

GEORGIA HIGH SCHOOL PRINCIPALS' PERSPECTIVES ON RELEASED  
TIME FOR RELIGIOUS INSTRUCTION

by

PHILIP S. DAVIDSON

(Under the Direction of Dr. C. Thomas Holmes)

ABSTRACT

The purpose of this study was to determine principals' knowledge of, and beliefs about, released time for religious instruction. Released Time is a program that allows public school students, with parent permission, to leave campus during school hours to attend religious education classes. These classes are completely funded and taught by religious or community groups. Since 1952, the U.S. Supreme Court has upheld the constitutionality of Released Time.

This study sought to determine the relationship between high school size, socioeconomic status, school location, and Georgia public high school principals' perceptions of released time for religious instruction. Data for this quantitative study were collected using a survey instrument. This survey was sent to the principals of all the 322 traditional high schools in the state of Georgia during the summer of 2005. The survey included statements to determine each principal's knowledge of released time bible study programs and the principal's beliefs about the benefit, support, or legitimacy of a released time bible study program for their individual school. The survey also contained statements designed to

determine the use of release time for both bible study and traditional classes in high schools across the state of Georgia.

The responses from the survey were analyzed using both descriptive and inferential statistics. The findings indicated that there was no statistically significant relationship in principals' responses based on the independent variables. Conclusions from this study indicated that among Georgia high school principals there is a general lack of awareness about released time religious instruction programs. The data also indicated that Georgia school systems are committed to allowing students to leave school campus to participate in classes the school does not offer. The study includes recommendations for future study and implications for practice.

**INDEX WORDS:** Released Time, Religious Education, School Administration, Principals, Georgia Public Schools

GEORGIA HIGH SCHOOL PRINCIPALS' PERSPECTIVES ON RELEASED  
TIME FOR RELIGIOUS INSTRUCTION

by

PHILIP SCOTT DAVIDSON

B. S., North Georgia College, 1987

M. Ed., University of Georgia, 1999

A Dissertation Submitted to the Graduate Faculty of The University of Georgia in  
Partial Fulfillment of the Requirements for the Degree

DOCTOR OF EDUCATION

ATHENS, GEORGIA

2006

© 2006

Philip Scott Davidson

All Rights Reserved

GEORGIA HIGH SCHOOL PRINCIPALS' PERSPECTIVES ON RELEASED TIME FOR  
RELIGIOUS INSTRUCTION

by

PHILIP SCOTT DAVIDSON

Major Professor: C. Thomas Holmes

Committee: John Dayton  
C. Kenneth Tanner

Electronic Version Approved:

Maureen Grasso  
Dean of the Graduate School  
The University of Georgia  
December 2006

## DEDICATION

This paper is dedicated to the most important people in my life:

To my children, Max and Maddy. Without you, I never would have begun this process. I hope that it inspires you as much as you inspired me to do it. I also hope that you always look at education as you do today. Never stop learning new things and work hard to be the best that you can be. I am proud of you and all that you do. I love you both with all my heart.

To my parents Wheeler and Ginny Davidson. It is because of your guidance and example that I am who I am today. Thank you for all that you've done. Although you may have wondered at some point, you taught me the importance of an education.

To two individuals who did not see this process to completion. A dog named Olivia, who could only be replaced by my children, and my late grandmother, Martha Davidson, who dedicated her life and that of her family to the education of others.

And to my wife, Vickie Joe, the love of my life, who in the words of a wise man is "so much more than I deserve."

## ACKNOWLEDGEMENTS

I would like to express my sincere appreciation to my dissertation committee of Dr. C. Thomas Homes, Dr. John Dayton and Dr. Kenneth Tanner. I thank you for your knowledge, support, and encouragement. I couldn't have asked for a better committee. Dr. Holmes, without your help and direction, this project would have never seen completion. You have my eternal thanks.

To my classmates, Craig Barlow, Terry Dover, Carolyn Broucek, and others, thank you for your friendship and encouragement. You made this process bearable.

I want to thank my children, Max and Maddy, for their understanding of the long hours and time away from home while I have been in school.

To my wife, Vickie Joe, words cannot express the gratitude for all that you do. You have sacrificed so much so that I can be successful. From start to finish, this is as much an accomplishment of yours as it is of mine. I could never have done it without you. Nor would I have wanted to. Thank you for being my partner. I love you.

## TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS.....	v
LIST OF TABLES .....	ix
CHAPTER	
1 INTRODUCTION.....	1
Statement of the Problem.....	3
Purpose.....	6
Overview of Research Procedures.....	6
Definition of Terms .....	7
Research Questions.....	7
Limitations .....	8
Organization of the Study.....	8
2 REVIEW OF RELATED LITERATURE.....	9
Introduction.....	9
Education, Religion, and the U.S. Constitution.....	9
Education, Religion, and the U.S. Supreme Court .....	10
Education, Religion, and the U.S. Government.....	18
Education, Religion, and the State of Georgia.....	23
History of Released Time .....	25
Released Time and the Courts.....	26



	Basics of a Released Time Program .....	31
	Research on Released time .....	33
	Arguments for a Released Time Program .....	38
	Arguments Against Released Time Programs.....	40
	Summary .....	42
3	METHODS AND PROCEDURES.....	44
	Introduction.....	44
	Restatement of Purpose.....	44
	Research Questions .....	45
	Population of the Study .....	45
	Null Hypotheses .....	47
	Research Design.....	49
	Data Collection .....	50
	Summary .....	50
4	PRESENTATION AND ANALYSIS OF DATA .....	52
	Introduction.....	52
	Description of Sample .....	52
	Descriptive Statistics .....	54
	Test of Hypotheses .....	61
	Data on Released Time Programs .....	68
	Summary .....	69
5	SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS .....	71
	Summary .....	71

Findings.....	71
Discussion .....	73
Conclusions.....	74
Recommendations for Further Study.....	75
Implications for Practice .....	76
REFERENCES .....	78
APPENDICES .....	85
A Comments from Returned Surveys .....	85
B Cover Letter to Principals .....	87
C Survey .....	89
D Follow-up Postcard.....	92

## LIST OF TABLES

	Page
Table 1: Enrollment Groups.....	46
Table 2: Surveys Returned by School Size Groups.....	53
Table 3: Surveys Returned by School Location.....	53
Table 4: Surveys Returned by Socioeconomic Group.....	54
Table 5: Principal Responses to Likert Statements.....	55
Table 6: Responses to Survey Item 1.....	56
Table 7: Responses to Survey Items 2-4.....	57
Table 8: Responses to Survey Item 5.....	57
Table 9: Responses to Survey Items 8-11.....	59
Table 10: Responses to Survey Item 12.....	60
Table 11: Chi Square Analysis Based on School Size Groups.....	62
Table 12: Chi Square Analysis Based on School Socioeconomic Groups.....	64
Table 13: Contingency Table of Significant Chi-Squared Value.....	65
Table 14: Chi Square Analysis Based on School Location Groups.....	67
Table 15: Data Reported from Schools Having Current Released Time Programs.....	69

## CHAPTER 1

### INTRODUCTION

In the history of public education, few things have been as controversial or as much litigated as the role of religion. Throughout our history, the idea of a separation between church and state has caused many public schools to be wary of religion at all. Since the landmark Supreme Court decisions of 1962 and 1963, which declared prayer and Bible reading in public schools unconstitutional, many believe that not only schools, but the government as well, have become hostile to religion (Carper, 1984; Carper, 2000; Sikkink, 1999). However, in the past decade a new enthusiasm for religious education has emerged. A varied assortment of allies have determined that religion and religious liberty are important to, and an integral part of, our educational system (Nord & Haynes, 1998).

Among the changes at the national level was the Religious Freedom Restoration Act. This federal law, passed in 1993, but overturned by a Supreme Court decision in *City of Boerne v. Flores (1997)*, aimed to limit the government burden on a person's free exercise right (Jurinski, 1998). In July 1995, President Clinton stated that, "the first Amendment does not require students to leave their religion at the schoolhouse door" (Jurinski, 1998). Under his direction, then Secretary of Education Richard W. Riley sent every school superintendent in the country guidelines on *Religious Expression in Public Schools* (U. S. Department of Education, 1998). Included in these guidelines was the statement that, "subject to applicable state laws, schools have the discretion to

dismiss students to off-premises religious instruction” (U. S. Department of Education, 1998, p. 8). In the No Child Left Behind Act of 2001, Section 9524 requires all local educational agencies to certify that their agency has no policy that prevents or denies participation in constitutionally protected prayer in public schools. Those local educational agencies that are not in compliance with these directives will be denied federal funds (U.S. Department of Education, 2003).

The state of Georgia has followed the national government’s trend of supporting religion and values in the public schools. In 1993, the state passed the *Moment of Silence Act*, which provided for a “moment of quiet reflection” to begin each school day (Jurinski, 1998). In 1997, the Georgia state legislature passed the *Character Education Act*, which required public schools in the state of Georgia to provide instruction in values and character education. In 2002, the State House of Representatives approved House Resolution 910. This resolution commended schools that had released time education programs and urged “each local public school system to examine Released Time Bible Education and determine its viability in its own community setting” (H.R. 910, p. 1). In 2006, the Georgia legislature added code section 20-2-148 to the Official Code of Georgia. This section allowed public high schools in Georgia to provide students with elective Bible study courses. The section also required the State Board of Education to adopt a curriculum for these courses (S.B. 79, p. 2).

The state of Georgia, through it’s decisions, coupled with the U.S. Department of Education would seem to have a desire to protect individual religious liberty, to provide it’s students with values and character education, and allow for students to receive religious education through released time programs.

### **Statement of the Problem**

Archbishop John Ireland, speaking to the National Educational Association in 1890, stated that, “dissatisfaction exists with the state school because of its exclusion of religion. This dissatisfaction, moreover, is founded on conscience and will continue until the cause of it is removed” (217-232). Although he spoke these words over 100 years ago, the absence of religion in the public schools today continues to produce a feeling of disenfranchisement in some parents (Apple, 2000). Many of these parents have sought an alternative to the public education system. Two of the most popular avenues have been private schools and home schooling (Carper, 2000). Additionally, many call for other school choice options, such as vouchers (Baer & Carper, 1998).

The idea of vouchers for school choice is a volatile topic. There are many both in the education field and outside of it that are strongly opposed to this type of school choice. One belief is that, given vouchers, there would be an exodus of students from the public schools (Poetter & Knight-Abowitz, 2001). Another school choice option that has gained little attention is the current home school movement. Although the growth of Christian private schools began more than a decade before, each of these groups have over one million members today (Carper, 2000). Home schooling itself has seen tremendous growth during the past decade, growing at an annual rate of 7% to 15%, with estimates of 1.3-1.7 million students according to the National Home Education Research Institute in 1999 (cited in Poetter & Knight-Abowitz, 2001). Hill (2000) contended, “Home schooling, not a present threat to public education, is nonetheless one of the forces that will change it” (p. 20).

Research has continually asserted that one of the leading indicators of student performance is parental involvement (Reed, 2000). It is parental involvement that prompts the decision to send children to private schools. Reed (2000) asserted that “homeschooling is the *ultimate* in parental involvement” (p. 85). Likewise, home schooling was described by Ray (2000) as “de facto” parental involvement. Manatt (1995) surmised that “the fact that more and more parents are turning to home schools implies something inadequate about the state of public schools’ (p. 131). Much of the research on why parents choose private or home schools has concluded that the primary reasons are religion and teaching of values (Carper & Ray, 2002). Many of these parents believe that the current public school system is not in agreement with their beliefs on religion and values education for their children.

Bracey (2003) stated that home schooling “may be drawing away parents who could provide considerable resources to the public schools” (p. 169). Lubienski (2000) also contended that the loss of these students and parents is detrimental. He believed that public schools should find ways to attract those individuals. Likewise, Haynes (2000) advocated finding “common ground” because:

First, the survival of public education might be at stake. The exodus from public schools will continue to grow, fueled in large measure by the dissatisfaction with the way in which many schools address religious convictions and rights. By acting now, school leaders might reverse the distrust and alienation that many Americans feel toward their schools. (p. 33)

Released time for religious instruction is one option for public school leaders. This program would allow parents to make decisions about their children’s religious education while remaining in the public school setting.

Released time for religious education, also known as weekday religious education, or excused time, is a program designed to allow student's to leave the public school to receive religious training. Leo Pfeffer defined released time as:

A system of religious education in connection with the public school under which those children desiring to participate in religious instruction are excused from the secular studies for a specified period weekly, while those children not participating in religious instruction remain under the jurisdiction and supervision of the public school for the usual period of secular instruction (1967, p. 370).

Released time programs are currently employed at a number of schools in Georgia. Held to be constitutional by the 1952 Supreme Court decision in *Zorach v. Clausen*, release time is allowed if the following conditions are met:

1. The program must be completely organized and run by the church involved.
2. Students must have written parental permission to attend the classes.
3. The classes must meet off school grounds (American Jewish Congress, 1995).

High schools in the state of Georgia release students to attend classes off campus for a variety of reasons. These programs are usually ones that the public schools are unable to provide within their traditional curriculum. Some students are released to attend vocational classes, work-study programs, and even college classes. This prompts the question: Is releasing students to attend religious classes also a viable alternative for Georgia high schools? Ericsson (1982) asserted, "religious released time is the most effective open door by which students may receive religious instruction during their school day" (p. 3). Trotter (1995) went further by posing the question,



At a time when school districts are being asked to reconsider the role of religion in public education, is released time an ideal way for schools to accommodate religious-minded parents who want Bible classes for their children?" (p. 16).

### **Purpose**

The purpose of this study was to determine high school principals' knowledge of, and beliefs about, released time religious instruction programs. Additionally, the study was designed to investigate which school districts had policies regarding released time religious instruction programs. A further purpose of this study was to determine the use of released time in high schools across the state of Georgia and to discover how these programs were being managed.

This study was undertaken to add to the current knowledge base concerning uses and benefits of released time religious instruction in the public high schools of Georgia. The literature indicated that released time could be useful in building community involvement and parental support. Through knowledge gained in this study, high school principals in the state of Georgia could potentially increase their schools academic performance through increased parental and community involvement.

