

5-2014

Public School Credits for Devotional Courses in Religion: The Evangelical Reconceptualization of Released Time

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PUBLIC SCHOOL CREDITS FOR DEVOTIONAL COURSES IN RELIGION:
THE EVANGELICAL RECONCEPTUALIZATION OF RELEASED TIME

A Dissertation
Presented to
the Graduate School of
Clemson University

In Partial Fulfillment
of the Requirements for the Degree
Doctor of Philosophy
Curriculum and Instruction

by
Benjamin James Bindewald
May 2014

Accepted by:
Suzanne Rosenblith, Committee Chair
Robert Green
Laura Olson
Mindy Spearman

ABSTRACT

Released time is an arrangement through which students are excused from public schools, during regular hours, to participate in devotional lessons conducted by local religious organizations. The courts have upheld this practice as long as classes are held off public school premises, with parental permission, and without government aid. South Carolina has become the center of operations for a movement of evangelical Christians to expand proselytizing released time programs throughout the United States. As a result of the movement's lobbying efforts, in 2006 South Carolina became the first state to enact legislation allowing public schools to award graduation credits for released time courses. Since a federal court decision upheld the constitutionality of a district-level released time credit policy in South Carolina in 2012, participation in evangelical released time programs for high school students has increased significantly, and several other states are now considering whether to adopt similar legislation. In light of these developments, for-credit released time policies and practices have become relevant and interesting phenomena for scholarly research. Thus, the present normative case study analyzes the organizational structure, values, and aims of released time programs in South Carolina and evaluates the appropriateness of granting public school credits for released time courses in a pluralist, democratic society. The study demonstrates that South Carolina's released time programs are designed with a primary aim of converting "unchurched" public school students to Christianity through devotional Bible study and concludes that granting public school credits for this type of course is inappropriate in the context of a culturally and religiously pluralist society such as the United States.

DEDICATION

To my dear children, Becca and Hannah, and loving wife, Jill, without whose unwavering support this dissertation would be another of my many unfinished projects.

ACKNOWLEDGMENTS

I would like to express the deepest appreciation to my academic advisor and dissertation committee chair, Suzanne Rosenblith, whose excellence in scholarship and mentoring has been an inspiration for me. I am sincerely grateful for the ways in which she has challenged me intellectually and for the many opportunities she has provided. I am also deeply indebted to my dissertation committee members for their invaluable assistance and encouragement. Mindy Spearman has consistently modeled excellent scholarship and provided vital advice and assistance in the development of the methodological approach used in my dissertation. Bob Green's vast knowledge of educational history and case law has been an indispensable resource for me throughout my graduate studies, and I am sincerely grateful for the advice, support, and opportunities he has provided me. Laura Olson's wealth of knowledge of religion and politics, cheerful personality, and willingness to go beyond the call of duty are greatly appreciated. I am extremely fortunate to have had such personable, professional, and prolific scholars on my dissertation committee. I would also like to acknowledge the support of my family and friends. To my parents—I sincerely appreciate every way that you have supported me over the years. Thank you, Mom, for believing in me and pushing me to be my best. Thanks, Dad, for being there and for not letting me quit when things were difficult. Andy, thanks for toughening me up and looking out for me. Esther, I am sincerely grateful for your tremendous and constant support for my family. Matt, Pat, and Rory—thanks for your encouragement, feedback, and (most importantly) humor.

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CHAPTER ONE

INTRODUCTION

Over the last century scholars, policy-makers, the courts, and many others have contributed in various ways to an ongoing dialogue regarding the legitimate aims of public schooling. Among the most contentious aspects of this dialogue has been the effort to define the proper relationship between religion and public education. In the United States, the historical discourse regarding religion and public education has been characterized by a pattern of significant tension and negotiation between groups emphasizing either *disestablishment* or *free exercise* of religion.¹

The United States Supreme Court issued a series of rulings from the 1940s through the 1980s that focused on clarifying the principle of disestablishment as it was to apply not only to the actions of the Federal Government but also to state and local political entities—including public schools.² These rulings emphasized that, in the performance of their duties, representatives of the State (including employees of public schools) are subject to restrictions of the Establishment Clause of the First Amendment. These rulings rested heavily upon consideration of the threat of majority will, as reflected in public school policy, to individual and minority rights to freedom of conscience. Mostly, the Court sought through these rulings to make it clear that government entities

¹ The Establishment Clause of the First Amendment limits government actions relating to religion, while the Free Exercise Clause protects individual expression of religious belief from government interference.

² In *Everson v. Board of Education* (1947) the Court applied the Establishment Clause to state and local governing bodies through the Fourteenth Amendment, which applied the protections of the Bill of Rights to the states.

were prohibited from advancing one particular religion over others or showing preference to religion over nonreligion.

More recently, the Court has ruled that schools must recognize students' religious liberties, which are protected by the Free Exercise Clause. Such rulings have affirmed students' rights to exercise religious freedom in the form of prayer, speech, and other means of expression through clubs and similar campus-based, student-initiated religious activities. To guard against violations of the Establishment Clause in the name of Free Exercise, the Court has required that student-initiated religious activities not give the impression that they operate with the support of school officials. Thus, while acknowledging robust religious liberties for students, the Court has recognized and sought to guard against the potential for schools to indirectly coerce students to participate in religious activities or conform to majoritarian patterns of religious behavior. Essentially, federal law directs schools to remain neutral in their treatment of religion as, "the First Amendment forbids religious activity that is sponsored by the government but protects religious activity that is initiated by private individuals."³

To distinguish between the principles of free exercise and disestablishment, the Court warned that, "While the Free Exercise Clause clearly prohibits the use of state action to deny the rights of free exercise to *anyone*, it has never meant that a majority could use the machinery of the State to practice its beliefs."⁴ Despite these clarifications, some communities continue to challenge the legal boundaries of the Establishment

³ U.S. Department of Education. "Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools," February 7, 2003.

http://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html

⁴ *Abington v. Schempp*, 347 U.S. 203 (1963), 226.

Clause in the name of free exercise or religious accommodation. This is especially the case in locations with significantly large populations of evangelical Christians whose religious beliefs compel them to proselytize others, particularly children and young adolescents who have proven more susceptible to their message.⁵ These beliefs, combined with very conservative political views, have led many evangelical activists to envision public schools as avenues for the promotion of particularistic religious aims with the help of the State. This desire is demonstrated most clearly by their efforts to prohibit or undermine the teaching of evolution, maintain the presence of school-sponsored prayer and devotional Bible reading, censor textbooks and library materials, and prevent the teaching of subjects or ideas they perceive as threats to their way of life and vision for society. The recent reconceptualization of released time as an “open door” to the public schools is among the latest of this long line of attempts by evangelical Christians to promote their comprehensive worldview with the support of the State.

The Evangelical Reconceptualization of Released Time

Released time is a policy through which students are excused from public schools, during regular hours, to participate in devotional lessons typically conducted by local religious organizations.⁶ Since *Zorach v. Clauson* (1952) the courts have upheld this practice as long as classes are held off public school premises, with parental permission, and without government aid. Though released time programs have been in existence for almost a century, evangelical Christian activists have only recently embraced and

⁵ For a thorough explanation of this approach to child evangelism, see popular evangelical author Luis Bush’s *The 4/14 Window: Raising Up a New Generation to Transform the World*, (Flushing, NY: Compassion International, 2009).

⁶ Cochling, E., Lathan, J., & Oschner, B. “Time For God: Accommodating Religious Free Exercise through Released-Time Education,” Washington, DC: The Family Research Council, 2000.

reconceptualized released time as an “open door” through which to proselytize public school students.⁷ Among the primary goals of these reconceptualized released time programs, openly stated in their literature, are to reach “unchurched” public school students, immerse them in a devotional study of the Bible as the inerrant word of God, and lead them to make “a rock-solid, life-long commitment” to Jesus Christ.⁸ Through the language of accommodation and active lobbying efforts, evangelical activists have managed to revitalize this previously diminishing phenomenon.⁹

South Carolina has become a center of operations for a growing movement of evangelical Christians to spread their faith to American public school students through released time programs.¹⁰ In 1991, South Carolina-based School Ministries, Inc., a leading organization behind the evangelical released time movement in the United States, began raising awareness of the concept and, by 1996, began establishing some of South

⁷ This idea, ubiquitous in contemporary evangelical released time literature, originated in a pamphlet produced by the Center for Law and Religious Freedom of the Christian Legal Society: Ericsson, S. E., Colby, K., Payne, R., & Crawford, S. *Religious released time education: The overlooked open door in public schools*. (Oaks Park, IL: Center for Law and Religious Freedom of the Christian Legal Society, 1996).

⁸ These sentiments are expressed throughout the literature produced by two of the largest regional released time programs in the state, Christian Learning Centers of Greenville (CLCG) and Spartanburg County Bible Education in School Time (SCBEST).

CLCG. “Our Beliefs,” Accessed October 3, 2012.

<http://www.clcofgreenville.org/our-beliefs.php>.

SCBEST. “Our Core Beliefs,” Accessed October 3, 2012. <http://www.scbest.net/about-scbest.html>.

⁹ Ericsson, et al., Open Door.

¹⁰ For instance, from “Our Mission,” on Spartanburg County Bible Education in School Time’s website: “Developing Christian disciples through Bible Education in School Time... not merely lukewarm Christians but truly committed believers who understand the claims of God on their lives.” <http://scbest.net/about/our-mission/>. Accessed August 25, 2012 (site updated and content edited as of July 19, 2013), from “Our Mission,” on Christian Learning Centers of Greenville County’s website: “Christian Learning Centers of Greenville County exists to provide biblical instruction for school-aged children as an opportunity to encourage them to embrace the Gospel of Jesus Christ, grow in the Christian faith, and apply biblical principles for living.” <http://www.clcofgreenville.org/our-mission>. Accessed 25 July, 2013, and from School Ministries’ “Tales of Grace in a Time of Violence,” 8: “50% to 70% of youth entering this program are unchurched when they enter the program,” and “Released Time Bible Education not only increases the biblical knowledge of children already going to church, it can reach our unchurched youth in extraordinary ways.”

Carolina's first contemporary released time programs.^{11 12} School Ministries has grown into an influential, nationally-focused organization that establishes and supports released time Bible education programs in multiple states by providing research materials to school districts, startup packets for local programs, training conferences for leaders, teachers, school administrators and volunteers, informational services and networking opportunities, and administrative support such as hazard insurance and counsel for program management and fundraising.¹³ School Ministries has the largest web presence of any released time organization, and, through its websites and program literature, provides information about released time history, policy, and scholarly research.¹⁴

South Carolina-based proponents of evangelical released time, most of whom were affiliated in some way with what is now School Ministries, played a leading role in the passage of the South Carolina Released Time Credit Act (SCRTCA), making South Carolina the only state with legislation explicitly allowing public high schools to award graduation credits for the completion of released time classes.¹⁵ Though the SCRTCA was presented to the public as a means of accommodating religious freedom, some constitutional watchdog groups have argued that granting credit for released time goes

¹¹ A clearly unconstitutional, on-campus released time program, however, operated in public schools in Ware Shoals, South Carolina into the early 1990s. This program has since been moved off campus.

¹² Executive Director of School Time Bible of S.C. and Interim Director of Spartanburg County Bible Education in School Time, Grayson Hartgrove, formerly affiliated with the organization now known as School Ministries, played a leading role in bringing contemporary evangelical released time programs to South Carolina in the early 1990s and played a strong role in the passage of SCRTCA as well.

¹³ *Bringing Hope to Youth Through Released Time Bible Education* Brochure, School Ministries, 2012.

¹⁴ *Released Time Bible Education*. www.releasedtime.org; www.schoolministries.org (Accessed 25 July, 2013).

¹⁵ Seanna Adcox, "Appeals Court Upholds S.C. Off-campus Religious Classes," *The Post and Courier*, July 2, 2012. School districts in other states such as Utah and Georgia also grant high school credits for released time participation, though these states have not passed laws specifically granting the districts such authority.

beyond accommodation and effectively sends the message to students, parents, teachers, and other community members that the state sanctions the devotional courses' aims and values and thus serves as an establishment of religion.¹⁶

In fact, on June 9, 2009, a group of parents and the Freedom From Religion Foundation—a Wisconsin based non-profit organization that advocates for a strict separation of church and state—challenged the constitutionality of one of South Carolina's released time programs in a lawsuit that became known as *Moss v. Spartanburg County School District 7* (4th Cir. 2012). The defendant in the case, Spartanburg County School District 7 (SCSD7), had on January 9, 2007 established South Carolina's first school district policy granting high school graduation credits for released time courses.¹⁷ The policy was designed to enable an evangelical Christian released time organization called Spartanburg County Bible Education in School Time (SCBEST) to re-establish a previously offered course that had been discontinued due to its low number of enrolled students.¹⁸ Supporters of the policy argued that by attaching credits to the released time course, the school district was merely accommodating students' desire to participate in religious exercises—a desire that was hampered by South Carolina's requirements that students earn a minimum of 24 high school

¹⁶ Freedom From Religion Foundation. "Watchdog, Parents File Suit Against South Carolina Release-Time Credits." June 17, 2009; Patrick Elliot, interview by Ben Bindewald, October 18, 2013.

¹⁷ "Plaintiffs' Complaint," *Moss v. Spartanburg School District 7*, 2009.

¹⁸ "Exhibit A to Plaintiffs' Complaint," *Moss v. Spartanburg School District 7*, 2009. The state had recently increased the number of total credits required to receive a high school diploma. Released time advocates argued that increased graduation requirements prevented some students who otherwise would have participated in the programs to do so. By awarding credit for the courses, they argued, students who wanted to participate in released time would be accommodated.

graduation credits.¹⁹ Opponents argued that the policy was only masked in the language of accommodation to hide the school district’s actual purpose of offering a special bonus to encourage public school students to participate in a “sectarian, evangelical, and proselytizing” released time course.²⁰

The newly established for-credit version of the course was offered to Spartanburg High School Students, two of whose parents objected on the grounds that issuing credits for devotional religious activities harmed their children and unfairly advantaged students who belonged to the dominant religious group—in this case, evangelical Christianity.²¹ The families, joined by the Freedom From Religion Foundation, filed a suit claiming that the district’s for-credit released time policy violated the Establishment Clause and had the primary effect of advancing religion. The school district, represented by local counsel in conjunction with the Becket Fund for Religious Liberty, maintained that its credit granting policies were based on South Carolina law and were not at odds with the United States Constitution.²²

In April of 2011, the U.S. District Court, Spartanburg Division in Greenville, South Carolina, ruled that SCSD7’s for-credit released time policy was constitutional. The court stated that the district’s policy properly accommodated student’s religious freedom without having a primary purpose of advancing religion. The plaintiffs appealed the lower court’s decision to the U.S. Court of Appeals, Fourth Circuit. In March of

¹⁹ Hartgrove, interview

²⁰ “Amended Complaint,” Moss v. Spartanburg School District 7, 2012, 12

²¹ I explain my usage of the term “evangelical” in Chapter Three.

²² Becket Fund For Religious Liberty, “Moss v. Spartanburg County School District No. 7, South Carolina (2009-Present),” Accessed March 24, 2013.

<http://www.becketfund.org/moss-v-spartanburg-county-school-district-no-7-south-carolina-2009-present/>.

2012, a three-judge panel in the Fourth Circuit handed down a decision that upheld the lower court's ruling.²³ The plaintiffs then appealed this decision to the United States Supreme Court, which declined to hear the case (as it usually does in the absence of conflicting rulings by separate lower courts), effectively upholding the constitutionality of policies that award public school credits for released time participation.²⁴

Problem Addressed by the Study

The combination of recently raised questions about the constitutionality of for-credit released time policies and efforts to expand these policies to other states has garnered increased interest in the topic of released time. Of particular salience is the question raised in the Moss case of whether for-credit released time policies are genuine means of accommodation or, instead, an intentional avenue for advancing a religious mission, mainly that of winning converts to evangelical Christianity using the machinery of the public schools. If a primary effect of for-credit released time policies is to advance a particular religious mission, then these policies are indeed problematic in pluralist, democratic societies.

A commonly held belief in democratic societies is that public school policies and practices ought to be fully transparent. It follows that citizens of such societies have a right to know what messages are communicated to students through the public schools. The awarding of public school credits for a course makes the nature of that course (its

²³ Summary Judgment 2012

²⁴ "Writ of Certiorari – Summary Disposition," (Order List: 568 U.S.), Tuesday, November 13, 2012. This is generally the way the Supreme Court handles appeals in the absence of conflicting rulings by lower courts—the Moss decision is the only ruling of its kind. It is plausible that, in the event that another court rules credit for released time to be unconstitutional, the Supreme Court could decide to hear arguments on the matter.

curricular aims, values, content, pedagogical methods, etc.) the legitimate business of the public. The absence of any rigorous study of the aims, values, pedagogical approaches, and organizational structure of for-credit released time courses and programs makes answering the questions raised in the Moss case very difficult. Furthermore, the absence of that type of study makes the nature of for-credit released time courses and programs a relevant and interesting phenomenon for scholarly research.

There is an especially strong need for this type of research, given that, in the era of excessive standardization and accountability in public education, school districts in South Carolina are granting high school credits for these under-examined and largely unregulated courses. It is highly unusual in such a regulatory climate that released time courses would be given the same weight in terms of academic elective credits as other courses, yet unlike all other courses, they would be subject to effectively zero day-to-day oversight by the State.²⁵ Within the context of a democratic society, the lack of reliable information about the nature of contemporary released time programs to members of the general public, policymakers, and scholars presents legitimate educational and legal problems. Thus, the problem addressed by this study is the scarcity of scholarly research relating to the nature of for-credit released time courses and programs, and, particularly, the difficulty of addressing the questions raised in the Moss case in the absence of such research.

²⁵ This is especially ironic, given that these programs could not legally be subjected to such levels of scrutiny, as this would represent an entanglement between church and State and a potential violation of free exercise of religion.

Purpose of the Study

The central purpose of this dissertation is to add to the literature on released time programs by providing new knowledge of the aims, values, pedagogical approaches, and organizational structure of for-credit, evangelical, released time Bible education programs in South Carolina. Additionally, the study aims to determine whether—as was alleged in the Moss Case—these policies allow a dominant religious group to advance a particularistic religious mission with the help of the public schools.²⁶ Furthermore, the study will seek to determine whether for-credit released time policies, evaluated according to secular criteria, are appropriate in the context of a pluralist, democratic society.²⁷ This study has implications beyond South Carolina due to the national mission of School Ministries, which is situated to establish similar policies and programs in other states that are considering released time credit acts.²⁸

Significance of the Study

This research has potential to make a substantial contribution to the scholarly literature in the field of education, particularly in the areas of philosophy of education,

²⁶ Though the federal courts have already issued a ruling in the Moss case, it is conceivable that another court might issue a conflicting decision, leading the Supreme Court to decide the matter. I am convinced that the Moss judges held the plaintiffs to a very difficult standard by placing upon them the burden of proving that educational policymakers in Spartanburg had the intent to promote religion rather than to merely accommodate it. Proving such intent, as opposed to showing the likelihood that these credits would aid a religious mission, is an extremely difficult task. Furthermore, whereas the Moss case dealt only with legal arguments relating to the constitutionality of released time credits, I would like to look at these policies from a more comprehensive philosophical perspective.

²⁷ The phrase “secular criteria” was used in the SCRTCA in reference to the vague and difficult to enforce manners in which released time courses could be evaluated by the state. The normative portion of this study uses secular criteria derived from literature on liberal political theory and democratic education to evaluate the appropriateness of for-credit released time policies in the context of pluralist, democratic societies such as the United States.

²⁸ At the time of this writing, North Carolina, Alabama, and Ohio are all considering released time credit acts based on the SCRTCA. If the recent history of the proliferation of bible bills sponsored by evangelical groups is an example of how quickly such initiatives tend to spread across states, it is likely that these groups will continue to quickly introduce credit acts to sympathetic state legislatures across the US.

educational policy studies, and the study of religion and public schools. A deeper and more comprehensive understanding of South Carolina’s released time policies can provide rich insights into the wider examination of the tensions relating to the principles of disestablishment and free exercise. Furthermore, this study is likely to benefit policymakers in other states who are considering whether to allow school districts to award credit for participation in released time courses.²⁹

Conceptual Framework

The conceptual framework of this study (Figure 1.1) consists of several units of analysis and illustrates the organizational structure of released time programs in South Carolina. The primary unit of analysis is South Carolina’s “system” of released time programs, which is “bounded” as a case and influenced by United States constitutional law in the form of 1st Amendment case law—in particular, court decisions that address and illuminate the principles of establishment and free exercise of religion. The secondary units of analysis are School Ministries, Inc., the larger of two umbrella organizations that provide administrative support to local released time providers, and School Time Bible of South Carolina, the smaller of South Carolina’s umbrella organizations.³⁰ While both of these umbrella organizations are based in South Carolina,

²⁹ While there is no state legislation expressly granting them permission to do so, individual school districts in Georgia and Utah grant high school credits for released time courses. Released time credit bills have been introduced in state legislatures in North Carolina (Senate Bill 404 2013), Alabama (HB 133 2012), and Ohio (HB 219 2011; HB 171 2013-2014). The North Carolina Bill has been referred to the Senate Committee on Education/Higher Education and is presently under consideration. The Alabama bill sought to establish a course in “creation science” bearing elective credits to counteract the teaching of evolution in high school biology courses. After being passed by the House Education Policy Committee, that bill was “indefinitely postponed” (<https://www.govtrack.us/states/al/bills/2012/hb133>). The Ohio bill is presently under consideration.

³⁰ School Time Bible of S.C. is operated by Grayson Hartgrove, who was previously associated with the organization now known as School Ministries.

their influence is not limited to that state—School Ministries is a national organization with active programs and legislative efforts in several other states and School Time Bible of South Carolina is part of the BEST Network, another national evangelical released time organization. The tertiary units of analysis are Spartanburg County Bible Education in School Time and Christian Learning Centers of Greenville, “model” regional programs associated with each of the two umbrella organizations. Data were gathered in relation to each of these units of analysis.

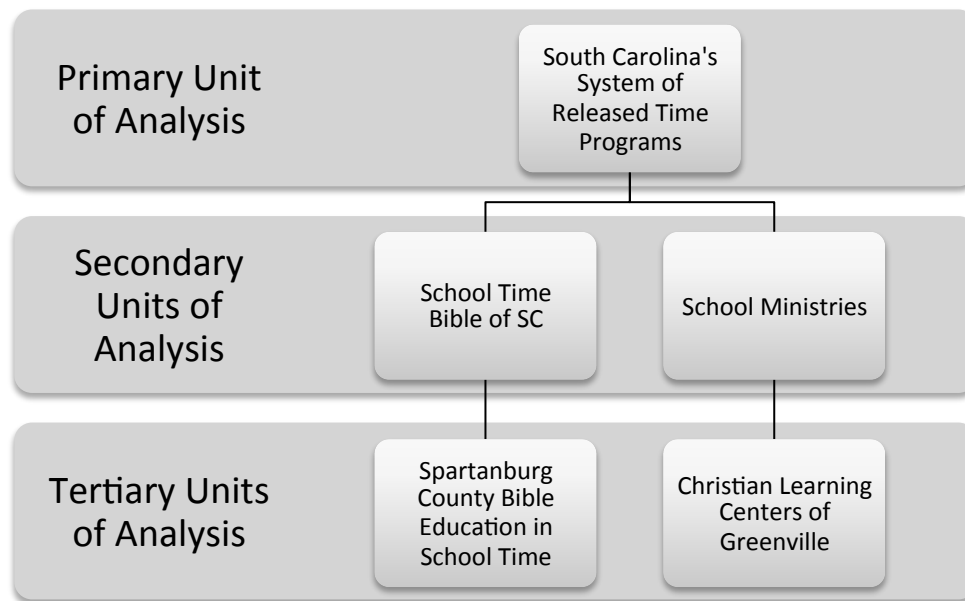


Figure 1.1: Conceptual Framework

Research Questions

Analysis of preliminary data using the constant comparative method led to the development and refinement of several research questions, which provided guidance and structure for the study.³¹

Primary/Overarching Research Question

In the context of a pluralist, democratic society, is it appropriate to award public school credits for devotional released time courses?

Secondary Research Questions

To adequately address this overarching question, the study also addresses secondary research questions, some of which are philosophical and others empirical in nature:

- (1) What is the organizational structure of South Carolina’s “system” of released time programs? Are the programs centralized, independent, or organized in some other way? What is the nature of the relationships among programs in South Carolina and those in other states?
- (2) What is the nature of the relationship between released time programs and public schools in South Carolina? How are students recruited for participation in released time programs?
- (3) How are the programs regulated and/or evaluated by the state? Do they have to meet the same standards and accountability measures or requirements as other courses in public schools?
- (4) What are the key aims of released time programs in South Carolina? Are these aims congruent with the South Carolina Released Time Credit Act’s stated secular purpose of accommodating parents’ and students’ religious freedom? Do these aims cohere with the approved aims of South Carolina’s public schools (as presented in state standards)?
- (5) What values and beliefs are promoted by released time organizations in South Carolina? Are these congruent with the stated values and beliefs promoted by South Carolina’s public schools?
- (6) What pedagogical methods are used in South Carolina’s high school released time courses? Are these approaches congruent with those commonly used in South Carolina’s public schools?
- (7) Are policies that grant public school graduation credits for released time courses merely a means of accommodation or are they likely to have the effect of promoting religion?

³¹ The constant comparative method is described in Chapter Four.

As is generally the case in qualitative research, initial research questions were revised, added to, or discarded throughout the process of collecting and analyzing data. Themes that did not necessarily address or translate into research questions also arose from the data. These are reported in the discussion of the data in Chapter Five.

Overview and Organization of the Study

The present study employs normative case study method in an examination of the organizational structure, values, aims, and pedagogical approaches of for-credit, evangelical released time programs in South Carolina and evaluation of the appropriateness of for-credit released time policies in the context of a pluralist, democratic society.³² Data were collected from a variety of sources, including policy and court documents, newspaper articles, course texts and syllabi, program literature and web materials, observations notes from a program fundraising banquet, and interviews with released time program leaders and an attorney from the Freedom From Religion Foundation who was involved in the Moss case (see Table 1.1). Data collected in this study were analyzed using the constant comparative method.

³² Normative Case Study is a type of empirically-engaged philosophy or phronetic social science that addresses both philosophical and empirical research questions, examining matters of fact as well as value. This approach to research is justified in Chapter Four.

Organization	Data Sources
School Ministries	<ul style="list-style-type: none"> -Interview with Executive Director, Ken Breivik -Program websites -Program newsletters -Other School Ministries-produced documents: <ul style="list-style-type: none"> <i>Keeping it Legal: Released Time Religious Education;</i> <i>School Ministries Handbook;</i> <i>Bringing Hope to Youth through Released Time Bible Education;</i> <i>Tales of Grace in a Time of Violence: How Released Time Bible Education Breaks the Cycle of Violence in Our Public Schools and Brings Hope to Youth;</i> <i>Hardwired to Connect: The New Scientific Case for Authoritative Communities;</i> <i>Released Time Bible Education: A Program That Improves Academic Performance in Public Schools and Builds a Foundation for Positive Character Development</i>
Christian Learning Centers of Greenville	<ul style="list-style-type: none"> -Released Time Christian Education brochure -Released Time Volunteer Guide -Ministry Report, 2012-2013 -Program website/Internet resources -Observation notes from Friends and Fundraising Banquet - Bob Jones University Press Teacher's Edition high school textbooks: <i>The Way of the Word</i>, <i>Why the Bible Matters</i>, and <i>That I May Know Him</i>
School Time Bible of South Carolina	<ul style="list-style-type: none"> -Interview with Executive Director Grayson Hartgrove and guest, Troy Bridges -Program website/Internet resources -“Bible Education Month Adopt-A-School Program Midlands Area Schools” informational packet for churches -Description of curriculum, “God’s Plan of Redemption”
Spartanburg County Bible Education in School Time	<ul style="list-style-type: none"> -Interview with Interim Director, Grayson Hartgrove and guest, Troy Bridges --Program website/Internet resources -Documents from Moss v. Spartanburg -High School Curriculum PowerPoint Presentation -“Developing Christian Disciples” PowerPoint Presentation -Memo to parents of high school students -High school textbooks: <i>Christian Beliefs: Twenty Basics Every Christian Should Know</i>, Wayne A. Grudem; <i>A Popular Survey of the Old Testament</i>, Norman L. Geisler; <i>What the New Testament Authors Really Cared About: A Survey of Their Writings</i>, Kenneth Berding and Matt Williams

Table 1.1: Data Sources

Chapter One has served to introduce and contextualize the study. I presented a description of the background of the study to situate the research problem. I identified the purpose of this study as an effort to address the research problem by adding new knowledge to the literature on released time programs through a normative case study that will analyze the organizational structure, aims, values, and pedagogical approaches of a for-credit, evangelical released time program in South Carolina and evaluate the appropriateness of for-credit released time policies for pluralist, democratic societies. I discussed the significance of this study, which primarily consists of its potential contributions to the scholarly literature in the fields of educational philosophy and policy, and the study of religion and public schools, and to policymakers and school leaders who have the potential to influence district policy and state legislation dealing with released time. I issued a personal statement to communicate to readers my desire to acknowledge and account for potential biases as a researcher that I bring to the study. Finally, I discussed the organization of the study through an overview of the conceptual framework, research questions, and a description of the contents of the remaining chapters of this dissertation.

Chapter Two describes the theoretical perspective employed in the study and presents a personal statement to acknowledge and describe how my personal background and philosophical leanings may influence the study. The topics to be reviewed in the discussion of the theoretical perspective include critical realism, Rawlsian liberal political theory, and theories of democratic education.

Chapter Three presents a review of the literature that is relevant to the topic of interest, released time for religious education. Specifically, the chapter provides an overview of issues relating to religion and public education, an overview of existing scholarly literature on released time, and a summary of how these topics provide necessary context for the study.

Chapter Four consists of a comprehensive description of the research design and methods used in the present study. The research questions, paradigm, and design are described and the methodology is justified in this chapter. The units of analysis are described and methods of data collection and analysis are summarized. Ethical concerns, efforts to build credibility and trustworthiness, and means of triangulating evidence are described. Finally, the chapter ends with a summary of the sections mentioned above.

In Chapter Five, the findings of the study are presented as themes that arose through analysis of the data. Included themes are (1) the nature of the South Carolina Released Time Credit Act, (2) the organizational structure of the released time programs in South Carolina, and (3) the aims, values, and pedagogical approaches of South Carolina's released time programs. Subthemes are included in each category. The chapter concludes with a summary of findings.

Chapter Six presents a summary description of the study's findings and an overview of the conclusions drawn from the study. Here, the research questions are addressed, conclusions drawn from the data are discussed in detail, and justifications for the study's conclusions are provided. Limitations of the study, its implications, and directions for further research are also outlined in this chapter.

CHAPTER TWO

THEORETICAL PERSPECTIVE

This chapter presents an overview of the researcher's theoretical perspective to describe to the reader the "lens" through which I have approached the topic of interest, developed the research questions, determined which data were relevant to the objectives of the study, interpreted the meaning of those data, and communicated the study's findings to the reader.³³ The major topics discussed in this chapter include critical realism and selected concepts from liberal political theory, and democratic theories of education. This chapter is not intended to be a comprehensive review of literature on these topics but an overview of ideas of central importance to the author's theoretical perspective.

The first section presents a general overview of critical realism, the epistemological and ontological framework that informs the study. Other components of the theoretical perspective, consisting of values and assumptions derived from liberal political theory and democratic theories of education, are elaborated in subsequent sections. The second section, which presents an overview of selected themes from liberal political theory and addresses some key criticisms of the tradition, was included to provide political context for the study. The third section presents an overview of selected themes from democratic theories of education to help frame the research problem and the researcher's perspective of the appropriate civic aims of public systems of education. In

³³ Brent Kilbourn, "The Qualitative Doctoral Dissertation Proposal," *Teachers College Record* 108 (4), 2006.

this section, themes such as autonomy development, the facilitation of rational dispositions and critical thinking skills, rights and education, and public schooling for citizenship are reviewed. The fourth section includes a personal statement to acknowledge and describe how the researcher's background and philosophical leanings might influence the study. The chapter concludes with a summary of these components of the theoretical perspective.

The theoretical perspective that guides this study incorporates some insights from postmodern scholarship, but lies mostly within a modernist epistemological approach and research paradigm. Specifically, I have attempted to present others' ideas as objectively as possible, while acknowledging that my subjectivities as a researcher will likely influence the research process and the study's findings. As noted in Chapter Four and elsewhere, I have taken steps to account for these potential biases. One way I have done so is by providing an overview of my theoretical perspective, which describes influences from scholarship in the areas of liberal political theory, democratic theories of education, and an ontological and epistemological framework called critical realism.

Critical Realism

Critical realism is a philosophical paradigm that maintains the existence of a mind-independent (objective) reality that can be known, at least approximately, through various forms of inquiry based on rational analysis and interpretation of empirical evidence.³⁴ While holding to the existence of an objective physical reality, this approach also acknowledges that human senses—our tools of perception—and reasoning

³⁴ Roy Bhaskar, *A Realist Theory of Science*. (York: Leeds Books, 1975).

processes—our tools of cognition—are subject to error. In other words, while this perspective rests on the assumption that there is a “real” world of physical entities, which have objective properties, it also acknowledges that various individuals or groups may perceive and reflect upon these properties in different ways, with each potentially adding valuable insights to collective efforts aimed at the construction of knowledge. Thus, critical realism provides a sensible alternative to positivist approaches to inquiry, which hold that we can obtain a “mirror image of reality,” and postmodern approaches to inquiry, which are either skeptical of all claims to knowledge or which hold that we cannot distinguish among better and worse “ways of knowing.”³⁵

Furthermore, because our senses and our reasoning processes are subject to error and variance, critical realists warn that knowledge should be viewed as fallible and tentative.³⁶ This does not, however, mean that we should conflate fallibility with unreliability or mediocrity. The fact that human perception and cognition are subject to error does not necessarily mean that knowledge is impossible or that all truth claims or methods of inquiry are equally trustworthy—there are, in other words, better and worse approximations of reality or truth. Knowledge is, therefore, regarded by critical realists as a *working hypothesis* or a *best approximation of truth*, and should be modified in accordance with new and better evidence. The metric by which an explanatory theory is to be measured within a critical realist framework, therefore, is the degree to which the theory is based upon rational interpretation of empirical evidence—stated another way,

³⁵ Margaret Scotford Archer, *Critical Realism: Essential Readings*. (London: Routledge, Chapman, & Hall, 1998).

³⁶ Bhaskar, *Realist Theory of Science*

critical realism addresses empirical questions and constructs explanatory theories in a manner that is congruent with the methods of contemporary, mainstream science.³⁷

In addition to its benefit to studies of objects in the physical world, critical realism is also well positioned to guide research that addresses social reality—beliefs held by individuals and shared by groups; particularly those beliefs of a religious nature. By its recognition of subjective contributions to human understandings of truth, as well as its acknowledgment of a real world of objects and subjects in which such understandings are formed, critical realism is positioned as an ideal framework through which beliefs can be studied and treated as meaningful, even if they are not always representative of physical reality. Raoul Adam warns prospective researchers, “the phenomenological reality of the subjective life-world must be approached sensitively, with a mindfulness that the tools of hard empiricism may be difficult to apply to the often sensitive and subtle nature of religious ontology.”³⁸ In other words, when studying the nature and meaning of religious beliefs, the researcher may need to take a different approach than he or she would when studying the physical world.

The critical realist framework, unlike positivist approaches (those that deny the importance of subjective understanding) and postmodernist approaches (those that deny the existence of a “real” physical world or, at least, our ability to know it), enables the researcher to switch back and forth between attempts to construct knowledge about objective and subjective realities. That is, it gives the researcher tools with which to

³⁷ Raoul J. Adam, *A Cognitive Developmental Analysis of Apostasy from Religious Fundamentalism*. (Unpublished Doctoral Thesis). University of Queensland, Queensland, Australia, 2007; Bhaskar, *Realist Theory of Science*

³⁸ Adam, *Apostasy from Fundamentalism*, 40

construct reliable, evidence-based theories about both the objective physical world and the subjective world of beliefs and values. As a research paradigm, “critical realism directs the researcher to refine theory to correspond to an observable reality while accounting for the fact that subjectivity and the interpretive process form an inevitable part of the reality to be observed.”³⁹

Because the present study makes claims about social reality—claims that a released time program has been designed to accomplish various aims and promote various values to public school students, and because the study seeks to provide descriptions of such aims and values—critical realism provides an ideal lens through which to interpret its findings. I have gathered empirical evidence, in this case, qualitative data from interviews, document analysis, and observations, and have developed and continually modified explanatory theories in reference to this evidence. I sought multiple sources of evidence to either confirm or contradict my working hypotheses or tentative explanatory theories. I sought the advice and perspectives of my advisors and peers to help check my own biases as a researcher so that I could collect and interpret data responsibly and present the study’s findings in the most accurate and reliable light possible. The theoretical perspective that informs this study also consists of ideas and values derived from liberal political theory and democratic theories of education. For the purpose of contextualizing and clarifying the study’s theoretical perspective, much of the following section provides an overview of these topics.

³⁹ Adam, *Apostasy from Fundamentalism*, 40.

Education in a Pluralist, Democratic Society

The present study is guided by the theoretical perspective of critical realism and is grounded in liberal political theory and a conception of democratic education informed by the works of John Rawls⁴⁰, John Dewey⁴¹, Amy Gutmann⁴², Stephen Macedo⁴³, and others. The liberal tradition offers much guidance in terms of how collective decision-making might best be conducted by citizens of pluralist, constitutional democracies. This direction is especially helpful in relation to decisions about curricular matters in public schools. For instance, John Rawls' conception of public principles of reason can aid scholars in the field of education and school policy-makers who must continuously make tough decisions in consideration of the often-conflicting demands presented by various groups that inhabit culturally pluralist societies such as the United States. Building on the foundation established by John Dewey, Amy Gutmann's robust conception of democratic education—particularly her principles of *nonrepression*, *nondiscrimination*, and *deliberativeness*—can help scholars of education to address the many problems that arise in the negotiations among the various stakeholders of public schools.⁴⁴

However, in their attempts to encourage greater social cohesion and inclusion, it is easy for public schools to abandon other primary values and aims laid out in democratic theories of education. To protect the liberal, democratic tradition from the

⁴⁰ John Rawls, *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971.

⁴¹ John Dewey, *Democracy and Education: An Introduction to the Philosophy of Education*. New York: The Macmillan Company, 1916.

⁴² Amy Gutmann, *Democratic Education, With a New Preface and Epilogue*. Princeton, NJ: Princeton University Press, 1999.

⁴³ Stephen Macedo, *Diversity and Distrust: Civic Education in a Multicultural Democracy*. Cambridge, MA: Harvard University Press, 2000.

⁴⁴ Gutmann, *Democratic Education*

relativism and superficiality that are likely to result from a blanket approach to inclusion, we can look to Stephen Macedo's civic liberalism, which acknowledges that though diversity is something to be embraced, not all views ought to be promoted or all demands accommodated by democratic states.⁴⁵

Liberal political theory and democratic conceptions of education also offer rich insights into the question of how schools can best prepare students for life in a rapidly changing and complex world. The idea—often associated with classical liberal theory—that reason and respect for evidence are among the best tools available for sound decision-making and autonomous living in democratic societies is a guiding principle for the interpretations that will be made in this study. Informed by this robust theoretical perspective, an analysis of released time programs in South Carolina can be applied more broadly to assist democratic communities elsewhere in their efforts to make wise curricular and policy decisions regarding the role of religion in public schools.

Political Liberalism

John Rawls, among the most influential liberal political theorists of the last century, outlines a conception of government that is largely restricted to those constitutional principles that uphold basic civil liberties and a democratic process.⁴⁶ He begins *Political Liberalism* with a question that has troubled, and continues to trouble, philosophers and other citizens who earnestly seek to improve our shared social and political worlds:

⁴⁵ Macedo, *Diversity and Distrust*

⁴⁶ Rawls, *A Theory of Justice*.

[H]ow is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical, and moral doctrines?⁴⁷

The vision of public education that informs the present study, much like Rawls's theory, is based upon the values of universal human rights, fair opportunity for all, equality under the law, public reason, constitutionalism, and democratic citizenship. Liberal theories of government have typically grown out of some conception of a social contract, and I consider the type of education described above as an important component of liberal democracy, so I will begin my discussion with a cursory treatment of social contract theory.

A social contract is a hypothetical agreement among individuals to form a society and to be governed according to a set of acceptable laws. This idea represents a useful thought exercise through which we may move from a theoretical state of nature or, in Rawls's case an "original position," to a more pragmatic vision of civilized society. To understand the tradition from which Rawls' ideas emerge, it may be helpful to consider the ideas of Enlightenment philosophers Thomas Hobbes, John Locke, and Jean-Jacques Rousseau.

Hobbes presents a profoundly negative view of human nature. He expresses the belief that people are born evil and would only behave with civility when compelled by a *Leviathan* or sea monster, which serves as a metaphor for an all-powerful government. Hobbes famously argues that in the absence of such a government, life would be "solitary, poor, nasty, brutish, and short"⁴⁸ This very negative view of human nature,

⁴⁷ John Rawls, *Political Liberalism, Expanded Edition*. New York: Columbia University Press, 2005, 4.

⁴⁸ Thomas Hobbes, *Leviathan*, 1651, XII.9

despite its accurate depiction of the human capacity for violence and egoism, overlooks our capacity for altruism, cooperation, and rational self-governance.

