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Home Mission Board workers being notified of layoffs

By Bob Allen

ATLANTA (ABP) -- Layoffs at the Southern Baptist Home Mission Board began April 1, according to an internal office memo obtained by Associated Baptist Press.

The notification process began with what the agency calls "employed" staff, mostly clerical or lower-level professional staff. The memo to HMB staff from interim president Ernest Kelley said the notification process for employed staff would be completed within 10 days.

Layoffs in trustee-elected management positions will follow.

Employed staff were being notified individually whether they were being terminated or offered positions at the North American Mission Board, a new agency which goes on-line June 19.

The NAMB formation is the centerpiece of a restructuring of the Southern Baptist Convention, which reduces the number of convention agencies from 19 to 12. The new missions board replaces three current SBC agencies: the HMB in Alpharetta, Ga., the Radio and Television Commission in Fort Worth, Texas, and the Brotherhood Commission in Memphis, Tenn.

Home Mission Board spokesman Martin King said the number of HMB people losing jobs had not been tabulated. On the first day of the notification process, he said, 15 people received notice of "separation" and 27 were offered jobs by HMB officials on behalf of the Implementation Task Force, a group overseeing the restructuring.

"We're only notifying our employees," King said. "We assume that RTVC and Brotherhood will be notifying their employees."

While the number of people expected to lose jobs at the respective agencies has not been announced, officials have said the NAMB will employ 350 workers. That is 165 fewer than the combined payrolls of the three affected agencies. Savings from the merger have been projected at \$9 million a year.

The restructuring, approved in convention votes in 1995 and 1996, also phased out several smaller SBC agencies.

Most of the people in HMB jobs being eliminated were given four weeks' severance pay and terminated within two days. That decision is intended to help laid-off workers get a jump on job markets before a glut is caused by upcoming graduations, King said.

People offered new jobs were given a position description and salary range and given a week to decide. Some accepted jobs immediately, King said, while others said they needed the time. The workers must decide before knowing who their new bosses might be, he said.

No information has been released about how the merger will affect the almost 5,000 field missionaries currently supervised by the HMB.

According to a NAMB organizational structure released in February, more than half of headquarters staff will work in media and evangelism. Specialized efforts to start churches among African-Americans and dozens of language groups receive less staff in the new structure, as does the arm specializing in social ministry, leading personnel in those areas to worry that those efforts will suffer.

Officials, however, said those tasks will continue without direct staff assignments through the agency's "matrix" structure, in which all workers interact to achieve overarching agency goals.

King said most of the workers laid off in the first phase are in secretarial or clerical positions. A few professional positions, such as writers, editors and artists, have also been affected, he said.

As for notification of managers, King said: "We assume that a similar process will be used later. It could be in a few days or it could be by the end of the month. We have not been told by the ITF, 'Here's what we're going to do' or 'Here's when we're going to do it.'"

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Supreme Court reinstates parental-notification law

By Larry Chesser

WASHINGTON (ABP) -- The U.S. Supreme Court has revived a Montana law that requires notification of a parent or a judge's approval before an unmarried minor can undergo an abortion.

In an unsigned opinion, justices reversed lower-court decisions that struck down the Montana law.

A group of Montana physicians argued that the law was unconstitutional because it did not sufficiently protect a minor's right to have an abortion.

The 9th U.S. Circuit Court of Appeals, affirming a lower court, agreed with the physicians. The appeals court found the 1995 law objectionable because it allowed a minor to bypass the notification requirement only when a judge determines that the notification is not in the minor's best interest.

But the nation's high court said Montana's statute is "indistinguishable in any relevant way" from an Ohio law it upheld in 1990. The court stated that both "allow for judicial bypass if the minor shows that parental notification(s) is not in her interests."

Underlying the 1990 decision was the "assumption that a judicial bypass procedure requiring a minor to show that parental notification is not in her best interests is equivalent to a judicial bypass procedure requiring a minor to show that abortion without notification is in her best interests," the high court's unsigned opinion said.

Justice John Paul Stevens, joined by Justices Ruth Bader Ginsburg and Stephen Breyer, joined in the court's reversal of the 9th Circuit decision, but did not accept all of the court's reasoning.

Noting that the Montana law is "essentially identical" to the Ohio law earlier upheld by the court, Stevens said "it is surely appropriate to assume that the Montana provision also requires the court to authorize the minor's consent whenever the abortion is in her best interests."

In another abortion dispute, the Supreme Court refused to hear a challenge to the use of mandatory student fees to subsidize abortion services by a state university's health-insurance program. Left standing was a ruling by the 9th U.S. Circuit Court of Appeals that the mandatory subsidy does not violate the First Amendment rights of students who object to it.

Gregory Goehring and other students at the University of California-Davis challenged the use of mandatory fees for political, ideological and religious activities, as well as the subsidization of abortion services.

After their suit was filed, the university stopped funding political, ideological and religious speech activities, leaving that part of the students' lawsuit moot.

But the appeals court said the students failed to show that the subsidized health-insurance system imposed a substantial burden on their religion.

Even if the students were able to show a substantial burden, the appeals court said, the university's policy still would be constitutional because the university is using the least restrictive means of advancing a compelling governmental interest.

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High court turns away church-state disputes

By Larry Chesser

WASHINGTON (ABP) -- Sidestepping a pair of church-state disputes March 31, the U.S. Supreme Court refused to hear challenges to a policy regulating student distribution of fliers at an elementary school and to a New Jersey law that protects gays from discrimination.

