hours are transposed into semester hours at the ratio of 3:2—that is, 3 quarter hours equal 2 semester hours. While every effort is made within the regulations to give the transfer student full value for his previous work, no fractional credits are recorded and course credits of a fragmentary nature are disallowed.

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High School Record

A transfer student's high school record is evaluated in terms of Bob Jones University entrance requirements. Occasionally a student who was admitted to another institution without deficiency will find himself deficient in entrance requirements when transferring. Such deficiencies, if any, will be indicated on the registration materials given to the transfer student when he enrolls. If a student has taken college level courses which may be substituted

for entrance deficiencies, the credit for such courses will be sacrificed.

Transfer Credit Regulations

The regulations governing the transfer of credits earned in other institutions are as follows:

1. It is the policy of the University to consider for transfer credits earned in a regular college or university or other institution of collegiate level.
2. Only those credits which carry a grade of at least C or its equivalent may be transferred.
3. Courses acceptable for transfer must be substantially in line with the course of study offered by Bob Jones University and must serve a useful purpose in the particular curriculum which the student proposes to follow. A course to be accepted need not be identical with a course offered at Bob Jones University, but it must be a course, even as a free elective, which is generally in line with the baccalaureate requirements as defined in this catalog. For example, a student who has heretofore pursued for any length of time a curriculum in the field of engineering, agriculture, or any other field in which courses are not offered at Bob Jones University may not expect to receive full transfer value for his previous work. A limited number of such credits are transferable as free electives.
4. In transferring credits, all evaluations are made in terms of courses as they appear in the University bulletin. Though the original course titles are retained, the student's transfer record will show the course number as it appears in the Bob Jones University catalog. Transfer courses for which there exist no parallel courses in this institution but which are acceptable for transfer will be assigned the proper departmental classification.
5. Transfer credit may be given by the University in any one field of study not to exceed the amount of credit required in the University for a major in that particular field. For example, a student who has had extensive training in religion elsewhere may not expect to transfer more than 30 semester hours in religion, since 30 semester hours of appropriate courses constitute a religion major in Bob Jones University. If the student expects to major in the field in which he presents the maximum number of transfer hours, he must complete a minimum of 12 semester hours in his major field in Bob Jones University. Further, the total number of credits in any one

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should be borne in mind that the "in residence" regulation requires a candidate for a degree to complete a minimum of 30 semester hours in two semesters of residence in Bob Jones University. This stipulation means that in the minimum of two semesters the student must carry a full load of work and must meet the minimum academic standards required by the University for graduation.

8. The University does not accept in transfer any work taken elsewhere unless the student was a high school graduate at the time the work was taken.

Transfer Credit from Bible Schools

In addition to the regulations just enumerated, the following regulations clarify the basis of transfer for work completed in a standard Bible college:

1. Credits earned in the field of religion in a standard Bible school of college grade are considered for transfer purposes on the same basis as credits earned in other fields in a regular college or university.
2. Credits earned in a Bible school of approved collegiate standing are accepted on the same basis as credits earned in any other institution of college grade.
3. Credits in the academic fields earned in a Bible school which does not have a recognized college department may be transferred only by validation. This validation may be secured by examination, as in English, or by the completion of the next course in sequence with a minimum grade of C, as in Greek. The procedure used is that recommended by the department. All validation examinations must be completed within the first half-semester of a student's registration in the University. A fee of \$1.00 is charged for each validation examination.
4. Evaluation of credits completed in Bible schools is made according to the regulations governing all transfer work, as to the quality of work required, the maximum number of hours which may be transferred, etc.
5. Because of the wide variety of religion courses offered in Bible schools and because of the variations existing in course titles and course contents from school to school, Bob Jones University allows all transfer credits in religion on an equivalence basis in terms of courses and credits listed in this bulletin under the School of Religion. This assignment of credits is made on the basis of the contents

of the courses pursued elsewhere as compared with parallel courses offered in this institution. A major in religion is then held responsible on his comprehensive examination for the Bob Jones University courses which have been assigned as equivalent courses.

6. The University does not accept in transfer any work done in the field of religion by correspondence.

Admission as a Postgraduate Special Student

A student holding a bachelor's degree who wishes to secure additional training but who does not wish to follow a program of study leading to an advanced degree may enroll as a postgraduate special student. Such a student may take courses on the undergraduate level, depending on his objective in taking such special work. To register for a graduate course, however, the student must meet all prerequisites in the same manner as a student who takes the course to apply toward a graduate degree program.

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ADMISSION AS A GRADUATE STUDENT

The University offers graduate work in art, music, speech, radio and television, cinema, religion, and education. For admission to graduate standing, an applicant is to submit in writing to the Scholarship Committee his degree request for approval. He must hold a bachelor's degree from an approved college or university and must qualify for a program of study leading to a graduate degree. In order to pursue graduate work, a student must have an undergraduate major or its equivalent in the field chosen for graduate study. His undergraduate program of study must be substantially equal to the undergraduate program of study required in that particular field at Bob Jones University, including major, minor, and general requirements. Further details concerning specific require-

ments are given elsewhere in this bulletin under the School of Fine Arts, School of Religion, and the School of Education.

An applicant who meets all undergraduate requirements for admission to graduate work is given unconditional admission subject to the regulations regarding admission to candidacy which apply to all graduate students. An applicant who is deficient, but not seriously so, will be admitted with graduate standing, but such a student must remove all deficiencies before admission to candidacy is granted. An applicant whose undergraduate program of study is totally out of line with the graduate program he wishes to pursue will be advised to enroll in the appropriate undergraduate school to qualify for the bachelor's degree. In every case an applicant for graduate study must present an undergraduate record of such quality as to predict success on the graduate level.

The prospective graduate student must follow the regular procedure in filing application for admission and at the time of application must request a complete final transcript of his undergraduate work, showing the conferring of his degree, to be sent directly from his former institution to the Registrar of Bob Jones University. The graduate applicant will find it helpful to read the opening section on admission, "General Statement," which applies to all persons seeking admission to the University for the first time.

Students wishing to enter the graduate school with bachelor's degrees from Bible colleges will be accepted if their grades are adequate and if they meet the following conditions: The undergraduate work taken for the bachelor's degree must contain a total of at least 120 semester hours with a minimum of 70 hours in academic subjects.

Of these 70 hours, not more than 20 may be from the combined fields of music, speech, and commercial skill courses. Courses in Bible, Church Administration, or practical work will not be considered as applying toward the 70 semester hours of academic subjects required.

Applicants whose grades are satisfactory and who meet all but a few of the above requirements may be admitted to the graduate school as special students to make up their deficiencies. After doing this, they may become candidates for advanced degrees.

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Graduate Fellowships

Each year the University awards approximately 20 teaching fellowships to outstanding students who wish to pursue graduate work in art, music, speech, radio and television, cinema, religion, or education. A fellowship runs for two years and yields the holder his room, board, and tuition plus a cash stipend each month.

A fellowship instructor teaches half time for the University while carrying a maximum student load of 9-10 semester hours. The minimum residence requirement for graduate students holding these fellowships is four semesters of work completed during two academic years. While the majority of these fellowships are awarded to Bob Jones University graduates, a few are given to other graduate applicants of outstanding merit.

