

Religion(s) and American Public Schools

Boston College • TH492 / ED402
Spring 2012, Tuesdays 4-7pm

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Course overview:

This course examines a controversial but surprisingly unfamiliar topic: religion(s) in American public schools. I have three main objectives for the semester:

1. To understand the long and complex role that religion has played in the development of American public schools and the political and educational philosophy that undergirds them;
2. To examine the principled philosophical and theological issues behind contemporary legal cases about religion and public education;
3. To understand how constitutionally sound approaches to religion in schools can help to modulate or resolve the pedagogical and administrative issues that arise across the curriculum and within school culture.

Course Readings:

Required books (available at the BC Bookstore and online):

- James Fraser, *Between Church and State: Religion and Public Education in a Multicultural America* (St. Martin, 1999).
- Kent Greenawalt, *Does God Belong in Public Schools?* (Princeton, 2005).
- Stephen Prothero, *Religious Literacy: What Every American Needs to Know—And Doesn't* (HarperSanFrancisco, 2007).
- Diane L. Moore, *Overcoming Religious Illiteracy: A Multicultural Approach to the Study of Religion in Secondary Education* (Palgrave Macmillan, 2007).
- Warren Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford, 2010).

Suggested books:

- Joan DelFattore, *The Fourth R: Conflicts Over Religion in America's Public Schools* (Yale, 2004).
- Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Harvard, 2000).
- Jay Wexler, *Holy Hullabaloo: A Road Trip to the Battlegrounds of the Church/State Wars* (Beacon, 2009).

Course requirements:

1. **Participation (10% total):** Active and informed participation is crucial to understanding this material, so you will be graded on a balance of quality and quantity of participation. Students are expected to attend each class, complete all the required reading, contribute to class discussions, and submit assignments on time. In addition, each student must initiate 5 posts on our course blog (at share.bc.edu) and comment on 10 others during the semester.

Please note: Diverse points of view will be presented in the course readings, and they are likewise welcomed in the ensuing discussion. In the interest of maintaining an ongoing, constructive dialogue about topics that can be rather contentious, you are expected to demonstrate mutual respect and civility in the classroom and the class blog.

2. **Reflection papers (30% total):** Two reflection papers, each 4-5 pages in length and worth 15% of your grade, will be due on the Friday following completion of Parts 1 and 2 of the class. You will be asked to draw upon the readings in that section of the course to reflect upon a choice of topics provided by the instructor. Late papers are penalized a half letter grade per day.
3. **Student presentations (20%):** Students will lead class discussions in several of the final class sessions. (Details TBA once enrollment is fixed.) You will be graded on your knowledge of the texts, ability to summarize them for the class, and the questions you pose for discussion, all of which should be reflected in a summary document that you post on the course wiki. You will select the topic of your presentation early in the semester to give you ample time to prepare.
4. **Final paper (40%):** Students must construct a well-written scholarly argument (10-12 pages for undergrads, 15-20 pages for grad students) about an aspect of religion and public education that you find challenging, compelling, or curious. Topics must be approved by the professor; one-page paper proposals must be submitted by April 10, and the final paper is due (by email or in print) by 4pm on Friday May 11. Please note the dates of your other final exams/papers and plan accordingly. Early submissions are encouraged; late papers will be penalized a half letter grade per day. Your paper must draw upon course readings; although additional research is welcomed when appropriate.

The grading scale:

I will use the following scale to evaluate students' work:

- A = excellent work** (A = 95-100; A- = 90-94)
- B = good work** (B+ = 87-89; B = 83-86; B- = 80-82)
- C = adequate work** (C+ = 77-79; C = 73-76; C- = 70-72)
- D = poor work** (D = 60-69)
- F = inadequate or insufficient work** (59 & below)

Please note that graduate students are expected to produce more rigorous and advanced work than undergraduates in this course.

Academic integrity:

As an ethics professor I take academic integrity seriously, and you should, too. It is your responsibility to familiarize yourself with the university's policy on this matter at www.bc.edu/integrity. Violations of academic integrity will be reported to the appropriate dean and judged by the academic integrity committee in your school. If you are found responsible for violating the policy, penalties may include a failing grade, probation, suspension, or expulsion, depending on the seriousness and circumstances of the violation. Please talk to me about any questions you may have.

Syllabus

PART ONE: THE AIMS OF AMERICAN PUBLIC EDUCATION

(1) Tue 1/17 **Introduction: religion & the aims of public education**

What's all the fuss about?

