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News Service of the Southern Baptist Convention

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77-99

**Congress Considers Flight  
Of Institutional Victims**

By Carol Franklin

WASHINGTON (BP)--Bills designed to ensure the constitutional and civil rights of institutionalized persons are moving through committee in the U. S. House of Representatives, while a similar measure in the Senate is stalled.

Three bills, H. R. 2439, H. R. 5791 and S. 1393, would grant the attorney general of the United States authority to sue on behalf of the mentally ill, the developmentally disabled, the young, the aged and the imprisoned when their constitutional rights are being denied by an institution where they reside.

A staffer with the subcommittee considering the legislation told Baptist Press that the bills, as now written, would apply only to institutions accepting public funds.

Stanley C. Van Ness, public advocate-public defender for New Jersey, testified before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the House Committee on the Judiciary that "numerous cases of neglect or mistreatment of the mentally ill" have been uncovered in New Jersey.

"At some institutions these instances are not isolated. Rather, they are indicative of a pattern and practice of physical assaults and mental abuse of patients, and of unhealthy, unsanitary and anti-therapeutic living conditions," Van Ness said.

Van Ness also noted that inmates at the readjustment unit at Trenton State Hospital said they were denied access to religious representatives, among many other abuses.

Stephen P. Berzon, legal director of the Children's Fund, a national, public interest child advocacy organization, told the subcommittee, "Abuse and neglect of children in residential facilities takes many forms . . . The deficiencies included children sleeping on mattresses on the floor in cramped and dingy rooms; children's beds pushed up against gas heaters that were operating at full power, even though it was a hot summer day; dirty and unsanitary sleeping, living and kitchen areas; and inadequate control over prescription drugs, which in two institutions were left in shoe boxes on desk tops."

U. S. Rep. Edward I. Koch (D.-N.Y.) quoted from the New York Post in his testimony as follows:

"The 1,500 mental patients at Manhattan State Hospital live under constant threat of murder, rape, assault and theft because of inadequate security." Koch also noted that the Post revealed that the hospital's records showed three rapes, 38 assaults, 42 patient fights, 24 injuries, and 93 patient escapes in the month of April, 1977, alone.

Other witnesses told additional "horror stories" of abuse and neglect in prisons, homes for the elderly and other institutions.

Van Ness acknowledged that the problems in many institutions existed because authorities were unaware of them or lacked the knowledge of how to correct them or the money needed to make changes.

Michael S. Lottman, director of the Education Law Center, Newark, N. J., and Philadelphia, Pa., stressed that the problem cannot be solved on a local level by local authorities alone. "Clearly, the extension of the right to treatment, the right to education, the right to 'protection from harm,' and related rights to institutionalized persons across the nation is a task for the federal government," Lottman said.

GARRISON, N. Y. (BP)--Greek Orthodox and Southern Baptists theologians, pastors and denominational leaders "got educated" about each other during a dialogue here.

Nicon D. Patrinos, the ecumenical officer for the Greek Orthodox Archdiocese of North and South America, which co-sponsored the dialogue, along with the department of interfaith witness of the Southern Baptist Home Mission Board, said he "got educated" at the meeting, particularly regarding the responsibility for Christian mission.

The consultation was held in the Orthodox Academy of St. Basil at Garrison, N. Y., across the Hudson River from the U. S. Military Academy at West Point.

Arrangements for the dialogue were made by Patrinos and Brownlow Hastings, assistant director of the department of interfaith witness.

Glenn Igleheart, director of the department, likened the meeting to friends inviting each other into their flower gardens. As guests, each commented on where the other might do some pruning, each saw how the other's faith was enriched, each found some thorns on the stems of the other, and each left with fragrant memories. Each also left the gate open for future visits.

Patrinos told participants: "We are inferior--backward--in bringing the gospel to other people. I came to a new understanding of the responsibility to bring the gospel to other people--not just the joy, but the responsibility."

Patrinos expressed appreciation for the Baptist emphasis on personal salvation, pointing out he is author of a book on the individual and the Orthodox church. He said the point of personal salvation is a point of commonality between the two denominations.