FINANCIAL INFORMATION

EXPENSES

For Full-Time Students

Tuition per semester * \$450.00

The tuition rate of \$450.00 is based on a maximum load of 16 semester hours. Any student who is permitted to enroll for additional hours above this maximum will be charged for the additional hours at the rate of \$22.50 per semester hour.

Room and board per semester *	724.50
Matriculation fee per semester *	50.00
Student activity fee per semester *	10.00

* *Subject to change if necessary*

For Part-Time Students

The minimum semester load in the University on the undergraduate level is 12 semester load or credit hours. Although a dormitory student may occasionally be given special permission to carry fewer than 12 hours, all dormitory students are classified as full-time financially as well as academically. Day students taking 10 hours pay the full tuition charge. Part-time students will pay tuition and fees listed below.

Tuition per semester hour up to and including 9 hours *	\$45.00
Matriculation fee (1 for each 5 hours) per semester *	25.00
Matriculation fee (over 5 hours) per semes- ter *	50.00
Student activity fee (1 through 5 hours) per semester *	7.50
Student activity fee (over 5 hours) per semes- ter *	10.00

** Subject to change if necessary*

The \$25.00 matriculation fee does not cover discounts at the Student Center or an artist series ticket. The \$50.00 matriculation fee must be paid by all students taking more than five hours of work. This includes all graduate assistants.

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Defendant's Exhibit No. 6

DEFENDANT'S EXHIBIT 6

FORM L-339 (11-70)

[Letterhead of]

DEPARTMENT OF THE TREASURY

District Director
Internal Revenue Service

Date: Nov. 30, 1970

In reply refer to: 400:EO

Bob Jones University, Inc.
Greenville, S. C. 29614

Gentlemen:

The Internal Revenue Service, after careful study, has concluded that private schools with racially discriminatory admissions policies are not legally entitled to Federal tax exemption and that contributions to such schools are not deductible as charitable contributions. This position is applicable to all private schools in the United States at all levels of education. The enclosed statements discuss this position in greater detail.

The Service will continue to recognize the tax exempt status of a private school where it has adopted and administers; or will adopt and administer, a nondiscriminatory admissions policy in good faith, and publicizes the fact within its community. The benefits of tax exempt status and deductibility of contributions will, however, be challenged by the Service where a private school practices racial discrimination in its admissions policy.

We are now reviewing all rules and determinations issued to private schools in the United States in the light of this position. With but few exceptions, our present files on educational organizations do not contain information on admissions policies and related facts. Thus, this inquiry is being directed to all schools having Service rulings of tax exemption.

To enable us to determine your correct status, we ask that you answer the questions on page two of this letter. You may retain for your files the enclosed copy of this letter. If you wish, you may submit any documents you feel will have a bearing on the matter. Your reply should be made over the signature of a principal officer of your organization and should be returned to this office in the enclosed envelope within thirty days. If you are in process of clarifying or modifying your admissions policy, you may request an extension of time in which to supply additional information.

Your reply will be evaluated promptly, and you will be advised of our findings. If it appears that your exemption is brought into question, you will have an opportunity to present additional evidence and be heard before a decision is reached.

Thank you for your cooperation.

Sincerely yours,

/s/ H. M. McLEOB
District Director

INFORMATION TO BE SUBMITTED TO INTERNAL
REVENUE SERVICE

1. What are the present policies and practices of your school on admissions? Racially Nondiscriminatory Racially Discriminatory Other (Please explain.)

2. If you have a racially nondiscriminatory admissions policy, explain the manner in which it has been widely publicized. (Please furnish pertinent information from your catalog, local newspaper or other similar publications, and other supporting information demonstrating wide dissemination.)
3. If you are undertaking to modify or clarify your admissions policy, explain your new or modified policy and your proposed methods of publicizing it. If you have already taken action, please furnish copies of any documents by which your policy is being established and publicized.

I declare that I have examined this questionnaire, including the accompanying statements, and to the best of my knowledge and belief it is true, correct and complete.

Date

Signature of Officer

Title

Enclosures:

News Release dated 7/10/70

News Release dated 7/19/70

Self-addressed envelope

NEWS RELEASE

INTERNAL REVENUE SERVICE
Washington, DC 20224
Tel. (202) WO 4-4021

For Release: 4:00 PM, EDT, Fri.
July 10, 1970

IRS Announces Position on Private Schools

Washington, D. C.—The Internal Revenue Service announced today that it has been concluded it can no longer legally justify allowing tax-exempt status to private schools which practice racial discrimination nor can it treat gifts to such schools as charitable deductions for income tax purposes.

The Internal Revenue Service will proceed without delay to make favorable rulings of exemption immediately available to private schools announcing racially nondiscriminatory admissions policies and to deny the benefit of tax-exempt status and deductibility of contributions to racially discriminatory private schools.

The Service said that favorable rulings given to private schools in the past will remain outstanding where the school is able to show that it has racially nondiscriminatory admissions policies.

All private schools with favorable rulings outstanding will receive a written inquiry from the District Director of Internal Revenue and it is anticipated that in most instances evidence of a nondiscriminatory policy can be supplied by reference to published statements of policy or to the racial constituency of the student body.

Where a school fails to establish that it has a racially nondiscriminatory admissions policy, an outstanding ruling of exemption will be withdrawn. However, a school seeking to clarify or change its policies and practices will be given a reasonable opportunity to do so in order to retain its ruling of federal tax exemption. In any event, full opportunity to present evidence and be heard will be provided in accordance with usual revenue procedures and the right to appeal to the courts will be available. Similar principles will be followed in acting upon requests made by new schools for rulings.

* * *

4:00 PM, EDT

7/10/70

NEWS RELEASE

INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224
TEL. (202) WO 4-4021

IR-1052

For Release: Sunday
July 19, 1970

Washington, D. C.—The Internal Revenue Service today announced it has issued favorable rulings of exemption to six private schools that have announced racially nondiscriminatory admissions policies. The schools are located in five different southern states.

The rulings were the first to be issued under the statement of position announced by the IRS on July 10 concerning the tax status of private schools. Other applications for exempt rulings, pending at the time of the announcement, which meet the stated standards will be processed expeditiously, the IRS said.

The IRS said the written inquiry on admissions policies to be sent to all private schools that currently hold favorable tax exemption rulings is now being developed. Inquiry letters are expected to be sent out by the 58 IRS district directors within a few weeks.

The six schools to which new favorable rulings of exemption were issued had provided the IRS complete information that they had a racially nondiscriminatory admissions policy announced within their respective communities.

Nathanael Green Academy, Inc. Siloam, Georgia	Desoto School, Inc. Helena, Arkansas
The Heritage School, Inc. Newman, Georgia	Southeast Education, Inc. Dothan, Alabama
The Gaffney Day School Gaffney, South Carolina	Pamlico Community School Washington, North Carolina

In response to questions it has received, the IRS also issued a more detailed explanation of its July 10 statement of position on the tax status of private schools. In that statement the IRS said, in the future, favorable rulings of tax exemption would be available where schools announced racially nondiscriminatory admissions policies.

