McCollum v. Board of Education (1948)

- Champaign Board of Education offered voluntary religious education classes for public school students from grades four to nine.
- Weekly 30- and 45-minute classes were led by clergy or lay teachers in public school classrooms during school hours.

McCollum v. Board of Education (1948)

"the state's compulsory education system … assists … the program of religious instruction carried on by separate religious sects. Pupils compelled by law to go to school for secular education are released … in part from their legal duty upon the condition that they attend the religious classes."

Engel v. Vitale (1962)

NY State Regents adopted prayer for all students:

"Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our Country."

Abington v. Schemp (1963)

Pennsylvania Law required that:

"[a]t least ten verses from the Holy Bible [be] read, without comment, at the opening of each public school on each school day."

The Schempps, Unitarians, testified that religious doctrines purveyed by a literal reading of the Bible "were contrary to the religious beliefs which they held and to their familial teaching"

Abington v. Schemp (1963)

The State claimed that the purposes of Bible reading included: "the promotion of moral values, the contradiction to the materialistic trends of our times, the perpetuation of our institutions and the teaching of literature."

The Court found: "even if its purpose is not strictly religious, it is sought to be accomplished through readings, without comment, from the Bible."

Early State Supreme Courts Striking Down Public School Prayer

Ohio (1869)

Wisconsin (1890)

Nebraska (1902)

Illinois (1910)

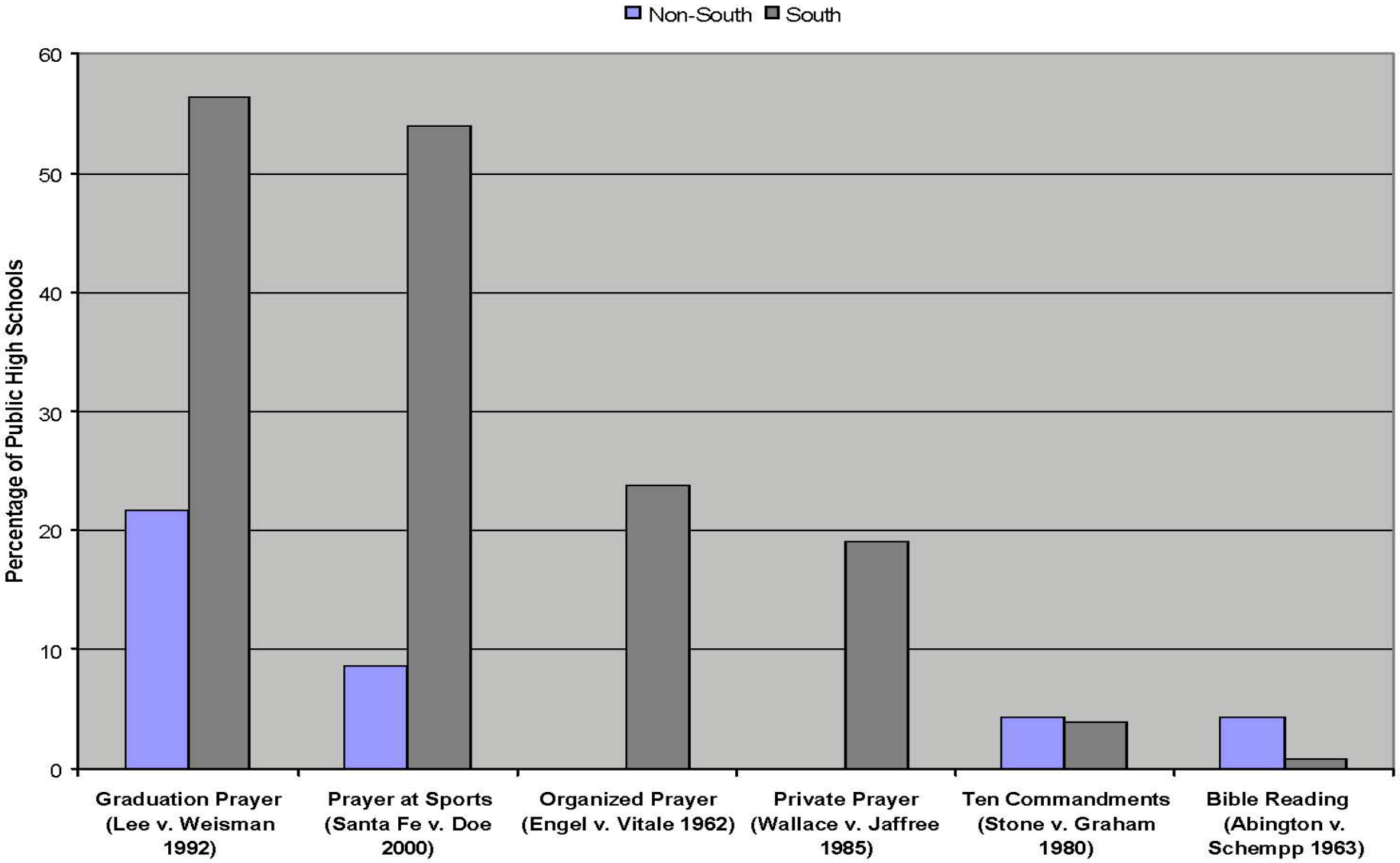
Louisiana (1915)

Washington State (1918)

