

## **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; Edwards v. Aguillard; Abington v. Schemp; Lee v. Weisman; Zorach v. Clausen; Epperson v. AR, Santa Fe Independent S.D. v. Doe*

### **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?

Is there a difference between prayers in a classroom, prayers at a graduation ceremony, and prayers at a football game? What about a school play presented to the larger community?

Are there any legitimate secular reasons for teaching creationism or intelligent design in public schools?

### **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.

*Kitzmiller, et al. v. Dover Area School District* (2005). Federal district court for Middle District of Pennsylvania struck down school district policy requiring that: "Students will be made aware of gaps/problems in Darwin's theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of Life is not taught." District Judge Jones (a G.W. Bush appointee) found "since I[n]telligent D[esign] is not science, the conclusion is inescapable that the only real effect of the ID Policy is the advancement of religion."