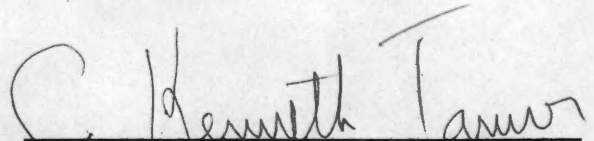


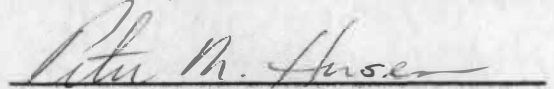
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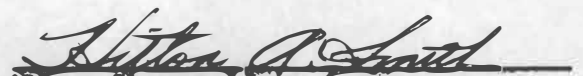
I am submitting herewith a thesis written by Charles Eugene Bryant entitled "Religious Practices in the Public Schools of Tennessee in Light of their Historical and Legal Background." I recommend that it be accepted for nine quarter hours of credit in partial fulfillment of the requirements for the degree of Master of Science, with a major in Educational Administration and Supervision.


Major Professor

We have read this thesis and
recommend its acceptance:

Accepted for the Council:


Vice Chancellor for
Graduate Studies and Research

RELIGIOUS PRACTICES IN THE PUBLIC SCHOOLS OF TENNESSEE
IN LIGHT OF THEIR HISTORICAL AND LEGAL BACKGROUND

A Thesis
Presented to
the Graduate Council of
The University of Tennessee

In Partial Fulfillment
of the Requirements for the Degree
Master of Science

by
Charles Eugene Bryant

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ABSTRACT

The purpose of this study was (1) to analyze the interpretation given by the United States Supreme Court to the principle of separation of church and state, through its decisions pertaining to various religious practices; (2) to determine the nature and extent of these practices in the public schools of Tennessee; and (3) to offer some basis for comparing current practices with the legal provisions.

The Court interpretations, as they apply to public education, may be summarized as follows. Public schools may not do the following: (1) aid a religion, aid all religions, or prefer one religion over another; (2) assist religious groups in spreading their faiths; (3) force a person to profess a belief or disbelief in any religion; or (4) exhibit hostility toward any religion or religious belief.

To determine the types of religious activities in the public schools of Tennessee, questionnaires were mailed to public school teachers across the state. The sample was drawn from the membership of the Tennessee Education Association. A total of 275 returns, representing a 90.8 percent return, was analyzed.

Based on the analysis of the data, the following is a summary of significant findings: (1) Two-fifths of the teachers have Bible reading for devotional purposes. (2) One-

third read religious literature other than the Bible.

(3) One-third recite classroom prayers. (4) Two-fifths have oral or silent prayer before lunch. (5) One-seventh have award programs for Bible memory work. (6) One-tenth require Bible memory work. (7) Four-fifths relate religion to subject matter when pertinent. (8) Eight of every nine teachers have as an educational objective the teaching of spiritual values. (9) Less than one teacher in twenty has ever had a student or parent object to religious practices. (10) Two-fifths of those teachers teaching before the Supreme Court's prayer and Bible-reading decisions have changed as a result of the decisions. (11) Almost four-fifths disagree with the Supreme Court's prayer and Bible-reading decisions. (12) One-sixth of the teachers have read at least one of the Court decisions. (13) There is a greater tendency for those who have read the decisions to agree with them. (14) There is a greater tendency for those who agree with the Court to abide by its rulings.

In conclusion, several religious practices in the public schools of Tennessee are in violation of the principle of separation of church and state as interpreted by the Supreme Court of the United States,

TABLE OF CONTENTS

CHAPTER		PAGE
I.	INTRODUCTION	1
	Purpose of the Study	3
	Importance of the Study	3
	Delimitation and Limitations of the Study . .	5
	Definition of Terms	6
	Methods and Procedures	9
	Determination of the sample	9
	Development of the instrument	11
	Administration of the instrument	12
	Organization of the Study	13
II.	REVIEW OF RELATED LITERATURE	14
	Educational Periodicals	15
	Related Research	21
	Summary	30
III.	THE HISTORICAL AND LEGAL CONTEXT	32
	Adoption of the First Amendment	32
	Major Supreme Court Decisions Pertaining to	
	Religion and the Public Schools	36
	The <u>Pierce</u> Case	36
	The <u>Cochran</u> Case	37
	The <u>Everson</u> Case	38
	The <u>McCollum</u> Case	39

CHAPTER

PAGE

The <u>Zorach</u> Case	40
The <u>Engel</u> Case	42
The <u>Schempp</u> Case	47
Attempts to Amend the Constitution	52
Summary	57
IV. ANALYSIS OF DATA	59
The Response	59
Analysis of the Response	62
Bible reading for devotional purposes	62
Reading of religious literature other than the Bible	65
Recitation of classroom prayers	67
Provisions for prayer before lunch	69
Award programs for Bible memory work	71
Required Bible memory work	71
Relating religion to subject matter	73
Teaching of spiritual values as an objective of education	76
Objections from students and parents	76
Change resulting from Supreme Court decisions	78
Teachers agreeing with Supreme Court decisions	80

CHAPTER

PAGE

Number of teachers who have read Supreme	
Court decisions	82
Summary	82
V. SUMMARY, CONCLUSIONS, AND DISCUSSION	85
Summary	85
Conclusions	90
Discussion	90
BIBLIOGRAPHY	94
APPENDIXES	99
A. QUESTIONNAIRE	100
B. ELIMINATION NOTE	102
C. COVER LETTER	103
D. FOLLOW UP LETTER	104
E. ADDITIONAL COMMENTS	105
VITA	118

LIST OF TABLES

TABLE		PAGE
I.	Sample and Response by the Grand Divisions of Tennessee	60
II.	Percent of Teachers Reading Bible for Devotional Purposes	63
III.	Percent of Teachers Reading Religious Literature Other Than the Bible	66
IV.	Percent of Teachers Reciting Classroom Prayers .	68
V.	Percent of Teachers Reporting Provisions for Prayer Before Lunch	70
VI.	Percent of Teachers Reporting Award Programs for Bible Memory Work	72
VII.	Percent of Teachers Reporting Required Bible Memory Work	74
VIII.	Percent of Teachers Relating Religion to Subject Matter	75
IX.	Percent of Teachers Considering Spiritual Values an Objective of Education	77
X.	Percent of Teachers Reporting Objections from Students and Parents	79
XI.	Percent of Teachers Reporting Change Resulting from the Supreme Court Decisions . .	81
XII.	Percent of Teachers Agreeing with the Supreme Court Decisions	81

TABLE

PAGE

XIII. Percent of Teachers Who Have Read the

Supreme Court Decisions 83



CHAPTER I

INTRODUCTION

One of the oldest and most difficult problems in education today is that of religion in the public schools. The 1962 and 1963 Supreme Court decisions, with respect to prayer and Bible reading, gave momentum to the controversy and today it continues to swirl. In the words of one author, "The heat from this controversy blows sometimes warm, sometimes hot; but rarely cool."¹

The religion-and-school issue represents a broad spectrum of many differing and conflicting views. It involves sincere moral convictions, ethnic prejudices, verbal distortions, and political interests. Blanshard assesses the complexity of this controversy in this manner:

Many devout Christian believers see the elimination of prayer, Bible-reading and religious instruction from public schools as a repudiation of Godly truth and a threat to the character of their children. Equally sincere religious liberals, Jews, and unbelievers are convinced that the whole conflict is a basic struggle between two value systems, one based on revealed Christianity and the other based on modern scientific knowledge. In between these two extremes are millions of baffled and somewhat confused citizens who do not take a firm position either way.²

¹Richard B. Dierenfield, Religion in American Public Schools (Washington: Public Affairs Press, 1962), p. 1.

²Paul Blanshard, Religion and the Schools: The Great Controversy (Boston: Beacon Press, 1963), p. 2.

Great concern among public officials has been evidenced. At Hershey, Pennsylvania in 1962, following the landmark court decision pertaining to prayer in the public schools, the Governors' Conference, with only Governor Rockefeller of New York abstaining, appealed to Congress for an amendment to the Federal Constitution to permit prayer in public schools.³ Many congressmen since then, including members of both the House of Representatives and the Senate, have proposed amendments to include prayer and Bible reading in the schools.

Immediately following the Supreme Court decision in 1963 pertaining to Bible reading, Representative James H. Quillen of Tennessee's First Congressional District issued a news release, which was printed in most papers in his district, proclaiming the Court's decision a "victory of Godlessness."⁴ He continued, "It is sad, indeed, that our Supreme Court's philosophy today coincides with that of the Soviets in denying God a place in our national entity."

Confusion and controversy have also been generated within the public schools. School boards and school administrators in some areas have refused to abide by the Supreme

³Isidore Starr, "Recent Supreme Court Decisions: Separation of Church and State, Social Education, XXVI (December, 1962), 439.

⁴James H. Quillen, (news release, Washington, D. C., undated). [Mimeographed].

Court decisions whereas others accept and support them. With such a range of religious pluralism in the United States and widely differing opinions among educators, it appears that the public schools have a delicate problem with no immediate solution.

I. PURPOSE OF THE STUDY

The purpose of this study was (1) to analyze the interpretation given by the United States Supreme Court to the principle of separation of church and state, through its decisions pertaining to various religious practices in the public schools; (2) to determine the nature and extent of religious practices in the public schools of Tennessee; and (3) to offer some basis for comparing current practices with the legal provisions.

II. IMPORTANCE OF THE STUDY

Many school administrators, school board members, teachers, clergymen, and the general public are becoming more conscious of the practices and activities which either have or may sometime meet constitutional challenge. The role of public education in relation to religion merits serious study by all those concerned.

A legal concern has long been the impact of Supreme Court decisions.⁵ Although much has been said about the decisions, few studies have been conducted to show the effect of the Court's action in the public schools. "All too frequently, despite the outpouring of words and printers' ink, no attention has been paid to the implementation and effect of the Court's decisions."⁶

From an educational point of view, it is important that those people responsible for school curriculum, particularly school board members and school administrators, recognize those practices which have been encouraged by the Supreme Court as well as those which have been interpreted as a violation of the First and Fourteenth Amendments to the Federal Constitution. Whereas the Court has declared various religious activities unconstitutional, it has also cautioned against hostility toward religion. The responsibility for interpreting the path between these admonitions to the school boards and to the public-at-large must be generally assumed by school administrators. And that which "may appear to some at this moment to be a regressive measure may indeed be

⁵Arthur S. Miller, "On the Need for 'Impact Analysis' of Supreme Court Decisions," Georgetown Law Journal, LIII (Winter, 1965), 365.

⁶Robert H. Birkby, "The Supreme Court and the Bible Belt: Tennessee Reaction to the 'Schempp' Decision," Midwest Journal of Political Science, X (Spring, 1966), 304.

a new forward thrust by education in its championship of freedom."⁷

Hopefully, this study will assist in dispersing the emotional overtones from this controversy which have clouded objectivity. This study will focus attention on the situation as it exists in Tennessee and provide interested educators with some perspective for critically examining their practices. It is further hoped that this study will provide the necessary historical and legal framework in order that these educators' perspectives may be as complete as possible.

III. DELIMITATIONS AND LIMITATIONS OF THE STUDY

This study was delimited to the practices of the public schools of Tennessee. Teachers supplying data for this study represented both the elementary and secondary schools of the state; however, there was no attempt to separate, compare, or contrast elementary school practices and high school practices.

The sample used in this survey was limited to public school teachers who were members of the Tennessee Education Association. The 3 percent of teachers in the state who are not members of that organization were not included in the sample.

⁷American Association of School Administrators; Commission of Religion in the Public Schools, Religion in the Public Schools, (New York: Harper and Row, 1964), p. x.

Classroom activities and practices in the public schools were the primary concern in this study. Although reference is made in Chapter III and elsewhere in this report to federal and state aid to parochial schools and parochial school children, the questionnaire used for this study was not designed to determine the extent of these practices in Tennessee.

This study was limited to the analysis of the major cases which have come to the Supreme Court of the United States, and to examinations of the concurring and dissenting opinions which led the Justices to their conclusions. Attention was not given directly to the action of state and lower federal courts.

Those practices which are constitutional have not been as clearly spelled out by the Court in some cases, it appears to the author, as those which have been declared unconstitutional; therefore, in considering the legality of some activities, it was necessary to infer from related constitutional interpretations.

IV. DEFINITION OF TERMS

Child benefit theory. The "child benefit theory" is justification of government financial aid to religious institutions under the assumption that the child instead of the institution benefits.

Church and state. The term "church and state" was interpreted in this study as standing for the relationship of religion to the state and federal governments.

Dismissed time. "Dismissed time" is a public school practice involving setting aside a portion of the school day, a regular time each week, or a regular time each month for the purpose of noncompulsory religious instruction in various religious centers outside public facilities. Students who choose not to take part in religious instruction are in some cases dismissed, while in other cases those who do not wish to take part are required to participate in some other activity or complete additional assignments at the school.

Dual enrollment. "Dual enrollment" is an arrangement whereby a child or youth regularly and concurrently attends a public school part time and a parochial school part time, pursuing part of his studies under the direction of the public school and part under the direction of the parochial school.

Establishment clause. The "establishment clause" is a term used to refer to that section of the First Amendment to the Constitution which states: "Congress shall make no law respecting the establishment of religion. . . ."

Free exercise clause. The "free exercise clause" is a term used to refer to that section of the First Amendment to the Constitution which states: "Congress shall make no

law . . . prohibiting the free exercise" of religion.

Parochial school. A "parochial school" is any school maintained by a parish or religious body for the purpose of providing both secular and religious instruction for its students.

Public school. A "public school" is any school maintained by government authority, supported by public tax money, and open to all elementary and secondary students.

Released time. "Released time" is a public school practice involving setting aside a portion of the school day, a regular time each week, or a regular time each month for the purpose of noncompulsory religious instruction inside public school facilities. Students who do not wish to take part in religious instruction are required to participate in some other activity or complete additional assignments.