In one case, the parents of Andrew Muller sued officials of Jefferson Light House Elementary School in Racine, Wis., in 1995, after their son was denied permission to distribute invitations to a church youth program during non-class time.

A federal district court upheld the school's policy but said Principal Steven Miley violated Andrew Muller's First Amendment rights either by not following the school's own policy or by refusing Andrew's request solely because the fliers were religious. The district court ordered school officials not to prevent Andrew from distributing the invitations on those grounds.

Most of the district court's opinion was upheld by 7th U.S. Circuit Court of Appeals.

The appeals court noted that "Andrew's right not to have his expression suppressed solely because it is religious was vindicated in the district court" and that he is "free to express himself on religious matters, in both written and spoken form, subject only to restrictions" reasonably related to legitimate educational concerns.

But the appeals court rejected the Mullers' challenge to the school's policy, saying that public elementary schools are not public forums and that the school's screening of material for offensive or disruptive content is permissible. The school's policy, the appeals court said, is "reasonably related" to legitimate educational concerns.

"In a public forum, the Christian can tell the Jew he is going to hell, or the Jew can tell the Christian he is not one of God's chosen, no matter how that may hurt," the court said. "But it makes no sense to say that the overly zealous Christian or Jewish child in elementary school can say the same thing to his classmate, no matter the impact."

In a nonpublic forum such as an elementary school, the court said, only "unreasonable restrictions" on free speech are forbidden.

In the New Jersey dispute, the Rev. David B. Cummings, Calvary Orthodox Presbyterian Church of Wildwood and the New Jersey Presbytery of the Orthodox Presbyterian Church challenged a 1992 law designed to protect homosexuals from discrimination.

The legislature made it illegal to discriminate on the basis of sexual orientation in employment, public accommodations and business dealings.

The New Jersey law generally exempts religious organizations from its hiring provisions. In addition, New Jersey officials stipulated that houses of worship are not considered "public accommodations" covered under the act and that Cummings would not be subject to liability under the law for actions taken in his capacity as a pastor.

But Cummings argued that he could be subject to a lawsuit as a private citizen. He asserted that the law's provisions against aiding and abetting discrimination infringed on believers' rights to follow the tenets of their religion in business dealings and to preach against homosexuality.

Cummings and the other plaintiffs officials argued that the law violated their free-speech rights, but a federal district court disagreed. In a decision later affirmed by the 3rd U.S. Circuit Court of Appeals, the district court upheld the constitutionality of the New Jersey law as it is written. Both the district court and the appeals court declined to rule on whether the law is unconstitutional "as applied" to Cummings and other plaintiffs because New Jersey courts have yet to interpret the act.

"It is quite possible that the New Jersey Courts will construe the challenged language so as to avoid reaching the type of conduct in which Reverend Cummings and others similarly situated engage," the appeals court said.

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American Baptist missionaries flee violence in eastern Zaire

VANGA, Zaire (ABP) -- Two female American Baptist missionaries and their children, along with a Burmese co-worker, were evacuated March 25 from Vanga, Zaire, to the capital city of Kinshasa, according to American Baptist News Service. Male missionaries stayed behind as the women fled to avoid advances by rebel forces in eastern Zaire.

Evacuated were American Baptist missionary Ann Clemmer and her four children, American Baptist missionary Sandy Jo Thompson and her two children and Teddy Win of Burma. Also leaving was Reba Noyes, daughter of American Baptist missionaries in Kinshasa, who was visiting Vanga.

Staying behind were American Baptist missionaries William Clemmer and Mark Thompson, Re Myat Win, a missionary from Myanmar (Burma), and other male personnel from Europe.

Baptist officials in western Zaire said the pullout of women and children was phased so doctors at Evangelical Hospital could continue to work there. The evacuated missionaries were airlifted by Missionary Aviation Fellowship and were staying on Western Zaire Baptist Community property in Kinshasa.

As the rebel group led by Laurent Kabila swept westward in an attempt to take over the country, Baptist leaders in Zaire asked that American Christians pray for peaceful resolution and ask President Clinton to urge Zaire's president, Mobutu Sese Seko, to avoid confrontation.

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-- By ABP staff

State Supreme Court allows professors' suit to proceed

PINEVILLE, La. (ABP) -- The Louisiana Supreme Court has refused to throw out a defamation lawsuit brought by four Louisiana College professors against conservative critics.

Defendant Leon Hyatt, head of the Louisiana Baptist Conservative Resurgency group, had sought to have the lawsuit dismissed on religious-liberty grounds.

The state's high court declined to review a ruling by Louisiana's 3rd Circuit Court of Appeals. That leaves standing a ruling by district judge Tom Yeager allowing the suit to proceed. Yeager said the suit did not violate Hyatt's religious freedom nor involve internal church matters protected by the First Amendment.

According to the Alexandria Daily Towntalk, Hyatt's attorney said the next step would be to go back to the district judge and ask for dismissal on grounds that statements circulated by Hyatt and the group did not defame professors Carlton Winbery, Frederick Downing, James Heath and Connie Douglas.

In their lawsuit, the professors maintain derogatory letters published and circulated in a 1995 pamphlet damaged their reputations.

The letters were circulated, they charge, in an attempt by conservatives to win control of the Louisiana Baptist Convention and Louisiana College at the state convention's annual meeting.

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-- By ABP staff

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