- Required*
- Packet of articles on contemporary controversies
 - Pew Forum on Religion and Public Life, "U.S. Religious Landscape Survey" (2010), Key Findings. (See also the report's fascinating interactive charts.)

(2) Tue 1/24 **Historical overview: American education and the new republic**

How did the common school model develop?

- Required*
- James W. Fraser, *Between Church and State*, 1-66 (intro + chaps 1-3)
 - Stephen Macedo, *Diversity and Distrust*, 41-87 (chap 2)
- Suggested*
- Stephen Prothero, *Religious Literacy* (2007), 59-86 (chap 3)
 - Benjamin Rush, "A Plan for the Establishment of Public Schools"; "Thoughts upon the Mode of Education Proper in a Republic [1786]," in Frederick Rudolph, ed., *Essays on Education in the Early Republic* (Cambridge, Mass.: Belknap Press, 1965), 3-23.
 - R. Laurence Moore, "Bible Reading and Nonsectarian Schooling: The Failure of Religious Instruction in Nineteenth-Century Public Education," *Journal of American History* 86:4 (March 2000).
 - Steven K. Green, *The Bible, the School, and the Constitution: The Clash that Shaped Modern Church-State Doctrine* (OUP, 2012).
 - Carl Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (H&W, 1983)
 - Charles Glenn, *The Myth of the Common School* (UMass, 1988)

(3) Tue 1/31 **Historical overview: Immigration, secularism and the rise of the market in education**

Where did the common school idea go off the rails?

- Required*
- Fraser, *Between Church and State*, 105-216 (chaps 6-9)
 - Macedo, *Diversity and Distrust*, 88-130 (Chaps 3-4)
 - Greenawalt, *Does God Belong in Public Schools?* 13-22 (chap 1)
- Suggested*
- Stephen Prothero, *Religious Literacy* (2007), 87-121 (chap 4)
 - Warren Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford, 2010), 61-80 (chap 3).
 - Joan DelFattore, *The Fourth R: Conflicts Over Religion in America's Public Schools* (Yale 2004), 12-51 (chaps 2-3)

(4) Tue 2/7 **Religion, citizenship and civic education**

What is the state's interest in educating our children?

- Required*
- Michael Sandel, *Democracy's Discontent: America In Search of a Public Philosophy* (Belknap, 2008), selections TBA
 - Stephen Macedo, *Diversity and Distrust*, 1-40 (intro + chap 1)

- Suggested*
- Eamonn Callan, *Creating Citizens: Political Education and Liberal Democracy* (Oxford, 1997), 1-39 (chaps 1-2)
 - William Galston, *Liberal Purposes: Goods, Virtues, Diversity in the Liberal State* (Cambridge, 1991)
 - Amy Gutmann, *Democratic Education* (Princeton, 1999)
 - Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, 1999)

(5) Tue 2/14 **Educational pluralism and the myth of the common school**

Is religious freedom the paramount value in our society?

- Required*
- Michael McConnell, "Education Disestablishment: Why Democratic Values Are Ill-Served by Democratic Control of Schooling," in Stephen Macedo and Yael Tamir, eds., *Moral and Political Education*, NOMOS XLIII (2001), 87-146.
 - Erik Owens, "Disestablishment as Legal *Paideia*: Assessing Michael McConnell's Educational and Religious Pluralism." In *Philosophy of Education Yearbook 2008* (Urbana, IL: University of Illinois Press, 2008).
 - Eamonn Callan, "The Civic Purposes of Public Schools," in *Public Affairs Report* 44:1 (spring 2003). (avail online)
 - Nancy Rosenblum, "Pluralism and Democratic Education: Stopping Short by Stopping with Schools," in Macedo/Tamir, *Moral and Political Education*, 147-169.

- Suggested*
- William Galston, *Liberal Purposes: Goods, Virtues, Diversity in the Liberal State* (Cambridge, 1991)
 - Charles Glenn, *The Myth of the Common School* (UMass, 1988), 1-14 (intro)

(6) Tue 2/21 **Religious literacy**

What's behind the metaphor?

- Required*
- Stephen Prothero, *Religious Literacy* (2007), 1-55, 125-148 (chaps 1, 2, 5)
 - Diane L. Moore, *Overcoming Religious Illiteracy: A Multicultural Approach to the Study of Religion in Secondary Education* (Palgrave Macmillan, 2007), 1-88 (chaps 1-3 + intro)
 - Mark Chancey, "The Bible and Public Schools: A Report on the National Council on Bible Curriculum in Public Schools" (Texas Freedom Network, 2006), exec summary and pp 2-3.
 - Bible Literacy Project, "The Case for Bible Literacy," "Fact Sheet," and "BLP Responds to Criticism."