The IRS said its July 10 statement does not affect a school's ordinary admissions policies which have no relation to race. The IRS specifically added that a school's ordinary academic standards will not be affected.

The IRS explained that its July 10 statement is applicable to all private schools throughout the United States, except as limited by the order of a three judge Federal District Court in the District of Columbia, in *Green v. Kennedy and Thrower*. That court has ordered that rulings be issued in Mississippi only under terms and conditions approved by the court.

In its initial nationwide review of the present status of private schools, the IRS said that where a school has adopted and publicly announced a racially nondiscriminatory admissions policy, it will assume, in accord with normal procedures in requests for rulings, that such policy has been adopted and will be maintained in good faith. If subsequent examination by an IRS field office indicates

that a school has not administered such a policy in good faith, the tax exempt status of the school will be challenged.

The IRS also said that, should an existing ruling of a private school be revoked as the result of such a challenge, persons contributing to the school will be allowed to deduct contributions made prior to the date of the public announcement by the IRS of the revocation. This follows the usual IRS rules and procedures on contributions.

The IRS added that its statement of position on racially nondiscriminatory admissions policies would be applicable to all private schools, whether church related or not. Selectivity of students, as by a religious seminary, having no relation to racial discrimination would not be inconsistent with the IRS statement of position.

* * *

7/19/70

DEFENDANT'S EXHIBIT 7

BOB JONES UNIVERSITY
Greenville, South Carolina 29614

Executive Offices

December 9, 1970

My dear Friend:

IT LOOKS AS IF BOB JONES UNIVERSITY WILL LOSE ITS TAX EXEMPT STATUS SHORTLY.

We have received from the Internal Revenue Service a notice that any institution that does not enroll black students without restriction will no longer be granted exemption from income tax and that gifts made to such institutions will no longer be tax deductible. I hope you will read very carefully the enclosed material explaining just why Bob Jones University does not accept black students. We are not "against" Blacks. Our Board simply does not feel it is in the best interest of either our white students or the Blacks themselves to enroll black students at the present time with conditions as they are.

If we are denied the same tax exemption privileges that other institutions have, the Executive Committee has unanimously determined to enter suit. It may cost us as much as \$250,000 to sue the government, and it is a disgraceful situation that this present United States Administration, by its unfairness, puts a Christian institution in a position of having to spend the Lord's money this way. It has come to us from a rather direct source that President Nixon is solely responsible for pushing this through and that certain of the men in the Internal Revenue Service believe that this action is unfair and unAmerican and

that some of their lawyers seriously doubt that it will be sustained in a court of law; but the President, according to the information that has come to us, has forced the issue.

It is most significant that there is no question of cutting off the tax exemption of institutions that are training militant Blacks, revolutionaries, Communists, and arsonists. No attempt has been made to take away tax exemptions from institutions which have Communists and revolutionists on their faculty—men and women who are seeking to overthrow America and train young people for that purpose—but the government is trying to discriminate against a Christian institution that is peaceful, patriotic, and seeking to train spiritual young men and women who will go out and make a real contribution to America and who will not drop out of society and seek to overthrow “the Establishment.”

If the income tax exemption can be used to blackmail educational institutions, the next step is to use it to blackmail churches. The National Council of Churches and liberal denominations would like nothing better than to see this pressure applied to independent, fundamental, Bible-believing churches to force them “into line.” We feel, therefore, that the whole cause of Christ is at stake in this matter; and Bob Jones University is going to fight for fairness and freedom for all Christian educational institutions and churches in America.

Many of our friends have assured us that if this goes through, instead of cutting off their donations, they will double them; and I believe this represents the spirit of most of the people who support Bob Jones University. I am confident that out of this discrimination against this institution because of its religious convictions God is going to bring glory to Himself and rebuke to the tyrants in Washington.

We have until December 30 to file our statement, which must then be processed. We are going to wait until that date to file our statement if our attorney advises us to file at all. In any case, we are going to "stall" it as long as we can; and after it is filed, it will take them a few days at least to process it. THIS MEANS THAT ANY GIFTS MADE TO BOB JONES UNIVERSITY IN THE NEXT FEW WEEKS WILL BE TAX DEDUCTIBLE. I hope, therefore, our friends will give as generously as possible in these last two or three weeks of 1970 and that whatever they plan to do for us in 1971, they will do IMMEDIATELY AFTER THE FIRST OF THE YEAR SO THOSE GIFTS WILL APPLY TOWARD THEIR CHARITABLE DEDUCTIONS IN 1971. It may mean somebody is going to have to sacrifice, but Bob Jones University is sacrificing for this cause, too; and I know our friends are going to rally.

I know we can count on your prayers. Pardon this lengthy letter, but we wanted you to know the facts. Pray for us. God bless you.

Sincerely yours,

/s/ BOB JONES
President

BJ:jl

[EXHIBIT D]

DEFENDANT'S EXHIBIT NO. 8

EXECUTIVE COMMITTEE MEETING

September 1, 1971

At a specially called meeting (via long-distance circuit connection) of the Executive Committee of the Board of Trustees the following people discussed the Internal Revenue Service problem of integration as it concerns Bob Jones University: Dr. Bob Jones, Chairman; Dr. Bob Jones, III; Dr. Monroe Parker; Dr. Charles Bishop; Dr. Otis Holmes; Dr. Harold Kilpatrick; and Dr. R. K. Johnson, Secretary. Dr. Monroe Parker gave the opening prayer.

Dr. Jones reported that we were expecting a great year and that we had over 100 more students signed up this year than we had as of this date last year.

Dr. Jones explained the nature of the meeting by giving a report on the tax situation. He stated that he had heard through our lawyers that the government was getting ready to act, that he had made a quick trip to Washington to discuss the matter with Senator Strom Thurmond, and that Senator Thurmond had been able to delay the matter a week or two. He explained further that the government is at a loss to understand our position—to them it is inconceivable that we would rather lose our tax exemption than to submit to their demands.

Dr. Jones proposed that he and Dr. Bob Jones, III, had a conviction of heart that they would like to take some married Christian colored people. Dr. Monroe Parker favorably commented on this suggestion. As he traveled about the country, Dr. Parker said, people often ask why Bob Jones University could not take certain Christian colored people. Other members of the Committee stated that they had been asked the same question.

It was explained that all married couples live off campus so that there would be no problem of colored children on the campus. Dr. Bishop asked if we would be willing to take the children of these proposed couples in the Elementary School. There was a feeling that we might be able to take them through the fourth grade. Dr. Bishop asked if this would force us to take other students. The answer was "no." We would take only the qualified ones.

Dr. Bob Jones, III, explained that we are and always have been interested in helping colored people. Finding a way to help them without the undisputable problem of enforcing our regulations against interracial dating is the problem. It is felt that accepting married Negro students who meet all the other qualifications for admission would allow us to train the Christian Negro in whatever field he felt God had called him without having the school's Scripturally based convictions against interracial marriage agitated against.