### **Overview of Research Procedures**

To determine Georgia high school principals' knowledge of, and beliefs about, released time religious instruction programs, each of the principals included in the study were mailed a survey instrument. The survey included statements to determine principals' beliefs in the benefit, support, or legitimacy of these programs for their individual schools. The survey also included statements to determine the participant's knowledge of released time programs and awareness of school system policies regarding released time for religious instruction.

The survey included a section designed to obtain information from those schools having current released time religious instruction programs. The purpose of this section was to gain additional information about these programs. This section of the survey asked principals at these schools to report the number of released time classes, number of students involved, type of religious instruction, and whether academic credit was given for these courses.

### **Definition of Terms**

For clarification, terms relevant to this study are defined.

1. High school - For the purposes of this study, high schools were considered to be traditional public schools with grades 9 through 12.
2. Released time – For the purposes of this study, released time programs were considered to be those programs that released students to off-campus locations for the purpose of religious study during the school day.

### **Research Questions**

There were three research questions that provided the direction for this study.

1. Does the size of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?
2. Does the socioeconomic status of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?
3. Does the school's location (rural, urban, or suburban) affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?

### **Limitations**

1. This study was limited to traditional public high schools, grade 9 through 12, in the state of Georgia.
2. The questionnaire was the only survey method used. Data were not collected any other way.

### **Organization of the Study**

Chapter 1 introduced the topic, stated the problem, and defined the purpose of the study. In addition, this chapter presented the research questions which guided the study, stated the study's limitations, and defined terms to be used in the study.

Chapter 2 presents a review of the literature related to released time education. This chapter provides for an understanding of the First Amendment and its clauses, Supreme Court cases from the past fifty years that have influenced religion in schools, and an overview of recent events in both the Nation and the State of Georgia affecting public schools with regard to religion. The chapter includes an explanation of released time programs, with applicable court cases, history, and research.

Chapter 3 describes the research design, provides a restatement of the purpose, and methodology used. This chapter also presents the null hypotheses, participants, instrumentation and data collection.

Chapter 4 presents an analysis of data collected from the survey in regard to principals' beliefs about released time programs.

Chapter 5 contains a summary of the results, statement of conclusions, discussion, recommendations for further study, and implications for practice.

## **CHAPTER 2**

### **REVIEW OF RELATED LITERATURE**

#### **Introduction**

This review of the literature on released time religious education will present a discussion of the role of released programs in the public schools, their legality, history, and the program's relationship to the public school system of Georgia. The first section of the review of literature will discuss Constitutional Amendments that are pertinent to religion in the public schools. The second section will look at Supreme Court cases that have interpreted the Establishment Clause constitutionality of religion in these schools. The third section will provide an overview of recent U.S. Government involvement on the issue of religion and public education. The fourth section will provide an overview of current trends toward religion in schools taken by the State of Georgia. Subsequent sections will review the history, legality, and basics of a released time program. The chapter will conclude with the arguments for and against a released time program, and a summary of this chapter.

#### **Education, Religion, and the U.S. Constitution**

The Bill of Rights was added to the United States Constitution in 1791. The adding of these original 10 Amendments was intended to guarantee individual rights and the balance of State power (Donovan, Donovan & Piccione, 1984). The first of these Amendments begins with "Congress shall make no law respecting an

establishment of religion, or prohibiting the free exercise thereof” (U. S. Constitution, Amendment 1).

The first part of the Amendment is known as the *Establishment Clause*. Although there is much debate about what the original intend of this clause was, it is generally accepted that the writers wanted to ensure that the federal government could not create a national church. The second part of the Amendment is known as the *Free Exercise Clause*.

The last of the original 10 Amendments stated that, “The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people” (U. S. Constitution, Amendment X). Under this Amendment, the States and the people retained control of education.

In 1868, Congress added the 14th Amendment to the Constitution. Stating that “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States” (U. S. Constitution, Amendment XIV). With this Amendment, the States were held to the law of the Constitution.

These 3 Amendments, collectively, provide for the state, religion, and education. Although the U. S. Constitution is the law of the land, the U.S. Supreme Court is responsible for interpreting it’s meaning and applying that meaning to the nation. It is the interpretation of these Amendments that has driven religion’s relationship with education ever since.

### **Education, Religion, and the U.S. Supreme Court**

Thomas Jefferson, author of the Declaration of Independence, was not present for the drafting of the Bill of Rights. However, his name is forever linked with the

interpretation of the religion clauses of the First Amendment. In a 1802 letter to the Connecticut Baptists Association of Danbury, Jefferson acknowledged that the first Amendment established a “wall of separation” between church and state (Jurinski, 2004). First cited by the Supreme Court in the 1878 case of *Reynolds v. United States*, Jefferson’s intent of this phrase has been much debated ever since (Alexander, 1992; Hitchcock, 2004).

The 1947 Supreme Court case of *Everson v. Board of Education of the Township of Ewing* focused on a New Jersey statute authorizing the payment of transportation costs for students to both private and public schools. Under this statute, the local school districts would subsidize bus service costs for students who attended parochial schools. By a 5 to 4 decision, the Court determined that the State’s program was constitutional (Fraser, 1999). Justice Hugo Black delivered the opinion of the Court. He made a distinction between the intentions of the State to aid religious schools, which would be deemed unconstitutional, and the aid for the safety of children, which was deemed constitutional (Mott, 1985). Justice Black’s distinction became known as the “Child Benefit” theory (p. 115).

In the *Everson* case, the Supreme Court for the first time ruled that, through the 14th Amendment, the Establishment Clause of the 1st Amendment also applied to States and local school districts (Boles, 1967; Fraser, 1999; Jurinski, 1998; Mott, 1985).

Justice Black wrote,

Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups, and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect “a wall of separation between church and State.” (*Everson v. Board of Education*, p. 16)

Justice Black also wrote that the First Amendment “required the state to be neutral in its relations with groups of religious believers and nonbelievers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions than to favor them” (Everson v. Board of Education, p. 17).

Justice Jackson and Justice Rutledge wrote dissenting opinions in the *Everson* case. Hitchcock (2004) noted that “the *Everson* decision was anomalous in that the majority and the minority agreed broadly on principles by disagreed sharply on their application” (p. 7). Justice Black concluded his majority opinion with “The First Amendment has erected a wall between church and state. That wall must be kept high and impregnable. We could not approve the slightest breach. New Jersey has not breached it here (Everson v. Board of Education, p. 18).

The next year, in 1948, the Court decided the case of *McCollum v. Board of Education*. The *McCollum* case was brought by Vashti McCollum, a parent with a child enrolled in a school in Champaign County, Illinois (McCollum v. Board of Education, 1948). The Champaign Board policy allowed for clergy to come into the schools and provide thirty-minute periods of religious instruction to students who had been given parental permission. This religious instruction took place on school campus during the school day. Students not participating remained in a study hall (Mott, 1985). Although the clergy that taught these classes were neither paid nor chosen by the public school, McCollum sued on the grounds that this violated both the first and fourteenth amendments through use of compulsory attendance laws (Jurinski, 1998).

The Court found the Champaign released time program unconstitutional. Justice Black again wrote the opinion for the majority. Sighting compulsory attendance laws

and the use of tax supported property for a religious purpose, the Court determined that the program violated the Establishment clause (Mott, 1985). Justice Black wrote,

This is beyond all question a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith. And it falls squarely under the ban of the First Amendment (made applicable to the States by the Fourteenth) as we interpreted it in *Everson v. Board of Education*, 330 U.S. 1." (McCollum v. Board of Education, 1948, p. 210)

Justice Frankfurter, who dissented in the *Everson* case, wrote a concurring opinion that went even further. He stated, "separation means separation, not something less. Jefferson's metaphor in describing the relation between Church and State speaks of a 'wall of separation,' not of a fine line easily overstepped" (McCollum v. Board of Education, p. 231). However, Hazard (1978) noted that Justice Frankfurter also made it clear that the Court did not "pass judgment on released time per se," but looked at "the details of each plan presented in litigation to determine its compatibility or conflict with the state or federal constitution" (p. 50). In his opinion, Justice Frankfurter wrote:

Of course, 'released time' as a generalized conception, undefined by differentiating particularities, is not an issue for Constitutional adjudication. Local programs differ from each other in many and crucial respects. (McCullom v. Board of Education, p. 225)

We do not consider, as indeed we could not, school programs not before us which, though colloquially characterized as 'released time,' present situations differing in aspects that may well be constitutionally crucial. Different forms which 'released time' has taken during more than thirty years of growth include programs which, like that before us, could not withstand the test of the Constitution; others may be found unexceptionable. We do not now attempt to weigh in the Constitutional scale every separate detail or various combination of factors which may establish a valid 'released time' program. We find that the basic Constitutional principle of absolute separation was violated when the State of Illinois, speaking through its Supreme Court, sustained the school authorities of Champaign in sponsoring and effectively furthering religious beliefs by its educational arrangement. (McCollum v. Board of Education, p. 231)



The *McCullum* case, by an 8 to 1 vote, reinforced the Court's conclusion that the Establishment Clause applied to public school districts. It also found, for the first time, a public school board action unconstitutional, and set the stage for all later cases that banned religious expression in public schools (Jurinski, 1998; Mott, 1985).

It would be only four years later that another released time program came before the Court. In 1952, the Supreme Court heard the case of *Zorach v. Clauson*. This case centered on New York Education Law 3210, which permitted its public schools to allow students, during school hours, to leave the school campus and attend religious instruction at nearby religious centers. The students were required to have written parental permission and students not released stayed in their classrooms. The Court distinguished between this case and the *McCullum* case by virtue that the religious classes were held off campus and the board expended no public funds for the program (Whitehead, 1994). The Court held that the New York program did not violate the Establishment clause, and therefore, was constitutional.

With a divided 6-3 Court, Justice Douglas wrote the majority opinion. In his opinion, he wrote:

We are a religious people whose institutions presuppose a Supreme Being. We guarantee the freedom to worship as one chooses. ... 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. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. That would be preferring those who believe in no religion over those who do believe. Government may not finance religious groups nor undertake religious instruction nor blend secular and sectarian education nor use secular institutions to force one or some religion on any person. But we find no constitutional requirement which makes it necessary for

government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence. .... But it can close its doors or suspend its operations as to those who want to repair to their religious sanctuary for worship or instruction. No more than that is undertaken here. (*Zorach v. Clauson*, pp. 313-314)

All three dissenting justices in this case wrote opinions. Miller and Flowers maintained that, “the dissents in the *Zorach* case are among the most barbed that have been written in church-state cases” (1992, p. 493). In one of these, Justice Jackson wrote, “We start down a rough road when we begin to mix compulsory public education with compulsory godliness” (*Zorach v. Clauson*, p. 325). The three dissenters saw the differences in the *McCullom* and *Zorach* cases to be insignificant. To conclude his dissenting opinion, Justice Jackson questioned the differences the Court had drawn between this case and the *McCullom* case. He stated,

The wall which the Court was professing to erect between Church and State has become even more warped and twisted than I expected. Today's judgment will be more interesting to students of psychology and of the judicial processes than to students of constitutional law. (*Zorach v. Clauson*, p. 326)

The Court in *Zorach v. Clauson* found three distinctions in the New York released time program. First, there was no expense by the school system. Secondly, all religious instruction was held off school grounds. Third, there was no appearance of government sponsorship of religion (Whitehead, 1994). The fact that the school was provided with attendance data by the church and assisted with student registration was seen as minimal collaboration. Jurinski (1998) noted that, to the Court, “any entanglements were outweighed by the general benefits of the program” (p. 43). The *Zorach* case was a landmark decision and paved the way for all future released time programs.

Those whose beliefs were encouraged by the outcome of the *Zorach* case would have only a decade to celebrate. In June of 1962, the Court rendered its verdict in the case of *Engale v. Vitale*, which involved the Union Free School District No. 9, New Hyde Park, New York. The Court held that a nondenominational prayer composed by the New York Board of Regents and recited at the beginning of each school day was unconstitutional (Collie, 1983). The prayer in question was, "Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our Country" (*Engale v. Vitale*, p. 422). Justice Douglas, in his concurrence, admitted to the fact that "the *Everson* case seems in retrospect to be out of line with the First Amendment" (*Engale v. Vitale*, p. 443). Clarifying his *Zorach* statement, he further stated that, although Americans are a religious people, their government could not be seen as supporting a public religion (Mott, 1985).

The next year, a pair of similar cases were heard by the Court. The first of these two was *Abington v. Schempp* (1963). Brought by the Schempp family, this case sought to stop enforcement of a Pennsylvania law that called for the reading of ten verses from the Bible without comment at the beginning of each public school day. The reading of the verses would be followed by the Lord's Prayer (Collie, 1983). A companion case to *Schempp* was the case of *Murray v. Curlett* (1962). Murray brought the suit on behalf of her son, William. Murray sought to stop enforcement of 1905 Baltimore, Maryland rule which directed schools to begin each day by reading a chapter from the Bible without comment, and recitation of the Lord's Prayer (Collie, 1983). Both allowed for students to be excused from participation with written parent request.

In February 1963, the Court heard both cases. Although it heard the *Murray* case prior to hearing the *Schempp* case, both cases were decided together in June 1963. By an 8-1 majority, the Court found in favor of both *Murray* and *Schempp*. Justice Thomas Clark delivered the court's opinion. He emphasized that,

In light of the history of the First Amendment and of our cases interpreting and applying its requirements, we hold that the practices at issue and the laws requiring them are unconstitutional under the Establishment Clause, as applied to the States through the Fourteenth Amendment. (*Abington v. Schempp*, p. 206)

Justice Clark also sought to prescribe a test for issues involving the application of religious clauses (Mott, 1985). The test prescribed by Justice Clark contained two prongs. He wrote:

The test may be stated as follows: what are the purpose and the primary effect of the enactment? If either is the advancement or inhibition of religion then the enactment exceeds the scope of legislative power as circumscribed by the Constitution. That is to say that to withstand the strictures of the Establishment Clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion. (*Abington v. Schempp*, p. 222)

Although these cases of 1962 and 1963 declared Bible reading and prayer at public schools unconstitutional, neither was intended to remove religion completely from the public school setting. Quite the contrary, the Court has repeatedly ruled that the study of religion is acceptable in schools (Fraser, 1999). Webb (2000) stated that, "instead it enshrined the distinction between the teaching 'about' religion which is acceptable and the teaching 'of' religion, which is unacceptable" (p.61). Religion is acceptable, and even necessary for a complete education, as long as it is kept within appropriate boundaries (Webb, 2000). In his *Schempp* opinion, Justice Clark stated "nothing we have said here indicates that such study of the Bible or of religion, when

presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment” (Abington v. Schempp, p. 225).