Religion. "Religion," according to the definition provided by the Supreme Court, is any faith that man lives by, including both theism and nontheism. Most religions are based on a belief in God. However, those which do not teach what would be considered a belief in God are Buddhism, Taoism, Ethical Culture, Secular Humanism, and others.⁸

Secular education. "Secular education" is instruction that is neither negatively nor affirmatively religious but

⁸Torcuoso v. Watkins, 81 S. Ct. 1680 (1961).

neutral in its attitude toward religion.

Shared time. "Shared time" is any plan, either released time, dismissed time, or dual enrollment, through which public schools avail students to religious instruction from instructors who are not employees of public schools.

V. METHODS AND PROCEDURES

This study involved both historical research and a descriptive survey. The historical research focused on the legal status of certain religious practices, while the survey was an attempt to determine the types of activities practiced in Tennessee public schools.

First, a brief historical survey was prepared to indicate the need, as seen by the authors of the Constitution, for a constitutional amendment guaranteeing complete separation of church and state. Major Supreme Court decisions relative to this issue were reviewed and a summary of legal provisions for religious practices in public schools was presented.

The following procedures were included in the study:

Determination of the sample. Names which constituted this sample were selected from the membership files of the Tennessee Education Association in Nashville. Since the membership of that organization includes educators from

higher education and private schools as well as those from public education, it was necessary to exclude all those from the sample who did not represent public education. The file did not include those members who are paraprofessionals or retired teachers. Public school teachers in Tennessee who are not members of the Tennessee Education Association were not included in this sample.

The membership files from which the sample was drawn contained approximately 38,000 names and addresses on metal address plates, arranged alphabetically according to the three grand divisions of the state and by zip codes. The addresses on the plates were in most cases the members' home addresses and not necessarily their teaching addresses, thus not making it possible to identify schools or systems represented by the members.

The number 325 was selected arbitrarily as a convenient number to include in the sample. In order to obtain this number, the total association membership was divided by 325, giving a quotient of 117. The fifty-first plate, selected randomly, was used as the beginning point and every 117th plate thereafter was lifted from the tray. Upon completion, 326 names had been selected. From West Tennessee, there were 93; from Middle Tennessee, 102; and from East Tennessee, 131.

Since only public school teachers were to be included in the sample, a note headed "Important" was printed in red ink and attached to each questionnaire, explaining that public school teachers only were to complete the questionnaire. Teachers of private schools and higher education were requested to return their questionnaires without completing them and to check their reason for returning them in the spaces provided at the bottom of the attached note. (A copy of the note has been placed in Appendix B.)

Development of the Instrument. Questions were formulated concerning various religious practices as well as teacher opinions concerning religion in the public schools. Emphasis was placed on those practices referred to by the Supreme Court of the United States in the Engel⁹ and Schempp¹⁰ decisions. Groups of teachers in two graduate classes at the University of Tennessee were asked to respond to the questions and offer their criticism. Considering their recommendations and comments, it was then possible to review, revise, and supplement the questionnaire.

The final questionnaire consisting of twelve questions, to be answered by either "yes" or "no," was printed on one

⁹Engel v. Vitale, 370 U. S. 421 (1962).

¹⁰School District of Abington Township v. Schempp, 374 U. S. 203 (1963).

side of a stiff, card-like sheet of paper. Respondents were encouraged to use the back side of the questionnaire for any additional comments they wished to make. (See Appendix A for a copy of the questionnaire.)

A cover letter was written to be sent with each questionnaire. (See a copy of the cover letter in Appendix C.) Its purpose was to explain the nature of the study and to solicit cooperation. In order to dispel any reluctance to answer based on fear of identity and possible reference to specific responses and comments, the letter explained that under no circumstances would individuals, schools, or systems be identified in the results of the study.

Administration of the instrument. The questionnaire, cover letter, the note requesting nonpublic school teachers not to respond, a card to be completed by those desiring a summary of the study upon its completion, and a stamped, self-addressed envelope were mailed to each of the 326 teachers included in the sample.

The return envelope had a gummed label on the back side with the person's name and address. The cover letter explained that this identification would be used only for the purpose of a follow-up of any questionnaires not returned and would serve no other purpose.

Two weeks after the questionnaires were mailed out, postal cards were sent to those who had not returned their questionnaires requesting that they do so at their earliest convenience. Four weeks after the first mailing, a second questionnaire and cover letter, another stamped, self-addressed envelope, and a personal letter designed primarily to solicit response were mailed to those teachers who still had not at that time responded. This time there was no identification of any kind on either the questionnaire or the return envelope, and complete anonymity was guaranteed. (A copy of the follow-up letter is in Appendix D.)

VI. ORGANIZATION OF THE STUDY

The present chapter has been devoted to a general introduction, purpose of the study, importance of the study, delimitations and limitations of the study, definitions of terms, and the methods of procedure. Chapter II provides a review of related literature. A historical and legal background for religious practices in public schools is presented in Chapter III. Chapter IV contains the tabulated and analyzed data. Chapter V presents a summary, conclusions, and discussion..

CHAPTER II

REVIEW OF RELATED LITERATURE

Much had been written about the church-state controversy long before the surge activated by the prayer (Engel case) and Bible-reading (Schempp case) decisions by the Supreme Court of the United States in 1962 and 1963. Since then, most literature related to this subject has been an attempt to point out those practices which the schools must adopt if they are to meet their obligations to society and also abide by the legal interpretations.

Typical of most educators' reactions is that of Glenn R. Snider, who states that recent Supreme Court decisions have clearly identified the principle of including "objective study of the Bible and religion" in the curriculum. Furthermore, according to Snider,

Any school which purposefully ignores or violates the law as interpreted by the highest court, is it-self by example teaching disrespect for the basic principle of government by law.¹

Most articles in education journals now attempt to formulate guidelines for the teaching of religion while still staying within the limits of the law.

¹Glenn R. Snider, "Bible Reading and School Prayers-- Some Guidelines," Phi Delta Kappan, XLVIII (June, 1967), 516.

I. EDUCATION PERIODICALS

Immediately following the ruling outlawing official prayer in the classroom, the tendency to condemn the Court was at its greatest. The stronger reactions, however, did not come from educators, but from prominent political officials and clerical leaders. Some of the first periodical literature to appear in education journals was an attempt to counteract the malice generated by outspoken critics.

Quick to respond to public reaction was Isidore Starr, writing for Social Education:

Without having had time to read--not to say, study--the three opinions of the tribunal, some of these community leaders leaped into print with an extravagance of language and a looseness of reasoning which are distressing to those who regard the development of reflective thought as one of the major aims of American education.²

Most periodicals which carried articles in 1962 following the prayer decision, attempted only to generalize what the Court had said since so few people, including educators, had actually read directly from the text of the decision. Overview immediately followed the decision with

²Isidore Starr, "Recent Supreme Court Decisions: Separation of Church and State," Social Education, XXVI (December, 1962), 439.

the complete text of the majority opinion and extracts from a concurring opinion and a dissenting opinion.³ In November of the same year, The Educational Forum in an article by Duker briefly outlined the facts in the case in chronological order and carried portions of the opinions.⁴

Reaction to the Schempp decision was not as violent as that which followed the Engel case. Controversy among the education journals was relatively mild.

L. O. Garber predicted that the decision would drive the Bible out of the public schools, while at the same time "make a place there for God and religion."⁵ At about the same time, the N.E.A. Journal carried an article which saw the decision as making a place in the schools for the Bible. It can still be used to study about religion and for its historical and literary qualities, the N.E.A. article pointed out.⁶

³"The Majority Decision in Engel v. Vitale," Overview, III (August, 1962), 60-62.

⁴Sam Duker, "The Supreme Court Ruling on School Prayer," The Educational Forum, XXVII (November, 1962), 71-77.

*⁵Lee O. Garber, "Court Bars Bible Reading, But Finds Place for Religion in Schools," Nations Schools, LXXII (August, 1963), 50, 51.

*⁶"Supreme Court Decision on Bible Reading and Prayer Recitation," N.E.A. Journal, LII (September, 1963), 55, 56.

Several articles were carried by Religious Education following the Schempp case, but probably one of the more widely recognized articles was published before the case was considered by the Court. In 1955 the text of a pamphlet stating the position of the American Jewish Committee on the religion-and-public-school issue was reprinted. The committee agreed that the Bible could not be considered a religious book if it were used to study literature, but Bible reading in any other form would be religious in nature, and should not be a part of the public schools.⁷

In 1964 Religious Education published in one issue nineteen articles by religious and educational leaders supporting the Supreme Court's decision that public schools should include objective study of religion.⁸ However, L. R. Ward stated that there were many practical difficulties in teaching objectively about religion.⁹

Reprints of the series of articles in the November-December, 1964 issue of Religious Education are available.

* 7American Jewish Committee, "Religion in Public Education," Religious Education, L (July, August, 1955), 232-237.

⁸Richard Upsher Smith, et al., Religious Education, LIX (November-December, 1964), 443-479, 504.

⁹Ibid., 446.

at a cost of thirty-five cents and may be ordered from Religious Education Association, 545 West 111th Street, New York, New York 10025.

R. L. Hunt in a 1966 publication discussed several things public schools may legally do in teaching religion. He emphasized that many activities have actually been encouraged by the Supreme Court so long as partiality is not shown to any religious group. Students in public schools may: (1) study the Bible for literary qualities, (2) study the Bible for historic qualities, (3) use the Bible as a reference book when studying secular subjects, (4) study comparative religion, (5) study history of religion, (6) study the relation of religion to the advancement of civilization, (7) recite historical documents, such as the Declaration of Independence, which contain references to God, (8) sing officially espoused anthems which contain the composer's profession of faith in God, (9) make references to God in patriotic or ceremonial occasions, and (10) be excused from class to permit those who wish to do so to repair to their religious sanctuary for worship or instruction.¹⁰

✓ 10 Rolfe Lanier Hunt, "These Things Public Schools May Do." International Journal of Religious Education, XLII (April, 1966), 17.

Upon reading an article by Hunt in which he discussed the formation of a voluntary association for the promotion of the "proper" use of the Bible and religion in public schools, the author wrote that organization, the Religious Instruction Association (R.I.A.), requesting additional information. In a letter and brochure supplied by R.I.A. it was emphasized that a student or teacher is still free to pray or read his Bible on his own initiative. The Court while ruling against school sponsored religion, also "encouraged school sponsored study of religion,"¹¹

Within the framework of what the Court will allow, R.I.A. recommends four approaches to religion in the public schools. The first is "special courses" such as "Biblical Literature," "Biblical History," "History of Religion," "Comparative Religions," and "Ethics." The second is "approaches within courses" by studying religion in such courses as literature, history, speech, art, and music. The third approach is through "curriculum enrichment" where student interest warrants additional study related to religion. This may be done through records, displays, stamps, "show and tell" and supplementary readings. The fourth approach is "moments of meditation" made possible by the classroom teacher by stopping all classroom

¹¹"Religion Goes to School," Religious Instruction Association (Fort Wayne, Indiana: Religious Instruction Association, undated). (Brochure)

activities and allowing each student to pray or not to pray as his conscience dictates. "Teachers have a right, an obligation, to provide an opportunity for prayer for those students who want to pray," R.I.A. points out.¹²

Persons interested in obtaining more information about specific religious practices which meet the guidelines of the Supreme Court and the names of educators and school systems which have implemented these practices in public schools throughout the country may write requesting such information from Religious Instruction Association, 4001 Fairfield Avenue, Fort Wayne, Indiana 46807.

In a more recent publication by Hunt, "teaching about religion" as opposed to "teaching religion" is further discussed. The teacher, he states, is quite in order when he objectively teaches about religion, "but if his tax-paid time is used to tell a student what he must believe in religious faith, that teacher wrongly uses tax funds to push a point of view."¹³

¹²Ibid.

¹³Rolfe Lanier Hunt, "Teaching About Religion in the Public Schools," Today's Education, LVIII (December, 1969), 26.

II. RELATED RESEARCH

Two years after the McCollum case¹⁴ in 1948, which is summarized in Chapter IV, a study of religious practices in Tennessee was conducted by Sallie Willett. At that time 48 percent of the state's school superintendents reported some form of released time instruction.¹⁵ Of those reporting none stated that the Supreme Court decision which declared released time a violation of the First Amendment had affected their program in any way.¹⁶

One of the first surveys conducted to measure the impact of the 1962 and 1963 Supreme Court decisions was conducted by the Indiana School Boards Association and is reported by Beggs.¹⁷ A questionnaire was designed to determine board policies and practices being followed by the Indiana Public Schools. Some of the principal findings are listed below:

¹⁴Illinois ex rel. McCollum v. Board of Education, 333 U.S. 203 (1958).

¹⁵Sallie Siler Willett, "The McCollum Case and Religious Instruction in Tennessee Public Schools" (unpublished Master's thesis, University of Tennessee, Knoxville, 1950), p. 51.

¹⁶Ibid., p. 40

¹⁷David W. Beggs and R. Bruce McQuigg, America's Schools and Churches: Partners in Conflict (Bloomington: Indiana University Press, 1965), pp. 217-232.

1. Reading of the Bible at the opening of the school day was permitted or practiced in approximately one-third of the responding school corporations.

2. The use of Bible in the teaching of literature was permitted or practiced in nearly two-thirds of the responding school corporations.

3. Reciting the Lord's Prayer was permitted or practiced in approximately one-fifth of the responding school corporations.

4. Reciting a prescribed prayer was permitted or practiced in approximately one-fifth of the responding school corporations.

5. Prayer led by a pupil or teacher was permitted or practiced in approximately three-fifths of the responding school corporations.

6. Released time for religious instruction away from school during the school day is required, permitted, or practiced in approximately one-fourth of the responding school corporations.

7. Released time for religious instruction on school property during the school day was required, permitted, or practiced in nearly 10 percent of the responding school corporations.

8. Shared-time programs are in effect in less than 10 percent of the responding school corporations, and even

in these, the shared-time program was quite limited in scope.