"Our preaching," he said, "must be from the gospel. It is always a personal admonition and a call to re-cement the sonship of the individual."

He also expressed satisfaction that the two groups did not seek to "win points" with each other, but, while expressing themselves candidly, did not try to hide the areas of basic disagreement. He also praised Baptists for the spirit of the meeting: "We felt your presence."

Baptists responded by disclosing they came to new appreciations of elements of the Orthodox devotional life, biblical rites (such as anointing the sick) and interpretations of the Scripture and early church fathers.

Twenty-six participants--11 Orthodox and 15 Baptist--discussed the faith and life, worship, concepts of authority, theology and salvation experience.

Copies of the addresses presented will be published jointly by the two groups.

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(BP) Photo mailed to Baptist state papers.

# # #

High Court Upholds  
Job Seniority Bias

By Stan Haste

WASHINGTON (BP)--The U. S. Supreme Court ruled here that an airline stewardess who was fired for getting married and later reinstated after passage of a federal anti-discrimination law is not entitled to full seniority for service before the new statute went into effect.

In a 7-2 decision, the high court said that Carolyn J. Evans, who was fired by United Air Lines in 1968 after 16 months as a flight attendant, is not entitled to seniority rights accumulated during a four-year period between her release and reinstatement in 1972.

An anti-sex discrimination provision in Title VII of the Civil Rights Act went into effect shortly after Evans was fired. The landmark civil rights legislation prohibits job discrimination on account of race, religion, sex, or national origin.

Evans failed to file a complaint within 90 days of her release, however, a failure which the justices found fatal to her arguments. An Equal Employment Opportunity Commission (EEOC) regulation states that such complaints must be lodged within 90 days. EEOC is the federal agency charged with enforcing Title VII provisions.

Evans had argued that although she did not meet the 90-day deadline, she was the victim of an ongoing, continuing violation of Title VII, making her claim timely. She also argued that United's seniority system has had the continuing effect of discriminating against her on account of sex.

The justices rejected those arguments, holding that Evans had the burden of proving that United's seniority system deliberately discriminated against women, not merely showing the effect of discrimination. This line of reasoning has been used consistently by the Burger court in recent discrimination cases.

The two most liberal members of the court, Justices Thurgood Marshall and William J. Brennan, Jr., dissented. They argued that United's originally discriminatory policy of firing women for getting married and then refusing them seniority when rehiring them has the effect of perpetuating the discrimination.

In another related case, the court used much of the same reasoning in denying retroactive seniority rights to a group of black and Mexican-American truck drivers.

At the same time, the justices said that discrimination committed after passage of federal anti-race discrimination legislation in 1965 does entitle the drivers to back seniority rights.

The suit resulted when a trucking company and the powerful Teamsters Union refused to allow local city drivers, mostly blacks and Mexican-Americans, to transfer to more lucrative positions as over-the-road, long-distance drivers, almost all of whom were white, without forfeiting their seniority status.

Justice Potter Stewart, writing for all nine justices, held that the company and union had engaged in a systematic pattern of discrimination against minority drivers by purposefully treating them less favorably than white drivers, even after the 1965 law went into effect.

Drivers who were victims of post-1965 discrimination are entitled to retroactive seniority benefits, the court ruled, although those discriminated against before 1965 are not.

All this must be sorted out by the federal district court which originally heard the case, the justices ruled.

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Fired Instructor May Sue  
Wayland Baptist College

Baptist Press  
6/3/77

PLAINVIEW, Tex. (BP)--Dismissal of an art instructor at Wayland Baptist College here for allegedly providing alcoholic beverages for consumption at off-campus social gatherings attended by students may result in a breach of contract suit.

J. D. Whitaker, who signed a new two-year contract with the school last March, was dismissed in mid-May, according to a Wayland Baptist College spokesman, on charges of "conduct unbecoming for a teacher in Wayland Baptist College, violation of a pre-employment understanding about the possession and use of alcoholic beverages, and contributing to the breach by students of written and published rules for the college regarding possession and use of alcoholic beverages."