In 1971, the Court decided *Lemon v. Kurtman*. This case held unconstitutional two state laws that provided public funds for teachers at nonpublic schools. Most of these schools were religious in nature, but funding was to be used only to teach secular classes (Okun, 1996). The Court found that there was an excessive entanglement between the state and the nonpublic schools, whose primary mission was a religious one. Writing the majority opinion of the Court, Chief Justice Warren Burger established a three-part test for constitutionality of statutes. He described what has become known as 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.’ (Lemon v. Kurtman, pp. 612-613)

Through these cases, the Supreme Court has established guidelines on the constitutionality of religion in public schools. Although these rulings are not without ambiguity, the Court has maintained a strict separation between church and state. However, the Court, through its decisions, has shown a willingness to allow constitutionally acceptable forms of religious expression and instruction in the public schools.

### **Education, Religion, and the U.S. Government**

Fraser (1999) contended that the controversial Supreme Court cases of the 1960’s produced the primary religious organizations of the 1970s and 1980’s, the Moral Majority and the Christian Coalition. These two organizations mobilized conservative evangelical groups by appealing to their dismay with the absence of prayer in public

schools, teaching of evolution as fact, and sex education. Many believed that the public schools had replaced Christian teaching with the religion of secular humanism (McCarthy, 1996). As a solution to this problem, the Moral Majority proposed developing a network of Christian private schools (Fraser, 1999). Although for some time both Catholics and Jews had operated private schools, Protestants began leaving public schools to have the freedom to teach their values to their children (Webb, 2000).

A side result of this renewal of Christian conservatives and the power of the Moral Majority was the 1980 election of President Ronald Reagan. In the spring of 1981, President Reagan promised to “end the manipulation of school children by utopian planners, and permit the acknowledgment of a Supreme Being in our classrooms just as we allow such acknowledgments in other public institutions” (Fraser, 1999, p. 177). A year later, President Reagan endorsed an amendment allowing prayer in public schools. Voted on by the Senate in 1983, the Amendment failed to get the two-thirds majority necessary for a constitutional Amendment (Jurinski, 1998).

In 1984, the U.S. Congress passed the Equal Access Act. This law provides public secondary school students and their religious groups equal access to school facilities, provided that the school allows other noncurriculum-related groups to meet (Colby, 1993). This act is based on the determination of a “limited open forum.” The school has created a limited open forum when it allows one or more noncurriculum-related groups to meet on campus during non-instructional time (McCarthy, 1996). A public high school can choose not to establish a limited forum, but only by not allowing even one noncurriculum group to meet. Under this law, school personnel cannot participate with the religious groups, but can only be present as monitors.

In 1990, the Supreme Court heard the case of *Board Of Education of the Westside Community Schools v. Mergens*. In this case, students at Westside public high school requested to start an extracurricular religious club to meet during non-instructional time. The School Board denied permission, on the grounds that it would violate the Establishment Clause. The students sued, claiming the School Board had violated the Equal Access Act. In an 8 to 1 decision, the Court found that the school's actions did violate the Equal Access Act, because the school allowed other extracurricular groups to meet during non-instructional time (Fraser, 1999). Additionally, the Court applied the Lemon Test, and found that the Equal Access Act did not violate the Establishment Clause, and therefore, was constitutional (Board Of Education of the Westside Community Schools v. Mergens, p. 228).

Hoping to reduce controversies between schools and religion, there were efforts, in 1995, to clarify what role religion and religious expression could play in the public school setting. In April of 1995, a group of thirty-five religious groups issued *Religion in Public Schools: A joint Statement of Current Law*. This document provided “guidance to public school personnel who often feel caught in the cross fire on church/state issues” (McCarthy, 1996, p.320). In July of the same year, President Clinton delivered a speech at James Madison High School on religious liberty in America. In his speech, he stated that, “the first Amendment does not require students to leave their religion at the schoolhouse door” (Jurinski, 1998). The President continued with,

Some school officials and teachers and parents believe that the Constitution forbids any religious expression at all in public schools. That is wrong. Our courts have made it clear that that is wrong. It is also not a good idea. Religion is too important to our history and our heritage for us to keep it out of our schools. Once again, it shouldn't be demanded, but as

long as it is not sponsored by school officials and doesn't interfere with other children's rights, it mustn't be denied.

It is in that spirit that I am today directing the Secretary of Education and the Attorney General to provide every school district in America before school starts this fall with a detailed explanation of the religious expression permitted in schools, including all the things that I've talked about today. (Jurinski, 1998, pp. 99-100)

In August 1995, at the direction of President Clinton, then Secretary of Education Richard W. Riley, sent every school superintendent in the country guidelines on *Religious Expression in Public Schools* (U. S. Department of Education, 1998). The guidelines were based on the document, *Religion in Public Schools: A joint Statement of Current Law*. These guidelines contained information and application of various religious activities and expression in public schools. Both documents included released time, with the following directive,

Subject to applicable State laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day. (U.S. Department of Education, 1998, p. 8)

Three groups, the American Jewish Congress, the Christian Legal Society, and The First Amendment Center, jointly published *Public Schools and Religious Communities: A First Amendment Guide* in 1999. This guide was co-signed by thirteen other organizations, including the National PTA, American Association of School Administrators, and the National Association of Secondary School Principals. This guide was designed to "enable schools and religious groups to work together for the common good" (p. 3). Additionally, this document included the following guidelines for schools choosing to allow released time programs:



1. The religious instruction must occur off campus and the program must be wholly organized and run by the participating churches, mosques, synagogues, or other religious communities and not by the schools. The religious communities should make all arrangements for facilities, transportation, instruction, insurance, parent information and permission, etc. The programs should not involve the expenditure of public funds.
2. In their words and actions, teachers and administrators may not encourage or discourage the participation of students or parents in released-time programs. Teachers should arrange their lesson plans so that students who participate in released-time religious education are not left at a disadvantage by missing instruction, tests, or class parties during that time. Neither should nonparticipating students be deprived of meaningful classroom activity. Schools must create neither incentives nor penalties for students to participate or not participate in released-time programs.
3. Parental permission must be a prerequisite for participation in any released-time program of religious instruction. To avoid use of government funds or personnel for religious indoctrination, only the religious community should print and only volunteers should distribute any information and parental permission forms to students, as well as take attendance.
4. Participating religious organizations should inform schools of the weekly attendance by each released student.
5. Schools may require liability insurance and other reasonable regulations relating to student health, education and safety, provided such regulations apply neutrally to all participating religious communities. (pp. 9-10)

In the No Child Left Behind Act of 2001, Section 9524 required all local educational agencies to certify that their agency has no policy that prevents or denies participation in constitutionally protected prayer in public schools. Local educational agencies that are not in compliance with these directives will be denied federal funds (U.S. Department of Education, 2003).

Over the past 3 decades, the U.S. government has sought ways to accommodate the religious nature of the American people, while working within the

guidelines of the U.S. Constitution. Through the Equal Access Act, and the provision of guidelines for religious expression, the government has shown a belief that religion has a rightful place within the public schools.

### **Education, Religion, and the State of Georgia**

In 1994, the State of Georgia passed the *Moment of Quiet Reflection in Schools Act*. This act, which became effective on July 1, 1994, provided for a brief period of quiet reflection to begin each school day. The Act stated the following:

(a) In each public school classroom, the teacher in charge shall, at the opening of school upon every school day, conduct a brief period of quiet reflection for not more than 60 seconds with the participation of all the pupils therein assembled.

(b) The moment of quiet reflection authorized by subsection (a) of this Code section is not intended to be and shall not be conducted as a religious service or exercise but shall be considered as an opportunity for a moment of silent reflection on the anticipated activities of the day.

(c) The provisions of subsections (a) and (b) of this Code section shall not prevent student initiated voluntary school prayers at schools or school related events which are nonsectarian and nonproselytizing in nature. (Bown v. Gwinnett County School District, 1997, p. 1)

The Georgia act was quickly attacked as advancing prayer in schools. The moment of silence was upheld in an 11<sup>th</sup> Circuit Court decision in *Bown v. Gwinnett County School District*, (1997). The Court applied the Lemon Test to the quiet reflection act and found that it passed all three prongs. Writing for the Court, Circuit Judge Anderson wrote,

The Georgia Moment of Quiet Reflection in Schools Act satisfies all three prongs of the Lemon test. The Act has a clearly secular purpose. The specific facts presented in this case indicate that the Act does not have the primary effect of advancing or inhibiting religion and does not create an excessive government entanglement with religion. As a result, we hold that the Act does not violate the Establishment Clause.” (Bown v. Gwinnett County School District, 1997, p. 9)

In response to calls for teaching of values and character education, the Georgia State Legislature passed the *Values and Character Education Act of 1997*. This Act directed the Georgia Department of Education to adopt a core set of values and issue each local school district guidance on implementing a character and values education program. Local school districts were required to adopt a plan and specify what “instruction strategies and methods” would be used (Ga. Code Ann. § 160-4-2.33).

In 2002, the Georgia State House of Representatives approved House Resolution 910. Although not law, this resolution commended schools that had instituted released time education programs. This Resolution stated that “over 1,000 off-site Released Time Bible Education classes are in operation, educating more than 250,000 public school students in 32 states” (H.R. 910, p. 1). It named 6 Georgia counties that currently had released time programs. This Resolution emphasized that no public tax dollars were used to fund these programs, that teachers were certified with the State of Georgia, and that “students taking this class may receive elective credit.” The Resolution further urged “each local public school system to examine Released Time Bible Education and determine its viability in its own community setting” (H.R. 910, p. 1). In June 2006, South Carolina became the only state other than Georgia to offer credit for released time religious instruction classes (Marrow, 2006).

In 2006, the Georgia legislature approved Senate Bill 79, which added code section 20-2-148 to the Official Code of Georgia. This section stated that:

All public schools with grade nine or above may make available to eligible students in grades nine through 12 an elective course in the History and Literature of the Old Testament Era and an elective course in the History and Literature of the New Testament Era. (S.B. 79, p.2)

The act also required the Georgia State Board of Education to “adopt a curriculum for each course, including objectives, reading materials, and lesson plans” (S.B. 79, p.2).

These classes include the study of religion from a historical viewpoint and are required to:

(A) Be taught in an objective and nondevotional manner with no attempt made to indoctrinate students as to either the truth or falsity of the biblical materials or texts from other religious or cultural traditions;

(B) Not include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions; and

(C) Not disparage or encourage a commitment to a set of religious beliefs (S.B. 79, p.3).

The State of Georgia, through its character education initiative, has shown a willingness to assist parents in the moral training of their children. By the *Moment of Quiet Reflection in Schools Act*, its endorsement of released time and Bible study, the State has also shown a willingness to permit constitutionally accepted forms of religious practice and instruction in its public schools.

### **History of Released time**

The Interfaith Conference on Federation was held in New York City in 1905. It was at this conference that Dr. George U. Wenner first proposed released time for Bible education. Dr. Wenner reasoned that public schools had control over too much of the student’s time and that churches should be allowed a portion of it. He proposed that schools should release students to attend Wednesday afternoon Bible classes on church grounds (McCullom v. Board of Education, 1948). Students not attending these classes would remain in school. During the next decade, different public schools and churches began various forms of released time.

However, the beginning of the current released time movement is commonly attributed to Dr. William Wirt, Superintendent of schools in Gary, Indiana in 1914. Dr. Wirt's released time program allowed for students to be released to receive religious training within school buildings during the school day (Boles, 1967; Hazard, 1978). Church personnel from various denominations provided the religious instruction and students not attending these classes were sent to other rooms to study. Although this plan was successful, other schools modified it to provide for "dismissed time", where students were dismissed from school to attend instruction off school grounds (Boles, 1967). Many educators considered "dismissed time" as being less objectionable than "released time," because public school property was not being used for religious purposes (Boles, 1961).

### **Released Time and the Courts**

By the time the Supreme Court heard the *McCullum* case, almost 2 million students were participating in 2,200 released time programs across the nation (Hazard, 1978). The Illinois released time program in the *McCullum* case was based on the Gary Plan. The Court found this program in violation of the Constitution because the use of tax supported public buildings and compulsory education laws provided a forum for religious instruction (Whitehead, 1994). However, the Court stopped short of declaring all types of programs similar to the Champaign plan unconstitutional. Nor did they comment on what factors might lead to a constitutionally acceptable released time program (Boles, 1961).

The reaction to the *McCullum* case was swift. Boles noted that a "rash of criticism resulting from the *McCullum* case flooded legal journals, newspapers, and

religious periodicals” (1961, p. 159). In reviewing three dozen law reviews of the case, he commented that about two-thirds were in clear disagreement with the decision (Boles, 1967). Most educational associations and journals were also opposed to the ruling. Shaver (1951) commented that, although astonishment was the first reaction to the ruling, most released time programs continued or were changed to bring them in to compliance. Only about 20% of the schools utilizing released time dropped these programs altogether (Shaver, 1953).

The *Zorach* case, by contrast, focused on a “dismissed time” program, rather than “released time.” Sorauf found this as an “attempt of released-time advocates to fashion a constitutionally acceptable program” in the “aftermath” of the *McCollum* case (1976, p. 23). As aforementioned, the Court found that the New York plan was constitutional. Byrnes noted that, in evaluating the amount of public school involvement in religious instruction, the Court “has deemed the location of instruction of key importance in determining violations of the Establishment Clause” (1975, p. 23). Drinan (1963) stated that the *Zorach* decision “has come to be identified with a theory of ‘cooperation’ rather than ‘separation’ between church and state” (p. 87).

Boles (1967) wrote that there were only a third of the law review analyses after the *Zorach* case as compared to the *McCollum* decision. About half of these were favorable of the Court’s decision. Additionally, he stated that the decision was viewed positively in the majority of education journals that discussed this case (Boles, 1967). There has been much debate over the differences in the two decisions. Some believed that the Court reversed its opinion from *McCollum* as a result of public opinion and the backlash following the earlier case (Whitehead, 1994). Sorauf cited Justice Black, in his

*Zorach* dissent; “I am aware that our *McCullum* decision...has been subjected to a most searching examination throughout the country. Probably few opinions from this Court in recent years have attracted more attention or stirred wider debate” (*Zorach v. Clauson*, 1952, p. 317).