- Suggested*
- Emile Lester, *Teaching about Religions: A Democratic Approach for Public Schools* (Michigan, 2011), 105-148 (chap 3).
 - Cullen Schippe and Chuck Stetson, eds., *The Bible and Its Influence* (Bible Literacy Project, 2006)

**** Fri 2/17 Reflection paper 1 due (via email, before 4pm)**

PART TWO: UNDERSTANDING CONTEMPORARY TENSIONS

(7) Tue 2/28 **Religious establishment, part I: Devotional practices**

Was God kicked out of our schools in the 1960s?

- Required*
- Greenawalt, *Does God Belong in Public Schools?* 35-63 (chaps 3-4)
 - Joan DelFattore, *The Fourth R: Conflicts Over Religion in America's Public Schools* (Yale 2004), 1-11 (chap 1)
 - Philip Hamburger, *Separation of Church and State* (Harvard, 2002), 1-17 (intro).
 - Excerpts from SCOTUS opinions about Bible reading (*Abington v. Schempp*), school prayers and moments of silence (*Engle v. Vitale*; *Lee v. Weissman*; *Santa Fe*; *Wallace v. Jaffree*), and the Pledge of Allegiance (*Barnette v. West Virginia*; *Elk Grove v. Newdow*).
- Suggested*
- Wexler, *Holy Hullabaloo*, chap 7 (prayers at football games).
 - Other SCOTUS opinions

** Tue 3/6: **No class: Spring Break**

(8) Tue 3/13 **Religious establishment, part II: holidays, evolution and other sensitive subjects**

Who is "the state," and must it (they) always take sides?

- Required*
- Greenawalt, *Does God Belong in Public Schools?* 64-68,77-160 (chaps 5, 7-13)
 - Margaret Talbot, "Darwin in the Dock," *The New Yorker*, 5 December 2005.
 - Excerpts from *Kitzmiller v. Dover*
 - Packet of news articles on school holiday celebrations
- Suggested*
- Wexler, *Holy Hullabaloo*, chap 8 (teaching evolution)
 - Jay Wexler, "Darwin, Design and Disestablishment: Teaching the Evolution Controversy in Public Schools," *Vanderbilt Law Review* 56:3 (April 2003): 751-855.
 - Jay Wexler, "Preparing for the Clothed Public Square: Teaching about Religion, Civic Education, and the Constitution," *William & Mary Quarterly* 43:3 (Feb 2002): 1159-1263.
 - H. Allen Orr, "Devolution," *The New Yorker*, 30 May 2005.
 - Robert Nash, *Faith, Hype, and Clarity: Teaching About Religion in American Schools and Colleges* (Teachers College, 1998)

(9) Tue 3/20 **Free exercise of religion, part I: outside the classroom**

Do religious people have special rights?

- Required*
- Jay Wexler, *Holy Hullabaloo: A Road Trip to the Battlefields of the Church/State Wars* (Beacon, 2009), chaps 3 (Amish exemption) and 6 (school vouchers).
 - Excerpts from SCOTUS decisions on private schooling (*Pierce*); compulsory schooling (*Yoder*); school vouchers (*Zelman*); and exemptions (*Smith* + RFRA)
- Suggested*
- TBA
 - TBA

(10) Tue 3/27 **Free exercise of religion, part II: inside the classroom**

Is there anything all students must learn?

- Required*
- Macedo, *Diversity and Distrust*, 149-187 (Chaps 6-7)
 - TBA on opt-out provisions (possibly DeFattore)

- Suggested*
- TBA
 - TBA

**** Fri 3/30 Reflection paper 2 due before 4pm**

(11) Tue 4/3 **Free speech**

Who has it and who doesn't?

- Required*
- Greenawalt, *Does God Belong in Public Schools?* 161-188 (chaps 14-15)
 - DeFattore, *The Fourth R*, 178-198 (chap 11)
 - Excerpts from SCOTUS decisions on equal treatment (*Lamb's Chapel*, *Good News Club*) and coercion (Barnette,)

- Suggested*
- TBA
 - TBA

PART THREE: TEACHERS AND ADMINISTRATORS

(12) Tue 4/10 **Religion education: Best practices and current standards**

How can we get started?

