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Supreme Court upholds college mandatory student fee program

By Kenny Byrd

WASHINGTON (ABP) -- Public universities may use mandatory student fees to fund a variety of college groups, even if students find some of those groups objectionable, a unanimous U.S. Supreme Court ruled March 22.

The high court upheld the University of Wisconsin's program of disbursing student fees to campus groups and reversed a lower-court ruling against the school.

The program was challenged by several conservative students who said they should not be forced to subsidize groups counter to their religious and political views, including homosexual and women's rights groups and an HIV/AIDS support network.

"If a university decided that its students' First Amendment interests were better protected by some type of optional or refund system it would be free to do so," said the majority opinion written by Justice Anthony Kennedy. "We decline to impose a system of that sort as a constitutional requirement, however.

The decision signed by Kennedy, Chief Justice William Rehnquist and Justices Sandra Day O'Connor, Antonin Scalia, Clarence Thomas and Ruth Bader Ginsburg said extracurricular discussions on philosophical, religious, scientific and political subjects that are held outside the lecture hall can enhance students' education.

"If the University reaches this conclusion, it is entitled to impose a mandatory fee to sustain an open dialogue to these ends," said the decision.

Students attending the University of Wisconsin-Madison must pay mandatory student fees each semester or they cannot receive their grades or graduate. During the 1995-96 academic year, students paid \$166 in fees each semester.

During the 1995-96 academic year, a group of students sued the board of regents, claiming that the school's policy violated their First Amendment rights.

"As a conservative Christian, it was frustrating to see the money going to organizations I personally disagree with," Scott Southworth, one of the objecting students, was quoted as saying in recent news reports.

The students presented evidence of 18 organizations that both receive student fees and engage in political and ideological activities. They include the Lesbian, Gay, Bisexual Campus Center; Campus Women's Center; Madison AIDS Support Network; Students of National Organization for Women; and others.

The 7th U.S. Circuit Court of Appeals sided with the students, holding that the University of Wisconsin-Madison burdens the free-speech rights of objecting students when it uses their mandatory activity fees to fund groups they find offensive. A three-judge panel of the appeals court said in 1998 that requiring the objecting students to pay the fees "does engender a crisis of conscience."

Reversing that decision, however, the Supreme Court said the policy does not violate the students' First Amendment rights.

Earlier rulings on the use of mandatory fees paid to bar associations and teacher's unions for political advocacy do not apply to a university, the court said. In those cases, the court said such fees could be used only for activities that are "germane" to the mission of the associations.

"To insist upon asking what speech is germane would be contrary to the very goal the University seeks to pursue," ruled the court. "It is not for the Court to say what is or is not germane to the ideas to be pursued in an institution of higher learning."

But the six justices signing the majority opinion did say the students are entitled to some level of protection of their First Amendment interests. For that reason, the justices required that the university use "viewpoint neutrality" in allocating funds to student groups.

Viewpoint neutrality was the principle behind a 1995 Supreme Court ruling that the University of Virginia could not deny student activity fees to a student publication simply because its is religious.

"Viewpoint neutrality is the justification for requiring the student to pay the fee in the first instance and for ensuring the integrity of the program's operation once the funds have been collected," the court said. "We conclude that the University of Wisconsin may sustain the extracurricular dimensions of its program by using mandatory student fees with viewpoint neutrality as the operational principle."

While the Board of Regents of the University of Wisconsin System controls the distribution of part of the fees to student organizations, representatives of the student body have authority over distributing an "allocable" portion of the fees.

The majority opinion raised concerns about the allocation of student fees by a majority vote of the student body.

"It is unclear to us what protection, if any, there is for viewpoint neutrality in this part of the process," said the justices. "The whole theory of viewpoint neutrality is that minority views are treated with the same respect as are majority views. Access to a public forum, for instance, does not depend upon majority consent."

A concurring opinion written by Associate Justice David Souter and signed by Associate Justices John Paul Stevens and Steven Breyer, agreed with the majority that the university's program is constitutional. But the three argued that the court should not "take the occasion to impose a cast-iron viewpoint-neutrality requirement" in the case.