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Whitaker, according to the Wayland spokesman, provided alcoholic beverages at functions on Dec. 10, 1976, and May 6, 1977.

Wayland President Roy McClung, after meetings between Whitaker and Wayland administrators, asked for Whitaker's severance from and termination of his contract with the college.

McClung said Whitaker asked to remain on the faculty and asked for a hearing before an ad hoc committee of his peers. The committee agreed with two of the three charges and joined in the request for his severance, the spokesman said.

Whitaker still has the right to appeal all action before a committee of Wayland's board of trustees, but one news report quoted his attorney as saying he would not do so because the trustees would "rubber stamp" the dismissal.

Whitaker's attorney said his client will not deny having the socials, which were BYOB ("Bring Your Own Bottle") gatherings, but said that he will dispute charges that he provided alcoholic beverages to students or invited them to drink.

If Wayland does not honor Whitaker's contract, the attorney told the Plainview Reporter-News, a breach of contract suit will be filed in 64th District Court in Hale County.

The attorney said the question of the school's authority over the private lives of faculty and students will probably come into the suit as a "collateral issue."

He said the school knew when it hired Whitaker, an Episcopalian, that he didn't hold the same religious beliefs about alcohol as the Baptists.

McClung, who said Whitaker was terminated for "consuming alcoholic beverage himself and inviting and influencing Wayland students to do so," said Whitaker expressed "understanding and willingness" before he was hired "to accept and work within our pattern as a Baptist-sponsored church school."

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Lottie Moon Offering  
Closes at \$28,763,810

RICHMOND (BP)--The 1976 Lottie Moon Christmas Offering reached \$28,763,810 as final tabulation of the annual offering for Southern Baptist foreign missions was made May 31.

Although short of the \$29 million goal by \$236,190, the 1976 offering was an increase of \$2,594,389 over the \$26,169,421 given in the 1975 offering.

The 1976 figure includes one more month of contributions than the 1975 offering. The Southern Baptist Foreign Mission Board, upon consultation with the Woman's Missionary Union (WMU), decided to keep the books open on the offering through May beginning this year, instead of closing them at the end of April as in former years. During May, \$449,293 was received.

The change allows the May receipts to be counted and have figures available for sharing at the annual meetings of the WMU and the Southern Baptist Convention. The meetings are now held in June, instead of May as in earlier years.

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'SBC Must Double Giving  
By 1982,' Says Task Force

Baptist Press  
6/3/77

NASHVILLE (BP)--Amid projections that Southern Baptists are facing their most challenging era between now and the year 2000, a task force on Bold Mission here urged that the 12.9 million member denomination double its giving to total missions causes by 1982.

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The group further admonished that the denomination double its giving through the Southern Baptist Cooperative Program unified budget twice more beyond 1982, through the century end.

The task force, made up of some 50 leaders from all areas of local, state and national denominational life, urged that the Cooperative Program be the primary means of channeling funds for the Southern Baptist Convention's (SBC) Bold Mission strategy, designed to evangelize the world by the year 2000.

To accomplish the aims of Bold Mission advance, the task force also made three other major recommendations to be presented to the SBC, which will meet June 14-16 in Kansas City, Mo.:

--That every church be urged to place the Cooperative Program in its budget on a percentage basis and that every church and state convention increase its gifts by some percentage each year.

--That the SBC assign its Executive Committee responsibility for giving strong administrative leadership in promoting and coordinating all facets of the long range Bold Mission endeavor, "to ensure adequate promotion, coordination and funding until the year 2000."

It was suggested the promotion and coordination might be accomplished through the employment of "a person or staff to personify and coordinate" Bold Mission promotion. And, the group noted, the effort might be further strengthened through an SBC level task force to do overall planning and implementation of the Bold Mission endeavor.

"Such a task force could coordinate the work of similar task forces on the state, associational and local church levels," they said.