9. Less than 5 percent of the school corporations reported that they teach a course in Bible for credit. Only two corporations reported a course in comparative religion.

10. The participation of ministers, priests, and/or rabbis in school assemblies or convocations was reported by approximately two-thirds of the responding school corporations.

11. Less than 6 percent of the responding school corporations reported a change in school board policy as a result of the recent Supreme Court decisions relative to prayer and Bible reading.¹⁸

Japer W. Jones in a Master's thesis at Arkansas State University¹⁹ analyzed in 1964 the various attitudes among religious sects as related to prayer and Bible reading in the public schools and has offered the following conclusions:

¹⁸Ibid., pp. 230-232.

¹⁹Jasper Woodrow Jones, "The Status of Prayer and Bible Reading in the Public Schools" (unpublished Master's thesis, Arkansas State University, Jonesboro, 1964).

Historically, the Protestants have favored Bible reading and prayer in public schools, but today there is no clear-cut consensus of their attitudes on such a program²⁰

The Catholics would appear to favor a system of tax supported parochial schools, where religion can be taught by religious leaders of the pupil's denomination²¹

Jews have long objected to all sectarian religious practices, observances, and festivals in our public schools as well as Bible reading because the Bible does not hold the same place in their religion that it does for Christians²²

In a dissertation by Arthur Bruce Winter, the controversy generated by the prayer and Bible-reading decisions was analyzed. Leaders of the criticism were conservative Roman Catholic and Protestant clergymen as well as Southern Democrats and Republicans in Congress. Many critics were not aware that objective study programs of religion had been authorized by the Court. Another conclusion made by Winter was that the initial attacks on the Court came from individuals who had not read the decisions in their entirety.²³

²⁰ Ibid., p. 14.

²¹ Ibid., p. 17.

²² Ibid., p. 17.

²³ Arthur Bruce Winter, "Politics and Prayer: The Search for a National Consensus." Dissertation Abstracts, XXIX, No. 2 (August, 1968), 654A.

In an Illinois Study, questionnaires returned from parents in a rural district of that state indicated that only a quarter of the parents agreed with the Court's policy regarding religious exercises in the schools while over half acknowledged a duty to comply with these rulings regardless of their feelings. The survey, conducted by R. M. Johnson,²⁴ followed a decision of the school superintendent of that district to end the accustomed prayer before lunch in the elementary school. Contrary to what might have been expected, his action did not result in public outcry in this highly religious community.

One of the most comprehensive reports of the impact of a Supreme Court decision is a Tennessee study by Vanderbilt University Professor Robert H. Birkby.²⁵ Birkby's survey, conducted in late 1964 and early 1965, was designed to determine the effect of the Schempp decision in Tennessee.

Through the use of questionnaires mailed to each superintendent and each board of education chairman in the state, as well as some board members selected randomly, the

²⁴Richard M. Johnson, "Separation of Church and State: The Dynamics of Supreme Court Decision-Making," Dissertation Abstracts, XXVI, No. 1 (August, 1965), 1139-1140.

²⁵Birkby, op. cit., p. 308.

policy in effect in 121 of the state's 152 school systems was determined. Seventy (58 percent) of the 121 systems reporting still followed the practice of reading selections from the Bible at the opening to school each day as required by Tennessee Law. The other 51 districts were reported to have made some changes in their policy but only one of these had completely eliminated all devotional exercises. The other 50 made student participation voluntary and left the decision of conducting devotional exercises to the discretion of the classroom teacher.²⁶

Of the systems changing policy as a result of the Court's decision, partial compliance could not be explained statistically by degree of urbanization, socioeconomic characteristics, or extent of religious pluralism.²⁷ Birkby in a footnote offers a colleague's comment as a possible explanation for no significant difference socially, religiously, and economically between the changing and nonchanging districts: "In Tennessee," the colleague explains, "the cities are made up of rural people who just happen to live close together."²⁸

²⁶Ibid.

²⁷Ibid., p. 310.

²⁸Ibid., p. 311.

A survey by Robert D. Looft of religious practices in the public schools of Missouri, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, and Iowa was conducted during the 1964-65 school year. Looft concluded that legally questionable practices were being conducted in all the states surveyed in almost 30 percent of the schools, and that these practices had, however, declined in usage. Administrators, according to this study, generally favored greater use of most practices.²⁹

Probably the most complete national survey ever taken dealing with religion in the public schools was conducted by R. B. Dierenfield in 1966.³⁰ Six years earlier a similar survey had been taken, thus making it possible to make comparisons of practices before and after the 1962 and 1963 Supreme Court decisions prohibiting the recitation of prayers and devotional reading of the Bible in the public schools.

After an analysis of the two surveys, the following general conclusions seem warranted on the basis of the information presented.

²⁹Robert D. Looft, "Religious Instructional Practices in Public Schools of Seven Mid-West States," Dissertation Abstracts, XXVII, No. 7 (January, 1967), p. 2082A.

³⁰Richard B. Dierenfield, "The Impact of the Supreme Court Decisions on Religion in the Public Schools," Religious Education, LXII (September, 1967), pp. 445-51.

1. The formal curriculum contained less involvement with religion in 1966 than in 1960. Spiritual values were not as often included as aims of education. Despite the Court's encouragement of objective study of religion, fewer organized units on religious influence on past and present culture were being taught.

2. In matters not directly related to class work, changes had varied from slight to substantial. Gideon Bibles continued to be distributed through the schools although in somewhat reduced numbers. Baccalaureate services remained very popular; however, they were not quite so likely to be held on school property. A dramatic drop had taken place in Bible reading and regular devotional services. One school system in six still permitted Bible reading and in the South nearly half retained the practice.

3. Released time programs had lost a little ground but were being conducted in one-fourth of the nation's schools, in most cases for one hour or less per week.

4. Bus transportation for parochial school children was provided in more school districts than formerly reported, rising in six years from one system in five to one system in four.

5. Most school superintendents felt less satisfied with the manner in which their systems were dealing with

religion, but strongly supported the "teaching about" approach in regular classes.³¹

A survey of religious practices in the public schools of Florida by William G. Howard found devotional exercises widespread. Most schools ignored the Court's Bible-reading ban and reported that they anticipated no change as a result of the decision.³²

Opinion polls conducted by Nation's Schools have measured national reaction to the religion-and-school issue through several different surveys. In 1962, just over half (51 percent) of the nation's school administrators polled opposed the Court decision pertaining to prayer in the public schools. At that time 46 percent favored a constitutional amendment permitting recitation of prayers in public schools, while 48 percent opposed and 6 percent were undecided.³³

A similar poll in 1967 reported exactly half the school administrators favoring a reversal of the decisions

³¹Ibid.

³²William G. Howard, "Florida Schools Ignore Ban on Bible Reading, Survey Shows," Nation's Schools, LXXIX (May, 1967), 122.

³³"We Must Permit Prayer in the Schools, More Than Half of Administrators Agree," Nation's Schools, LXX (September, 1962), 101.

on Bible reading and prayer. The same poll found that 13 percent of the schools nationally set aside devotional periods. Ninety-six percent of the administrators felt that their district's approach to religion was a violation to the Court's ban on such practices.³⁴

A 1968 study of religious practices in the High Schools of Virginia by Kenneth Geiger found extensive religious practices in the schools of that state.³⁵ For example, over half of the schools reported regular time allotted for daily devotional periods. The study also pointed out a reluctance of school boards and other school officials to formulate policy in regard to religious practice. Ninety-one percent reported that they offer no directives to the faculties and 82 percent of the school boards have no stated policy in this regard.

III. SUMMARY

There has been much written about religion in the public schools since the birth of public school in this country. However, the literature usually reaches its peak

³⁴"Schoolmen Still Agonize Over Bible Reading Decision," Nation's Schools, LXXX (July, 1967), 22.

³⁵Kenneth Michael Geiger, "Religious Practices in the Public Schools of Virginia" (unpublished Master's thesis, The University of Richmond, 1968), pp. 19-39, 57.

immediately after a landmark decision by the Supreme Court. Probably the all-time high followed the Engel and Schempp decisions of the past decade.

The literature seemed to follow distinct phases. First, there was spontaneous criticism of the Court coming primarily from the clergy and political figures. This was followed by analyses of the decisions with emphasis on the positive aspects rather than the negative, thus having a diluting effect on the criticism. Emphasis then turned to measuring the impact of the decisions.

Studies indicate there has been a reduction in those practices declared illegal by the Court, but only slightly in some sections of the country. At the same time, there is little evidence that the type of objective religious study encouraged by the Court is being practiced in many public schools.

CHAPTER III

THE HISTORICAL AND LEGAL CONTEXT

"After years of being a bit gun-shy about getting to the heart of some of the fundamental questions of the 'Establishment of Religion Clause' and the 'Free Exercise of Religion Clause' . . .," the United States Supreme Court "began to look religion and the Constitution squarely in the eye" in the 1960's.¹ These decisions and the issues leading to them, including the reasons the founding fathers felt a need for the First Amendment, and recent attempts to amend the Constitution are considered in this chapter.

I. ADOPTION OF THE FIRST AMENDMENT

Well known is the fact that religious controversies in England during the sixteenth and seventeenth centuries resulted in many discomforts for those with minority beliefs. To escape persecution and antagonism, dissenters of the established Church of England began to look toward the new world as a possible refuge.

Once these people reached Colonial America it became obvious that they could not have opposed the theory of "establishment," for almost immediately they created

¹Donald E. Boles, The Bible, Religion, and the Public Schools. (Ames: Iowa State University Press, 1965), pp. ix, x.

established churches of their own in most colonies.² The commonly held assumption that those who settled this country believed in religious freedom may be somewhat erroneous, as pointed out by Justice Black in the majority opinion of the Supreme Court in the Engel decision.

It is an unfortunate fact of history that when some of these very same groups which had most strenuously opposed the established Church of England found themselves sufficiently in control of colonial governments in this country to write their own prayers into law, they passed laws making their own religion the official religion of their respective colonies.

Dissenting sects in the colonies were denied by law the right to assemble publicly and to worship. Individuals of dissenting beliefs and the nonbelievers were heavily punished by fine, imprisonment, expulsion, and even in a few instances death.⁴ The established churches fought to preserve their status while the religiously oppressed cried out against the establishment. Those who were suffering persecution in this country just as bitter as that suffered in England continued to fight the established churches, and their resistance brought results.

²Ibid., p. 3.

✓³Engel v. Vitale, 370 U.S. 421 (1962).

⁴American Association of School Administrators; Commission on Religion in the Public Schools, Religion in the Public Schools (New York: Harper & Row, 1964), p. 2.

As late as the Revolutionary War, there were established churches in eight of the thirteen colonies and established religions in four of the other five,⁵ while all available estimates indicate that only one in every eight Americans at that time was a member of any church.⁶ Resistance to establishment of religion was first successful in Virginia where such minority groups as the Presbyterians, Lutherans, Quakers, and Baptists were able to shake free from the established Episcopal Church.⁷

Leading the fight in Virginia against the established church were James Madison and Thomas Jefferson. Under their leadership, the foundation for government neutrality was laid by the famous "Virginia Bill of Religious Liberty," which provided that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical."⁸ The philosophy incorporated in this bill had as its nucleus the concept that "a person was to be judged on his morality, not his religion."⁹

⁵Engel v. Vitale, op. cit.

⁶Paul Blanshard, Religion and the Schools: The Great Controversy (Boston: Beacon Press, 1963), p. 11

⁷Engel v. Vitale, op. cit.

⁸Alvin W. Johnson and Frank H. Yost, Separation of Church and State in the United States (Minneapolis: University of Minnesota Press, 1948), p. 6.

⁹Richard B. Dierenfield, Religion in American Public Schools (Washington: Public Affairs Press), p. 9

In addition to Madison and Jefferson, Thomas Paine is reported to have accepted this concept.¹⁰

When the Bill of Rights was being drafted, Madison proposed that guarantees of religious freedom be imposed on both federal and state governments. His proposal resulted in the adoption of the First Amendment to the Federal Constitution and by the time the Constitution was ratified, nine states had provisions in their state constitutions for separation of church and state. By 1833 the remaining four original states had abolished establishment.¹¹

Although there was some debate over the wording of the First Amendment, the final wording which provides for separation states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Not the wording alone, but the views of those responsible for the First Amendment as well as the events leading up to its adoption, have been considered by the Supreme Court in their decisions pertaining to its interpretation.

¹⁰Ibid.

¹¹Ibid.

II. MAJOR SUPREME COURT DECISIONS PERTAINING TO RELIGION AND THE PUBLIC SCHOOLS

The Supreme Court of the United States has been called upon numerous times to interpret the separation-of-church-and-state doctrine as provided by the First Amendment. Although not all of those cases have been related to public education, many of them have. Summaries of some of the leading cases are presented here.

The Pierce Case

Oregon's Compulsory Education Act of 1922, which required all children between eight and sixteen years of age to attend "public schools," was challenged in the Pierce case.¹²

The Society of Sisters, an Oregon corporation, devoted to the secular and religious education of youth, lost enrollment due to the Compulsory Education Act. The Society alleged that the enactment conflicted with the rights of parents to choose schools they consider best for their children. Furthermore, it was alleged that the act prohibited schools and teachers from engaging in a useful and profitable business.

¹²Pierce v. Society of Sisters, 268 U.S. 510 (1925).

Hill Military Academy, a private college preparatory and military training school, operated as a profit making corporation. The State Compulsory Education Act was destroying the corporation's business, since parents were refusing to make contracts for the future instruction of their sons.

The Supreme Court declared Oregon's compulsory education law unconstitutional-- not on church state-state grounds, but for its restraint on business or commerce, which in this case happened to be private religious schools. The Court stated:

No question is raised concerning the power of the State to reasonably regulate all schools, to inspect, supervise and examine them, their teachers and pupils; to require that all children of proper age attend some school, that teachers shall be of good moral character and patriotic disposition, that certain studies plainly essential to good citizenship must be taught, and that nothing be taught which is manifestly inimical to the public welfare.¹³

The Cochran Case

In Louisiana the State Board of Education expended state tax money in purchasing textbooks and supplying them to parochial school children. The State Supreme Court upheld this action. In 1930, the matter was considered by the Supreme Court of the United States,¹⁴ which also

¹³Ibid., 534.