Regardless, the *Zorach* decision set the precedent for current released time programs. Duker (1966) emphasized that only two issues were determined:

1. A plan for “released time” which involves the use of public school classrooms is clearly held to be a contravention of the requirements of the First Amendment to the Constitution. On this point there was near unanimity.
2. The New York plan whereby children are released from the public schools for religious instruction elsewhere was held unobjectionable insofar as constitutional requirements were concerned. (p. 148)

He believed that, “for all practical purposes the whole issue of the legality of ‘released time’ programs has been effectively determined” (p.148).

Although the Supreme Court has not again addressed released time, lower courts have continued to rule on the program’s finer points. The 4<sup>th</sup> Circuit Court of Appeals ruled in the case of *Smith v. Smith* (1975), that a Virginia school district’s policy of releasing students to receive religious instruction in a mobile unit across the street from the school did not violate the Establishment Clause. Critics of this policy argued that this was seen as endorsement of the program by the school. The Circuit Court disagreed, holding that “school cooperation was ‘a largely passive and administratively wise response’ to the secular wishes of the students and their parents” (Nolte, 1980, p. 43). The Circuit Court also found that the *Zorach* decision was consistent with the *Lemon* test, and was therefore, “still good law” (Thomas, 1976, p. 40).

In 1976 the Wisconsin Supreme Court found constitutional a released time program challenged on the grounds that academic instruction stopped during the released time period and non-released students were denied their right to an education (Cambron-McCabe, McCarthy, & Thomas, 2004). The court also found that students released were not “singled out for special benefits” (McCarthy, 1983, p. 110). The court reasoned that the program was operated similar to the *Zorach* program and required minimal scheduling adjustments and constituted an appropriate accommodation of religion (McCarthy, 1983).

In 1981, the 10<sup>th</sup> Circuit Court of Appeals heard the case of *Lanner v. Wimmer*. This case involved a release time program in Utah. In finding the released time program constitutional, the Circuit Court held that certain aspects of the program were questionable. The court ruled that the use public school student aides to gather released time attendance slips was an improper entanglement (Poore, 1983). The court also declared the school district’s awarding of elective credit for Bible classes as unconstitutional because it was based on the sectarian content of the courses (McCarthy, 1983; Poore, 1983). The court found that this was an unnecessary entanglement between the school and the church (Cambron-McCabe, et al., 2004). However, the court reasoned that credit toward graduation requirements could be given under certain circumstances. Credit could be given as long as it was not based on the religious content of the course, the teachers were certified, and all released time classes were treated the same. The court wrote:

If the school officials desire to recognize released-time classes generally as satisfying some elective hours, they are at liberty to do so if their policy is neutrally stated and administered. Recognizing attendance at church-sponsored released-time courses as satisfying graduation requirements



advances religion no more than recognizing attendance at released-time courses or full-time church-sponsored schools as satisfying state compulsory attendance laws. If the extent of state supervision is only to insure, just as is permitted in the case of church-sponsored full-time private schools, that certain courses are taught for the requisite hours and that teachers meet minimum qualification standards, nothing in either the establishment or free exercise clauses would prohibit recognizing *all* released-time classes or *none*, whether religious in content or not, in satisfaction of graduation requirements. It is when, as here, the program is structured in such a way as to require state officials to monitor and judge what is religious and what is not religious in a private religious institution that the entanglement exceeds permissible accommodations and begins to offend the establishment clause. (Lanner v. Wimmer, 1981, p. 1361)

Additionally, the appeals court found that the time students spent in released time classes could be used to measure the school's eligibility for state funds and for students' compulsory school attendance requirements (McCarthy, 1983; Poore, 1983; Cambron-McCabe, et al., 2004).

In the 2001 case of *Moore v. Metropolitan School District of Perry Township*, a District Court in Indiana ordered the school system to remove trailers used for a released time program from school property. Prior to the court's order, the Perry Township allowed trailers to be brought on campus at some elementary schools because there were no nearby churches. While the trailers were on school campus, the Perry Township paid the electrical bill (*Moore v. Metropolitan School District of Perry Township*, p. 3). Additionally, the students who did not participate in the released time program were not allowed to play or do homework, even though the teacher did not teach (p. 4). The court found this to be a violation of the First Amendment and ordered the policy to cease (p. 14).

The constitutionality of another released time program reached the Second Circuit Court of Appeals in the 2004 case of *Pierce v. Sullivan West Central School*

*District.* The plaintiffs in this case argued that a released time program in New York was in violation of the Establishment Clause because the school system promoted Christianity over other religions and religion over non-religion (p. 5). Citing *Zorach*, the Court found in favor of the school district. The Court also cited *Lee v. Weisman* (1992), stating that the Court should not insist that:

...every state action implicating religion is invalid if one or a few citizens find it offensive. People may take offense at all manner of religious as well as nonreligious messages, but offense alone does not in every case show a violation. (*Lee v. Weisman*, pp. 597-598; *Pierce v. Sullivan West Central School District*, p. 14)

### **Basics of a Released Time Program**

Although released time has been declared constitutional, there is no requirement for any school to have this type of program. However, although these programs “have declined significantly in importance since a mid-century peak, they appear to be enjoying something of a resurgence” (Stern, 1994, p. 13). Trotter noted that “the new interest in release time for religious instruction is strongest in the South, where it has caught the attention of conservative and evangelical Christians” (1995, p.14).

Any school willing to begin such a program needs to make sure that it is administered within the guidelines of constitutionality. West (1949) presented the characteristics of the Greater New York Released Time Plan. They were:

1. The sanction of a statute which contains no element of coercion and is based upon the recognition of parental rights;
2. The religious instruction is given outside of the school buildings and grounds;
3. The pupil is excused for the purpose only upon the written request of the parent or guardian;

4. The absence is limited to one hour a week, such hour to be the last hour of the school session;
5. The religious organization, in cooperation with the parents, must assume full responsibility for attendance at the religious center and for the program of religious instruction thereat;
6. The released pupils must be dismissed from school in the way usual in the case of permitted absences;
7. The school authorities have no responsibility beyond that assumed in regular dismissals;
8. The parent's written request is filed with the school and will not be available or used for any other purpose;
9. The religious organization or center will file with the school a card attendance record for each pupil excused from school pursuant to the parent's request;
10. There must be no comment by any principal or teacher on the attendance or non-attendance of any pupil upon religious instruction;
11. There is no recruiting on the school premises;
12. There is no outlay of public funds;
13. There is no authority by school officers over the religious program or the religious teachers. (pp. 327-328)

With few exceptions, these characteristics should be the basis for any constitutionally accepted released time plan. While location of classes is of central importance, neutrality of the public school is the essential objective.

Without question, released time programs held on school premises are a clear violation of the Establishment Clause. Therefore, the first consideration of such a program would be location of classes. The most obvious choice is the use of churches in close proximity to the public school. Whitehead (1994) asserted that zoning laws "ensure that most schools are the same areas as churches" (p. 205). In some rural

areas, where a close church was not present, other buildings have been used. These buildings have included libraries, other public buildings or community centers, and in some cases, private homes (Bynes, 1975; Shaver, 1951). Some released time programs are held in portable trailers and even others are housed in buses. However, Whitehead (1994) and McCarthy (1983) caution that these should be parked off school grounds to minimize the perception of school endorsement. The overall goal of class location is convenience, without impact on the public school environment.

The creation of a released time program is the responsibility of parents and religious groups. While a public school may accommodate this type of program, it is under no requirement to do so. In choosing to accommodate a program, the school must remain completely neutral in its creation and day-to-day operations. Neutrality is assured by the requirement that no public funds are expended, and that there is no coercion of the public school student. While most funding issues are dealt with by proper class location, there are other funding issues that need to be addressed. The first of these is the parent consent form. These forms should be paid for, distributed, and collected by released time personnel, not school officials (Whitehead, 1994). School personnel should also not be involved in the recruitment of students for released time classes (Whitehead,1994). Shaver (1951) contended that the released time program “will not be defeated by those who contest its constitutionality. If it does fail, it will more likely be because of failure to maintain a high standard program” (p. 38).

### **Research on Released Time**

As Arnold (1978) observed, most of the literature on released time programs was done during the late 1940's and early 1950's. He assumed that this was due to the

public awareness about the court cases of the time. In a review of the literature, little has been said about released time in recent years.

While most research of the time dealt with the attitudes of church leaders toward the released time program, several studies concentrated on school personnel. Shaver (1951) quoted a study done in 1949 by the Nation Education Association's Research Division. This study was a survey of 708 public school superintendents. These superintendents indicated that 82% of their teachers were favorable of the released time program, as opposed to 18% unfavorable (Shaver, 1951, p. 36).

McClure (1951) conducted another study of released time programs. This study, completed in spring of 1951, was initiated to analyze protestant released time programs at the senior high school level. Most of the responses to this survey were from teachers who taught these classes (p. 347). McClure found that 79% of schools gave credit for these classes. In this study, schools were also equally divided on whether students met on one day or five days each week. McClure concluded her research with several suggestions. She suggested that released time teachers should be certified, that standards should be adopted, and that elective credit should be given for the course (pp. 362-363).

In 1955, a study was conducted by the Committee on Weekday Religious Education of the National Council of Churches (Shaver, 1956). In this study, 450 weekday school workers were sent a 12-page questionnaire. Of those questionnaires sent out, 152 were returned for analysis. The report found that 57% of schools in the study had current released time programs. This study also found that 44% of the classes were held in churches, while 32% still met in school buildings. The most

common grade for released time students was fifth grade. Shaver also commented that parents generally favored the released time programs (p. 21).

Provost conducted his doctoral research in 1966 to determine to what extent the national religious organizations were involved in released time programs. He found that the national organizations were only minimally involved in released time programs, and that most of these programs were designed and run by local religious groups (p.79). He also found that the majority of released time classes used churches near the schools they supported (p. 61). Provost (1966) concluded that released time programs, although not solving all problems associated with religious education in public schools, provided “necessary ethical and moral training...conformed to the general needs of home, school, church, and community...relieved the public school system, to some degree at least, of a far reaching controversial issue” (p. 58). He recommended that the national organizations should be more involved in the administration of released time programs, but that the awarding of credit for classes should be determined at the local level (p. 80).

Arnold (1978), who wrote his doctoral thesis on a comparison of attitudes of the released time program in Oregon, surveyed church leaders, citizens, and public school teachers. Arnold found that, although there was a general lack of awareness of released time programs, church leaders were the most aware of the three groups. The study also found that teachers were generally opposed to released time, and conversely church leaders were much more favorable (p.151). Likewise, Huang (1967) completed his doctoral thesis on the history and analysis of released time programs in New York City. Huang found that Jewish religious leaders were opposed to released time, where as

Roman Catholics generally supported the program. Protestants were one group who overwhelmingly supported the program (p.170).

Dierenfield (1973) conducted a study in 1972 to determine current religious practices among school districts. In his study a questionnaire was sent to the superintendents of 1,850 school systems nationwide. From the results of this survey, Dierenfield determined that released time programs were operating in about a third of the school systems. Although nationwide the percentage was 32.77%, in the South only 14.54% indicated they had such programs. Overall, 28.07% of superintendents favored released time programs, whereas 37.11% opposed them (p. 110). Another statistic in the survey was the superintendents' personal feeling on prayer and Bible reading in schools. When broken down by geographic location, there were large differences in the responses. On prayer in schools, the national percentage in favor of prayer was 40.24%, whereas the percentage from the South was 67.46% (p. 99). Likewise, the national percentage opposed to prayer in school was 18.92%, compared to 6.22% in the south. The national percentage in favor of Bible reading in school was 35.90%. The percentage in favor of Bible reading in school in the South was 61.72%. The National percentage opposed to Bible reading in school was 19.64% , however, in the South that percentage was only 5.26% (p. 100).

In 1983 Poore completed his doctoral dissertation entitled *Church-School Entanglement in Utah: Lanner v. Wimmer*. Poore conducted an in-depth analysis of the *Lanner* case. During his research, Poore surveyed secondary school principals to determine their school's policies prior to and after the trial court's verdict of 1978. (Poore, 1983). From these surveys Poore determined that many of these schools were

not in compliance with the trial court's decision. As part of his questionnaire, he found that prior to the *Lanner v. Wimmer* case 43% of the schools had a policy addressing released time programs. Of the principals surveyed 17% reported no policy and 40% were not sure if their system had a policy. (Poore, 1983, p. 232). Only 52% of the principals reported that their system had a written released time policy after the 1978 case (Poore, 1983, p. 235).

In 2000, Francis conducted a survey of the religious education perceptions, attitudes, and knowledge of high school principals in the state of Missouri. In this study, he mailed questionnaires to the principal of each high school in the state. Although Missouri is on the border of what many consider the South, his findings were very similar to that of Dierenfield's study. Francis (2000) found that 62% of Missouri high school principals believed that prayer should be allowed in their schools (p. 79). When broken down by school size, he reported that small schools favored a Constitutional Amendment allowing prayer back in the schools by 77%. Francis also reported that "seventy-five percent of the principals believe that the U. S. Supreme Court often involved itself in cases that would be better decided on the local and state level." (p. 79)

In 2005, Lamar completed her dissertation on a released time program in Kansas. In her research, she conducted a qualitative case study to determine if a Kansas school system released time program satisfied the principles of a character education program. Lamar found that the school system's Weekday Bible School (WBS) program sufficiently addressed parts of 8 of the 11 principles of the Character Education Partnership (2005, p. 87). She cited WBS's areas of strength as promoting values, caring, moral leadership, and a partnership with parents and community (pp. 87-



88). The 11 principles of the Character Education Partnership can be found at <http://www.character.org> (p. 33).

### **Arguments for Released Time Programs**

There is a growing attitude that religion needs to be returned to public education. Although many express this view, few are sure about how this can be accomplished. Ericsson (1982) contended that released time is the “most effective open door by which students may receive religious instruction during their school day” (p. 1). Released time programs are seen by many as beneficial for communities, children, and parents.

