



RIGHT TO ACCESS:
A HISTORY OF THE
DUKE UNIVERSITY
ABORTION LOAN FUND

Hayley Farless, Duke University

The State of Abortion in 1970s North Carolina

- ❖ 1967: Elective abortions are legal before a gestational period of 20 weeks in the state of North Carolina with a residency requirement of at least 4 months, but there is little to no access (Segers & Byrnes, 1995).
- ❖ 1970: Abortion becomes legal in New York without a residency requirement, which allows North Carolina women to travel for legal abortions (Segers & Byrnes, 1995).
- ❖ 1973: Roe v. Wade decision outlines abortion as a constitutional right, making abortion legal across the United States (Segers & Byrnes, 1995).
- ❖ 1973: The first North Carolina abortion clinic opens in Charlotte, NC, on November 16th (Faulkner, 1973).
- ❖ 1976: The first abortion clinic opens in Durham, NC (Schick, 1976).
- ❖ 1976-1977: Hyde Amendment is passed in 1976 and takes effect in 1977. It prohibits the use of Medicare funds to cover the cost of elective abortions (Segers & Byrnes, 1995).

“Abortions are available to the rich, but the less affluent often have this option blocked.”

-Associated Students of Duke University presidential candidates of 1971, as presented to the ASDU legislature and forwarded to University President Terry Sanford

Creation of the Duke University Abortion Loan Fund

- ❖ March 1971: Bill Kennedy, Class of 1973 proposed an abortion loan program at a Associated Students of Duke University candidate forum, in which all candidates for ASDU president supported the plan and later gave a formal endorsement (William Kennedy, personal communication June 8, 2016).
- ❖ May 11, 1971: Kennedy, representing the Abortion Loan Committee, proposed a detailed abortion loan program plan to the ASDU Legislature for debate. The motion was carried to allocate \$4000 to the self-perpetuating fund and create the country's third university abortion loan fund (ASDU Legislature Meeting Tuesday, May 11, 1971).
- ❖ \$0.73 from each student's ASDU fee was allocated to the fund (Markham, 1971).
- ❖ Abortion Loan Committee emphasized that the creation of the program was not intended to take a moral stance on abortion, but rather to provide equitable access of a reproductive right to all Duke women should they choose to exercise it (William Kennedy, personal communication June 8, 2016)

Spectrum

SIRRA CLUB: The Triangle Chapter of the Sierra Club will meet on Friday, November 11 at the North Carolina State University Triangle Institute in Raleigh. The speaker will be Dr. Robert M. Anderson. The meeting will be held at this time, 8 p.m. On Saturday, November 14 at 1:00, Dr. Anderson and Richard Iltis will lead a hike along the Eno. The meeting place will be the Bennett Farm, located west of Durham. Ask for the experienced hiker for more information call Dr. Anderson on Kohl phone 833-2972, or Ron Chandross phone 833-2978, Chapel Hill.

KAPPA PHI OMEGA—There will be a very important meeting for all brothers and pledges in the Phi Kappa Psi House, 106 Flowers at 7 P.m. on Friday, Nov. 11.

GENERAL

BEEHIVE: The fall issue of *BEEHIVE* is now at press.

ABORTION LOAN: If you are currently enrolled as a Duke University undergraduate, and need financial assistance in securing a legal abortion, contact one of the following members of the Abortion Loan Committee. All requests for loans will be dealt with in the strictest confidentiality.

Jeanne Beers, 349 Grad. Center, Linda Owen, 230 Cleland House; Aggie Shoffner, 104 Aycock; Doug Meyer, 102 ZBT; Nancy Topham, 203-A Wilson House; Robert Burgin, 013-V; Nick Pearson, 105Ox; Dale Madren, 227 Pegram; Bill Kennedy, 321 Pegram.

Undergrad Women! Please! Fill out the gynecology questionnaires if you were given one and give them to your ASDU legislator so we can get some action instead of just complaints. ASDU Legislators! Please hand all completed questionnaires in to the ASDU office.

