

Religious Expression At School: Where ^{Should The} Line Be Drawn

Described here are a number of situations involving religion in public schools. All are based on actual incidents. Read the details of each case with your group. Then discuss how this case relates to the Establishment Clause and the Free Exercise Clause of the First Amendment. Is this incident of religion in public schools clearly constitutional or clearly unconstitutional? Or does it fall somewhere between these extremes? Record your group's decision on the decision scale below each description.

Case 1 A Student Religious Club

A group of students requests permission to form a religious club at their high school. The students argue that their group should be treated no differently than a chess club or drama club. To deny them permission would be discrimination on the basis of their religious beliefs. School officials, however, do not think that school facilities should be used for religious purposes. Is the establishment of a religious club in a public school constitutional? /

Decision Spectrum

Clearly
Constitutional

Clearly
Unconstitutional

Case 2 A World Religions Class

Teachers in a middle school offer a world religions class as an elective. In this class students will read passages from the Bible, the Torah, the Koran, and the sacred writings of other religions. Is the study of this sensitive subject in a public school constitutional?

Decision Spectrum

Clearly
Constitutional

Clearly
Unconstitutional

Case 3 A School Holiday for the Pope

In 1987, Pope John Paul II toured the United States. Wherever the Pope went, hundreds of thousands of people turned out to see the leader of the Roman Catholic Church. Throngs of Roman Catholics gathered in public parks and stadiums to participate in a Papal Mass. In one city with a large Catholic population, the school board voted to make the day of the Pope's visit a school holiday. Several non-Catholic religious leaders and the ACLU protested the granting of a holiday for this purpose. Is the school board's action constitutional?

Decision Spectrum

Clearly
Constitutional

Clearly
Unconstitutional

Case 4
Religious Garments and Jewelry

An urban school district sends a memo to teachers ordering them to avoid wearing "any garment, headwear or accessory that is identified as religious in nature." The school district says the ban is necessary to keep schools a religiously neutral environment. Some teachers, however, see the ban as an infringement on their right to freely exercise their religion. Is the ban on religious clothing and jewelry in public schools constitutional?

Decision Spectrum

←-----→
Clearly
Constitutional

Clearly
Unconstitutional
→

Case 7
Distributing Religious Materials in School

A student at a public junior high is stopped from distributing an evangelical Christian newspaper at school. "We're probably the most suppressed newspaper in the country," protests the paper's publisher. "In the schools today there is definitely a religious and philosophical bent that is anti-Christian." School administrators defend their action saying that they do not want to appear to endorse any religious publication. Is their ban on distributing religious materials at school constitutional?

Decision Spectrum

←-----→
Clearly
Constitutional

Clearly
Unconstitutional
→

Case 8
Holiday Displays on Public School Grounds

Every December, students put up a winter holiday display on the lawn in front of the public high school. This display includes a Christmas tree, Santa on his sleigh, Frosty the Snowman, a nativity scene, and a Hanukkah menorah. Some questions have been raised about the presence of religious symbols in this display on public property. Is the display of a nativity scene and a Hanukkah menorah on school grounds constitutional?

Decision Spectrum

←-----→
Clearly
Constitutional

Clearly
Unconstitutional
→