¹⁴Cochran v. Louisiana State Board of Education, 281 U.S. 370 (1930).

upheld the practice on the grounds that the child and not the school benefitted.

The Everson Case

A New Jersey statute permitting the use of public school funds for the bus transportation of students to parochial schools was challenged in the Supreme Court in the Everson case¹⁵ in 1947. One school district in the state authorized reimbursement to parents of money expended by them for the bus transportation of their children on regular buses regulated by the public transportation system. Some of the children attended Catholic parochial schools instead of public schools. The local regulation and the state statute permitting it were challenged on the grounds that they violated the establishment and free exercise clauses of the First Amendment.

Probably one of the most significant points in this case was the Court's interpretation of the establishment clause. In a five-to-four decision, the Court emphasized that the First Amendment prohibits government aid to any and all religions. It stated:

¹⁵Everson v. Board of Education, 330 U.S. 1 (1947).

Neither the state nor the Federal Government can set up a church. Neither can pass laws that aid one religion, aid all religions or prefer one religion over another. Neither can force nor influence a person to go or to remain away from church or force him to profess a belief or disbelief in any religion. . . . No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they be called, or whatever for they adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organization or groups or vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect a wall of separation between the church and state.¹⁶

Despite this emphasis, the Court upheld the policy of providing public funds for parochial school bus transportation on the grounds that the child and not the school benefitted.

The McCollum Case

Certainly a landmark decision for education and probably one of the most controversial decisions ever rendered by the Supreme Court was the McCollum decision.¹⁷ It involved the practice of "released time" instruction. Under such provisions, various religious sects would come into the schools to give religious instruction to the students. Attendance was not compulsory, but those who did not participate were given assignments in their regular

¹⁶Ibid., 15.

¹⁷Illinois ex rel. McCollum v. Board of Education, 333 U.S. 203 (1948).

secular studies and were sent to the school study hall. An Illinois mother alleged such sectarian programs constituted the use of public funds for sectarian purposes, thus violating the establishment clause of the First Amendment.

In an eight-to-one vote, the Court declared this practice unconstitutional. In delivering the opinion of the Court, Justice Black stated:

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. This is beyond all question a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faiths. And it falls squarely under the ban of the First Amendment (made applicable to the states by the Fourteenth) as we interpreted it in the Everson v. Board of Education. . . .¹⁸

While striking down a specific type of released time instruction, the Court did not declare all forms of shared time instruction illegal. Justice Frankfurter pointed out that the Court was dealing with only one type of shared time instruction and that other forms could very well be acceptable. Although he did not specify any acceptable program, the door was left open for possible exploration.

The Zorach Case

The Zorach case¹⁹ involved a religious instruction program very similar to the program questioned a few years

¹⁸Ibid., 209.

¹⁹Zorach v. Clauson, 343 U.S. 306 (1952).

before in the McCollum case. The difference was that instead of utilizing public facilities, instruction was given at various religious centers. Students who chose not to attend the centers, which were usually nearby churches, were required to stay in their classrooms. This program was challenged on the grounds that it violated the establishment clauses.

The ruling made this time seemed to be somewhat paradoxical to the ruling in the McCollum decision. By a six-to-three vote, the Court ruled that the program violated neither the free exercise nor the establishment clause. Justice Douglas in delivering the opinion of the Court stated:

When the state encourages religious instruction or cooperates with religion authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our tradition. For it then respects the religious nature of our people and accomodates the public service to their spiritual needs. To hold that it may not, would be to find in the Constitution a requirement that government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe. Government may not finance religious groups nor undertake religious instruction nor blend secular and sectarian education nor use secular institutions to force one or some religion on any person. But we find no constitutional requirement which makes it necessary for government to be hostile to religion. . . .²⁰

²⁰Ibid., 313-314.

While the Court found no evidence of coercion to force public school students to participate in this specific program, it held that if coercion existed, a wholly different case would be presented. It suggested, however, some of the teachers may have used undue pressure upon students to get them to take part in the program.

Justice Jackson who cast a dissenting vote in this case saw the practice in question as clearly unconstitutional. He objected on the grounds that the students who did not desire to attend the religious exercises were required to complete undesirable tasks in their classrooms. He advocated a strictly voluntary program where all students were dismissed so those who wanted to attend the exercises could, while those not wishing to attend would not be pressured. In his words:

The greater effectiveness of this system over a voluntary attendance after school hours is due to the truant officer who, if the youngster fails to go to the Church school, dogs him back to the schoolroom. Here schooling is more or less suspended during the 'released time' so the nonreligious attendants will not forge ahead of the church-going absentees. But it serves as a temporary jail for a pupil who will not go to Church.²¹

The Engel Case

On June 25, 1962, in a six-to-one vote, the Supreme Court of the United States handed down the first of two

²¹Ibid., 324.

decisions of monumental importance to the religion-and-public-school issue to come from the decade of the sixties. The Engel case²² struck down a state-sponsored optional program of nondenominational prayer in the public schools of New York State.

Acting upon a recommendation of the New York State Board of Regents, the Board of Education of New Hyde Park, New York, directed the School District's principal to cause the following prayer to be said aloud by each class in the presence of a teacher at the beginning of each school day:

Almighty God, we acknowledge our dependence upon thee, and we beg thy blessings upon us, our parents, our teachers and our country.²³

Shortly after the practice of reciting the state-sponsored prayer in the public schools began, the parents of ten pupils brought action in a New York court alleging that use of this official prayer in the public schools was contrary to the religious beliefs and practices of both themselves and their children.

Among other things, these parents challenged the constitutionality of both the state law authorizing the School District to direct the use of prayer in public schools and the School District's regulation ordering the recitation of this particular prayer on the ground that these actions of official government agencies violate the part of the First Amendment of the Federal Constitution which commands that

²²Engel v. Vitale, 370 U.S. 421 (1962).

²³Ibid., 422.

'Congress shall make no law respecting the establishment of religion'²⁴

A New York trial court as well as the New York Court of Appeals, the highest court in the state, held that the practice in question was constitutionally sound so long as the schools did not compel any pupil to join in prayer over his or his parent's objections. The petitioners, still contending that these practices must be struck down, took the case to the Supreme Court of the United States.

Only seven Justices took part in the decision. Justice Frankfurter was temporarily off the bench because of an illness and Justice White, who had just recently been appointed, was not a member of the Court when the case was argued. Of the remaining seven, only Justice Stewart dissented.

Speaking for the majority, Justice Black from the outset left no doubt that the New York practice was wholly inconsistent with the establishment clause of the First Amendment. The pith of the opinion is contained in a paragraph which in part states:

The petitioners contend among other things that the state laws requiring or permitting use of the Regent's prayer must be struck down as a violation of the Establishment Clause because that prayer was composed by government officials as a part of a government program to further religious beliefs We agree with that contention against laws respecting an establishment of religion must at least mean

²⁴Ibid., 423.

that in this country it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried out by government.²⁵

The opinion then traces the historical background which led to the adoption of the First Amendment, saying in part:

It is a matter of history that this very practice of establishing governmentally composed prayers for religious services was one of the reasons which caused many of our early colonists to leave England and seek religious freedom in America²⁶

By the time of the adoption of the Constitution, our history shows that there was a widespread awareness among many Americans of the dangers of a union of Church and State. These people knew, some from bitter personal experience, that one of the greatest dangers to the freedom of the individual to worship in his own way lay in the Government's placing its official stamp of approval upon one particular kind of prayer or one particular form of religious services²⁷

The First Amendment was added to the Constitution to stand as a guarantee that neither the power nor the prestige of the Federal Government would be used to control, support or influence the kinds of prayers the American people can say²⁸

There can be no doubt that New York's state prayer program officially establishes the religious beliefs embodied in the Regent's prayer²⁹

²⁵Ibid., 425.

²⁶Ibid.

²⁷Ibid., 429.

²⁸Ibid.

²⁹Ibid., 430.

The opinion continues:

When the power, prestige and financial support of government is placed behind a particular religious belief, the indirect coercive pressure upon religious minorities to conform to the prevailing officially approved religion is plain The history of governmentally established religion, both in England and in this country; showed that whenever government had allied itself with one particular form of religion, the inevitable result had been that it incurred the hatred, disrespect and even contempt of those who held contrary beliefs.³⁰

Justice Douglas in concurring made this statement:

The First Amendment leaves the government in a position not of hostility to religion but of neutrality. The philosophy is that the atheist or agnostic--the nonbeliever--is entitled to go his own way. The philosophy is that if government interferes in matters spiritual, it will be a devisive force. The First Amendment teaches that a government neutral in the field of religion better serves all religious interests.³¹

Authorities in constitutional law find a statement made by Justice Douglas of special interest. Douglas, who in 1947 had voted to uphold the use of public funds for transportation of parochial school pupils, said in his concurring statement in the Engel case: "The Everson case seems in retrospect to be out of line with the First Amendment."³² Boles feels that Douglas probably issued a

³⁰Ibid., 431.

³¹Ibid., 443.

³²Ibid.

concurring statement primarily for the purpose of spotlighting the reversal of his opinion.³³

Justice Stewart in dissenting refers to the Court and Congress opening each session with prayer and to the several presidents who have asked in their inaugural address for the help and protection of God, and makes this statement:

I do not believe that this Court, or the Congress, or the President has by the actions and practices I have mentioned established an 'official religion' in violation of the Constitution. And I do not believe the State of New York has done so in this case. What each has done has been to recognize and follow the deeply entrenched and highly cherished spiritual traditions of our Nation³⁴

The Schempp Case

Almost a year after the Engel case the Supreme Court again handed down another controversial decision. This time, on June 17, 1963, in an eight-to-one vote, the Court found laws requiring Bible-reading exercises in public schools a violation of the establishment clause.³⁵

Actually similar cases in two different states (Pennsylvania and Maryland) were involved, but because of

³³Boles, op. cit., p. 197.

³⁴Engel v. Vitale, op. cit., 450.

³⁵School District of Abington Township v. Schempp, 374 U.S. 203 (1963).

the similarities of the state laws and practices, the Court treated them as one. Parents bringing the charges on behalf of their children were Edward Schempp and Madelyn Murray. They argued that the Bible-reading practice was a violation of the First Amendment and that their rights under the Fourteenth Amendment was being violated.

The Pennsylvania statute which serves as a focus of this case requires that:

At least ten verses of the Holy Bible shall be read, without comment, at the opening of each public school on each school day. Any child shall be excused from such Bible reading, upon the written request of his parent or guardian.³⁶

At the beginning of each day at the Abington High School, opening exercises were conducted and sent into each room through an intercommunications system. The devotional exercises included reading ten verses from the Bible followed by recitation of the Lord's Prayer, repeating the prayer in unison. The exercises were closed by a flag salute and daily announcements were made to the students.

In schools without intercommunications systems, the Bible reading and the recitation of the Lord's Prayer were conducted by the homeroom teacher, who chose the text of the verses and read them herself or had students read them in rotation or by volunteers. The Pledge to the Flag by the class in unison usually followed.

³⁶Ibid., 205.

Before the case reached the Supreme Court, a federal district court put its finger on one of the knottiest problems arising in cases of this kind. The State Legislature requiring reading of the "Holy Bible" had failed to specify which version was to be used. The schools represented students of Protestant, Catholic, and Jewish faiths, but only the King James version was provided to the school teachers by the school district. Several clerical leaders testified that the King James version was not acceptable to their faith.

Edward Schempp and his three children testified at the first trial that a literal interpretation of the Bible particularly the King James version, was contrary to their beliefs and family teachings. At the second trial, Mr. Schempp testified that he had considered having his children excused from these exercises but decided against it for several reasons, including his belief that the children's relationship with their teachers and classmates would be adversely affected. He said he did not want them to be considered "atheists" or "unAmerican."

In a similar but somewhat different case in Maryland, Madelyn Murray and her son William had unsuccessfully attempted to get the Board of Education in Baltimore to rescind its rule requiring Bible reading and recitation of the Lord's Prayer as opening exercises in the schools of that city. Both Mrs. Murray and William admitted they were

atheists. It was alleged that such practices violated their rights

. . . in that it threatens their religious liberty by placing a premium on belief as against nonbelief and subjects their freedom of conscience to the rule of the majority; it pronounces belief in God as the source of all moral and spiritual values, equating these values with religious values, promoting doubt and question of their morality, good citizenship and good faith.³⁷

A lower federal court ruled in favor of the Schempps, but the Maryland Court of Appeals held that the exercises in question were not in violation of the Constitution. Both were taken to the Supreme Court of the United States.

Justice Clark in delivering the opinion of the Court stated:

The fact that the Founding Fathers believed devotedly that there was a God and that the unalienable rights of many were rooted in Him is clearly evidenced in their writings, from the Mayflower Compact to the Constitution itself. This background is evidenced today in our public life through the continuance in our oaths of office from the Presidency to the Alderman of the final supplication, 'So help me God.' Likewise each House of the Congress provides through its Chaplain an opening prayer, and the sessions of this Court are declared open by the crier in a short ceremony, the final phrase of which invokes the grace of God Indeed only last year an official survey of the country indicated that 64 percent of our people have church membership, . . . while less than three percent profess no religion whatever.³⁸

³⁷Ibid., 212.

³⁸Ibid., 213.