The question was raised with regard to whether or not this move would satisfy the Internal Revenue Service. Dr. Bob Jones stated that our business is to train Christian leaders and that we will admit only Christian married students. There are always the radicals that will never be satisfied with any move we might make, he said. Dr. Jones quoted the representatives of the National Association for the Advancement of Colored People (NAACP) who had boasted, "The battle will be won in the bedroom and not in the courtroom."

Dr. Parker made the motion that at the discretion of the Administration certain married Christian colored students be admitted. Dr. Kilpatrick asked if this move would force us to sign the Compliance Act. It was explained that we would not have to sign it, and that we would not sign it. Dr. Kilpatrick then seconded Dr. Parker's motion.

The roll was called, and the motion was unanimously carried.

Respectfully submitted,

/s/ R. K. JOHNSON, Secretary

/s/ BOB JONES, Chairman

EXECUTIVE COMMITTEE MEETING

November 16, 1971

The Executive Committee met at 9:30 a.m. November 16, 1971, by means of a telephone conference setup. On the roll being called, all members responded as present. Dr. Parker presented the following motion:

Be it resolved that the following appointments be approved by the Executive Committee:

Mr. Don Tice, as Manager of Financial Affairs; and Mr. Keith Mock, as Manager of Institutional Affairs, and that each shall have power to sign checks, deeds, transactions, or any other official documents in connection with matters covered by his own department but that all such checks, deeds, transactions, or other official documents be countersigned by the Treasurer of the University, the Secretary of the Board, the Chairman of the Board, or the President of the University.

Be it further resolved that Miss Dorreene Holmes be appointed Treasurer of the University with the power to act in all areas that come under the jurisdiction of the Treasurer, including the signing of checks, official documents, etc., with whatever limitations and requirements regarding countersignatures have been heretofore in force.

The motion was seconded by Dr. Kilpatrick and unanimously carried.

The question of electing someone to the Executive Committee for the unexpired term of Dr. R. K. Johnson was discussed, and the name of Mr. Robert D. Garrett was submitted by Dr. Holmes and seconded by Dr. Bishop to fill the unexpired term on the Executive Committee and to serve as Secretary-Treasurer for the Board. In the discussion which followed it was pointed out that Mr. Garrett has had wide business experience, that he is an alumnus of the University, and that he is presently a member of the Cooperating Board who has now moved

* * *

In reporting on the progress of the Amphitorium, he mentioned that it would be at least June of next year before it will be finished. We plan to have the dedication with Dr. Paisley at Thanksgiving time that year, although we should be actually in the building at the opening of the school term of 1973. The steel is what is holding us up. The company who bid on the steel has lost \$200,000 on the fabricating and erection of the steel and seem to have lost interest in the job. He then mentioned the crowded situation in the dormitories and other areas on the campus and said he didn't know how large the Lord wanted us to grow but that we are overcrowded even if we do not grow any more.

He mentioned again that we have the greatest internal harmony—the students are enthusiastic and the faculty are enthusiastic. It has been a difficult year financially, and our faculty have felt the pinch. He said we never take anyone on our staff who asks how much salary we offer.

Concerning the IRS situation, he explained the progress in our having won a temporary injunction against the IRS and told what that involved. He said the IRS was appealing that this next month. In July we should have to go to court in Richmond to hear that appeal. If we lost the exemption, we will lose our exemptions in other areas. For instance, our property will be taxable. He mentioned the recent court ruling along this line from the State of Wisconsin. He told how one man who is a lawyer told a friend of the school's that the trouble with Bob Jones University is that they are too honest. He said other schools said they would do such and such and didn't do it. The government doesn't care if the school does what it says; they just want the school to say it will do it to get them off the hook.

He then told of the trouble we are having with the Veterans Administration. They want to cut off funds to our veterans because we did not sign the Statement of Compliance. We have a friend who is willing to pay court costs if we will go to court on this, and we have a G. I. who is willing to be the one to sue. If we lose this first appeal, which is coming up in June, we will do this. We have about 400 boys in school on the G. I. bill, and probably half of them couldn't attend without the benefits.

Concerning the radio station license, he explained that we were going on our second year of operating without a license. The FCC has made some investigations but no decision on our case; so as long as they don't say anything, we will continue on the air. We have Negroes employed; so they cannot say we are discriminating. Dr. Jones mentioned the suit against King's Garden Radio Station in Seattle brought by an atheist who was denied employment at that Christian station. He said if they can get by with that, then every uncompromising Christian station will

have to close. We will soon begin working on our application for license renewal. It has to be renewed every three years; so the time is approaching. It takes one man almost a year to meet all the requirements of the application. It involves interviewing people in town.

* * *

in evening out the previous savings. Food is getting scarce. We are concerned about famine. We have to buy boxcars of food when available or we cannot get it when we need it. We can store 17 boxcars of food here on the campus.

The cost of utilities has soared in Greenville. Because of the increased costs, we are having to go up on room, board, and tuition. Even that is not enough to keep pace with the cost of living, but it will help. Mr. Tice gathered the figures from 20 Christian colleges across the country, and we are the only one that charges under \$2,000 a year. We cannot subsidize the cost of operation. We do not have anything to fall back on—not a denomination, the government, state aid, etc. If we jumped our costs to where we needed to, that would leave us with no place to go. After raising tuition to \$3,000, as some schools have, then where can you go?

We are trying to invest in some property as we have funds since that is a hedge against inflation. We bought some good property on Wade Hampton Boulevard which we can probably triple our investment on. We are now negotiating for over 100 acres of land facing the Blue Ridge for the purpose of building a retirement village. Many people would want to come to Greenville because the University is here. We could operate a shuttle bus to the campus for their convenience. They would have the understanding that they buy these homes and when they die, the homes would revert to the University. Then we

could use them for faculty members when they retire. There would be a nursing care center also. We would farm this out to a company and pay them a commission for pre-selling the lots. People who lived there would pay for the cost of construction. We would pay a commission; and then when the people died, the property would come to the University. None of the University's money would be spent on the project.

Dr. Bob explained our progress with the FCC. He said this should be resolved within the next three weeks. We have filed for the regular three-year license renewal, and for the last three years we have been operating without our license. He explained the background of this. He thinks what is going to happen is that the FCC will let this thing slide. The man who launched the complaint has now resigned. Now they seem to be waiting until the routine renewal comes up in June. Two weeks after that we expect to have an answer. He thinks we will get the renewal. We have good lawyers working on it up there, and Dr. Bob has talked to the Commission. We are in compliance with their guidelines.

Concerning the V. A. situation, that is now in the courts. The V. A. said if the school would not sign the Act of Compliance, our students could not receive benefits. Actually, the aid does not come to the school but goes directly to the students; so this is not a valid requirement. They took the benefits away from all new applicants; however, the help to the former recipients was continued. We countersued, and the Government did not get its case prepared in the allotted time. They said if we were agreeable and if the court would give them an extension to prepare their case, that during the time the case was in the courts they would let our new applicants come under the plan. We had nothing to lose and everything to gain and

so agreed; so at the moment everything is all right. We are trying to stall as long as possible in the courts because this is our advantage. It is actually merely a case of religious discrimination.