--That the SBC ask its Executive Committee to adopt a single, over-arching promotional theme to promote the convention's world mission goals from now until the year 2000, and that each agency adapt its denominational promotional plans to the common theme. The group proposed that the overall theme should be "Bold Mission Thrust," a term already in use by the SBC Home Mission Board.

A report by A. R. Fagan, executive director-treasurer of the Southern Baptist Stewardship Commission, which coordinated the event, cited a 1975 "conservative estimate" that indicated total income of Southern Baptist church members in excess of \$57.5 billion.

Yet, Fagan noted, gifts to the churches represented less than two and one half of each dollar from the total income figure. And the Cooperative Program received only two-tenths of each penny of the total \$57.5 billion, he said.

The task force, which noted that the Cooperative Program doubled twice in the last 20 years, called on "every Southern Baptist" to meet the "exciting challenge" of Bold Mission "through boldness in prayer and sacrificial giving."

The task force, drawn together by the denomination's Stewardship Commission, on direction from the 1976 SBC meeting in Norfolk, Va., previously met Dec. 1-3, 1976, in Nashville. SBC messengers directed last year that the force be established to assist the Stewardship Commission in developing "bold promotional programs designed to financially sustain our convention's Bold Mission advance."

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(BP) Photo mailed to Baptist state papers.

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Woman Ordained By  
Georgia Church

Baptist Press  
6/3/77

COLUMBUS, Ga. (BP)--Sally Carter, who will become the first woman chaplain of Sweetbriar College in Virginia on Sept. 1, was ordained to the ministry by her home church, Waldrop Memorial Baptist Church, here.

A 1977 graduate of Yale Divinity School, Miss Carter is a graduate of Mercer University, a Baptist school in Macon, Ga., where she served as coordinator and counselor to students in Project Upward Bound and as instructor in the alternate freshman program. -more-

Only between 20 and 30 women are believed to have been ordained by Southern Baptist churches. No exact data is available.

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State Baptist Execs ✓  
Oppose IRS Ruling

Baptist Press  
6/3/77

OKLAHOMA CITY (BP)--The Association of Southern Baptist State Executive Secretaries has joined a growing list of individuals and groups opposing the Internal Revenue Service (IRS) ruling on "integrated auxiliaries of a church."

The chief executives of state conventions within the framework of the nation's largest Protestant denomination, declared: "We are prepared to voice that opposition as necessary to the White House, Congress and in the courts,"

Joe L. Ingram of Oklahoma City, who circulated a mail ballot on the subject to fellow Baptist executives, released the results.

Ingram, executive director-treasurer of the Baptist General Convention of Oklahoma and secretary of the association, has urged fellow Baptist executives to send copies of the resolution to their U. S. senators and representatives. He has sent a copy to the Oklahoma congressional delegation and to President Jimmy Carter.

In the whereas section of the resolution, the statement charges that "the government has attempted, in part, to define the mission and role of the church and has set for itself the role of determining what is and what is not an agency integral to the religious mission of the church."

The resolution declared that the IRS rule limits free exercise of religion as stipulated in the First Amendment to the U. S. Constitution.

The IRS ruling, as now interpreted, requires certain church organizations to file the annual IRS information Form 990, which calls for such information as annual income, salaries and expenditures.

The IRS says an organization's principal activity must be "exclusively religious" if it is to be considered an "integrated auxiliary of a church" and therefore exempt from filing Form 990. If the principal activity is educational, literary, charitable or of another nature (other than religious), the organization is not considered by IRS to be "exclusively religious."

IRS has classified hospitals, colleges, homes for the aging and children's homes as church-related institutions which are not "exclusively religious" and therefore must file Form 990.

However, a spokesman for the Oklahoma Baptists said an attorney for the state convention has issued a legal memorandum stating that, as applied to the Oklahoma convention, the IRS ruling means that any agency or institution--such as a children's home or hospital--which are part of the convention itself and does not maintain a separate legal identity will not be required to file Form 990.

A spokesman said that in Oklahoma child care homes and hospitals are operated directly by the convention and do not possess their own articles of association, organization or bylaws and do not have separate boards of trustees.

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