This is not to say, however, that religion has been so identified with our history and government that religious freedom is not likewise as strongly embedded in our public and private life This freedom to worship was indispensable in a country whose people came from the four quarters of the earth and brought with them a diversity of religious opinion. Today authorities list 83 separate religious bodies, each with membership exceeding 50,000 existing among our people.³⁹

The Court referred to numerous decisions from previous cases and reviewed several interpretations in connection with the church-state controversy. After declaring unconstitutional the practices in question in this case and the laws requiring them, the Court makes this emphasis:

It certainly may be said that the Bible is worthy of study for its literary and historic qualities. Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be affected consistently with the First Amendment. But the exercises here do not fall into these categories. They are religious exercises required by the States in violation of the command of the First Amendment that the Government maintain strict neutrality, neither aiding nor opposing religion.⁴⁰

Justice Brennan, Goldberg, and Harlan had concurring statements. Justice Stewart issued a dissenting statement.

Justice Stewart, although not agreeing with the majority opinion and feeling that the "free exercise" of

³⁹Ibid., 214.

⁴⁰Ibid., 225.

religion might actually be restricted by such a decision, did see dangers in the type of practices questioned in this case. In part, this is what he had to say:

It is clear that the dangers of coercion involved in the holding of religious exercises in a schoolroom differ qualitatively from those presented by the use of similar exercises or affirmations in ceremonies attended by adults.⁴¹

. . . the duty laid upon government in connection with religious exercises in the public schools is that of refraining from so structuring the school environment as to put any kind of pressure on a child to participate in those exercises; it is not that of providing an atmosphere in which children are kept scrupulously insulated from any awareness that some of their fellows may want to open the school with prayer, or of the fact that there exist in our pluralistic society differences in religious belief.⁴²

III. ATTEMPTS TO AMEND THE CONSTITUTION

Of more than one hundred proposed constitutional amendments introduced in the House of Representatives to permit prayer and Bible reading in the public schools, the one to receive most attention was proposed by Congressman Frank J. Becker of New York. In 1964 the Becker Amendment, as it was called, was given a hearing before the House Judiciary Committee.

⁴¹Ibid., 316.

⁴²Ibid., 316-317.

First testimony came from a variety of religious spokesmen. But to the surprise of many congressmen, representatives of the National Council of Churches, and of the Baptists, Lutherans, Presbyterians, Seventh Day Adventists, Unitarians, the United Church of Christ, and the Jewish faith unanimously opposed the amendment and supported the Supreme Court's position.⁴³ Spokesmen for the Roman Catholics, Episcopalians, and Methodists differed among themselves in support of the amendment and representatives of fundamentalist sects normally tended to support the amendment.⁴⁴

Many congressmen later realized that much of the torrent of mail which followed the Supreme Court decisions was organized by ad hoc organizations bearing religious titles. One such organization threatened to lead a door-to-door campaign and to present to the American public the names of those congressmen who refused to sign a discharge petition, which would have brought the proposal to the floor of the House of Representatives without a hearing. Donald Boles, who interviewed many congressmen in gathering data for the revision of one of his earlier books, stated that

⁴³Boles, op. cit., p. 299.

⁴⁴Ibid., p. 300.

a number of congressmen privately told him that the amendment would have passed if it had gotten to the floor since many congressmen who had personal views to the contrary would have found it impossible politically to oppose it.⁴⁵

Many educators appeared before the committee and they too overwhelmingly opposed the Becker Amendment.⁴⁶ One of the strongest positions, later published in a seventy-page book, came from the Chairman of the Commission on Religion and the Schools established by the American Association of School Administrators.⁴⁷ The commission strongly supported the Supreme Court and suggested to school officials legally accepted methods in dealing with religion in their schools.

The political groups, according to Boles, who tended to favor the amendment were Southern Democrats and "conservative" Republicans.⁴⁸ Supporting their efforts were such interest groups as the American Legion and the American Farm Bureau Federation. The John Birch Society supported an organization known as the International Christian Youth of the U.S.A. which circulated petitions for signatures to support the amendment.⁴⁹

⁴⁵Ibid., p. 299.

⁴⁶Ibid., p. 311.

⁴⁷American Association of School Administrators, Religion in the Public Schools (New York: Harper & Row, 1964).

⁴⁸Boles, op. cit., p. 316.

The "turning of the tide" is described by Boles:

By mid-May, 1964, it would appear from the Judiciary Committee hearings and from press reports, that the issues and forces involved in the movement for the Becker Amendment had come to be better understood in Congress and throughout the country. When this occurred, it seems to this writer that much of the impetus behind the drive in favor of the amendment was lost.⁵⁰

After efforts to secure adoption of a constitutional amendment had failed in the House of Representatives, the late Senator Everett Dirksen of Illinois introduced an amendment in the Senate in March of 1966. The Dirksen Amendment was designed to "permit" voluntary prayer during school hours.⁵¹

Senate hearings on Dirksen's amendment were held during the first of August, 1966. When the hearings were concluded, forty witnesses had been heard. Twenty-two opposed the amendment, seventeen supported it, and one was neutral.⁵²

Senator Dirksen brought his amendment to the Senate floor without committee sponsorship in September, 1966, where it was debated. Senator Sam Ervin of North Carolina

⁵⁰ Ibid., p. 327.

⁵¹ John Herbert Laubach, School Prayers: Congress, the Courts, the Public (Washington: Public Affairs Press, 1969), 142.

⁵² Ibid., p. 147.

led the fight against the amendment... He argued that there was nothing in the Supreme Court's decision or the First Amendment that prohibited "voluntary prayers" in any way; therefore, according to Ervin, no such amendment was needed.⁵³ As Senator Dirksen sensed the approaching defeat, he reported that Dr. Billy Graham and other religious leaders were going to head a national drive which would put his amendment across.⁵⁴

When the results of the roll-call vote were announced, the two-thirds majority needed for passage had failed. Forty-nine had voted for it; thirty-seven, against it; and fourteen had not voted.⁵⁵

Senator Dirksen was not satisfied and brought his amendment, with wording slightly changed, back to the Senate in 1967.⁵⁶ Over and over he changed the wording of his amendment hoping to make it more acceptable to the Senate, but interest in his proposal continued to decline.

Laubach summarizes the amendment efforts in both the House of Representatives and the Senate in this manner:

Much of the furor over the prayer and Bible-reading decisions emanated from a misunderstanding of what

⁵³Ibid., 148.

⁵⁴Ibid.

⁵⁵Ibid., 149.

⁵⁶Ibid.

the Supreme Court had decided. . . . In the course of the hearings on the Becker Amendment, it was shown that all the proposed texts included serious failings endangering the free exercise of religion, thoughtful critics of the court being compelled to confess that these dangers existed and that alternative drafts would be necessary. Many dealing with the Dirksen Amendment in the Senate came to the same realizations. But the more the texts were modified to meet the acknowledged objections, the more they resembled the Supreme Court's own position in the Engel and Schempp cases.⁵⁷

IV. SUMMARY

The legality of most religious practices in public schools has been centered around the First Amendment, which was added to the Federal Constitution to protect its citizens from the type of religious establishment known in many European countries and Colonial America. The interpretations by the Supreme Court of separation of church and state, as provided by the "establishment" and "free exercise" clauses of this amendment are summarized below:

1. Students may comply with compulsory attendance laws by attending either public or private schools, including parochial schools. (Although this decision was not made on church-state grounds, it has served as a basis for many later church-state interpretations.)

⁵⁷Ibid., 151.

2. Government funds may be used in supplying textbooks to parochial school children.

3. Government funds may be used in providing transportation of children to parochial schools.

4. Released time instruction which uses public school facilities is prohibited.

5. Dismissed time instruction is permitted outside public school facilities so long as attendance is not required or coerced.

6. Government at any level may not legislate on matters of religion, either requiring or permitting a specific religious practice.

7. Public schools may permit but not sponsor religious exercises such as the traditional morning devotions including prayer and Bible reading.

8. Public schools are encouraged to include in their curricula an objective study of the Bible and religion.

Several attempts to permit religious exercises in the public schools through a constitutional amendment have been made, but all have failed. It seems unlikely that such an amendment will ever receive sufficient support since most educational and religious leaders support the Supreme Court's interpretation of the First Amendment.

CHAPTER IV

ANALYSIS OF DATA

The findings from the survey "Religious Practices in the Public Schools of Tennessee," were compiled and organized, first, according to state-wide response, and secondly by the three grand divisions of the state. Where relevant, other comparisons were made.

I. THE RESPONSE

From the original sample of 326, a total of 23 questionnaires were returned for elimination from the sample in accordance with the instructions attached to each questionnaire. Reasons given for their return were as listed: nine were from higher education, one was from private education, two were returned by the post office as having incorrect addresses, and eleven indicated that they were not classroom teachers (supervisors, attendance teachers, principals, special teachers, etc.). Of the 28 listed in Table I as not responding, four did return their questionnaires without completing them with statements indicating that they preferred not to answer for personal reasons.

Two weeks after the questionnaires were mailed, 174, or 53.4 percent, had been returned. The remaining 152 were mailed postal cards requesting that their questionnaires be

TABLE I
SAMPLE AND RESPONSE BY THE GRAND
DIVISIONS OF TENNESSEE

	West	Middle	East	State-wide
Original Sample	93	102	131	326
Eliminations:				
Higher Education	2	6	1	9
Private Education	0	1	0	1
Incorrect Address	1	1	0	2
Not a Teacher	2	3	6	11
Actual Sample	88	91	124	303
Not Responding	14	6	8	28
Usable Returns	74	85	116	275
Percentage of Returns	84.1	93.4	93.5	90.8

returned at their earliest convenience. Two weeks later, 237, or 72.7 percent, had been received. The final contact with those who had not returned questionnaires was a personal letter mailed four weeks after the first mailing with a second questionnaire enclosed. The second letter, a copy of which is included in Appendix D, was written to solicit response and to guarantee complete anonymity to those responding.

The eliminations from the original sample left an actual sample of 303, with 88 from West Tennessee, 91 from Middle Tennessee; and 124 from East Tennessee. With 28 not responding, a total of 275 usable returns were analyzed. Broken down by grand divisions, 74 of the returns were from West Tennessee, 85 were from Middle Tennessee, and 116 were from East Tennessee.

The state-wide percentage of returns, based on the actual sample, was 90.8 percent. The section of the state with the highest returns was East Tennessee with 93.5 percent, closely followed by Middle Tennessee with 93.4 percent. Considerably lower was West Tennessee with 84.1 percent.

Approximately one of every three teachers responding made additional comments other than just a "yes" or "no" response. These comments, with the exception of some overlapping ideas and statements, have been placed in Appendix E of this study.

II. ANALYSIS OF THE RESPONSE

The responses were recorded on a master sheet and analyzed according to the twelve questions asked. Data presented in tables have been rounded off to the nearest tenth percent; however, data used in the discussion are presented in the nearest whole percent.

Bible Reading for Devotional Purposes

To determine the extent of Bible reading for devotional purposes, the following question was asked: "Do you read or have read regularly selections from the Bible in your classroom for devotional purposes?"

More than two of every five teachers, 43 percent, reported Bible reading for devotional purposes; 55 percent indicated that they do not have Bible reading; and 2 percent did not respond to this particular question.

As indicated in Table II, a greater percentage of West Tennessee teachers answered this question affirmatively than did teachers in other sections of the state. Almost half, 49 percent, from West Tennessee have Bible reading, as compared with 40 percent in Middle Tennessee and 41 percent in East Tennessee.

Some ambiguity of this question may have been evidenced by additional comments written on the questionnaire. At least two teachers stated that they answered "no" for

TABLE II
PERCENT OF TEACHERS READING BIBLE
FOR DEVOTIONAL PURPOSES

	Yes	No	No Response
West Tennessee	48.6	48.6	2.8
Middle Tennessee	40.0	57.6	2.4
East Tennessee	41.4	57.8	0.8
State-wide	42.9	55.3	1.8
Teachers who agree with the prayer and Bible-reading decisions	18.2	81.8	0.0
Teachers who do not agree with the prayer and Bible-reading decisions	48.1	50.0	1.9
Teachers teaching before the prayer and Bible-reading decisions	51.2	46.4	2.4
Teachers not teaching before the prayer and Bible-reading decisions	30.2	68.9	0.9
Teachers reading the prayer and Bible-reading decisions	32.6	67.4	0.0
Teachers not reading the prayer and Bible-reading decisions	44.9	53.3	1.8

this particular question since they personally do not read or have read selections from the Bible; however, they pointed out that daily Bible reading is conducted for the entire student body over the public address system in their schools. It would seem, from reading the comments provided, that morning devotions over the intercommunications system is a common practice in many schools across the state.

Of those teachers reporting that they personally agree with the Supreme Court's decisions declaring Bible reading and prayer for devotional purposes illegal, only 18 percent conduct Bible reading; whereas, among those who disagree with the Court, 48 percent have Bible reading.

Bible reading is more commonly practiced among those teachers teaching before the Engel and Schempp decisions (referred to in the tables as the prayer and Bible-reading decisions) than those who have begun their teaching since the two landmark decisions in 1962 and 1963. Of those teaching before the decisions, more than half, 51 percent, reported Bible reading as compared with 30 percent from those who were not teaching before the decisions.

Among those who reported that they have read at least one of the decisions in its entirety, 33 percent have Bible reading, as compared with 45 percent from those not reading the decisions.

Reading of Religious Literature Other Than the Bible

To determine the extent to which religious literature other than the Bible is read to public school students, the following question was asked: "Do you read or have read religious literature other than the Bible to your students?"

Almost a third, 31 percent, of the teachers across the state reported that they read other religious literature. The range was from 16 percent in West Tennessee to 45 percent in Middle Tennessee. East Tennessee teachers reported that 30 percent of them read religious literature other than the Bible to their students. Table III shows these comparisons. Additional comments were relatively light in response to this question. Bible stories, especially for the younger children, seem to be common. In some cases, essays, poetry, short stories, and biographical sketches of a religious nature are read for devotional purposes. One teacher reported that her board of education prescribes the morning devotional readings for the schools in her system.

Of those teachers who were teaching before the Engel and Schempp decisions, 35 percent read other religious literature. Of those not teaching before the decisions, only 24 percent answered affirmatively to this question.