In Locke's view of the state of nature, humans are born neither good nor evil, but are made so through experience. Accordingly, every person enters life from a position of equality, a situation in which his natural rights to life, liberty, and property would be recognized and respected, but for the inconvenient fact of economic scarcity. Individuals are forced by this fact to form social contracts under which they can fairly compete for scarce resources and in which they can work together to ensure the protection of each other's natural rights. In the abstract, purely academic sense, Locke's social contract represents a compelling picture of the way life ought to be, but it fails to account for unpleasant realities such as historical injustice and present inequalities. In other words, it paints an all too unproblematic picture of the "different worlds" into which children are born.⁴⁹

The polar opposite of Hobbes on the issue of human nature, Rousseau argues that humans are born good but are corrupted by society. Only through the proper education can individuals be protected from the corrupting influences of society and made into good citizens. He argues that social contracts are formed by free people for the benefit of common protection—that is, protection from the corrupting powers of unrestrained social living. Under his version of the contract, individuals agree with one another to, in effect, give up their private autonomy and submit to the “general will” of society.⁵⁰ Rousseau's version of the social contract has been criticized for being too collectivist or anti-

⁴⁹ John Locke, *Second Treatise on Government*, 1689.

⁵⁰ Jean Jacques Rousseau, *Social Contract, or Principles of Political Right*, 1762.

individualistic⁵¹, and some scholars have suggested that it could be greatly improved with an additional guarantee of protection of specifically outlined individual rights, such as that found in the United States' *Bill of Rights*.⁵²

From this cursory review of traditional social contract theories, I now turn to John Rawls' more contemporary conception. In his *Theory of Justice*, Rawls describes a hypothetical "original position" from which individuals negotiate the terms of a social contract. In this situation, participants seek to answer the question, "What terms of cooperation would free and equal citizens agree to under fair conditions?" This negotiation takes place with each participant cloaked in a "veil of ignorance," unbiased by any knowledge of their own preferences or capacities. Parties do not know the race, class, ethnicity, gender, age, income, wealth, natural endowments, or comprehensive worldviews of their hypothetical representation in society, or to which generation in the history of the society they would belong. The purpose of the veil, then, is to focus deliberation on those principles of justice that reason dictates are good for all and would maximize individual freedom. With these restrictions in place, Rawls presumes that participants would more likely choose governing principles according to which no members of society would be so severely disadvantaged that they would have no realistic possibility to participate in public life or lead fulfilling lives of their own.⁵³

Rawls limits the deliberations of his hypothetical original position to the terms of what he calls *public reason*, which amounts to set of guidelines for public deliberation

⁵¹ Pierre-Joseph Proudhon, *General Idea of the Revolution in the Nineteenth Century*, 1851.

⁵² "Social Contract and Constitutional Republics," The Constitution Society, 2000.
<http://constitution.org/soclccont.htm>.

⁵³ Rawls, *Theory of Justice*.

upon which all reasonable citizens might agree. Rawls's conception of public reason is based on the idea that it would be unreasonable for a person to force others to recognize the totality of his comprehensive worldview, with its repertoire of private (and thus publicly inaccessible) justifications. Therefore, he argues, reasonable people from a variety of perspectives should be able to develop a universal set of reasonable principles, an "overlapping consensus," upon which to base their society's laws and procedures.⁵⁴

One of these guiding principles—Rawls' conception of human equality—appears to be derived from a moral axiom, basically some form of the Golden Rule, which states that we are all equally valuable as human beings, entitled to the same basic rights and standards of dignity. In other words, this conception of fundamental moral and political equality is more of a prescription for how we ought to treat one another than any declaration that all human beings would have the same degree of talent, but for the influence of unequal social conditions.

On the issue of fair equality of opportunity, Rawls argues, the state has a powerful obligation to intervene on behalf of its least advantaged members. Rather than *equal* opportunity, however, due to the unequal outcomes of the natural lottery (i.e., a natural distribution of various and sometimes unequal talents) compounded with social and historical injustices, Rawls is really arguing for *equitable* opportunity. This is evidenced by his argument that "society must provide more attention to those with fewer native assets and to those born into the less favorable social positions... [and in] pursuit of this

⁵⁴ Rawls, *Political Liberalism*, 7-15

principle greater resources might be spent on the education of the less rather than the more intelligent, at least over a certain time of life, say the earlier years of school.”⁵⁵

This moral commitment translates into a political principle that Rawls calls *pure procedural justice*. This principle is based on the argument that because of the innumerable variables that influence life outcomes, it is unrealistic to hope to control for each and every contingency. Instead, the argument goes, fair societies must establish procedures for the treatment of individuals and for the distribution of opportunities and basic resources that, if followed in good faith, will produce outcomes that are fair by definition.⁵⁶

Though many scholars have criticized various aspects of Rawls’s theory, one has gained special attention. In his critique of John Rawls’ *Theory of Justice*, Jürgen Habermas addresses the issue of autonomy, outlining some commonalities and differences between his and Rawls’ positions.⁵⁷ Like Rawls, Habermas treats autonomy as a conception of self-determination with boundaries between the citizen’s right to maintain a private, cultural identity on the one hand and a public, political identity on the other. The differentiations between these roles, Habermas argues (contra Rawls), are to be determined through an active, deliberative process among citizens rather than to be handed down, ready-made, as the product of a philosopher’s abstract thought experiment (in reference to Rawls’ original position).

⁵⁵ Rawls, *Theory of Justice*, 100

⁵⁶ Rawls, *Political Liberalism*, 72.

⁵⁷ Jürgen Habermas, “Reconciliation Through the Public Use of Reason: Remarks on John Rawls’s *Political Liberalism*,” *The Journal of Philosophy*, Vol. 92, No. 3, Mar., 1995.

Habermas argues, in other words, that Rawls places undue emphasis on private autonomy, including liberty of belief and conscience and the rights to life, liberty, and property, which have traditionally been emphasized by liberals. Habermas, on the other hand, emphasizes public autonomy, which is based upon the process of democratic deliberation (i.e., political participation and communication). Habermas believes that by granting undue priority to private liberties, Rawls demotes the democratic process to an inferior status. Habermas criticizes Rawls' theory of justice for relying too heavily upon the hypothetical "political will formation of free and equal citizens," saying that it does not show how such an actual process would take place or how it might be supported by the state under a Rawlsian political system. He writes,

The form of political autonomy granted virtual existence in the original position, and thus on the first level of theory formation, does not fully unfold in the heart of the justly constituted society. For the higher the veil of ignorance is raised and the more Rawls's citizens themselves take on real flesh and blood, the more deeply they find themselves subject to principles and norms that have been anticipated in theory and have already become institutionalized beyond their control.⁵⁸

In other words, by basing his version of the social contract on a state's non-negotiable obligation to protect individual rights, Rawls places too stringent a set of constraints on the democratic process, thus discouraging political will formation and civic participation among citizens. Private autonomy (individual rights) is thus granted a priori supremacy over public autonomy (democratic participation and self-government) when a ready-made constitution (based on a conception of liberal rights) is delivered to a citizenry who have had no actual participatory role in the formation of its guiding principles.

⁵⁸ Habermas, "Reconciliation," 128.

Though he himself subscribes to a dualistic conception of autonomy, Habermas critiques Rawls for artificially dividing the individual into two sub-persons who exist independently in two “value spheres,” one political (public) and one cultural (private). Accordingly, Habermas argues, Rawls asks citizens to do the impossible by keeping their cultural values out of the political sphere in deference to preconceived limitations requiring only the use of public reason in policy-formation. Thus, “[t]he constitutional protection of the private sphere in this way enjoys priority while ‘the role of the political liberties is... largely instrumental in preserving the other liberties.’” Thus, “a prepolitical domain of liberties is delimited... [and] is withdrawn from the reach of democratic self-legislation.”⁵⁹ Said another way, the constitutional protection of individual rights and the constraints placed on public debate that limit deliberation to the use of public reasons are imposed upon citizens from above, denying them the possibility of participating in shaping their own constitution and terms of self-governance.

Habermas believes that by privileging liberal rights over democratic deliberation, Rawls undermines the basis of his theory of justice: the terms of governance to which reasonable participants would agree in the first place. He argues that “[c]itizens are politically autonomous only if they can view themselves jointly as authors of the laws to which they are subject as individual addressees.”⁶⁰ Furthermore, Habermas points to the dependence of each conception of autonomy upon the other:

[T]he private and public autonomy of citizens mutually presuppose each other... both elements are already interwoven in the concept of positive and coercive law: there can be no law at all without actionable subjective liberties that guarantee the private autonomy

⁵⁹ Habermas, “Reconciliation,” 129.

⁶⁰ Habermas, “Reconciliation,” 130.

of individual legal subjects; and no legitimate law without democratic law making by citizens in common who, as free and equal, are entitled to participate in this process.⁶¹

He is arguing that Rawls, in effect, erects an impenetrable ‘wall of separation’ between one’s cultural and civic identities, which Habermas believes to be both impossible and undesirable for democratic societies.

Much of Habermas’ critique of Rawls’ theory of justice is legitimate—Rawls does favor reasonable justification (related to private autonomy) over actual acceptance of his principles (related to public autonomy), and this may undermine important components of his argument. Rawls is too optimistic to imagine that everyone would willingly put his comprehensive worldview to the side so that reasonable governing policies might be established, but might this be beside the most crucial point? If the principles of a constitution are reasonable and can be justified in accordance with universal protections of human rights, does it matter if not every citizen lends to the constitution his full consent? Wouldn’t a resulting Rawlsian system (a liberal, constitutional democracy) be more desirable than many of the various systems that might arise from a Habermasian political process (democratic deliberation free from external restraints)?⁶²

It is probably true that conceptions of justice are incomplete when formed by some elite group and more or less imposed upon the masses. But is there a conceivable situation in which the universal protection of individual rights might justifiably be put up

⁶¹ Habermas, “Reconciliation,” 131.

⁶² When an illiberal majority lends its support to policies that violate the individual rights of political minorities, it would seem that the only form of recourse under a Habermasian system would be some sort of nonviolent resistance (based on liberal values) on the part of the affronted minorities.

to a vote? Habermas seems to believe that the democratic process need not be restrained (at least from the outside) by liberal principles, while simultaneously hoping and expecting that citizens will naturally discover new opportunities to develop a sense of mutuality with differing groups. Is there any good reason to believe that citizens will develop such dispositions rather than organizing themselves into squabbling, balkanized, collective identity groups? Without constitutional restraints, is there any compelling reason to believe that politically weak minorities would not be silenced or oppressed by the dictates of more powerful groups?

I remain unconvinced that a democratic process unrestrained by a liberal constitution would produce results that would be acceptable to people who value private autonomy and individual rights. Yes, it would be more desirable if everyone was able to take part in the establishment of a social contract, but I view this as a matter of secondary importance (so long as the protections in the constitution apply equally to each citizen). What is the real cost of the restraints that are the source of such consternation for Habermas? Does the requirement that political decisions be made on the basis of public principles of reason really put a legitimate burden on anyone? Does requiring that people provide some sort of evidence or reasonable explanation for why they would impose such and such obligation or restriction on their neighbor really cause them any actual harm?

It seems to be the case that there is a space of “best possible political systems” somewhere between tyranny of the minority and tyranny of the majority. It would certainly be undesirable to live under the thumb of any group of elites who could do as they please, with no guaranteed legal protections for their subjects, but it would be

equally undesirable to be among the ranks of a persecuted minority whose legal protections existed only at the whim of some illiberal majority. But neither of these options is really on the table for American citizens. The United States' political system, though it favors private autonomy, also has built-in mechanisms to allow for constitutional restrictions to be amended by supermajority vote. It also leaves substantial room at the state and local levels for various expressions of public autonomy.

But this still does not tell us how liberal majorities ought to handle what has become a salient dilemma for multicultural democracies—that is, how to address demands for accommodation and recognition by illiberal minorities. How are citizens who have made a commitment to some form of social contract, characterized by mutual respect and tolerance, to treat those whose demands they perceive to be outside of the realm of the reasonable? If the liberal democratic project is to survive and thrive, must not there be limits to toleration? Political philosopher Stephen Macedo offers some important insights that may help with this problem.⁶³

Macedo recognizes that a blind commitment to individualism is insufficient for the survival of a liberal democratic constitutional order and calls for a more balanced commitment to individual, as well as social goods. Yet, he argues, “we will not recover our balance by going outside of the liberal tradition,” and embracing an all-inclusive, radical multiculturalism.⁶⁴ Therefore, Macedo argues for “liberalism with a spine”—a civic liberalism that accounts for the need to foster democratic sentiments in its citizens,

⁶³ Macedo, *Diversity and Distrust*.

⁶⁴ Macedo, *Diversity and Distrust*, xi

yet remains firm in its commitments to core liberal values so as not to undermine its own primary purposes in favor of secondary aims of inclusion and social cohesion.

The ways in which Rawls deemphasizes the importance of democratic deliberation and Habermas appears to expect unrestrained, inclusive public deliberation to yield desirable results are equally problematic. A more pragmatic approach, I think, would be to restrain deliberation through an amendable constitution, bolstered by the firm commitment to liberal principles advocated by Macedo, while at the same time encouraging democratic commitments through education and other public initiatives. Habermas seems to hold a noble view of the engaged, tolerant, and caring citizen that I do not presently share, but of which I can conceive as a possibility. I am convinced, however, that the civic dispositions required for the sort of deliberation envisioned by Habermas and the thriving liberal democracy advocated by Macedo, can be developed (or at least approximated) in public schools so long as they are guided by liberal democratic theories of education.

Democratic Education

If a society is to adapt to new challenges, protect individual rights, and give all of its citizens a voice in how they are to be governed, it must guarantee quality educational opportunities for all. A pluralist society must establish school curricula that address the diverse needs and interests of its many different members, as long as it does not deny any of them meaningful opportunities to develop the knowledge, skills, and dispositions needed for full participation in democratic society. Such a society has need for the preparation of knowledgeable, skilled, and ethical individuals to sit on juries as informed

and reflective citizens, to preside over trials as judges, to defend or prosecute as lawyers, to protect fellow citizens as police or military personnel, and to educate future generations as teachers. These are just a few of the countless occupations that can provide individual fulfillment and, if filled by the type of individuals mentioned above, adequately meet the needs of our communities. A democratic form of government is necessary for the continued existence of this type of society and a quality system of education is essential for the survival of such a government.

In *Democracy and Education*, John Dewey argues that individuals must continuously reproduce their societies if they are to survive and thrive.⁶⁵ He presents a view of education as the means through which communities could renew themselves by passing their values down to the young. Dewey states that “society must have a type of education [that] gives individuals a personal interest in social relationships and control, and the habits of mind [that] secure social changes without introducing disorder.”⁶⁶ He notes that schools can make education more relevant by allowing children to become active members of democratic communities. This can be accomplished by guiding students through deliberation, intelligent problem solving, and experimentation, and as they mature, by giving them more freedom and responsibility for their learning. These ideas can be helpful in shaping a more democratic curriculum and environment for American schools.

⁶⁵ Dewey, *Democracy and Education*.

⁶⁶ Dewey, *Democracy and Education*, 63.

Contemporary philosopher Amy Gutmann adds an important perspective to the dialogue on democratic education.⁶⁷ Like Dewey, she believes that “the end of democratic education is to create democratic citizens, people who are willing and able to govern their own lives and share in governing their society.”⁶⁸ She adds the principles of *nondiscrimination* and *nonrepression* to the discussion, arguing that a good society must not exclude anyone from the educational system (nondiscrimination) and that it must not treat any person or group unfairly, even if doing so offers a perceived greater benefit to society as a whole (nonrepression).

Summing up her position and relating the *means* to the *ends* of democratic education, Gutmann writes: “democratic citizens learn how to govern by first being fairly governed as children. After they have been governed, they must have a right to govern themselves (without repression or discrimination).”⁶⁹ In other words, if we expect children to become good citizens, we must help them to develop individually and socially, and we must provide them opportunities to practice acting like responsible adults.

Autonomy Development

The facilitation of individual autonomy is generally presented as one of the guiding aims of liberal democratic education. To enable students to participate meaningfully in a political environment characterized by substantial liberties and equally great responsibilities, or to help students reach what Gutmann called the democratic

⁶⁷ Gutmann, *Democratic Education*.

⁶⁸ Gutmann, *Democratic Education*, 159.

⁶⁹ Gutmann, *Democratic Education*, 163.

threshold, public schools must help them to develop as autonomous individuals.

Autonomy can be thought about in many different ways. For instance, in the academic debate referenced in the previous section, Habermas criticizes Rawls for privileging *private autonomy*, the individual's capacity to deliberate among competing conceptions of the good life using public principles of reason, at the expense of *public autonomy*, a community's capacity and willingness to engage in democratic deliberation and participatory self-government. Along very similar lines, but from the opposite direction, Josh Corngold criticizes Amy Gutmann's democratic theory of education for upholding the process of "conscious social reproduction" through democratic deliberation, often at the expense of individual wellbeing. In other words, Corngold alleges that Gutmann places a higher value on public autonomy than on private autonomy.

Corngold embraces Rob Reich's "minimalist" conception of autonomy⁷⁰ that he says avoids many of the potential pitfalls of a more doctrinaire vision of autonomy characterized by hyper-rationalism and radical individualism, which Gutmann rejects in her depiction of the "state of individuals."⁷¹ This minimalist conception equates autonomy not with relentless rationality and egoistic individualism but with sovereignty and self-determination. Within this conception of autonomy,

The autonomous person is able to make important decisions about the shape and direction of her own life, without compulsion from others. She is both knowledgeable about, and free to pursue, a significant variety of life options. She is capable of understanding how any particular option might shape her future, opening some doors and closing others. And

⁷⁰ Rob Reich, *Bridging Liberalism and Multiculturalism in American Education*. Chicago: University of Chicago Press, 2002.

⁷¹ Before arriving at her preferred "democratic state of education," Gutmann considers the merits of "the family state," which puts the needs of society at the forefront; "the state of families," which privileges the interests of parents; and "the state of individuals," which sees personal liberty and autonomy as of greatest value. In *Democratic Education*, pp. 19-41.

she has the ability to reflect upon the directions her life has already taken, as well as the liberty to change course if she so desires.⁷²

The minimalist conception of autonomy “leaves room for a wide range of potential life pursuits—including ones characterized by profound religious commitments and communal attachments.”⁷³ It is more concerned with how one develops one’s conception of the good—through free, informed, and reasoned reflection—than with the content of any individual’s comprehensive worldview:

One can autonomously choose a life of religious devotion, if the choice is authentically one’s own. By the same token, one’s dedication to a secular worldview can be non-autonomous, if this was the only option available, or if one chose to be so dedicated without being sufficiently aware of what the choice entailed.⁷⁴

Said another way, indoctrination into any kind of worldview is unjust. Schools ought to protect students’ freedom of conscience by exposing them to a variety of reasonable perspectives and allowing them to chart their own life paths—some of which may be religiously-oriented and others not.

Thus, based on this conception of autonomy, Corngold critiques Gutmann’s theory of democratic education for placing democratic participation on a pedestal above individual well-being:

Gutmann’s various arguments—for extended and limiting collective decision-making over education; for shared educational authority among parents, citizens, and professional educators; and for giving all children access to an education in rational deliberation—all have a common purpose: the facilitation of conscious social reproduction, in the present and future.⁷⁵

⁷² Josh Corngold, “Misplaced Priorities: Gutmann’s Democratic Theory, Children’s Autonomy, and Sex Education Policy,” *Studies in Philosophy of Education*. 30, 2011, 74

⁷³ Corngold, *Misplaced Priorities*, 73.

⁷⁴ Corngold, *Misplaced Priorities*, 74.

⁷⁵ Corngold, *Misplaced Priorities*.

By placing the highest value on social reproduction, Corngold argues, Gutmann shortchanges the basic interest of individual children in developing a capacity for personal autonomy.

He tests Gutmann's democratic theory of education against two case studies: the Supreme Court decision of *Wisconsin v. Yoder* and parental resistance to comprehensive sex education classes. He argues that were Gutmann's theory to be applied to the Yoder case, in which the Court granted an Amish community permission to exempt their children from compulsory attendance in high school on the basis of cultural preservation, it would sacrifice the interests of the individual Amish children in exchange for accommodation and deference to parental interests. He says that Gutmann would probably condemn the court's decision on the basis that it "effectively excludes a religious minority from participation in democratic politics, and this kind of exclusion is not in the best interests of democratic society," but he finds this objection to be weak and unconvincing.⁷⁶

Exempting a small and isolated group from the civic education that would hopefully be gained from attending high school would be unlikely to create much of a detriment to the common good. A much more compelling objection, he says, would be based squarely on the concept of private autonomy:

[I]f our primary concern is the kind of education that is needed for the flourishing of individual lives, then we should be much more worried about the kind of education that Amish children are receiving, and about the potential impact of the exemption on those children... [a more convincing argument would emphasize] that an eighth grade education in the Amish schools does not honor these children's morally compelling interest in developing a capacity for personal autonomy.⁷⁷

⁷⁶ Corngold, *Misplaced Priorities*, 72.

⁷⁷ Corngold, *Misplaced Priorities*, 72.

In other words, an approach to the Yoder case based on Gutmann's theory, with its focus on the widespread interests of democratic society, fails to address autonomy-related concerns. It sacrifices the interests of children for a perceived benefit to society. Thus, it makes for a far less convincing argument.

Corngold is particularly critical of Gutmann's deference to parental authority and democratic deliberation on the issue of sex education. He believes that Gutmann's proposed policy of comprehensive sex education with a parental "opt out" for students is another utilitarian failure, in which the well-being of the individual is sacrificed for the perceived good of society. Gutmann essentially takes the position that exceptions to otherwise sensible educational policies serve the public good (in terms of contributing to conscious social reproduction) when they prevent orthodox families from forsaking public education. Once again, Corngold argues, Gutmann has demonstrated the shortcomings of her democratic theory of education. By basing her recommended sex education policy on what is best for society—that most students would enroll in the comprehensive sex education courses and students of dissenting families would gain residual benefits by remaining in public schools and that, as a result, there would be less social problems of teenage pregnancy and sexually transmitted infections—Gutmann provides a weak defense of comprehensive sex education and shows misplaced priorities.⁷⁸

⁷⁸ Corngold, *Misplaced Priorities*; Gutmann, *Democratic Education*.

In response, Corngold argues that while there certainly are social benefits to comprehensive sex education courses, the stronger case could be made for universal participation in these courses on the basis of promoting private autonomy:

A more compelling case would focus less on the social costs that stem from poor sexual decision-making, and more on the enormous personal costs that bad decisions exact upon individuals. Severe and lifelong consequences—including emotional trauma, low educational attainment, poverty and disease—await those who engage in sexual activity before they are prepared for (and can appreciate) the myriad risks involved, and can protect themselves reliably from unwanted pregnancy and STIs. And all too often, the innocent children of teen parents suffer similarly dire repercussions from their parents' poor sexual decision-making... If sex education proves to be an effective means of mitigating the potentially devastating personal costs of poor sexual decision-making, then surely this must count as one of the most powerful arguments for making sex education mandatory. Unfortunately, Gutmann's unremittingly collectivist perspective prevents her from acknowledging the moral force of this argument.⁷⁹

Corngold's critique of Gutmann's theory is legitimate. Gutmann gives local control over educational matters (a form of public autonomy) priority over individual wellbeing (the basis of private autonomy). I suppose the case could be made that from a pragmatic political point of view her privileging of public autonomy over private autonomy is justified. We will inevitably disagree on important issues and we cannot all have our own way. In many cases, individuals must accept the dictates of majority rule. However, when fundamental individual liberties are at stake—such as the child's right to an open future,⁸⁰ majority will must yield to the moral force of the argument from autonomy. This is particularly important in cases dealing with young people. Because most children are developmentally incapable of making informed, well-reasoned decisions (a requirement for both democratic deliberation and personal autonomy),

⁷⁹ Corngold, *Misplaced Priorities*, 81.

⁸⁰ This term is borrowed from Joel Feinberg, "The Child's Right to an Open Future." *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007, and will be explored in greater detail in a later section.

parents, professional educators, and the State have a duty to help them develop the capacity of personal autonomy. When any of these entities neglects this important duty, it is the responsibility of the others to intervene.

This is a difficult and uncomfortable position to take, especially as it pertains to undermining parental interests the education of their children—for this is a form of state coercion. State coercion is especially problematic when it is employed in the absence of support from a democratic majority. However, I take the position that when faced with a dilemma in which individual liberty is in contention with the general will, it is best to err on the side of liberty. The protection of individual rights, in the form of the child's right to develop the capacity for private autonomy, I believe, is worth the resistance that educational policymakers would face from many parents were compulsory education laws fully enforced and comprehensive sex education curricula universally required. As evidenced by the armed struggle that ended slavery, the coercive integration of public schools, and the ongoing judicial interventions on behalf of marriage equality, sometimes the noble quest for a greater realization of universal human rights must take precedence over majority will.

Rights and Education

The conception of 'rights' has been at the center of liberal political theory since its birth in the Age of Enlightenment. When communicating their conceptions of rights, philosophers are faced with multiple questions: What are rights? Who has rights? Does everyone have the same rights? Do children have rights? Whose rights are most important? Can rights be forfeited? What should be done when rights conflict with one

another? Many philosophers have addressed these questions, attempting to answer them in varying ways. The arguments dealing with the issue of children's rights have become increasingly complex and are especially relevant to the present review.

James G. Dwyer and Joel Feinberg argue that children have the right to an education and an upbringing that facilitates their autonomy as future adults. Dwyer argues that children and adults are equally human and that the rights of children, even though they are not mature enough to exercise all of them, ought to be protected and taken seriously by the state. In addressing the conflict that sometimes arises over so-called parental rights and children's rights, he claims that although parents have legitimate child-rearing interests, these must be limited at the point where they violate the autonomy interests of their children. For example, parental interests to control their children's education should be limited by the children's right to an autonomy-facilitating education.

Feinberg warns that we should not separate childhood from adulthood in any dichotomous sense; that we should instead see the difference as a gradual process of development—that as children mature, they take on more rights and responsibilities until they are to be granted full rights as adults. Through this approach, he argues, it is necessary to take into account children's rights as children (as appropriate to whatever stage of development) as well as their 'rights-in-trust,' or 'anticipatory autonomy rights' that will later enable them to function at their full potential as adults. These various rights can be joined together as the child's 'right to an open future.' Though most children are not developmentally capable of fully exercising them, it is nevertheless

possible for these rights to be violated. Thus, it is necessary for a child to be exposed to a wide range of perspectives and to be afforded opportunities for evaluation and deliberation among competing conceptions of the good so that her capacity to develop as an autonomous individual is not hampered by an overly restrictive education.⁸¹

Expanding on the arguments made by Dwyer and Feinberg for the recognition of children's rights, Eamonn Callan and Susan Moller Okin argue that, as part of an education for autonomy, children must be exposed to many different perspectives. Callan argues that every student has a right to be exposed to multiple worldviews and for these and their own received ethical ideas to be subjected to some form of critical scrutiny so that they may be able to choose for themselves, from a set of reasonable options, a best suited view of the good life. Not only does this sort of deliberative exercise help to facilitate autonomy in students, it also helps them learn to give and receive criticism, and to agree to disagree in a civil manner—all key components of democratic citizenship.⁸²

In her defense of 'exit rights' for members of illiberal groups, Okin highlights the tensions between the feminist project of achieving equality between the sexes and the multicultural project of recognizing minority cultural groups by granting them special group rights. She describes how in certain illiberal groups women are denied equality and some multiculturalist scholars tolerate such injustices, in effect saying, "That is the way it is in their culture. Who are we to judge?" She laments that these scholars have generally been willing to accept group rights even when those groups discriminate

⁸¹ Feinberg, Child's Right to an Open Future.

⁸² Eamonn Callan, "Justice, Autonomy, and the Good," *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

against their own members, as long as each member is (theoretically) permitted the right to exit the group. She is unsatisfied with this line of thinking, claiming that there is no guarantee of a realistic possibility of exit rights being exercised without some sort of state intervention. She concludes that the liberal state should not permit groups to discriminate against or oppress women (or other members) and that it should prevent toleration for diversity from running amok. This conception of ‘exit rights’ lends support to the argument that children ought to be provided meaningful opportunities to grow into autonomous adults who are capable of making informed choices to either except or reject the norms of the families and communities into which they were born.⁸³

In considering the concept of ‘rights,’ it is important that philosophers think seriously about the conflicts that arise over parents’ interests and children’s rights as well as those involving group rights and individual rights. Dwyer and Feinberg offer conceptions of children’s rights that take seriously the situations in which parents wish to control their children’s education in ways that do not facilitate their autonomy. They argue that it is the state’s responsibility to provide such an autonomy-facilitating education, even when doing so violates parent’s wishes. Dwyer goes so far as to challenge the entire notion of parents’ rights qua parents:

Relying on the well-established legal and moral principle that rights appropriately protect only a rightholder’s own self-determination and personal integrity and that no one is entitled to control the life of another person, and finding no justification for departing from that principle in the case of parent-child relationships, I reach the conclusion that parental child-rearing rights are illegitimate. The law should grant parents only a legal privilege to care for and make decisions on behalf of their children in ways that are consistent with the children’s temporal [or secular] interests. Children themselves should

⁸³ Susan Moller Okin, “Mistresses of their Own Destiny”: Group Rights, Gender, and Realistic Rights of Exit. *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

possess whatever rights are necessary to protect their interests, and these would include a right to protection from any state interference that is not, on the whole, to their benefit.⁸⁴

Thus, Dwyer argues, there really is no need to think of parents having any special rights in addition to their rights as human beings. We generally do not think of anyone having rights that entitle them to control the lives of others and so this principle ought to be applied consistently, even within the framework of the parent-child relationship. What really matters to Dwyer is that the child's best interests, and not the parents' interests, are at the center of debates over child welfare.

The dismissal of the notion of parents' rights seems extreme. Bryan Warnick offers a potential way out of the dilemma between children's rights and parents' rights. Warnick argues that Dwyer is correct in putting the child's welfare first in situations where parental interests and children's rights conflict. However, he says that society rewards parents who sacrifice for their children by affording them limited jurisdiction over their education. Warnick describes a limited conception of parental rights:

1. Parents have a right to participate in shaping school policies that affect their children.
2. Parents have a right to invite, that is, to expose their children to their own way of life and to persuade them to adopt that life as their own.
3. Parents have a right to engage in practices with their children that are essential to exposing the children to their own ways of life.
4. Parents do not have the right to restrict the exposure of children to only their own way of life. Children have rights to be exposed to multiple perspectives on important issues.⁸⁵

The 'right to invite' is a particularly interesting idea. Warnick contends that, "This view closely links the rights of parenting to the actual exercise of the responsibilities of

⁸⁴ James Dwyer, "Children's Rights." *A Companion to the Philosophy of Education*, Edited by Randall Curren, 2003, 100.

⁸⁵ Bryan. R. Warnick, *Understanding Student Rights in Schools: Speech, Religion, and Privacy in Educational Settings*. NY: Teachers College Press, 2013, 51.

parenting. If the actions of a parent do not benefit the child, through abuse or neglect of some sort, then these actions invalidate any claim on parental rights.”⁸⁶ Furthermore, limitations ought to be placed on the rights of parents to control the educational experiences of their children because young people must be permitted something along the lines of Feinberg’s conception of the child’s right to an open future:

Children cannot accept or deny the sacrificial labor of parents, particularly in the early years, and this means that the power parents have over the education of children needs to be somewhat limited. Since consent is lacking in the initial parental labor, the opportunity to eventually develop the ability to consent is most at issue. As children grow, they should become capable of rejecting... what the parents have to offer. Parents have a right to teach, but not control; a right to encourage in one direction, but not to compel; a right to be an avenue of influence, but not to block all other pathways of exploration.⁸⁷

The right to an open future does not mean that parents cannot encourage their children to reject ideas they come into contact with in the classroom. It only means that parents do not have a right to opt their children out of learning experiences for political or religious reasons when democratic processes—in which parents play an important role—have determined such experiences to be in the best interests of students. Warnick writes,

Parents can seek to refute beliefs that their children encounter outside the home, but cannot completely prohibit their children’s experience with such beliefs... [P]arents do indeed know very well the needs, interests, and desires of their children, often better than anybody else. While this knowledge does not justify complete parental authority over a child’s education, it does lead to some moral implications. It implies that schools have a duty to listen to parents, and to hear their concerns, even if the desires cannot be fully satisfied. Parents should be given a seat at the table when decisions are made. In this way, schools can connect their expertise in teaching and in the content areas with the expertise that the parents bring from their intimate knowledge of their children. Another way of saying this is that parents have the right to participate, in an important way, in the democratic debate about schools... Parents, we might say, have the right to a voice in democratic discussion of schools, and schools have a duty to listen and respond to that voice in their decisions (although respond does not necessarily mean obey).⁸⁸

⁸⁶ Warnick, *Student Rights*, 48.

⁸⁷ Warnick, *Student Rights*, 49.

⁸⁸ Warnick, *Student Rights*, 51.

Every child has a right to the type of education that will prepare him or her for life in the 21st century. This type of education should help students to develop both individually and socially. That is, it should prepare them with meaningful opportunities to develop the knowledge, skills, and dispositions needed for full participation in private and public life in a pluralist, democratic society. Specifically, schools should facilitate the development of students' rational dispositions, critical thinking skills, and democratic commitments.

Facilitating Rational Dispositions and Critical Thinking Skills

The ability to think critically is an essential component of autonomous living.⁸⁹ It is also essential for the healthy functioning of a democratic state, lest its citizens fall victim to groupthink or the propaganda and brainwashing of authoritarian regimes.⁹⁰ Eamonn Callan⁹¹ and Sigal Ben-Porath⁹² highlight the threats to liberal democracies that arise when societies fail to foster a critical spirit in their future citizens. These authors warn that if students are not encouraged to question authority and demand justice and equality, democratic societies will be ill-prepared to face the challenges that they will inevitably face. As democracy spreads throughout the world, the need for better critical thinkers becomes evermore important. What role can education play in helping students to become better critical thinkers?

⁸⁹ Christopher Winch, *Education, Autonomy, and Critical Thinking*. London: Taylor & Francis, 2006.

⁹⁰ Matthew Lipman, *Thinking in Education, 2nd Edition*. New York: Cambridge University Press, 2003.

⁹¹ Eamonn Callan, *Creating Citizens: Political Education and Liberal Democracy*. Oxford: Clarendon Press, 1997.

⁹² Sigal Ben-Porath, *Citizenship Under Fire: Democratic Education in Times of Conflict*. Princeton, NJ: Princeton University Press, 2009.

John Locke advocated reasoning with children as the best way to accomplish this goal.⁹³ He specified that we must do so in a way that is appropriate to their various ages or developmental levels, but nevertheless, that they should be treated as rational creatures. Jean-Jacques Rousseau challenged Locke's argument that adults should reason with children.⁹⁴ Instead, he advocated the use of force with children and reason with men, arguing that, "Such is the natural order."⁹⁵ He stated his belief that trying to reason with children, who are not yet equipped for this, will only lead to the production of insipid, ignorant, and rebellious adults.

Throughout the centuries since the Enlightenment, many thinkers have wrestled with the ideas presented in the debate between Locke and Rousseau over how societies should best pursue the goal of developing rational adults. For instance, Matthew Lipman, writing in opposition to the contemporary environment of lower-order thinking and high-stakes testing, proposes a system of education aimed at critical thinking.⁹⁶ This type of education is designed to help develop individuals who exercise good judgment in a variety of contexts, ranging from everyday problem solving, to making moral judgments, and to professional decision-making. Critical thinking, says Lipman, "is thinking that (1) facilitates judgment because it (2) relies on criteria, (3) is self-correcting, and (4) is sensitive to context."⁹⁷

⁹³ John Locke, "Reasoning With Children," *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

⁹⁴ Jean-Jacques Rousseau, "Against Reasoning With Children," *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

⁹⁵ Rousseau, *Against Reasoning With Children*, 426.

⁹⁶ Matthew Lipman, "Education for Critical Thinking," *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

⁹⁷ Lipman, *Education for Critical Thinking*, 428.

Adding helpful insight to the discussion, Harvey Siegel links the sort of critical thinking advocated by Lipman to his conception of rationality as the disposition to base one's actions and beliefs on good reasons.⁹⁸ Siegel states that an "education aimed at the promulgation of critical thinking is nothing less than education aimed at the fostering of rationality and the development of rational persons."⁹⁹ He goes on to argue that schools should foster in students a "critical spirit," or a certain character based on "rational virtues" such as "impartiality of judgment, ability to view matters from a variety of non-self-interested perspectives, and recognition of the force of reasons."¹⁰⁰

At a minimum, children living in today's complicated world must be educated to think critically.¹⁰¹ But, what does this mean? What exactly, other than Siegel's education for the development of rational virtues, is included in an education in critical thinking? A consensus statement developed by experts states that critical thinking is understood to be:

purposeful, self-regulatory judgment which results in interpretation, analysis, evaluation, and inference, as well as explanation of the evidential, conceptual, methodological, criteriological, or contextual considerations upon which that judgment is based. CT is essential as a tool of inquiry. As such, CT is a liberating force in education and a powerful resource in one's personal and civic life... The ideal critical thinker is habitually inquisitive, well informed, trustful of reason, open-minded, flexible, fair-minded in evaluation, honest in facing personal biases, prudent in making judgments, willing to reconsider, clear about issues, orderly in complex matters, diligent in seeking relevant information, reasonable in the selection of criteria, focused in inquiry, and persistent in seeking results which are as precise as the subject and the circumstances of inquiry permit. Thus, educating strong critical thinkers means working toward this ideal. It combines developing CT skills with nurturing those dispositions which consistently yield useful insights and which are the basis of a rational and democratic society.¹⁰²

⁹⁸ Harvey Siegel, "The Reasons Conception," *Philosophy of Education: An Anthology*. Edited by Randall Curren. Hoboken, NJ: Wiley-Blackwell, 2007.

⁹⁹ Siegel, Reasons Conception, 439.

¹⁰⁰ Siegel, Reasons Conception, 439.

¹⁰¹ Timothy J. Madigan, "Filling a child's head with nonsense." *Free Inquiry*. 1994.

¹⁰² John Esterle and Dan Clurman (Eds.) *Conversations with Critical Thinkers*, Whitman Institute. San Francisco, CA, 1993.

An education in critical thinking involves the acquisition of both skills and the development of dispositions. The skills include: interpretation, analysis, evaluation, inference, explanation, and self-regulation. People who have the dispositions of critical thinkers, which Siegel refers to as necessary components of a “critical spirit,” are: systematic, inquisitive, judicious, truth-seeking, analytical, open-minded individuals who are confident in reasoning. Peter Facione argues that an education in critical thinking has the potential to liberate and empower the individual as well as provide many benefits to society:

Teach people to make good decisions and you equip them to improve their own futures and become contributing members of society, rather than burdens on society. Becoming educated and practicing good judgment does not absolutely guarantee a life of happiness, virtue, or economic success, but it surely offers a better chance at those things. And it is clearly better than enduring the consequences of making bad decisions and better than burdening friends, family, and all the rest of us with the unwanted and avoidable consequences of those poor choices.¹⁰³

Most people readily pay lip service to value of critical thinking, but when “received beliefs,” are challenged, such challenges are often met with fierce resistance. Sometimes the resistance comes from students, used to sitting passively in their seats, when they are asked to think deeply, to make judgments, or to evaluate ideas. Mostly though, resistance comes from parents or political organizations. Even when teachers remain within the law and within the limits of good practice and do not directly challenge the truth or falsehood of particular religious beliefs, there is great suspicion among some groups that students might apply critical thinking skills to their own lives, possibly rejecting the beliefs instilled by their parents and communities outside of school. To protect these beliefs

¹⁰³ Peter A. Facione, “Critical Thinking: What It Is and Why It Counts,” *Measured Reasons and The California Academic Press*, Milbrae, CA, 2011, 1-2.

from such critical scrutiny, these groups will expend no small amount of time and energy. For example, consider the following puzzling objection to critical thinking curricula by a group of conservative Christians in California:

Public schools and textbooks now have a license to control our children's thought process under their favorite phrase, "critical thinking." The definition is well written, but in reality it only opens the door to our children's minds for teachers and textbooks to instill their own agenda... giving teachers the right to lead our children to believe what they deem "rational." More often than not textbooks prove their "rationale" is atheism.¹⁰⁴

How should public schools respond to this type of criticism? I have argued that children have a right to an education that offers them realistic opportunities to develop the tools they will need to navigate the increasingly complex globalized world of the 21st century. Helping students to develop as rational, critical thinkers is an important component of this type of education. Helping them to develop as democratic citizens is equally important.

Educating for Citizenship

In pluralist democracies, citizens are faced with many challenges. Among such challenges are how to define and foster good citizenship. Scholars have debated the meaning of citizenship and how to best facilitate its development and such debate offers valuable insight into these questions. Public systems of education can be venues through which these efforts are given their greatest focus and future citizens can be prepared to deal with challenges to democracy that they will face later in life.

One such manner in which schools can help to develop future citizens is to help instill the knowledge, skills, and dispositions necessary for deliberative democracy.

¹⁰⁴ "Our Atheist State Standards," *Blessed Cause*. Feb. 2, 2013, <http://blessedcause.com/CriticalWolf.htm>.