Dr. Bob, III, brought the group up-to-date on the IRS situation. On October 29 the IRS served formal notice that donors to the University would not be entitled to deductibility for their gifts. As a result, we have seen a decrease in the giving. Many people have given gifts to charitable organizations we are directing them to that are doing a similar work to what Bob Jones University is doing.

Right now there is a conference pending for May 29 at the district level in Atlanta. They have written recommending revocation of our tax exemption. After this conference in Atlanta, there is one more appeal in Washington. At first we were not going to take advantage of these because it seemed that it would be to our advantage to start litigation immediately (to be engaged in litigation for about 3-5 years). The basis for our suit would be whether or not we have a right to our religious convictions, which convictions are against interracial dating and marriage. Our admissions policies excluding Negroes, of course, were set up just as a front-line defense against the possibility of intermarriage of the races.

Just recently, however, a cloud has come over the whole picture. About five weeks ago at the Fourth Circuit Court of Appeals in Richmond there was a decision rendered in the McCrary case which stated that all private schools were in violation of the law if they refused admission to blacks WHETHER OR NOT THEY ACCEPTED FEDERAL FUNDS. This was a shocking decision! None of us thought it would be upheld in the Fourth Court. It is now being appealed to the Supreme Court, and we will not know for

about 90 days whether they will hear it. If they do not hear it, the lower court's decision becomes the law of the land. If they do hear it, we feel that they may rule in favor of the Fourth Court, which means no private schools can exclude anybody on the basis of race. This is devastating if it becomes the law of the land; and if it does, we will have to exercise an option: We must, as law-abiding citizens, render to Caesar the things that are Caesar's but must also be careful to render to God the things that are God's. Our convictions are against interracial dating and marriage. If the law of the land says we have to open our doors to all races, then we must have a non-discriminatory policy or be in violation of the law, which would not be a good Christian testimony. Since our stand is not against admitting Negroes but against interracial dating and marriage, there would be no basis to disobey the law at that point. However (and this is just for speculation), if they went a step farther and said not only did we have to enroll the Negroes but we also must allow interracial dating, then we would have to close the school.

At this point Dr. Bob, III, recognized John Stophel, who moved that the following resolution be adopted:

Recognizing the duty of every Christian citizen and every Christian institution to obey the laws of the land; and recognizing the fact that the laws and interpretations of the laws are undergoing great changes from year to year; and recognizing that it is impractical to call the Board together for all decisions that must be made with regard to changes in policies of the University made necessary by changes in the laws and court interpretations of such laws,

BE IT RESOLVED, that the Board of Trustees of Bob Jones University hereby authorizes the officers of the University to make such changes in policies as are

necessary to conform to the requirements of the laws from time to time, without yielding to arbitrary and capricious rulings and regulations of government agencies, but abiding by decisions of the courts, guided by the University counsel, so long as such changes are not contrary to the commands of Scripture upon which the University's position is founded; and the officers of the University are authorized to use their judgment and discretion in connection with these matters so as to keep Bob Jones University faithful to the fundamental principles of the Faith as found in the Word of God and the methods of operation that have contributed positively to the education and training at Bob Jones University of thousands of Christian leaders serving God effectively around the world.

Dr. Bob, III, explained that we have perhaps 40-60 days before Washington calls the curtain down on us and removes our tax exemption. Our attorneys say we are going to be in an awful position if we have the exemption revoked and then three months later the law of the land is changed and we have to open our doors anyway. That will leave us in a bad bargaining position as we apply to regain our exemption; however, the Supreme Court is not going to hear this until after our decision is rendered. We have decided to appeal this at every level and then at the very last minute, when we know a decision is about to be rendered on the McCrary case, we will say that because of the McCrary case, we realize we cannot legally bar the blacks from enrolling and we have no choice but to enroll them. This would mean they probably will not any longer have grounds to try to revoke our exemption retroactive to 1970. If they revoke it within the next two months, if our position remains the same, they will go back from

1970 until today and from now on. That is where the \$3 to \$4 million liability mentioned in the financial report comes in. If, however, our admissions policies change because the law says we have to change them, we will not then have that liability back to 1970 and everything will be current from today on.

But we still may not be able to keep our exemption even if we open our doors to the blacks because the IRS published in its Register some months ago the statement that in order to be exempt, not only must a school have open admissions policies but it also must publish those policies and actively seek the admission of minority group members and also that its faculty must be integrated in the same ratio as the student body. This would be impossible for us; we could not meet that last criterion; so ironically, we are probably going to be forced to open our doors to Negroes and still lose our tax exemption.

Following this discussion of the situation, Mr. Erhard seconded Mr. Stophel's motion that it be adopted; and it was passed unanimously.

Dr. Van Gelderen said they have two colored students in their school and that the solution they found was to ban dating without express permission from the parents. He wondered if we could not require parents' permission for dating. The problem on the college level, however, is that the majority of our students are above the age where they would need parental permission; and it was also brought up that we would then be in trouble under "child abuse" and "children's rights" legislation!

Concerning the Veterans Administration case, Dr. Bob, III, said that on May 6 they heard the oral arguments. The VA has taken the position that it is subsidizing Bob Jones University when it gives benefits to men who come here for their training, and they are seeking to deny bene-

fits to all future applicants. Our position is that the government cannot "have its cake and eat it too." If they say they are supporting us by allowing benefits to our students, then they are also supporting other religious educational institutions, which the courts say they cannot do. Therefore, our case says if they take away our students' benefits, they must desist from giving benefits to anybody attending any religious school, and he doesn't think they are quite ready to go that far. We enroll about 250 boys a year under the G. I. benefits. We should know the decision within a few weeks. The McCrary case may have some bearing; and if it does, it will not be to our benefit.

(At this point Dr. Bob, III, mentioned a similar case in the Fifth Circuit Court in New Orleans. If the decision there agrees with the McCrary decision, then the Supreme Court will probably not hear the McCrary appeal and it would automatically become the law of the land. Also there is a case in Wheaton involving recreational facilities which barred the blacks. In the decision it was decided that the directors of the facility were personally liable for damages to the plaintiffs; so it may come to the place where our Board members would be liable to personal suits because of their connection with the University. Dr. Bob hastened to assure everyone that if it ever came to the point where a Board Member would come under legal attack on the University's behalf, the University would stand with him and underwrite any legal expenses. We are working on getting some type of insurance to protect the Executive Committee members.)

The Chancellor remarked that all this is part of the Satanic attacks we can expect, and we must recognize that we are facing the devices of Satan. We are to expect persecution, but "greater is He that is in you than he that is in the world."

Dr. Bob also expressed appreciation for the Administration and said the school has had great burdens this year but there has been wonderful cooperation among the faculty and staff. The more we are at war with the Devil, the more harmony we have inside; and we thank God for this.

Dr. Bob appointed a committee made up of Mr. V. D. Rupp, Mr. Harry Newcomer, and Dr. Wayne Van Gelderen (chairman) to draw up a resolution expressing sympathy to the families of the following deceased Board Members: Mr. Robert Collins, Mr. B. S. Longenecker, and Mr. Hugh York (resolution attached).