Many believe that released time programs are worthwhile because they bridge the gap between the church and the public schools. As schools search for common ground, these programs provide avenues for cooperation and a mutual respect between these two institutions (Larson, 1958). In the words of Justice Douglas, “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.” (*Zorach v. Clauson*, p. 314). McJunklin (2003) maintained that we should adopt an “attitude of flexibility in the way our public institutions operate and function in society” (p. 5). In his view, the released time program is the only program that allows for students to be exposed to Christian beliefs and practices that are forbidden in the public classrooms by the Establishment Clause. Released time also “respects the religious nature of our people and accommodates the public service to their spiritual needs” (*Zorach v. Clauson*, p. 314). By accommodating these types of programs, schools build trust with both parents and the community (Thomas, 1999). As Carter (1993) has

noted, “religion and education share a characteristic that so many other human activities lack: They matter.” (p. 184)

Another argument in favor of a released time program is the benefit of religious teachings to students. As school districts struggle with the problems of drugs, sexual promiscuity and delinquency, a released time program can allow for students to be exposed to teaching that can help build character and instill values (Page, 1995). States across the nation have sought ways to introduce values and character education into the school curriculum. The released time program can reduce the school’s requirement to stray into these controversial areas (Ericsson, 1982). The ultimate beneficiaries of released time are the students and their well being (Bennett, 1970). Ericsson (1982) wondered why a school district would not “welcome an opportunity allowing students to voluntarily expose themselves to positive and healthy influence based on religious values and traditions” (pp. 5-6). Released time provides for the total education of the child while still recognizing the separate rights of church and state (Larson, 1958).

Released time also protects a parent’s right to determine the education of their child (Greenbaum, 1952). Outside of released time, parents who wish their children to receive religious instruction during the school day are forced to enroll them in either private or parochial schools. West (1949) pointed out that although released time “involves cooperation with the public school”, the parochial school “involves competition with the public school.” (p. 330). Parents who possess the financial means to send their children to these schools may still do so. However, for parents who do not have the financial means to send their children to private schools, released time allows them to

still control their children's religious growth and experience (West, 1949). Ericsson (1982) agreed that a released time program "recognizes and reinforces the constitutionally protected right of parents to direct the religious upbringing of their children" (p. 6). West (1949) concluded that as the school releases children at the request of their parents to attend religious classes, "we have the three great character building agencies of the community – the home, the church and the school – in cooperation" (p. 330)

Released time religious education programs are not the only programs used to release students from school to attend classes not held on school grounds. Many schools release students to attend vocational classes, work-study, or college courses that are not provided at the local school (Ericsson, 1982). Proponents of released time point to these different programs as mandating equivalent treatment. Baer and Carper (1998-1999) commented that "it remains important to find fair and effective ways for dealing with religion and spirituality within our present educational system" (p. 35), and that "the released time model may well be the best option" (p. 37).

### **Arguments Against Released Time Programs**

As with any program, released time is not without its critics. Although the constitutionality of released time has been decided, there are those who still believe that these programs are unwise and unconstitutional. Tapp (1958) asserted that released time was detrimental to public education. He believed this mixture of religion and education has caused our public schools to "divide rather than unite us" (p. 573). Williams (1956) concurred, questioning whether the "wall of separation might be eventually and disastrously breached" (p. 369). As its critics have stated, released time

treads a fine line between cooperation and establishment. However, programs that are properly planned and implemented will continue to fall well inside the guidelines of constitutionality.

The second argument against released time is compulsory attendance laws. Those opposed believe that students are compelled by law to attend schools; therefore the State is providing the churches with students (Johnson & Yost, 1948). Thayer (1952) called this "a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith" (p. 130). McCarthy (1983) argued that the "machinery of the state is being used to advance sectarian concerns" (p. 111). Justice Black, dissenting in the *Zorach* case held that:

Here the sole question is whether New York can use its compulsory education laws to help religious sects get attendants presumably too unenthusiastic to go unless moved to do so by the pressure of this state machinery. That this is the plan, purpose, design and consequence of the New York program cannot be denied. The state thus makes religious sects beneficiaries of its power to compel children to attend secular schools. Any use of such coercive power by the state to help or hinder some religious sects or to prefer all religious sects over nonbelievers or vice versa is just what I think the First Amendment forbids. In considering whether a state has entered this forbidden field the question is not whether it has entered too far but whether it has entered at all. New York is manipulating its compulsory education laws to help religious sects get pupils. This is not separation but combination of Church and State. (*Zorach v. Clauson*, p. 318)

Although Justice Black was articulate and resolute in his assertions, the decision of the Court rendered that compulsory attendance was not a sufficient reason to rule the New York plan unconstitutional.

Another argument regards those students who do not participate in released time programs. Critics feared that they would be subject to psychological coercion (McCarthy, 1983; Williams, 1956). This coercion could come from other students and

could cause students to participate in programs that they did not desire. Williams (1956) believed that students not participating would “feel the social isolation of being regarded as irreligious or of an inferior religious group” (p. 377). Another concern was the time students not released would spend doing little or nothing. Williams (1956) did not believe that released time program advocates had much concern for those “unreleased” students. McCarthy (1983) questioned whether the education rights of nonparticipating students would be violated if they received no instruction during released time. Another consideration is the disruption of normal class activity (Ericsson, 1982). Although these are valid concerns at the elementary and middle school level, in high school released time classes could be held during a regular class period. Students who were not participating in released time would be enrolled in other courses.

### **Summary**

The collaboration of state, religion, and education is a volatile subject. The constitutionality of their relationship is determined by the U.S. Supreme Court's interpretation of the 1<sup>st</sup>, 10<sup>th</sup>, and 14<sup>th</sup> Amendments. It is the interpretation of these Amendments that has driven religion's relationship with education ever since.

Through numerous court cases, the Supreme Court has established guidelines on the constitutionality of religion in public schools. Although these rulings are not without ambiguity, the Court has maintained a strict separation between church and state. However, the Court, through its decisions, has shown a willingness to allow constitutionally acceptable forms of religious expression and instruction in the public schools.

The U.S. government, in contrast, has sought ways to accommodate the religious nature of the American people, while working within the guidelines of the U.S. Constitution. Through the Equal Access Act, the provision of guidelines for religious expression, and the protection of lawful school prayer, the government has displayed an attitude that religion has a rightful place within the public schools.

The State of Georgia, through its character education initiative, has shown a willingness to assist parents in the training of their children. By the *Moment of Quiet Reflection in Schools Act*, and its endorsement of released time and Bible study, the State has also shown a willingness to permit constitutionally accepted forms of religious practice in its public schools.

In a review of the literature, it can be seen that released time programs have continued to exist for the past fifty years and these programs are just as constitutional today as they were in 1952. Whitehead (1994) remarked that these programs have “had a special constitutional niche carved out in more than forty years of court decisions” (p. 210). Although released time programs were initiated and more common in Northern States, the practice and idea of released time has become popular in the southern States, including Georgia.

## **CHAPTER 3**

### **METHODS AND PROCEDURES**

#### **Introduction**

Although released time religious instruction programs have been operating in the United States since 1914, their influence has been mostly confined to regions outside of the South. However, these programs are beginning to find their way to the southern states, including Georgia. Ericsson (1982) has contended that released time is the “most effective open door by which students may receive religious instruction during their school day” (p. 1). Trotter (1995) raised the question,

at a time when school districts are being asked to reconsider the role of religion in public education, is release time an ideal way for schools to accommodate religious-minded parents who want Bible classes for their children?” (p. 16)

Based on a review of the literature, this research study was initiated to consider these programs as an option for the public schools in the State of Georgia.

#### **Restatement of Purpose**

The purpose of this study was to determine principal’s knowledge of, and beliefs about, released time religious instruction programs. Additionally, the study was designed to investigate which school districts had policies regarding released time religious instruction programs. A further purpose of this study was to determine the use of released time in high schools across the state of Georgia and to discover how these programs were being managed.

This study was undertaken to add to the current knowledge base concerning uses and benefits of released time religious instruction in the public high schools of Georgia. The literature indicated that released time could be useful in building community involvement and parental support. Through knowledge gained in this study, high school principals in the state of Georgia could potentially increase their schools academic performance through increased parental and community involvement.

### **Research Questions**

There were 3 research questions that provided the direction for this study.

1. Does the size of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?
2. Does the socioeconomic status of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?
3. Does the school's location (rural, urban, or suburban) affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?

### **Population of the Study**

The population of this study was made up of all Georgia public high school principals during the 2005-2006 school year. Rather than relying on random or cluster sampling, the decision was made to include all public high schools to gain a complete understanding of the use of released time programs statewide. For statistical purposes, only those high schools that had grades 9 through 12 were included in this study. Nontraditional high schools, such as evening and alternative schools, were not included



in this study. By excluding these special schools, the population was reduced to 322 traditional public high schools. Each high school principal's name and address was downloaded from the Georgia Department of Education Web site at: [http://app.doe.k12.ga.us/ows-bin/owa/main\\_pack\\_school\\_addr.entry\\_form](http://app.doe.k12.ga.us/ows-bin/owa/main_pack_school_addr.entry_form).

For the purpose of this study, the 322 high schools were grouped by school enrollment as shown in Table 1. Group 1 consisted of the smaller schools with enrollments of less than 825. Group 2 consisted of those high schools with enrollments in the range of 825 – 1206. The second to largest group, Group 3, consisted of schools with enrollments in the range of 1207 – 1631. The largest group, Group 4, consisted of schools with enrollments between 1632 – 3411. These groupings were based on the school's enrollment on the March 3, 2005 Full Time Equivalent (FTE) count. The FTE enrollment counts were downloaded from the Georgia Department of Education Web site at: [http://app.doe.k12.ga.us/ows-bin/owa/fte\\_pack\\_enrollgrade.entry\\_form](http://app.doe.k12.ga.us/ows-bin/owa/fte_pack_enrollgrade.entry_form).

Table 1  
Enrollment Groups

Group	Enrollment Range	Number of Schools	Percent of Total	Actual Enrollment Range
Group 1	≤ 824	80	24.8	233 - 821
Group 2	825 - 1206	81	25.2	826 - 1206
Group 3	1207 - 1631	81	25.2	1208 - 1631
Group 4	1632 - 3411	80	24.8	1634 - 3411
Total		322		

This study's second independent variable, socioeconomic status, was measured using each high school's free and reduced lunch percentage. These data were collected from the principals as part of the survey. Schools were divided into groups by percentage of free and reduced lunch. Group 1 consisted of free/reduced lunch percentages of 0 – 24. Group 2, group 3, and group 4 consisted of free/reduced lunch percentages of 25 – 49, 50 – 74, and 75 – 99, respectively.

The last variable, school location, was based on the principal's response to the survey. Principals were asked to classify their school's location as rural, suburban, or urban.

### **Null Hypotheses**

Each of this study's research questions sought to determine the principals' beliefs about the benefit, support, and legitimacy of released time religious instruction programs based on the independent variables of school size, socioeconomic status, and location. Based on these questions, 9 hypotheses were created to analyze the relationship between each question's individual variables and the school sub-groupings. For the purpose of this study, a principal's belief in the legitimacy of released time religious instruction was based on the awarding of high school credit. The following 9 null hypotheses were formulated.

Hypothesis 1A. There is no statistically significant difference in regard to the beliefs of high school principal's about the benefit of released time religious instruction programs based on school size.

Hypothesis 1B. There is no statistically significant difference in regard to the beliefs of high school principal's about the support for a released time religious instruction program based on school size.

Hypothesis 1C. There is no statistically significant difference in regard to the beliefs of high school principal's about the awarding of high school credit for a released time religious instruction program based on school size.

Hypothesis 2A. There is no statistically significant difference in regard to the beliefs of high school principal's about the benefit of released time religious instruction programs based on school socioeconomic status.

Hypothesis 2B. There is no statistically significant difference in regard to the beliefs of high school principal's about the support for a released time religious instruction program based on school socioeconomic status.

Hypothesis 2C. There is no statistically significant difference in regard to the beliefs of high school principal's about the awarding of high school credit for a released time religious instruction program based on school socioeconomic status.

Hypothesis 3A. There is no statistically significant difference in regard to the beliefs of high school principal's about the benefit of released time religious instruction programs based on school location (rural, urban, or suburban).

Hypothesis 3B. There is no statistically significant difference in regard to the beliefs of high school principal's about the support for a released time religious instruction program based on school location (rural, urban, or suburban).

Hypothesis 3C. There is no statistically significant difference in regard to the beliefs of high school principal's about the awarding of high school credit for a released time religious instruction program based on school location (rural, urban, or suburban).

### **Research Design**

Following a review of the research and related literature on released time programs, a survey was developed to investigate Georgia high school principals' beliefs about released time religious instruction programs. The survey included statements to determine principals' beliefs in the benefit, support, or legitimacy of these programs for the public schools. The survey also included statements to determine each participant's knowledge of released time programs, and awareness of school system policies regarding released time. The principals were asked to respond to statements using a Likert scale on whether they strongly agreed, agreed, were neutral, disagreed, or strongly disagreed.

The survey included a section designed to obtain information from those schools having current released time religious instruction programs. The purpose of this section was to gain additional information about those programs. This section of the survey asked principals at these schools to report the number of released time classes, number of students involved, type of religious instruction, and whether academic credit was given for these courses.

To ensure the reliability of the survey, a pilot study was conducted to determine that the intent of the survey statements was apparent. Assistant principals at Georgia public high schools were used in the pilot study. The survey was modified based on feedback from the pilot study participants.

### **Data Collection**

The survey, along with a cover letter and self-addressed stamped envelope, was mailed to the principal of each of these 322 public high schools during the summer of 2005. The cover letter contained a description of released time programs and explained the intent of the study. It also asked principals to complete the survey and return it in the enclosed self-addressed envelope. Two weeks after the initial mailing, a follow up postcard was sent to each of the principals asking them to complete the survey if they had not already done so. The postcard also provided information about obtaining a new survey, if the principal needed one to participate.

Dependant variables in this research study were principal's responses to the survey questions. Independent variables were school size, school socioeconomic status and school location. Data collected from returned surveys was categorized by the independent variables. Chi Square contingency tables were used to determine the probability of significance based on these independent variables. The level of significance chosen for this study was  $p \leq .05$ .