- Required*
- Paper proposals due in class.
 - American Academy of Religion, "Guidelines for Teaching About Religion in K-12 Schools in the United States," 2010
 - OSCE, Toledo Guiding Principles on Teaching about Religion and Beliefs in Public Schools, 2007
 - Charles Haynes and Oliver Thomas, *Finding Common Ground: A Guide to Religious Liberty in Public Schools* (First Amendment Center, 2001)
 - California State Board of Education, History-Social Science Content Standards/Curriculum Frameworks
 - Massachusetts History & Social Science Framework (2003)

- Suggested*
- Other state curriculum standards/frameworks
 - TBA

(13) Tue 4/17 **Lessons from global religion education programs**

Can other countries teach us anything relevant?

- Required*
- Wolfram Weisse, "Religion in Education: A Contribution to Dialogue or a Factor of Conflict in Transforming Societies of European Countries?" *Religion & Education* 37:3 (Fall 2010), 187-202
 - Erik Owens, "A United States Perspective on the European REDCo Project," *Religion & Education* 37:3 (Fall 2010), 203-207
 - Article TBA on RE programs in Asia, North Africa and Europe

- Suggested*
- TBA
 - TBA

(14) Tue 4/24 **Religious freedom, public schools and American culture**

Can common ground be located on such controversial issues?

- Required*
- Charles Haynes and Oliver Thomas, *Finding Common Ground: A Guide to Religious Liberty in Public Schools* (First Amendment Center, 2001), excerpts
 - DeFattore, *The Fourth R*, 299-317 (chap 16)
 - Joseph Viteritti, *The Last Freedom: Religion from Public School to Public Square* (Princeton, 2007), 208-239 (chap 9)
 - Emile Lester, *Teaching about Religions: A Democratic Approach for Public Schools* (Michigan, 2011), 193-234 (chap 5).

- Suggested*
- Gaddy/Hall/Marzano, *School Wars: Resolving Our Conflicts over Religion and Values* (Jossey-Bass, 1996).
 - Elizabeth Pritchard, "Seriously, What Does 'Taking Religion Seriously' Mean?" *Journal of the American Academy of Religion* 78:4 (Dec 2010), 1087-1111.
 - Jonathan Zimmerman, *Whose America? Culture Wars in the Public Schools* (Harvard, 2002)

(15) Tue 5/1: **Conclusion**

- Required*
- TBA
 - TBA

- Suggested*
- TBA
 - TBA

**** Mon 5/14 Final paper due before 4pm**

Bibliography

Here are some of the materials I considered using for the course when constructing the syllabus. We will be using many of them in whole or part, but we simply do not have the time to address most of them. I include this bibliography as a reference for further research and reflection, whether in this course or elsewhere.

Reports, standards and guidelines:

- American Academy of Religion, "Guidelines for Teaching About Religion in K-12 Schools in the United States," 2010
- California State Board of Education, History-Social Science Content Standards/Curriculum Frameworks
- C. Gibson and P. Levine, eds. *The Civic Mission of Schools* (CIRCLE/Carnegie Corporation, 2003)
- Charles Haynes and Oliver Thomas, *Finding Common Ground: A Guide to Religious Liberty in Public Schools* (First Amendment Center, 2001)
- Emile Lester, "Learning about World Religions in Public Schools: The Impact on Student Attitudes and Community Acceptance in Modesto, California." Nashville, TN: First Amendment Center, 2006
- Massachusetts History & Social Science Framework (2003)
- OSCE, *Toledo Guiding Principles on Teaching about Religion and Beliefs in Public Schools*, 2007
- REDCo Project Findings: "Religion in Education: A Contribution to Dialogue or a Factor of Conflict in Transforming Societies of European Countries?" (2010)