The Duke Chronicle, November 10, 1971 (Abortion Loan Committee, p.2).

Campus Response

- ❖ May 18, 1971: Frank Toscano, Class of 1973 presented a motion with 555 signatures to ASDU Legislature requesting reimbursement to morally opposed students of the portion of their ASDU fee that would go towards the Abortion Loan Program. This motion and a second motion to put the question to a referendum were both defeated (ASDU Legislature Meeting, May 18, 1971).
- ❖ October 1971: Rebates were offered to the morally opposed in the sense that students could request to have their student activities fee contribution rerouted to another activity (Markham, 1971), (Baker, 1984).
- ❖ Widespread disapproval of the fund itself was not reflected in the existing documents or *Chronicle* articles of the time.
- ❖ President Sanford's office replied to all inquires and complaints regarding the Abortion Loan Fund by asserting no administrative involvement and rerouting those communications to ASDU (letters from Sanford, box 1)

National News Coverage

Students Provide Abortion Loans

By JIM LINN
Staff Writer

DURHAM — A student fund to supply interest-free loans to Duke University coeds for legal abortions goes into effect Friday. The program is the second of its kind in the country.

To be eligible for a loan, the girl must be a university undergraduate and at least 18 years old. Administration of the loans will be handled exclusively and confidentially by an area minister. He will decide on each request, based on the girl's psychological and financial circumstances.

The program, which is legally separate from Duke University, was given final approval by the university student legislature earlier this month.

Loan Plan

A maximum loan will be for \$300, payable within nine months. The woman would sign a promissory note and include a copy of her hospital bill with the first payment.

The program presently is in the process of being incorporated in the state as a non-profit organization.

A spokesman for the Associated Students of Duke University said the original \$4,000 self-perpetuating allocation for the program came out of student fees. Each student paid about 30 cents to form the fund.

He said any student wishing a refund of his money earmarked for the program may do so by contacting ASDU.

He added that the minister involved preferred to remain anonymous due to previous unfavorable publicity concern-

ing his relationship to the program. Interested coeds will be put in touch with the clergyman by ASDU.

William Kennedy, a Duke undergraduate who helped set the program started last spring, said, "This program supplies a necessary service and eliminates some of the inequities inherent in legal abortions. It would be encouraging to see our local or state government start such a program for their citizens."

"The motivation behind this program is that students recognize the inequities existing for poor people in obtaining a legal abortion," Kennedy said. "The program has been established to operate within legally prescribed guidelines."

"There is a discrepancy, however, in that the unique nature of an abortion requires a large amount of money to be immediately available. A poor person who has made the personal decision to have an abortion would not have access to the money a more affluent individual has," Kennedy said.

"This is not an abortion referral program. An undergraduate student who has made this personal decision simply can be secure in the knowledge that this alternative is financially available," he added.

Duke President Terry Sanford was out of town Tuesday and could not be reached for comment.

A program similar to the one implemented at Duke is in its second semester at the University of Maine. The Duke student spokesman said that to his knowledge the program there was doing "pretty well."

DUKE COEDS TO GET LOANS FOR ABORTIONS

Los Angeles Times (1923-Current File), Oct 28, 1971;
ProQuest Historical Newspapers: Los Angeles Times
pg. A10

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Coeds Due Interest-Free Abortion Loans at Duke
The Atlanta Constitution (1946-1984), Oct 28, 1971;
ProQuest Historical Newspapers: The Atlanta Constitution
pg. 25A

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DURHAM, N.C. (UPI) — Starting Friday, pregnant Duke University coeds can obtain interest-free loans from a student fund to obtain abortions in states where they are legal.

Funds for the program were allocated last spring by the student legislature, with the original \$4,000 coming from undergraduate fees.

"The money will provide transportation to a city, such as New York, where legal abortions are performed, and for doctors' fees," said William Kennedy, a senior economics major who started the project.