### **Summary**

This chapter has provided a review of this study's purpose, which was to determine principal's beliefs and perceptions of released time religious instruction programs. The population selected for this study were all of the 322 traditional public high school principals in the State of Georgia. Data were collected using a survey mailed to each of these principals. Chi Square contingency tables were used to test the null hypotheses at the  $p \leq .05$  level.

The next chapter will present an analysis of data collected from the survey. Chapter 5 contains a summary of the results, statement of conclusions, discussion, recommendations for further study, and implications for practice.

## **CHAPTER 4**

### **PRESENTATION AND ANALYSIS OF DATA**

#### **Introduction**

This study focused on the relationship between high school size, socioeconomic status, and school location and the principal's beliefs and perceptions of released time education. The purpose of this study was to determine principal's knowledge of, and beliefs about, released time religious instruction programs. Additionally, the study was designed to investigate which school districts had policies regarding released time religious instruction programs. A further purpose of this study was to determine the use of release time in high schools across the state of Georgia and to discover how these programs were being managed. All 322 traditional public high schools in the State of Georgia were included in this survey.

#### **Description of Sample**

Of the 322 surveys mailed out in the summer of 2005, 71 were returned within the first 2 weeks. After mailing out the reminder postcards, an additional 17 completed surveys were returned. The total number of surveys returned was 88 (27.3%). Of those returned, only 83 (25.8%) of the surveys were complete enough to be included in the data analysis. The average school size reported from the surveys was 1325. Table 2 provides data on the number of surveys returned in each of the school size groups. Of those surveys returned, 32 were from suburban schools, 37 from rural schools, and 14 from urban schools. These data are presented, with percentages, in table 3.

Table 2  
Surveys Returned by School Size Group

School Size Group	Enrollment Range	Number of Schools	Percent of Total	Actual Enrollment Range
Group 1	≤ 824	17	20.5	320 - 800
Group 2	825 - 1206	21	25.3	845 - 1200
Group 3	1207 - 1631	21	25.3	1250 - 1600
Group 4	1632 - 3411	24	28.9	1650 - 2780
Total		83		

Table 3  
Surveys Returned by School Location

School Location Group	Number of Schools	Percentage of Schools
Suburban	32	38.6
Rural	37	44.6
Urban	14	16.9

The vast majority of the surveys returned were from schools with a high socioeconomic status. Principals at 60 of the 83 schools (72.6%) reported free and reduced lunch rates of below 50%. Only 8 principals (9.6%) reported free and reduced



lunch rates of over 75%. The mean free and reduced lunch percentage for this sample was 38.9%. These data are presented in Table 4.

Table 4  
Surveys Returned by School Socioeconomic Group

Free/Reduced Group	Number of Schools	Percentage of Schools
0% -24%	22	26.5
25% - 49%	38	45.8
50% - 74%	15	18.1
75% - 99%	8	9.6

Principals from 6 schools reported having current released time programs. These schools account for 7.2% of the total sample. These schools reported a combined total of 16 released time religious classes with a total enrollment of 461 students.

### **Descriptive Statistics**

The surveys included 10 statements, based on the Likert scale, on which principals could indicate if they strongly agreed, agreed, were neutral, disagreed, or strongly disagreed. Responses were assigned numerical values from 1 to 5 with 1 being “strongly disagree” and 5 being “strongly agree.” The number of responses to these statements, along with each statements mean and standard deviation is presented in Table 5.

Table 5  
Principal Responses to Likert Statements

<u>Statement</u>	N	Mean	Standard Deviation
Before this survey I was familiar with released time programs for religious instruction.	83	3.16	1.469
I would support the creation of a released time program at my school.	83	3.02	1.168
My staff would support the creation of a released time program at this school.	82	2.80	1.116
My community would support the creation of a released time program at this school.	82	3.32	.901
Religious education is important to the overall education of a student.	83	3.96	.833
A released time program would increase community involvement at my school.	83	2.84	.981
A released time program would attract private school students to my school.	83	2.65	.943
A released time program would attract home schooled students to my school.	83	2.58	.899
The public schools need to attract home schooled students.	83	3.06	1.063
Elective credit should be given for released time Bible education classes.	83	3.01	1.348

Strongly Disagree = 1, Disagree = 2, Neutral = 3, Agree = 4, Strongly Agree = 5

Survey item 1 was included to determine if the principals were familiar with released time programs for religious instruction prior to the survey. The majority,

56.6% of principals, indicated that they were familiar with the released time programs by responding with agree or strongly agree. However, over 1 in 5 (20.5%) strongly disagreed that they were familiar with such programs.

Table 6  
Responses to Survey Item 1

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Before this survey I was familiar with released time programs for religious instruction.	17 20.5%	16 19.3%	3 3.6%	31 37.3%	16 19.3%

Survey items 2 through 4 were included to establish the perception of support for released time programs in each of these schools. Data from survey items 2 through 4 are contained in Table 7. Asked if they would support the creation of a released time program at their school, principals in the survey were evenly divided with 32.5% choosing disagree or strongly disagree, 30.1% neutral, and 37.3% agree or strongly agree. Principals were less likely to believe that there was sufficient support within their schools. Responding to the statement that their staff would support the creation of a released time program 43.9% either disagreed or strongly disagreed and 31.7% agreed or strongly agreed. However, principals were much more inclined to believe that their communities would be supportive of these programs. 48.8% of principals in the study agreed or strongly agreed that their community would support the creation of a released time program with 17.1% choosing disagree and only 2.4% strongly disagree. These data are presented in Table 7.

Table 7  
Responses to Survey Items 2 - 4

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
I would support the creation of a released time program at my school.	10 12.0%	17 20.5%	25 30.1%	23 27.7%	8 9.6%
My staff would support the creation of a released time program at this school.	10 12.2%	26 31.7%	20 24.4%	22 26.8%	4 4.9%
My community would support the creation of a released time program at this school.	2 2.4%	14 17.1%	26 31.7%	36 43.9%	4 4.9%

The data indicated that high school principals believed religious education is an important part of a student's education. Survey item 5 asked principals to respond to the statement, "religious education is important to the overall education of a student." Only 3 principals in the survey (3.6%) chose disagree or strongly disagree. Although 21.7% of the respondents chose neutral, a total of 74.7% either agreed (48.2%) or strongly agreed (26.5%.)

Table 8  
Responses to Survey Item 5

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Religious education is important to the overall education of a student.	1 1.2%	2 2.4%	18 21.7%	40 48.2%	22 26.5%

Although it is evident that principals in the study believed religious instruction was important, they were less convinced of the benefits of a released time program. Survey items 8 through 11 posed statements about the benefits of released time, including community involvement and the attraction of private or home schooled students. Survey responses showed that, when asked if a released time program would increase community involvement, 36.1% either disagreed (27.7%) or strongly disagreed (8.4%). Only 25.3% agreed (21.7%) or strongly agreed (3.6%) that community involvement would be strengthened through this program. When asked if they believed that a released time program would attract private or home schooled students, principals were skeptical. Of the principals surveyed, 48.2% disagreed or strongly disagreed that this program would attract private school students and 50.6% disagreed or strongly disagreed that this program would attract home school students to their schools. However, although only 14.4% agreed or strongly agreed that released time programs would attract home school students, 37.3% agreed or strongly agreed that the public schools need to attract home schooled students.

Table 9  
Responses to Survey Items 8 - 11

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
A released time program would increase community involvement at my school.	7 8.4%	23 27.7%	32 38.6%	18 21.7%	3 3.6%
A released time program would attract private school students to my school.	7 8.4%	33 39.8%	27 32.5%	14 16.9%	2 2.4%
A released time program would attract home schooled students to my school.	7 8.4%	35 42.2%	29 34.9%	10 12.0%	2 2.4%
The public schools need to attract home schooled students.	6 7.2%	20 24.1%	26 31.3%	25 30.1%	6 7.2%

Survey item 12, the last Likert statement in the survey, asked principals whether elective credit should be given for released time Bible education classes. Although responses were fairly divided, 43.4% agreed or strongly agreed, 18.1% chose neutral and 38.6% disagreed or strongly disagreed that elective credit should be awarded.

Table 10  
Responses to Survey Item 12

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
Elective credit should be given for released time Bible education classes.	15 18.1%	17 20.5%	15 18.1%	24 28.9%	12 14.5%

The remaining items in the survey were yes/no response questions designed to obtain information about individual school programs. Survey item 6 asked principals if they were aware of released time programs being taught at other schools. 75.9% of the principals were not aware of a released time program taught at any other school. Also, 60.2% of the principals reported that their school's system did not have any policy regarding released time programs. However, the vast majority of schools in the survey released students off campus for other programs. Students at 89.2% of the schools were released to attend off-campus technical classes. 94.0% of the principals reported that their school released students to attend off-campus work-study programs, and 80 of the 83 schools in the sample (96.4%) released their students to attend off-campus college classes. But, as mentioned earlier, only 7.2% of these schools released their students to attend off-campus religious classes.

The survey also provided a section for respondents to provide comments. Thirteen principals responded with comments, the majority of which were not favorable of released time religious instruction programs. Some of these principals believed that religious instruction was a parent responsibility, that the school curriculum was full

enough, or that there is time outside of the school day for these activities. All comments obtained from the surveys are contained in Appendix A.

### **Test of Hypotheses**

The hypotheses in this study were designed to analyze data related to a principal's belief on the benefit, support, or legitimacy of released time religious instruction programs. The principals' beliefs about the benefit of released time programs were based on survey items 8, 9, and 10. These survey items asked principals to respond to statements related to increased community involvement and attraction of non-public school students. The principals' beliefs about the support for the creation of a released time religious instruction program were based on survey items 2, 3, and 4. These survey items asked principals to respond to statements about their beliefs related to support from themselves, school staff, and community towards a released time religious instruction program. The principals belief about the legitimacy of a released time religious instruction program was based on their response to survey item 12, which asked if elective credit should be granted for these programs.

Each of the hypotheses was tested using Chi Square contingency tables to determine the probability of a statistically significance difference based on the subgroup variables and principals responses to the survey items. The level of significance chosen for this study was  $p \leq .05$ .

### **Hypotheses on School Size**

Hypotheses 1A, 1B, and 1C were based on the independent variable of school size. The results of the chi-square analysis based on school size groups are reported in Table 11.



### Hypothesis 1A

Hypothesis 1A was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the benefit of released time religious instruction programs based on school size.” The chi-square analysis showed that the comparison between school size groups and the principals’ responses to the survey items resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

Table 11  
Chi-Square Analysis based on School Size Groups

	<i><math>\chi^2</math></i>	<i>df</i>	<i>p =</i>
A released time program would increase community involvement at my school.	20.413	12	.060
A released time program would attract private school students to my school.	10.683	12	.556
A released time program would attract home schooled students to my school.	11.144	12	.517
I would support the creation of a released time program at my school.	9.464	12	.663
My staff would support the creation of a released time program at this school.	16.735	12	.160
My community would support the creation of a released time program at this school.	16.218	12	.181
Elective credit should be given for released time Bible education classes.	10.173	12	.601

### Hypothesis 1B

Hypothesis 1B was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the support for a released time religious instruction program based on school size.” The chi-square analysis showed that the comparison between school size groups and the principals’ responses to the survey items resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

### Hypothesis 1C

Hypothesis 1C was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the awarding of high school credit for a released time religious instruction program based on school size.” The chi-square analysis showed that the comparison between school size groups and the principals’ responses to the survey item resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

### Hypotheses on School Socioeconomic Status

Hypotheses 2A, 2B, and 2C were based on the independent variable of school socioeconomic status. The results for of the chi-square analysis based on school socioeconomic groups are reported in Table 12.

### Hypothesis 2A

Hypothesis 2A was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the benefit of released time religious instruction programs based on school socioeconomic status.” The chi-

square analysis showed that the comparison between school socioeconomic status and the increased community involvement had a significance level of  $p = .027$ .

Table 12  
Chi-Square Analysis based on School Socioeconomic Groups

	$\chi^2$	<i>df</i>	<i>p =</i>
A released time program would increase community involvement at my school.	23.100	12	.027*
A released time program would attract private school students to my school.	11.926	12	.452
A released time program would attract home schooled students to my school.	11.224	12	.510
I would support the creation of a released time program at my school.	15.548	12	.213
My staff would support the creation of a released time program at this school.	12.319	12	.420
My community would support the creation of a released time program at this school.	8.233	12	.767
Elective credit should be given for released time Bible education classes.	3.116	12	.995

\* $p < .05$

Table 13  
Contingency Table of Significant Chi-Squared Value  
A released time program would increase community involvement at my school.

Socioeconomic Group	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
0% - 24%	2	8	6	5	1	22
25% - 49%	3	12	15	8	0	38
50% - 74%	0	2	11	1	1	15
74% - 99%	2	1	0	4	1	8
Total	7	23	32	18	3	83

#### Hypothesis 2B

Hypothesis 2B was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the support for a released time religious instruction program based on school socioeconomic status.” The chi-square analysis showed that the comparison between school socioeconomic status and the principals’ responses to the survey items resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

#### Hypothesis 2C

Hypothesis 2C was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the awarding of high school credit for a released time religious instruction program based on school socioeconomic status.” The chi-square analysis showed that the comparison between school socioeconomic status and the principals’ responses to the survey item resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

### Hypotheses on School Location

Hypotheses 3A, 3B, and 3C were based on the independent variable of school location. The results for of the chi-square analysis based on school location groups are reported in Table 14.

#### Hypothesis 3A

Hypothesis 3A was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the benefit of released time religious instruction programs based on school location (rural, urban, or suburban).” The chi-square analysis showed that the comparisons between school location groups and the principals’ responses to the survey items resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

#### Hypothesis 3B

Hypothesis 3B was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the support for a released time religious instruction program based on school location (rural, urban, or suburban).” The chi-square analysis showed that the comparisons between school location groups and the principals’ responses to the survey items resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

Table 14  
Chi-Square Analysis based on School Location Groups

	<i><math>\chi^2</math></i>	<i>df</i>	<i>p =</i>
A released time program would increase community involvement at my school.	5.135	8	.743
A released time program would attract private school students to my school.	10.202	8	.251
A released time program would attract home schooled students to my school.	10.657	8	.222
I would support the creation of a released time program at my school.	9.319	8	.316
My staff would support the creation of a released time program at this school.	5.161	8	.740
My community would support the creation of a released time program at this school.	3.983	8	.859
Elective credit should be given for released time Bible education classes.	3.731	8	.881

### Hypothesis 3C

Hypothesis 3C was stated as follows, “there is no statistically significant difference in regard to the beliefs of high school principal’s about the awarding of high school credit for a released time religious instruction program based on school location (rural, urban, or suburban).” The chi-square analysis showed that the comparisons between school location groups and the principals’ responses to the survey item resulted in a probability greater than the selected .05 level of significance. Therefore, the null hypothesis was accepted.

