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November 15, 1966

NEWS ANALYSIS

**Supreme Court Rejects
Maryland College Appeal**

By W. Barry Garrett

WASHINGTON (BP)--The United States Supreme Court here without comment refused to review a Maryland high court decision that bars state tax grants to sectarian colleges.

The case involved direct construction grants from state tax funds totaling \$2½ million by the Maryland legislature to four church-related liberal arts colleges.

The grants went to the College of Notre Dame of Maryland in Baltimore and St. Joseph College, Emmitsburg, both Roman Catholic schools; to Western Maryland College, Westminster, a Methodist school; and to Hood College, Frederick, affiliated with the United Church of Christ.

Of the four colleges only Hood College was classed by the Maryland Court of Appeals as a "secular" school. The others are "sectarian" according to the court definition, and therefore ineligible to receive grants from state tax funds.

The case was appealed from the Maryland Court of Appeals to the U. S. Supreme Court. The Supreme Court, without comment, refused to grant the appeal (denied the petition for certiorari). Justices John M. Harlan and Potter Stewart disagreed and said the case should be heard.

A separate appeal was made to include Hood College as sectarian and therefore ineligible for public funds. The court also denied this appeal.

Supreme Court refusal to hear a case does not necessarily mean approval or disapproval of the lower court action. Nevertheless, it does mean that the Supreme Court found no compelling reason to consider the case further.

Legally, the effect of the court order is to limit the impact of the Maryland ruling to the borders of the state. Actually, however, the case will be widely cited as a leading precedent governing future policy.

Such action by the Supreme Court points up the difficulty of bringing church-state cases to a clear decision. Advocates of the Judicial Review bill in Congress will use this case as an example of the need for action by Congress.

However, such action would not assure that the court would be bound to follow the will of Congress.

The effect of this Supreme Court action should be viewed with caution. For one thing, the grants were direct construction aids to the schools as such. Such public help as student and faculty aid, research projects and special purpose or category grants were not considered.

The whole idea of public purchase of services from private institutions or of contracts is not touched by this case.

The Maryland Court of Appeals threw out state grants to church colleges on the basis of prohibitions both in the state and federal constitutions. The court said that grants to a school are secular or sectarian depending on the nature of the institutions involved.

The court set up six criteria for sorting out the four colleges in the case. They are:

1. The stated purposes of the college;
2. College personnel, including the governing board, administration, faculty, and student body;

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3. The college's relationship with religious organizations and groups, including extent of ownership, financial assistance, memberships and affiliations;
4. The place of religion in the college's program, including physical surroundings and religious observances sponsored by the school;
5. "Outcome" of the college program in terms of accreditation and the nature and character of alumni activities; and
6. The work and image of the college in the community.

Earlier this year (July 1966) the Report From The Capital, a bulletin from the Baptist Joint Committee on Public Affairs, reviewed a staff report on the Maryland college case. In conclusion this review said:

"Denominational educators will need to study the Maryland opinion. Some denominations have held such close control of their schools that they have sectarian colleges. Other denominations may find that they have what the courts hold to be 'secular' schools which are eligible for public grants.

"Obviously much revision of college policies lies ahead. The basic question to be answered is how the colleges are actually related to the purposes and the missions of the church. The churches will need to decide what roles to plan for themselves in the field of higher education and the kinds of schools needed for those roles.

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Tarheel Baptist Students
Urge Policies On Racism

11-15-66

WINSTON-SALEM, N.C. (BP)--The North Carolina Baptist Student Union Convention meeting here adopted a resolution requesting the Southern Baptist Foreign Mission Board to urge Southern Baptist churches to examine and evaluate their policies on racial discrimination.

The resolution also urged the Foreign Mission Board to issue "a statement of principle, disapproving of any such action of racial discrimination by any church of the Southern Baptist Convention and explaining why the missionary efforts cannot afford the monetary support of churches which in practice deny the message proclaimed in those efforts."

The students chided Tattnell Square Baptist Church in Macon, Ga., for its refusal to seat Negroes as worshippers, and for refusing to seat a Baptist student from Ghana "who is a product of the efforts of the Foreign Mission Board."

Such action coupled with monetary support of foreign missions efforts in Ghana and Africa, is an inconsistency that "dilutes the effectiveness of the Foreign Mission Board and seriously threatens its future efforts and success," said the resolution.