TABLE III
PERCENT OF TEACHERS READING RELIGIOUS
LITERATURE OTHER THAN BIBLE

	Yes	No	No Response
West Tennessee	16.2	81.1	2.7
Middle Tennessee	44.7	54.1	1.2
East Tennessee	30.2	66.4	3.4
State-wide	30.9	66.5	2.6

Recitation of Classroom Prayers

To determine the extent of prayer recitation in public school classrooms, the following question was asked: "Are prayers (including the Lord's Prayer) recited regularly in your classroom?"

Almost one third of the teachers responding indicated that they have regular prayers. The section of the state reporting the highest percentage of prayers was West Tennessee with 37 percent, as compared with 27 percent in Middle Tennessee and 35 percent in East Tennessee. The affirmative response state-wide was 33 percent. A more complete analysis of the response to this question is listed in Table IV.

There was a considerable difference between those who agree with the prayer and Bible-reading decisions of the Supreme Court and those who disagree. Of those in agreement with the decisions, only 11 percent have prayers while 37 percent of those who do not agree have prayers.

There was a similar difference between those reading the decisions and those not reading the decisions. Of those reading either of the decisions in its entirety, 14 percent have prayer as compared with 36 percent among those not reading either decision.

Almost twice as many teachers from those teaching before the decisions reported prayer as compared to those

TABLE IV
 PERCENT OF TEACHERS RECITING
 CLASSROOM PRAYERS

	Yes	No	No Response
West Tennessee	36.5	62.2	1.3
Middle Tennessee	27.0	71.8	1.2
East Tennessee	34.5	65.5	0.0
State-wide	32.7	66.5	0.8
Teachers who agree with the prayer and Bible-reading decisions	11.4	88.6	0.0
Teachers who do not agree with the prayer and Bible-reading decisions	36.9	62.2	0.9
Teachers teaching before the prayer and Bible-reading decisions	39.9	59.5	0.6
Teachers not teaching before the prayer and Bible-reading decisions	21.7	77.4	0.9
Teachers reading the prayer and Bible-reading decisions	14.0	86.0	0.0
Teachers not reading the prayer and Bible-reading decisions	35.7	63.4	0.9

who began teaching after the decisions. The percentages were 22 and 40 percent respectively.

Several comments were made pertaining to prayer in the classroom. Some reported provisions for silent prayer, and prayers over the intercommunications system were frequently reported.

Provisions for Prayer Before Lunch

To determine the extent of provisions for prayer before lunch, the following question was asked: "Do you or your school make provisions for oral or silent prayer before lunch?"

Response to this question was considerably varied, ranging from over half of the Middle Tennessee teachers reporting provisions for prayer before lunch to less than a third in East Tennessee. The percentage of East Tennessee teachers answering "yes" to this question was 29, as compared with 52 percent in Middle Tennessee, and 37 percent in West Tennessee. The state-wide report was 38 percent.

Again those teaching before the 1962 and 1963 decisions were more likely to answer affirmatively to this question. The percentages were 45 to 28. Table V lists data comparing those who agree with those who disagree, and those reading the decisions with those not reading them.

TABLE V
PERCENT OF TEACHERS REPORTING PROVISIONS
FOR PRAYER BEFORE LUNCH

	Yes	No	No Response
West Tennessee	36.5	63.5	0.0
Middle Tennessee	51.8	47.0	1.2
East Tennessee	29.3	69.0	1.7
State-wide	38.2	60.7	1.1
Teachers who agree with the prayer and Bible-reading decisions.	22.7	75.0	2.3
Teachers who do not agree with the prayer and Bible-reading decisions	43.0	56.5	0.5
Teachers teaching before the prayer and Bible-reading decisions	44.6	54.2	1.2
Teachers not teaching before the prayer and Bible-reading decisions	28.3	69.8	1.9
Teachers reading the prayer and Bible-reading decisions	46.5	53.5	0.0
Teachers not reading the prayer and Bible-reading decisions	36.1	62.1	1.8

Award Programs for Bible Memory Work

Some schools in East Tennessee with which the author is familiar have a cooperative program with an organization known as the Childrens Bible Mission whereby Bible teachers come into the public schools once a month and provide religious instruction for the students. Under such programs students are encouraged to memorize Bible verses and are presented awards and recognition for their memory work. To determine the extent of this practice across the state, the following question was asked: "Do your students voluntarily participate in any program in school where they are given awards for Bible memory work?"

The practice of awarding students for memory work is more common in East Tennessee than the remainder of the state, with more than one-fourth of the teachers reporting such a program. Broken down geographically, only 3 percent reported a program of this type in West Tennessee, with 8 percent in Middle Tennessee, and 26 percent in East Tennessee. These comparisons are listed in Table VI.

Required Bible Memory Work

To determine the extent to which teachers require Bible memory work, the following question was asked: "Are your students ever required to memorize selections from the Bible as a part of their classroom activities?"

TABLE VI
PERCENT OF TEACHERS REPORTING AWARD PROGRAMS
FOR BIBLE MEMORY WORK

	Yes	No	No Response
West Tennessee	2.7	93.2	4.1
Middle Tennessee	8.2	89.4	2.4
East Tennessee	25.9	72.4	1.7
State-wide	14.2	83.3	2.5

State-wide, less than a tenth of the teachers gave an affirmative answer to this question. Those requiring memory work ranged from 12 percent in Middle Tennessee to 4 percent in West Tennessee. East Tennessee reported 10 percent and for the entire state, 9 percent. A more complete analysis of this response is listed in Table VII.

Relating Religion to Subject Matter

To determine the extent to which teachers relate religion to subject matter, the following question was asked: "Do you relate religion to your subject matter if and when such a relationship is pertinent?"

Almost four-fifths of the teachers responding reported that they relate religion to subject matter when pertinent. One-fifth reported that they do not make such a relationship. Broken down by sections of the state, 68 percent answered "yes" in West Tennessee; 83 percent in Middle Tennessee; and 80 percent in East Tennessee.

There was little difference in respect to this question between those teaching before the Engel and Schempp decisions and those not teaching before, between those agreeing with the decisions and those disagreeing, and between those reading the decisions and those not reading them. A detailed analysis is listed in Table VIII.

TABLE VII
PERCENT OF TEACHERS REPORTING
REQUIRED BIBLE MEMORY WORK

	Yes	No	No Response
West Tennessee	4.1	94.6	1.3
Middle Tennessee	11.8	87.0	1.2
East Tennessee	9.5	89.7	0.8
State-wide	8.7	90.2	1.1

TABLE VIII
PERCENT OF TEACHERS RELATING RELIGION
TO SUBJECT MATTER

	Yes	No	No Response
West Tennessee	67.6	28.4	4.0
Middle Tennessee	83.5	16.5	0.0
East Tennessee	80.2	17.2	2.6
State-wide	77.8	20.0	2.2
Teachers who agree with the prayer and Bible-reading decisions	75.0	25.0	0.0
Teachers who do not agree with the prayer and Bible-reading decisions	78.0	19.6	2.4
Teachers teaching before the prayer and Bible-reading decisions	80.4	17.8	1.8
Teachers not teaching before the prayer and Bible-reading decisions	74.5	22.6	2.9
Teachers reading the prayer and Bible-reading decisions	81.4	18.6	0.0
Teachers not reading the prayer and Bible-reading decisions	76.7	20.7	2.6

Additional comments were varied. Many teachers felt that religion related in some ways to everything taught while others saw no relationship between the subject they were teaching and religion.

Teaching of Spiritual Values as an Objective of Education

To determine the extent to which teachers consider the teaching of spiritual values an educational objective, the following question was asked: "Do your aims and objectives as a teacher include the teaching of spiritual values, such as love, faith, and reverence for a Supreme Being?"

All sections of the state, as indicated in Table IX, gave a strong affirmative response to this question, with 81 percent answering "yes" in West Tennessee, 93 percent in Middle Tennessee, and 87 percent in East Tennessee.

Several teachers made lengthy comments. Of those commenting, none expressed opposition to the teaching of spiritual values. All comments in response to this question have been placed in Appendix E.

Objections from Students and Parents

To determine the extent to which students and parents object to the religious practices in their schools, the following question was asked: "Have you ever had a student

TABLE IX

PERCENT OF TEACHERS CONSIDERING SPIRITUAL VALUES
AN OBJECTIVE OF EDUCATION

	Yes	No	No Response
West Tennessee	81.1	17.6	1.3
Middle Tennessee	92.9	7.1	0.0
East Tennessee	87.1	10.3	2.6
State-wide	87.3	11.3	1.4

or parent object to the type of religious practices conducted in your classroom?"

Less than one teacher in twentieth reported that he had ever had an objection to the type of religious activities practiced in his classroom. Objections were more frequent in East Tennessee with less frequent objections reported in West Tennessee. One percent in West Tennessee reported objections, five percent in Middle Tennessee, and six percent in East Tennessee. More detailed analysis is listed in Table X.

Change Resulting From the Supreme Court Decisions

Recipients of the questionnaire used in this study were asked if they were teaching prior to the Supreme Court decisions in 1962 and 1963 relating to prayer and Bible reading in the public schools. Almost 62 percent indicated that they were teaching before the decisions. To determine the change resulting from the Court's decisions, the following question was asked of those teaching before the decision: ". . .have you changed or altered your procedures in any respect as a result of the decisions?"

Approximately two of every five teachers reported that they had changed their practices as a result of the Court's decisions. Answering "yes" to this question was 42 percent of the teachers; answering "no" was 55 percent; and not

TABLE X
PERCENT OF TEACHERS REPORTING OBJECTIONS
FROM STUDENTS AND PARENTS

	Yes	No	No Response
West Tennessee	1.4	97.3	1.3
Middle Tennessee	4.7	95.3	0.0
East Tennessee	6.0	94.0	0.0
State-wide	4.4	95.3	0.3

responding to this question was three percent. By divisions of the state, 51 percent in West Tennessee reported change, 47 percent in Middle Tennessee, and 33 percent in East Tennessee. Table XI shows these comparisons.

Teachers Agreeing With the Supreme Court Decisions

To determine the extent to which teachers agree with the Supreme Court decisions pertaining to prayer and Bible reading, the following question was asked: "Do you as a teacher personally agree with the decisions of the United States Supreme Court pertaining to prayers and Bible reading in the public schools?"

Sixteen percent indicated agreement with the Court while 78 percent disagreed. Failing to respond to either "yes" or "no" were 6 percent, the largest percentage failing to respond to any of the questions. Some of those undecided respondents wrote comments which are included in Appendix E of this study.

Responses as shown in Table XII, varied by sections of the state, ranging from 20 percent agreeing in Middle Tennessee to 14 percent in West Tennessee. In East Tennessee 15 percent agreed.

Of those teachers reporting that they have read the decisions, more than a third personally agree with them. Whereas, of those teachers reporting that they have not read the decisions, less than one-eighth agree.

TABLE XI

PERCENT OF TEACHERS REPORTING CHANGE RESULTING
FROM THE SUPREME COURT DECISIONS

	Yes	No	No Response
West Tennessee	51.0	49.0	0.0
Middle Tennessee	47.1	51.0	1.9
East Tennessee	32.8	64.2	3.0
State-wide	42.3	55.3	2.4

TABLE XII

PERCENT OF TEACHERS AGREEING WITH THE
SUPREME COURT DECISIONS

	Yes	No	No Response
West Tennessee	13.5	82.4	4.1
Middle Tennessee	20.0	76.5	3.5
East Tennessee	14.7	75.9	9.4
State-wide	16.0	77.8	6.2
Those teachers reading the prayer and Bible reading decisions	34.9	65.1	0.0
Those teachers not reading the prayer and Bible reading decisions	12.3	80.6	7.1

Number of Teachers Who Have Read the Supreme Court Decisions

To determine the extent to which Tennessee teachers have read the actual text of either of the Supreme Court Decisions relating to prayers and Bible reading, the following question was asked: "Have you read in its entirety either of the Court decisions mentioned . . . ?"

According to the responses to this question, 16 percent of the teachers have read at least one of the decisions in its entirety. Twenty percent of Middle Tennessee's teachers report they have read either one or both of the decisions, with 12 percent in West Tennessee reporting affirmatively; and 15 percent in East Tennessee. Responses to this question are listed in Table XIII.

III. SUMMARY

Data obtained from Tennessee public school teachers through the use of a twelve-item questionnaire were presented in this chapter. The questions were designed to measure the extent of such practices as Bible reading for devotional purposes, reading of religious literature other than the Bible, recitation of prayers, provisions for prayer before lunch, award programs for Bible memory work, required memory work, the relating of religion to subject matter, and the teaching of spiritual values. Other factors relating to religion in public education such as student

TABLE XIII

PERCENT OF TEACHERS WHO HAVE READ THE
SUPREME COURT DECISIONS

	Yes	No	No Response
West Tennessee	12.2	86.5	1.3
Middle Tennessee	20.0	77.6	2.4
East Tennessee	14.7	83.6	1.7
State-wide	15.6	82.5	1.9

and parent objections, the impact of the Supreme Court decisions, the extent ot which teachers agree with the Supreme Court, and the number of teachers reading the Supreme Court decisions were also measured.

CHAPTER V

SUMMARY, CONCLUSIONS, AND DISCUSSION

I. SUMMARY

The purpose of this study was (1) to analyze the interpretation given by the United States Supreme Court to the principle of separation of church and state, through its decisions pertaining to various religious practices; (2) to determine the nature and extent of these practices in the public schools of Tennessee; and (3) to offer some basis for comparing current practices with the legal provisions.

The principle of separation of church and state was examined by analyzing Supreme Court cases pertaining to compulsory education, financial aid to parochial school children, released time and dismissed time instruction for public schools, and prayer and Bible reading in the public schools. In addition to a legal ruling in each case, interpretations of the "establishment" and "free exercise" of religion as provided by the First Amendment were given.

These interpretations, as they apply to public education, may be summarized as follows. Public schools, as governmental agencies, may not do the following:

(1) aid a religion, aid all religions, or prefer one religion over another; (2) assist religious groups in spreading their faiths (3) force a person to profess a belief or disbelief in any religion; or (4) exhibit hostility toward any religion or religious belief.