The Duke plan is modeled after a program at the University of Maine which is now in its second semester.

To obtain the loans, a student must be an undergraduate, at least 18 years old. The ceiling is \$300, and the loan must be repaid within nine months.

A Durham area minister, whose name was withheld, is to administer the program after considering psychological and financial circumstances for each request.

Los Angeles Times

Tampa Tribune

The Atlanta Constitution

Charlotte Observer

Coeds
Interest-Free Loans
for Abortions

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THANK GOD THAT WE NEVER SENT ANYONE TO DUKE UNIVERSITY AND ARE STILL
AROUND TO STOP ANYONE THAT WE CAN FROM GOING TO SUCH A HELL HOLE.

GOD HELP YOU AND YOUR SENIOR WILLIAM KENNEDY.

IT SURE IS TOO BAD THAT YOUR PARENTS AND THE PARENTS OF ALL WHO THINK AS
YOU DO DID NOT ABORT YOU AND YOU WOULD NOT BE HERE TO INCOURAGE SUCH
MURDERING.

IN THE FIRST PLACE IF YOU WANTED TO RUN A DECENT UNIVERSITY YOU WOULD
HAVE RULES AND REGULATIONS , TEACHING AND ADVICE TO HAVE DECENT STUDENTS
THAT WOULD NOT FEEL THE NEED TO BE MURDERERS.

Public letter written to University President Terry
Sanford among many others, 1971

Early Administration of the Fund

- ❖ In October 1971 it was incorporated as a non-profit organization under North Carolina law and became the Student Loan Fund, Inc., administered by the Abortion Loan Committee (Markham, 1971).
- ❖ All borrowers were required to be 18 years of age and be either a female Duke undergraduates or a female impregnated by a Duke undergraduate. They were required complete a pregnancy test to receive a loan of up to \$300 that they had 12 months to repay (Markham, 1971).
- ❖ In 1976 ASDU took over administration of the Abortion Loan Fund Program with the Vice President of Nursing being the administrator and contact person until another executive took over when the undergraduate School of Nursing dissolved (Getliffe, 1984).
- ❖ Under ASDU, a borrower must complete counseling with the student organization PISCES (Peer Information Service for Counseling and Education in Sexuality) and show proof of pregnancy and a valid Duke ID (Falstad, 1978).
- ❖ Borrowers signed a contract stating they would pay back the loan within 9 months and that they had in no way been advised to choose abortion. The borrower must also submit a copy of the bill for the abortion procedure. (Falstad, 1978).
- ❖ About 10-12 abortion procedures per year were financed through the program under ASDU. All loans were kept confidential, and "Student Loan Fund" was often used as a more vague name for the program. (Falstad, 1978).
- Default problems caused restrictions to be added. As of 1984, the right to confidentiality was forfeited if the loan had not been repaid within 9 months. After 9 months, the student was approached by a lawyer and the bill was applied to his/her bursar bill. 100% of loans were paid after this measure began. (ASDU statute on maternity/abortion loan fund referendum question, 1984)