Gutmann says that, “A democracy is deliberative to the extent that citizens and their accountable representatives offer one another morally defensible reasons for mutually binding laws in an ongoing process of mutual justification.”¹⁰⁵ Furthermore, she argues that public schools play a central role in developing the capacities for this type of deliberation in students:

A primary aim of publicly mandated schooling is therefore to cultivate the skills and virtues of deliberation... Deliberation is not a single skill or virtue. It calls upon skills of literacy, numeracy, and critical thinking, as well as contextual knowledge, understanding, and appreciation of other people’s perspectives. The virtues that deliberation encompasses include veracity, nonviolence, practical judgment, civic integrity and magnanimity. By cultivating these and other deliberative skills and virtues, a democratic society helps secure both the basic opportunity of individuals and its collective capacity to pursue justice.¹⁰⁶

As Gutmann notes, there are virtues, in addition to those related to critical thinking and autonomy, which are essential to good citizenship. What, then, are these virtues and how might they be taught in public school classrooms? The earlier discussion of rights helps to answer these questions. Students living in democratic societies ought to be made aware of their rights as well as the responsibilities that accompany them. One of the responsibilities of good citizenship is our obligation to respect the rights of others. Students can learn how to respect others’ rights through classroom discourse, guided by their teachers, in which each student is required to accord all others with respect and to recognize what Rawls called the ‘burdens of judgment’.¹⁰⁷ The burdens of judgment, which are basically a list of factors that illustrate how reasonable people can disagree on

¹⁰⁵ Gutmann, *Democratic Education*, xii

¹⁰⁶ Gutmann, *Democratic Education*, xiii

¹⁰⁷ Rawls, *Theory of Justice*.

matters of deep importance, call upon citizens of pluralist societies to recognize that none of us has a monopoly on truth and to exercise toleration toward one another.

In addition to teaching tolerance, public schools can use democratic deliberation among diverse students to cultivate a sense of trust and community in classrooms, and ultimately, in communities. Along these same lines, it is desirable to foster in future citizens what Ingrid Creppell calls a sense of mutuality, initiated and sustained by a ‘will to relationship’ in the face of diversity. The will to relationship is described as “an initiating psychological-political stance, creating a condition of opportunity to build an on-going relationship,”¹⁰⁸ and mutuality is defined as “the norm-guided disposition that others who disagree or maintain different practices have a presumptive claim to their differences, and to being our interlocutors in the common political project.”¹⁰⁹ Rather than focusing only on our own individual or group rights and identities, mutuality requires that we recognize others’ rights and identities and seek to engage with them in a public discourse through which differences might be negotiated in good faith. This is certainly a tall order for schools, which are already saddled with enormous responsibilities (many of which remain presently unfulfilled). Nevertheless, the benefits and obligations of citizenship are too important to remain underexplored and, as one of the greatest purposes of public schooling, citizenship education ought not to remain marginalized in the curriculum.

¹⁰⁸ Ingrid Creppell, “Toleration, Politics, and the Role of Mutuality,” in *Toleration and Its Limits*, eds. Melissa S. Williams and Jeremy Waldron. New York: New York University Press, 2008, 316.

¹⁰⁹ Creppell, *Mutuality*, 332.

Personal Statement

Being aware of one's subjective self and how one's subjectivity influences the research process is an important aspect of good scholarship and is particularly valuable in qualitative inquiry.¹¹⁰ I chose to include this personal statement because I believe that acknowledging my subjectivities and discussing my plans for addressing them will give the reader a clearer understanding of the lens through which I viewed this study and will enhance my trustworthiness as a researcher. The liberal values, democratic commitments, critical realist epistemological framework, and overall conception of public education described in this chapter most certainly influence the ways in which I view the world. Combined with my personal experiences and religious background, these values and beliefs produce a philosophical lens through which I interpreted data and drew conclusions for this study. Because this study deals with a controversial topic relating to religion, I think it is important to briefly describe my thoughts regarding matters of religious faith, as they are likely to have influenced the questions I asked, the data I collected, and the ways in which I interpreted the data.¹¹¹

I was raised in the Catholic Church, where I attended mass and C.C.D. (religious education) on a weekly basis. I stopped attending mass, however, when I was a teenager. At some point during my teenage years I attended an event at a friend's Southern Baptist Church—the largest of the evangelical denominations—where I experienced what I believed to be a sincere moment of salvation through Jesus Christ. That moment

¹¹⁰ Alan Peshkin, "In Search of Subjectivity. One's Own," *Educational Researcher* 17(7) Oct., 1988, 17-21.

¹¹¹ Disclosing my religious views to leaders of released time programs likely led some of them to deny me access to certain data. I describe those developments in Chapter Four.

occurred when I answered an emotional altar call during a high-energy evangelical rally led by a former professional wrestler-turned-motivational speaker. Afterward, the others who answered the altar call and I were counseled by church staff through a process in which we were encouraged to acknowledge that we were natural born sinners whose sins separated us from God, but we were able to be saved by the grace of God, exclusively through the sacrifice of Jesus Christ. We were then led through what was called “the sinner’s prayer,” given free Bibles, and encouraged to find a “church home.” I attended this church with friends irregularly throughout the rest of my high school days.

During college, I became a member of a non-denominational evangelical Christian church, which I continued to attend regularly for several years after graduation. Throughout that time, I read from the Bible almost daily, participated in devotional “home groups,” which met every week, and even led a Bible study for approximately one year. Though I experienced regular doubts about the literal truth of some parts of the Bible and occasionally questioned the most foundational aspects of my faith, I sincerely believed that the Bible was God’s Word, that he listened to and answered my prayers, and that he intervened regularly in the world and in the lives of believers. I felt called to talk with friends and family members about God’s love, to tell them about how he had given me hope and true joy, and to invite them to church so that they could experience these wonderful things for themselves. I was an evangelical Christian.

Around the time when I began leading the Bible study, my doubts in the divinity of Jesus and the objective truth of scripture began to intensify. As I approached the Bible from a more critical and academic perspective in preparation for my lessons, I began to

find it very difficult to teach from a study guide written by authors who believed the Bible to be the literal, inerrant truth, communicated by God across the generations to guide and enrich the lives of his followers. My growing doubts in the divine authority of scripture coincided with increasing interests in western philosophy and philosophy of science. During that time, I began reading books in the field of epistemology and began attending thought provoking graduate seminars, which challenged me to think in new ways that, over the course of a couple of years, solidified my transition from evangelical Christianity to agnosticism regarding matters of faith, where I remain at the time of this writing.

These experiences have given me some perspective that helps me to understand the beliefs, language, and other cultural particularities of evangelical Christianity, which I think helped me to produce a clear and accurate description of the released time programs that I studied. I realize that my history as an evangelical Christian could also serve as a liability in studies such as this. For instance, my positive feelings for my friends and family members who are evangelical Christians could cause me to be more reserved in potential criticisms of evangelical released time programs. On the other hand, it is not uncommon for apostates from religious groups to harbor ill will toward their former communities; if I held such sentiments, they could lead to mischaracterizations in the interpretation and reporting of data in this study—I do not, however, have any conscious anger or resentment toward members of my former religious community.

Acknowledging these possibilities, I hope, will serve as an act of “good faith” and will communicate to the reader my sincere desire to account for any potential biases. I

discuss the ways in which I have addressed potential researcher biases in the section entitled, “Trustworthiness, Dependability, Transferability, and Ethics” in Chapter Four.

Summary of Chapter Two

In Chapter Two, I presented a description of the theoretical perspective that guides and grounds the present study. I briefly discussed the theoretical perspective of critical realism, which provides the epistemological and ontological lens through which I have framed the research questions and interpreted the data collected in the study. I then highlighted some key concepts from liberal political theory and democratic theories of education to ground the values and assumptions that guide much of the present study. In the last section, I provided a personal statement to acknowledge and describe how my background and philosophical leanings might influence the way I approach this study. It is my hope that this limited discussion will inform the reader of some of the theoretical bases that guided my decision-making and helped to shape the conclusions I drew in this study.

CHAPTER THREE

LITERATURE REVIEW

This chapter presents a review of the literature related to the topic of released time. This chapter provides historical, social, and cultural background for the study, an overview of existing scholarly literature on released time, and a summary of how all of these topics provide necessary context for the study. The first section provides an overview of historical, social, and cultural contexts of the study including an overview of the religion clauses of the First Amendment to the United States Constitution, background information on the development of evangelical Christianity and describes the movement's efforts to influence public school policy and curriculum in the U.S, and a brief history of released time for religious education to provide the necessary background in case law and to highlight the development of released time programs in the United States. The second section presents a general overview of the existing scholarly literature on the topic of released time in which key findings are reviewed and gaps in the literature are identified. The third and final section of this chapter serves to summarize these important themes, to provide broad context for the study, and to illustrate how this study will address the identified gaps in existing research and add to the literature on released time and religion and the public schools.

Historical, Social, and Cultural Contexts of Study

The forthcoming section is included to provide historical, social, and cultural context for the contemporary evangelical released time movement in the United States. The pages that follow describe the religion clauses of the First Amendment, a brief

discussion of the historical relationship between Religious Right and American public schools, and an overview of the history of released time in the United States.

The Religion Clauses of the First Amendment

The American Founders were deeply concerned about tensions between powers of government and rights of individuals. Because the United States was to be founded as a democratic republic, where State action would generally represent the will of the majority, these tensions would be intensified. State action would have great potential to pit majority will against minority rights—a consideration that was especially powerful where matters of religion were concerned. Thus, based on the special nature of religion and the potential for religious majorities to use the power of the State to impose their faith upon their fellow citizens, the Founders wisely treated religious liberty differently from other freedoms as they drafted the Bill of Rights.

These concerns convinced the Founders that religion would need to be, at the same time, protected and restricted by the Constitution. Thus, they included as part of the First Amendment the Religion Clauses: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...”¹¹² The first part of this statement is known as the Establishment Clause, whereas the second part is commonly referred to as the Free Exercise Clause. The Establishment Clause limits government actions relating to religion, while the Free Exercise Clause protects individual expression of religious belief from government interference.

¹¹² First Amendment, United States Constitution, 1791.

The Bill of Rights, including the Religion Clauses of the First Amendment, however, did not at first apply to the states. In fact, throughout the first century and a half following ratification of the US Constitution, the Bill of Rights protected citizens only from actions by the federal government.¹¹³ Two landmark cases in the 1940s, however, “incorporated” the Religion Clauses through the Fourteenth Amendment, which means that these rights of federal citizenship would be protected against infringement by state and local governments. The Free Exercise Clause was incorporated with the ruling issued in *Cantwell v. Connecticut* (1940).¹¹⁴ The Establishment Clause was incorporated with the ruling of *Everson v. Board of Education* (1947).¹¹⁵

Since the *Cantwell* and *Everson* incorporation rulings, the Supreme Court has issued many more decisions on matters relating to religion than it did in the preceding century and a half. These rulings attempted to clarify the Court’s interpretation of the principles of disestablishment and free exercise of religion through the use of various tests of constitutionality. Among the first tests of establishment was the “no aid” test, articulated by Justice Hugo Black in 1947:

The “establishment of religion” clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and *vice versa*.¹¹⁶

¹¹³ *Permoli v. New Orleans*, 44 U.S. 589 (1845)

¹¹⁴ *Cantwell v. Connecticut*, 310 U.S. 296 (1940)

¹¹⁵ *Everson v. Board of Education*, U.S. 330 (1947)

¹¹⁶ *Everson v. Board of Education*, U.S. 330 (1947) 1, 15-16.

This test was applied in several other cases over the next two decades¹¹⁷ until it fell out of favor only to appear again in the late 1980s.¹¹⁸

The Lemon Test of Establishment developed over time through a series of cases. A pair of rulings, *Engel v. Vitale* (1962) and *Abington v. Schempp* (1963) laid the groundwork for a test that would be applied by the courts to determine whether governments had overstepped the prohibitions of the Establishment Clause. The *Engel* ruling stated the majority opinion that:

[T]he constitutional prohibition against laws respecting an establishment of religion must at least mean 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 part of a religious program carried on by government.¹¹⁹

The *Abington* ruling, which banned school sponsored, devotional Bible reading, articulated the first two prongs of what would later become the three-prong Lemon Test of establishment, stating: “[T]o withstand the strictures of the Establishment Clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion.”¹²⁰ Stated differently, all government entities in the United States must maintain a position of neutrality toward religion.

This test was later used to strike down an Arkansas statute prohibiting the teaching of evolution in public schools¹²¹ and upheld a policy of lending public-

¹¹⁷ *McCollum v. Board of Education* (1948), *McGowan v. Maryland* (1961); *Torcaso v. Watkins* (1961)

¹¹⁸ *Allegheny County v. ACLU*, 1989

¹¹⁹ *Engel v. Vitale*, 370 U.S. 421, 425 (1962)

¹²⁰ *Abington v. Schempp*, 374 U.S. 203, 222 (1963)

¹²¹ *Epperson v. Arkansas*, 393 U.S. 97 (1968)

owned secular textbooks for use by pupils of private religious schools.¹²² A third component, known as the entanglement prong, was added to these criteria with the Court's ruling in *Lemon v. Kurtzman* (1971). Together, the three prongs make up the Lemon Test:

First, the statute must have a secular legislative purpose; second, its principal or primary effect must be one that neither advances nor inhibits religion; finally, the statute must not foster "an excessive government entanglement with religion."¹²³

Thus, the Court determined that if a law violates any of these prongs, it represents an unconstitutional violation of the Establishment Clause. Although for some time it was questionable whether the Lemon Test applied to all Establishment Clause cases, in 2000 the Court ruled decisively on the matter, stating that, "we assess [Establishment Clause cases] by reference to the three factors first articulated in *Lemon v. Kurtzman*... which guides the general nature of our inquiry in this area."¹²⁴ Therefore, the Court's position on the principle of nonestablishment is now fairly clear and well-established.¹²⁵

Since the 1960s, violations of the Free Exercise Clause have generally been evaluated by another assessment called the Sherbert Test.¹²⁶ The Sherbert Test, which derives its name from *Sherbert v. Verner* (1963)—a case that dealt with the question of whether a religious minority could be granted an exemption from unemployment compensation laws on religious grounds, has been used to determine when a government action has violated an individual's free exercise rights. The original version of the test

¹²² *Board of Education v. Allen*, *supra*, 392 U.S. 236 (1968)

¹²³ *Lemon v. Kurtzman*, 403 U.S. 602, 613-614 (1972)

¹²⁴ *Santa Fe Independent School District v. Jane Doe*, 530 U.S. 290, 314 (2000)

¹²⁵ Although the Court is not obligated to follow the Lemon Test, as evidenced in the Cleveland school vouchers case, *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002)

¹²⁶ *Sherbert v. Verner*, 374 U.S. 398 (1963)

consists of four criteria, two of which apply to individuals and two of which apply to government. For the individual, the court must determine whether: (1) the person's claim involves a sincere religious belief, and (2) the government's action presents a substantial burden to the person's ability to act on that belief. If these two criteria are satisfied, then the involved government agency must prove that it: (3) is acting in furtherance of a "compelling state interest" and (4) has pursued that interest in the manner least restrictive, or least burdensome, to religion.¹²⁷ The Sherbert Test is essentially a balancing test—helping to answer the questions: "In what cases can the government grant an exemption from a generally applicable law in order to preserve someone's religious freedom and in what instances must government laws limit religious freedom?"

The Court curtailed the "compelling interest" component of such tests for free exercise violations in the 1990s with the case of *Employment Division v. Smith* (1990), in which it ruled that as long as a law does not target a particular religious practice, it does not violate the Free Exercise Clause.¹²⁸ In 1993, Congress attempted to restore the "compelling interest" standard with the passage of the Religious Freedom Restoration Act (RFRA), which the Court later struck down, ruling that Congress had illegally attempted to usurp the Court's authority of interpreting the Constitution.¹²⁹ Possibly concerned that earlier rulings regarding its position on establishment might send a message of hostility toward religion, the Court has, however, decided a series of cases

¹²⁷ Robert S. Alley, *The Constitution & Religion: Leading Supreme Court Cases on Church and State*. Amherst, NY: Prometheus Books. 1999, 449–453.

¹²⁸ *Employment Division v. Smith* 494 U.S. 872 (1990)

¹²⁹ Religious Freedom Restoration Act of 1993, Pub. L. No. 103-141, 107 Stat. 1488.

The Supreme Court, in *City of Boerne v. Flores*, 521 U.S. 507 (1997), found the act unconstitutional when applied to the states. However, as in *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418 (2006), it continues to be applied to the federal government.

since the 1990s that have upheld the rights of private citizens (including students) to free exercise of religion.

The principle of accommodation, which derives from an interpretation of the Free Exercise Clause, was first articulated by Justice Douglas, “one of the court’s strictest separationists”¹³⁰ In *Zorach v. Clauson* (1952), Douglas argued that, when possible, the State ought to accommodate religion:

We are a religious people whose institutions presuppose a Supreme Being.... When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs.¹³¹

There were no successive uses of accommodation “test” until *Bowen v. Kendrick* (1988).

The principle of accommodation is highly relevant to the present study, as it has been used in arguments justifying released time credit acts.¹³²

The Court has also sought to clarify how the principles of nonestablishment and free exercise apply to public schools. While acknowledging robust religious liberties for students, the Court has recognized and sought to guard against the potential for schools to indirectly coerce students to participate in religious activities or conform to majoritarian patterns of religious behavior. Essentially, federal law directs schools to remain neutral in their treatment of religion as, “the First Amendment forbids religious activity that is sponsored by the government but protects religious activity that is initiated by private

¹³⁰ Lenore Hervey, “A Brief Biography of the Religion Clauses,” I-6
<http://www.firstamendmentcenter.org/madison/wp-content/uploads/2011/03/vol1intro.pdf>

¹³¹ *Zorach v. Clauson* (1952)

¹³² This was the justification provided in the language of the South Carolina Released Time Credit Act, acts modeled off of South Carolina’s legislation, and the defendants in *Moss v. Spartanburg County School District 7* (2012).

individuals.”¹³³ To distinguish between the principles of free exercise and disestablishment, the Court warned that, “While the Free Exercise Clause clearly prohibits the use of state action to deny the rights of free exercise to *anyone*, it has never meant that a majority could use the machinery of the State to practice its beliefs.”¹³⁴

The Religious Right and American Public Schools

The Religious Right represents a significantly large and powerful group of conservative Christians who have lobbied, sometimes more successfully than others, to influence the decision-making of government bodies at the local, state, and federal levels in the United States for many years. It is important to note, however, that members of the Religious Right did not suddenly appear in recent decades, but have deeper and more sophisticated roots much earlier in American history. In reference to their core religious views, I will refer to these individuals as *fundamentalists*, an admittedly controversial label whose use I will seek to defend in the forthcoming pages. The primary aims of this section of the literature review are to clearly define and trace the origins of the term “fundamentalist,” and to describe the historical relationship between the Religious Right and American public schools—the area where their political influence has perhaps been most prevalent. I will begin with a description of origins of Protestant fundamentalism, an ideology that supplied the guiding theological and political vision of the contemporary Religious Right.

¹³³ U.S. Department of Education. “Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 7, 2003.”

http://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html

¹³⁴ *Abington v. Schempp*, 347 U.S. 203 (1963), 226.

The term “fundamentalist” can be traced back to a collection of essays published between 1905 and 1915 entitled, *The Fundamentals*, which outlined the contributing authors’ conceptions of essential, orthodox, Protestant beliefs. The driving purpose of the publication of *The Fundamentals* was to protect the integrity of the authors’ views of traditional Protestantism from the forces of modernism, liberalism, and religious pluralism. The principles outlined in the collection of essays are widely viewed as the foundation of Christian fundamentalism, thus adherents to these beliefs came to be commonly referred to as fundamentalists.¹³⁵

Though the full collection of principles in *The Fundamentals* is extensive, the contemporary group that I will refer to as fundamentalists, hold (at a minimum) the following beliefs to be sacred: 1) The inerrancy of the Protestant Bible—the Bible is the perfect word of God; it is absolutely true and should be interpreted literally, 2) Original sin—humans are collectively guilty of turning against God and are in need of salvation, 3) Salvation comes exclusively through Jesus Christ—Jesus is the son of God; he was sacrificed so that sinners who accept him as their lord and savior could be reconciled with God, and 4) Evangelism—Christians have a duty to aggressively spread their faith in “the Good News” of the gospels so that others might also become saved.¹³⁶

The label “fundamentalist” has become somewhat controversial, and critics are more likely to use it than those who adhere to the above referenced beliefs.¹³⁷ In everyday parlance, the term “fundamentalist” often carries with it images of poor,

¹³⁵ Ken Greenawalt, *Does God Belong in Public Schools?* Princeton, NJ: Princeton University Press, 2005.

¹³⁶ Jonathan Zimmerman, *Whose America? Culture Wars in the Public Schools*. Boston: Harvard University Press, 2002.

¹³⁷ Zimmerman, *Whose America?*

ignorant, geographically isolated “hillbillies,” but this is not the way that I will use the label throughout this section. Understandably uncomfortable with this term, many of the individuals that I will refer to as fundamentalists have instead identified themselves under such labels as “conservative Christians” or “evangelicals,” but these are less precise and sometimes misleading because some individuals within these groups do not accept the *fundamental* tenets of biblical literalism and inerrancy.¹³⁸ Warren Nord points out that while evangelicals and fundamentalists are different in significant respects (e.g., contemporary evangelicals are much less opposed to advanced education; many have college degrees, whereas fundamentalists are rightly referred to as anti-intellectual), they both share a fundamental commitment to the authority of Biblical scripture.¹³⁹ Furthermore, according to Nord, while not all conservative Protestants read the Bible the same way, they are virtually united in the perception that humans must rely on “special revelation” through scripture rather than “critical reason and modern historical scholarship” to interpret the text.¹⁴⁰

Nevertheless, I remain hesitant to use the term “fundamentalist,” given the likelihood that those to whom I am referring might reject the label as offensive. However, for academic purposes of clarity and precision, I believe that use of the label is necessary in certain situations. To illustrate the predicament, consider the following line of reasoning: The duty to evangelize is a component of fundamentalism—so, by definition, all fundamentalists accept evangelism as an obligation of their faith. Biblical

¹³⁸ Greenawalt, *Does God Belong in Public Schools?*, 218, note 20

¹³⁹ Warren A. Nord, *Religion & American Education: Rethinking A National Dilemma*. Chapel Hill, NC: The University of North Carolina Press, 1995.

¹⁴⁰ Nord, *Religion & American Education*, 50-51.

literalism is also a tenet of fundamentalism. However, some people who do not interpret the Bible literally nevertheless adhere to the duty to evangelize. Hence, all fundamentalist Christians are evangelicals, but not *all* evangelicals adhere to *all* fundamentalist beliefs, such as Biblical literalism. Thus, I choose to use the word “fundamentalists” rather than “evangelicals” to describe a particular set of believers because I do not want to paint all evangelicals, some of whom hold politically liberal views and interpret the Bible figuratively, with the same brush. When I use the term *fundamentalist*, therefore, I use it in its academic sense—distinctly referring to those who adhere to the “orthodox” ideas laid out in *The Fundamentals*—and not as a derisive label.

Christian fundamentalism in the United States began toward the end of the nineteenth century as a response to profound cultural changes in American society. Rapid industrialization and urbanization, mass immigration, and the rise of secularism and naturalistic science in American colleges and universities are among the most important of these social and cultural changes in the United States.¹⁴¹ For many Americans, rapid industrialization and urbanization drastically changed their way of life. The traditionally large, stationary American rural family transitioned into a much smaller unit of city dwellers with far fewer children. Mass immigration from Southern and Eastern Europe created an influx of Catholic and Jewish residents of urban areas throughout the Northeastern and Midwestern regions of the United States.¹⁴² Advances in modern naturalistic science, particularly the publication of Charles Darwin’s

¹⁴¹ Martin E. Marty, *Righteous Empire: The Protestant Experience in America*. New York: Dial, 1970.

¹⁴² Nord, *Religion & American Education*.

revolutionary theory of evolution by natural selection, added to the growing secularism of American colleges and universities.¹⁴³

As prominent Protestant clergymen and theologians began to apply the tools of modern science to the study of the Bible and many believers shifted to a more liberal, relativistic, and figurative interpretation of scripture, those who continued to interpret the Bible literally felt increasingly marginalized, even within their own church communities. Many of these individuals began to separate themselves from mainline Protestantism and from mainstream American society, but not all were content to sit passively while their country continued to adapt to increasing social and cultural pressures.¹⁴⁴

Sensing these changes as direct attacks on their core beliefs and their vision for American culture and society, some committed Christian traditionalists felt a sense of urgency to take action to rally their countrymen against the advancing tide of modernity. This sense of urgency led to the rise of a vocal, energized fundamentalist movement toward the end of the 19th century that sought to protect conservative theology and traditional American culture from liberal influences. Activists waged various campaigns to prohibit the consumption of alcohol and to stem the tide of Catholic immigration to the United States. It was not until the second decade of the 20th century, however, that the fundamentalist movement began to influence American public schools.¹⁴⁵

The Historical Role of Religion in American Education

Although American public schools have continually aimed to educate children to be moral persons and good citizens, the place of religion has undergone a fundamental shift:

¹⁴³ Charles Darwin, *On the Origin of Species by Means of Natural Selection, or the Preservation of Favoured Races in the Struggle for Life*. London: John Murray, 1859.

¹⁴⁴ Zimmerman, *Whose America?*

¹⁴⁵ George M. Marsden, *Fundamentalism and American Culture*. Oxford: Oxford University Press, 1998.

from colonial times to the mid-twentieth century, primary and secondary education became increasingly public, universal, and secular.¹⁴⁶

A large majority of the early European settlers in what came to be the United States, from Puritan New England to the Anglican southern colonies, were Protestants. In these colonies, “education was almost entirely private and substantially religious.”¹⁴⁷ The earliest publicly supported schools arose in Massachusetts in 1647 with the enactment of the Old Deluder Satan Act (1647), which set out to help produce informed citizens who could read the Bible for themselves despite the best efforts of “that old deluder, Satan [who seeks] to keep men from the knowledge of the Scriptures.”¹⁴⁸ In the years that followed the American Revolution, concern regarding popular enlightenment for civic purposes led to the growth of American “free schools,” which along with a focus on republican virtue, were heavily saturated with a Protestant ethos.¹⁴⁹

From the earliest days of the Republic, education was seen as a responsibility of the states and of the people, and not of the federal government. Thus, there was no centralized policy dealing with the role of religion in tax-supported schools. Referenced in the previous section, the First Amendment to the United States Constitution contains two Religion Clauses, which are commonly referred to as *the Establishment Clause* and *the Free Exercise Clause*. The Establishment Clause, “Congress shall make no law respecting an establishment of religion,” and the Free Exercise Clause, “[Congress shall

¹⁴⁶ Greenawalt, Does God Belong in Public Schools?, 13

¹⁴⁷ Greenawalt, Does God Belong in Public Schools?, 13

¹⁴⁸ “Old Deluder Satan Act (1647).” *Records of the Governor and Company of the Massachusetts Bay in New England*, 1853, II: 203.

¹⁴⁹ Eugene F. Provenzo, Jr. *Religious Fundamentalism and American Education: The Battle for the Public Schools*. Albany, NY: State University of New York Press, 1990.

make no law] prohibiting the free exercise [of religion],” originally applied only to actions of the United States Congress. This interpretation, which left the states free to make their own policies regarding the role of religion in the schools, would prevail over the next century and a half.¹⁵⁰

As believers exercised their freedom in the American religious marketplace, “different churches propounded different interpretations of God’s word, and each church vied to get its version taught in the schools.”¹⁵¹ This phenomenon persisted through the mid-nineteenth century when the common school movement, in an effort toward social cohesion, solidified the prominent position of “nonsectarian” Protestantism in the growing system of American public schools. Although Massachusetts was the only state with laws on the books requiring such practices during this time, official prayers, daily readings from the King James Bible, and the use of materials that promoted a Protestant Christian worldview had become predominant features of common school culture throughout much of the United States.¹⁵²

The modernization that characterized the transition of American society into the twentieth century, coupled with a great increase in the immigration of religiously diverse groups from Southern and Eastern Europe (primarily Catholics and Jews), led to a significant challenge to Protestant hegemony and a general de-emphasis of religion in American public schools.¹⁵³ As majority mainstream Protestants increasingly sought to accommodate the diverse demands of a religiously pluralist society, a third group, for

¹⁵⁰ Zimmerman, *Whose America?*

¹⁵¹ Stephen Bates, *Battleground: One Mother’s Crusade, the Religious Right, and the Struggle for Control of Our Classrooms*. New York: Poseidon Press, 1993, 41.

¹⁵² Nord, *Religion and American Education*.

¹⁵³ Nord, *Religion and American Education*.

very different reasons, joined the protests against the nature of religion in the public schools:

Like Catholics and Jews, these new dissenters contended that seemingly neutral classroom practices were antithetical to their faith. They were conservative Christians, who called themselves fundamentalists.¹⁵⁴

Fundamentalists grew increasingly concerned about the impact of the schools' superficial treatment of the Bible upon America's young people. Other so-called progressive measures in the public schools, including the movement toward scientific efficiency, pushed the teaching of Protestant morality further to the margins of the curriculum. Education was at the center of what fundamentalists perceived to be an eminent crisis of culture. Thus, it was toward the public schools that the growing fundamentalist movement focused its attention.¹⁵⁵

Education Policy Issues and Religious Controversy

In general, [fundamentalists] have strongly opposed the current thrust of American education... on the basis of what they believe are the underlying philosophical values and beliefs of our educational system... Textbooks and Curricula, Evolution versus Creationism, Sex Education and Prayer in the Public Schools are all issues that have been recently addressed... Their attack has been both carefully planned and argued. As a result, the [fundamentalists] have emerged with a detailed and comprehensive critique of contemporary American schooling and culture.¹⁵⁶

Fundamentalists have waged various campaigns to influence public school curricula in a variety of ways, and some of these efforts have been more successful than others. In this section of the review, I would like to present brief overviews of what I am convinced are the most significant areas of school reform—including the various

¹⁵⁴ Bates, *Battleground*, 43.

¹⁵⁵ Zimmerman, *Whose America?*

¹⁵⁶ Provenzo, *Religious Fundamentalism*, 4.

undertakings to undermine the teaching of evolution, reinstate school led prayer and Bible reading, censor textbooks, and proselytize students through devotional released time religious education programs—targeted by fundamentalist activists over the past century. The effort to undermine the teaching of evolution in the public schools was one of the fundamentalists’ first major educational campaigns.

Anti-Evolution

By the 1920s, basic familiarity with Charles Darwin’s theory of evolution had permeated the thinking of many policy-makers across the United States. It was during this time that fundamentalists set their sights on keeping evolution out of the public schools. By the mid-1920s, several state legislatures had passed laws banning the teaching of evolution. When a young biology teacher in Tennessee named John T. Scopes taught his students the forbidden theory, he ignited a firestorm that would culminate with the infamous “Scopes Monkey Trial” of 1925.¹⁵⁷ Although Scopes was found guilty of violating the anti-evolution law, the court of public opinion came down solidly on his side. The reporting of the trial led to an outcome in which, “the fundamentalists suffered a devastating defeat. In the public eye, their faith seemed ludicrously, obstinately anachronistic.”¹⁵⁸ After the humiliation of the Scopes Trial, as the fundamentalists became increasingly isolated, they largely retreated from public life for several decades.¹⁵⁹

¹⁵⁷ *Scopes v. State*, 152 Tenn. 424, 278 S.W. 57 (Tenn. 1925)

¹⁵⁸ Bates, *Battleground*, 45

¹⁵⁹ Richard P. Manatt, *When Right is Wrong: Fundamentalists and the Public Schools*. Lancaster, PA: Technomic Publishing Company, 1995.

Though the fundamentalists had been humiliated, the controversial nature of the Scopes Trial convinced many textbook companies, which wanted to maximize sales, to de-emphasize evolution in most of the books used in high school biology classes across the United States over the next three decades. However, fear of falling behind in competition with the Soviet Union, primarily in response to the launch of Sputnik in 1957, led Congress to pass the National Defense Education Act (NDEA). NDEA called for a renewed focus on math and science education and, among other initiatives, funded the publication of new textbooks that gave a much more direct treatment to the topic of evolution.¹⁶⁰ This, in part, sparked a new round of anti-evolution bills. The Supreme Court ruled, shortly thereafter in *Epperson v. Arkansas* (1968), that laws banning the teaching of evolution were unconstitutional, putting an end to such efforts.¹⁶¹

The *Epperson* decision forced fundamentalists to rethink their approach to the perceived threat of Darwinism in the public school curriculum. Realizing that any effort to ban evolution outright was destined to fail, fundamentalists sought instead the passage of laws that would require the teaching of their views alongside evolution in biology classes. Advocating for academic freedom and “equal time” between “creation science” and “evolution science,” they hoped, would increase their chances of success.¹⁶² Bills crafted according to this logic were introduced in several states, with versions passing in Arkansas and Louisiana. Challenges to one of these laws led to *McLean v. Arkansas*

¹⁶⁰ National Defense Education Act. 1958. Federal Education Policy History.

<http://federaleducationpolicy.wordpress.com/2011/06/03/national-defense-education-act-of-1958-2/>

¹⁶¹ *Epperson v. Arkansas*, 393 U.S. 97 (1968); Skoog, Gerald. "The De-emphasis of Evolution in the Secondary School Biology Textbooks of the 1970s." Paper presented at the annual meeting of the National Science Teachers Association, Washington, D.C., April 7-11, 1978.

¹⁶² Eugenie Scott, *Evolution vs. Creationism: An Introduction*. Berkley: UC Press, 2004, 106.

Board of Education (1982), a decision in which a federal judge declared creationism to be a religious rather than scientific view. The Supreme Court later applied this determination in *Edwards v. Aguillard* (1987), which concerned a similar Louisiana law, effectively ending challenges for equal time between creationism and evolution in American public schools.¹⁶³

Fundamentalists then turned hopefully to the concept of intelligent design (ID) as a means of discrediting evolution within the public school science curriculum. Advocates of ID launched a nationwide campaign for public schools to “teach the controversy” surrounding evolution by natural selection—a controversy, which if it existed at all, existed outside the circle of mainstream biologists. In *Kitzmiller v. Dover* (2005), a federal judge in Pennsylvania ruled against allowing intelligent design to be taught alongside evolution in public school science classes, arguing that ID did not qualify as actual science because it: (1) invoked supernatural causation, (2) employed the same flawed dualistic logic used by creation science in the 1980s, and (3) instead of providing positive evidence in support of its claims, relied only on negative attacks on evolution that had been soundly refuted within the scientific community. The judge added that ID had failed to generate peer-reviewed publications and had not been subjected to testing and research.¹⁶⁴

¹⁶³ McLean v. Arkansas Board of Education, 529 F. Supp. 1255, 1258-1264 (ED Ark. 1982)
Edwards v. Aguillard, 482 U.S. 578 (1987)

¹⁶⁴ PBS. The judge speaks. NOVA. 2007. <http://www.pbs.org/wgbh/nova/evolution/judge-speaks.html>.

School Prayer and Bible Reading

Although it was commonplace in the early years of public education for school personnel to lead students in prayer and Bible reading, before 1900 only Massachusetts had a law specifically requiring daily school prayer. Only after 1913 did fundamentalists who were concerned about the increasing secularization of American society successfully lobby for the passage of such laws in eleven other states.¹⁶⁵ Such laws were permissible because, before the 1940s, the Establishment and Free Exercise clauses of the First Amendment—which essentially create a “wall of separation” between church and state—were interpreted to apply only to the federal government. In the landmark case of *Everson v. Board of Education* (1947), the Supreme Court applied the Establishment Clause to state and local governments via the Fourteenth Amendment, which had broadly extended the protections of the Bill of Rights to all citizens and applied constitutional limitations to the states.

The *Everson* decision led to a wave of cases that severely restricted the power of the states to establish religion through school policy. By the 1960s,

the [school] day opened with Bible reading in fewer than half of American schools, down from about three-fourths at the turn of the century. Students recited a prayer—most frequently the Lord’s Prayer, which some courts had adjudged non-sectarian—in about one-third of schools. Most schools would excuse a child from these religious exercises at the parents’ request. The exercises were nearly universal in the South, common in the East, and relatively rare elsewhere.¹⁶⁶

Official school prayer was determined by the Supreme Court to be an unconstitutional violation of the Establishment Clause in *Engel v. Vitale* (1962). Most religious believers,

¹⁶⁵ Robert Boston, *Why the Religious Right Is Wrong About Separation of Church & State, Second Edition*. Amherst, New York: Prometheus Books, 2003.

¹⁶⁶ Bates, *Battleground*, 45-46.

including Catholics and mainline Protestants, reacted negatively to the *Engel* decision, seeing it as a judicial overstep into state and local matters. Responses from ultra-conservative politicians were particularly defiant:

Ending prayer in public schools provided the spark that set off a firestorm of posturing, preaching, and defiant moves by politicians. Senator Robert Byrd of West Virginia castigated the justices for ‘tampering with America’s soul.’ Governor George Wallace thundered that any Alabama school that dropped its religious exercises could ‘kiss its state aid good-bye.’ In Texas, where few school districts had an official position on religious exercises when the two prayer cases came down, nearly 90 percent of Texas districts required daily prayers a few years later.¹⁶⁷

That contentious decision was followed by a related ruling a year later in *Abington School District v. Schempp* (1963), which declared school-sponsored Bible reading and devotional activities unconstitutional. The response to the *Schempp* decision, despite the fact that it would have a far greater impact than *Engel*, was the much milder of the two.¹⁶⁸ Perhaps this was because, while *Schempp* forbade school-sponsored and devotional Bible reading, “the opinion heartily endorsed the role of religion in the curriculum through courses on comparative religion, religious history, or the Bible as literature.”¹⁶⁹ Nevertheless, fundamentalists were outspoken in harsh opposition to both rulings.

Though few complained publicly about the *Schempp* decision, neither did states rush to comply with it. In fact, government officials in some states, particularly in the South—the bastion of fundamentalism—ordered schools to ignore the ruling and to continue with business as usual.¹⁷⁰ The law was rarely enforced, unless lawsuits were

¹⁶⁷ Manatt, *When Right is Wrong*, 14.

¹⁶⁸ The *Engel* decision was supported by 5 justices and opposed by 4, whereas the *Schempp* decision was a unanimous 9-0.

¹⁶⁹ Bates, *Battleground*, 50.

¹⁷⁰ Provenzo, *Religious Fundamentalism*.

brought by individual plaintiffs supported by watchdog groups such as the ACLU, People for the American Way, or the Freedom from Religion Foundation. In fact, as late as 1985, “More than two decades after the Supreme Court had outlawed the practices, 20 percent of Southern schools still had Bible reading and 43 percent had spoken prayer.”¹⁷¹ These rulings, along with what they perceived as excesses of the cultural revolution of the late 1960s and early 1970s, were viewed as provocations by the fundamentalists, who had largely stayed quiet since their anti-evolution activism of the 1920s. They would not remain silent for much longer.¹⁷²

Censorship

The “New Right,” arose in the 1970s largely as a reaction to what its followers saw as the United States’ trajectory in the wrong cultural direction—a course set in the 1960s that was taking the country away from its traditions and conservative values. A group of conservative Christians led by televangelist Jerry Falwell formed the Moral Majority, an activist organization that sought to influence the social agenda of the New Right, in the late 1970s. Falwell and the Moral Majority quickly rose to the forefront of the conservative movement in the 1980s and set an agenda to reshape the cultural direction of the United States.¹⁷³ Fundamentalists gained a renewed sense of confidence from the movement, reemerged to mainstream society from decades of self-imposed exile in the political wilderness, and re-focused their attention on the public schools.

Educational reforms of the early 1970s had introduced multiculturalism, controversial

¹⁷¹ Bates, *Battleground*, 51.

¹⁷² Manatt, *When Right is Wrong*.

¹⁷³ Daniel K. Williams, *God’s Own Party: The Making of the Christian Right*. New York: Oxford University Press, 2012.

issues, a renewed focus on evolution, and a more student-centered curriculum into many of the nation's public schools.¹⁷⁴ These reforms sparked a fundamentalist-led censorship campaign that would span over three decades. Eugene Provenzo describes the rationale for the campaign:

[The fundamentalist] conflict over censorship and the curriculum is about the meaning of American culture, the changes that we have experienced in recent decades, and the possibilities that we as a people possess in terms of the future.¹⁷⁵

In the most shocking of the censorship campaigns, in 1974 in Kanawha County, West Virginia, the struggle to influence the public school curriculum took an astoundingly violent turn. Angry over the inclusion of books that were found to be, “disrespectful of authority and religion, destructive of social and cultural values, obscene, pornographic, [and] unpatriotic”, a group of West Virginia fundamentalists waged a small war against their school system.¹⁷⁶ Initially, protesters kept 8,000 of the district's 46,000 students out of school, and picketers closed mines, bus depots, grocery stores, and construction sites. These peaceful acts of resistance were followed, however, by harrowing acts of violence. For instance, district office windows were shot out, several individuals were shot or beaten, a local reverend asked for prayers for the death of school board members who supported adoption of the textbooks, an elementary school was fire-bombed, cars were blown up, two school buses were hit with shotgun blasts, and a police car was hit by sniper fire.¹⁷⁷ To curb the violence, the local school board acquiesced and

¹⁷⁴ Nord, *Religion and American Education*.

¹⁷⁵ Provenzo, *Religious Fundamentalism*, 15.

¹⁷⁶ Provenzo, *Religious Fundamentalism*, 24.