Books on Religion and Education

- Michael Apple, *Educating the "Right" Way: Markets, Standards, God, and Inequality*, 2e
- Edith Blumhofer, ed., *Religion, Education and the American Experience* (Alabama, 2002)
- Anthony Bryk, Peter Holland and Valerie Lee, *Catholic Schools and the Common Good* (Harvard, 1993)
- Joan DelFattore, *The Fourth R: Conflicts Over Religion in America's Public Schools* (Yale 2004)
- James Fraser, *Between Church and State: Religion and Public Education in a Multicultural America* (St. Martin, 1999)
- Kent Greenawalt, *Does God Belong in Public Schools?* (Princeton, 2005)
- Jackson, Robert et al., eds., *Religion and Education in Europe: Developments, Contexts and Debates* (Waxmann 2007)
- Jackson, Robert, ed. *International Perspectives on Citizenship, Education and Religions Diversity* (Routledge, 2008)
- Robert Kunzman, *Grappling with the Good: Talking about Religion and Morality in Public Schools* (SUNY, 2006)
- Emile Lester, *Teaching about Religions: A Democratic Approach for Public Schools* (Michigan, 2011)
- Martin Marty with J. Moore, *Education, Religion, and the Common Good* (Jossey-Bass, 2000)
- Diane L. Moore, *Overcoming Religious Illiteracy: A Multicultural Approach to the Study of Religion in Secondary Education* (Palgrave Macmillan, 2007)
- Robert Nash, *Faith, Hype, and Clarity: Teaching About Religion in American Schools and Colleges* (Teachers College, 1998)
- Jacob Neusner, ed., *World Religions in America*, 4e (Westminster John Knox, 2009)
- Warren Nord, *Religion and American Education: Rethinking a National Dilemma* (UNC, 1995)
- Warren Nord and Charles C. Haynes, *Taking Religion Seriously Across the Curriculum* (First Amendment Center, 1998)

- Warren Nord, *Does God Make a Difference? Taking Religion Seriously in Our Schools and Universities* (Oxford, 2010)
- Stephen Prothero, *Religious Literacy: What Every American Needs to Know—And Doesn't* (HarperSanFrancisco, 2007)
- Robert Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us* (Simon & Schuster, 2010)
- David Tyack, *Seeking Common Ground: Public Schools in a Diverse Society* (Harvard, 2003)
- Joseph Viteritti, *The Last Freedom: Religion from Public School to Public Square* (Princeton, 2007)

Articles on Education and Religious Freedom

- Michael McConnell, "Education Disestablishment: Why Democratic Values Are Ill-Served by Democratic Control of Schooling," in Stephen Macedo and Yael Tamir, eds., *Moral and Political Education*, NOMOS XLIII (2001)
- Nancy Rosenblum, "Pluralism and Democratic Education: Stopping Short by Stopping with Schools," in Macedo/Tamir, *Moral and Political Education*, 147-169.
- Erik Owens, "Taking the 'Public' Out of Our Schools: The Political, Constitutional and Civic Implications of Private School Vouchers," *Journal of Church and State* 44:4 (Autumn 2002): 717-747.
- Erik Owens, "Disestablishment as Legal Paideia: Assessing Michael McConnell's Educational and Religious Pluralism." In *Philosophy of Education Yearbook 2008* (Urbana, IL: University of Illinois Press, 2008).
- Jay Wexler, "Preparing for the Clothed Public Square: Teaching about Religion, Civic Education, and the Constitution," *William & Mary Quarterly* 43:3 (February 2002): 1159-1263.
- Jay Wexler, "Darwin, Design and Disestablishment: Teaching the Evolution Controversy in Public Schools," *Vanderbilt Law Review* 56:3 (April 2003): 751-855.

Books on Educational History

- James Axtell. *The School Upon a Hill: Education and Society in Colonial New England* (Yale, 1974)
- Lawrence Cremin, *American Education*. 3 vols. (Harper & Row, 1970/1978/1980)
- Charles Glenn, *The Myth of the Common School* (UMass, 1988)
- Carl Kaestle, *Pillars of the Republic: Common Schools and American Society, 1780-1860* (H&W, 1983)
- Bruce Kimball, *Orators and Philosophers: A History of the Idea of Liberal Education* (Teachers, 1986)
- Frederick Rudolph, ed., *Essays on Education in the Early Republic* (Belknap, 1965)

Books on Educational and Political Philosophy

- Ben-Porath, Sigal, *Citizenship Under Fire: Democratic Education in Times of Conflict* (PUP, 2006)
- Peter Berkowitz, *Virtue and the Making of Modern Liberalism* (Princeton, 1999)
- Eamonn Callan, *Creating Citizens: Political Education and Liberal Democracy* (Oxford, 1997)
- Richard Dagger, *Civic Virtues: Rights, Citizenship, and Republican Liberalism* (Oxford, 1997)
- John Dewey, *Democracy and Education* (Free Press, 1997 [1916])
- Christopher Eberle, *Religious Convictions in Liberal Politics* (Cambridge, 2002)
- William Galston, *Liberal Purposes: Goods, Virtues, Diversity in the Liberal State* (Cambridge, 1991)
- Amy Gutmann, *Democratic Education* (Princeton, 1999)
- Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Belknap, 1996)
- Derek Heater, *A History of Education for Citizenship* (Routledge Falmer, 2004)
- James Kloppenburg, *The Virtues of Liberalism* (Oxford, 1998)