Dr. Bob then announced briefly the proposed World Congress of Fundamentalists to be held in Edinburgh. He explained that the site had been chosen because that is where many of the early Fundamentalists were martyred and also because it was felt it might stir up some of the Christians in Britain who are so cold. He said Christians who are taking a stand are going to have to take a stronger stand in these days. People are looking to Bob Jones University for leadership, and we need God's grace to help us meet the responsibility.

In closing, the Chancellor thanked all the Board members for their support and prayers and assured them of his prayers for them daily. He said he appreciates the financial help they are and emphasized that we did not select Board Members because of the possible financial help they could give (or many would not have been selected!) but because they are Godly people. He said, however, that sometimes the Board Members are in a position to turn gifts our way and encouraged them to do so.

We filed about two weeks ago in the District Court of Columbia a suit against the IRS charging that they removed our tax deductible status illegally and unconstitutionally. They now have 60 days in which to reply, and

the case may drag on to three years. In a meeting with the IRS in November in Washington, we were told that we could believe what we wanted to believe but that if we wanted our exemption, we could not practice it! We indicated to them that we no longer discriminate because of race since it is now illegal to do so, but that was not enough for them. They say we cannot keep the students from dating interracially. If they can challenge that rule, they can challenge any rule we have—the rule against drinking, smoking, etc. We are not discriminating in that rule—it applies to everyone alike. Whether we win this case or not, it is important that we fight it, because if we did not, then everyone who has a school that does not allow interracial dating would lose its tax exemption. This case has far-reaching consequences.

He said he wonders just how the Lord is going to turn all this to His glory and victory. We are in perfect peace about it, however, because we know He will. We have tried, since losing our tax exemption, to see what the Lord is saying. What should we be doing now that we had not been doing otherwise? We don't want the government to get this money; so how can we spend it so that they don't get half of it? We can't spend it here on the campus for buildings, etc. One thing we are going to do for a year is to have a national TV ministry. We did not have the money for this sort of thing before; but since we cannot keep the money here without its being taxed, we will use it in this way. We want to get about ten stations the first year. We are negotiating with a Detroit outfit to come down and do the actual filming once a month. This will cost money, but hopefully by the end of the year these stations will be self-sustaining and we can branch out to other cities. If the needs are not met, we will probably discontinue them. There is a lot of religious programming on television now but not the right

kind of music or the right kind of preaching. "SHOW MY PEOPLE" will be the name of it, taken from the verse in Isaiah 58. We will address ourselves to the Christian people in America, and the unsaved will watch their guards down and in the meantime the Word of God will reach them too. We will try to show the Christian people their responsibilities and transgressions. We believe the Lord is pushing us to do some things such as this that we have never considered before. We will be spending hundreds of thousands of dollars with the Press and the television ministry. The Lord is telling us to reach out; so we are going and trusting Him to supply the needs.

The IRS and HEW has taken the position that aid to the student is aid to the college. Hillsdale College and Brigham Young University have had students receiving aid through National Defense Loans and other government-backed loans and the G. I. bill and are now being harassed and told they are under all federal rules concerning anti-discrimination because of that. Our students lost the right to the G. I. bill earlier, and we see now that it is the best thing that ever happened because this is now being done to other colleges. Hillsdale petitioned the White House to stop it, and the White House said, "We consider the Bob Jones University case has already settled the issue and we won't consider it."

We have two black students—one is a fine young married man in the preacher boys' class, and the other is a girl from Barbados who is living in the dorms. The boy, if he will stay humble and will let God use him, will be a great voice to the black community. He has been elected president of the sophomore class; so 50 percent of our black students are in leadership in the student body!

He closed by soliciting the promotion of the Board across the country and asked them to put in a good word wherever possible for Bob Jones University.

A258

Defendant's Exhibit No. 11

DEFENDANT'S EXHIBIT 11

WHY

BOB JONES UNIVERSITY WAS FOUNDED

WHY

**IT HAS NEVER SOUGHT MEMBERSHIP IN A
REGIONAL EDUCATIONAL ASSOCIATION**

The following is the second paragraph of the charter of Bob Jones University. All executives and members of the faculty sign once a year a creed covering the doctrinal statements in this paragraph.

“The general nature and object of the corporation shall be to conduct an institution of learning for the general education of youth in the essentials of culture and in the arts and sciences, giving special emphasis to the Christian religion and the ethics revealed in the Holy Scriptures; combating all atheistic, agnostic, pagan, and so-called scientific adulterations of the Gospel; unqualifiedly affirming and teaching the inspiration of the Bible (both Old and New Testaments); the creation of man by the direct act of God; the incarnation and virgin birth of our Lord and Savior, Jesus Christ; His identification as the Son of God; His vicarious atonement for the sins of mankind by the shedding of His blood on the cross; the resurrection of His body from the tomb; His power to save men from sin; the new birth through the regeneration by the Holy Spirit; and the gift of eternal life by the grace of God. This charter shall never be amended, modified, altered, or changed as to the provisions hereinbefore set forth.”

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We are often asked why Bob Jones University was founded, and we are sometimes asked why the institution does not hold organic membership in a regional educational association. In order to avoid unnecessary correspondence and verbal explanation, we decided to print the answers to these inquiries and have the information available for those who desire it.

Those on the inside of the organization of Bob Jones University know that there is no possible human explana-

tion for what has been accomplished. The total assets of the University, including buildings and equipment, are valued at approximately \$40,000,000. The institution is a corporation not for profit, controlled by a Board composed of approximately fifty Christian men and women from across the United States.

We matriculate each year more than 5,000 students. These young people travel probably a greater average distance to attend the University than students do to attend any other school in the world. The University enrolls students from all the states and more than thirty foreign countries. About one-third of these young people are preparing for the ministry, the mission field, or some other type of Christian service. Since the University is no more a preachers' school or missionaries' school than it is a teachers' school, a business school, a music school, a speech school, or some other kind of school, this large enrollment of ministerial and

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missionary students is naturally the result of the great spiritual emphasis of the institution.

Young people can get good music, speech, and art training without additional cost above academic tuition in this institution where at all times an effort is made to give the Lord Jesus Christ the pre-eminent place. Greek and Hebrew are an integral part of our ministerial training; and, in addition to these, a number of other ancient and modern languages are offered every year.

The religion in our school is a natural sort of thing. We teach our students that life is not divided between the secular and the sacred but that all legitimate things are sacred to a Christian. We tell them that learning a lesson

or doing the routine work of school life is just as sacred as singing in a choir or preaching a sermon. There never has been an educational institution that had a more practical approach to the everyday problems of life than has Bob Jones University.

Dr. Bob Jones, Sr., the University founder who preached for more than seventy years, was never in favor of the organic union of the Protestant religious denominations. He learned from experience that spiritually minded, orthodox Christians could work together without any compromise if the first emphasis was put upon the commonly accepted fundamental essentials of our Christian faith rather than upon

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some doctrinal interpretation that divides evangelicals. He saw cultured, formal, conservative theologians and religious conservatives who were inclined to be rather emotional work together in evangelistic campaigns; and he found that they reacted on each other in a most helpful way.

