

Prayer and Religious Instruction in Public Schools

Terms:

See Terms included in State Aid to Religion and Religious Education study sheet

Assigned Cases:

Engel v. Vitale; *Abington v. Schemp*; *Wallace v. Jaffree*; *Lee v. Weisman*; *Rosenberger v. University of Virginia*; *Zorach v. Clausen*; *Edwards v. Aguillard*

Questions for Reading Assigned Cases:

What are the differences between the state writing a prayer, broadcasting pre-existing religious texts, or providing a forum for prayer offered by private parties?

When does prayer become coercive? Is the public school setting inherently coercive?

Why should some devices by which public schools share their authority over students with clergy or religious educators (ie, off-site religious instruction in *Zorach*) be legitimate while others (prayers at graduation ceremonies) be illegitimate?

Additional Cases:

McCullum v. Bd of Ed. (1948). Supreme Court struck down a public school program which allowed local clergy or religious educators to hold classes in religious doctrine in public schools during regular school hours.

Epperson v. Ark (1968). Law prohibiting teaching of theory of evolution in state supported schools or universities was struck down because the sole purpose of the law was to embody a specific religious tradition's hostility to evolutionary biology.

Santa Fe Independent School Dist. v. Doe (2000). Supreme Court struck down prayer over P.A. system at public school football games where students held elections for person to say prayer. Santa Fe, TX was overwhelmingly Baptist and "Doe" was actually two families (one Mormon, one Catholic) who found prayers to be especially denominational.