¹⁷⁷ Carol Mason, *Reading Appalachia From Left to Right: Conservatives and the 1974 Kanawha County Textbook Controversy*. Ithaca, NY: Cornell University Press, 2009.

adopted a set of guidelines for textbook selection that “made it possible for the protestors to impose their values on the schools and community... [making] a mockery of the selection process.”¹⁷⁸

Several other significant, albeit less violent, examples of fundamentalist-led efforts to censor public school curricula took place throughout the decade and a half that followed the Kanawha campaign. In 1977 in Warsaw, Indiana, the local school board banned the use of controversial textbooks such as Sidney Simon’s *Values Clarification*, ordered the discontinuation of courses in areas like Black Literature and Women’s Literature, and summarily fired three teachers who protested these actions.¹⁷⁹ These motions overstepped the authority granted to the school board by a written policy requiring both a hearing before a review committee and a superintendent’s recommendation before any such actions could be legitimately taken. The citizens of Warsaw, largely in support of their school board, felt that their values were under serious threat, and “in order to preserve these values they were willing to allow books to be censored, obstruct the legal process and destroy the careers of teachers.”¹⁸⁰

Unlike the Kanawha County and Warsaw examples, the next case made its way all the way to United States Supreme Court. In 1975, the board of the Island Trees Free Schools of Long Island, New York removed nine books from the local high school’s library. The act of censorship took place after three of the school board members attended a conference sponsored by a fundamentalist organization in which a list of

¹⁷⁸ Provenzo, *Religious Fundamentalism*, 24.

¹⁷⁹ Haig Bosmajian, *Burning Books*, Jefferson, NC: McFarland & Company, 2006.

¹⁸⁰ Provenzo, *Religious Fundamentalism*, 25.

“objectionable” books was circulated among attendees.¹⁸¹ Following the book removal, a group of students led by the high school student council president promptly sued the board based on the argument that their First Amendment rights had been violated. After six years of appeals, the Supreme Court finally issued a decision in *Board of Education v. Pico* (1982) that books could not be removed simply because of their “anti-American content,” but had to violate obscenity laws for such censorship to be legally justified.

During this time, many other instances of censorship took place across the United States at the local level. Individual parents or local special interest groups often initiated the protests against textbooks, but outsiders often supported these efforts. In 1978, United States Senator Orin Hatch introduced a piece of legislation, now known as the Hatch Amendment, to protect parents’ rights to direct the education of their children. Fundamentalists celebrated the legislation as a victory in the struggle to control the curriculum of the public schools. Provenzo laments that:

The improper use of the Hatch Amendment has allowed local censors to limit virtually any kind of classroom discussion. Open-ended questions almost automatically become subject to controversy. By definition the curriculum becomes limited to strictly factual presentations, subject to neither interpretation [n]or discussion.¹⁸²

The most influential of the nationally active textbook censors were Mel and Norma Gabler of Hawkins, Texas. This married couple, originally spurred to action by the moral and cultural relativism they found in their son’s schoolbooks, eventually became leaders in the fundamentalist effort to censor public school textbooks. Over four decades of activism earned the Gablers a reputation as cultural watchdogs among their

¹⁸¹ Kraus, Larry. “Censorship: What Island Trees V. Pico Means to Schools,” *The Clearing House* 57, 1984, 343-345.

¹⁸² Provenzo, *Religious Fundamentalism*, 18.

state's sizable fundamentalist community. When they labeled a textbook as anti-American, people listened—and they put pressure on the powers-that-be to remove such books from consideration.¹⁸³

Texas used a centralized method for approving textbooks for adoption in the state's public schools. Given the size of Texas's population, publishing companies faced extensive economic pressure to shape content in a way that they thought would please the Gablers. Because the textbook companies were already mass-producing books for the Texas market, they could print additional books at little cost. Other states could then purchase the Gabler-approved "Texas version" textbooks for lower prices than they could find for less restricted books. In this way, the Gablers were able to influence the content of books not just in Texas, but throughout much of the rest of the nation as well.¹⁸⁴

The very foundation of the fundamentalist critique of American schools and society is the idea that the family is under attack. Many fundamentalists see the series of cases from the 1940s through the 1980s, which clarified the Court's position regarding Constitutional protections against the establishment of religion, as a direct attack on their beliefs and vision for the country. Many religious conservatives in the United States continue to see education not as a responsibility of the state, but as one of the supreme duties of the church and of the family. The combination of compulsory attendance laws with what fundamentalists see as the "secular humanist" conspiracy to destroy religion creates a situation in the public schools that is unbearable to many. James Dobson,

¹⁸³ Joan Delfattore, *What Johnny Shouldn't Read: Textbook Censorship in America*. New Haven, CT: Yale University Press, 1992.

¹⁸⁴ Delfattore, *Textbook Censorship*.

founder of Focus on the Family, sees this situation as a call to action for the faithful to take the reigns of the public schools, “Those who control what young people are taught, and what they experience—what they see, hear, think, and believe—will determine the future course for the nation.”¹⁸⁵

What then, would the fundamentalists change about the school system? The philosophy of education of most fundamentalists could accurately be described as centered on indoctrination. To the fundamentalist educator, the school ought to be used (among other things) as an avenue for teaching children about the Bible and to lead them to accept Jesus Christ as their personal savior. To shield them from the corrupting forces of modernity, students should also be schooled in Christian apologetics.

Rather than educating for autonomy—equipping children with the tools that they will need to be able to pursue their own goals in life, to think critically so that they might be able to evaluate multiple conceptions of the good, or to be able to navigate the increasingly complex and globalized world—as suggested by the liberal, democratic theorists discussed previously, fundamentalists are most concerned with preserving and promoting their faith. But before children can be saved, they must be instructed as to what they must be saved from. Consider the following sentiments from James Dobson:

I firmly believe in acquainting children with God’s judgment and wrath while they are young. Nowhere in the Bible are we instructed to skip over the unpleasant scriptures in our teaching. The wages of sin is death, and children have the right to understand that fact.¹⁸⁶

¹⁸⁵ James Dobson, *Children at Risk: What You Need To Know to Protect Your Family*. Nashville, TN: Thomas Nelson, 1994, 27.

¹⁸⁶ James Dobson, *Parenting Isn’t for Cowards: The “You Can Do It” Guide for Hassled Parents*. Carol Stream, Illinois: Tyndale House Publishers, 1987, 106.

Under no circumstances should students be exposed to educational materials that question or contradict the content or authority of the Bible. There is no need to equip students with tools of inquiry, for the most important questions in life have already been answered in scripture. Kimberly Baker, author of *The Fundamentals of Extremism*, describes the fundamentalist philosophy of education as follows:

Christian fundamentalist schooling is known for indoctrinating children through recitation and memorization of Bible verses and prayers, reinforced with hellfire and brimstone lectures... these children learn only what neatly fits into the myopic views of their parents and teachers... Fundamentalists know too well that children who learn to think on their own may someday stray from their indoctrination. The ideology of children in fundamentalist families is predetermined. Mind control, therefore, is the mode by which fundamentalists, whether Christian, Islamic, Jewish, or any other group, gain adherents.¹⁸⁷

Furthermore, she adds:

Authoritarian in nature, their interpretation of sacred texts calls on them to dominate society and to ‘determine the future course for the nation,’ as Dobson suggests. If fundamentalists do not guard against children learning to think on their own, they risk turning out adults who will choose a path inharmonious or even opposed to their own. For many fundamentalists, this path is simple, to serve God by bringing him loyal servants. However, a large proportion work to raise leaders and followers who will bring about political change and build a society ruled by an ideology not conducive to democracy.¹⁸⁸

The challenge posed by fundamentalists in a 21st century, pluralist democracy such as the United States is a difficult one. On the one hand, like any other group, fundamentalists have the right to speak freely, to teach their children as they see fit, and to promote their values in the public square. On the other hand, as is the case with any group, fundamentalists do not have the right to impose upon the rest of society a very restrictive and dogmatic vision of culture and education. As the majority of public school

¹⁸⁷ Blaker, Kimberly, ed. *The Fundamentals of Extremism: The Christian Right in America*. New Boston, MI: New Boston Books, 2003, 8.

¹⁸⁸ Blaker, Fundamentals, 9.

leaders seek to prepare students for life in an ever-changing world, American society will have to find a way to extend the tolerance and respect due to all of its members and groups without offering to fundamentalists a form of blanket acceptance that enables them to dictate to those who do not share their views.

History of Released Time in the United States

Where their straightforward efforts to influence the character of public school curricula have fallen short, fundamentalists have had to get creative. Some parents have given up on public schooling altogether, opting instead to send their children to private religious schools. But not every family is able or willing to pay private school tuition. For those parents who wished to keep their children enrolled in public schools, but also wanted them to receive religious instruction, there was another available option—a policy called *released time for religious instruction* (released time) through which students are excused from public schools, during regular hours, to participate in devotional lessons typically conducted by local religious organizations.¹⁸⁹ Since *Zorach v. Clauson* (1952) the courts have upheld this practice as long as classes are held off public school premises, with parental permission, and without government aid. Though released time programs have been in existence for almost a century as a means of accommodating religious freedom and addressing moral education, evangelical activists have only recently embraced the concept as an overlooked “open door” through which to proselytize public school students.¹⁹⁰

¹⁸⁹ Cochling, Lathan, & Oschner, Time For God.

¹⁹⁰ Ericsson, et al., Open Door.

At an inter-denominational church conference in New York City in 1905, a conversation took place regarding the shared perception among attendees of a pressing need to improve the religious and moral education of public school students. Also expressed were concerns about the difficulties of teaching substantive lessons in religion and morality without inflaming sectarian passions in the increasingly pluralistic and secular public schools.¹⁹¹ One of the teachers in attendance, Dr. George U. Wenner proposed that students should be released from public schools for one afternoon per week so that they might receive religious instruction.¹⁹² These and other church leaders soon realized that “Protestantism could return to the public schools only if it was accompanied by Catholicism, and Judaism, and out of this realization came the released-time program.”¹⁹³

The idea was embraced by many of those in attendance and eventually made its way to the ears of Dr. William Wirt, the Superintendent of Public Schools in Gary, Indiana. As part of an effort to bolster the teaching of morality in public schools while accommodating religious diversity, in 1914 Dr. Wirt established a program through which elementary school pupils were “released” from public school supervision to the care of local religious leaders for instruction in the Protestant, Catholic, or Jewish religion. This “Gary plan,” which became a model for released time programs first

¹⁹¹ Leo Pfeffer, *God, Caesar, and the Constitution*. Boston: Beacon Press, 1975.

¹⁹² Donald Gorham, *A Study of the Status of Weekday Church Schools in the United States*. Philadelphia: University of Pennsylvania Press, 1934.

¹⁹³ Pfeffer, *God, Caesar, Constitution*, 181.

across the Midwest and then later across the country, is generally recognized as the first released time program in the United States.¹⁹⁴

Many Catholics and Mainline Protestants embraced released time as a way to accommodate religious diversity and to provide support to the religious and moral education of public school children. A strange coalition, consisting of Jewish special interest groups, secular organizations such as the American Civil Liberties Union, and most Baptist associations, however, formed in opposition to released time. Interestingly, Baptist organizations—with Southern Baptists being among the largest of the fundamentalist denominations—originally opposed released time because they thought it violated the principle of separation of church and state, encroached upon the parents’ right to sole dominion over their children’s religious education, undermined national unity by highlighting student differences, and impeded the assimilation of religious minorities into mainstream American society.¹⁹⁵

It was only after a case in Champaign, Illinois that the attitudes of large numbers of Baptists toward released time began to shift. In 1945, an acknowledged atheist, Vashti McCollum, complained that the Champaign school district’s released time policy discriminated against her son James based on religious preference and violated the Establishment Clause. Her claims were dismissed as frivolous, but she appealed her case all the way to the Supreme Court. Because the program met on campus and received

¹⁹⁴ W. E. Berrett, *A miracle in weekday religious education*. Salt Lake City, UT: Salt Lake Printing Center, 1998; It is important to note that, although the Gary program is commonly cited as the first released time program in the United States, a separate movement of Latter-Day Saints’ high school seminaries had been established for Mormon students in Salt Lake City, Utah public schools in 1912.

¹⁹⁵ James Zucker, “Better a Catholic than a Communist: Reexamining *McCollum v. Board of Education* and *Zorach v. Clauson*,” *Virginia Law Review*. 93, 2007. Va. L. Rev. 2069.

funding and other means of support from the public school system, the Supreme Court, in an 8-1 decision in what came to be known as *McCullum v. Board of Education* (1948), ruled that the Champaign released time program violated the First Amendment and was thus unconstitutional. Leery of being associated with atheists such as McCollum, many Baptist laypeople turned against their leaders and began supporting the concept of released time.¹⁹⁶ Released time participation nationwide saw a considerable decline after *McCullum*, as many school leaders interpreted the ruling to have banned *all* released time programs. However, the practice of released time—as long as it took place with parental permission, off public school campus, and without aid from the state—was upheld four years later in another landmark case, *Zorach v. Clauson* (1952).¹⁹⁷

Over the 20th century, American public schools gradually shifted away from a nondenominational Protestant ethos toward a more secular approach to education. As fundamentalists began to lose their ascendant position therein, they began looking for other ways to influence the direction of the public schools. Fundamentalists began to argue on the basis of free exercise, through the language of multiculturalism, to bring their religious perspective back into the schools. A reconceptualization of released time was one way they have found some success toward those ends.¹⁹⁸

Although school districts in a few states, including Utah, Georgia, and South Carolina, award some form of high school credit for participation in released time courses

¹⁹⁶ David P. Setran, “Good Fences Make Strange Neighbors”: Released Time Programs and the McCollum v. Board of Education Decision of 1948, *American Educational History Journal*, Volume 39, Number 2, 2012, 307-327.

¹⁹⁷ Frank J. Sorauf, “Zorach v. Clauson: The Impact of a Supreme Court Decision,” *The American Political Science Review*, Vol. 53, No. 3, 1959, 777-791.

¹⁹⁸ Ericsson, et al., Open Door.

in religion, South Carolina is the only state to have passed legislation specifically sanctioning the practice.¹⁹⁹ Evangelicals in South Carolina were successful in lobbying for passage of *The South Carolina Released Time Credit Act (SCRTCA)* in 2006.²⁰⁰ The bill authorized public schools to award high school elective credits for released time courses. Its passage was critical to the survival, indeed the proliferation of released time programs, as the state had just increased the number of total credits required to receive a high school diploma. The bill appears to have accomplished what its proponents hoped, as programs across the state have not only survived, but are growing.²⁰¹

Given the devotional rather than strictly academic nature of these programs, the issuance of public school credits for released time has proven to be problematic. In fact, the establishment of a released time program in Spartanburg County, South Carolina eventually led to *Moss v. Spartanburg County School District Number 7*, a federal court case in which a group of parents and students, along with the Freedom from Religion Foundation, filed suit against their school district. The plaintiffs, invoking the Supreme Court's *Lemon* Test, argued that the district's released time policy was improper because: "(1) it lack[ed] a predominately secular purpose; (2) its principal effect [wa]s to advance religion; and (3) it foster[ed] excessive entanglement with religion."²⁰²

The school district responded that its released time policy was consistent with the Establishment Clause and that the allegations against it were unfounded. The court sided with the district, ruling: "that a school district's award of academic credit for off-campus

¹⁹⁹ At the time of this writing, North Carolina, Alabama, and Ohio are also considering such policies.

²⁰⁰ SCRTCA 2006.

²⁰¹ Hartgrove, interview.

²⁰² *Legal Clips, National School Boards Association*. <http://legalclips.nsba.org/?p=5843> *Moss v. Spartanburg County Sch. Dist. No. 7*, No. 09-1586 (D. S.C. Mar. 5, 2011); Feb., 3, 2012.

religious instruction does not violate the First Amendment's Establishment Clause" and that, "the school district's release time policy was a passive measure aimed at satisfying the constitutionally permissible purpose of accommodating students' religious beliefs."²⁰³ The plaintiffs appealed to the Fourth Circuit Federal Court, and a three-judge panel upheld the original ruling. The plaintiffs then asked for another hearing in front of the full court, but their request was denied. Their appeal to obtain a hearing by the Supreme Court was also recently denied.²⁰⁴ Thus, by using the language of accommodation often employed by multiculturalists, South Carolina's evangelical community has found a clever way not only to provide devotional religious instruction to public school students during regular school hours but also to secure the issuance of public school credits for these courses.

Overview of the Scholarly Literature on Released Time

Various studies have been conducted on the topic of released time in the United States. Some of these studies have included historical treatments of the origin and development of released time policies and related case law.²⁰⁵ Comprehensive studies have analyzed three major court cases that dealt with released time, including Supreme Court cases *McCullum v. Board of Education*²⁰⁶ and *Zorach v. Clauson*²⁰⁷, and a federal

²⁰³ Legal Clips, Moss.

²⁰⁴ Becket Fund, Moss.

²⁰⁵ C. W. Ashcroft, *Utah Public School and LDS Released-Time Program Relations: Perspectives and Practices of Principals From Both Institutions* (Unpublished doctoral dissertation) Utah State University, Logan, Utah, 2011; Cochling, Lathan, & Oschner, Time For God; Setran, Good Fences; E. L. Shaver, A look at weekday church schools. *Religious Education*, 51, 1956, 18- 39.

²⁰⁶ Gordon Butler, *Cometh the Revolution: The Case for Overruling McCollum v. Board of Education*. Dickinson Law Review. HeinOnline (99) 1995, 843-942.

²⁰⁷ Sorauf, *Zorach v. Clauson*.

district court case, *Lanner v. Wimmer*.²⁰⁸ Several qualitative studies examine specific released time programs or assess research subjects' perspectives toward released time.²⁰⁹ Some studies of released time programs were commissioned by religious organizations for the purpose of evaluating released time programs.²¹⁰ Several studies present conclusions that suggest some secular benefits of released time programs.²¹¹

Released Time History and Case Law

Ashcroft presents a historical overview of the legal regulations surrounding released time religious instruction.²¹² The purpose of his article is to “eliminate confusion, lessen litigation, and give direction with respect to this sphere of

²⁰⁸ R. P. Poore, Jr. Church-school entanglement in Utah: *Lanner v. Wimmer*. *Dissertation Abstracts International*, 44 (04), 1983, 944B. (UMI No. 8319365) 2006.

²⁰⁹ R. J. Lamar, Newton, Kansas: A case study in religious released time education. *Dissertation Abstracts International*, 66 (08), 2005, 2821B. (UMI No. 3187655); T. M. Mumford, The effects of a public secondary school block schedule on an LDS Church released-time seminary (Unpublished doctoral dissertation). Gonzaga University, Spokane, WA, 1997.; R.J. Arnold, A comparison of the attitudes of three groups toward released time for religious instruction in Oregon (Unpublished doctoral dissertation) Oregon State University, Corvallis, OR, 1978.; C. W. Ashcroft, Regulations for released-time religious education: A historical perspective. *The Religious Educator*, 12(2), 2011, 169-179; Davidson, P. S. Georgia High School Principals' Perspectives On Released Time For Religious Instruction. (Unpublished doctoral dissertation). University of Georgia, Athens, GA, 2006; Johnson, E.W. A qualitative study of seminary principals for the Church of Jesus Christ of Latter-day Saints (Unpublished doctoral dissertation). Utah State University, Logan, UT, 2008; E. E. Stones, *Release-time for religious instruction: Public high school administrators' attitudes and perceptions* (Unpublished doctoral dissertation). Washington State University, Pullman, WA, 2006; Ericsson, et. al., Open Door; R. Baer & J. Carper, Spirituality and the Public Schools: An Evangelical Perspective. *Educational Leadership*, 56 (4), 1998, 33-37.

²¹⁰ L. V. McClure, Weekday religious education at the high school level. *Religious Education*, 46, 1951, 345-363; H. M. Ham, Evaluating released time. *International Journal of Religious Education*, 43, 1966, September, 3-14.

²¹¹ D. R. Hodge, Releasing students from class for spiritual instruction: Does it hinder academic performance. *Children and School*, 29(3), 2007, 161-171; D. R. Hodge & G. S. Cuddeback, Release Time and Academic Outcomes: Does Releasing Students for Religious or Moral Education Negatively Affect Test Scores? *Journal of the Society for Social Work and Research*, 1(1), 56-65; D. R. Hodge, “Latino Students and Spiritual Release Time Programs: Does Releasing Students from Class for Spiritual Instruction Impede Academic Achievement?” *Families in Society*. 93(2) 2012, 141-150; D. R. Hodge, “Release Time and English Language Proficiency: Does Releasing Students for Spiritual Instruction Negatively Affect Test Scores?” *Children & Schools* 34 (1) 2012, 3-12.

Morris, Krisberg, and Dhana 2003; *Children at Risk* 2003

²¹² Ashcroft, *LDS Released Time*.

education.”²¹³ The article consists of analysis of major litigation and court rulings that have contributed to the shaping of legal regulations surrounding released time. It also outlines these regulations for the purpose of clarifying the meaning of the separation of church and state, providing greater accommodation for religious expression, and improving the relationships between public schools and released time programs.

Cochling, Lathan, & Oschner, in a pamphlet produced by the religiously conservative Family Research Council, provide a historical overview of released time policies in the United States and an account of case law relating to released time policies.²¹⁴ They also advise interested parties in the process of establishing a released time program and describe a case study of a program in Ponca City, Oklahoma. The final sections of the pamphlet consist of a state guide to released time instruction and a collection of resources relating to the concept of released time.

Setran presents a historical overview of the development of released time programs in the United States.²¹⁵ In his article, he says that many Protestants were originally united in opposition to released time accommodations for Catholics, but that this was a very loosely knit coalition. For instance, Baptists fiercely opposed state entanglement with religion, sought to protect religious freedom, and to protect religion from contagion from the secular world, but these commitments were challenged by Baptist laypeople who were upset over their leadership’s alliances with secularists, Jews, and atheists who also opposed released time. Setran states, “while Baptist laypeople

²¹³ Ashcroft, LDS Released Time, 2.

²¹⁴ Cochling, Lathan, & Oschner, Time For God.

²¹⁵ Setran, Good Fences.

could easily unite against church-state violations committed by Catholics, they were less comfortable with Baptist-initiated attacks on conservative Protestants supporting released time.”²¹⁶ Thus, by the aftermath of the *McCollum* (1949) decision, conservative Protestants (including many Baptist laypeople) and Catholics generally supported released time programs, while Jews, liberal Protestants, and Baptist leaders generally opposed them.

As part of a publication designed to advise groups interested in establishing released time programs, Shaver provides a brief history of the early development of released time programs in the United States.²¹⁷ He details periods in the history of American education from the colonial period, through the common school movement led by Horace Mann, through what he calls the beginnings of the Weekday Church School or released time for religious education. In these sections, Shaver presents the history of American education to be characterized by a gradual secularization of American schooling, followed by efforts of religious communities to reassert themselves in the realm of public education. Thus, he argues, the released time concept provided an avenue for the teaching of religious conceptions of morality in what many saw as amoral or immoral public school systems.

Comprehensive Studies of Individual Court Cases

Butler argues that the ruling issued in the case of *McCollum v. Board of Education*, which forbade released time programs from being held on public school campuses and receiving state support, ought to be overruled so that public schools might

²¹⁶ Setran, *Good Fences*, 320.

²¹⁷ Shaver, *Weekday Church School*.

more easily be able to teach religion in the public schools.²¹⁸ He grounds his argument in a sense of emergency caused by a crisis in western culture, in which Christianity is rejected, religion is isolated from culture, and society is deteriorating. His argument was based on the idea that religion, particularly the Biblical religions of Judaism and Christianity, are so deeply ingrained in American history and government, that to disallow the teaching of these religions to public school students is to provide a great disservice to the students and to the nation. The schools, according to Butler, are a cultural battleground where foundational beliefs and values associated with Christian traditions need to be preserved and passed on to future generations.

Sorauf analyzes the impact of *Zorach v. Clauson* (1952) on public schools and released time programs.²¹⁹ He outlines the ruling to include recognition of the constitutionality of released time programs, as long as they meet off public school campuses, they are not aided by the state, and they acquire parental permission for student participation. He notes that in the aftermath of the ruling, there was widespread non-compliance with the mandate that programs meet away from public school premises. He argues that in its non-enforcement of such mandates, the Court has demonstrated the limits of its powers over the states, and has sent a message of encouragement to those who wish to keep religious teachings in the public schools.

Poore examines the ruling in *Lanner v. Wimmer* relating to the common practice among Utah's public schools of awarding credit for released time participation.²²⁰ The

²¹⁸ Butler, *Cometh the Revolution*.

²¹⁹ Sorauf, *Zorach v. Clauson*.

²²⁰ Poore, *Lanner-Wimmer*.

purposes of this study were to determine the course of events that led to the decision, to analyze the impact of the decision, to determine school district responses to the decision, and to assess the current status of compliance with the decision. The ruling declared that the practice of awarding two credits of Bible history for released time participation was unconstitutional as an excessive entanglement between church and state because the high degree of cooperation between the released time programs and the public schools. However, awarding public school credit for released time was not declared unconstitutional, as long as evaluation of the students was based on secular criteria. Poore found that principals were generally in compliance with the court ruling, and LDS seminaries do not violate the establishment or free exercise clauses of the First Amendment.

Qualitative Case Studies and Attitude Assessments

Lamar's case study analyzed a released time program in Newton, Kansas to determine whether released time education fulfilled commonly accepted principles of character education programs.²²¹ She presented an overview of various types of character education and determined that the released time program measures up to portions of eight of the eleven principles commonly accepted in the character education literature. The three principles that were not satisfied by the released time program were the requirement that students take an active, hands-on, or constructivist role in their learning, the requirement that teachers employ challenging instructional strategies that encourage cooperative learning, problem-solving, or meaning-making from students, and the

²²¹ Lamar, Newton Released Time.

requirement that the program celebrate positive or pro-social behaviors and stress objective measures of these behaviors.

Mumford's case study sought to determine the effects of a public secondary block schedule on an LDS released time program.²²² He found that, in general, when public schools changed their schedules, the survival of the released time program is threatened. Furthermore, parents, students, and teachers affiliated with released time programs felt that block scheduling and the resulting change from year-long to semester-long courses were less preferable than previous arrangements. In spite of these challenges, Mumford found, enrollment percentages and completion rates of released time programs increased in the three years since implementation of the block schedule. LDS leaders reported that there were no increase of problems among participating students.

Arnold conducted a quantitative study in Oregon of attitudes of teachers, church leaders, and others toward released time programs.²²³ He found that teachers were least in favor of released time programs, followed by citizens, and then church leaders. There was a general lack of knowledge of, but a considerable amount of interest in, released time programs. Males were more favorable to the programs than were females, parents of released time participants were more in favor of the programs than those of non-participants, and active church members were more supportive of the programs than were others. LDS members were more favorable toward released time than were any other religious groups.

²²² Mumford, LDS Released Time.

²²³ Arnold, Released Time in Oregon.

Ashcroft's phenomenology studies the relationship between public schools and released time programs through the perspectives and practices of principals of public schools and released time programs run by the Church of Latter Day Saints (LDS) in Utah. His major guiding research question was: "How is the professional relationship between the public schools and LDS seminaries in Utah perceived and practiced by principals of both institutions?"²²⁴ His findings suggested that relationships were perceived as highly positive by both public school and released time principals. The relationships were maintained primarily because principals in both institutions perceived the arrangement to be mutually beneficial.

Davidson looked at principals' knowledge of and beliefs about released time in Georgia.²²⁵ His study employed quantitative methods to analyze data obtained through a survey sent to principals of all 322 traditional high schools in the state of Georgia during the summer of 2005. His findings suggested that among Georgia high school principals, there is a general lack of awareness about released time programs.

Johnson studied perspectives and personal experiences of four principals, eight teachers, and one administrator of LDS released time programs in Utah. The purpose of his study was to investigate leadership qualities in LDS released time principals. He found that common themes of leadership included: (a) principals as trainers, (b) a lack of training for seminary principals, (c) principals as a reflection of higher administration, (d) principal's influence on faculty unity, (e) principal's focus on assisting the struggling

²²⁴ Ashcroft, Regulations.

²²⁵ Davidson, Released Time in Georgia.

student, (f) ensuring faculty professionalism, (g) personal satisfaction and growth, and (h) managerial organization.

Stones examined public high school administrators' attitudes and perceptions toward LDS released time programs in a western state. He found that LDS released time programs work well because of the separation of church and state, which manifested in three ways. First, he observed the principle in community negotiation allowing for the programs. Second, he observed the principle in the fact that released time works at all and the manner in which it works. Third, he observed the principle in the ways in which the school personnel attempted to keep the relationship quiet and out of the public view.²²⁶

Evangelical Perspectives on Released Time

Ericsson, Colby, Payne, and Crawford lament that the Judeo-Christian worldview has been replaced by secularism in the American public schools. They present the view of released time as an "open door" through which to bring religion back into the public schools. These authors write that released time is overlooked by parents, clergymen, and educators and that it is their hope that their article serves as a catalyst to a movement to expand released time programs across the U.S. The authors are excited that through released time, unlike any other legal means, public school students can receive a religious education that is designed to convert them:

²²⁶ It is noteworthy that so many of the doctoral dissertations dealing with released time are analyses of LDS programs. By comparison, there are very few doctoral dissertations that analyze evangelical programs. Because the LDS church offers high school "seminaries" for credit in Utah, those particular programs are especially relevant to the present study. A cross-case analysis of for-credit LDS courses in Utah with for-credit evangelical courses in South Carolina and/or Georgia would likely yield interesting results.

Released time is the only means by which religious instruction intended to convert students or instruct them in a particular set of religious beliefs is allowed during the school day. All other religious instruction during the school day must be objective, intended only to inform students of different religious ideas and not to persuade them of the truth of any particular ideas.²²⁷

The authors are disappointed, however, that so few churches bother taking advantage of the open door of released time. They encourage the reader, “Let’s use it before we lose it!”²²⁸

Baer & Carper present an Evangelical Christian perspective on released time. These authors claim that, “Only through state-supported school choice or released time for religious instruction can all students, regardless of their religious tradition, truly experience spiritual freedom.”²²⁹ These authors claim that beginning with Horace Mann’s nonsectarian Protestantism, the public schools have gradually moved toward the indoctrination of students into an atheistic philosophy known by religious conservatives as “secular humanism.” Baer & Carper argue that when students are presented with a “cafeteria style” approach to teaching about world religions, religious truth is distorted. Thus, the authors claim, students must be dismissed to receive training in the religion of their parents.

Commissioned Studies of Released Time Programs

McClure studies the characteristics of released time programs at the high school level.²³⁰ She noted that although no state had legislation specifically allowing districts to grant credits for released time, most states took a hands-off approach to such district level

²²⁷ Ericsson, Colby, Payne, and Crawford, Open Door, 2.

²²⁸ Ericsson, Colby, Payne, and Crawford, Open Door, 21.

²²⁹ Baer and Carper, Spirituality, 33.

²³⁰ McClure, Weekday Religious Education.

policies—out of the 131 surveys returned, 104 claimed that some form of credit was granted for released time participation. For instance, McClure reported that the Latter Day Saints church in Utah had an arrangement with many public schools, which granted high school credits for released time participation. She determined that during the years of her study, 1949-1951, that most of the released time courses taught the Bible as history or literature. Furthermore, she mentioned that class discussion was the most commonly reported method of instruction used in released time programs. Many other characteristics of released time programs, including teacher qualifications, meeting times, program costs, and meeting locations are discussed in this article.

Ham presents a study of a released time program in Rochester, New York for the Commission on General Christian Education of the National Council of Churches of Christ in the U.S.A. The commission, in February 1961, asked its Committee on Weekday Religious Education to launch a study on released time programs provided to students from Roman Catholic, Jewish, and Protestant families. Ham's article answers questions—including inquiries into student backgrounds, classroom environment, major themes of curriculum, community members' perspectives of the program, and so on—for the council about the day-to-day operations of a Protestant released time program and offers suggestions for improving the program to the council.²³¹

Secular Benefits of Contemporary Released Time Programs

Whereas many works addressing purported benefits of released time focus on spiritual matters, this section presents an overview of only the body of literature that

²³¹ Ham, Evaluating Released Time.

suggests secular benefits of student participation in released time programs. None of the following studies examines released time programs in South Carolina, but they are cited by School Ministries, a South Carolina-based, national leader of the contemporary evangelical released time movement, in support of claims relating to the benefits of participation in released time programs. The following studies suggest that students who participate in released time programs are more likely than their non-participating peers to show improvement in academic performance, English language proficiency, and classroom behavior.

Hodge asks whether releasing students for religious instruction hinders academic performance. His findings suggest that, “[c]ontrary to what might be expected, participation in release time was not associated with lower academic test scores...”²³² Furthermore, the article explores the possibility that participation in released time may equip students with a form of social capital, by helping to instill in them values that enable them to achieve academically. Overall, the findings suggest that participating students perform as well academically as their peers who do not participate. The author attaches to these findings two possible explanations: (1) that due to the limited amount of time students miss from regular classes, learning is not significantly negatively affected, and (2) that learning is affected, but participation in released time has compensatory effects. In support of explanation 2, Hodge says that religious values may encourage youth, particularly those from disadvantaged backgrounds, to succeed academically and to decrease negative behaviors such as drug use and early sexual activity. Hodge ends

²³² Hodge, *Academic Performance*, 161.

the article by recommending that schools with populations interested in released time implement such programs. In later studies, Hodge and Cuddeback²³³ concluded that participation in released time programs is not associated with lower academic test scores and Hodge²³⁴ replicated these findings with a group of Latino students.

Hodge sought to determine whether English language learners (ELLs) who participated in released time religious instruction scored worse on academic tests than their nonparticipating peers. The results of the study indicated that ELLs who participated in released time scored at least as well as their nonparticipating peers on a state test used to assess listening and speaking, reading, writing, and overall English proficiency. The author emphasized that there is not necessarily a causal relationship between participation in released time and improvement in English language proficiency, but that this connection is a possibility.²³⁵

Morris, Krisberg, and Dhana reported a summary of findings from a study conducted by the National Council on Crime and Delinquency at the behest of School Ministries. The report suggests that students who participated in a released time program in Oakland, California improved academically and developed positive moral character.²³⁶

A study conducted by the Commission on Children at Risk, Institute for American Values, YMCA of the USA, and Dartmouth Medical School suggests that children are

²³³ D. R. Hodge & G. S. Cuddeback, Release Time and Academic Outcomes: Does Releasing Students for Religious or Moral Education Negatively Affect Test Scores? *Journal of the Society for Social Work and Research*, 1(1), 56-65.

²³⁴ D. R. Hodge, "Latino Students and Spiritual Release Time Programs: Does Releasing Students from Class for Spiritual Instruction Impede Academic Achievement?" *Families in Society*. 93(2) 2012, 141-150.

²³⁵ D. R. Hodge, "Release Time and English Language Proficiency: Does Releasing Students for Spiritual Instruction Negatively Affect Test Scores?" *Children & Schools* 34 (1) 2012, 3-12.

²³⁶ Morris, Krisberg, and Dhana 2003

biologically primed to connect to others and to seek out moral and spiritual meaning.²³⁷

The authors of this study suggested that authoritative communities are well-positioned to produce better psychological and social outcomes for children. Released time programs such as School Ministries cite this literature in arguments in support of their programs.

Implications For Further Research on Released Time

The review of the scholarly research on released time demonstrates the limited attention paid to for-credit released time policies and the lack of analysis of the organizational structure, values, aims, and pedagogical approaches of released time programs. No studies of which I am aware have looked at released time programs in South Carolina, the only state with laws that explicitly permit the awarding of high school credit for participation in devotional religious courses. *Moss v. Spartanburg School District 7* (2012), a suit which challenged the constitutionality of a for-credit released time policy in Spartanburg, South Carolina, is such a recent case that no known scholarly works have been written about it.

Studies that analyze and report the organizational structure, aims, values, and pedagogical approaches of these programs are needed. The absence of any rigorous study of these components of for-credit released time courses makes the nature of these courses a relevant and interesting phenomenon for scholarly research. A case study that examines the nature of a for-credit, Evangelical released time program in South Carolina would be a valuable addition to the literature on released time in the United States.

²³⁷ Children at Risk 2003

Summary of Chapter Three

In Chapter Three, I presented a review of the relevant literature that guides and grounds the present study. The themes reviewed from the relevant literature provided historical, social, and cultural contexts for the study and situated the present study within the existing scholarly literature on the topic of released time. Finally, I presented the conclusion that scholarship on the organizational structure, aims, values, and pedagogical approaches of for-credit, evangelical released time programs is much needed.

CHAPTER FOUR

RESEARCH DESIGN AND METHODS

In the early stages of the present study, I determined that a qualitative paradigm provided the most appropriate approach for conducting research into the nature of for-credit released time programs. Subsequently, as I developed both empirical and philosophical research questions, I decided to adopt an interdisciplinary approach called normative case study, which is ideal for addressing both types of questions.²³⁸ In the following pages, I explain the process I went through to develop a rigorous research plan, describe normative case study method, and justify my methodological decisions for this study. I address some limitations and potential concerns about my research design and demonstrate the steps I took to insure that my study has a high degree of credibility, transferability, dependability, and confirmability. Finally, I address some challenges I faced gaining access to research sites and protecting the anonymity of participants in the study, and I provide a detailed explanation and defense for the decisions that I made regarding these issues.

Normative Case Study Method

Oftentimes social scientists ask questions that address both matters of fact and matters of value, and they sometimes find that separating matters of fact from matters of

²³⁸ Another contributing factor for my choice of normative case study method over a strictly empirical approach to the study was the limited access that I had to various research sites. The decisions of both regional released time programs' leaders to deny me access to data collection opportunities including classroom observations and questionnaires for participating teachers, parents, and students required that I revise my original research plans. These experiences are described in more detail in the forthcoming section entitled, "Challenges Faced."

value is not an easy task. In addressing such situations, tools of both empirical research and philosophical inquiry are needed. Empirically-engaged philosophy, sometimes called phronetic social science, provides a helpful approach for answering these types of questions.²³⁹

Normative case study method is an example of empirically-engaged philosophy that allows the researcher to examine matters of fact as well as matters of value.²⁴⁰ It uses both empirical and philosophical methods of inquiry to help clarify problems and to determine the most rational course(s) of action in response to those problems. The empirical components of this approach ground the philosophical questions in an authentic case that offers realistic challenges to public values. The philosophical components of normative case study help to address questions such as, “so what?” or “where do we go from here?” in reference to the empirical findings of a study.²⁴¹ For instance, when seeking to determine which policies to support in relation to a given social or economic problem, philosophical inquiry can be highly beneficial because it allows for in depth consideration of how policies relate to the things we value.

²³⁹ This type of work, while less common than other approaches, has garnered recent attention and support in the field of educational research. For instance, Meira Levinson and Anne Newman are co-editing a special edition of *Theory and Research in Education* to be published in 2015 that will focus exclusively on empirically-engaged philosophy of education. The Philosophy of Education Society’s 2013 annual meeting included a special panel that included Ron Glass, Paula McAvoy, Anne Newman, Sarah Stitzlein, and Doris A. Santoro to discuss ethical and epistemological challenges of this type of work. Oliver Michaud and P.J. Nelson also presented case study research on the topic of Educational Philosophy and Empirical Research at that same meeting. Alasdair MacIntyre, in *After Virtue* (1985) and Bent Flyvbjerg, in *Making Social Science Matter* (2001), put forth a conception of phronetic social science, which aims at moving the paradigm of social science away from a model that seeks to emulate the methods of natural science toward a focus on phronesis, or value rationality, which is most concerned with challenging us to think critically about our values and guiding rational action.

²⁴⁰ David Thacher, *The Normative Case Study*, *American Journal of Sociology*, Volume 111, Number 6 (May 2006): 1631-76.

²⁴¹ Bent Flyvbjerg discusses this approach at length in *Making Social Science Matter*.

Though many educational researchers may be unfamiliar with normative case study, foundational social science works have employed this type of research to inform and clarify public values.²⁴² Public values are those values that provide “normative consensus about (1) the rights, benefits, and prerogatives to which citizens should (and should not) be entitled; (2) the obligations of citizens to society, the state and one another; and (3) the principles on which governments and policies should be based.”²⁴³ For instance, normative case studies can help us to determine, “[what a good city neighborhood should provide (Jacobs 1961), what responsibilities organizational leaders should attend to (Selznick 1949, 1957), or when military intervention is justified (Walzer 2000).”²⁴⁴

Normative case studies are particularly useful as approaches to policy-oriented research because,

one of the most significant tasks policy experts perform is ‘setting criteria for the definition of public objectives’ (Anderson 1979, p. 714)—that is, determining the ends, not just the means of government action (Thacher 2005, 2001c). Normative case studies can help professional communities to clarify, elaborate, or even fundamentally revise the way they define these ends.²⁴⁵

Normative case study acknowledges not only that ethics informs and helps set the agenda for social science, but also that social science can make fundamental contributions to

²⁴² Philip Selznick, *TVA and the Grassroots*. Berkeley: University of California Press, 1949; Philip Selznick, *Leadership in Administration*. New York: Harper & Row, 1957; Herbert Gans, “The Human Implications of Current Redevelopment and Relocation Planning,” *Journal of the American Institute of Planners* 25:15-25, 1959; Jane Jacobs, *The Death and Life of the Great American Cities*. New York: Modern Library, 1961; Jennifer Hochschild, *The New American Dilemma*. New Haven, Connecticut: Yale University Press, 1984; Bent Flyvbjerg, *Rationality and Power*. Chicago: University of Chicago Press, 1998.

²⁴³ Bozeman. *Public Values and Public Interest: Counterbalancing Economic Individualism*. Washington, D.C.: Georgetown University Press, 2007.

²⁴⁴ Thacher, Normative Case Study.