This neutrality toward religion has been interpreted more specifically to mean:

1. Representatives of religious groups may not use public school facilities to practice religion or propagate religious beliefs.

2. Students may be dismissed from public schools to attend religious exercises outside public school facilities.

3. Public schools may not sponsor prayer and Bible reading as devotional exercises.

4. Public schools must permit prayer and Bible reading when initiated by students.

5. Objective study of religion and of the Bible should be included in the public school curriculum.

To determine the types of religious activities in the public schools of Tennessee, questionnaires were mailed to public school teachers across the state. The sample was drawn from the membership of the Tennessee Education Association. A total of 275 returns, representing a 90.8 percent return, was analyzed. Based on the analysis of the data, the following is a summary of significant findings:

1. Just over two-fifths (43 percent) of the teachers reported that they either read or have read regularly selections from the Bible for devotional purposes.

2. Bible reading was more commonly reported in West Tennessee (49 percent) than in the other divisions of the state.

3. Less than one-fifth (18 percent) of those teachers who agree with the Supreme Court's prayer and Bible-reading decisions of 1962 and 1963 reported Bible reading as compared with almost one-half (49 percent) from those who disagree with the Court.

4. Almost one-third (31 percent) of the teachers reported that they read religious literature other than the Bible to their students.

5. Almost one-third (31 percent) of the teachers reported that prayers (including the Lord's Prayer) were recited regularly in their classrooms.

6. Two-fifths (40 percent) of the teachers teaching before the Supreme Court's prayer and Bible-reading decisions in 1962 and 1963 reported classroom prayers as compared to approximately one-fifth (22 percent) reported by those teachers not teaching before the decision.

7. Although the extent was not determined, devotional exercises over school-wide intercommunication systems were reported by several teachers.

8. Less than two-fifths (38 percent) of the teachers reported provisions for oral or silent prayer before lunch in their schools.

9. Provisions for oral or silent prayer before lunch was more commonly reported in West Tennessee (52 percent) than in other divisions of the state.

10. Approximately one-seventh (14 percent) of the teachers reported programs in their schools which award students for Bible memory work.

11. Award programs for Bible memory work were reported by one-fourth (26 percent) of the East Tennessee teachers as compared with less than one-tenth (8 percent) in Middle Tennessee and approximately one in thirty (3 percent) in West Tennessee reporting this practice.

12. Almost one teacher in ten (9 percent) reported that students in his class are sometimes required to memorize selections from the Bible as a part of regular classroom activities.

13. Almost four-fifths (78 percent) of the teachers reported that they relate religion to subject matter if and when such a relationship is pertinent.

14. Approximately eight of every nine teachers (87 percent) reported that their objectives as a teacher include the teaching of spiritual values.

15. Less than one teacher in twenty (4 percent) reported that he had ever had a student or parent object to the type of religious practices conducted in his classroom.

16. Of those teachers teaching before the Supreme Court's prayer and Bible-reading decisions in 1962 and 1963, approximately two-fifths (42 percent) reported they have changed their practices as a result of the Court's decision.

17. More than half (51 percent) of the teachers in West Tennessee teaching before the prayer and Bible-reading decisions reported changes resulting from the decisions, as compared with a third (33 percent) in East Tennessee and less than a half (47 percent) in Middle Tennessee reporting change.

18. Almost four-fifths (78 percent) of the teachers reported that they do not personally agree with the Supreme Court decisions pertaining to prayer and Bible reading.

19. One-sixth (16 percent) of the teachers report that they have read at least one of the Supreme Court decisions in its entirety.

20. Of those teachers having read at least one of the Supreme Court decisions, more than a third (35 percent) report that they agree with the Court, as compared with one-eighth (12 percent) from those not having read the decision.

II. CONCLUSIONS

The following conclusions were made from this study.

1. There is considerable interest in the religion-and-school issue as evidenced by the response of those teachers contacted in this survey.
2. Educators, religious leaders, and legislators have tended to support the religion-and-school philosophy of the Supreme Court after giving serious study to the content of their decisions.
3. Several religious practices in the public schools of Tennessee are in violation of the principle of separation of church and state as interpreted by the Supreme Court of the United States.
4. There is little evidence that study of the Bible and religion as encouraged by the Supreme Court is being practiced in the public schools of Tennessee.
5. There is considerable freedom on the part of individual teachers to conduct the type of religious activities they consider appropriate for their classrooms.

III. DISCUSSION

The separation of church and state is a fundamental principle provided by the Federal Constitution in our democratic society. Public schools must decide between

transmitting this principle to future generations by supporting the Constitution or ignoring the principle and eroding respect for the Constitution.

When there is disagreement on what the Constitution means, it is crucial that the intent of its framers be understood. However, final determination rests with the Supreme Court. Therefore, to know what practices are permitted or prohibited, it is important that educators become familiar with key Court decisions.

Once the interpretation of the Supreme Court is understood, a public school policy is needed to offer teachers some guidelines of what is appropriate and what is inappropriate. At present, many teachers and public schools through their practices are violating the Court's ruling. Some openly, if not proudly, admit it while others in violation feel that their practices are permissible.

While the public schools cannot impose religion on their students, religion certainly has not been barred from the schools, as some apparently believe. It is the thinking of the Supreme Court that every student should know the major religious bodies, what they believe and how their beliefs have affected our history and development. In fulfilling this phase of secular education, the study of the Bible and other religious books must become a part of the school program.

Several teachers have expressed concern over the effect that the absence of some religious exercises have had or will have on the teaching of moral values. Some are of the opinion that moral training can be accomplished only through the teaching of specific spiritual values. Certainly the Supreme Court has never implied that public schools should not emphasize such qualities as clean speech, good will, honesty, cooperation, truthfulness, respect for others, responsibility, etc.

Although the state of Tennessee may not have the degree of religious pluralism found in other sections, there do exist minority beliefs. No matter how unpopular they may be with the majority of the people, constitutionally guaranteed freedom of religion will not permit public schools to impose more popular beliefs in an attempt to convert these minorities. Public schools must serve all students--not only those with popular religious beliefs.

This writer feels that additional related studies are needed. The extent of official policies pertaining to religion in the public schools and whether or not these policies coincide with the rulings of the Supreme Court need to be determined. Future studies could also determine the extent of elective courses in Bible and religion in the public schools, particularly at the high school level. Furthermore, it is the feeling of this writer that additional research is needed to determine the

degree to which the general public, school board members, school administrators, and teachers understand the Supreme Court interpretations.

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APPENDIXES

APPENDIX A

QUESTIONNAIRE

Please respond to each of the following questions by circling the "yes" or "no".

1. Do you read or have read regularly selections from the Bible in your classroom for devotional purposes? yes no
2. Do you read or have read religious literature other than the Bible to your students? yes no
3. Are prayers (including the Lord's Prayer) recited regularly in your classroom? yes no
4. Do you or your school make provisions for oral or silent prayer before lunch? yes no
5. Do your students voluntarily participate in any program in school where they are given awards for Bible memory work? yes no
6. Are your students ever required to memorize selections from the Bible as a part of their classroom activities? yes no
7. Do you relate religion to your subject matter if and when such a relationship is pertinent? yes no
8. Do your aims and objectives as a teacher include the teaching of spiritual values, such as love, faith, and reverence for a Supreme Being? yes no
9. Have you ever had a student or parent object to the type of religious practices conducted in your classroom? yes no
10. Were you teaching prior to the United States Supreme Court decisions (the Engel Case in 1962 and the Schempp Case in 1963) pertaining to prayer and Bible reading in the public schools? yes no

If your answer to the above question is "yes," have you changed or altered your procedures in any respect as a result of the decisions?

yes no

11. Do you as a teacher personally agree with the decisions of the United States Supreme Court pertaining to prayers and Bible reading in the public schools?

yes no

12. Have you read in its entirety either of the court decisions mentioned in Question No. 10?

yes no

Use the back side of this form for any additional comments you might like to make.

APPENDIX B

ELIMINATION STATEMENT

[Attached to each Questionnaire]

IMPORTANT

The names used in this survey were selected at random from the Tennessee Education Association membership files which contain some members from private and higher education. Since this sample is restricted to public education (elementary and secondary), all recipients of this questionnaire who are NOT public school educators (grades K-12) are requested to check the appropriate box below and return the questionnaire without completing it. You may, however, return the post card if you wish to receive a summary of the study.

A prompt response is appreciated. Thank you.

Reason for returning questionnaire.

☐ Private School

☐ Higher Education

APPENDIX C

COVER LETTER

Edgemont Elementary School

Telephone 623-2288
Route 1, Newport, Tennessee 37821

March 5, 1970

Dear Colleague:

Public school teachers across the state are being surveyed for the purpose of supplying data for a master's thesis I am currently undertaking at The University of Tennessee. As a former teacher and presently an elementary school principal in Cocke County, I know that many educators are interested in the religion and public school issue. My study will, I believe, provide you and other educators valuable information about the legality of religion in the public schools as well as current practices in Tennessee.

I am requesting that you respond to the enclosed questionnaire and return it to me at your earliest convenience. Under no circumstances will individuals, schools, or systems be identified in the results of this study or any other report. Your name and address on the back side of the enclosed stamped, self-addressed envelope is for the purpose of follow-up of any questionnaires not returned and will serve no other purpose.

Your cooperation will be appreciated and will contribute greatly to this study. If you wish to receive a summary of the study when completed, please fill in the enclosed post card and mail it to me and I will see that a summary is sent to you.

Sincerely yours,

Charles Eugene Bryant
Principal

Enclosures

APPENDIX D

FOLLOW-UP LETTER

Edgemont Elementary School

Telephone 623-2288
Route 1, Newport, Tennessee 37821

April 3, 1970

Mr. John Doe
Route 5
Memphis, Tennessee

Dear Mr. Doe,

On March 5 you and several other teachers across the state of Tennessee were mailed questionnaires for the purpose of providing me with information needed for a master's thesis at The University of Tennessee. Most questionnaires have been returned, but yours is among the few that I have not yet received.

Since your response is of such great importance to me, I am enclosing another questionnaire just in case you may have misplaced the first one. Will you please answer the questions on this one page and return it to me in the enclosed self-addressed, stamped envelope at your earliest convenience. I assure you that your response will not only be treated confidentially, but will remain anonymous if no return address is listed on the envelope.

I sincerely appreciate your cooperation.

Yours truly,

Charles Eugene Bryant
Principal

CEB:ats

Enclosures

APPENDIX E

ADDITIONAL COMMENTS

Comments Related to Question No. 1

"In the high school where I teach, we have no homeroom periods. However, we do have a school devotional lesson every morning from the office over the P.A. system. It is read by the student council members and usually lasts three to four minutes."

"I answered 'no' to this question because neither I nor my students do the reading. It is done from the office over the intercom."

"I am a physical education teacher and do not have a classroom."

"I would enjoy starting the day with a Bible selection as a devotion."

"When I began teaching we had devotions in the morning--they became routine. Now I use them only when there is a need for them."

"The parents of the students where I teach in high school are in the low income bracket, barely above poverty level. They need it."

"This form does not get accurately the place of religion in my classroom. Since you use the word 'regularly', I must answer 'no' to most items. However, I permit devotions by students when they express a desire."

"No, because I don't have a homeroom group."

"We have a 'check period' in high school the first thing each morning, when the class meets with its sponsor and devotionals are conducted at this time. We do not have any students at all other than Protestants or Catholics and they all believe in God."

"Opening exercises at our school each morning include Bible reading the National Anthem, and the Pledge of Allegiance to our Flag."

"I am a band director and don't have a chance for devotions."

"I do not teach in the elementary grades now, but if I did I would have Bible reading as a part of the opening of the day."

"We have an O.C.Y. (Organization of Christian Youth) in our high school. They meet every day for prayer and Bible reading."

"We have a chapel program in our school and ministers are in charge of the program."

"No, because I am a P.E. instructor."

"We have a chapel program every morning before our classes begin, for this reason I answered 'no'."

"Some teachers do, some don't. It doesn't matter one way or the other in our school."

"I teach in high school and all have assembly together. The Bible is read each time. I have a Bible on my desk in the classroom and I don't hesitate to use it."

"Our Bible is read by the principal each morning."

Comments Related to Question No. 2

"Each morning for devotional purposes, I read from a book entitled Beginning the Day. It is a book of poetry, biographical and patriotic material, articles pertaining to morals and religion, as well as some selections from the Bible."

"I have been having children in my class bring their Bible Story books and I read from these."

"I used to read the Bible to my second graders but they wouldn't listen to it. They listen to Bible stories better."

"The City Board of Education has prescribed a morning devotional for the elementary schools which we follow."

Comments Related to Question No. 3

"Omitting prayer is the cause of our school problems today. Just as we require the Pledge of Allegiance and the National Anthem, we should also require prayer."

"I teach music in the public elementary school. I do not have the same opportunity for the things in question as a regular classroom teacher. But I certainly would love to have Bible reading and prayer in my class if possible."

"We pray according to the needs of the time. We pray from our hearts."

"We have devotions for the entire school once a week."

"Teacher usually offers the prayer. Children pray silently or aloud if they wish."

"We have devotions and prayer over the intercom in our high school."

"A devotion is given over the intercom each morning by different students after which a moment is set aside for silent prayer."

"I have no homeroom and I take no children to lunch, but we have prayer over the intercom as well as the Pledge to the Flag."

"When I first started teaching here three years ago, I discussed this matter of prayer and Bible reading with my principal. He told me then that neither the Board nor the school had any official policy in respect to religious practices, but he told me he expected his teachers to read the Bible, teach the children to pray, and to teach Christian principles since so many of the parents did not make their children go to Sunday School and Church. He said the school was the only place where many of the children were exposed to Christianity. The principal's wife also teaches here and every morning--they have a full scale worship service every day."

"I had to answer 'no' to the first three questions because this is done over the intercom for the entire student body (grades 9-12). The students present the devotions by using The Upper Room."