The case is Board of Regents, University of Wisconsin vs. Southworth.

N.C. divinity school celebrates missions

BUIES CREEK, N.C. (ABP) -- The Campbell University Divinity School commissioned four students for an upcoming mission trip to Africa during a recent emphasis on Bible teaching, discipleship and global missions at the Baptist-affiliated school in Buies Creek, N.C.

"When I was a little girl, I saw a program about missionaries in Africa," said Diane Buie, a member of a "Mission Immersion" team headed for Kenya in May. "I still have the message I wrote in my Bible at that time," she continued. "It said 'Africa -- send me.'"

Harvey Clayton said God began working in his life in the 1960s, during which he spent two years in the Peace Corps in West Africa.

"Now as I plan to retire from the secular world, it is awesome to me that he has called me to return to Africa and engineered my circumstances so that I am able to go," Clayton said.

The students will spend three weeks studying African culture and performing service work in rural and urban settings with local congregations.

Other specialized ministry groups described work ranging from missions in Uruguay to outreach using puppets and the Internet during the weeklong emphasis March 20-25.

Henry Mugabe, principal and professor at the Baptist Theological Seminary in Zimbabwe, traveled from Africa to be part of the week's activities.

"The goal of mission education is to have students sharing God's love with other parts of the world," said Bruce Powers, associate dean of the divinity school. "As Christians we have no choice but to be evangelists. That is what this week is all about."

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-- By Susan Welch, staff writer at Campbell University.

Former prostitute, drug addict highlights success of ministry

By Stacey Hamby

HOLTS SUMMIT, Mo. (ABP) -- A career in prostitution began simply enough for Karen Keaton. Estranged from her husband and arrested for possession of drugs, she needed money for an attorney.

"I paid off the lawyer, but I got hooked on the fast money," recalled Keaton, 36, of Holts Summit, Mo. "I worked all day from 9 a.m. to 10 p.m. and had \$800 in my pocket and nothing to do. I got into drugs."

That led to more trouble with the law. "I got further and further away from any thoughts of God," said Keaton, who grew up as a Catholic in St. Louis. "Then I was working for the money just to buy drugs."

That cycle landed her in and out of prison and drug-treatment programs for five years. The mother of three found herself divorced, alienated from her parents and due to be released from prison. She had nowhere to go, no family to welcome her and not a penny to her name.

But a Missouri ministry changed all of that. Exodus Ministry, which operates in Jefferson City and Bolivar, Mo., helps ex-offenders and their families to become productive, cohesive family units.

"I wouldn't be where I am now, if not for Exodus," Keaton said. "I'd almost certainly be back in prison or dead."

Today, she has her own apartment, a job and custody of her 2-year-old son, Cody. She plans to attend nursing school in August.

Exodus Ministry Executive Director John Bird said Keaton is an example of how the ministry is supposed to work. She is one of 33 ex-offenders who have been through the program at the Jefferson City site. Only two have returned to prison after graduating from Exodus.

Two women have completed the program in Bolivar, where Candace Betts is director.

Bird and his wife, Marty, members of Memorial Baptist Church in Jefferson City, started Exodus Ministry seven years ago. The Birds live upstairs in the Exodus office building east of downtown Jefferson City. Next door are six apartments for ex-offenders in the program.

"Mainly, we need to have someone on site," Bird said. "We need to watch who comes in and make sure our residents are not associating with known felons, because that could be a violation of their parole."

Exodus is different from so-called "halfway houses," which are usually for individuals who stay only three to six months, Bird said. "We usually have a whole family here. Most have children, whether they're a husband and wife or a single parent, and ours is a whole year."

Exodus Ministry, which has nine board members from different denominations, also now is recognized as an alternative to prison. That means courts can sentence offenders who meet certain criteria to participate in the program while on probation.

People who have participated in Exodus have been in prison for a variety of crimes. But in most cases, Bird said, the underlying problem involves drugs and alcohol.

Participants must follow strict standards. They observe curfews and attend church and self-improvement classes, such as parenting.