Copies of the resolution were sent to the Foreign Mission Board, the North Carolina Baptist State Convention and its weekly newspaper, along with a request that the Foreign Mission Board's statement of principle be released to the Baptist Press.

The resolution was presented to the state-wide Baptist student convention by the social action chairmen of Wake Forest College (Baptist) in Winston-Salem, and the University of North Carolina at Chapel Hill, N.C.

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Indiana Baptists Sign
Note For New Encampment

11-15-66

INDIANAPOLIS, Ind. (BP)--The Executive Board of the State Convention of Baptists in Indiana signed a \$13,500 note to complete purchase of a new Baptist encampment site, and authorized the first use of the 280-acre camp this summer.

The 30-member board also authorized a camp planning committee, and re-elected as its chairman Carver Tinsley, pastor of States Street Baptist Church, Hammond, Ind.

First use of the new Baptist encampment, located 25 miles southwest of Indianapolis, will be for four Royal Ambassador camps for young boys in the summer of 1967. Tents will be used for the camp, and no permanent structures will be built initially.

The camp's planning committee was authorized to seek assistance from the Southern Baptist Sunday School Board's church architecture and recreation departments, as well as from local and state officials in preparing a master plan for development.

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New Orleans Seminary
To Hold Laymen's Meetings

NEW ORLEANS (BP)--The board of development of the New Orleans Baptist Theological Seminary voted unanimously to begin an annual laymen's institute to be sponsored by the seminary here each spring.

The institute, which will begin in the spring of 1967, will be for laymen from throughout the Southern Baptist Convention. Emphasis will be on the practical as well as the inspirational.

The seminary, aware of the growing concern of laymen for a deeper and more meaningful spiritual life, feels that this workshop-type institute will provide the laymen with a better idea as to how he can best serve God through his home church, a spokesman for the seminary. said.

The seminary's board of development also voted to meet in extra session to continue planning a program of continuing education for "in-service" ministers and a program of research which would seek to answer current problems facing Christianity as a whole and the Southern Baptist Convention in particular.

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Episcopal Minister Stars
In Baptist College Drama

11/15/66

MURFREESBORO, N.C. (BP)--An Episcopal minister played the leading role in a Baptist college's musical comedy when "South Pacific" was presented at Chowan College here.

The only non-student in a starring role, Nathaniel "Bud" Hynson of Murfreesboro, N.C., saw his role as "a very important part of my ministry to the college, community, and students."

The Episcopal chaplain to students at Chowan performed as Emile DuBeck, the role made famous by the late Ezio Pinza. Hynson alternated in the role during three production nights in mid-November with a Chowan student.

Although he has sung before the public all his life, Hynson said he is not a trained vocalist. "My singing has been all for fun, nothing serious at all," he said.

His "all for fun" singing experience includes roles in several operas, performing with groups in military service, several years with the Winston-Salem, N.C. Choral Society, and singing in church services, including boyhood experience with the Cathedral Choir.

Hynson frequently uses drama and singing in his ministry as priest in charge of Murfreesboro's St. Barnabas Episcopal Church, Gatesville's St. Mary's Episcopal Church, Sanbury's St. Peter's Episcopal Church, and Winton's St. John's Episcopal Church. He also is chaplain to Episcopal students at the Baptist school.

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Baptist Youth Workers
To Meet Next April

11/15/66

NASHVILLE (BP)--The first Southern Baptist conference for professional workers with youth will be held April 24-28, 1967, at the Southern Baptist Convention Building here.

Aim of the conference is to lead professional workers with youth to understand what constitutes a comprehensive youth ministry in a local church.

Youth workers from the Southern Baptist Convention's Sunday School Board, Brotherhood Commission and Woman's Missionary Union are planning the conference. They represent the five Southern Baptist church program organizations--Sunday School, Training Union, music ministry, Brotherhood and WMU.

Discussions will include ministering to college students, married young people, military personnel, high school students, counseling with youth, promotional journalism and mission actions for youth.

Featured resource speaker will be Edward C. Frierson of the department of special education, George Peabody College for Teachers, Nashville.

Conference Chairman Mancil Ezell of the Sunday School Board stated that the conference is limited to 150 persons and a registration fee of \$20 is required.

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