

NORM B. FINLINSON, PH.D.
Executive Director
Student Academic and Advisement Services



October 14, 2009

Chad Hardy
P.O. Box 97776
Las Vegas, NV 89193

Dear Mr. Hardy,

We have received your recent inquiry regarding admissions options for applicants who have been excommunicated from The Church of Jesus Christ of Latter-day Saints (the “Church”), the affiliated sponsor of BYU. This matter is addressed in the BYU Undergraduate Catalog (*see* <http://saas.byu.edu/catalog/2009-2010Ucat/>, “Catalog”) and in the “Admission of Excommunicated, Disfellowshipped or Disaffiliated Applicants” section of the university’s Admissions (Undergraduate) Policy (attached as “Document A”).

The Admission section of the Catalog states: “Brigham Young University ... exist[s] to provide an education consistent with the religious and family values taught by The Church of Jesus Christ of Latter-day Saints. We prefer to admit members of the Church in good standing but will not unlawfully discriminate against applicants based upon gender, race, creed, religion, national origin, age, or disability who meet the requirements; who agree to abide by the Honor Code and Dress and Grooming Standards; and who are otherwise qualified based upon available space.” Consistent with this stated mission, BYU admits both LDS and non-LDS students alike who are committed to living the ideals and principles of the Church and the Honor Code. BYU does not unlawfully discriminate against applicants on the basis of religious belief, but does give preference to Church members in good standing.

It is important to note that applicants to BYU who are former members of the Church are handled differently from LDS applicants in good Church standing and other non-LDS applicants. The Catalog makes clear that “an applicant who is currently excommunicated or disfellowshipped from, on probation with, or voluntarily disaffiliated from The Church of Jesus Christ of Latter-day Saints is generally inadmissible until reinstated to full fellowship” (*see* both Catalog: Admissions section and Document A).

In your instance, however, you are not only a former, excommunicated member of the Church, you are *also* a former BYU student with a “hold” placed on your BYU education records due to your status as an excommunicated member of the Church, which status placed you

out of good Honor Code standing. This “hold” prevents you from readmission, enrollment, or graduation at BYU until you are returned to good Honor Code standing. All BYU students must remain in good Honor Code standing “to be admitted to, continue enrollment at, and graduate from BYU” (see Catalog: Honor Code section, Admissions section, Registration section, and Graduation section). For you to have the “hold” lifted from your BYU education records and be considered for readmission, you will first need to be returned to good Honor Code standing or qualify for an exception to policy as specified in Document A.

It is my understanding, Mr. Hardy, that you have already requested an exception to university policy in connection with your application for graduation and were denied. Your review with the Dean of Students was your opportunity to demonstrate to the university that, notwithstanding your excommunication and loss of good Honor Code standing, you abide by the ideals and principles of the Church and maintain appropriate standards of honor, integrity, morality, and consideration of others in your personal behavior. The Dean of Students concluded, after careful review of the available information, including the information you were willing to share with him, that it did not appear that you were in compliance with the requirements of the Honor Code. In the end, you failed to persuade the Dean of Students that the university should make an exception to the requirement of good Honor Code standing.

Your current request appears to be for readmission to BYU. Please be advised that if you decide to reapply to BYU, you will, as noted above, first need to resolve the “hold” placed on your records. Secondly, you will need to complete an actual application for admission. Included among the various application forms required for admission is the Ecclesiastical Endorsement form. The Ecclesiastical Endorsement contains express language that the applicant commits to living the Honor Code and affirms that “the applicant *has been* and *is now* abiding by these [Honor Code] standards and *will continue* to do so” (see Part 3(C), emphasis added). Please also note that the Ecclesiastical Endorsement explicitly states that if an applicant is excommunicated from the Church, “the applicant is not admissible to a CES Institution until these issues have been completely resolved” (see Part 3(G)).

I hope this information is helpful to you and answers the questions raised.

Sincerely,



Norman B. Finlinson

cc: Rosemary Frederico

Enclosure

Document A

ADMISSION OF EXCOMMUNICATED, DISFELLOWSHIPED OR DISAFFILIATED APPLICANTS

Excommunicated, disfellowshipped, disaffiliated members, or those on probation with The Church of Jesus Christ of Latter-day Saints will generally not be admitted to enroll at Brigham Young University.

An applicant wishing to apply for admission who is presently excommunicated, disfellowshipped, disaffiliated from or on probation with the Church may request an exception to this policy by completing an Application for Exception to Policy. These forms may be obtained from the Dean of Student Academic and Advisement Services in the case of undergraduate applications or the Dean of Graduate Studies in the case of graduate applications.

The burden of persuasion is upon the applicant to clearly demonstrate to the university through the information submitted that the relevant facts and circumstances warrant an exception to policy.

Upon receiving the Application for Exception, it shall be reviewed by the Dean of Student Academic and Advisement Services if the application is for undergraduate study or by the Dean of Graduate Studies if the application is for graduate study. This examiner may also personally interview the applicant, who may further explain the circumstances which might justify an exception to the general university policy of not admitting excommunicated, disfellowshipped or disaffiliated members of the Church. The examiner may speak to the applicant's present and former ecclesiastical leaders only upon receiving the express written consent of the applicant. If such consent is refused, the application request will be determined based upon the information otherwise available.

The examiner will make a recommendation to the President of the university who has the sole authority to authorize exceptions. The President will authorize an exception only in very limited cases where the President determines in his or her sole discretion that the relevant facts and circumstances warrant an exception to this policy.

It is general procedure that if admitted, the applicant will be placed on university ecclesiastical probation. The ecclesiastical probation will remain in effect until the individual is in good standing in The Church of Jesus Christ of Latter-day Saints. If the individual has not returned to good standing within a year's time, he or she will be dismissed from the university.