### **Data on Released Time Programs**

As stated earlier, the survey contained a section designed to obtain information from those schools having current released time programs. This section of the survey asked principals at these schools to report the number of released time classes, number of students involved, type of religious instruction, and if academic credit was given for these courses. Principals from 6 schools reported having current released time programs. Data from these schools are reported in Table 15. The closest released time Bible class location was 150 yards from the school. The rest of the programs were within one mile of the schools. Principals at 5 of the 6 schools reported that elective credit was given for these classes. Only 2 schools indicated the type of religious instruction. These were general Bible and Christian. The schools were evenly divided on the location of the classes, with 3 taking place in a nearby church and 3 at a designated Christian learning center.

Table 15  
Data Reported from Schools Having Current Released Time Programs

	School 1	School 2	School 3	School 4	School 5	School 6
Number of Released Time Classes	2	2	3	6	2	1
Number of Students Participating	60	30	52	270	45	4
Total School Enrollment	1760	2780	405	956	2343	2250
Percentage of Total Enrollment	3.4%	1.1%	12.8%	28.2%	1.9%	0.17%
Religious Instruction			General Bible	Christian		
Credit Given?	Yes	No	Yes	Yes	Yes	Yes
Class Location	Christian Learning Center	Church	Christian Learning Center	Christian Learning Center	Church	Church
Distance from School	.5 Miles	.5 Miles	1.0 Miles	150 Yards	.5 Miles	.5 Miles

### Summary

In summary, there was no statistically significant relationship found between school size and the high school principal's beliefs about the benefit, support, or legitimacy of released time religious instruction programs. The null hypotheses were accepted for hypotheses 1A, 1B, and 1C.

No statistically significant relationship was found between school socioeconomic status and the high school principal's beliefs about the benefit, support, or legitimacy of



released time religious instruction programs. The null hypotheses were accepted for hypotheses 2A, 2B, and 2C.

There was also no statistically significant relationship found between school location and the high school principal's beliefs about the benefit, support, or legitimacy of released time religious instruction programs. The null hypotheses were accepted for hypotheses 3A, 3B, and 3C.

This chapter has provided an analysis of data collected from the survey. Chapter 5 contains a summary of the results, statement of conclusions, discussion, recommendations for further study, and implications for practice.

## **CHAPTER 5**

### **SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS**

#### **Summary**

This study focused on the relationship between high school size, socioeconomic status, school location, and Georgia public high school principals' perceptions of released time religious education. A survey instrument containing 16 statements was sent to the principals of the 322 traditional high schools in the state of Georgia. Of the returned surveys, 83 were used in the data analysis. This accounted for a return rate of 25.8%. The survey included statements to determine each principal's knowledge of released time religious instruction programs and the principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program for their individual school. The survey also contained statements designed to determine the use of release time for both religious instruction and traditional classes in high schools across the state of Georgia. Lastly, the survey included a section to gain information about high schools that had current released time religious instruction programs.

#### **Findings**

Data obtained from returned surveys was analyzed in relation to the following research questions.

1. Does the size of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?

2. Does the socioeconomic status of a school affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?

3. Does the school's location (rural, urban, or suburban) affect the high school principal's beliefs about the benefit, support, or legitimacy of a released time religious instruction program?

After formulating 9 hypotheses, chi-square contingency tables were used to determine that there was no statistically significance difference in the principals' beliefs based on school size, socioeconomic status, or location.

Although there was no statistically significant difference in the principals' beliefs based on these sub-groups, the study revealed several interesting findings about the principals' responses as a whole. The data revealed that high school principals are not familiar with released time programs for religious instruction. Only 56.6% of the respondents indicated that they were familiar with released time religious instruction and only 24.1% were aware of released time religious instruction programs being operated at other schools. Principals at only 39.8% of the schools reported that their system had a policy about released time. These data would suggest that the principals' knowledge of released time programs is deficient.

When asked if they believed that religious education was important to the overall education of a student, 74.7% of the principals indicated that they agreed or strongly agreed. Although they believed it important, the principals responding to the survey did not believe that religious study during the school day was the answer. Only 37.3% indicated that they would support the creation of a released time bible program in their

schools. There was a wide disparity in the beliefs of principals about support from their staff and community. Although only 19.5% disagreed that their community would support a released time program, 43.9% disagreed that their staff would support one. Principals at 48.8% of the schools agreed that their community would support such a program. These data would suggest that there are differences in the values of the school and the community.

Most principals did not believe that a released time religious instruction program would increase community involvement. Nor did they believe that a released time religious instruction program would attract non public school students. However, 37.3% of the principals believed that the public schools need to attract home schooled students. This data would suggest that although some principals look favorably on these types of students, they don't believe that the addition of released time classes would affect their school choice decisions.

The data collected also showed that the vast majority of schools released students to attend classes in technical, college, or work-study programs. Of the schools responding to the survey, only 7.6% had current released time religious instruction programs. This would suggest that school systems are not adverse to releasing students to off-campus instruction. Communities that request released time programs are likely to have those requests favorably met.

### **Discussion**

Responses in this study indicated the same general lack of knowledge on the part of high school principals about released time programs as was seen in a review of the literature. Just as Stern (1994) had stated that released time programs had

diminished in importance since the *McCollum* and *Zorach* cases, the principals' lack of awareness seems to be in accord with the general lack of literature on released time in recent years.

The principals' lack of support for the creation of a released time program is similar to Dierenfield's (1973) study of school system superintendents. About a third of the respondents in both studies were opposed to these programs. The principal's in this study also believed that their staff would not be supportive of this type of program. This finding parallels Arnold's (1978) research, in which he found teacher's generally unfavorable of released time classes. Based on the data in this study and the review of the literature, it would seem evident that the more informed school personnel are about the legality of released time, the more supportive they would be of these programs in their schools.

A large number of Georgia school systems also do not have a written policy about released time programs. After a review of the literature, this would be consistent with the national policy trend. It also was evident that released time programs are not operating at a large number of schools in Georgia. Although no current study has examined the number of Georgia released time programs, the findings in this study would seem low compared to the percentage of programs operating nationally thirty years ago.

### **Conclusions**

Based on a review of the literature, this study was undertaken to add to the body of research on released time for religious instruction. As in any quantitative study, there are certain limitations. In addition to the limitations identified in Chapter 1, the low

response rate was another limitation on drawing significant conclusions from this study. This low response rate could be a result of principals' unwillingness to approach the issue of religion in the public schools. There was also the lack of any inferential statistics to differentiate high school principals' beliefs based on school size, socioeconomic status, or location. However, given these limitations, it is believed that the following conclusions can be drawn from this study.

1. There is a general lack of awareness about released time religious instruction programs among Georgia high school principals.

2. Georgia high school principals believe that religion is an important part of the overall education of a student.

3. Georgia school systems are committed to allowing students to leave school campus to participate in classes the school does not offer.

### **Recommendations for Further Study**

1. This study focused on principals at high schools. It is recommended that a similar study be completed at the middle or elementary school level to determine the impact of released time on these levels.

2. This study focused on high schools in the state of Georgia. It is recommended that a similar study be completed in other states to determine the use of released time.

3. A similar study could be completed with respondents being community members or parents.

4. This study focused on released time religious instruction. It is recommended that a similar study be completed in regard to religious instruction in the school curriculum.

### **Implications for Practice**

In his journal article in *The School Administrator*, Thomas (1999) asserted that:

By being the fair, neutral, honest brokers in matters of religion, schools fulfill one of the highest ideals of a democratic society. And by accommodating the religious beliefs and practices of students as best we can, schools build trust with parents and communities. (p. 16)

To gain the trust of its communities and parents, it is imperative that Georgia school systems find ways to accommodate religion in the public school setting. Released time programs are one such option. These programs will continue to exist and grow in the public schools of Georgia, and it is important that school systems are prepared for community proposals of released time programs. The first way that school systems can get prepared is by creating board policies regarding released time. Written policy would allow systems to adequately deal with released time requests as they arise.

Secondly, school principals need to be trained in constitutionally accepted religious expression in schools. This should include knowledge of the basics of a released time program for religious instruction. With this knowledge, principals can deal justly with their communities. A principal who exhibits a lack of knowledge of constitutionally accepted religious expression could create distrust with their parents and community.

The future of released time programs in the state of Georgia will be determined, not by school personnel, but by religious communities and groups across the state. It is

these entities that must propose, organize, and fund these programs. There remains the perception that the public schools are adverse to religion. However, school principals who are knowledgeable about released time programs can change this perception. A school principal who simply communicates a willingness to allow a released time program will demonstrate to the community and parents that their school is concerned with the religious education of their students. With little effort and no expense, that principal can increase their community's opinion of, and trust in, their school; whether or not a released time program results. This positive perception can go a long way towards increasing community involvement and interaction.



## REFERENCES

- Abington School District v. Schempp, 374 U. S. 203 (1963).
- Adam, H., & Martinez, C. (1987). *Summary of the critical issues in religious education in the public schools*. (ERIC Document Reproduction Service No. ED292695)
- American Jewish Congress (1995). *Religion in the public schools: A joint statement of current law*. New York: American Jewish Congress. (ERIC Document Reproduction Service No. ED387390)
- Alexander, K., & Alexander, M. D. (1992). *American public school law* (3<sup>rd</sup> ed.). St. Paul, MN: West Publishing.
- Apple, M. W. (2000). The cultural politics of home schooling. *Peabody Journal of Education*, 75(1/2), 256-271.
- Arnold, R. J. (1978). A comparison of the attitudes of three groups toward release time for religious instruction in Oregon. *Dissertation Abstracts International*, 39(11), 6669B. (UMI No. 7910236)
- Baer, R. A., & Carper, J. C. (1998-1999). Spirituality and the public schools: An evangelical perspective. *Education Leadership*, 56(4), 33-37.
- Bennett, W. F. (1970). Religion and the public schools. *Religious Education*, 115 (4), 340-343.
- Board of Education of the Westside Community Schools v. Mergens, 496 U. S. 226 (1990)
- Boles, D. E. (1961). *The bible, religion, and the public schools*. Ames, Iowa: Iowa State University Press.
- Boles, D. E. (1967). *The two swords: Commentaries and cases in religion and education*. Ames, IA: Iowa State University Press.
- Bown v. Gwinnett County School District, 112 F.3d 1464 (11<sup>th</sup> Cir. 1997).
- Bracey, G. W. (2003). *What you should know about the war against america's public schools*. Boston: Pearson Education.

- Byrnes, L. (1975). *Religion and public education*. New York: Harper & Row.
- Cambron-McCabe, N. H., McCarthy, M. M., & Thomas, S.B (2004). *Public school law: Teachers' and students' rights*. (5<sup>th</sup> ed.). Boston: Pearson Education.
- Carper, J. C. (1984). The christian day school. In J. C. Carper & T. C. Hunt (Eds.), *Religious schooling in America* (pp. 110-129). Birmingham, AL: Religious Education Press.
- Carper, J. C. (2000). Pluralism to establishment to dissent: The religious and educational context of home schooling. *Peabody Journal of Education*, 7 (1/2), 8-19.
- Carper, J. C., & Ray, B. D. (2002). Religion, schooling, and home education: Past and present. In E. L. Blumhofer (Ed.), *Religion, education, and the american experience: Reflections on religion and american public life* (pp. 223-242). Tuscaloosa, AL: The University of Alabama Press.
- Carter, S. L. (1993). *The culture of disbelief: How american law and politics trivialize religious devotion*. New York: BasicBooks.
- Colby, K. W. (1993). Religious freedom in the public school setting. *Momentum*, 24, 55-59.
- Collie, W. E. (1983). "Schempp" reconsidered: The relationship between religion and public education. *Phi Delta Kappan*, 65(1), 57-59.
- Dierenfield, R. B. (1973). Religion in public schools: Its current status. *Religious Education*, 68, 96-115.
- Donovan, T. L., Donovan, M. C., & Piccione, J. J. (1984). *Voluntary school prayer: Judicial dilemma, proposed solutions*. Washington, DC: Free Congress Research & Education Foundation.
- Drinan, R. F. (1963). *Religion, the courts, and public policy*. New York: McGraw-Hill.
- Duker, S. (1966). *The public schools and religion: The legal context*. New York: Harper & Row.
- Engel v. Vitale, 370 U. S. 421 (1962).
- Ericsson, S. E. (1982). *Religious released time education: The overlooked open door in public schools*. Springfield, VA: Christian Legal Society. (ERIC Document Reproduction Service No. ED258354)
- Everson v. Board of Education of the Township of Ewing, 330 U. S. 1 (1947).

