

Boys' Club issue goes to national board

By ADRIANA REYNERI
STAFF WRITER

Directors of the Boys' Club of America in New York will consider a controversy threatening the Boys' Club of Santa Cruz at their next meeting on Dec. 9.

But, according to spokesman Mark Lutin, the board may wait until 1986 to act on the question, a request from the club's chief benefactor to withdraw her support.

Ruth Mallery and her late husband, John, donated the money to build the Boys' Club of Santa Cruz in 1969. They also established a \$1.5 million endowment, managed by the national organization, to operate the Santa Cruz club. Interest from the endowment provides three-fourths of the club's budget.

A recent state Supreme Court decision, which requires the local club to begin serving girls, has changed the widow's sentiments toward the club. Mallery has asked the national organization to start giving the endowment earnings to another Boys' Club, one interested in serving boys only.

Boys' Club directors, encountering such a situation for the first time, are not sure whether Mallery has the right to tamper with the irrevocable fund.

"The Mallery trust was something extremely unique," said John Black, director of the Boys' Club regional office in Los Angeles. "The Mallery trust is the only endowment we (Boys' Club of America) manage for a local club."

The situation is also unique because of the strong local opposition to the idea of opening to girls, Black said.

Boys' Clubs throughout the nation serve girls, who account for one-third of the Boys' Club of America's 1.3 million members, he said.

Typically, a Boys' Club opens to girls because the local board decides that the change would better serve the community, Black said.

"This (the Santa Cruz case), of course, is very unique because the courts are mandating it," Black said. "It's not a local decision at all."

Lawyers are now studying the issue, Black said. They will give their opinion to the national board at the December meeting.

Mallery personally believes a Boys' Club ought to be for boys only, Black said. But Boys' Club of America administrators object to the Supreme Court decision because it says the Boys Club, a non-profit organization, is subject to the rules of any business and must not discriminate on the grounds of sex, or any other arbitrary grounds.

Sex discrimination is not the issue that worries the Boys' Club of America, which commonly admits girls.

"What this ruling says," Black said, "is that a non-profit organization no longer has the right to determine its service clientele. I think it's significant to all non-profit organizations."

While the national organization grapples with the question of what to do with the Mallery Endowment, the local board is challenging the Supreme Court decision that caused Mallery to seek to withdraw the funds in the first place.

Last week, Santa Cruz attorney Bob Bosso, who serves on the local Boys' Club board, requested the Supreme Court to rehear the case because the court had said in its written opinion there was no evidence the club would suffer severe financial hardship if it admitted girls.