The Birds and volunteers from churches in the community also provide a healthy dose of Christian love.

"I knew about God because I went to a Catholic school," Keaton said. "But the God I knew was one to punish you if you did something wrong. ... John and Marty and the classes helped me see more clearly how God is there for me to love me unconditionally, not to punish me."

Keaton said she already was on the road back toward God when she first arrived in Jefferson City, but she might never have matured without the love and discipline provided by the Birds and others.

"John and Marty were always there for a hug, and if you needed a foot in your butt to straighten up," she said.

Keaton -- whose self-described spiritual awakening started after Cody's birth in prison -- said incarceration gave her time to reflect on her life.

"I had no stable place to live, and here I had this baby," she recalled. "That's when I got down on my knees and asked God into my life and asked him to guide me.

"That's when I realized God didn't turn his back on me, I turned my back on him."

Keaton heard about Exodus from someone in her drug-treatment program. Bird said word of mouth now is the most common way that inmates hear about Exodus.

"I had no other options," Keaton said. "I didn't want to spend my life in prison, I wanted to raise my son. I knew if I went back to St. Louis, I'd end up with the same people, hustling a little money here, getting a little money from this sugar daddy and that sugar daddy. I didn't want that."

The day Keaton got out of prison, she owned only the clothes on her back. The Birds helped set her up in an apartment. All of the apartments are furnished, down to the first couple of weeks' worth of groceries.

The Birds then helped her find a job and drove her to and from work.

"My self-esteem skyrocketed that year in Exodus," Keaton said. "Here I had a job, a place to live, I was paying bills. It was mine. John and Marty were always next door, but they didn't come over. They gave me space."

They also made sure she attended the church of her choice regularly.

"One time, I was going to a church to speak about Exodus, and I realized this was the first time I had worn a dress since the escort service," she said. "This time, I was wearing it for the Lord."

Because of the changes in Keaton's life, her parents and sister have re-established a relationship with her.

"I had been out of the good graces with my family for years. During my time at Exodus, they saw I was making an earnest try to get better. ... They heard me talking more about God. At first I just had a job at a fast-food restaurant, but it meant a lot to my family, toward them trusting me again. They had seen me screw up time after time."

The Birds also helped her make the transition to full-time motherhood when she obtained custody of her son, Cody. Keaton has two other children, ages 15 and 10, who live with relatives.

"I had been afraid to take custody of Cody too soon and be overwhelmed," she said. "I hadn't been a mom to my other two children; I wanted to be a mom to Cody."

John Bird said there are more interested inmates than Exodus has space to accommodate. Keaton said she is just grateful she heard about the program.

"People from the goodness of their hearts reached out to me. They didn't want anything from me. They didn't even know me. That was a new concept to me."

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Volunteers contribute to ministry's success

By Stacey Hamby

BOLIVAR, Mo. (ABP) -- It takes more than one person to keep a ministry running. Candace Betts, director of Exodus Ministry in Bolivar, Mo., knows that firsthand.

"My volunteers are the third most important ingredient to the ministry, right after the Lord and the families who come to Exodus," said Betts. "Without the volunteers, the families would have a very limited contact with God's people."

Volunteers come from area churches, youth groups, local families and Southwest Baptist University.

One volunteer, Gloria Falcone, has been there since the beginning. "This lady has done everything from scrub floors, paint, hang pictures, to teach the ladies about Christ in a weekly Bible study," Betts said.

Having worked in a local jail ministry, Falcone, a member of First Baptist Church in Bolivar, said she appreciates the value of programs like Exodus.

"I see the necessity of helping women get back into society," she said. "They need a full-time mentor, and one person can't do it all."

When the work gets discouraging, Falcone said, she turns to Isaiah 61. "These girls are captives, captives of society, of mindsets. People that are captives need to be set free, not just from bars, but all the things that have happened to cause the bondage they're in."

"So many people in jail have the same problems. These gals have had time out to think and now to get back in and do it right," said Falcone.

"God is the God of second chances and third chances or whatever it takes. These gals need to know that nothing we do is not redeemable, and it takes time and effort and unconditional love to do that."

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