²⁴⁵ Thacher, Normative Case Study, 1634.

ethics.²⁴⁶ Normative case studies can contribute to value rationality, which refers not only to judgments about the intrinsic value of an action²⁴⁷ but also to judgments about the value of its consequences.²⁴⁸ This is especially appropriate for the present study, which ultimately seeks to determine whether for-credit released time policies, as they are actually put into practice, are appropriate in the context of a pluralist, democratic society. Many value judgments must be made in the process of addressing this overarching research question. The present study employs general tools of qualitative research to identify and develop the research problem and research questions as well as to gather, analyze, and report empirical data. It also uses tools of philosophical inquiry to address those research questions that require evaluation and normative value judgments.²⁴⁹

Nicholas Burbules and Bryan Warnick note that it is very difficult and perhaps undesirable to maintain strict divisions between philosophical and empirical approaches to educational research. They argue that philosophy of education faces a difficult challenge of engaging with relevant, concrete empirical work while honoring a responsibility to remain independent and critical of assumptions and practices that guide

²⁴⁶ John Doris and Stephen Stich, "As a Matter of Fact: Empirical Perspectives on Ethics," *The Oxford Handbook of Contemporary Philosophy*, edited by Frank Jackson and Michael Smith. New York: Oxford University Press, 2005, 114-52; David Miller, "Social Science and Political Philosophy," *Principles of Social Justice*. Cambridge, Massachusetts: Harvard University Press, 1999; Charles Taylor, *Philosophy and the Human Sciences*. New York: Cambridge University Press, 1985.

²⁴⁷ Max Weber, *Economy and Society*. Berkeley: University of California Press, 1978, 24-25.

²⁴⁸ Weber, *Economy and Society*, 26; *Methodology of the Social Sciences*, 52-57; cf. Rogers Brubaker, *The Limits of Rationality*. New York: Routledge, 1984, 108-109; Jon Elster, "Rationality, Economy, and Society," *The Cambridge Companion to Weber*, edited by Stephen Turner. New York: Cambridge University Press, 2000, 36-37.

²⁴⁹ Though it could be (and is often) argued that all research involves the use of value judgments to determine which questions to ask, what counts as evidence, how to interpret that evidence and so on, normative case study provides a means for evaluation of various phenomena and through which to present suggested courses of action in reference to those phenomena—components that are often absent from empirical studies.

educational research. Thus, philosophy of education ought not to attempt to isolate itself from the world of empirical research—in fact it cannot:

Philosophical discussions of teaching and learning, aims and purposes and methods, what it is important to learn, and so on, are constantly entangled with claims or tacit assumptions that are empirical in nature. Furthermore, when philosophers are evaluating the methods or epistemic grounding of different approaches to educational research or scholarship, of whatever type, they need to have a close understanding of their methods of analysis, rules of evidence, forms of inference, and their substantive findings in various contexts.²⁵⁰

Normative case study adopts this attitude of empirically-engaged philosophy to address the important value-laden questions of what policies we ought to support and why through consideration of real world examples.

Approach to the Study

I made the decision to adopt a qualitative paradigm early on in the research process. I concluded that the problems and questions that scholars, policymakers, and others might find most interesting about released time programs dealt primarily with the qualities of the programs, including their organizational structure, values, aims, and pedagogical approaches. Thus, the approach needed to provide rich descriptions of such characteristics called for application of qualitative research methods. In addition to matters of fact, I gradually determined that the study would benefit from direct consideration of matters of value—specifically, I wanted to address value-laden questions and assumptions relating to the study’s overarching question of whether for-credit released time policies are appropriate in the context of a pluralist democracy. Thus, I

²⁵⁰ Nicholas C. Burbules and Bryan R. Warnick, “Philosophical inquiry.” *Complementary Methods for Research in Education, 3rd Edition*, Judith Green, Gregory Camilli, and Patricia Elmore, eds. (Washington, D.C.: American Educational Research Association, 2006), 500.

determined that normative case study method, which provides tools of investigation for both facts and values, was the most appropriate approach for this study.

In the early spring of 2012, I began preliminary research through a general qualitative methodological approach (which I would later modify) to investigate the vague topic of released time in South Carolina, not knowing much about the phenomenon of interest, having little idea as to what sort of research questions to pursue, or methods that would be needed for the investigation that would follow. Therefore, I found it helpful to employ an open-ended qualitative research methodology in which the investigator assumes the role of primary instrument of data collection and analysis and takes an inductive approach to data collection and theory formation.²⁵¹ This approach allowed me to make consistent revisions to my research problem, questions, and emergent themes in light of conflicts with newly collected data or additional reflection.

Preliminary research into the general topic of released time, along with application of the constant comparative method, helped me to identify a general research problem and design tentative research questions, to begin thinking about the most appropriate research methods to use, and to develop flexible, working theories to address the research questions. Preliminary findings derived through historiographical analysis of secondary literature, analysis and interpretation of legislation and case law related to released time, and data-mining from various Internet resources to gain insights into the nature of released time organizations in South Carolina enabled me to clarify the research problem and to refine the research questions.

²⁵¹ S. B. Merriam, *Qualitative research and case study applications in education*. San Francisco: Jossey-Bass, 1998.

Constructing the Research Problem and Developing the Research Questions

I began the study with a broad inquiry into released time programs within the state of South Carolina because (1) it is the only state in the United States that has legislation permitting public school districts to award credit for high school released time courses, (2) it was the location of the *Moss v. Spartanburg School District 7* (2012) case, which had recently drawn national attention to the generally unfamiliar concept of released time, (3) it is a center of operations for a nationwide movement of evangelical Christians to expand released time programs and for-credit policies throughout the United States, and (4) it was convenient—I live, study, and work in the state. It was the (then ongoing) *Moss* case that first drew my attention to released time programs in South Carolina. I followed developments in the case closely and became convinced that the for-credit released time programs, which were the focus of the case, were an interesting topic for scholarly research.

Preliminary research into various released time programs throughout South Carolina led me to the understanding that students not only receive high school credit for attending released time courses, but that these courses are decidedly focused on devotional rather than academic studies of the Bible. These observations increased my interest in South Carolina's released time programs, leading to many more questions about the goals, values, and content presented by these programs. I was curious as to how for-credit, devotional courses in religion were deemed constitutional. How was it possible, especially in the age of standardization and high stakes accountability for the public schools, that districts could grant academic credit for courses that had virtually no

state oversight? It seemed that if credit was to be awarded then, at a minimum, the public should have access to information about what was being taught in these courses. It was in response to these early observations and my own curiosity about the legality and the nature of for-credit released time programs that I developed the research problem and questions for the present study. I then had to decide how best to address the problem and answer the research questions.

I considered several approaches to research design before deciding upon normative case study method. As referenced above, I first approached my research topic through a general, open-ended qualitative methodological approach and adjusted my methods of data collection and analysis as the data warranted. I did not explicitly decide against ethnography or phenomenology, but incorporated aspects of each into my research design. For instance, I took a quasi-ethnographic approach to my units of analysis.²⁵² My interest in the culture of the released time organizations directed me, as is common in ethnographic research, to investigate the institutionally-promoted beliefs, values, and attitudes that structure the behavior of the leadership and participants of these programs. However, to answer my research questions, I did not find it necessary (or possible) to embed myself in the culture for a long period of time, as ethnography would generally require.

I also applied tools commonly used in phenomenological research to study the concept of released time. For instance, as phenomenological research would require, I

²⁵² W.J. Haynie, III. "Gender Issues in Technology Education: A Quasi-Ethnographic Interview Approach." *Journal of Technology Education*. 15:1, 2003.
Lisa Murtagh, "Implementing a Critically Quasi-Ethnographic Approach," *The Qualitative Report*. 12:2, 2007, 193-215.

endeavored to uncover the nature of the released time movement in South Carolina from multiple perspectives. I was interested to see how program directors, teachers, parents, and students who were affiliated with released time programs interpret the aims and values of these programs.²⁵³ I considered how members of the general public might have mixed feelings about the programs: On the one hand, a large majority of South Carolina's population identify as Christians and were likely to support the idea of having public school students study the Bible, but on the other hand, I imagined that many of these same individuals would be concerned about the lack of oversight and available information about the nature of the for-credit released time programs. I also examined my own thoughts and critical perspectives in regard to the programs and reported these findings in the write-up for the study.

Justification for and Overview of Methodology

Thomas defines case studies as “analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or more methods.”²⁵⁴ Merriam adds that case study “[i]s intensive, holistic description and analysis of a single unit or bounded system” that can be combined with multiple approaches to research design and data analysis.²⁵⁵ The present normative case study was constructed using Patton's three-step process: (1) Assemble the raw case data, (2)

²⁵³ My ability to analyze multiple perspectives on South Carolina's released time programs was complicated when released time program directors declined to allow me access to participating students, parents, and teachers. I was, however, able to interview released time executive directors and an attorney from the Freedom From Religion Foundation, who provided very different perspectives about the programs.

²⁵⁴ Gary Thomas, *How to do Your Case Study: A Guide for Students and Researchers*. Thousand Oaks, CA: SAGE, 2011.

²⁵⁵ Merriam, *Case Study*.

Construct a case record, and (3) Write a final case study narrative.²⁵⁶ I collected data from the selected units of analysis, constructed a case record by condensing the raw data and organizing it into a manageable and accessible system, and—after thorough analysis—constructed a case study narrative that is comprehensive, descriptive, and clear.

From the preliminary stages of the research process, the emerging vision of South Carolina's system of released time programs as a bounded case led me to the conclusion that qualitative case study method would be the best overall approach to the study. I planned to collect data from documents, interviews, field observations, and qualitative questionnaires. This arrangement was complicated, however, as I faced significant challenges gaining access to released time programs and research sites.²⁵⁷ I had also, by this point, developed philosophical or normative research questions and found that a strictly empirical approach would be inappropriate for this study.

In response to these developments, I determined that a normative case study method would provide the best and most comprehensive approach to the research problem. Normative case study method would enable me to frame the dissertation as a study of a bounded system and to describe the relationships among the units of analysis and to situate the primary unit of analysis in its cultural, historical, and legal context. The approach would enable me to address both philosophical and empirical questions, not require me to shy away from value judgments, and be compatible with my theoretical framework. Furthermore, I determined that this approach would allow me to produce a

²⁵⁶ Michael Patton, *Qualitative Research and Evaluation Methods*, 3rd Ed. Thousand Oaks, CA: Sage Publications, 2002.

²⁵⁷ This situation is described in detail in the forthcoming section entitled, "Challenges Faced"

study that would make a significant contribution to the much-needed scholarship on for-credit released time programs.

Strengths and Limitations of Case Studies

Some scholars have raised concerns about case study research regarding issues of rigor, trustworthiness²⁵⁸, use for making scientific generalizations, and efficiency.²⁵⁹ I have considered each of these criticisms and have determined that normative case study method remains the best option for the present research project. Specifically, critics of case study have alleged that it is more susceptible to sloppy, non-systematic methods of data collection and analysis, which often result in excessively biased and unreliable results.²⁶⁰

If poorly conducted, case studies may be more susceptible to the above-mentioned problems than other methods, but if necessary steps are taken to insure methodological rigor and trustworthiness, case studies can provide sound and valuable approaches to research. Many criticisms regarding the lack of rigor in case study methodology are outdated, as the past twenty years have seen the publication of many quality texts to guide researchers in sound practice.²⁶¹ Following these scholars' advice for conducting case study research can help researchers avoid many of the pitfalls described by critics of

²⁵⁸ E.G. Guba & Lincoln, Y.S. Paradigmatic controversies, contradictions, and emerging confluences. In N. K. Denzin & Y. S. Lincoln, *The Sage handbook of qualitative research* (3rd Edition, pp. 191-215). Thousand Oaks, CA: Sage, 2005.

²⁵⁹ D. T. Campbell & J.C. Stanley, *Experimental and quasi-experimental designs for research*. Chicago: Rand McNally, 1996; J. Diamond, The roots of radicalism. *The New York Review of Books*, 1996, 4-6; Dogan, M., & Pelassy, D. *How to compare nations: Strategies in comparative politics* (2nd ed.). Chatham, UK: Chatham House, 1990.

²⁶⁰ Bent Flyvbjerg, "Five Misunderstandings About Case-Study Research," *Qualitative Inquiry*. 12(2) April 2006, 219-245.

²⁶¹ Some of the most widely used texts including those of Yin (2009), Thomas (2011), Stake (1995), and Hancock & Algozzine (2006).

case study method. It is also important to note that any approach to research is susceptible to problems relating to researcher bias (e.g., confirmation bias, publication bias, and bias in survey design).

I have enhanced my study's trustworthiness and dependability through triangulation of data (using of multiple methods of data collection and analysis), member checking (providing copies of interview transcripts to participants to ensure accuracy of data), peer examination (incorporating critical feedback from colleagues with diverse perspectives), by providing a clear statement of my biases and subjectivities that may influence my role as a researcher (including assumptions, biases, and theory behind the study), and through inclusion of an audit trail (a detailed description of how data were collected, how categories or themes were derived, and how other important research decisions were made). I enhanced the transferability of the study's findings by providing rich descriptions and adequate context for the units of analysis. All data collection, interaction with research participants, and reports of the study's findings were carried out in strict accordance with Clemson University's Institutional Review Board's guiding ethical principles (The overall research plan and all appended forms have been approved by Clemson's IRB office).

More specifically, I made efforts to identify biases or subjectivities from the beginning pages of the dissertation by providing a clearly defined theoretical perspective that details the epistemological basis of the study. I provided a personal statement to explain my motivations for the study and biases in the types of questions that piqued my interest, including my interest in shedding light on the "unknowns" of a potentially

controversial program, and my early reaction of surprise upon learning that students could receive public school credits for participation in largely unregulated, devotional courses in religion—a policy that I assumed to be unconstitutional. I made a concerted effort to construct a comprehensive review of the literature on the topic of interest, which grounds the claims and evaluative criteria of this study in well-developed theory. I made efforts to select multiple units of analysis for study rather than choosing only one that appeared to fit my preconceptions. I sought out evidence that did not support my original hypotheses, and where such evidence was found, I reported these findings and modified the study’s conclusions.

Critics of case study might claim that one cannot make sound generalizations about a large-scale phenomenon based on a single case study. The same could be said, however, about a single experiment, but theories should be built based on evidence gathered from multiple studies. The present study represents an examination of a single case, designed not to provide conclusive generalizations about all released time programs, but to contribute new knowledge to a much-needed area of scholarship on the nature of for-credit, evangelical released time programs. It is my hope that this study will lead to others—the sorts of questions asked and the conclusions drawn in the present study are likely to evoke controversy and may not address every interesting or important aspect of the phenomenon of for-credit released time. I have deliberately designed the study within a bounded system—a “system” of released time programs, within a single state, and consisting of multiple units of analysis. However, the fact that the major organization behind released time in South Carolina is the leading promoter of

evangelical released time programs throughout the United States gives the study significant implications beyond the state of South Carolina.

Case studies can be useful as falsifying examples—as “black swans”.²⁶² South Carolina’s released time programs appear to be atypical from a historical perspective because most released time programs have been run by Mainline Protestants, Catholics, and Jews (and, in the western states, Mormons), whereas South Carolina’s programs are run exclusively by evangelical Protestants. Furthermore, this study uses intentional selection of “model programs” rather than random selection in an attempt to test the generalization that “for-credit released time policies are designed as a means of accommodating religious expression and do not have the effect of advancing a religious mission.” I purposefully chose to examine “model programs,” which are likely to have been subjected to the highest levels of scrutiny by program leaders, to test the above claim.

Public school programs must serve the public interest and remain within the law. Thus, it is reasonable to presume that program directors would be highly motivated to (at the very least) purge “model programs” of any components that they believe they could not justify to the public. At a minimum, they would need to find a way to de-emphasize such components or find a way to shield them from public scrutiny. Thus, if evidence could be found that suggests that even these heavily scrutinized “model programs” have a clear and primary aim to proselytize students, then it is reasonable to assume that study of

²⁶² Flyvbjerg 2006; Karl Popper used the example of the generalization “all swans are white,” arguing for the principle of falsification that the discovery of a single black swan would disprove the universal rule of white swans.

less scrutinized programs would be highly likely to yield similar findings. By selecting “model programs” for analysis, this study increases the likelihood that any aspects of these programs that are determined to be inappropriate for pluralist, democratic societies—such as advancing a religious mission through public schools—are likely to be found in most if not all other released time programs in South Carolina.

Challenges Faced

Given the meaningfulness of religious belief to the devout and the potential for researcher insensitivity toward such delicate matters, my study is potentially quite controversial. This situation brings up a few significant and interesting challenges. First of all, I faced potentially problematic anonymity issues. For instance, early on in the study I had to ask, “Can or should I protect the anonymity of all of the research participants?” Yin argues that the most desirable option for researchers is to disclose as much information about the case(s) as possible, within the ethical constraints required for protecting human subjects.²⁶³ Readers can make connections to information about the case or related topics. Identification of sources makes the entire case easier to review (citations can be checked, characterizations can be challenged, identified participants can be tracked down for follow-ups, etc.). Shulman points out that sometimes participants feel empowered by being named in research studies.²⁶⁴ Given the strong likelihood that advocates of for-credit, evangelical released time programs will perceive many of the

²⁶³ R. K. Yin, *Case study research: Design and methods* (3rd ed.). Thousand Oaks, CA: Sage, 2003.

²⁶⁴ Judith Shulman, “Now You See Them, Now You Don’t: Anonymity Versus Visibility in Case Studies of Teachers,” *Educational Researcher* (19)11, 1990, 11-15.

conclusions drawn in this study as in opposition to their mission, transparency for this study is especially important.

With these ideas in mind, I determined early on that I would not attempt to protect the anonymity of the program directors with whom I interacted. The directors' names, affiliations, and biographies are available online. Much identifying program information is available online as well. I determined that there were no known risks or ethical issues involved with identifying the names of the directors. For the same reasons (and so I could make direct connections to the related Moss v. Spartanburg case) I decided to include the real names of the umbrella organizations and regional released time organizations that I researched online and invited to participate in the study. In compliance with standard practices dealing with the protection of human subjects, I determined not to identify individuals whose identities and connections to my units of analysis were not beneficial to the study. I decided not to identify released time teachers, parents, or students for similar reasons.

I also faced challenges surrounding access to sites and participants' hesitancy to discuss sensitive issues. Sensitivity toward participants' concerns warranted consideration in planning for data collection. For instance, released time program directors expressed a sense of fear of exposing themselves to lawsuits from groups opposed to their efforts (e.g., indirect references to "watchdog" groups such as the American Civil Liberties Union and the Freedom From Religion Foundation) and a desire to protect minors' and parents' anonymity and not to damage relationships between

umbrella organization, regional programs, teachers, and local churches and released time classroom providers.²⁶⁵

A situation that clearly illustrates the concerns of released time program directors regarding exposure or misrepresentation by outsiders led me to significantly revise my original plans for this study. In the preliminary stages of this study, I identified eight released time programs that serve high school students in South Carolina. From these eight programs, two “model programs”—Christian Learning Centers of Greenville (CLC of Greenville) and Spartanburg County Bible Education in School Time (SCBEST)—were selected for inclusion in the study. In addition to being identified as “model programs” by their affiliated umbrella organizations, I deemed these programs to be ideal units of analysis for other reasons as well.

Greenville’s program is among the first, the largest, and the most successful released time programs in South Carolina. Spartanburg’s program was the subject of the Moss case, which garnered national attention for for-credit released time policies and programs. I reasoned that inclusion of both the Greenville program, which was under the umbrella of School Ministries (the larger of two umbrella organizations), and the Spartanburg program, which was under the umbrella of School Time Bible of South Carolina (the smaller of the two umbrella organizations), would provide adequate data from which to make reasonable generalizations about South Carolina’s overall “system” of released time programs. Being denied access to programs under either of these

²⁶⁵ Ken Breivik (Executive Director, School Ministries), in discussion with the author, September 2013; Grayson Hartgrove (Executive Director, School Time Bible of S.C.; Interim Director of Spartanburg County Bible Education in School Time), in discussion with the author, August 2012.

umbrella organizations would complicate my research plans, and as it would turn out, this is precisely what occurred.

After conducting preliminary Internet research into these two umbrella organizations, I first contacted the executive director of School Time Bible of South Carolina, Grayson Hartgrove (who was also the interim director of Spartanburg County Bible Education in School Time) and corresponded with him several times by e-mail and telephone throughout the summer of 2012. I asked to meet with him to discuss his role in the released time movement and to ask some questions about released time programs in the state. He agreed, and we set up a time and a place to meet for an interview. When I arrived at a church in Spartanburg County, Mr. Hartgrove and I became acquainted and he introduced me to his colleague, Troy Bridges, another participant in the evangelical released time movement in South Carolina, who joined us for the interview. I provided them with a hard copy of the informed consent form that I had previously sent by e-mail. I interviewed Mr. Hartgrove, with Mr. Bridges occasionally speaking up to add additional detail to the conversation. The discussion was fruitful and informative.²⁶⁶

I later contacted the Executive Director of School Ministries, Ken Breivik, by e-mail and set up a telephone conversation with him to discuss my research plans and to ask him some general questions about his program and its role in the released time movement. When we first spoke on the telephone, he was hesitant to answer many of my questions and expressed some apprehension about speaking with strangers about the

²⁶⁶ Grayson Hartgrove (joined by Troy Bridges), interview by Ben Bindewald, August 20, 2012, A Baptist Church in Spartanburg County, South Carolina.

program in light of the (then ongoing) Moss case.²⁶⁷ He asked if he could meet with my academic advisors and me on Clemson's campus before moving forward with the study. We met at Clemson University, where we introduced ourselves and talked about his organization and my research plans.²⁶⁸ Shortly after our meeting, he agreed to participate in the study and put me in touch with Janice Butler, the Executive Director of Christian Learning Centers of Greenville County, the largest of the local released time providers under School Ministries' umbrella of support.

I corresponded with Mrs. Butler several times by e-mail and telephone to discuss my research plans.²⁶⁹ She formally invited me to attend a private fundraising banquet for Christian Learning Centers of Greenville County, which I found helpful and informative for my research on released time.²⁷⁰ I developed formal plans to interview Mrs. Butler, observe high school released time classes in Greenville County, and collect qualitative questionnaire data from participating released time teachers, students, and parents (see Appendices A-G). I gained approval from Clemson University's Institutional Review Board and sent detailed copies of these plans by e-mail to Ken Breivik and Janice Butler, both of whom agreed to my requests for data collection.

Shortly after the interview, Mr. Hartgrove asked me if I supported the released time concept. I responded with the following,

I support the idea of the state accommodating religious believers and I think teaching about the Bible is a good idea. Released Time seems to be a good way to do both. The

²⁶⁷ Telephone conversation between author and Ken Breivik, January 10, 2013.

²⁶⁸ Introductory meeting with author, academic advisors, and Ken Breivik, March 8, 2013.

²⁶⁹ Telephone and e-mail correspondence between author and Janice Butler, between March and June of 2013.

²⁷⁰ CLC Friends and Fundraising Banquet, April 18, 2013. I collected program documents and took detailed observation notes throughout the event.

credit issue—what got my attention in the first place—seems problematic because I think it puts [released time] into the gray area you mentioned earlier. I think that if the state issues credit for a class, it is sanctioning the aims and content of that class. So, I will withhold judgment on the credit issue until I know more about the aims and curricula of the typical [released time] programs. Nevertheless, I assure you that I will be as intellectually honest, fair, and respectful as I can in how I represent other people's views and in how I write up my final interpretation. I'll send you a copy of the interview transcript asap. It was nice to meet you and Mr. Bridges this morning. Have a great week.²⁷¹

He responded that his programs use private Christian schools to issue credit for the released time courses. I later sent him a copy of the transcription of the interview and expressed interest in a follow up discussion to clarify a few things. I did not receive a response from him at that time.

I later contacted Mr. Hartgrove again to discuss developments with my research plans. I invited him, his umbrella organization—School Time Bible of South Carolina, and the model released time provider that he oversaw—Spartanburg County Bible Education in School Time (SCBEST) to participate in the study. I asked for his permission to observe high school released time courses provided by SCBEST, to analyze course syllabi and other materials, and to collect questionnaire data from teachers, parents, and students affiliated with those courses. I supplied all of the IRB-approved forms and a brief rationale for the study.

He asked for more information about the scope of the dissertation, so I outlined the objectives of my study, my proposed units of analysis, my research questions, and a general description of the study's research design. In his response, he expressed that he had concerns about the study and asked that I supply him with my personal testimony, statement of faith, and denominational affiliation. Understanding that his organization

²⁷¹ E-mail response from me to Grayson Hartgrove, sent August 20, 2012.

had recently been involved with the Moss case and that he might be hesitant to open his programs up to further scrutiny, I supplied the following candid response in an effort to address his concerns:

Thanks for the e-mail. I hope that the following information will relieve some of your concerns.

I am interested in released time primarily because of the attention brought to it by the Moss case. Yet, I imagine, most people probably remain completely unaware of the released time concept. I think that many people would be interested in the practice of released time in general, the characteristics of released time programs, and the credit policy that has recently been upheld by the courts—these components are certainly interesting to me as a developing scholar. The best way for me to provide reliable information concerning these issues, I am convinced, is through a thorough case analysis such as I have described. The more data I have from released time programs and participants, the more accurate will be the picture that I can paint for potential readers of my dissertation.

Here is a little bit about my background. I was born and raised in South Carolina. I was a member of [a Catholic Church] throughout my childhood and was confirmed there as a teenager. I later made a sincere, public statement of faith in Christ during an altar call at a service at [a Southern Baptist church] where I attended sporadically with a high school friend. I later enrolled [in college] where I was a member of [a non-denominational, evangelical church]. [This church] was then a small, on-campus, mostly student-based congregation but, which I imagine you are well aware, has since moved to its own campus and grown into a mega-church. I left [that church] when I enrolled in graduate school at Clemson. I no longer attend church and am studying religion in general and the Bible in particular from an academic perspective, seeking to gain a better understanding of both.

I am approaching this project with a commitment to providing description and analysis of South Carolina's released time programs and policies that is comprehensive and accurate. As I mentioned to you previously, I am a supporter of released time as a means of accommodating religious expression within the realm of public education. I do not yet have enough information about the high school released time courses to describe the nature of the programs or to address the credit policy in a comprehensive manner. I only have limited information from the programs' advocates and critics—I have yet to see much about the released time classes with my own eyes. I understand your concerns, and I can assure you that I will maintain standards of ethical research and intellectual honesty throughout the project. I hope that I have addressed your concerns in a satisfactory way. I appreciate the time that you have already spent engaging with me. I look forward to hearing from you.²⁷²

He responded that his organization declined to participate further in the study and that he would discourage others from participating as well. Although he had agreed that I could

²⁷² E-mail from me to Grayson Hartgrove sent on June 12, 2013.

use the interview data for my research and a significant amount of information about his program was available online, his organization's decision not to participate further in the study was disappointing news for me. I had to revise the design and alter the scope of my dissertation.

This problematic situation was further complicated as I attempted to salvage my relationships with School Ministries and Christian Learning Centers of Greenville, which I feared may follow suit. I contacted Ken Breivik and informed him of Mr. Hartgrove's decision not to participate further in the study and expressed my concerns about School Ministries and Christian Learning Centers of Greenville deciding to drop out of the study. He assured me that he had spoken with Mrs. Butler, they had reviewed my research documents, and they were both on board with the study.

Mrs. Butler contacted me shortly thereafter and invited me to meet with her at her office at a church in Greenville to discuss the logistics of the data collection plan.²⁷³ I agreed, we met on the agreed upon date, and the two of us spoke for approximately one hour about my dissertation. During that meeting she asked about my personal religious beliefs. I described my agnostic attitude toward matters of faith and described my religious background in much the same way as I had in my correspondence with Mr. Hartgrove. She informed me then that, although she had agreed to my requests for data collection, she still had to gain the approval of her Board of Directors, which she did not anticipate to be a problem.

²⁷³ Meeting between author and Janice Butler, July 24, 2013.

I followed up with Mrs. Butler shortly thereafter to inquire as to whether the Board of Directors for the Christian Learning Centers of Greenville had approved of her agreement to allow the study to proceed as planned.²⁷⁴ She responded that she had not been able to gain the approval of all members of the board, but would contact me shortly. Approximately a month later, I sent a follow-up e-mail expressing my desire to continue with the study and asking her if she had heard from all of the board members.²⁷⁵ She replied that she did not have the consent of her board to move forward with the study and expressed her regrets for not being able to accommodate my requests.²⁷⁶

My experience of being denied access to these research sites, though disappointing, was informative to me as a developing scholar and may be helpful to other researchers as well. I had to balance my desire for access to research sites with the ethical obligation to avoid deceiving participants about the nature of the study. For instance, I was conflicted when I had to consider the following questions: How much should I tell participants about the nature of the study? Will they choose not to participate if they do not feel comfortable with my research questions or the way in which I frame the research problem? How can I show respect to the research participants without compromising the integrity of my study in an effort to make them feel comfortable? How should I respond if they ask about my religious beliefs, which do not align with theirs? I informed the participants of my general intentions for data collection and analysis for the study, but I did not volunteer information about my religious beliefs

²⁷⁴ E-mail from author to Janice Butler, July 31, 2013.

²⁷⁵ E-mail from author to Janice Butler, August 28, 2013.

²⁷⁶ E-mail from Janice Butler to author, September 6, 2013.

or my thoughts about the preliminary findings.²⁷⁷ When confronted directly about my beliefs and my impression of the released time programs, however, my ethical obligations required honesty about these matters, even if it led potential participants to decide not to take part in the study.²⁷⁸

The decisions of School Time Bible of South Carolina, Spartanburg County Bible Education in School Time, and Christian Learning Centers of Greenville not to participate further in the study led me to revise my research plans significantly.²⁷⁹ Though I had gathered a significant amount of data through a variety of sources, I felt that the inability to collect data from classroom observations and teacher, student, and parent questionnaires would be a significant limitation for a strictly empirical study. Therefore, I determined that an interdisciplinary approach that would allow for more in-depth philosophical inquiry to take place alongside the collection and analysis of empirical data would be most appropriate for the present study.

Trustworthiness, Dependability, Transferability, and Ethics

I enhanced the study's trustworthiness and dependability through *triangulation of data* (using multiple methods of data collection and analysis), *member checking* (providing copies of interview transcripts to participants to ensure accuracy of data), *peer examination* (incorporating critical feedback from colleagues with diverse perspectives to

²⁷⁷ Though, as is generally the case with qualitative research, my preliminary ideas relating to the study's research problem, questions, objectives, and so on have changed in important ways throughout the course of data collection and analysis.

²⁷⁸ Based on my interactions with the program directors, I am convinced that, had I given the impression that I shared the participants' evangelical religious views, I would have been granted greater access to the research sites and other opportunities for data collection.

²⁷⁹ The Executive Director of School Ministries, Ken Breivik, agreed to continue participating in the study after the other organizations decided not to. He was very open and accommodating throughout the research process.

help minimize the influence of researcher bias), by *providing a clear statement of the investigator's position* (including assumptions, biases, and theory behind the study), and through *inclusion of an audit trail* (providing detailed descriptions of data collection).

The transferability of the study's findings was enhanced by the provision of rich descriptions and inclusion of multiple units of analysis. Data collection, interactions with research participants, and reports of the study's findings were carried out in accordance with Clemson University's Institutional Review Board's guiding ethical principles.

Data Collection and Analysis

In qualitative research, data collection and analysis should be a simultaneous and continuous process. Data collection in case study research typically involves three strategies of interviewing, observing, and analyzing documents. I collected data for this study through interviews with two released time program directors and an attorney from the Freedom From Religion Foundation, observation notes from a released time fundraising banquet, and analysis of adopted textbooks, syllabi, web materials, brochures, and other relevant documents. I developed interview protocols according to standard qualitative interviewing procedures and provided transcripts to participants for member checking purposes.²⁸⁰ I mined data from observation notes and relevant documents according standard qualitative guidelines.²⁸¹

Data for this study were analyzed using the constant comparative method. This method can be used in case study research to develop themes by continuously examining

²⁸⁰ Turner 2010

²⁸¹ Merriam 1998

data within and between units of analysis.²⁸² I used this method as the primary means to develop the research questions and emergent themes (connections between data and theories to explain these connections) for the present study. Specifically, I used the constant comparative method to continuously test, adapt, and re-test these theories against the data until the data and the theories aligned.

Units of Analysis

The units of analysis for this study are represented visually in the study's conceptual framework (Figure 1.1). The primary unit of analysis is South Carolina's "system" of released time programs, which is bounded and influenced by United States constitutional law in the form of 1st Amendment case law—in particular, court decisions that illuminate the principles of establishment and free exercise. The secondary units of analysis are School Ministries, the larger of two umbrella organizations that provide administrative support to local released time providers, and School Time Bible of South Carolina, the smaller of South Carolina's umbrella organizations.²⁸³ The tertiary units of analysis are Spartanburg County Bible Education in School Time and Christian Learning Centers of Greenville, model regional programs affiliated with each of the two umbrella organizations. Data were gathered in relation to each of these units of analysis. Although the local released time providers serve students from elementary, middle, and high schools, this study focuses on high school courses because these are the only ones for which credit is awarded.

²⁸² Yin, Case Study.

²⁸³ School Time Bible of S.C. is operated by Grayson Hartgrove, who was previously associated with School Ministries.

Summary of Chapter Four

I determined that normative case study method, with its strengths and limitations, is the best approach for my study. I addressed legitimate concerns about case study method by following guidelines to ensure the application of a rigorous research methodology set forth by prominent scholars in the field. I took steps to ensure that the methods of data collection and analysis for this study are trustworthy. I developed detailed plans to handle sensitive subjects with care and concern for study participants. I am confident that the approach that I took is sound and most adequately enabled me to address the research problem and research questions and led to an interesting and informative study.

CHAPTER FIVE

RESULTS OF STUDY

This chapter presents an overview of the data collected for the study. An array of sources, including program literature, Internet resources, textbooks and other curricular material, interview transcripts, and field observations were mined for data that were relevant to the study's guiding research questions. The collected data were organized into themes and subthemes and are presented throughout this chapter. The presentation of data is divided into the following sections: (1) a description of released time credit policies in South Carolina, (2) a description of the organizational structure of the "system" of released time programs in South Carolina, (3) an explanation of the evangelical²⁸⁴ reconceptualization of released time, and (4) an overview of program aims, values, and beliefs that were pertinent to the research questions. A summary of key findings is included at the end of the chapter.

Released Time Credit Policies

This study is primarily concerned with high school released time programs in South Carolina because those are the only programs in the state for which public school credits are awarded. The nature of the credit policies at the state and district levels informs the study and provides necessary context for the case. Therefore, the first section provides a description of these policies and describes some legal concerns that have arisen as a result.

²⁸⁴ I generally refer to the programs that were included in this study as "evangelical" though the term "fundamentalist" (in the way it was used in Chapter Three and not in a derogatory sense) would also be an accurate way to describe the groups' general commitment to orthodox Protestant theology.

The South Carolina Released Time Credit Act

In 2006, at the behest of evangelical released time activists, South Carolina Senator Chip Campsen²⁸⁵ introduced a bill that the state's General Assembly eventually passed as the South Carolina Released Time Credit Act (SCRTCA).²⁸⁶ This made South Carolina the only state with legislation explicitly allowing public high schools to award graduation credits for the completion of released time classes.²⁸⁷ The SCRTCA stipulates that public high school students may earn up to two elective Carnegie units, or high school graduation credits, for participation in religious released time courses. The legislation cites the importance of free exercise of religion and states that districts can award credit for released time courses, "because the absence of an ability to award such credits has essentially eliminated the school districts' ability to accommodate parents' and students' desires to participate in released time programs."²⁸⁸

Under SCRTCA guidelines, released time courses are to be evaluated on the basis of "purely secular criteria," which it describes as, "substantially the same criteria used to evaluate similar classes at established private high schools for the purpose of determining

²⁸⁵ Senator Campsen, a conservative Republican and evangelical Christian from Isle of Palms, SC, has received the School Ministries Outstanding Legislator award (2002), was granted the Christian Legal Society William Bentley Ball Award for Defense of Life and Religious Liberty (2002), and has played a leading role in the passage of the Marriage Amendment to SC Constitution, Public Invocation Act, Religious Freedom Act, Release Time for Religious Education Act, Release Time Credit Act, Student-Led Message Act, and the Religion in Public Schools Act. <http://campsen.org/legislative-accomplishments/>

²⁸⁶ In my interview with Grayson Hartgrove, his colleague Troy Bridges reported that, in response to South Carolina's increased number of graduation credits, he "mentioned to Chip at that time, 'is there a possibility that a law could be passed to enable students to get credit for the course?' And he said, 'well, I'll include it.' ... then he wrote the bill for the credit." Bridges later added, "The thought was that if they got credit, you'd have more students to choose [the released time course]."

²⁸⁷ Hartgrove, interview; Adcox, Released Time in S.C; School districts in other states such as Utah and Georgia also grant high school credits for released time participation, though these states have not passed laws specifically granting the districts such authority.

²⁸⁸ South Carolina Released Time Credit Act

whether a student transferring to a public high school from a private high school will be awarded elective Carnegie units for such classes.”²⁸⁹ The SCRTCA states that the secular criteria may include, but are not limited to: “(1) number of hours of classroom instruction time; (2) review of the course syllabus which reflects the course requirements and materials used; (3) methods of assessment used in the course; and (4) whether the course was taught by a certified teacher.”²⁹⁰ It is not clear how school districts are to apply these criteria or what enforcement mechanisms school districts are permitted to use to ensure that released time programs abide by these limited guidelines.

Moss v. Spartanburg School District 7

Though the SCRTCA cites free exercise and accommodation of religion as its purpose, some civil rights organizations and constitutional watchdog groups are concerned that granting credit for released time may go beyond accommodation and effectively serve as an establishment of religion.²⁹¹ In fact, on June 9, 2009, a group of parents and the Freedom From Religion Foundation—a Wisconsin based non-profit organization that advocates for a strict separation of church and state—challenged the constitutionality of a South Carolina school district’s released time policy in a lawsuit that became known as *Moss v. Spartanburg County School District 7* (4th Cir. 2012). The defendant in the case, Spartanburg County School District 7 (SCSD7), had on January 9,

²⁸⁹ South Carolina Released Time Credit Act (2006)

²⁹⁰ South Carolina Released Time Credit Act (2006)

²⁹¹ Anti-Defamation League, <http://www.adl.org/assets/pdf/civil-rights/religiousfreedom/rips/RIPS-Ch8ReleaseTime.pdf>; Freedom From Religion Foundation, Barker 2012; Elliot 2013

2007 established South Carolina’s first school district policy granting high school graduation credits for released time courses.²⁹²

The district’s policy was designed to enable Spartanburg County Bible Education in School Time (SCBEST) to re-establish a previously offered course that had been discontinued due to its low number of enrolled students.²⁹³ Supporters of the policy argued that by attaching credits to the released time course, the school district was merely accommodating students’ desire to participate in religious exercises—a desire that was hampered by South Carolina’s requirement that students earn a minimum of 24 high school graduation credits.²⁹⁴ Opponents argued that the policy was only masked in the language of accommodation to hide the school district’s actual purpose of offering a special bonus to encourage public school students to participate in a “sectarian, evangelical, and proselytizing” released time course.²⁹⁵

The newly established for-credit version of the course was offered to Spartanburg High School Students, two of whose parents objected on the grounds that issuing credits for devotional religious activities violated their children’s rights and unfairly advantaged students who belonged to the dominant religious group—in this case, evangelical Christianity. The families, joined by the Freedom From Religion Foundation, filed a suit claiming that the district’s for-credit released time policy violated the Establishment Clause and had the primary effect of advancing religion. The school district, represented

²⁹² Moss v. Spartanburg case document “Complaint,” 2009

²⁹³ Exhibit A, 2009. The state had recently increased the number of total credits required to receive a high school diploma. Released time advocates argued that increased graduation requirements prevented some students who otherwise would have participated in the programs to do so. By awarding credit for the courses, they argued, students who wanted to participate in released time would be accommodated.

²⁹⁴ Hartgrove, interview

²⁹⁵ Amended Complaint 2012, 12

by local counsel in conjunction with the Becket Fund for Religious Liberty, a nonprofit organization dedicated to the protection of religious freedom, maintained that its credit granting policies were based on South Carolina law and were not at odds with the United States Constitution.²⁹⁶

In April of 2011, the U.S. District Court, Spartanburg Division in Greenville, South Carolina, upheld the constitutionality of SCSD7's for-credit released time policy, stating that the district's policy properly accommodated student's religious freedom without a primary purpose of advancing religion. The plaintiffs appealed that decision to the U.S. Court of Appeals, Fourth Circuit, where, in March of 2012, a three-judge panel upheld the lower court's ruling.²⁹⁷ The plaintiffs then appealed this decision to the Supreme Court, which declined to hear the case (as it usually does in the absence of conflicting rulings by separate lower courts), effectively upholding the constitutionality of policies that award public school credits for released time participation.²⁹⁸

Accommodation or Establishment?

Patrick Elliot, a staff attorney for the Freedom From Religion Foundation who was involved in the Moss case, doubts the sincerity of the accommodation argument—the argument that granting public school credits for released time course merely accommodates religious freedom. He sees the argument as a convenient legal and rhetorical strategy for advancing a religious mission with the help of the public schools.

²⁹⁶ Becket Fund 2013

²⁹⁷ Summary Judgment 2012

²⁹⁸ Certiorari 2012. This is generally the way the Supreme Court handles appeals in the absence of conflicting rulings by lower courts—the Moss decision is the only ruling of its kind. It is plausible that, in the event that another court rules credit for released time to be unconstitutional, the Supreme Court could decide to hear arguments on the matter.