"We have one minute of silent prayer at 9:00 a.m. This was continued from a national minute of Prayer for Peace in World War II."

"Prayer comes over the loud speaker in my school."

"Our principal does all the praying. I have never heard a student praying in one of the assembly programs."

Comments Related to Question No. 4

"We don't pray in the cafeteria, but most rooms pray before they go to lunch."

"We say Grace the way they say it at home."

"Yes, we always have Grace before our meal."

"It's optional in our school."

"Prayer is left up to the individual teacher. We are not in the room the period before lunch, therefore, we don't pray."

"We don't keep them from it."

Comments Related to Question No. 5

"Wish we did."

"We have a regular Bible teacher in charge of the memory work who visits our school three times a week. Each room is given a Bible, and each child is graded on his work both inside and outside the classroom."

"I have a chart on the wall in my room and put a star beside each students' name for each verse he memorizes. They love to compete for those stars."

"I've never heard of such."

"We have a Bible teacher who comes to each room one day a week and tells a Bible story. She also gives them a Bible verse to memorize. She is not paid by the Department of Education as we teachers are. She is paid through the Bible Institute. Each school takes a Bible love offering once a year and we give that money to the Bible Institute to help pay the Bible teacher's salary. Our school usually contributes near \$800."

Comments Related to Question No. 6

"I don't make them, but my kinds love to memorize Bible verses."

"Yes, but for special programs only."

"My students memorize and learn selections from the Bible all the time."

Comments Related to Question No. 7

"I teach a small segment of the King James Version as literature when I teach literature of the Elizabethan Period."

"I teach geometry and algebra and religion does not relate to these."

"An elective course in Bible is now under consideration by the English Department in our school. It was taught on a trial basis last quarter (1969-70) and got a good response from the students."

"I teach mathematics and I do not mention religion. I do not make fun of religion. I have more than 60 semester hours of Bible and related courses of college work, but I don't believe I was hired to teach it."

"Yes, in teaching Civics."

"It's impossible to be a good teacher and not teach students the love of God."

"I teach my children to respect different religions."

"I teach language. We write compositions on 'Love' and 'The Golden Rule.' We have trouble with our students between themselves, not the teachers. I have taught twenty-three years and teaching has changed. There is not enough love, respect, etc. The Bible can save us."

"Only in Psychology Class."

Comments Related to Question No. 8

"I think we should stress the Bible and religious values more to our students. I teach the eighth grade in a large school. We are departmentalized and don't have time for these things."

"Definitely 'yes'--I am a guidance counselor."

"I teach kindergarten in a public school. Before coming here I taught kindergarten in a church school. I believe Christian principles are very necessary in the training of our young children."

"It is my feeling that many issues which ask for personal involvement in modern living must have a religious basis. When I say this, I do not refer to the 'old time religion,' which primarily consists of a nice, warm, comfortable feeling of personal security. Rather, I prefer to concern ourselves for the welfare of one's fellowman--not on another continent via missionaries, etc.--but where we all live. I feel that it is essential to convey the merit of love, concern, involvement, etc., in coping with problems which exist in the world in which we live. This cannot be achieved through memory work and repeating prayers. This is a process of growth, spiritually and emotionally, and psychologically. I feel we have an obligation to encourage this type of feeling in our children."

"I do not teach any denomination--just spiritual values."

"I think part of each child's education should be spiritual. I do not think any teacher should impose his or her own church belief, but certainly in studying 'Nature,' there should be some explanation as to what makes the little seed grow--other than the scientific reason."

"Each day children should be taught spiritual values. Love and honesty are foremost in my mind."

"We as teachers do not have time and maybe not the know how to teach religion or Bible, but we should be free to teach spiritual values as needed to help children understand and cope with present day conditions."

"I teach by my actions and deeds."

"As a business education teacher, I stress moral values such as honesty in your work and toward your associates and employers."

"I always try to help our children see the importance of God in their lives."

"I have 24 years of teaching experience in the schools of Tennessee. I have never forced my religious beliefs on my children. I have though tried to share my faith, my love, and my respect to God and the Holy Bible. Quite often one will realize that the only religious training the child gets comes from the classroom teacher. Yet, we are not trained to do this. The responsibility belongs to the parent. I know, as principal, Mr. Bryant, you could write and tell many tragic incidents pertaining to spiritual neglect. If we fail in this respect, all who have given their lives from the Revolutionary War to the present will have died in vain. God forbid! If we are so neglectful, it will serve us right for our nation to go to pot."

"The Supreme Court didn't change that for me."

Comments Related to Question No. 9

"Parents don't object here, but I have taught where they do, but I have never had one complain about me."

"In my thirty one years of teaching I have never had one parent object to the reading of the Scripture or prayer."

"I teach in a state-suported school and we have no contact with the parents."

"I am in a school where I have been for five years and it has changed from all white to all black. No body complains now. One Negro teacher in our school is an Episcopalean and she says she doesn't think it's right for her to pray in her class."

"In all our school of 544 students there is no diversity of religion. All are Protestants, so we don't have any problems."

"I have been here three years now. I don't have devotions in my room but I do teach good moral values to my students. Every other teacher has devotions, but no one as of yet has ever challenged me."

"I am teaching in a rural low-income area. The children are Protestant and the parents take little issue with any classroom activity."

"The students in our school volunteer to give devotions over the intercom. No one has ever objected."

"One parent objected to a reference about Moses leaving Egypt by the Red Sea in a history class."

Comments Related to Question No. 10

"I stopped using the Lord's Prayer after the Supreme Court ruling."

"I do not read in class, from the Bible regularly as I did prior to the Supreme Court decision."

"Our principal told us to keep it up."

"I used to have devotions but I quit, not because of the Court though. My kinds didn't get much out of it. And too, we have departmentalized in grades 7 and 8 and don't have time for it any more."

"I have never tried to do any more than teach children the meaning of right and wrong. Bible stories are a good way to do this. I really miss this part in the morning, but have been told not to do it. I was able to reach the children and make them understand why it was wrong to do certain things. Now I can talk to them and many have no religious training at home, therefore, it seldom helps."

Comments Related to Question No. 11

"If devotions are nondenominational and are intended to inspire values such as respect for oneself and others, integrity, initiative, love and responsibility, I am an advocate. If they are for the purpose of directing children toward one religious or denominational viewpoint, I am strongly opposed."

"I would like to see the Court decisions changed to permit prayer and Bible reading in the public schools."

"Although it is true their place is to decide cases, but this was not true in their first decision."

"In considering this issue we must remember that very few children either listen or pay any attention to devotions. They tune them out. Surely there is a more effective way to teach moral values."

"Freedom of religion today in the U. S. has become restriction of religion. The Supreme Court needs to look up 'freedom' in the dictionary and refresh themselves."

"I cannot answer, sir, because I haven't read the decision. According to my understanding of it, there is no law against Bible reading or prayer as long as it is not required by any phase of our government. With this understanding, I fully concur."

"I used to read the Bible to my students each morning but they didn't seem to get much from it since we couldn't talk about it. I agree with the court."

"I don't think the Supreme Court or any other group has a right to take prayers away from the people who want them. It makes me have less respect for these groups and individuals who push these things."

"My observation has been that most of the discussion (or objection) concerning the decision of the Supreme Court has occurred because of misunderstanding, misinterpretation, or simple ignorance of its real meaning. Many people insist that the Supreme Court of the United States has absolutely forbidden Bible reading, prayer, and any mention of religion in the schools."

"I would like to be able to read the scripture daily and have prayer plus blessing."

"The Supreme Court instead of interpreting the law, in reality made a law during this period; Congress should have been involved."

"My understanding of the law pertaining to reading the Bible and the Lord's Prayer is that it is not longer compulsory as it once was and I agree with this. But I believe in reading the Bible and praying, so I do it in my class."

"I still believe that religious worship should be included in the schools. As a result of religious worship being banned from the schools, I can see a decline in spiritual values as related to adults and pupils. Personally, I think it should be re-instated."

"In times like these, we need Prayer more than ever."

"I believe in Bible reading in public schools. However, I do not believe it should be mandatory. No state should have a law requiring it."

"I believe in separation of church and state and therefore I would not want the school to force my children to participate in religious activities radically different from our beliefs. However, I believe in continuing moral instruction, provided it is general and not in opposition to anyone's religious beliefs."

"I just can't decide."

"My answer to this question is given in the context that in my opinion, voluntary prayers, etc., when agreed on by all students and their parents or where dissident students are guaranteed their full rights of nonparticipation, is not wrong. Exploration (not indoctrination) in the area of one's spiritual values cannot begin too early in life and, it seems to me, such exploration should be carried on to some extent by the educational system."

"Not entirely can I agree, but mostly I do."

"I very strongly feel that religion is a personal matter--not an educational one. I don't feel that I have a right to 'push' my own brand of religion on my students. I have children of my own, and I do not want another public school teacher to give them religious instruction. If I desired this I would send them to a church school. I do, however, think that the Bible and other religious documents, such as the Koran, have a place in the classroom for their historical and literary merits."

"I'm not sure that I fully understand this decision. I've read excerpts of it. It is my understanding that the Supreme Court has never prohibited or banned Bible reading and prayer in public schools so long as it is done on a voluntary basis."

"I find it difficult to answer with a definite 'yes' or 'no'. I feel that some sort of religious studies should be incorporated in the curriculum. The idea of learning Bible passages purely for the 'virtue' of knowing one's Bible is meaningless. My little second graders have been sufficiently indoctrinated with fundamentalist, back-door salvation in their home and church. I don't want to give them more of that, but I do want to teach them the principles of love, understanding, and brotherhood, which can be done without ever mentioning the word 'religion,' or raising the need for a Supreme Court case."

"Although I agree in principle with the Supreme Court decisions, I feel that Christianity contains within its teachings moral and social values essential to our culture. If not taught as part of religious teaching, these values still should be taught in the public schools."

"It is my understanding that the reading of the Bible is not unconstitutional, but forced reading or 'structured' prayer is, such as the one constructed by the New York State Legislature."

"The teaching of Biblical Moral Truths is essential to survival of our society. Memorizing verses of the Bible in Public Schools can and may often become teaching religion, which is not good, unless it happens to be my religion being taught, but if it happens to be another religion, then we say it would be another matter, and we may not want to submit our children to it. Religion is the role of the Church and Home, but

moral values are beneficial to all, regardless of race, creed or religion."

"Keep religion out of the schools!!!"

"I feel that the religious exercises in school were usually nothing more than a formality. The people who complain about the Court's decisions, if they want to teach religion, let them teach it to their own children or give some of their time to church work. The school is not the place for it."

"I agree with the decision. They help prevent a 'state religion' and supports the principle of separation of church and state."

"I regret that the Supreme Court made the decision to eliminate the reading of the Bible in public schools. To me the trend of our nation for the past eight years is proof enough that their hasty political decision was an error. Religion is one of the foundations upon which this country was built, and it will be through the help of God that our country will survive."

"The true way of life, 'The Bible', has been taken out of too many homes so I feel that it is the duty of the teachers to help guide these little Godless children for a meaningful way of life. If the Bible had been kept in the schools and home, the world wouldn't have to worry when they will be killed by someone wanting something they have. Keep the Bible in the home and the schools and this will be a safe place to live."

"I feel the classroom was a little better when we prayed."

"The decision has been misquoted many times. I like the idea of leaving the reading of the Bible up to the teacher. A teacher who loves the Bible and God can use the Bible without offending anyone. I have always used the Bible as incidents open the door--not to preach sermons but as a guide for the sound solution to some problems. I prefer not to be required to read the Bible as a required chore of the day but for the beauty and wisdom."

"This encourages disrespect for the Bible."

"I consider readings from the Bible to be very appropriate if given over the intercom system by students. Our country was made strong because many of our early citizens were religious people and the Bible was their textbook. Many, if not all, of the problems in the world today are caused by the rejection of God and his teachings."

"I have mixed feelings about the Supreme Court decisions. I guess I agree with them but that is such a dangerous thing to admit."

Comments Related to Question No. 12

"I haven't read the decisions but I know what's in them. Our Congressman keeps us informed through his newsletter. All you have to do to get on his mailing list is to send him your name."

"We read the decisions in their entirety in our Sunday School class and were unable to find a thing to disagree with. They are very sound and offer us a guide in education if we would just follow them. They encourage the teaching of religion. What they discourage is religious worship."

"I answered 'yes' to this question because I have read summaries in professional periodicals and elsewhere that I think have given me a valid concept of what they have to say. The parts that are reported in the news and newspapers are the controversial parts. The less known sections of the decisions actually encourage objective study of religion. I can't understand why this has been ignored. Could it be that so few people know about it?"

VITA

Charles Eugene Bryant was born in Cocke County, Tennessee, on September 2, 1941.

He attended an elementary school in Cocke County and graduated from Cosby High School in 1959. The following September he entered Warren Wilson College, Swannanoa, North Carolina, and in June of 1961 he received an Associate in Arts Degree with a major in the biological sciences. In the fall of 1961 he entered the University of Tennessee where he graduated in June of 1963 with a Bachelor of Science Degree in Education. He entered the Graduate School of the University of Tennessee in 1964 and continued study during the evenings and summer sessions until his receiving a Master's Degree in Educational Administration and Supervision in December of 1970.

With exception of student teaching at Morristown High School, all his teaching experience has been in Cocke County. There he taught mathematics and chemistry for three years at Cosby High School. During his fourth year at Cosby, he served as guidance counselor. In 1967 he transferred to Northport Elementary School in Newport as a teaching principal and in 1969 he transferred to Edgemont Elementary School as a supervising principal.

He holds life membership in the National Education Association and is a member of that organization's state and local affiliates. He is also a member of the National Association of Elementary School Principals and the Tennessee Elementary Principals Association. He has served as vice president and president for two terms of the Cocke County Education Association and as secretary and chairman of the Morristown Area Principals Study Council. From 1967 to 1969 he served as secretary of the Warran Wilson College Alumni Association.