- Francis, R. (2000). Secondary school principal's perception, attitude, and knowledge of religious activities in Missouri public schools. *Dissertation Abstracts International*, 61(05), 1690B. (UMI No. 9974628)
- Fraser, J. W. (1999). *Between church and state: Religion and public education in a multicultural america*. New York: St. Martin's Press.
- Ga. Code Ann. § 160-4-2.33 (1997).
- Greenbaum, E. S. (1952). Released time: The parent's right to choose. *Nation*, 174(6), 128-130.
- Haynes, C. C. (2000). Seeking common ground. *The American School Board Journal*, 187(2), 28-33.
- Hazard, W. R. (1978). *Education and the law: Cases and materials on public schools* (2<sup>nd</sup> ed.). New York: The Free Press.
- Hill, P. T. (2000). Home schooling and the future of public education. *Peabody Journal of Education*, 75(1/2), 20-31.
- Hitchcock, J. (2004). *The supreme court and religion in american life* (Vol. 2). Princeton, NJ: Princeton University Press.
- H.R. 910, 144th Gen. Assem., Reg. Sess. (Ga. 2002) (enacted). Retrieved July 7, 2003, from [http://www.legis.state.ga.us/legis/2001\\_02/fulltext/hr910.htm](http://www.legis.state.ga.us/legis/2001_02/fulltext/hr910.htm)
- Huang, E. (1967). A history and analysis of the releases time program for religious education in new york city. *Dissertation Abstracts International*, 28(03), 1123. (UMI No. 6711106)
- Ireland, J. (1890). State schools and religious instruction. *Annals of american history*. Retrieved June 30, 2006, from <http://america.eb.com/america/print?386403>
- Johnson, A. W., & Yost, F. H. (1948). *Separation of church and state in the united states*. Minneapolis, MN: University of Minnesota Press.
- Jurinski, J. J., (1998). *Religion in the schools: A reference handbook*. Santa Barbara, CA: ABC-CLIO.
- Jurinski, J. J., (2004). *Religion on trial: A handbook with cases, laws, and documents*. Santa Barbara, CA: ABC-CLIO.
- Kadlecek, J. (1994). Public school students get religion-legally. *Christianity Today*, 38(13), 74.

- Lamar, R. J. (2005). Newton, Kansas: A case study in religious released time education. *Dissertation Abstracts International*, 66 (08), 2821B. (UMI No. 3187655)
- LaMorte, M. W. (1996). *School law: Cases and concepts*. Needham Heights, MASS: Allyn & Bacon.
- Lanner v. Wimmer, 662 F.2d 1349 (10<sup>th</sup> Cir. 1981).
- Larson, J. L. (1958). Release time for religious education. *National Education Association Journal*, 47, 572-574.
- Lee v. Weisman, 505 U. S. 577 (1992).
- Lemon v. Kurtzman, 403 U. S. 602 (1971).
- Lubienski, C. (2000). Whither the common good? A critique of home schooling. *Peabody Journal of Education*, 75(1&2), 207-232.
- Manatt, R. P. (1995). *When right is wrong: Fundamentalists and the public schools*. Lancaster, PA: Technomic Publishing.
- Marrow, D. (2006, July 18). New state law allows credit for off-campus bible education. *The State*. Retrieved June 22, 2006 from <http://www.thestate.com/mld/thestate/living/education/14845794.htm>.
- McCarthy, M. M. (1983). *A delicate balance: Church, state, and the schools*. Bloomington, IN: Phi Delta Kappan Educational Foundation
- McCarthy, M. M. (1996). People of faith as political activists in public schools. *Education and Urban Society*, 28(3), 308-326.
- McClure, L. V. (1951). Weekday religious education at the high school level. *Religious Education*, 46, 345-363.
- McCullum (People of Illinois ex rel. McCollum) v. Board of Education, 333 U.S. 203 (1948).
- McJunkin, K. S. (2003). *Sacred acts, secular spaces: Why public schools should follow a policy of religious accommodation*. Master of Divinity thesis, Harvard University. (ERIC Document Reproduction Service No. ED482442)
- Miller, R. T., & Flowers, R. B. (1992). *Toward benevolent Neutrality: Church, state, and the supreme court* (4<sup>th</sup> ed.). Texas: Markham Press Fund of Baylor University Press.

- Moore v. Metropolitan School District of Perry Township, IP 00-1859-C M/S (S.D. Ind. 2001).
- Mott, K. F. (1985). The Supreme Court and the establishment clause: From separation to accommodation and beyond. *Journal of Law & Education*, 14, 111-145.
- Murray v. Curlett, 179 F.2d 698 (4<sup>th</sup> Cir. 1962).
- Nolte, M. C. (1980). *Nolte's school law desk book*. West Nyack, NY: Parker Publishing.
- Nord, W. A., & Haynes, C. C. (1998). *Taking religion seriously across the curriculum*. Alexandria, VA: Association For Supervision and Curriculum Development.
- Okun, S. J. (1996). Religion in the public schools: What does the first amendment allow? *NASSP Bulletin*, 80, 26-35.
- Page, L. (1995). A conservative Christian view on values. *School Administrator*, 52 (8), 20-22.
- Pierce v. Sullivan West Central School District, 03-9292 (2<sup>nd</sup> Cir. 2004).
- Poetter, T. S., & Knight-Abowitz, K. (2001). Possibilities and problems of school choice. *Kappa Delta Pi Record*, 37(2), 58-62.
- Poore, R. P. Jr. (1983). Church-school entanglement n Utah: Lanner v. wimmer. *Dissertation Abstracts International*, 44 (04), 944B. (UMI No. 8319365)
- Provost, S. R. (1966). The scope of national church programs of secondary school released time religious education in the united states, 27 (09), 2801. (UMI No. 6700577)
- Ray, B. D. (2000). Home schooling: The ameliorator of negative influences on learning? *Peabody Journal of Education*, 75(1&2), 71-106.
- Reed, L. W. (2000). Homeschooling is viable. In M. E. Williams (Ed.), *Education: Opposing viewpoints* (pp. 84-88). San Diego, CA: Greenhaven Press.
- Reynolds v. United States, 98 U.S. 145 (1878).
- S.B. 79, 148th Gen. Assem., Reg. Sess. (Ga. 2006) (enacted). Retrieved July 9, 2006, from [http://www.legis.ga.gov/legis/2005\\_06/pdf/sb79.pdf](http://www.legis.ga.gov/legis/2005_06/pdf/sb79.pdf)

- Sorauf, F. J. (1976). *The wall of separation: the constitutional politics of church and state*. New Jersey: Princeton University Press.
- Shaver, E. L. (1951). Three years after the champaign case. *Religious Education*, 46, 33-38.
- Shaver, E. L. (1953). Weekday religious education secures its charter and faces a challenge. *Religious Education*, 48, 38-43.
- Shaver, E. L. (1956). A look at weekday church schools. *Religious Education*, 51, 18-39.
- Sikkink, D. (1999). The social sources of alienation from public schools. *Social Forces*, 78(1), 51-86.
- Smith v. Smith, 523 F.2d 121 (4<sup>th</sup> Cir. 1975).
- Stern, M. D. (1994). *Religion and the public schools: A summary of the law*. New York: American Jewish Congress. (ERIC Document Reproduction Service No. ED387389)
- Tapp, R. B. (1958). Release time for religious education. *National Education Association Journal*, 47, 573-574.
- Thayer, V. T. (1952). Released time: A crutch for churches. *Nation*, 174(6), 130-132.
- Thomas, O. S. (1999). Legal leeway on church-state in school. *School Administrator*, 56(1), 12-16.
- Thomas, S. B. (1976). Released time and religion in the public schools: A legal perspective. *NOLPE School Law Journal*, 6(1), 29-44.
- Trotter, A. (1995). On board the bible bus. *The Executive Educator*, 17, 14-16.
- United States Constitution (1787).
- United States Constitution, amendment X (1791).
- United States Constitution, amendment XIV (1868).
- U. S. Department of Education (1998). *Religious expression in public schools: A statement of principles*. Washington, DC: U. S. Department of Education. (ERIC Document Reproduction Service No. ED416591)

- U.S. Department of Education. (2003). *Guidance on constitutionally protected prayer in public elementary and secondary schools*. Retrieved June 25, 2003, from [http://www.ed.gov/inits/religionandschools/prayer\\_guidance.html](http://www.ed.gov/inits/religionandschools/prayer_guidance.html).
- Webb, S. H. (2000). *Taking religion to school: Christian theology and secular education*. Grand Rapids, MI: Brazos Press.
- West, T. H. (1949). The legal aspects of religious education on released time. *Religious Education, 44*, 327-331.
- Whitehead, J. W. (1994). *The rights of religious persons in public education*. Wheaton, IL: Crossway Books.
- Williams, G. H. (1956). Church-state separation and religion in the schools of our democracy. *Religious Education, 51*, 369-377.
- Zorach v. Clauson, 343 U.S. 306 (1952).

**APPENDIX A**

**Comments from Returned Surveys**



---

### Comments from Returned Surveys

---

Family should be responsible. Religious instruction other than from a historical perspective should not be associated with public schools for credit.

I am strongly opposed to releasing our students for religious instruction. I am a Christian principal but do not think schools releasing students early is the ticket to their salvation. As we both know your religion & beliefs are between you and the Lord- I believe religious classes, if available, should be elective courses taught by our faculty rather than off-campus.

I was not aware of "Released Time". I believe we have strong religious programs in place in my community to meet the needs of students in religious instruction. I do not support "released time".

In my opinion, the family is responsible for religious/church involvement, religious education, i.e. doctrines of the Bible or the church. (I am a Christian & the daughter of a Protestant minister)

Our County has a pilot program installed at an elementary school.

There is ample vacation and afternoon or weekend time for these activities. We don't have enough instructional time at present.

There is so little information regarding details that it is hard to agree/disagree on a lot of the questions.

We allow students to attend religious retreats.

We have not had this request.

We need to maximize exposure to high level academic content. Let's leave religious instruction to the secular community.

While I personally believe strongly in Bible study, our curriculum is already so packed with "required courses" that my college prep students don't have time to add electives.

---

**APPENDIX B**

**Cover Letter to Principals**

14 June 2005

Philip S. Davidson  
4795 Watson Mill Court  
Loganville, GA 30052

Dear Colleague:

You are invited to participate in a research study titled "Georgia High School Principals' Perspectives on Released Time for Religious Instruction" conducted by Philip Davidson, Doctoral Candidate, University of Georgia, under the direction of Dr. C. Thomas Holmes, Department of Education Leadership, University of Georgia, 310 Rivers Crossing, Athens, Georgia 30602.

Released Time is a program that allows public school students, with parent permission, to leave campus during school hours to attend religious education classes. These classes are taught by certified teachers and are funded by religious or community groups. Since 1952, the U.S. Supreme Court has upheld the constitutionality of Released Time. Although operating in the northern States since 1914, the use of these programs has recently been growing in the southern States, including Georgia.

The purpose of this research study is to determine how prevalent this program is in Georgia high schools and high school principals' perspectives on the program's benefits and viability.

If you should choose to participate in this study, your participation will involve completing a two-page survey. Completion of the survey is expected to take a maximum of 20 minutes. All responses will be totally anonymous. A self-addressed, stamped envelope is enclosed for your convenience.

Your participation in this study is completely voluntary. You may withdraw at any time without penalty, or skip any questions you feel uncomfortable answering.

If you have any questions do not hesitate to ask now or at a later date. You may contact Philip Davidson at 770-466-6119 or [pvmmd@bellsouth.net](mailto:pvmmd@bellsouth.net). As a reminder, a follow-up postcard will be mailed to all research participants in approximately two weeks.

Thank you for the invaluable help that you are providing by participating in this research study.

Sincerely,

Philip S. Davidson  
Assistant Principal  
4795 Watson Mill Court  
Loganville, GA 30052, 770-466-6119, [pvmmd@bellsouth.net](mailto:pvmmd@bellsouth.net)

*Additional questions or problems regarding your rights as a research participant should be addressed to The Chairperson, Institutional Review Board, University of Georgia, 612 Boyd Graduate Studies Research Center, Athens, Georgia 30602-7411; Telephone (706) 542-3199; E-Mail Address [IRB@uga.edu](mailto:IRB@uga.edu).*

**APPENDIX C****Survey**

## School Information

Total Enrollment \_\_\_\_\_

Percent Free/Reduced Lunch \_\_\_\_\_

(Check One) Suburban \_\_\_\_\_ Rural \_\_\_\_\_ Urban \_\_\_\_\_

Please respond to each of the following questions by circling the answer which best represents your opinion. SD = Strongly Disagree, D= Disagree, N= Neutral, A= Agree, or SA= Strongly Agree

- |   |    |     |   |    |    |
|---|----|-----|---|----|----|
| 1. Before this survey I was familiar with released time programs for religious instruction. | SD | D   | N | A  | SA |
| 2. I would support the creation of a released time program at my school.                    | SD | D   | N | A  | SA |
| 3. My staff would support the creation of a released time program at this school.           | SD | D   | N | A  | SA |
| 4. My community would support the creation of a released time program at this school.       | SD | D   | N | A  | SA |
| 5. Religious education is important to the overall education of a student.                  | SD | D   | N | A  | SA |
| 6. I am aware of released time programs being taught at other schools.                      |    | YES |   | NO |    |
| 7. My system has a policy regarding released time classes.                                  |    | YES |   | NO |    |
| 8. A released time program would increase community involvement at my school.               | SD | D   | N | A  | SA |
| 9. A released time program would attract private school students to my school.              | SD | D   | N | A  | SA |
| 10. A released time program would attract home schooled students to my school.              | SD | D   | N | A  | SA |
| 11. The public schools need to attract home schooled students.                              | SD | D   | N | A  | SA |
| 12. Elective credit should be given for released time bible education classes.              | SD | D   | N | A  | SA |

- |   |     |    |
|---|-----|----|
| 13. My school releases students to attend off-campus technical classes. | YES | NO |
| 14. My school releases students for off-campus work-study.              | YES | NO |
| 15. My school releases students to attend off-campus college classes.   | YES | NO |
| 16. My school releases students to attend off-campus religious classes. | YES | NO |
- 

***If you answered YES to number 16, please continue:***

Number of released time classes \_\_\_\_\_

Number of students enrolled in released time classes \_\_\_\_\_

Type of religious instruction \_\_\_\_\_

Is credit given for completion of a released time bible study class? \_\_\_\_\_

Place(s) released time programs are held:

\_\_\_\_\_ Distance from school \_\_\_\_\_

\_\_\_\_\_ Distance from school \_\_\_\_\_

Comments:

**APPENDIX D****Follow-up Postcard**

Dear Colleague:

Recently, you were asked to participate in my research study on “Georgia High School Principals’ Perspectives on Released Time for Religious Instruction.” If you have already returned the survey, I express my gratitude for your assistance in this study.

If you have not yet responded, please take a few minutes to complete the survey and return it to me. If you have misplaced or did not receive a survey, and would like to participate, please contact me at 770-466-6119 or [pvmmd@bellsouth.net](mailto:pvmmd@bellsouth.net), and I will send one to you. Your participation is needed to complete my study and is greatly appreciated.

Thank you.

Sincerely,

Philip S. Davidson  
Doctoral Candidate