He says that rather than merely accommodating religious freedom, credit policies give evangelical released time organizations a “shot in the arm to get students to participate.”²⁹⁹ Elliot is convinced that granting credit for devotional released time courses “sends the message that our state and school district approve the content and aims of the courses” and that this represents “a pretty straightforward endorsement of Christianity.”³⁰⁰ He adds, “That’s certainly what the students in the Moss case felt about it.”³⁰¹

Released time proponents deny that credits communicate State approval of a course’s curriculum. For example, Executive Director of School Ministries, Ken Breivik argues that credit merely serves as a measure of time spent during the school day. He explains,

When credits first came out, there were a few classes that they assigned credits to because there were a few of them that we want to make sure they take before they graduate. So we’re going to attach credit hours and they’re going to have so many credit hours to graduate. So, really what it was was a way to designate mandatory classes that you had to take. Now what it’s turned into is something radically different. Now, every class you take has credit associated with it, even a P.E. class has credits associated with it... What we’re instead using it for is a marker of time. If you say that schools should cooperate with religious institutions, and I’m paraphrasing *Zorach v. Clauson*, in these programs, then you’ve got to make some sort of allowance for the time element. If you’re going to make some sort of allowance for the time element, and the only way to mark time is through credit, then frankly this probably should have been done a long, long time ago.³⁰²

In other words, he is claiming that awarding credits communicates neither support for nor opposition to the content of a particular course. Instead, Breivik argues, granting credit for these courses is merely a means of accommodating students’ and parents’ desire to participate in released time Bible education.

²⁹⁹ Elliot Interview

³⁰⁰ Elliot Interview

³⁰¹ Elliot Interview

³⁰² Breivik Interview

Elliot says that he “just doesn’t buy that explanation.”³⁰³ He states that public schools typically only grant graduation credits for educational courses to which appropriate public bodies have given their “stamp of approval,” meaning that they have determined them to be in the best interests of students and the general public. He argues that church attendance and devotional Bible study are not the sort of activities that qualify for public school credit and that granting credits for those activities has the effect of promoting religion over non-religion, which he sees as inappropriate and unconstitutional. He believes that public school credits clearly communicate State approval and suggests that released time advocates are being disingenuous when they say otherwise:

There’s no doubt religious classes could be offered after school or on the weekend or whenever most people attend religious instruction. So, them putting it in the middle of the school day is so they can get more numbers and adding the credit is to signify that approval in order to keep the numbers high.³⁰⁴

Elliot is also critical of the argument that released time for credit is merely a means of allowing students to express their religious freedom. He thinks that those who see credits as a mere means of accommodation misunderstand the legal meaning of accommodation. He elaborates,

It doesn’t have anything to do with their expression of religious freedom. Instead, it deals with people within the evangelical organizations who want to teach students their religion... South Carolina’s released time programs are using the machinery of the schools. The schools are granting you some benefit—awarding graduation credits and grades—for participation in devotional religious programs. That’s not an accommodation. An accommodation would be allowing a person to practice their own religion as they see fit within the normal school rules. These policies are actually granting a preference, and that is what I think makes them not an accommodation of religion but an establishment of religion.³⁰⁵

³⁰³ Elliot Interview

³⁰⁴ Elliot Interview

³⁰⁵ Elliot Interview

Stated another way, Elliot claims that religious freedom guarantees one's right to practice one's own religion but does not include a right to use the public schools to advance a religious mission. He continues,

It's one thing to say, here's the law, and it's preventing you from practicing your religion or your sincerely held religious beliefs are preventing you from being able to comply with the law, so we will consider an accommodation. Here, with released time, credit requirements are so neutral that any student can complete them. There is ample opportunity for students to participate in religious instruction and still meet the minimal requirements for graduation.³⁰⁶

In other words, for a school policy to legitimately qualify as an accommodation, Elliot argues, there must be a legitimate obstacle to the free exercise of religion. He does not consider generally applicable course requirements that preclude access to proselytizing religious courses during the regular school day to be a violation of free exercise.

School Time Bible of South Carolina, but not School Ministries, uses private schools to certify all of its high school courses. Elliot sees this practice of private school certification of released time courses as a way of giving legal cover to what he believes to be private religious organizations' true intent to proselytize public school students, something that would generally be rejected as unconstitutional. He explains why he believes this certification process to be highly problematic, "we're not realistically even talking about transfer credit. We're talking about current public [high school students]... and not private school students transferring in."³⁰⁷ He says that there is a significant, but overlooked, distinction between helping a private school student make a smooth

³⁰⁶ Elliot Interview

³⁰⁷ Elliot Interview

transition into a public school and letting a public school student take proselytizing religious courses for credit through a private school.

Overall, Elliot believes that awarding released time credits through a private school “was really a sham.”³⁰⁸ He explains,

None of the students at [the private school] attended the class. The class was not on the [private school’s] campus, it was right near the public high school. They did not even inform their accrediting agency about the class! Their teachers weren’t teaching the class and their students weren’t taking it. The idea that this was a program being offered through a private, accredited school [was disingenuous]—and the litigation showed this conclusively—they weren’t ensuring the quality of the program. They didn’t do a whole lot other than saying, ‘this class is in line with our views.’ That is the extent of quality monitoring. There wasn’t any oversight by an accrediting agency or by an accredited school here.³⁰⁹

Furthermore, Elliot believes that it was highly problematic for a private religious school to be put in charge of evaluating a devotional religious class according to the “purely secular criteria” stipulated by the South Carolina Released Time Credit Act, claiming that “The school district was delegating its authority to a religious institution.”³¹⁰ He explains that, under South Carolina law,

the school can determine what classes it will accept for credit. But, in Spartanburg, they didn’t do that. They said that if it comes through an accredited private school then that would be good enough. But there was no secular criteria attached to that, really, and we know from the case that the reason [the private school] approved [the released time course] was for religious and not secular reasons—it was in line with their religious views and was not approved on the basis of secular criteria. So, this was really an unconstitutional entanglement here. The public high school and school district were delegating their authority to a religious institution.³¹¹

Elliot explains his understanding that when public schools accept transfer credits from private schools they typically only accept courses that align well with required public

³⁰⁸ Elliot Interview

³⁰⁹ Elliot Interview

³¹⁰ Elliot Interview

³¹¹ Elliot Interview

school courses. Thus, a proselytizing and devotional religious course would not be accepted by a public school, even as a transfer from a private school. A history or literature course, on the other hand, would be accepted—a distinction that he believes was underappreciated in the Moss decision. He says,

That did come up in the Moss case. What we knew from the guidance counselors was that, for a transfer student, they really didn't delve into those sorts of [devotional] classes. Under the way some of the regulations are worded, basically, they only grant transfer credits when the private courses correspond to some public school class that they would be able to give credit for.³¹²

He adds that the credit for released time policies inherently benefit those groups who are highly motivated to bring religion into the public schools. Religions such as evangelical Christianity, which have as their defining characteristic a duty to proselytize, automatically benefit from such policies that grant their courses the appearance of academic legitimacy and state sanction. Most religions, he argues, are content to provide religious education to their adherents' own children outside of the public school day. Thus, those who think it unwise to attach public school credits to proselytizing religious courses are placed at an automatic disadvantage by such policies—for, the most aggressive religions, when supported by the state, will likely gain more followers than those who adhere to a firm separation of church and state or are, for whatever reason, less compelled to proselytize.

Even if the families involved in the Moss case were interested in released time courses, Elliot says, “obviously that is not going to happen in South Carolina [with its small population of religious minorities]. In Spartanburg, for example, they have five

³¹² Elliot Interview

private Christian schools and no private schools affiliated with other religions.”³¹³ He concludes that, “It just wasn’t even close to being an option for these families.”³¹⁴ Nevertheless, “They thought that it was unfair that evangelical Christian students would have this opportunity and the plaintiffs, a non-religious student and a Jewish student, would not.”³¹⁵ Furthermore, “it brought religion to the forefront in the high school. It’s something that wouldn’t have caused a dispute between the students were it not for the released time class.”³¹⁶

Furthermore, Elliot claims that the released time credit policies are worded in such a way that they make it impossible for anyone but the dominant religious group to take advantage of the opportunity to attach public school credits to courses espousing their religious beliefs. He points out that the policy requirements appear on the surface to promote neutrality and discourage government entanglement with religion, but that they have the effect of setting a standard that only the dominant religious group, which in South Carolina means evangelical Christianity, could meet. By their very nature, there is almost no State oversight of the day-to-day operations of released time courses—for this would amount to entanglement. On the other hand, the requirements to purchase site insurance, provide transportation, and acquire a state certified teacher who is willing to teach the class, create a set of criteria that only groups with established religious infrastructure might be able to meet. Furthermore, finding a private school to certify a

³¹³ Elliot Interview

³¹⁴ Elliot Interview

³¹⁵ Elliot Interview

³¹⁶ Elliot Interview

course for a non-Christian released time course would also be a difficult task. He explains,

There's a lot of barriers to minority groups and inherent preference shown to majority groups with these policies. We know how this policy came about—it came about by the suggestion of somebody in the organization who wanted to offer these classes and with the close cooperation of some of the school administrators. We also know what private schools were in the district—there were five Christian schools where students would be able to take advantage of something like this. There's not a Jewish school. There's not a Muslim school. There's not a private school for non-religious people. So, a policy like this is going to favor those groups who are already set up in the area—in this case, that is evangelical Christians... For the Jewish student and the non-religious student, the message was received loud and clear: the school was going to approve the coursework of the Christian students and they weren't going to have that opportunity.³¹⁷

Elliot believes that because the United States is a religiously pluralist country that values equal rights, sectarian released time courses (especially those for which credits are awarded) are inappropriate. He conceives of public schools in the tradition of Horace Mann's common schools—that is, he believes they have a duty to promote a common civic identity through universal education. Released time for credit policies, he says, have the opposite effect of emphasizing difference and division among students:

We've gone with common schools in the United States, and we have such a long history with that, and now we're going backward with the credit for released time policies. We have developed schools that are integrated—not segregated by religion—and policies like this one are a step back toward some sort of religious segregation... where schools are now delving into divisive religious issues. You have to think about how *all* students are going to be treated under that scheme and whether they will be treated equally. We obviously don't think that this is the case in South Carolina.³¹⁸

In summary, South Carolina's released time organizations claim that granting credit for their courses merely accommodates students' and parents' religious freedom and does not serve as a State establishment of religion. The released time organization in Spartanburg County says that certifying released time courses through private schools

³¹⁷ Elliot Interview

³¹⁸ Elliot Interview

avoids an entanglement between church and state. Elliot says that granting credits for released time is not merely a means of affording students opportunities to exercise religious freedom. Instead, he believes that the classes are efforts to proselytize public school students, and the credit policies help evangelical activists in those efforts. Certifying these courses through private schools, Elliot says, is merely a creative effort to provide legal cover for illegitimate practices that provide State support for the dominant religious group and emphasize differences among students.

Competing claims about the purposes and effects of released time policies and practices in South Carolina cannot be evaluated without access to information about the origination of the credit policies and the nature of these courses. This study used qualitative methods such as interviews, document analysis, and observation to gather data that help to illuminate some of the issues surfaced in the case and debated by proponents and critics of credit-for-released time policies. The following sections present themes relevant to the study's research questions that arose from analysis of collected data using the constant comparative method. To further contextualize the study, the following section will provide an overview of South Carolina's "system" of released time programs.

Organizational Structure

The released time "system" in South Carolina consists of an association of independent programs into a voluntary, loose-knit, organizational hierarchy (See Figure 1.1, Appendix A). At the top of the hierarchy are two umbrella organizations, which provide various forms of support to multiple affiliated regional programs. Almost all

regional programs offer released time classes at the elementary and middle levels, and some offer classes for high school students as well. This study examines each of the two umbrella organizations and each umbrella organization's "model" regional program, focusing upon the model programs' high school curricula.

The umbrella organizations provide multiple forms of support to their affiliated regional programs, which offer released time courses to local public school students. This multi-faceted support includes access to discounted site insurance, teacher training and leadership development seminars, curriculum materials, program "start-up kits," legal guidance, and other forms of assistance for establishing local released time programs. The larger of the two umbrella organizations, School Ministries, Inc., is a South Carolina-based, evangelical released time organization with a national focus.³¹⁹ School Ministries serves approximately 90 percent of participating released time students in South Carolina.³²⁰ The smaller of the two umbrellas, School Time Bible of South Carolina (STBSC) is part of the Bible Education in School Time (BEST) Network, another nationally-focused evangelical released time organization. STBSC serves the remaining 10 percent of South Carolina's participating students.³²¹ While operationally independent from one another and guided by different leadership styles, the two umbrella

³¹⁹ On its website, School Ministries states, "Opening these possibilities to public school students is just too important to their futures for RTBE not to be systematically promoted and advanced throughout all 50 states... To accomplish this SMI (School Ministries, Inc.) is positioning itself as a truly national organization that supports state level networks and individual programs."

³²⁰ Breivik Interview.

³²¹ Breivik Interview

organizations share a nearly identical evangelical ethos and common mission to bring released time Bible education to public school students.³²²

There are approximately 20 regional released time programs, which serve around 14,000 students in the state of South Carolina.³²³ In addition to the umbrella organizations, this study examines two regional programs—the “model programs” for each umbrella organization. Grayson Hartgrove, the Executive Director of STBSC, also serves as Interim Director of Spartanburg County Bible Education in School Time (SCBEST), whose high school program serves as a model for STBSC.³²⁴ SCBEST, one of the two “model” regional released time programs examined in this study, operated the high school released time program that was at the center of the *Moss v. Spartanburg School District 7* case. The second of the two “model” regional released time programs that were examined in this study is Christian Learning Centers of Greenville County (CLC of Greenville). CLC of Greenville is affiliated with School Ministries and is one of the umbrella organization’s largest regional programs.³²⁵

The leadership of South Carolina’s two released time umbrella organizations contributed a great deal to what I have called the evangelical reconceptualization of released time. It would be difficult for readers of this dissertation to comprehend the nature of these programs without first having a clear understanding of this important

³²² Grayson Hartgrove, the Executive Director of School Time Bible of South Carolina, was formerly affiliated with the organization now known as School Ministries.

³²³ These figures were compiled after conversations with executive directors from each umbrella organization.

³²⁴ The STBSC website states, “SCBEST in Spartanburg County has a model high school program that you should visit before considering this option [of setting up a high school released time program].” <http://schooltimebible.org/en/churches/getting-started/>

³²⁵ Coastal School Ministries, formerly known as Horry C.A.R.E.S., is another of School Ministries’ large, established programs.

development in the history of released time. Therefore, to provide necessary background for the study and to place these programs in their broader, national context, the following section will describe the evangelical reconceptualization of released time.

Evangelical Reconceptualization of Released Time

As described in the review of literature, evangelical Christians in South Carolina and elsewhere have reconceptualized and revitalized the 100-year-old released time concept. Whereas released time was originally envisioned as a means of accommodating the desires of parents to obtain moral and religious education for their own children, throughout the school week, in their family's faith tradition—with most programs established in diverse urban areas for Mainline Protestants, Catholics, and Jews—the contemporary programs that are the focus of this study have a significantly different character. While sharing the concerns of the Mainline Protestant originators of released time that religious literacy and Biblical morality were important and underemphasized in the increasingly secularized public schools, contemporary evangelical proponents of released time conceive of the concept as an “overlooked open door” through which to bring their worldview to “unchurched” public school students. Convinced that the United States is in the midst of a crisis of culture, many evangelicals have come to see released time as a vehicle through which to turn the tide of American cultural decline and decay. Furthermore, they see released time as an avenue through which to introduce their worldview and convert others to Christianity in the public school “mission fields.” South Carolina's released time organizations, though they do not publicly identify as “evangelical,” clearly conceive of released time in this manner.

Evangelical Christian Ethos

Released time programs in South Carolina, from the umbrella organizations to the regional providers, though they clearly promote a conservative evangelical brand of Christianity, typically identify themselves simply as “Christian” or “interdenominational.”³²⁶ For instance, in its annual ministry report under the heading, “Churches Unite!” CLC of Greenville states:

We understand that there is only one church – not many that resent and compete against each other – and it includes all believers in Christ... With the spirit of unity among CLC servants, we move forward, wholly dependent on the Lord as we worship and glorify Him for all He continues to do for us and our ministry. We persevere in sharing the Word to our Released-Time students as He is among us, because the day of the Lord has not already come.³²⁷

Executive Director of School Ministries, Ken Breivik says that his organization tries, “to get a number of churches, often of different denominations, to work together.”³²⁸ He claims that, “most of the Protestant denominations, in terms of their theology, would be 95% on the same page...” He continues, “There’s certain areas—probably like three major areas—where they have some differences. But the core principals of Christianity can be taught without having to deal with those three issues.”³²⁹ In other words, released time leaders say that these programs focus not on issues that might divide Christians along sectarian lines, but on a unifying set of beliefs commonly held by all or most Christian denominations.

³²⁶ SCBEST identifies itself as an “interdenominational, parachurch ministry” on its website: <http://scbest.net/about-us/>; School Ministries, School Time Bible of S.C., and Christian Learning Centers identify simply as Christian throughout their program literature.

³²⁷ CLC of Greenville Ministry Report 2012-2013, p. 7

³²⁸ Breivik Interview

³²⁹ Breivik Interview

Examination of the textbooks used by the programs included in this study—all of which were written by conservative evangelical Christians—presents a clear evangelical perspective that, in important ways, contradicts the programs’ unifying message and shows the limitations inherent in this understanding of inclusion. The following passage from one of the high school released time textbooks captures the essence of the evangelicals’ orthodox position on Christian unity:

Inclusion in a specific group is not a test of fellowship. Mature believers will see beyond labels and affiliations. Those who genuinely love Christ and obediently work for Him must not be hindered. This does not give credence to ecumenism, which denies the basic doctrines of Scripture to pursue religious unity. Christ powerfully denounced false religion and so must we.³³⁰

These “basic doctrines” are articulated throughout the released time literature and curricula, and, as the following sections will demonstrate, promote a form of Protestant orthodoxy that is distinctly evangelical in nature.³³¹

The limited definition of what it means to be a true believer is further illustrated by the ways in which adopted evangelical released time textbooks present a picture of Christians as a persecuted minority. For example, one author presents the idea that, “The example of the Jewish people reminds us as Christians that even though we too are a minority group, we *can* live holy lives that please God.”³³² The School Ministries website echoes the persecuted minority sentiment:

³³⁰ That I May Know Him, Teacher’s Edition, p. 119

³³¹ Adopted for use in SCBEST’s high school courses, Wayne Grudem’s book, *Christian Beliefs: 20 Basics Every Christian Should Know*, provides an accurate overview of the evangelical orthodox positions promoted by the units of analysis for this study.

³³² Berding and Williams, *What the New Testament Authors Really Cared About*, 21

This comparison of the alleged persecution of an imagined Christian minority with discrimination against “the Jewish people” is especially problematic in modern U.S. contexts, as Jewish people make up less than 2% of the American population compared to the nearly 80% of Americans who identify as Christians.

The next generation needs to have God's Word integrated into their lives if they have any hope of surviving in today's postmodern, anti-Christian culture. Released Time provides students in public schools with the marvelous opportunity to study God's Word and have it change their lives for eternity.³³³

Other sources echoed the persecuted minority sentiment as well. Drawing upon the Gospel of Mark, the author of a textbook used in SCBEST's high school courses describes the tribulations faced by Christians in the "present age," a time that he portrayed as spanning from the days of the early Christians to the anticipated return of Christ:

The present age is characterized by war, violence, and disasters (13:5-8). It is a time when followers of Jesus will be hated, persecuted, and mistreated (13:9-13)... The present task for those whose lives have been changed by the good news about Jesus is to participate in proclaiming that message among all the nations of the world.... The gospel faces a hostile world. Believers must depend on the Holy Spirit and must learn how to stand firm as they wait for their final deliverance and vindication at the coming of Jesus (13:11, 13).³³⁴

Furthermore, the author suggests that true and perfect Christianity, presumably that which is based on a literal reading of the Bible, should not be adjusted in the face of critique:

In response to hostility, Mark never suggested changing the message to make it more acceptable or developing more effective methods to produce greater success. Instead, he pointed to the example of Jesus, to the pattern of self-sacrifice and humble service. In the face of rejection, followers of Jesus live with sacrificial devotion and a servantlike attitude toward those in need... The surprising miracle is that despite opposition, the scattered seed finds good soil and grows. The gospel of Jesus meets receptive hearts, and the hidden kingdom of God spreads. The proclamation of the gospel, the way of sacrifice and service, the growing kingdom of God—these are the realities that give significance to the lives of those who find themselves within the story of Jesus, the Messiah who died on the cross but rose again and will someday come again.³³⁵

³³³ Dr. Glen Shultz, Headmaster of a Christian Academy and national authority on Christian education, quoted on School Ministries' website

³³⁴ Berding and Williams, 56

³³⁵ Berding and Williams, What the New Testament Authors Really Cared About, 56

Here, it appears the author is suggesting a comparison between the hostile environment of the first century Christians living within the Roman Empire and that of modern Christians living in the United States. Perhaps he, like some of the other textbook authors, believes that most of the members of the United States' overwhelming majority of Christians—many of whom are Catholics and Mainline Protestants—represent people who are not true believers. “True believers,” in this case, would likely be defined as those who accept the orthodoxies espoused by conservative evangelical Christians. In a warning about opposition to true Christianity and a denunciation of “false religions” and “nominal Christians,” a textbook author states:

Modern Bible believers face opposition from two groups: non-Christian religious people and nominal Christians who disbelieve the Bible... Pagan religious practices and influence continue to increase in the western world. Many traditionally Christian groups have abandoned their faith and embraced secular philosophy while keeping outward ritual. The best way to discern all false religion is to know the source of truth and life, the Lord Jesus Christ.³³⁶

Further evidence of the released time organizations' narrow definition of what it means to be Christian is a fear of attack from powerful outsiders—for true Christians, the organizations suggest, would not oppose the aims of the released time courses. The belief that those who oppose the group's aims are evildoers, and not just people who disagree with them, is evident in the following warning to those who wish to establish a new released time program:

The development of a [released time] program launches an aggressive attack on the enemy... Given this, we cannot expect the forces of evil to be passive. Do not be surprised to run into many obstacles and discouragements as you ponder the development of a [released time] program in your community. There is a great deal of work to be done and many obstacles to overcome.³³⁷

³³⁶ That I May Know Him, 79

³³⁷ School Ministries Handbook, 4

In other words, because evangelical released time programs are established to do God's will, those who oppose the programs must be motivated by the enemy, Satan. The implication for Christians who oppose released time is that, according to this statement, they are not true Christians.

Evangelism, the defining characteristic of evangelical Christianity, means to preach the gospel of Jesus Christ in an effort to convert others to Christianity. Because of their espousal of orthodox views and the strong emphasis they place on evangelism, the most accurate label for the programs examined in this study is “evangelical Christian.”³³⁸ Referring to the programs as “interdenominational” or simply “Christian” fails to capture their conservative theological and cultural perspectives and serves to misinform the casual observer of the narrow way in which released time leaders define what it means to be a true Christian.

This proselytizing purpose of reconceptualized released time, bolstered with a literalist interpretation of the Bible, features strongly in the programs analyzed for this study. Though such spiritual and eternal concerns figure most strongly as motivators for the establishment of released time programs, there are other, more temporal motivating factors, as well. One of these temporal concerns is the belief that the United States represents a culture in crisis.

³³⁸ Most of the programs (including all of the high school programs) in South Carolina are hosted by local Baptist churches affiliated with the Southern Baptist Convention, the largest of the evangelical denominations. Though there are other denominations of churches that host RT classes, the curricula are determined by the regional released time programs and influenced by the affiliated umbrella organizations—all of which share a clear evangelical perspective.

A Culture in Crisis

The leaders of South Carolina’s released time programs share the view, commonly held among evangelical Christians, that since the middle of the 20th century, liberal activists have gradually removed God from American public schools, and, as a result, America has experienced a cultural decline.³³⁹ By “expelling” God from the public schools, they argue, these activists ushered in an era in which “many families fail to read the Bible or attend church” and simultaneously, “infidelity, divorce, pornography, incarceration and many other factors are undermining family stability”.³⁴⁰ Furthermore, these decisions have led to rising levels of “violence, substance abuse, suicide and hopelessness” among American young people.³⁴¹

In general, evangelical released time program literature presents the view that the public schools have deteriorated a great deal. For instance, School Ministries states, “It is common for teachers to struggle to maintain order in their classrooms. Some schools have police patrols and zero-tolerance policies to try to circumvent violence. Even ‘good schools’ (and there are many) deal with children coping with unhealthy home

³³⁹ While it is true that public schools have become increasingly secularized, it is not the case that God has been completely removed from public schools. Students continue to have robust religious freedom in terms of religious speech, student-initiated prayer, student-led Bible clubs, etc. Religious groups are regularly permitted to meet on campus after hours—some, such as the Good News Club, are designed to proselytize public school students and use student evangelism as a recruiting tool—see Katheryn Stewart’s *Good News Club*. Most teachers, administrators, and school district personnel are Christians. There are still many vestiges of the Judeo-Christian heritage in public school culture, organizational structure, and calendars—see Burke and Segall, 2011.

³⁴⁰ School Ministries Handbook 2-3

³⁴¹ Introductory letter from Chuck Stetson, Chairman of School Ministries National Board – School Ministries Handbook

environments...”³⁴² To compound matters, in place of Christian moral values, public schools promote a wide range of “false teachings”:

With such great needs, isn't it tragic to realize that many of the children we see every day in our towns and neighborhoods may get instruction at school in sex education, evolution, moral relativism, and even other religions, but never anything that addresses Christianity or the Bible? They could grow to adulthood with few opportunities to hear about the Savior who died for them, the One who is hope.³⁴³

Accordingly, in comparison to the serene American schools of a bygone era, public school environments today are much worse:

The world has changed. In the 1940s, the Fullerton (CA) Police conducted a study to find the most significant problems in public high schools. According to their study, the top problems were: talking in class, chewing gum, making noise, running in the halls, getting out of turn in line, wearing improper clothing and littering. Compare this to the top problems children face today: drug abuse, alcohol abuse, pregnancy, suicide, rape, robbery and assault. Many students even became involved in such activities before high school.³⁴⁴

Many evangelicals believe that America is experiencing these social problems primarily because the public schools no longer actively and officially promote a biblical worldview. Compounding this problem is the fact that many children do not attend church. The way to combat the perceived cultural decline in the United States is, thus, to find a way to access and influence America's “unchurched” public school students during the regular school day.

Public School Mission Field

Evangelical Christians hold among their greatest responsibilities as believers the “[Great Commission] to proclaim the Good News to all people making them disciples,

³⁴² School Ministries Handbook 2-3

³⁴³ School Ministries Handbook 2-3

³⁴⁴ School Ministries website: <http://www.schoolministries.org/benefits-2/schools>

and teaching them to obey Him.”³⁴⁵ Supporters of the evangelical conception of released time conceive of the American public school system as an “unharvested” mission field where they might bring the “Good News” to “unchurched” students. This is primarily because evangelical Christians have found young people to be those most susceptible to their proselytizing message:

Lives are changed when children come in contact with God’s Word. They are far more likely to worship God all of their lives if they come to know Him at an early age. Statistics show that 86% of Christians are saved before the age of 15. Children are more open than adults, and less influenced by the idols and false gods of 21st century life.³⁴⁶

This ‘get them while they’re young’ approach to proselytizing was articulated elsewhere in the released time program literature, as well:

I believe that [Released Time] is the greatest mission that is taking place in our community—reaching out to youths at an impressionable age and giving them a firm foundation for life. I believe that training young people to live Christian lives will pay huge dividends for our state and nation in the future. There is no better investment of our time and energy.³⁴⁷

In other words, if released time programs can convert children at a young age and teach them to live as conservative Christians, the state and nation will benefit tremendously.

Furthermore,

Released-Time Christian Education is a great program for our kids since Christian influence is limited in our public schools. The most precious thing to Jesus is the innocence of a child. The most important thing we Christian parents can do for our children is to lead them to Jesus Christ and to help nurture the growth of their faith. Released-Time Christian Education provides Bible studies, Christian fellowship, and recreation in a Christ-centered environment.³⁴⁸

³⁴⁵ CLC of Greenville Ministry Report 2012-2013, p. 5

³⁴⁶ School Ministries Handbook 4

³⁴⁷ Leland Burch, member of local Released Time Board, cited on School Ministries’ website

³⁴⁸ Kelly Wolff, Coordinator, CLC Greenville Released Time Christian Education brochure

Articulated at the highest levels of School Ministries' leadership, the attraction to public education rests on the idea that "we" need not always look overseas for missionary opportunities when, "we have a mission field right outside our doors in our public schools."³⁴⁹ A guest speaker at a released time fundraising banquet elaborates upon this view:

I applaud these parents, I applaud these principals, I applaud these teachers, each one of whom are seeking to get the Word of God back into our public schools... I thank you for being missionaries. I thank you for being ambassadors for Christ... Tomorrow morning 60,000 students are going to enter the public schools of Greenville County. Some would call that an educational system, others would call it a mission field.³⁵⁰

In other words, there are impressionable, "unchurched" public school students who are required by compulsory attendance laws to gather in a centralized location and are, thus, an attractive and easy target for proselytizing. Faithful released time activists and public school personnel (not to mention friendly state legislators) facilitate this mission.

Released Time as "Overlooked Open Door" to Public Schools

The view that America is in the midst of a cultural crisis combined with the idea that the way to stem the crisis is by accessing the public school "mission fields" presents evangelicals with a challenge—Given the legal restrictions relating to the separation of church and state, how can they gain access to the public schools to reach students with the Gospel of Jesus Christ, which, they believe, will yield both temporal and spiritual benefits? Many among the religious right look to released time as a possible solution—an "overlooked open door" through which to bring their worldview to public school

³⁴⁹ James F. O'Bryon, Chair of School Ministries Board of Directors (School Ministries' website)

³⁵⁰ Guest speaker, CLC of Greenville Friends and Fundraising Banquet

students. This idea, first presented in a booklet entitled, “Religious Released Time Education: The Overlooked Open Door in Public Schools,” produced by the Center for Law and Religious Freedom of the Christian Legal Society³⁵¹, is commonly referenced in evangelical released time circles.³⁵² The pamphlet’s authors write,

“many [parents] wish that there could be some effective way to counteract the humanistic worldview often presented in our public schools. Religious released time education can provide parents a counter-balance. It is an opportunity overlooked by most parents, clergymen, and educators... Religious released time is the most effective open door by which students may receive religious instruction during their school day.”³⁵³

Furthermore, this open door is particularly unique because, in a nation generally committed to the separation of church and state, it provides missionaries a chance to convert public school students:

Released time is the only means by which religious instruction intended to convert students or instruct them in a particular set of religious beliefs is allowed during the school day. All other religious instruction during the school day must be objective, intended only to inform students of different religious ideas and not to persuade them of the truth of any particular ideas...³⁵⁴

Suggesting that the opportunity might be too good to be true, the authors emphasize a sense of urgency (echoed in released time program literature) to stir faithful readers to action:

Few churches bother going through this open door. An effective release-time program requires work, planning, preparation, administration, and most of all, time. Tragically, many Christians have written off the 75 percent of American children still attending the public schools because they no longer feel that they can influence the education system. This door is still open. Let's use it before we lose it!” (26)

³⁵¹ *Religious Released Time Education: The Overlooked Open Door in Public Schools*
Samuel Ericsson, Kimberlee Colby, Robert Payne and Stephen Crawford,
Center for Law and Religious Freedom of the Christian Legal Society (1996)

³⁵² Referenced in the School Ministries Handbook and included in the “First Steps Pack,” which it provides to its affiliated programs; mentioned at CLC of Greenville Friends and Fundraising Banquet

³⁵³ Ericsson, Colby, Payne, & Crawford 1996, 2

³⁵⁴ Ericsson, Colby, Payne, & Crawford 1996, 2

The programs that were examined in this study referenced the “open door” metaphor for released time in several instances. When speaking to a group of approximately 600 supporters, for instance, the executive director of a regional released time provider said the following:

Our mission is basically just putting God back in schools. They expelled him from schools and God said, ‘You know, those children meant a lot to me. They closed one door, and I’m going to open another. And my people are going to walk through that door.’ ...Our mission is all about reaching the public school students for Christ... You know what, these children need Jesus!³⁵⁵

When placed in the broader context provided by the data reported throughout this chapter, comments such as those above suggest that, to evangelical released time proponents, the open door presents a legal loophole whereby missionaries can use the language and legal precedents relating to religious accommodation as a means for acquiring an audience of public school students, during the regular school day, for religious proselytizing—something that is clearly impermissible as a general rule.

Thus, released time advocates find themselves in a situation in which they must convince their private audience—churches, potential donors, other evangelical Christians—that their programs will be able to reach “unchurched” public school students for Christ. However, because the First Amendment’s Establishment Clause prohibits religious institutions from using State “machinery” to further religious aims, legally savvy program directors have to emphasize religious accommodation and temper the proselytizing mission of evangelical released time when presenting their programs to state legislators, school leaders, the courts, and the general public.

³⁵⁵ Friends and fundraising banquet

To the public, therefore, policies granting credit for released time programs are presented as a means of accommodating the desires of parents and students to participate in religious released time courses—suggesting that the demand for these courses exists prior to recruiting efforts by evangelical activists. This accommodationist narrative goes as follows: Many high school students, with their parents’ support, wanted to enroll in released time Bible education courses but were unable to do so because of strenuous graduation credit requirements. Therefore, leaders within the evangelical released time movement lobbied for the passage of the South Carolina Released Time Credit Act primarily as a means to accommodate these students’ and their parents’ wishes for access to released time religious instruction. Thus, by allowing released time courses to count for up to 2 of the required 24 Carnegie units of credit, the State is adhering to a secular purpose of accommodating religious expression.³⁵⁶

Some released time programs are careful to include the accommodationist disclaimers on their websites. For instance, “School Time Bible of SC recommends avoiding entanglement with school staff. School staff must remain neutral on any issue of religion. School staff is accommodating the wishes of parents, not promoting it.”³⁵⁷ School Ministries takes a similar position, arguing that its relationships with public schools are not representative of an entanglement between church and state.³⁵⁸ Sentiments such as these suggest that public school teachers and administrators ought to avoid entanglement with religion, but they ignore the promotional effect of the credit

³⁵⁶ Hartgrove Interview

³⁵⁷ STB of SC website: <http://schooltimebible.org/en/about-us/legality/>

³⁵⁸ Breivik Interview

policies themselves on the religious mission the evangelical released time organizations actively pursue.

An additional component of the overall strategy to present released time as a means of accommodation is the effort by organizational leaders to present released time as a grassroots effort:

A key principle for [released time] is to consider it a community-based initiative. When men and women from different churches, ethnic groups, professions, and age levels come together before a school board or administrative staff, the case is made stronger because wide community support is abundantly evident.³⁵⁹

It is likely, however, that these programs arise not as a response to popular demand, but from concerted recruitment efforts on behalf of the released time programs. No evidence was observed that released time programs arose from students' or parents' demands, but court documents and collected data suggest that students are actively recruited, through organized efforts, for participation in these programs. For instance, the Moss case documented how Spartanburg County Bible Education in School Time solicited students' names and contact information from their high school so that they could send letters to recruit them to participate in the released time class.³⁶⁰ The judges who issued the order to dismiss the plaintiffs' case acknowledged evidence that SCBEST recruited students on campus by setting up a registration table at Spartanburg High School's PTO open house and sending, on at least one occasion, a released time teacher to a classroom at the district's junior high school to promote the course.³⁶¹

³⁵⁹ School Ministries Handbook 6

³⁶⁰ Exhibit A 2009, from what would become Moss v. Spartanburg County School District 7 (2012)

³⁶¹ Summary Judgment Opinion and Order to Dismiss, C.A. No. 7:09-1586-HMH, U.S. District Court for the District of S.C. Spartanburg Division, from what would become Moss v. Spartanburg County School District 7 (2012)

Furthermore, released time programs actively recruit *recruiters* of students. A regional released time program describes opportunities to serve on a “Student Recruitment Committee”:

This group helps devise and implement plans to attract and interest students in enrolling in our [Released Time] programs as part of their academic schedule. The group works with the Special Events Committee to plan PTA Open House meetings, student parties, and other student recruitment activities.³⁶²

Describing released time as an “opportunity for evangelism,” program personnel actively recruit volunteers and church supporters for the released time ministry:

Opportunity for evangelism... Today, God is looking for people like YOU to point Greenville’s children and youth to the saving grace of our Lord. The Released-Time Christian Education program is a POWERFUL ministry, and there is a place for you.³⁶³

In a similar manner, a program Ministry Report describes “opportunities to minister”:

We have seen God use Released-Time to open many doors and opportunities for our church outside of Released-Time. We have seen students in Released-Time come to know Christ who are now being disciplined through the student ministry at our church. We have had other opportunities to minister the school that we, most likely, would not have if we were not involved in the Released-Time ministry. It is being used by God as an extension of our church to reach the world around us!³⁶⁴

As further evidence that released time programs arise not as a response to demand from students or their parents, but as a result of evangelical activism, consider the following message from the Executive Director of CLC of Greenville:

In my vision, they were young people who knew Him... and young people who did not. Isn’t it comforting to know that the cry of our young does not go unheard by the One who loves them most? Yes, God knows, and God cares. In response to their plea, He calls and equips us to *move quickly* (emphasis in original) toward them with the Truth of His Word. He longs to rule in their hearts... The GOOD NEWS is this: JESUS IS THE RESSURRECTION! (emphasis in original) Therefore, we have the awesome responsibility to be loving enough, responsible enough, and urgent enough to share His saving grace with others, including our young... They, too, have an emptiness that can

³⁶² CLC Volunteer Guide, p. 9

³⁶³ CLC Volunteer Guide, p. 2

³⁶⁴ Local Released Time Coordinator, -CLC of Greenville Ministry Report 2012-2013, p. 22

only be filled by Him. Our urgency and passionate love for God and others will continue to create the type of momentum we need to reach students in every middle and high school for Jesus Christ by Year 2020. It is by the mighty force of the Holy Spirit (Helper for our day of reckoning) that we are united to teach our youth to sing the glorious name of the Ancient of Days. To God be the glory forever and ever! Amen.³⁶⁵

The released time leader quoted above communicates an urgent need for supporters to volunteer for missionary work to proselytize unreached public school students. If the demand for courses was truly grassroots, the sense of urgency to recruit students and volunteers would not exist. It is highly unlikely that “unchurched” students, so clearly the target of released time ministries, are the ones demanding released time programs.³⁶⁶

These programs were designed almost certainly not to meet actual demands of large numbers of concerned parents, but were envisioned by evangelical activists, promoted through local churches, and aimed primarily at recruiting potential converts and future church members and missionaries. For instance, the Executive Director of School Ministries states, “Released Time Bible Education is the most effective way of reaching children who otherwise would never enter a church. School Ministries’ role is to assist churches in those efforts”.³⁶⁷ In another illustrative example, the invited keynote speaker of a program fundraising banquet described the mission this way:

Now [some kids]... they’re getting the Word of God through their churches, through their parents, through other influences, but tomorrow a large portion of the students who enter the public school system in Greenville County will never darken the door of a church. They will never have access to the Gospel. They will never have the assurance that we have in Christ... They’ll never know Jesus.... Christian Learning Centers has an opportunity to partner with these faithful principals, and teachers, and parents to get the full Truth, the whole Truth into our school system... We’ve got to get the Truth back to our students, and the way to do that is through [Released Time]... This is about His

³⁶⁵ Janice Butler, Founding Executive Director -CLC of Greenville Ministry Report 2012-2013, p. 6

³⁶⁶ School Ministries claims, in a publication entitled, *Tales of Grace in a Time of Violence*, that, “50% to 70% of youth entering this program are unchurched when they enter the program.”

³⁶⁷ Kenneth Breivik, School Ministries Executive Director (School Ministries’ website)

Truth. This is about the salvation of souls. This is about changing a nation and turning it back to God.³⁶⁸

Released time was originally designed as a means of accommodating parents' desire to gain access for their own children to moral and religious education in their families' faith tradition during the school week. The character of contemporary released time programs in South Carolina, however, is quite different than that of the original programs. Accommodating evangelical parents' desires for their own children to have access to Bible study during school hours may play a significant justificatory role in credit-for-released time schemes, but the data collected in this study suggest that this is not the primary aim of released time. Many evangelical activists have reconceptualized released time as an overlooked open door to the public schools—a legal loophole that presents them with an otherwise unavailable opportunity to proselytize other people's children with the aid of the State. The public schools are conceived of by this group as, among other things, avenues for steering American culture in a conservative direction and winning souls for Christ.

Aims, Values, and Beliefs

There is a great deal of congruity among the aims, values, and beliefs expressed by the released time programs examined in this study. Major themes arose from analysis of the data, including: Biblical literalism³⁶⁹, original sin, the need for salvation

³⁶⁸ Guest Speaker, CLC Fundraising Banquet

³⁶⁹ Perhaps “selective literalism” is a more appropriate term in this context, as it is unlikely that the leadership of South Carolina's released time organizations would interpret *all* passages of the Bible as literally true and applicable for all places and people. Furthermore, some would likely say that they believe the Bible is “god-breathed” or divinely inspired but written by human beings. On the other hand, they all

exclusively through Jesus Christ, peer evangelism, church attendance and spiritual development, adherence to “objective” Biblical morality, and resistance to false teachings. These characteristics were observed from the level of the umbrella organizations down to the regional programs and their adopted curricula. This section will review those aims, values, and beliefs most commonly emphasized by released time programs and most relevant to the study’s research questions.