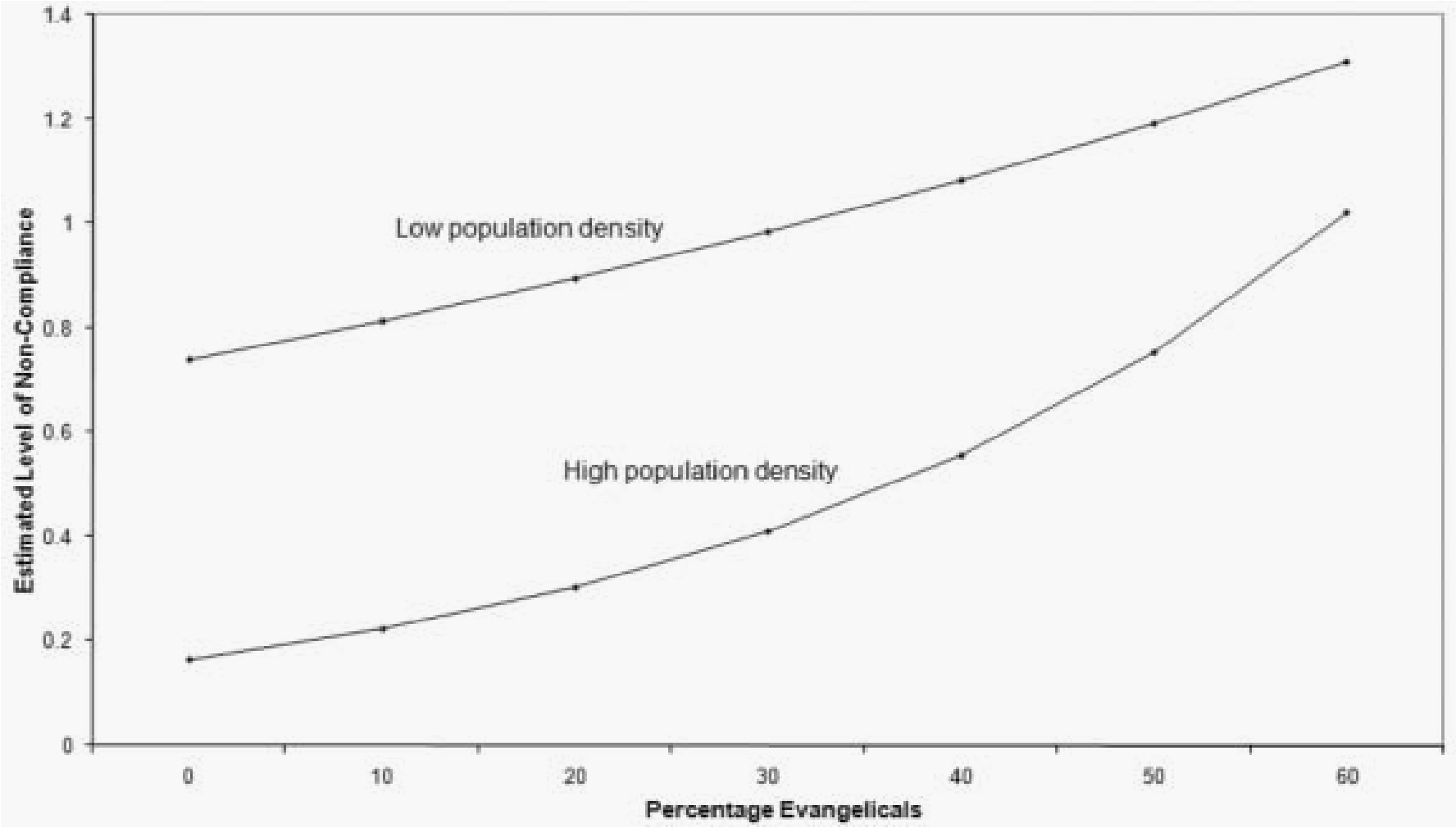
Effect of Decisions by Region 1968

	Prayer Before Decision	Bible Reading Before Decision	Either Exercise After Decisions	Teachers Ceased	Districts Ceased
East	83%	62%	11%	87%	93%
South	87%	80%	64%	26%	21%
Midwest	28%	38%	21%	45%	54%
West	14%	14%	5%	64%	62%

Figure 1. Non-Compliance with Selected School Prayer Decisions



Non-compliance vs. Population Density and Evangelicals



Wallace v. Jaffree (1985): 3 Statutes

1978: authorized 1-minute period of silence "for meditation“

1981: authorized a period of silence "for meditation or voluntary prayer“

1982: authorized teachers to lead "willing students" in prayer to "Almighty God . . . the Creator and Supreme Judge of the world."

Santa Fe v. Doe (2000)

- District allowed an elected student "chaplain" to offer Christian (Baptist) prayers over public address system at home football games.
- Challenged by Mormon and Catholic parents
- District court allowed so long as prayers were "nonsectarian" and "non-proselytizing"
- Appellate court upheld District Court order, saying such restrictions were necessary

Edwards v. Aguillard (1987)

"Balanced treatment" means "providing whatever information and instruction in both creation and evolution models the classroom teacher determines is necessary and appropriate to provide insight into both theories in view of the textbooks and other instructional materials available for use in his classroom."

Epperson v. Arkansas (1967)

"Arkansas' law selects from the body of knowledge a particular segment which it proscribes for the sole reason that it is deemed to conflict with a particular religious doctrine; that is, with a particular interpretation of the Book of Genesis by a particular religious group."

Scalia in *Edwards*

"Perhaps what the Louisiana Legislature has done is unconstitutional because there is no such [scientific]evidence [of creation], and the scheme they have established will amount to no more than a presentation of the Book of Genesis. But we cannot say that on the evidence before us in this summary judgment context."

Kitzmiller v. Dover (PA) Area School District (2005)

Conservative Republican federal judge found:

"The overwhelming evidence at trial established that ID is a religious view, a mere re-labeling of creationism, and not a scientific theory."

Kitzmiller v. Dover Area S. D. - Standards

“Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

“Intelligent design is an explanation of the origin of life that differs from Darwin's view.”