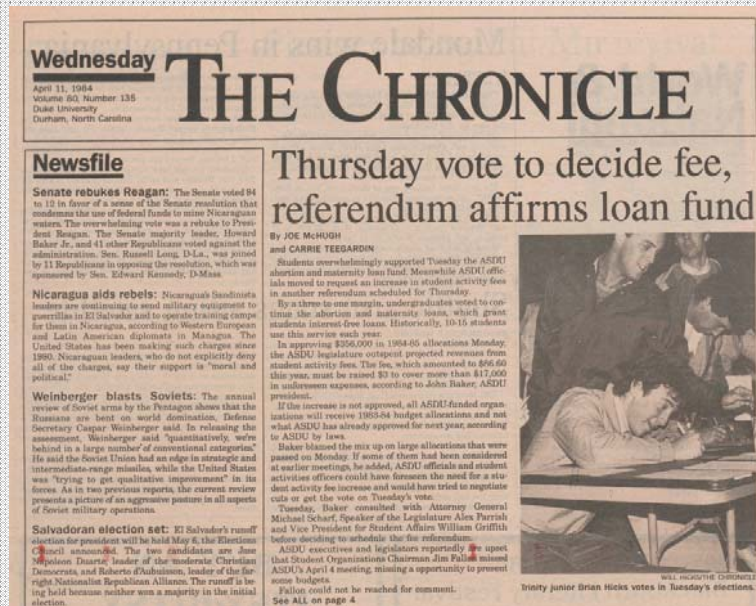
Growing Opposition of the 1980s

- ❖ In February of 1984, Duke Students for Life and other supporters began campaigning for ASDU to introduce a referendum to end the Maternity and Abortion Loan Fund, but ASDU refused. (Augustine, 1984).
- ❖ Widespread backlash formed in the student body against ASDU's decision to not put the matter to a student vote and a petition began (Campbell, 1984).
- ❖ On April 2, 1984 ASDU finally decided to put a legislatively binding referendum on the ballot to take place on April 10, 1984. The move came after 1,011 signatures were collected in support of the referendum and delivered to the ASDU Attorney General (Elson, 1984).

The Referendum

- ❖ On April 10, 1984 Duke students overwhelmingly voted to continue the maternity/abortion loan fund with a final count of 1535-518 (McHugh, 1984)

The Chronicle,
April 11, 1984 (McHugh, 1984: p.1)



Student Health and the End of the Fund

- ❖ Student Health/Wellness took over administration of the fund in the 1990s with \$1500 in funds having been given from Duke Student Government.
- ❖ Loans were still capped at \$300, and borrowers were contracted to repay the loan in monthly \$33 payments (Sarowitz, 2001)
- ❖ Failure to repay the loans resulted in a Student Health charge being placed upon a student's bursar bill, but no detailed information of the loan was given.
- ❖ Student Health offered no counseling or recommendations, only resources. The Maternity and Abortion Loan Fund went almost entirely unpublicized (Sarowitz, 2001).
- ❖ In the mid-2000s the loan program's funding ran out from a lack of payment, and the program came to an end.

Current Campus Resources for Duke Students Seeking Abortions

- ❖ No campus-administrated abortion fund currently exists according to a Student Health official.
- ❖ Student Health offers free, rapid pregnancy testing.
- ❖ Duke's Blue Cross Blue Shield Student Medical Insurance Plan, which any noninsured/inadequately insured student is required to purchase, covers the cost of an abortion for up to a 16 weeks gestational period.
- ❖ Student Health, Women's Center, and the Wellness Center are all able to supply resources for the consideration of a woman's various options after becoming pregnant.

State of Abortion Rights in North Carolina as of August 2016

- ❖ Public funding is only available for abortions in the case of life endangerment, rape, and/or incest (Guttmacher Institute, 2016).
- ❖ A volunteer-based nonprofit, Carolina Abortion Fund, is able to provide assistance for some women. (Carolina Abortion Fund, 2016).
- ❖ Abortions must be performed by a licensed physician at a facility with surgical (Guttmacher Institute, 2016).
- ❖ Abortions are not permitted after 20 weeks gestational period except in the case of life endangerment of the woman (Guttmacher Institute, 2016).
- ❖ All women receiving the procedure must undergo state-mandated counseling that includes information that is not scientifically supported (Guttmacher Institute, 2016).
- ❖ A 72 hour waiting period exists after a woman has undergone counseling (Guttmacher Institute, 2016).
- ❖ Parents of minors must give consent for an abortion procedure (Guttmacher Institute, 2016).
- ❖ Abortion providers who perform an abortion procedure after 16 weeks gestational period must send a copy of the patient's ultrasound to the State Department of Health and Human Services (Fausset, 2016).

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-Associated Students of Duke University presidential candidates of 1971, as presented to the ASDU legislature and forwarded to University President Terry Sanford

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