Many of these aims, values, and beliefs were stated explicitly on program websites and in their literature. For example, Spartanburg County Bible Education in School Time reports the following core beliefs and stated mission:

Our Core Beliefs

1. The Bible is the inspired word of God, without error in the autographs. It is the ultimate rule of authority in the life of the believer, and the standard by which truth is measured.
2. The Triune God exists eternally in three persons, Father, Son, and Holy Spirit.
3. All people stand guilty before God from birth, and are in need of His forgiveness.
4. Salvation is the result of a saving faith in Jesus Christ alone.³⁷⁰

Our Mission

“Developing Christian disciples through Bible Education in School Time”³⁷¹

The other regional program examined in the study, Christian Learning Centers of Greenville, states the following in its annual ministry report:

We confess Jesus Christ as Lord and God – as truly human and born of the Virgin Mary; as Servant – sinless, full of grace and truth; as only Mediator and Savior – dying on the cross in our place, representing us to God and redeeming us from guilt and punishment of sin; as Victor over Satan and all his forces – rising from death with a glorious body and being taken up to be with His Father. One day, He will return personally in glory and judgment.³⁷²

seem to believe that the words of scripture are fully trustworthy, objectively true, and representative of God’s Word.

³⁷⁰ SCBEST Website, August 25, 2012

³⁷¹ SCBEST Website, August 25, 2012

³⁷² CLC of Greenville Ministry Report 2012-2013, p. 5

On its website, School Ministries claims that its programs lead to the following student outcomes:

- Salvation and spiritual growth
- Active church memberships
- Improvements in home relationships
- Better learning environments in schools
- Better citizens³⁷³

There is much focus on the first four objectives throughout the literature provided by School Ministries.³⁷⁴ Citizenship was less strongly emphasized in the program's literature and high school curricula. The organization clarifies its understanding of "better citizens" in the following description:

By reaching millions of young people as they develop their hearts and minds, we will produce a base of America's future leaders that look to Jesus Christ for guidance. As youth citizens, children will learn the responsibilities of being an American citizen, be more active in their community, and prepare for a lifetime of service to God and nation. Through these youth citizens, we will be able to expand even further the body of the Christian faith as America faces the uncertain troubles of the future.³⁷⁵

According to this description, even citizenship is viewed as an avenue through which to proselytize. Examination of high school released time curricula provides further insight into these programs' aims, values, and beliefs.

Overview of High School Released Time Curricula

Although the umbrella organizations offer many instructional resources to their affiliated regional programs, each regional program is free to select its own curriculum. All high school curriculum materials reviewed for this study present a definitively

³⁷³ From School Ministries website, <http://www.schoolministries.org/site/index.htm> 5/22/13

³⁷⁴ See subsection entitled, "Secular Benefits of Released Time" in Chapter Two for a review of studies cited by School Ministries in support of contemporary released time Bible education programs.

³⁷⁵ <http://www.schoolministries.org/site/index.htm>, 5/22/13

conservative, evangelical Christian perspective. Examined courses are designed to immerse students in a devotional study of the Bible to convince them of their need for a savior, lead them to make a lifelong commitment to Jesus Christ, encourage them to join a church, and “disciple” them so that they become more mature followers of Christ.

School Time Bible of South Carolina, for instance, promotes a curriculum entitled “God’s Plan of Redemption,” which treats the Bible as literally true and fully reliable and emphasizes the importance of salvation and Christian discipleship. In courses that adopt this curriculum,

Students are taught Biblical truths, understand their purpose in life and gain an understanding of Biblical characters and events. However, most importantly, they come face-to-face with their need for a Savior and see how that has already been provided for them in Jesus. Students memorize Scripture and engage in other creative forms of Bible interaction (songs, visuals, application sheets) as we seek to lead them to know God and how to live in relationship with Him.³⁷⁶

Spartanburg County Bible Education in School Time (SCBEST) and Christian Learning Centers of Greenville (CLC of Greenville) use different curricula for their high school students. Both programs offer two credit-bearing high school courses, one in theology and the other in apologetics. SCBEST uses three textbooks, written exclusively by evangelical Christian authors, for its Systematic Theology course.³⁷⁷ One of the textbooks used by SCBEST, *Christian Beliefs: 20 Basics Every Christian Should Know*, presents a set of beliefs that resembles the orthodox doctrine outlined in the early 20th

³⁷⁶ STBSC website: <http://schooltimebible.org/en/churches/getting-started/>

³⁷⁷ I was unable to obtain detailed information about curricular materials used in SCBEST’s course in “Biblical Worldview and Apologetics”.

century document, *The Fundamentals* (discussed in the literature review in Chapter Three).³⁷⁸

SCBEST states that its high school curriculum is designed to equip students with “a foundational knowledge of the content and context of the Old and New Testaments of Scripture” and prepare them “to interpret the Scriptures responsibly.”³⁷⁹ CLC of Greenville uses three texts published by Bob Jones University Press for its theology course, “Bible 101 – Why and How to Study It.”³⁸⁰ Like the texts used by SCBEST, these books all promote Biblical literalism and are aimed at converting students to Christianity.

The apologetics lessons are designed to equip students with the tools they will need to refute arguments against the orthodox beliefs of evangelical Christianity. One textbook author describes apologetics this way:

Apologetics refers to the defense of Scripture against critical attacks. Scripture doesn’t need our protection, but we do need to answer the lies and slander of people who reject the truth and want to persuade others to join them. Apologetics includes explaining apparent contradictions in the Bible, arguing for its credibility in places where it is hard to understand, and refuting any assertion that contradicts what it teaches... *Arguing against any assertion that the Bible is wrong is apologetics* (emphasis in original)... The bottom line, however, is a decision to believe the Bible, even when a man says it is wrong.³⁸¹

To many evangelicals, it is very important to train young believers in Christian apologetics before they enter college, where they will be exposed to new ideas and, if ill-prepared, might be tempted to leave the faith. Accordingly, when students leave the

³⁷⁸ Grudem

³⁷⁹ SCBEST High School Curriculum Powerpoint Presentation

³⁸⁰ Bryan Smith. 2000. *The Way of the Word: What the Bible Says, How it Applies to You, How You Can Obey, Teacher’s Edition*. Greenville, SC: Bob Jones University Press.; Douglas Garland. 2002. *That I May Know Him, Teacher’s Edition*. Greenville, SC: Bob Jones University Press. ; Coart Ramey. 1999. *Why the Bible Matters, Teacher’s Edition*. Greenville, SC: Bob Jones University Press.

³⁸¹ Why the Bible Matters, 73-74

protection of the family and church community and enter into the wider world, they must be warned about the false teachings they might encounter. SCBEST states one of its apologetics-oriented objectives: “Students will be confident and competent to explain and defend their faith in higher academic settings.”³⁸² In another example that illustrates this view, a high school released time instructor says of his “Bible 102 – What is Truth?” apologetics course, “In my... apologetics classes, I love how quickly the students catch on to the false teachings that are against the Bible. Fervently, they search for TRUTH in a world filled with deceit.”³⁸³ All of these curricula take a devotional approach to Bible study and emphasize students’ need for repentance, salvation, and a lifelong commitment to Jesus Christ.

Devotional Study of the Bible

Though Ken Breivik, Executive Director of School Ministries, says that programs vary in the ways in which they encourage students to interpret the Bible, every known program in South Carolina is operated by evangelical Christian organizations and every program examined in this study promotes the view that the Bible is the fully reliable, inspired Word of God. Both umbrella organizations’ “model programs” promote a literalist and absolutist interpretation of the Bible. For example, Spartanburg County Bible Education in School Time, the “model program” of School Time Bible of South Carolina, states the following:

The Bible is the inspired word of God, without error in the autographs. It is the ultimate rule of authority in the life of the believer, and the standard by which truth is measured.³⁸⁴

³⁸² SCBEST Curriculum PowerPoint Presentation

³⁸³ Christian Learning Centers of Greenville County Ministry Report, 2012-2013, 10

³⁸⁴ SCBEST website, August 25, 2012

The same program describes the role of the Bible in its released time curriculum:

Bible Centered Curriculum... Our most basic premise is that the Bible is the divinely inspired Word of God. Our classes are rooted in this presupposition and thus all of our curriculum flows from a Biblical ethos. We treat the Bible with the utmost reverence by allowing it to speak, in its entirety, and by striving not to force our personal biases or emphases onto it. Our goal is for the students to become committed lovers of the Bible who will continue to study it and apply it throughout the rest of their lives.³⁸⁵

Similarly, Christian Learning Centers of Greenville, a “model program” for School

Ministries states the following:

We believe that the Old and New Testament Scriptures are God-breathed. Their writers, chosen by God, wrote as they were moved by the Holy Spirit. Hence, the Scriptures are fully trustworthy in all that they affirm and are our authority for faith and life.³⁸⁶

The author of one of the textbooks used by SCBEST asserts the following: “All the words in the Bible are God’s words. Therefore, to disbelieve or disobey them is to disbelieve or disobey God himself,”³⁸⁷ “Both the Old and New Testaments are God-breathed.”³⁸⁸ Another textbook states: “Mark’s Gospel is a historical narrative, a story about real people and events.”³⁸⁹ The same text later asserts:

Luke showed that Christianity is based on real historical events because an accurate understanding of theology is based upon an accurate understanding of history. The real historical events he recorded were part of a greater unfolding series of events orchestrated by God... Luke would remind us that the Bible is helpful precisely because it is God’s true Word and can be trusted.³⁹⁰

While there is material in the course curricula that could rightly be called academic, it is so thoroughly enmeshed with faith-based statements that it would likely be

³⁸⁵ SCBEST website: August 25, 2012

³⁸⁶ CLC of Greenville Ministry Report 2012-2013, p. 5

³⁸⁷ Grudem, 13

³⁸⁸ Grudem, 14

³⁸⁹ Berding and Williams, *What the New Testament Authors Really Cared About*, 45

³⁹⁰ Berding and Williams, *What the New Testament Authors Really Cared About*, 61

extremely difficult for an average high school student to identify the former from the latter. The course materials regularly present supernatural beliefs in the same way that one might present evidence-based statements. It is difficult to distinguish, for example, between those times when an author is referencing a widely contested religious claim and a statement considered by secular historians to be an established fact. For example, in the same way that one might phrase an uncontested statement such as, “George Washington was the first president of the United States of America,” a released time textbook author presents statements such as: “An advocate of Judaism and a persecutor of the early church (cf. Acts 12:1-24), [Herod Agrippa I] ultimately died from divine judgment”³⁹¹ and “It is not surprising that Jesus’ miraculous provision of food created a great following...”³⁹² This non-distinction between highly contested claims and broadly accepted historical facts—ubiquitous in the examined textbooks—demonstrates the devotional rather than academic nature of the courses.

Because the Bible is believed by the released time textbook authors to be the standard by which all truth is measured, these authors encourage students to evaluate other texts and truth claims according to their congruence with scripture:

The Bible is not just another part of the mass of human knowledge—it *is the center of it all* (emphasis in original). The Bible measures the truth and value of all other knowledge and, therefore, teaches us the right thoughts and the right actions in every area of life.³⁹³

Stated another way, students are encouraged to reject those ideas and claims that contradict the teachings of the Bible. One of the released time texts suggests that the core

³⁹¹ Berding and Williams, What the New Testament Authors Really Cared About, 19

³⁹² Berding and Williams, What the New Testament Authors Really Cared About, 20

³⁹³ Why the Bible Matters, 22

subjects of history, math, science, and language should all be filtered through a biblical lens to determine which claims ought to be accepted and which rejected by students:

[T]he Bible is necessary for every decision a human being makes. Since the Bible is inseparably tied to these major subjects [science, math, history, and language] and they are bound together in reality, no human activity, whether thought or action, can be independent of the Bible.³⁹⁴

Thus, students are taught, wherever disciplinary standards—where claims of mainstream scientists, authors of literary works, and so on—contradict the Bible, they ought to be rejected outright, regardless of the evidence or other form of justification offered in support: “All human communication, spoken or written, is valuable only insofar as it agrees with the Bible.”³⁹⁵ In another illustrative example, a textbook author proposes an exercise that is designed to get students to, “Realize evolution is not real science,” because, “we do not know anything for a fact that is not stated expressly in the Bible.”³⁹⁶

But how do we know that what the Bible says is true? In the few instances where the grounds for accepting a literalist interpretation of the Bible are addressed, authors provide circular reasoning as “evidence.” For instance, consider the following explanation for why “we know” that the Bible is the literal, absolute truth and the Word of God: “**We Know**... And why do we know this is true? Because God says so in His Word!”³⁹⁷ In a similar manner, a textbook author offers the following explanation as to how believers can know that the Bible is the authoritative word of God:

³⁹⁴ Why the Bible Matters, 19

³⁹⁵ Why the Bible Matters, 49

³⁹⁶ Why the Bible Matters, 21-22

³⁹⁷ Program Coordinator -CLC of Greenville Ministry Report 2012-2013, p. 24

If God claims that the words of Scripture are his own, then there is ultimately no higher authority one can appeal to for proof of this claim than Scripture itself. For what authority could be higher than God? So, Scripture ultimately gains its authority from itself.”³⁹⁸

The lesson for students is this: God wrote the Bible. We know this because the Bible says that God says he wrote it. Who are we to argue with God? The thought that human beings, whose fallibility is routinely emphasized in the released time textbooks, wrote the Bible (and, therefore, could have erroneously believed that their words reflected God’s will) is not presented as a serious possibility.

The curricula of the released time programs analyzed for this study sometimes encourage “critical thinking” in reference to the content material provided to students. One program claims, for instance, that, “Our High School Students... think about, write critically about, and apply biblical principles...”³⁹⁹ A released time textbook states, “Critical thinking from a biblical perspective is our goal.”⁴⁰⁰ Similar sentiments appear elsewhere. This use of the concept, “critical thinking” is, however, significantly misleading.

The use of “Bloom’s Taxonomy” verbs within the instructional guidelines provided in the margins of the teacher’s edition textbooks, for instance, lends the impression that students are engaging in critical thinking about their assigned tasks. Upon further examination, however, it becomes clear that the textbooks’ evangelical authors use Bloom’s Taxonomy verbs in a way very different than they are used in common practice. For example, students are encouraged to “evaluate their relationship

³⁹⁸ Grudem, 14

³⁹⁹ CLC of Greenville Ministry Report 2012-2013, p. 8

⁴⁰⁰ Why the Bible Matters, 22

with God,” and to “Explain why the Bible is central to all education,” and “Evaluate science-related propositions with the Bible.”⁴⁰¹ While students are encouraged to apply some tools of critical thinking—for instance, analysis and application of various passages of scripture—they are rarely (if ever) encouraged to (and are, in fact, discouraged from) applying higher levels of critical thinking, including the legitimate use of evaluation, to the Bible or to the supplementary texts that they read.

Specifically, students are discouraged from studying the Bible academically and are encouraged to submit to the text’s absolute authority. Students are told to begin with “the right presupposition—whatever you need, the Bible has the answer.”⁴⁰² The proper approach to studying the Bible, according to the author of one of CLC of Greenville’s high school textbooks, is a three-step approach that is devoid of (and, in fact, directly eschews reasoned critique): (1) Explore, (2) Apply, and (3) Obey the teachings of scripture. The author then goes on to explain the justification for and purpose of devotional Bible study:

The Bible is God’s revelation by which the Lord shows how He is reversing the curse that fell on all mankind. Therefore, the goal of studying this book must be to experience the reversal of that curse. Since that reversal is essentially a restored relationship with God, your goal in studying the Word of God must be a *vital communion with God that produces a changed life*. We read the Bible not to know more *about* God but to *know* God and to become more like Him.⁴⁰³

He continues with a warning about the dangers of scholarly pride:

Do not study the Bible just to be a scholar... longing to achieve biblical expertise simply for the sake of having that expertise is a most dangerous kind of pride. God has given us His Word so that we might know Him—not so that we might be smart. Usually, such an academic interest results from studying the Word without submitting to the Word. If we accurately perceive God’s message but do not obey it, either we will stop reading our

⁴⁰¹ Why the Bible Matters, 15

⁴⁰² Why the Bible Matters 69

⁴⁰³ The Way of the Word, Teacher’s Edition, 8.

Bibles or our goal will become gaining knowledge for knowledge's sake. Study the Word of God, but don't stop there. Obey the commands that you discover in your study.⁴⁰⁴

And, in clear contrast to an academic approach, he issues the following admonition against critical study of the Bible:

Closely related to this attitude of academic detachment is the dangerous tendency to be critical of the text. At times you will need to investigate what seems to be a contradiction in the Bible. However, you must remember that every word has been 'given by inspiration of God' (II Tim. 3:16). Consequently, a confident submission to the Bible's accuracy must rule your spirit. *You cannot stand in judgment over the text and hear God's voice; rather, you must let the text stand in judgment of you* (emphasis added). By the way, if you approach these apparent contradictions with this attitude, you will find that the Bible vindicates itself every time.⁴⁰⁵

Another author goes so far as to suggest that Germany's reliance upon human judgment in place of divine revelation through a literalist interpretation of the Bible was the cause of the Holocaust:

Germany enjoyed a rich religious heritage, having been the birthplace of the Protestant Reformation in the sixteenth century. But in the seventeenth and eighteenth centuries many German scholars had led the world in rejecting a personal God and revealed religion (that is, they rejected the Bible) in favor of a man-made religion of intellectual pride. They still used the label "Christianity," but meant by it something entirely different than had the Protestant Reformers. In fact, Hitler claimed Christianity as his ally, saying it justified his racial bigotry, his murder of the Jews and other peoples, and his tyrannical despotism!⁴⁰⁶

The message is that the Bible is the perfect word of the creator, to be interpreted literally. When people reject this view on the basis of human reasoning, they commit an act of sinful pride.

Why should humans avoid relying on their own judgment to interpret texts?

Because, apart from God, they are worth very little. The demonstration of pride in

⁴⁰⁴ The Way of the Word, Teacher's Edition, 9-10.

⁴⁰⁵ The Way of the Word, Teacher's Edition, pp. 10.

⁴⁰⁶ Why the Bible Matters, v

human ability and accomplishment inherent in critical scholarship on the Bible is ungodly. Furthermore, any form of human pride is contradictory to the doctrine of original sin—For if humans were inherently good, they would not be in need of God’s grace. As an example that demonstrates this view of the human condition, consider the following warning presented in a high school textbook under the heading of, “The Dangers of Self-Esteem”:

In modern psychology the concept of self-image is very important... However, as Christians we look to the Bible for our self-image. In it we find little to promote self-esteem, which the Bible calls pride. Rather, we recognize that we have no intrinsic value to God. He treasures us because He loves us, not because we are worth anything or have anything to offer Him in turn.⁴⁰⁷

Another passage that communicates to students their lack of worth (in the absence of a redeeming relationship with God, through Jesus Christ) through an explanation of the causes of human suffering states: “Humans do not deserve any better than eternal flame, so anything better is pure grace from God... Most suffering is due to someone’s sin.”⁴⁰⁸

Another passage states, “*Every human mind is deceitful and totally messed up* (emphasis in original),” and, “Left alone, man’s thinking and consequent actions degenerate until he is wholly evil.”⁴⁰⁹ Statements such as these are included in released time curricula to demonstrate to students what evangelicals perceive to be their need for a savior.

According to the overarching message communicated by evangelical released time programs, the most important reason for reading the Bible is so that students are able to “respond to the Gospel message” or to accept the gift of salvation through Jesus Christ—the curricula for every examined program reflects this approach. A regional

⁴⁰⁷ Why the Bible Matters, 3

⁴⁰⁸ Why the Bible Matters, 2

⁴⁰⁹ Why the Bible Matters, 16

released time program emphasizes the following objectives: “CLC exists to provide Biblical instruction for school-aged young people as an opportunity to get them to embrace the Gospel of Jesus Christ, grow in the Christian faith, and apply Biblical principles for living.”⁴¹⁰

Encouraging students to adopt a biblical conception of morality is also a strong component of the programs’ articulated plan of devotional Bible study. By instructing young people in the “objective” moral principles of Bible, program leaders believe they will be able to raise up a generation steeped in Christian values and equipped to steer American public life in a more godly direction. The *School Ministries Handbook*, for example, presents the claim that, through released time, “the downward spiral for many youngsters can be reversed as they come to know, love, and live for the God of the Bible.”⁴¹¹ Sentiments such as this were presented in the literature of both regional programs.

The selected programs emphasize a brand of morality based on divine command theory—the idea that if the Bible says God made a statement or issued a command, it is automatically taken to be fully just. Treating the Bible as a source of objective moral truth, the Executive Director of School Ministries asserts that when humans have a dispute about any moral or ethical principle, they need only look to the Bible for God’s solution—for relying on human rather than divine judgment to address moral disagreements will only lead to chaos.⁴¹² Along these same lines, one of the textbook

⁴¹⁰ CLC Greenville Released Time Christian Education brochure

⁴¹¹ School Ministries Handbook, 3

⁴¹² Breivik Interview

authors warns students of the dangers of relying on human wisdom rather than biblical revelation as a basis for morality:

Do you think the Germans in Hitler's generation thought about what they were doing and decided they were right? Did higher education or deep-rooted religion give them the wisdom to choose right? Though most of them believed they were right, they had rejected God's way in favor of their own way, and that choice led them to destruction.⁴¹³

Universal adherence to Biblical principles is treated throughout the released time literature as *the* solution to the cultural challenges of modern society—for if everyone would submit to God's law, it is implied, then we would not be experiencing the crisis in culture described above. Released time programs, proponents argue, can help students to adopt this conception of Christian morality and improve social and cultural conditions. For instance, School Ministries says that these programs lead to improved behavior and a host of other benefits for students:

These programs have a positive impact on the culture and success of public school students by teaching biblically-based character and leadership skills, engaging in prayer for and with students, reducing disciplinary issues, reducing violence, reducing vandalism, and increasing students' responsibility and self respect.⁴¹⁴

This is an example of evangelical Christians' efforts to influence American culture through released time programs. Combatting perceived moral decline in the United States is an important component of released time, but it is of secondary importance to these programs' spiritual aims.

Salvation Exclusively Through Jesus Christ

Though proliferation of conservative Christian morality and culture is an important component of released time programs in South Carolina, an even greater

⁴¹³ Why the Bible Matters, Vi

⁴¹⁴ School Ministries website

emphasis is placed upon salvation and spiritual growth. Spiritual interests—particularly the preparation of young people for the afterlife—outrank all other concerns. The primary aims of evangelical released time are reaching the “unchurched” and saving souls—as “evangelism” is the defining characteristic of evangelical Christianity, proselytizing (or efforts aimed at converting students) is the defining characteristic of evangelical released time programs. Illustrating this point, a regional released time program states the following in its annual ministry report: “Since the [Christian Learning Centers of Greenville’s] inception, hundreds of public school students have committed their lives to Christ. Praise the Lord!”⁴¹⁵ On its homepage, the same program celebrates,

Hundreds commit their lives to Jesus Christ! Yes, hundreds of public school students have committed their lives to Christ! That’s what this is all about... opening God’s Word to students in a relevant, life-changing way.⁴¹⁶

The secular benefits of safer schools, more respectful and better-behaved students, and any resulting academic gains are treated as welcomed residual effects, rather than ultimate aims, of released time. The implication is that once students experience life-altering salvation through Jesus Christ, (and as a result of continuous, devotional Bible study and discipleship) their behavior will change for the better—thus, the individual benefits by entering God’s kingdom and society benefits as the individual adopts and applies godly moral principles.

Celebrating the salvation experiences that occurred in its released time courses, School Ministries presents the following student quotes:

“When I first came here, I was an atheist. Then I started to think and to read about

⁴¹⁵ CLC of Greenville Ministry Report 2012-2013, p. 5

⁴¹⁶ CLC of Greenville’s homepage: <http://clcofgreenville.org/#>

God/Christianity and now I have become a Christian.”

“I got saved here at Release Time. I feel that God is with me. I am so glad I am with Him.”

“My family does not go to church regularly so Release Time helps me be able to tell my family about Jesus.”⁴¹⁷

In another illustrative example of the proselytizing nature of these courses, a released time teacher recounts the joy he receives seeing young people make firm commitments to follow Jesus:

Making Sure... My favorite moment of the year happened during our monthly chapel time. I was preaching from Matthew 7:13-23 and challenging students to enter the Kingdom of God through the narrow gate. Afterwards, a Bible 101 student, very concerned, asked questions to make sure that he understood the lesson. He told me he was going to pray about it that night. The next day he returned to class more confident about his salvation.⁴¹⁸

Messages tuned to supportive audiences, contrary to the accommodation arguments made in the Moss case, present converting others to evangelical Christianity as the ultimate aim of released time. Salvation is presented as being available through Jesus Christ alone. The programs are designed to lead students to salvation through Jesus, encourage students to adopt an evangelical Christian worldview and conception of morality, lead others along the same path, and maintain these commitments throughout the rest of their lives.

Evangelical released time programs clearly present the idea that Christianity—or, more accurately, their conservative account of Christianity—is the one true faith. Salvation can be gained through Christ alone. One textbook states, “Jesus’ world was similar to ours in that people claimed there were many ways of salvation. In that

⁴¹⁷ From School Ministries’ website: <http://www.schoolministries.org/benefits-2/parents>

⁴¹⁸ High School Bible Instructor -CLC of Greenville Ministry Report 2012-2013, p. 12

pluralistic context, Luke declared—and would declare to us today—that Jesus is the *only* way to find salvation.”⁴¹⁹ Other religions are said to be wrong and students are taught to recognize “false teachings.” One author presented the idea that people who do not know or believe the Bible are childlike and gullible:

People who don’t know what the Bible teaches will have no ability to distinguish truth from error, and they will be like ‘children, tossed to and fro by the waves and carried about by every wind of doctrine’ (Ephesians 4:14). But Christians who have a solid foundation will be more mature, will not be easily led astray, will have better judgment, and will ‘have their powers of discernment trained by constant practice to distinguish good from evil’ (Hebrews 5:14).⁴²⁰

Furthermore, another textbook author suggests that non-religious people and members of all other religions lack an understanding of love because they do not have a real relationship with the one true God: “[Non-Christians] will have a hard time understanding real love. Only Christians know what it is like to love God.”⁴²¹

Warnings against false teachings of other religious traditions, naturalistic science (particularly that of evolution by natural selection), and secular humanism are found elsewhere in the program literature, as well.

Student Evangelism

Evangelical released time programs place a great deal of importance on students’ missionary training. Students are encouraged to see themselves as missionaries to take part in “the Great Commission,” part of which includes recruiting their “unchurched” schoolmates for participation in released time programs:

⁴¹⁹ From Berding and Williams, *What the New Testament Authors Really Cared About*, 65

⁴²⁰ Grudem, 10

⁴²¹ *Why the Bible Matters*, 13

We also teach them to be missionaries, the schoolyard is their very mission field, and they just need to be able to go there and bring those people to the released time Bible class and we're able to do that. We're able to teach them the Bible. This year, and I want you to know, that 102 students made commitments to Jesus Christ through the released time program! ...And then, too [asking the students in the audience], how many of you know some students who don't know God at your school? So, they get to share Jesus Christ with their friends and with their enemies, and if they don't know how to do that, then they come over and we help them out because we're on a mission for Jesus Christ so we want the Christian students as well as the non-Christian students to a part of this. God is doing a great thing in this ministry.⁴²²

In another illustrative example, CLC of Greenville states, “Students need to be encouraged to share their faith with their peers; this Released-Time course gives them opportunity to do that.”⁴²³ Elsewhere, a program coordinator describes released time students as modern-day missionaries: “[Our Released Time students] definitely have become modern-day missionaries spreading the word about Released-Time and doubling our enrollment this school year!”⁴²⁴ Furthermore, a teacher demonstrates the effectiveness of peer evangelism as a recruiting tool for released time: “Our students worked hard to invite their friends, and our program grew to 204 students on the roster... Everyone worked together to make Jesus known.”⁴²⁵ Peer evangelism is especially important as a recruiting tool because adult evangelists are prohibited from proselytizing on public school grounds.

Released time programs use student testimony to demonstrate to their supporters the effectiveness of the courses at converting students and training them for peer evangelism. CLC of Greenville shares the following quotes from students in its' annual ministry report to supporters:

⁴²² From Executive Director of CLC of Greenville, Fundraising Banquet

⁴²³ <http://www.clcofgreenville.org/brashier-middle-college/9-uncategorised/136-high-school-faq>

⁴²⁴ CLC of Greenville Ministry Report 2012-2013, p. 16

⁴²⁵ CLC of Greenville Ministry Report 2012-2013, p. 20

“God sent Jesus here to have a relationship with us.”

“I have learned that we need to make the cross the center of our life. It is God’s ultimate symbol of His love for us.”

“I learned that nothing is too hard for God and that it is important to trust Him as your Lord and Savior. I also learned that you need to have a good relationship with Him.”

“Today is the day that I truly gave my life to God... Before today, I walked around thinking, ‘I’m a good person because I’m a Christian.’ I really wasn’t, though. I never talked to God, ever! I never listened to what He was trying to say. Now, all I want to do is talk to Him and get other people to feel as amazing as I do... It’s not fair that only some people get to feel like this; everyone should! ...This class, and YOU, [my Released-Time teachers] have shown me how to act lately.”

“I also learned how to share Jesus Christ with others.”⁴²⁶

A lesser degree of emphasis is placed on efforts to encourage newly converted students to convert their parents to evangelical Christianity.⁴²⁷ Primarily, however, the courses aim to convert students and to equip them to proselytize others.

In addition to salvation, the programs hope to convince students to make a lifelong commitment to God. This includes committing to baptism, church membership, regular attendance, and participation in activities such as youth group and additional church sponsored Bible study. In a message to convince churches to support released time, School Ministries states:

How can RTBE benefit our church? ...AFTER ACCEPTING JESUS AS SAVIOR, MANY SEEK A CHURCH HOME: Released Time classes are designed to bring public school students into an understanding of the Bible and into a relationship with Jesus Christ. When this happens, they are encouraged to get involved in a church (emphasis in original).⁴²⁸

Furthermore, in the CLC of Greenville annual ministry report, a released time program coordinator exclaims, “We were able to have ministry to our students in and out of the

⁴²⁶ CLC of Greenville Ministry Report 2012-2013, pp. 23, 31, 34

⁴²⁷ CLC of Greenville Ministry Report 2012-2013, p. 17

⁴²⁸ School Ministries website, <http://www.schoolministries.org/benefits/churches>

Released-Time classroom. Several have also attended church events!”⁴²⁹ In one instance, a program co-coordinator celebrated the baptism of students during the released time class:

[A pastor] of our host church, [a local] Baptist Church, baptized two of the [Released-Time students] who responded by following Christ’s obedience in baptism. All of our [students] and the candidates’ parents and relatives, witnessed the baptisms. It was a very moving time. Everyone felt God’s presence. Who knows how God may use this! The testimony of these two students may plant the seeds for more baptisms in the future.⁴³⁰

In one instance, School Ministries’ website celebrated the idea that newly converted released time students were bringing their parents to church with them: “MORE PARENTS ARE COMING TO CHURCH: It is not uncommon for students, after accepting Christ as their Savior, to start going to church bringing their parents with them (emphasis in original).”⁴³¹

The phenomenon of high rates of young people leaving the faith during their teenage years is primarily addressed by encouraging high school students to get involved with a church community and by training them in apologetics. A high school Bible instructor states that, in addition to being led to salvation, students are “discipled” by more mature believers and encouraged to maintain spiritual growth: “In general, students have been encouraged and strengthened to keep on living for God and to stay on track with their faith.”⁴³²

⁴²⁹ Coordinator -CLC of Greenville Ministry Report 2012-2013, p. 26

⁴³⁰ Released Time Program Co-Coordinator -CLC of Greenville Ministry Report 2012-2013, p. 29

⁴³¹ School Ministries website, <http://www.schoolministries.org/benefits/churches>

⁴³² High School Bible Instructor, -CLC of Greenville Ministry Report 2012-2013, p. 9

Summary of Chapter Five

Data analyzed for this study suggest that all of the released time programs in South Carolina have a conservative, evangelical Christian character. The state's released time organizations are driven by a strong desire to use released time policies as an "open door" to proselytize "unchurched" students in the public schools. Released time courses guide students through a devotional study of the Bible so that they will become convinced that they have a need for a savior, can be saved by Jesus Christ alone, and have a religious duty to grow in the Christian faith, adopt a biblical conception of morality, and spread their faith to others. Though some perceive credit-for-released time policies as means for the State to aid a religious mission, Spartanburg School District 7's released time credit policy, which is based on the South Carolina Released Time Credit Act, has been upheld in the federal courts as a legitimate means for accommodating students' and parents' religious freedom.

CHAPTER SIX

DISCUSSION AND CONCLUSIONS

This final chapter presents a summary of the study's findings, conclusions, limitations, and implications. The arguments presented in this chapter are grounded in the literature reviewed in Chapter Three and informed by the author's theoretical perspective and interpretation of the data collected for this study. The following section summarizes the study's findings and addresses its guiding research questions.

Summary of Findings

The released time "system" in South Carolina consists of an association of independent programs into a voluntary, loose-knit, organizational hierarchy. At the top of the hierarchy are two umbrella organizations, which provide various forms of support to multiple affiliated regional programs. Almost all regional programs offer released time classes at the elementary and middle levels, and some offer classes for high school students as well. The umbrella organizations provide multiple forms of support to their affiliated regional programs, which offer released time courses to local public school students.

School Ministries, the larger of the two umbrella organizations, is a South Carolina-based, evangelical released time organization with a national focus. School Time Bible of South Carolina (STBSC), the smaller of the two umbrellas, is part of the Bible Education in School Time (BEST) Network, another nationally-focused evangelical released time organization. While operationally independent from one another, the two

umbrella organizations share a nearly identical evangelical ethos and a common mission to bring released time Bible education to public school students.⁴³³ There are approximately 20 regional released time programs, which serve approximately 14,000 students in the state of South Carolina.⁴³⁴

Both of South Carolina's umbrella organizations are part of national networks that seek to establish new evangelical released time programs and offer support to existing programs. School Ministries has regional headquarters in South Carolina, North Carolina, and Ohio, and has its national headquarters in Columbia, South Carolina. School Ministries' leadership has played an active role in helping special interest groups in other states such as North Carolina, Alabama, and Ohio (and possibly additional states) to develop released time credit acts based on South Carolina's legislation.

Local program leaders initiate contact with public school and school district personnel to begin the process of establishing a new released time course. After a school district approves plans to implement the course, program leaders and school administrators work out logistical issues relating to transportation of students to the instructional sites, procedures for reporting grades and attendance, and other procedures related to student safety and discipline. It is not clear if students are recruited for released time courses in the same way in all regional programs. It is apparent, however, that there is cooperation between school districts and released time programs in terms of providing these programs access to students' contact information. Documents from the Moss case,

⁴³³ A significant difference in program operations is that, unlike School Time Bible of S.C., School Ministries does not certify its courses through private schools.

⁴³⁴ These figures were compiled after conversations with executive directors from each umbrella organization.

for instance, showed that Spartanburg School District 7 provided a local released time provider with students' addresses so that the organization could send recruiting letters to their homes. In other instances, released time organizations have promoted their programs in various on-campus forums where public school students receive information about and sign up for courses. It is clear from analysis of program literature and comments made by program directors that peer evangelism is a primary means through which these programs recruit "unchurched" students, who account for somewhere between one-half and two-thirds of all released time participants in South Carolina. Encouraging students to engage in peer evangelism offers evangelical released time proponents a way around the general restrictions that prevent adults from proselytizing on public school grounds. It is not known whether these methods are the only ways released time personnel recruit students or how commonly they are used.

Despite the attachment of public school credits to their courses, released time programs are essentially unregulated by the State. Unlike other courses that carry public school credits, released time courses are not required to adhere to state standards. The only regulatory guidelines for these programs come in the form of the South Carolina Released Time Credit Act (SCRTCA) and the district level policies that are based on the language of the SCRTCA. Under SCRTCA guidelines, released time courses are to be evaluated on the basis of "purely secular criteria," which it describes as, "substantially the same criteria used to evaluate similar classes at established private high schools for the purpose of determining whether a student transferring to a public high school from a

private high school will be awarded elective Carnegie units for such classes.”⁴³⁵ The SCRTCA states that the secular criteria may include, but are not limited to: “(1) number of hours of classroom instruction time; (2) review of the course syllabus which reflects the course requirements and materials used; (3) methods of assessment used in the course; and (4) whether the course was taught by a certified teacher.”⁴³⁶ It is not clear how school districts are to apply these criteria or what, if any, enforcement mechanisms school districts are permitted to use to ensure that released time programs abide by these limited guidelines.

The key aims of South Carolina’s released time programs are to convert students to evangelical Christianity and encourage them to grow in the faith by joining a church, praying and reading the Bible regularly, and being “discipled” by more mature believers. Through a devotional and submissive approach to studying the Bible, students are presented the following core beliefs of evangelical Christianity: the doctrine of original sin, the corresponding need for salvation exclusively through Jesus Christ, and the importance of evangelism, church attendance and spiritual development. Students are encouraged to interpret the Bible as the literal, inerrant word of God, adopt and adhere to an “objective” system of biblical morality, and reject “false religions.” South Carolina’s released time organizations treat improvements in academics and student behavior less as primary aims and more as welcomed residual benefits and tools that can help to justify their programs to the public. This contention is drawn from the observation that these purported secular benefits of released time are emphasized consistently on program

⁴³⁵ South Carolina Released Time Credit Act

⁴³⁶ South Carolina Released Time Credit Act

websites and documents provided to school boards but less often (in favor of spiritual matters) in course curricula and program literature directed at evangelical supporters. Limited conclusions relating to pedagogical approaches in released time programs were drawn from teacher's edition textbooks, which instruct students to memorize and apply passages from the Bible and discourage them from studying the text academically or critically.

Conclusions

The present argument has been framed around a specific belief about the proper purposes of public schooling. These purposes, articulated in greater detail in Chapter Two, include helping students to develop, both individually and socially, into autonomous, rational, critical thinkers and tolerant, engaged, and informed citizens. Based on this understanding of the primary purposes of public education, policies that award public school credits for devotional and proselytizing religious courses are inappropriate within the context of culturally and religiously pluralist democracies such as the United States. Given the framework from which this study emerges, such policies seem problematic for several interrelated reasons.

Meaning of Public School Credit

There is an inherent message communicated when schools grant credits for a course. Rather than merely marking the amount of time a student has spent on campus, credit requirements generally serve as a mechanism for measuring whether students have, according to the judgment of educational policymakers, accomplished enough or met the minimal criteria to earn a high school diploma. It is likely that the minimal credit

requirements in South Carolina, as is the case with similar policies in other states, arose in response to worries about “the rising tide of mediocrity” in American public schools during the 1980s.⁴³⁷ Stated another way, educational policymakers put more demanding requirements into place because they were concerned that public schools were inadequately rigorous and students were graduating unprepared for success in a competitive global economy. Because policymakers increased graduate credit requirements as part of an effort to raise standards for South Carolina’s public schools, credits must communicate more than just a measure of time—for students were likely spending the same amount of time inside the school building before and after the credit requirements increased.

Credits serve as a statement of approval from the issuing organization. There is a reason, for instance, why public high schools issue credits for astronomy but not astrology, chemistry but not alchemy, and French but not Klingon—for, in each case, the former represents content that the State has deemed worthy of promotion and dissemination and the latter unworthy. When public high schools award credits for a course, they are communicating to students, parents, and the general public that they have given due consideration to the course material and have determined that it is worthy of the State’s seal of approval. This implies that when public schools issue credit for courses, most observers reasonably assume that the schools (as well as school districts and state departments of education) have determined the content, pedagogical methods, aims, values, and beliefs promoted within the course to be in the public’s best interests.

⁴³⁷ A Nation at Risk

Thus, public schools, situated in democratic societies, are subject to democratic oversight. Public school credits symbolize that democratically-appointed bodies have approved a course after determining that it meets widely supported and individually and socially beneficial standards.

It is precisely this earned public confidence that gives credits their power. Parents can trust, for instance, that when a course has public school credit attached to it that it has been examined as thoroughly, it meets the same standards, and is subject to the same continued oversight and accountability measures that apply to all of the other courses that carry credits. State standards are developed by democratically-appointed bodies working in concert with teams of educational experts. Teachers trained in pedagogy and disciplinary content have insights into the day-to-day implementation of these rigorous standards in the classroom. When most people think of course accreditation, they likely believe that the courses have met some standard of quality and not that they merely symbolize some measure of time spent on campus.

Because the attachment of credit to a course sends the messages described above to students, parents, and the general public, it is likely that it has the effect of increasing enrollment in the accredited course.⁴³⁸ It seems obvious that, if a student were selecting courses for an upcoming semester, s/he would be more likely to take a course knowing that s/he would earn credit for it than if the course did not yield credit. It is likely that s/he might infer that the attachment of credit to some courses but not others means that the courses were in some way unequal. Thus, s/he might be more inclined to take only

⁴³⁸ This appears to apply to high school released time classes in South Carolina, which have increased in enrollment since the passage of the SCRTCA.

courses that meet the standards that the school has set for accreditation. Awarding credits for a course likely serves as an incentive for students to enroll in that course.

When applied to the actual released time courses examined in this study, policies granting public school credits for privately certified, proselytizing religious courses are particularly problematic. Granting public school credits for these courses sends a misleading and potentially harmful message to parents, students, and the general public. Public school credits carry a powerful message—a message earned through a process of rigorous oversight of course content and pedagogy.⁴³⁹ When special interest groups like School Ministries and School Time Bible of South Carolina convince public schools to award credits for proselytizing and indoctrinating religious courses, they coopt this power and reap unearned and inappropriate benefits for their programs. These courses are not academic, yet they carry the same credits as academic electives for public school students.