- Will Kymlicka and Wayne Norman, eds. *Citizenship in Diverse Societies* (Oxford, 2000)
- Meira Levinson, *The Demands of Liberal Education* (Oxford, 1999)
- Lorraine McDonnell, P. Michael Timpone and Roger Benjamin, eds. *Rediscovering the Democratic Purposes of Education* (Kansas, 2000)
- Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy* (Harvard, 2000)
- Kevin McDonough and Walter Feinberg, eds. *Education and Citizenship in Liberal-Democratic Societies: Teaching for Cosmopolitan Values and Collective Identities* (Oxford, 2003)
- Nancy L. Rosenblum, ed. *Obligations of Citizenship and Demands of Faith: Religious Accommodation in Pluralist Democracies* (Princeton, 2000)
- Norman H. Nie, Jane Junn and Kenneth Stehlik-Barry. *Education and Democratic Citizenship in America* (Chicago, 1996)
- Diane Ravitch and Joseph Viteritti. *Making Good Citizens: Education and Civil Society* (Yale, 2001)
- Rob Reich, *Bridging Liberalism and Multiculturalism in American Education* (Chicago, 2002)
- Rogers Smith. *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (Yale, 1997)
- Jeff Spinner-Halev, *Surviving Diversity: Religion and Democratic Citizenship* (Johns Hopkins, 2000)
- Winnifred Fallers Sullivan, *The Impossibility of Religious Freedom* (Princeton, 2005)
- Joseph Viteritti, *Choosing Equality: School Choice, Constitution, and Civil Society* (Brookings, 1999)
- Paul Weithman, *Religion and the Obligations of Citizenship* (Cambridge, 2002)
- Patricia White, *Civic Virtues and Public Schooling: Educating Citizens for a Democratic Society* (Teachers College Press, 1996)
- Patrick Wolf and Stephen Macedo, eds. *Educating Citizens: International Perspectives in Civic Values and School Choice* (Brookings, 2004)

Legal opinions:

- *Abington School District v. Schempp*, 374 U.S. 203 (1963)
- *Brown v. Gilmore*, 258 F.3d 265 (4th Cir. 2001), cert. denied, 533 U.S. 1301 (2001)
- *Committee for Public Education and Religious Liberty (CPERL) v. Nyquist*, 413 U.S. 756 (1973)
- *Edwards v. Aguillard*, 482 U.S. 578 (1987)
- *Elk Grove Unified School District v. Newdow*, 542 U.S. 1 (2004)
- *Employment Division, Dep't of Human Res. v. Smith*, 494 U.S. 872 (1990)
- *Engel v. Vitale*, 370 U.S. 421 (1962)
- *Everson v. Board of Education of the Township of Ewing*, 330 U.S. 1 (1947)
- *Folgero v. Norway*, European Court of Human Rights (App. No. 15472/02, 29 June 2007)
- *Good News Club v. Milford Central School*, 000 U.S. 99-2036 (2001)
- *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, No. 10-553, 2012 BL 6772 (2012)
- *Kitzmiller v. Dover Area School District* (400 F. Supp. 2d 707)
- *Lamb's Chapel v. Center Moriches School District*, 508 U.S. 384 (1993)
- *Leirvag v. Norway*, UN Human Rights Committee, CCPR/C/82/D/1155/2003, Communication 1155/2003, (November 2004)
- *Lemon v. Kurtzman*, 403 U.S. 602 (1971); *Lemon v. Kurtzman [II]*, 411 U.S. 192 (1973)
- *Locke v. Davey*, 540 U.S. 712 (2004)
- *Mitchell v. Helms*, 530 U.S. 793 (2000)
- *Mozert v. Hawkins County Public Schools*, 582 F. Supp. 201 (E.D. Tenn. 1984)
- *Pierce v. Society of Sisters*, 268 U.S. 510 (1925)

- *Rosenberger v. University of Virginia*, 000 U.S. U10271 (1995)
- *Sante Fe Independent School District v. Doe*, 530 U.S. 290 (2000)
- *Wisconsin v. Yoder*, 406 U.S. 205 (1972)
- *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002)
- *Zengin v. Turkey*, European Court of Human Rights (App. No. 1448/04, 9 Oct 2007)