

our form of government allows minority opinions to be heard, the majority controls unless it is pursuing an illegal or unconstitutional path. Vexatious attempts to intimidate public school officials into modifying the curriculum should not have been successful. The result has been the virtual elimination of any mention of religion from courses of study, a form of "benign neglect." This is not only unnecessary, but lies about the role religion has played and continues to play in the history, art, culture and politics of this and other nations.

The difference, in a nutshell, between constitutionally acceptable practices and unconstitutional activity in the classroom is the difference between teaching about religion and proselytizing or teaching the dogma of a certain religion. In *Edwards* and other cases, the Supreme Court has tried to delineate the proper role of religion in the curriculum. For example, in her concurring opinion in *Edwards*, Justice Sandra Day O'Connor suggested that courses in comparative religions or units in world studies courses covering various religions are perfectly acceptable. Further, teaching "the nature of our founding fathers' beliefs and how those beliefs affected the attitudes of the times and structure of our government" is laudable and does not conflict with the Constitution, said O'Connor.

The use of the Bible, the Koran or other religious documents in public school classrooms is also permissible

provided the purpose is not to advance a particular religious belief. Religion was a catalyst in the social movements of abolitionism, temperance and civil rights, and this fact must not be ignored in educating our youth. It is inconceivable that religious influences in the current Middle East controversies or the holocaust of World War II would be omitted in history or government texts, but they are, according to a report of the Association for Supervision and Curriculum Development (ASCD). The flight from controversy has watered down the role of religion in public school curricula, if not washed it away completely.

Classroom teachers can make up for the missing textual material by using complementary outside resources. The next step is for boards and administrations, along with the community, to develop policies that accurately reflect the state of the law regarding religion and public school curriculum. Textbook selection committees should resist adopting materials that totally ignore religion. Toward these goals, I highly recommend *Religion in the Curriculum*, a 36-page pamphlet published in August by ASCD of Alexandria, Virginia. Together we can halt this process that has led to the exclusion of the legitimate role of religion in the public school classrooms of Iowa.

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#15

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RELIGION IN THE CURRICULUM:
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by Kathy L. Collins

U.S. CONSTITUTION
AMENDMENT 1:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press;...

IOWA CONSTITUTION
ARTICLE I § 3:

The General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates for building or repairing places of worship, or the maintenance of any minister or ministry.

Last year I heard from an administrator under fire. One of his elementary teachers, in preparation for Thanksgiving, asked each child in her class to make a feather headdress and on each feather print something the

child was personally thankful for. The local shopping mall had agreed to display the headdresses over the holiday weekend.

One child turned in a headdress with "Jesus" on one feather and "God" on another, representing what he was thankful for. Concerned that the public display of the child's work might imply that religion was being taught in the public schools, the teacher removed the two feathers before the exhibition. A local minister later called the school on behalf of the child and correctly suggested that this action violated the child's freedom of speech.

To paraphrase a familiar ad, what's a teacher to do?

The inquiry I received on this incident underscored the general misconceptions about the "establishment of religion" in violation of the First Amendment. Metaphorically speaking, the public school must walk a tightrope stretched between the two religion clauses. One prohibits practices or laws that tend to establish a religion; the other prohibits interference with a student's free exercise of religious beliefs. Violating the latter could also violate a student's right to free speech and expression. Just as a teacher should not lead the class in a rousing rendition of "Jesus Loves Me," neither should he or she prohibit a child from or discipline the child for bursting forth with the same song on the playground. While I'm not implying that judicial decisions are always

models of consistency, the issue of religion and its place in the curriculum or classroom is not the murky maze it's made out to be.

This summer the United States Supreme Court decided *Edwards v. Aguiller*, the latest foray into religion in the curriculum. The case involved a Louisiana statute, the "Balanced Treatment for Creation-Science and Evolution-Science in Public School Instruction Act." The law prohibited teaching evolution unless "creation-science" was also taught. An educator could opt not to teach either, but if one were taught the other must be as well. Moreover, both had to be presented as theories of the origin of the universe, not as fact.

In its 5-2 decision, the Court struck down the act as violating the establishment clause. The majority concluded that the law was a thinly veiled attempt to authorize religious instruction in public school classrooms. They viewed its primary purpose as endorsing a religious doctrine. While proponents of the law argued its main purpose was to further academic freedom, the majority rejected that contention, finding that the statute instead hampered teachers' academic freedom. Perhaps the most significant statement in the opinion came when the majority concluded that creationism is not a science but a religious belief that a supernatural being created the universe and humankind.

Previous Supreme Court cases on challenges to religious practices in the classroom include a 1962 case striking down daily Bible reading and the recitation of the Lord's Prayer in a public elementary school. A statute forbidding the teaching of evolution was held unconstitutional in 1988. In a 1980 case, the Court ruled that posting the 10 Commandments on the wall of a public school classroom was a practice amounting to the establishment of religion in violation of the First Amendment.

Five years later a state statute authorizing a moment of silence for prayer was nullified. In 1985 the Court ruled in two cases that parochial school teachers cannot teach part-time in the public schools, and Title I services to private school children must not be delivered by state and local public school employees on private school grounds.

Locally, we have had decisions with impact on Iowa banning invocation and benediction prayers at graduation ceremonies, permitting inclusion of Christian-oriented music in public school programs, and prohibiting the distribution of Bibles by public school officials to elementary students.

Obviously, this is no new controversy. Arguably, it was precisely the fear that the government and its employees would become active proponents of any religion that prompted the establishment clause in the original Bill of Rights. Although