By convincing a private school with a similar evangelical ethos to approve their courses, these programs are able to mislead the public into believing that their courses meet the same rigorous academic standards as other public school courses. This provision serves to undermine the legitimacy and value of the accountability processes that apply to other public school courses. Furthermore, allowing a private religious organization to determine whether a course warrants credit opens the door for a host of

⁴³⁹ This creates a significant dilemma for public schools: On one hand, the State has a legitimate duty to rigorously scrutinize curriculum materials used in courses that it certifies with credits. On the other hand, because the State is constitutionally prohibited from entangling itself with religion, it cannot effectively scrutinize the released time curricula in the same way that it does other course curricula. As the following paragraph shows, addressing this dilemma by allowing private schools to certify the courses is also highly problematic.

problems for public schools. To illustrate this point, consider a recent proposal in Alabama that would have used a credit-bearing released time course to teach creationism to public school students.⁴⁴⁰ Were public schools to grant credits for courses in creationism, they would present the illusion to students and their communities that creationism meets the disciplinary standards of mainstream science, undermining the efforts of the school's science teachers and, especially, the biology curriculum.

Public school credits mean something. To maintain this meaning, courses carrying public school credits should be properly vetted by democratic representatives and educational professionals. Any course carrying public school credits should contribute to the same mission and purpose of the public schools delineated through approved state standards. Furthermore, these courses should, at a minimum, not undermine the aims and values of the accrediting organization—in this case, the public schools.

Incompatible Curricular Aims

In the present era of standardization and accountability, where public school teachers and curricula are subjected to regular and intense public critique and oversight, released time programs are free to teach what they want, however they want, and with very little regulation by the State—yet, their courses carry the same academic elective credits as would, say, a World History or World Geography class.⁴⁴¹ Using these social

⁴⁴⁰ Rob Boston, “Released Time for Creationism?: Alabama Bill Has Sectarian Genesis,” Americans United for Separation of Church and State. March 1, 2012. <https://www.au.org/blogs/wall-of-separation/released-time-for-creationism-alabama-bill-has-sectarian-genesis>

⁴⁴¹ As part of the social studies course requirements needed to graduate from South Carolina public high schools, students must take United States History and the Constitution, Economics, and Government. Two additional courses, World Geography and World History, are offered as electives.

studies electives as points of comparison, it becomes apparent that, in many ways, granting credit for released time undermines important aims of public schools.⁴⁴²

Contrasting the curricula of these rigorous, academic courses, which are designed to promote critical thinking, autonomy, and democratic citizenship, with the non-academic, autonomy-inhibiting, and potentially divisive curricula of released time courses powerfully illustrates the problematic nature of released time credit policies. For instance, where examined released time courses promote a narrow, exclusivist view of what it means to be a moral person and a good citizen, South Carolina's standards encourage students to "be open and responsive to new and diverse cultural perspectives."⁴⁴³ South Carolina's released time courses present an exclusively evangelical Christian perspective, while the state's World History standards call for an objective presentation of the perspectives and influence of many of the world's religions.⁴⁴⁴ Whereas examined released time courses encourage students to uncritically absorb a collection of alleged (and largely unsupported) absolute truths, South Carolina's social studies standards call upon students to "differentiate between fiction and informational text and between primary and secondary sources," to identify and "evaluate multiple points of view or biases and attribute the perspectives to the influences of individual experiences, societal values, and cultural traditions," to "evaluate the validity

⁴⁴² The purported secular benefits of released time, including improved student behavior and gains in academic achievement, would certainly be in line with aims of public schools. These benefits, however, are, in my view, outweighed by the many problems I have described relating to awarding public school credits for devotional religious courses. Because I am addressing the primary research question—whether granting credits for released time is appropriate in a pluralist democracy—I will focus on the potentially problematic components of released time.

⁴⁴³ South Carolina Social Studies Standards, World Geography, p. 76

⁴⁴⁴ South Carolina Social Studies Standards, World History, p. 87

of multiple points of view or biases by using evidence and sound reasoning,” and to “explain the difference between fact and opinion... [and] analyze and evaluate evidence, arguments, claims, and beliefs.”⁴⁴⁵

Considering the problems with the released time program curricula documented in the previous chapter—particularly the potential of these programs to undermine students’ autonomy, critical thinking, and sense of democratic solidarity and equality with religious others—in comparison with strengths of the rigorous academic social studies electives gives the public reasons for concern. The potential for released time credit policies to undermine many public school aims becomes even clearer when key characteristics of released time curricula are contrasted with those of South Carolina’s newly implemented Common Core State Standards (CCSS).⁴⁴⁶

South Carolina’s CCSS, among the most authoritative statements of the aims and values promoted by the state’s system of public education, promote knowledge, skills, and dispositions needed for success in the 21st century.⁴⁴⁷ The standards’ stated purpose is to develop students who, “habitually perform the critical reading necessary to pick carefully through the staggering amount of information available today... [and who] actively seek wide, deep, and thoughtful engagement with high quality literary and informational texts that build knowledge, enlarge experiences, and broaden

⁴⁴⁵ South Carolina Social Studies Standards, p. 126.

⁴⁴⁶ *Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science and Technical Subjects*. 2010. http://ed.sc.gov/agency/programs-services/190/documents/CCSSI_ELASStandards.pdf

⁴⁴⁷ *Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science and Technical Subjects*. 2010. http://ed.sc.gov/agency/programs-services/190/documents/CCSSI_ELASStandards.pdf

worldviews.”⁴⁴⁸ Furthermore, the CCSS help students “reflexively demonstrate the cogent reasoning and use of evidence that is essential to both private deliberation and responsible citizenship in a democratic republic.”⁴⁴⁹ South Carolina’s students should learn to “demonstrate independence... [and] comprehend as well as critique.”⁴⁵⁰ It is the expectation of the state of South Carolina that students become “engaged and open-minded-but discerning-readers and listeners... [,] they work diligently to understand precisely what an author or speaker is saying, but they also question an author’s or speaker’s assumptions and premises and assess the veracity of claims and soundness of reasoning.”⁴⁵¹

South Carolina’s Common Core standards are “(1) research and evidenced based, (2) aligned with college and work expectations, (3) rigorous, and (4) internationally benchmarked.”⁴⁵² With a nod toward the scientific spirit, South Carolina proudly proclaims, “The Standards are intended to be a living work: as new and better evidence emerges, the Standards will be revised accordingly.”⁴⁵³ These standards have been organized with an eye toward the future, “The Standards lay out a vision of what it means to be a literate person in the twenty-first century. Indeed, the skills and understandings students are expected to demonstrate have wide applicability outside the classroom or workplace.”⁴⁵⁴

South Carolina’s standards emphasize the importance of critical analysis. They

⁴⁴⁸ CCSS. p7.

⁴⁴⁹ CCSS. p7.

⁴⁵⁰ CCSS. p12.

⁴⁵¹ CCSS. p12.

⁴⁵² CCSS. p3.

⁴⁵³ CCSS. p3.

⁴⁵⁴ CCSS. p3.

expect that students will be able to “evaluate authors’ differing points of view on the same historical event or issue by assessing the authors’ claims, reasoning, and evidence... noting discrepancies among sources.”⁴⁵⁵ Students are expected to compare, “fictional portrayals of a time, place, or character and a historical account of the same period as a means of understanding how authors of fiction use or alter history.”⁴⁵⁶ Furthermore, they will consider the “date and origin of the information” as well as provide, “a summary of the text distinct from personal opinions or judgments.”⁴⁵⁷

Finally, the standards place a premium on the concept of evidence. South Carolina’s public school students will, “value evidence... cite specific evidence when offering an oral or written interpretation of a text... use relevant evidence when supporting their own points... [and] constructively evaluate others’ use of evidence”⁴⁵⁸ They are to, “trace and evaluate the argument and specific claims in a text, distinguishing claims that are supported by reasons and evidence from those claims that are not.”⁴⁵⁹ They will be able to, “evaluate a speaker’s point of view, reasoning, and use of evidence and rhetoric, identifying any fallacious reasoning or exaggerated or distorted evidence.”⁴⁶⁰

In light of such sharp distinctions between the CCSS and the released time curricula and pedagogical approaches, when the State awards credits for released time it legitimates an educational alternative that is counterproductive to the most authoritative

⁴⁵⁵ CCSS. p61.

⁴⁵⁶ CCSS. p37.

⁴⁵⁷ CCSS. p36.

⁴⁵⁸ CCSS. p7.

⁴⁵⁹ CCSS. p50.

⁴⁶⁰ CCSS. p. 50.

aims of South Carolina’s public schools. I am not arguing that religious belief and reason are incompatible. Nor am I arguing that open and critical discussions of religious ideas are inadmissible in schools. I am, however, arguing that many of the major principles communicated by evangelical released time programs and the driving principles of public schools are incompatible and that by according high school credit for participation in these programs, the schools, in effect, send conflicting and confusing messages to students. Several stark contrasts, described below, emerge from analysis of released time literature and public school academic standards.

Released time curricula in South Carolina are based on literalist and absolutist interpretations of the Bible. Everything that students learn in these classes is supposed to be based on that premise. Students are encouraged to view the Bible as a timeless, flawless, divinely inspired text that contains the answers to all of life’s most pressing problems. The course goals of encouraging students to adopt a Christian moral framework and worldview, to make lifelong commitments to Jesus Christ, and to evangelize to other “unchurched” students are all based on Biblical principles.

The Common Core standards, on the other hand, are research-based. Professionals and community stakeholders developed the standards through a rigorous process. Inclusion of each skill mentioned in the standards is based on the most recent research available. These standards are legitimately described as “a living work,” as they are to be revised with the emergence of new and better evidence. Furthermore, they are internationally benchmarked to prepare students for global citizenship.

South Carolina’s released time programs present faith as a virtue. When the Bible

is presented as “the standard by which truth is measured” and “the ultimate rule of authority,” students are encouraged to accept those premises on the basis of faith. Some of the released time textbooks even state directly that students should submit to the text and avoid academic or critical studies of the Bible. Such literalist and absolutist interpretations of the Bible communicate to students that to require evidence as a prerequisite to belief is to disappoint God by relying on one’s own intellect in place of divine revelation.

The Common Core standards, on the other hand, clearly show preference for evidence-based reasoning, treating unsupported assertions as suspect. The standards require students to scrutinize the claims made by authors of the texts they encounter. Students are encouraged to distinguish between claims supported by reasons and evidence and those that are not. In consideration of the reliability of a source, students are to consider when it was written and by whom and to compare it with other documents produced during the same time period.

Released time course content is delivered dogmatically—the Bible is the Word of God, period. It appears that this assumption is the only viewpoint on the matter that is presented to students in released time courses. Furthermore, students must contend with a form of intellectual coercion, in effect being told to “either accept the premises of the Bible as literal and absolute truth and be rewarded with everlasting life, enveloped by God’s love *or* reject them and be condemned to eternal torture and abandonment by God.” Aside from the intense anxiety that this must cause, following these ideas to their logical conclusions would lead students to the mindset that conflicting ideas, regardless

of the degree of evidence supporting them, are simply wrong and dangerous and ought to be rejected out of hand. Teaching students that the Bible, or any book for that matter, is literal, inerrant, absolute truth, communicates to them that they need look no further for guidance or answers to life's important questions.

The Common Core standards, on the other hand, encourage students to consider multiple sources of evidence before drawing conclusions about any particular topic. Students are encouraged to use triangulation to make good decisions, based on a variety of points of view. Unlike the fixed conception of absolute, "revealed truth" communicated by released time programs, the scientific view that knowledge is fallible and subject to revision in the face of better evidence is impressed upon students throughout the standards.

Released time programs promote a literalist and absolutist interpretation of the Christian Bible. The Bible, like other holy books, is a collection of assertions about the world, presented usually without evidence and often without explanation. Within the pages of this text, believers are directed to deny themselves and to submit to the will of God, as interpreted by the texts' authors—human reason and evidence are subordinated to faith in the unobserved.⁴⁶¹ Consistent application of the biblical literalism impressed upon students in released time courses would lead them to accept the view that the good Christian should submit to governing authorities because God has put them in power.⁴⁶² Girls would come to accept that women should not hold positions of authority and that

⁴⁶¹ Hebrews 12:9; Romans 8:7; Romans 10:3

⁴⁶² Titus 3:1; 1 Peter 2:13

the good wife should submit to her husband as the church submits to Christ.⁴⁶³ These and other, more extreme examples, show that biblical literalism is incompatible with democratic principles and inappropriate for courses bearing public school credits.

If the Bible were studied according to the principles of the Common Core standards, it is likely that most students would reach different conclusions than those advocated by released time proponents. The CCSS foster the development of autonomy in students by equipping them with the tools that they will need to create and accomplish their own goals in life. Preparing students to think critically enhances their ability to plan for the future and to make reasoned decisions in the face of innumerable options.

Ethics of the Bible are based on the view that an idea or action is good because God allegedly said it was, not because of any reasoned connection between it and human wellbeing. While this sort of thinking can sometimes lead to desirable behavior, it can also lead to the oppression of women, gay people, religious dissenters, and others—not because there are good reasons to treat people this way, but simply because of the belief that God revealed these “truths” to his people. If one doubts that this is the case, one need look no further than to laws in most states that deny marriage rights to gay and lesbian couples primarily due to the influence of obscure Biblical passages labeling homosexuality an abomination to God. These actions are based not on sound thinking, but on uncritical devotion to religious dogma—precisely the sort of devotion advocated through the literature of evangelical released time programs.

If, in a hypothetical situation, an individual with no prior knowledge of South

⁴⁶³ 1 Timothy 2:12-14; 1 Corinthians 14:34; 1 Corinthians 11:7; Ephesians 5:22

Carolina's public school standards or the curricula of its released time programs were tasked with reviewing these materials, s/he would likely determine their aims and values to be incompatible. And because these visions are so clearly incompatible, it is highly likely that granting credits for released time courses would serve to undermine many of the curricular aims of public schools. Public schools should not award credits for courses that have such strong potential to undermine the messages communicated by their democratically-approved, professionally-designed and implemented curricula.

Problems With Private School Certification

The South Carolina Released Time Credit Act states that public schools ought to apply purely secular criteria when determining whether to award credit for participation in released time courses. The legislation suggests that released time courses ought to be evaluated in the same way as private school courses are when a student transfers into a public school. But what are these secular criteria? How should public high school guidance counselors decide which courses to accept and which to reject when students transfer in from private schools?

The best measure of secular criteria available for use in evaluating and accrediting courses are public schools' academic standards, which are used to maintain the rigor and quality of public school courses. These standards, however, promote aims, values, and dispositions that are clearly incompatible with those promoted in released time courses. Applying these secular criteria, public schools would only accept transfer credits from private schools when the courses align well with existing public school courses. Thus, a proselytizing and devotional religious course would not be accepted by a public school,

even as a transfer from a private school. A history or literature course, on the other hand, would be accepted. What secular criteria could possibly justify granting public school credits for proselytizing religious courses? Consider the fact that these are devotional, and not academic, courses. To what secular subject would a proselytizing released time course compare?

The private school transfer credit provision does not stand up to scrutiny. It is highly problematic for a private religious school to be put in charge of evaluating a devotional religious class according to the “purely secular criteria” stipulated by the South Carolina Released Time Credit Act. Public entities are tasked with maintaining an attitude of neutrality toward religion, whereas private religious schools, by definition, maintain a preference for a particular religion. When they choose to certify a devotional released time course, they are not evaluating these courses according to secular criteria—they are merely offering their support to the proselytizing mission of the evangelical released time organizations. They agree with and want to facilitate these organizations’ primary aim of winning converts to evangelical Christianity.

Private school certification of released time courses allows evangelical activists to exploit loopholes within legitimate transfer policies so that they might gain access to “unchurched” public school students. If South Carolina’s public schools do indeed, as released time advocates imply, regularly grant public school credits for devotional courses when private school students transfer in, then that is another major problem. It is not a sound basis upon which to justify additional problematic policies.

Untenable Accommodation Argument

The courts have upheld time and again the rights of students to practice their religion during the school day. In fact, students have robust religious freedom within public schools. If they wish to hold student-led devotionals or Bible studies during non-instructional time, they have that right. The only limitation on students' religious expression is that they must stop short of harassing other students or disrupting the school environment. Federal law also allows (but does not require) public schools to release students from school for religious reasons. The primary reason that schools make such accommodations is so that government neither advances nor inhibits religion but stays neutral. The neutrality threshold is met when schools respect students' rights and allow for reasonable accommodations for religion. However, policies that allow public schools to grant credit for released time go beyond accommodation and have the likely effect of advancing religion.

In their lobbying efforts that led to the passage of the South Carolina Released Time Credit Act (SCRTCA), South Carolina's evangelical released time activists made the argument that, by not awarding credits for high school released time courses, school districts were denying students access to the courses and, thus, failing to accommodate students' and parents' religion. But to demonstrate the merits of their argument, supporters of SCRTCA would need to show that requiring students to earn twenty-four credits to graduate high school and failing to award credits for released time courses violates their religious freedom.

Even if the graduation credit requirements could be shown to prevent some students from taking released time courses, it is unlikely that the inability to participate in released time places a legitimate burden on students' religious freedom. Students have ample opportunities to attend religious activities outside of the regular school hours.^{464 465} Furthermore, there are no known requirements within the Christian religion that young people must have access to adult-led, devotional biblical instruction during the hours of 8-3:30, Monday through Friday, during the school year. Thus, there is no compelling evidence that being denied access to released time due to general graduation requirements violates the principle of neutrality or places an undue burden on students' religious freedom. Therefore, there is no obligation for public schools to make religious accommodations for students who are unable to participate in released time due to generally applicable graduation requirements.⁴⁶⁶ Furthermore, accommodation does not mean government agencies must remove all potential obstacles to the religious missions of private organizations. Nor does it mean that the State must grant these organizations permission to use the public schools to advance a religious mission.⁴⁶⁷

⁴⁶⁴ The vast majority of churches have worship services on the weekends and some form of Sunday school or religious education. Many churches (Southern Baptists, for certain) offer Wednesday night services, youth group events, Bible studies, and other activities on weekday evenings. Evangelical churches have vacation Bible school and other summer missions and activities, as well.

⁴⁶⁵ The average public high school student is required to spend approximately 7 hours a day, for 180 days a year, in their local public school building. That comes to only 1,200 hours out of a total of 8,760 hours per year where students' ability to participate in devotional activities (excluding student-led activities that are permitted at school) might be inhibited by general school requirements.

⁴⁶⁶ Unlike, for example, the requirement for Muslims to pray five times a day facing Mecca, which might qualify for some form of accommodation because generally applicable school rules might prevent them from exercising this religious obligation.

⁴⁶⁷ The combination of active recruiting efforts, overtly proselytizing curricula, and the fact that most released time students are from "unchurched" backgrounds supports the contention that the primary effect of granting credits for these courses is the furtherance of a religious mission. If credits only served to accommodate existing demand for released time programs, students would not need to be actively recruited

Misleading Labels

It is not entirely clear why released time programs have adopted the labels of “Christian” or “interdenominational” rather than the more precise label of “evangelical,” but there are several possible explanations that I will discuss in this section. It may be the case that, for released time leaders, the label “interdenominational” is preferable to “evangelical” for political reasons. This manner of ignoring or underemphasizing important distinctions among various denominations within Christianity potentially allows evangelicals to promote orthodox Protestant theology under a friendlier guise of Christian unity. The practice of referring to these programs as “Christian” or “interdenominational” might also give the impression of a broader consensus behind the aims and values of reconceptualized released time programs than would the more accurate, but narrower, label “evangelical”.

Many conservative Christians have traditionally interpreted the principle of non-establishment to mean a prohibition of the State’s power to promote one particular denomination of Christianity at the expense of another rather than non-establishment of Christianity over other religions (or religion of any kind over non-religion). Thus, they might see labels such as “Christian” or “interdenominational” to be less threatening to the principle of non-establishment than would the more accurate but also more sectarian label, “evangelical”.

to enroll in these courses. Granting credit for these courses, however, does more than merely accommodate existing demands for released time—For, it appears that these courses are initiated by evangelical released time activists, supported early on by a small core of sympathetic parents and students, and then, through the released time credit loophole, used as a means for recruiting “unchurched” students and converting them to evangelical Christianity during regular school hours.

Broader labels, communicating a greater sense of inclusion than would “evangelical,” may also aid released time program leaders in their efforts to proselytize “unchurched” public school students and attract children from liberal Christian traditions so that they might expose them to more conservative or orthodox doctrine. Overall, this portrayal might encourage broader participation in released time programs and send a message to non-evangelical parents that their children are welcome to attend—for not only are they welcome, but reaching these students is a, if not *the*, reason for the existence of reconceptualized evangelical released time programs.

The persecuted minority sentiment expressed in the reviewed released time program literature is revealing. Primarily, it illustrates the evangelical view that theirs is the one true version of Christianity. Otherwise, referring to Christians as a minority group would be inaccurate, for, to be a genuine minority in the United States, many of the almost 80% of Americans who identify as Christians would have to be excluded from the ranks of “true believers”.⁴⁶⁸ To meet the definition of a true minority group, this categorization would have to exclude virtually all Mainline Protestants and Catholics, who tend not to interpret the Bible literally and often deviate from many other orthodox Protestant beliefs that evangelicals hold as sacred. Also likely excluded would be other Christian denominations such as Jehovah’s Witnesses, Mormons, and Greek and Russian Orthodox groups.

Whatever the purpose of labeling these programs “Christian” or “interdenominational” rather than “evangelical,” such decisions may have the effect of

⁴⁶⁸ Statistics on Religion in America Report, Pew Forum on Religion & Public Life. 2007. <http://religions.pewforum.org/reports>

misinforming schools, parents, and the general public of the sectarian and proselytizing nature of the programs. Given the different ways in which evangelicals and the general public perceive the meaning of the word “Christian,” the choice of using that label rather than “evangelical” to describe released time programs in South Carolina is likely to miscommunicate the true nature of the programs. It is possible that, were such programs accurately labeled as “evangelical” and their intentions to convert students to a very conservative brand of Christianity clarified in letters sent home to parents, there would be a lower concentration of “unchurched” students in these programs. It is also possible that there would be less support among state legislators and school leaders for policies that aid such programs in their religious mission to convert students to evangelical Christianity through released time courses.

Summary

In some very general sense, public schools should help prepare young people to become autonomous, critical thinkers who are actively and productively engaged in pluralist, democratic citizenship. Public schools in a pluralist, democratic state should also be places where students learn to tolerate and respect people who are different from them and to engage in open-minded inquiry and dialogue. To the extent that released time programs—through literalist interpretations of the Bible, discouragement of critical thinking applied to students’ received beliefs, and consistent warnings about “false religions”—undermine these messages, they jeopardize this important civic project. Granting credits for released time runs the risk of leaving public school students more intolerant of difference and less capable of realizing the intellectual and civic aims of

education in pluralist, democratic societies. Already under attack from many angles, the institution of public schooling is further delegitimized when educational leaders implement this type of policy.

Limitations

Though I am confident that the conclusions drawn in this study are sound, there are some limitations that ought to be acknowledged. The most significant limitations of the study derive from issues of researcher subjectivity, access to data, and methodological challenges. Because of the controversial nature of studies that address topics relating to religion, I took special care to address these limitations.

Researcher subjectivity, a limitation that affects all scholarship in varying degrees, is especially significant when the phenomenon of interest is controversial in nature. Because this study addresses a contentious topic, it was particularly important that I explicitly state and account for the biases that potentially influenced the questions I asked and the ways in which I interpreted the data. This is the only study of its kind—an examination of credit-bearing, evangelical released time courses—and it was conducted by someone who does not identify as an evangelical Christian. In fact, I approached this study as a person who believes there should be a firm separation of church and state and that the state should maintain a neutral or agnostic attitude toward matters of faith. This certainly influenced the way in which I think about the idea of granting public school credits for participation in proselytizing religious courses. It is likely that someone who identifies as an evangelical Christian, on the other hand, would have been interested in different types of questions and would have approached the study in a very different way.

Another limitation of the study dealt with access to data. Because I was unable to obtain access to classroom observations, questionnaires for teachers, parents, and students, and curriculum materials for the apologetics courses, my data were significantly limited. This affected the scope of the conclusions I was able to draw about released time program pedagogy and curricula. Because I was denied access to classroom observations, for example, I was only able to draw conclusions about “formal” curricula and not “informal” curricula—that is, the day-to-day happenings in the classroom.

An additional limitation of the study dealt with a methodological challenge: the difficulty of drawing generalizations from case studies. It is difficult to know how similar the other released time programs in the state are to those selected as units of analysis for the study. The present study represents an examination of a single case—South Carolina’s overall “system” of released time programs—designed not to provide conclusive generalizations about *all* released time programs, but to contribute new knowledge to a much-needed area of scholarship on the nature of for-credit, evangelical released time programs. It is my hope that this study will lead to others—the sorts of questions asked and the conclusions drawn in the present study are likely to evoke controversy and may not address every interesting or important aspect of the phenomenon of for-credit released time. I have deliberately designed the study within a bounded system—a “system” of released time programs, within a single state, and consisting of multiple units of analysis. However, the fact that the major organization behind released time in South Carolina is also the leading promoter of evangelical

released time programs throughout the United States gives the study significant implications beyond the state of South Carolina.

This study uses intentional selection of “model programs” rather than random selection in an attempt to test the generalization that “for-credit released time policies are designed as a means of accommodating religious expression and do not have the effect of advancing a religious mission.” I purposefully chose to examine “model programs,” which are likely to have been subjected to the highest levels of scrutiny by program leaders, to test the above claim.

If evidence could be found suggesting that even these heavily scrutinized “model programs” have a clear and primary aim to proselytize students, then it is reasonable to assume that study of less scrutinized programs would be highly likely to yield similar findings. By selecting “model programs” for analysis, this study increases the likelihood that any aspects of these programs that are determined to be inappropriate for pluralist, democratic societies—such as advancing a religious mission through public schools—are likely to be found in most if not all other released time programs in South Carolina.

To address these limitations, I enhanced the study’s trustworthiness and dependability through triangulation of data, member checking, peer examination, providing a clear statement of my biases and subjectivities that may influence my role as a researcher, and through inclusion of an audit trail. I enhanced the transferability of the study’s findings by providing rich descriptions and adequate context for the units of analysis. All data collection, interaction with research participants, and reports of the

study's findings were carried out in accordance with Clemson University's Institutional Review Board's guiding ethical principles.

More specifically, I made efforts to identify biases or subjectivities from the beginning pages of the dissertation by providing a clearly defined theoretical perspective that details the philosophical basis of the study. I provided a personal statement to explain my motivations for the study and biases in the types of questions that piqued my interest, including my interest in shedding light on the “unknowns” of a potentially controversial program, and my early reaction of surprise upon learning that students could receive public school credits for participation in largely unregulated, devotional courses in religion—a policy that I assumed to be unconstitutional. I made a concerted effort to ground the claims and evaluative criteria of this study in well-developed theory. I made efforts to select multiple units of analysis for study rather than choosing only one that appeared to fit my preconceptions. I sought out evidence that did not support my original hypotheses, and where such evidence was found, I reported these findings and modified the study's conclusions.

Implications

This study yields implications for educational policymakers. Particularly it points to the inconsistency inherent in requiring public schools to undergo rigorous procedures relating to oversight and accountability while allowing credit bearing released time courses to go virtually unregulated. Furthermore, the study can demonstrate to educational policymakers that granting credit for released time inappropriately entrusts important public responsibilities to private religious institutions. The study also

demonstrates for policymakers the potentially divisive effects of released time for credit. Minority religions have only bare opportunity to take advantage of released time, whereas the dominant religion—in this case, evangelical Christianity—maintains a monopoly over these programs and, as a result, receives improper aid in its religious mission to convert people to Christianity. Released time leaders, through trained student missionaries, bring religious difference to the forefront in public schools—something that undermines the common school mission of promoting unity among culturally and religiously diverse students. Policymakers considering implementing a released time credit act would enrich their deliberations by taking these findings up for consideration.

The evangelical reconceptualization of released time, though most visible in South Carolina, is highly relevant to the rest of the nation. Receiving a favorable decision in the Moss case and celebrating the 100th anniversary of released time in 2014, evangelical released time organizations are experiencing significant growth in South Carolina and elsewhere. School Ministries and its allies are introducing released time credit acts modeled on South Carolina's legislation in other states. The evangelical released time lobby has a strong desire to expand similar programs and policies to every state in the United States. It is likely that somewhere another credit-for-released time policy will be challenged, and it is possible that another court could issue a very different ruling—a ruling that such policies represent an unconstitutional establishment of religion. If a federal court issues such a ruling, it could very well result in a Supreme Court case on this matter.

A new body of scholarly literature on reconceptualized evangelical released time programs would be incomplete without studies conducted by researchers with perspectives different from my own. I recommend that others should look at released time programs in South Carolina to produce additional studies guided by different perspectives. Examination of contemporary released time programs in other states would add breadth to the literature on this topic. For instance, studies of for-credit evangelical released time programs in Georgia would add a potentially interesting point of comparison to evangelical programs in South Carolina. Cross-case analyses of these programs with non-evangelical programs (including LDS, Catholic, and Jewish programs) in other states could also yield interesting findings. Phenomenological studies that examine attitudes toward released time from multiple perspectives (policymakers, parents, and students, for instance) might also yield interesting findings. Additional studies might determine why various students choose to enroll or to not enroll in released time programs and could provide clarity to the question of who “unchurched” students are. Furthermore, additional studies might uncover the reasons why parents grant permission for their children to leave public schools for devotional released time courses and whether they are fully informed about the nature of these courses. The availability of more research in this area would help democratic citizens to make more informed, reasoned judgments about public school policy.

APPENDICES

Appendix A

Program Directors' Informed Consent Form

Information about Being in a Research Study
Clemson University

Released Time in South Carolina (IRB2012_210)

Description of the Study

Dr. Mindy Spearman and Ben Bindewald are inviting you to take part in a research study. Mr. Bindewald is a student at Clemson University, running this study with the help of Dr. Spearman, who is an associate professor of education at Clemson University. The purpose of this research is to better understand the concept of released time for religious instruction, to gain insights into the history of the released time movement in South Carolina, the state's laws relating to released time (particularly to the law allowing for the issuance of public school credits for released time participation), and into the nature of the curricula, values, and aims of released time programs throughout the state, and to compare these values and aims with the goals communicated through South Carolina's academic standards and other official statements of value or purpose regarding its public school system. Mr. Bindewald plans on presenting the findings of this study in his dissertation, as a requirement for graduation in Clemson's PhD. program in Curriculum and Instruction.

Your part in the study would be to participate in an interview (possibly more than one if it is necessary and if you are willing) with Mr. Bindewald in which you will be asked to talk about the nature of released time programs in South Carolina and anything else that you think might be helpful toward the overall aims of the study mentioned in the above description, to provide access to research sites, and to facilitate other interviews, classroom observations (at one high school in your organization's area of operation), or questionnaires relating to the study. With your permission, the interview(s) will be audio-recorded to ensure the accuracy of any quotations or characterizations of your words included in Mr. Bindewald's research. All audio-recordings relating to these interviews will be destroyed within five years of the date of each corresponding interview.

Risks and Discomforts

We do not know of any risks or discomforts to you in this research study.

Possible Benefits

We do not know of any way you would benefit directly from taking part in this study. However, this research will likely help provide a better understanding of the history and

the nature of the released time movement in South Carolina and elsewhere in the United States.

Protection of Privacy and Confidentiality

Due to your public role in the released time movement and related Internet presence, it will not be possible to protect your anonymity. It is likely that you will be quoted directly in the final report. You will, however, be sent a copy of any information attributed to you so that you will have the opportunity to inform the researcher of any perceived misrepresentations of your ideas.

If any teachers, students, or parents affiliated with released time programs provide information to be used in this study, appropriate efforts will be made to protect their anonymity. The anonymity of any participating churches (or wherever the released time classes are held) or high schools will also be protected.

Choosing to Be in the Study

You do not have to participate in this study. You may choose not to take part and you may choose to stop taking part at any time.

Contact Information

If you have any questions or concerns about this study or if any problems arise, please contact Dr. Spearman at Clemson University at 864-656-2078.

If you have any questions or concerns about your rights in this research study, please contact the Clemson University Office of Research Compliance (ORC) at 864-656-6460 or irb@clemson.edu. If you are outside of the Upstate South Carolina area, please use the ORC's toll-free number, 866-297-3071.

Consent

I have read this form and have been allowed to ask any questions I might have. I agree to take part in this study.

Participant's signature: _____ Date:

A copy of this form will be given to you.

Appendix B

Teachers' Informed Consent Form

Released Time in South Carolina (IRB2012_210)

Description of the Research and Your Part in It

Dr. Mindy Spearman and Ben Bindewald are inviting you and your class to take part in a research study. Mr. Bindewald is a student at Clemson University, running this study with the help of Dr. Spearman, who is an associate professor of education at Clemson University. Mr. Bindewald plans on presenting the findings of this study in his dissertation, as a requirement for graduation in Clemson's PhD. program in Curriculum and Instruction.

The purpose of this research is to better understand the concept of released time for religious instruction, to gain insights into the history of the released time movement in South Carolina, the state's laws relating to released time (particularly to the law allowing for the issuance of public school credits for released time participation), and into the nature of the curricula, values, and aims of released time programs throughout the state, and to compare these values and aims with the goals communicated through South Carolina's academic standards and other official statements of value or purpose.

Your role in this study would be to participate in the regular procedures of your released time class while the class is being observed and to complete an open-ended questionnaire with items designed to provide the researcher with information about the nature of released time programs, your experiences with these programs, and your perceptions about their purposes.

The researcher plans on conducting no more than ten classroom observations and one survey, which will take approximately 20 minutes to complete.

Risks and Discomforts

We do not know of any risks or discomforts to you (or to the students in your class) in this research study.

Possible Benefits

We do not know of any way you (or your students) would benefit directly from taking part in this study. However, your participation in this research study will likely help to provide a better understanding of the nature of released time programs in South Carolina.

Protection of Privacy and Confidentiality

We will do everything we can to protect your (and your students') privacy and confidentiality. We will not tell anybody outside of the research team that you or your particular class were in this study.

Choosing to Be in the Study

You do not have to participate in this research study. You may tell us at any time that you do not want to be in the study anymore. You will not be punished in any way if you decide not to participate.

We will also ask your students and their parents if they want to take part in this study. They will be able to refuse to take part or to quit being in the study at any time.

Contact Information

If you have any questions or concerns about this study or if any problems arise, please contact us at Clemson University:

Ben Bindewald	bbindew@clemson.edu
Mindy Spearman	mjspear@clemson.edu

If you have any questions or concerns about your child's rights in this research study, please contact the Clemson University Office of Research Compliance (ORC) at 864-656-6460 or irb@clemson.edu. If you are outside of the Upstate South Carolina area, please use the ORC's toll-free number, 866-297-3071.

A copy of this form will be given to you.

Appendix C

Teachers' Questionnaire

**Research Questionnaire for Teachers
of Released Time Course(s)**

Can you briefly describe:

1. Why you decided to teach in a released time program?

2. Your preparation for teaching in the program?

3. The major goals of your released time class?

4. Your thoughts about the relationship between the released time program and the public schools?

-More on back →

5. What you teach your students about:

a. The Bible?

b. Salvation?

6. Your general thoughts about the strengths and weaknesses of the released time program in which you teach?

Appendix D

Parents' Permission and Informed Consent Form

Parent Permission Form
Clemson University

Released Time in South Carolina (IRB2012_210)

Description of the Research and Your Child's Part in It

Dr. Mindy Spearman and Ben Bindewald are inviting you and your child to take part in a research study. Mr. Bindewald is a student at Clemson University, running this study with the help of Dr. Spearman, who is an associate professor of education at Clemson University. Mr. Bindewald plans on presenting the findings of this study in his dissertation, as a requirement for graduation in Clemson's PhD. program in Curriculum and Instruction.

The purpose of this research is to better understand the concept of released time for religious instruction, to gain insights into the history of the released time movement in South Carolina, the state's laws relating to released time (particularly to the law allowing for the issuance of public school credits for released time participation), and into the nature of the curricula, values, and aims of released time programs throughout the state, and to compare these values and aims with the goals communicated through South Carolina's academic standards and other official statements of value or purpose.

Your child's part in this study would be to participate in regular released time class while the class is being observed and to complete a short, open-ended questionnaire with items designed to provide the researcher with information about the nature of released time programs and your child's thoughts about his/her released time class.

Your role in this study would be to complete a short, open-ended questionnaire about your child's released time program.

The researcher plans on conducting no more than ten classroom observations and one survey, which will take approximately 15 minutes to complete.

Risks and Discomforts

We do not know of any risks or discomforts to you or your child in this research study.

Possible Benefits

We do not know of any way you or your child would benefit directly from taking part in this study. However, your child's participation in this research study will likely help to provide a better understanding of the nature of his/her released time program.

Protection of Privacy and Confidentiality

We will do everything we can to protect your and your child's privacy and confidentiality. We will not tell anybody outside of the research team that you or your child were in this study or what information we collected about you or your child in particular.

Choosing to Be in the Study

Neither you nor your child has to participate in this research study. You or your child may tell us at any time that you do not wish to participate in the study anymore. Neither you nor your child will be punished in any way if you decide not to be in the study or if you stop your child from continuing in the study. Your child's grades will not be affected by any decision you make about this study.

We will also ask your child if they want to take part in this study. Your child will be able to refuse to take part or to quit being in the study at any time.

Contact Information

If you have any questions or concerns about this study or if any problems arise, please contact us at Clemson University:

Ben Bindewald	bbindew@clemson.edu
Mindy Spearman	mjspear@clemson.edu

If you have any questions or concerns about your or your child's rights in this research study, please contact the Clemson University Office of Research Compliance (ORC) at 864-656-6460 or irb@clemson.edu. If you are outside of the Upstate South Carolina area, please use the ORC's toll-free number, 866-297-3071.

A copy of this form will be given to you.

Appendix E

Parents' Questionnaire

Research Questionnaire for Parents of Students Enrolled in Released Time Course(s)

Can you briefly describe:

1. How you found out about the released time program in which your child participates?
2. Why you decided to allow your child to participate in the released time program?
3. Your understanding of the goals of the released time program and your thoughts about those goals?

More on back →

4. What you hope that your child gains from participation in the released time class?

5. Your general thoughts about the strengths and weaknesses of your child's released time program?

Appendix F

Students' Informed Consent Form

Minor Agreement to Be in a Research Study Clemson University

Released Time in South Carolina (IRB2012_210)

You are being invited to be in a research study. Below you will find answers to some of the questions that you may have.

Who Are We?

Dr. Mindy Spearman and Ben Bindewald are inviting you to take part in a research study. Mr. Bindewald is a student at Clemson University, running this study with the help of Dr. Spearman, who is an associate professor of education at Clemson University. Mr. Bindewald plans on presenting the findings of this study in his dissertation, as a requirement for graduation in Clemson's PhD. program in Curriculum and Instruction.

What Is It For?

The purpose of this research is to better understand the concept of released time for religious instruction, to gain insights into the history of the released time movement in South Carolina, the state's laws relating to released time (particularly to the law allowing for the issuance of public school credits for released time participation), and into the nature of the curricula, values, and aims of released time programs throughout the state, and to compare these values and aims with the goals communicated through South Carolina's academic standards and other official statements of value or purpose.

Why You?

We would like to know what you think about your released time program and its relationship with your high school. You can help the researchers to better understand what you have learned and what you think about your experiences in your released time class.

What Will You Have to Do?

Your part in the study would be to participate in normal classroom activities while being observed by Mr. Bindewald, to respond to an open-ended questionnaire in which you would be asked to answer questions about your released time program that might be helpful toward the overall aims of the study mentioned in the above description.

The duration of your participation in this study will be approximately one month.

What Are the Good Things and Bad Things that May Happen to You If You Are in the Study?

We do not know of any way you would benefit directly from taking part in this study. However, this research will likely help provide a better understanding of the history and the nature of the released time movement in South Carolina and elsewhere in the United States.

We do not know of any risks or discomforts to you in this research study.

What If You Want to Stop? Will You Get in Trouble?

You do not have to participate in this study. You may choose not to take part and you may choose to stop taking part at any time. Your decision to take part or not to take part in this study will in no way affect your grade for this class. You will in no way be punished or rewarded for your non-participation or your participation.

Do You Have Any Questions?

You can ask questions at any time. You can ask them now. You can ask later. You can talk to me or you can talk to someone else at any time during the study. Here is our contact information:

Ben Bindewald	bbindew@clemson.edu
Mindy Spearman	mjspear@clemson.edu

Clemson University Office of Research Compliance (ORC) at 864-656-6460 or irb@clemson.edu. If you are outside of the Upstate South Carolina area, please use the ORC's toll-free number, 866-297-3071

By being in this study, I am saying that I have read this form and have asked any questions that I may have. All of my questions have been answered and I understand what I am being asked to do. I am willing and would like to be in this study.

A copy of this form will be given to you.

Appendix G

Students' Questionnaire

Research Questionnaire for Students Enrolled in Released Time Course(s)

Can you briefly describe:

1. How you found out about the released time class?
2. Your understanding of the goals of the released time program and your thoughts about those goals?
3. How your released time class compares with your other classes?

More on back →

4. What you have learned in this class about:
 - a. The Bible?

- b. Salvation?

5. Your general thoughts about the strengths and weaknesses of your released time class?

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