He noted that there was an idea abroad among certain religious liberals that if a person believed in what is usually called the "old-time religion," he must, so to speak, have a greasy nose, dirty fingernails, baggy pants, and he mustn't shine his shoes or comb his hair. Dr. Jones met literally thousands of young people in the conservative religious groups who were greatly interested in the best possible cultural training but who desired such training in an educational institution where they could build their Christian faith. He also met hundreds of young people from conservative Christian homes who went off to a certain type of educational institution seeking culture and

who later came back to their parents having lost their faith and sometimes their morals.

While carrying on his evangelistic work he, of course, came in contact with a number of good, orthodox, denominational schools as well as a number of good, orthodox, independent schools. These institutions were, of course, doing a good work in their special fields of Christian service. The orthodox, denominational school, however, were founded not

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just to emphasize the fundamental doctrines which are generally accepted by all evangelicals but also to teach and emphasize special doctrinal interpretations held by the denominations which these schools represent. Naturally, young people from evangelical groups who do not accept such special denominational interpretations are not inclined to attend these denominational schools. If a denominational school does not emphasize the special doctrines of the denomination which it represents, it, of course, is not true to the denomination which founded it and supports it financially. The more a denominational school emphasizes its special denominational doctrinal positions, the less appeal it has to evangelical young people who do not accept such doctrinal interpretations. There are denominational schools that are no longer denominational either interdenominational in spirit or very liberal religiously. Most of the independent, orthodox schools were, of course, founded to give emphasis to the generally accepted fundamental doctrines of the Christian faith; but in addition, these schools either in their beginning emphasized some special doctrinal interpretation or later developed a doctrinal emphasis or an educational slant which limits their appeal to certain groups of evangelical young people.

So after prayerfully considering the matter, Dr. Jones felt that the Lord wanted him to found a school that would meet a growing need

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by appealing to an unusually fine type of evangelical young people all over the world, regardless of their denominational affiliation. He knew that such a school must be uncompromisingly orthodox and definitely and spiritually evangelistic. It must teach its students that whether they are preachers, missionaries, teachers, lawyers, physicians, businessmen, businesswomen, housewives, farmers, or whatever they are, their main business in life is to witness for and win people to the Lord Jesus Christ. Such an educational institution would have to have administrative officers who are not only in sympathy with the doctrinal position and evangelistic emphasis of the school but who are also especially trained to fit into the program. The training of such an administrative staff has been our most difficult task, but God has helped us accomplish it.

The Founder knew that the educational institution he was going to found and build had to have the very highest cultural and academic standards. Such standards were essential to the purpose he had in view—that is, training Christian young people to go out into the world as good show-window material for the Lord Jesus Christ.

Dr. Jones consulted the most progressive and up-to-date educational authorities he knew and asked them to standardize the school academically according to the purposes he had in mind. These educators standardized the

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academic work so satisfactorily that the school was accredited by the state university in just a few weeks after it

opened. We have always insisted that an educational institution with the right kind of spiritual standards will maintain the highest possible academic standards.

After the University was well established, we checked very carefully all the standards of the Southern Association of Colleges and Secondary Schools to see whether it would be possible for our institution to hold organic membership in this Association without sacrificing any of our administrative policies which set us apart for the special task to which we felt God had called us. After careful consideration and much thought, and after advising with our scholarly, educational friends who had helped us in setting up our standards in the beginning, we were convinced that Bob Jones University should not ask for membership in the Southern Association.

The University has some administrative policies that, as far as we can observe, no other institution has. These policies are essential to the success of the school and the carrying out of the purposes for which the institution was founded. We sincerely believe that we can render better service spiritually and even educationally without holding organic membership in an association. When the Southern Association was founded, there was no Bob Jones University and no other educa-

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tional institution within the bounds of the territory covered by the Association which had exactly the same religious and administrative slant that our institution has; so, naturally, when the Association set up its standards for admission, the administrative policies of an institution that was not then in existence could not have been taken into consideration.

Every educator who knows the kind of plant and equipment and efficient business methods, the academic standards, and the achievements of Bob Jones University knows that this institution could qualify for membership in the Southern Association of Colleges and Secondary Schools. We wish to make it emphatically clear that the only reason we do not apply for membership in the Southern Association is that we do not wish to take any chance of having our administrative policies controlled or even influenced by any educational association or any group anywhere in the world. The President of the University and most of the Administrative officers have been trained not only in Bob Jones University but also in leading universities in America. These executives have a better understanding of what is necessary in our administrative approach to our special problems than any group of individuals or any organization could possibly have.

For example, we feel it is essential to maintain a unanimity of doctrinal position and purpose and a truly fundamental, Biblical

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approach to Christianity in our faculty, not only in doctrinal beliefs but also in the Christian application of these beliefs toward life. This is impossible unless the Administration, which understands the over-all aims and goals of the University, maintains control over its faculty without being subjected to pressures of committees or individuals who are not born-again Christians or who may fail to understand the unique emphasis and goals of Bob Jones University. We believe that only born-again Christians should set the policies for a Christian school; and we feel that we should be free to carry on the program of the University as God leads us without any outside agency,

governmental or private, attempting to dictate the manner in which this program is carried out.

We believe that teachers should have full academic freedom within the stated purposes of the University. We also believe that the University should have freedom under the Constitution of the United States to carry out its purposes without outside interference and without being discriminated against because of our desire for freedom from control.

The fallacies of accreditation are well known to educators. For example, any official listing of regionally accredited schools includes almost every school within the boundaries of the association and makes no distinction between those colleges which are barely meeting the minimum requirements and those which are

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outstanding in their educational accomplishments. Also, when a college becomes regionally accredited, not only are the credits of its present students recognized but also the credits of its past graduates are given full recognition, even though the school was not accredited when they were in attendance. It is evident from just these two facts that regional accreditation has little or no real value in determining a specific institution's standards.

Bob Jones University is known as the "World's Most Unusual University." In setting up requirements based on the practices and standards of other schools and forcing colleges to bring their practices into conformity, the regional association tends to destroy the individuality of its member schools. While they profess to encourage experimentation, those experiments must meet the association's approval if they differ from the usual pattern. We do not want to sacrifice the unique approach of this institution to the confining restrictions of membership in a regional association.

Although the latest revision of the Standards for Colleges of the Southern Association does not contain this paragraph, earlier editions of these standards stated: "If adequate information were obtainable in regard to the attitudes and achievements of those who have attended an institution, it would serve as a sufficient single standard for accrediting."

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This simply says that if you can show that you have delivered the goods, you had the goods to deliver. Bob Jones University would be glad to join any educational association on the basis of its academic achievements and the results which it has accomplished and is accomplishing, with the understanding that the membership of the institution would cease if at any time it did not continue to produce the academic and other results which it has produced and is producing. It is our opinion that under our system of government the only way any educational institution should be judged or accredited is by the results the institution produces.

The educator and the American public have the right to ask the question, "Is higher education producing?"; and every college or university should be able to adequately demonstrate the answer to this question. Bob Jones University, through the years, in the various areas of its emphasis, has been achieving outstanding results as judged by its accomplishments in various fields. For example, in our School of Education, all of our graduating seniors take the National Teacher Examinations which are prepared and administered on a nationwide basis. For the last 20 years, the average score of our students has been above the national average. Over 1,500 of our graduates have been certified and have taught in 42 of

the 50 states of the Union. Bob Jones University meets all of the academic requirements for teacher training

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in the State of South Carolina and will continue to do so.

The accounting majors in our School of Business Administration take the nationally administered American Institute of Certified Public Accountants Examination their senior year. Every year their average score has been above the national average.

In our School of Fine Arts, the Division of Cinema and its production unit, Unusual Films, have been recognized throughout the world for the excellence of their Christian and educational motion pictures and for the quality of training offered. In a survey of the University Film Foundation as reported in *Motion Picture Production Facilities of Selected Colleges and Universities*, it is stated, "There is probably no other institution in the United States or abroad which is so well equipped in relation to the number of students being trained." The productions of Unusual Films have won numerical and international honors.

In art and in music, our students have won top honors in state and regional competitions. Authorities have acclaimed our Shakespeare and opera productions as outstanding.

These examples are illustrative of the high standards maintained in the total University program, and our record is our assurance to other universities and to the public that we are

[13]

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[13]

producing quality results.

Even though students come to Bob Jones University because they want its practical, Christian philosophy and special spiritual and cultural emphasis, some of these students find it financially impossible to finish their work here and some of them, of course, are interested in some major which our institution may not offer. Such students transfer to undergraduate schools near their homes and finish their college work. We have kept up with most of these undergraduate students, and they have done good work in the undergraduate schools to which they have transferred.

For a number of years Bob Jones University graduating seniors have taken the Graduate Record Examinations, and we do not recommend any of our graduates to grad-

uate schools unless they make satisfactory scores on these examinations. A few graduate schools, however, have accepted some of our graduates whom we did not officially recommend, and even these graduates have made good records. Each year approximately one-third of our graduates enter graduate schools throughout the country.

We wish to assure the presidents and deans of universities and colleges everywhere that any young person who makes a satisfactory academic record in Bob Jones University can make a satisfactory academic record in any educational institution. As long as our institution delivers the goods, the fair-minded executives

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of our American educational institutions will continue to do what they have done in the past, and that is to accept Bob Jones University graduates into their graduate schools and also to transfer undergraduate credit when the courses that have been completed by our students are in line with similar programs of study to be pursued at their institutions.

The administrative policies of Bob Jones University are based upon what we sincerely believe is a spiritual and Christian approach to all the problems, including the academic problems, of Bob Jones University. And under no circumstances will Bob Jones University sacrifice any administrative policy which it considers necessary to the success and achievement of the purpose for which this Christian educational institution was founded.

We should like to ask our praying friends to pray daily for Bob Jones University. We are in this educational business for the good we can do and for no other reason.

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UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
Civil Action File No. 76-775
—

Bob Jones University

v.

United States of America

—
JUDGMENT

[Filed December 27, 1978]

This action came on for trial before the Court, Honorable Robert F. Chapman, United States District Judge, presiding, and the issues having been duly tried and a decision having been duly rendered,

It is Ordered and Adjudged that the Plaintiff Bob Jones University, recover of the Defendant United States of America, the sum of Twenty-One and 00/100 (\$21.00) Dollars, which represents a refund of the Federal Unemployment Tax Act (F. U. T. A.) tax previously paid; and, the action is hereby dismissed.

Dated at Columbia, South Carolina, this 27th day of December, 1978.

MILLER C. FOSTER, JR.
Clerk of Court

By /s/ (Name Illegible)
Deputy Clerk

Entered 12/27/78

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Civil Action No. 76-775

Bob Jones University,

Plaintiff,

v.

United States of America,

Defendant.

ORDER

[Filed January 11, 1979]

It has been called to the attention of the Court by defendant that the Order filed in this action December 26, 1978, being confined to a decision as to the tax status of plaintiff for the year of 1975, did not dispose of defendant's counterclaim. The holding of the Court in this earlier order determined that plaintiff was entitled to tax exempt status under 26 U. S. C. § 501(c)(3) for the year in question. It is apparent that these findings of fact and conclusions of law also support a decision that plaintiff was exempt from taxes under this provision of the Code for those years encompassed by defendant's counterclaim. Accordingly, under 26 U. S. C. § 3306(c)(8) plaintiff was exempt from those F. U. T. A. taxes alleged to be owing in defendant's counterclaim.

IT IS, THEREFORE, ORDERED that, based on the Order of this Court filed December 26, 1978, defendant's counterclaim be, and the same is hereby, dismissed.

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Order

AND IT IS SO ORDERED.

/s/ ROBERT F. CHAPMAN
Robert F. Chapman
United States District Judge

January 11, 1979

Columbia, South Carolina

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

—
Civil No. 76-775
—

BOB JONES UNIVERSITY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

—
AMENDED NOTICE OF APPEAL

[Filed February 27, 1979]

Notice is hereby given that the United States of America, defendant above-named, hereby appeals to the United States Court of Appeals for the Fourth Circuit, from the Orders of the Court entered on December 26, 1978 and January 11, 1979, respectively, and the Judgment entered on December 27, 1978.

STEVEN SHAPIRO

Attorney

Department of Justice

Tax Division

414 - 11th St., N. W.

Washington, D. C. 20530

THOMAS E. LYDON, JR.

United States Attorney

By /s/ JAMES D. MCCOY, III

James D. McCoy, III

Assistant U. S. Attorney

Greenville, S. C.

Attorneys for Defendant

Notice of Appeal

IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

CIVIL No. 76-775

BOB JONES UNIVERSITY,

Plaintiff

v.

UNITED STATES OF AMERICA,

Defendant

NOTICE OF APPEAL

[Filed March 13, 1979]

Notice is hereby given that the United States of America, defendant above-named, hereby appeals to the United States Court of Appeals for the Fourth Circuit, from the Order of the Court entered on February 28, 1979.

THOMAS E. LYDON
United States Attorney

J. D. McCoy
Assistant United States Attorney

By: /s/ STEVEN SHAPIRO
Steven Shapiro
Attorneys for Defendant
Department of Justice
Tax Division—414—11th Street,
N. W.
Washington, D. C. 20530

**STATEMENT OF DIRECTOR OF ADMISSIONS,
BOB JONES UNIVERSITY, MAY 29, 1975**

Because Bob Jones University is a law-abiding institution, the following admissions policy was adopted on May 29, 1975:

Along with all other educational institutions, Bob Jones University is now required by law to admit students of any race to all rights, privileges, programs and activities generally accorded or made available to students at the University; and the University does not discriminate on the basis of race in the administration of its educational policies, admission policies, scholarship and loan programs, and athletic and other administered programs subject to and in conformity with the University's religious beliefs and practices as embodied in its rules and regulations, including, but not limited to: (1) Applicants and/or students who are partners in an interracial marriage will be denied admission and/or expelled. (2) Applicants and/or students who are members of or affiliated with any group or organization which holds as one of its goals or advocates interracial marriage will be denied admission and/or expelled. (3) Applicants and/or students who date outside their own race will be denied admission and/or expelled. (4) Applicants and/or students who espouse, promote, or encourage others to violate any of the University's rules and regulations, including those set forth above, will be denied admission and/or expelled.

DIRECTOR OF ADMISSIONS