

School Prayer Amendment Sparks Tense House Debate

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"It's competition, right? It takes away your monopoly so that you can't continue to produce D-plus students," said Rep. Bob Inglis, R-S.C., slapping the podium during a hearing on school prayer that evolved into a debate over vouchers. "That's what it's taking away from you!"

Testifying before the Judiciary Committee's Constitution Subcommittee, Anne Bryant, NSBA's new executive director, rebuffed Inglis' charges.

She said NSBA opposes pouring tax dollars into private schools because "there is not a lot of public money going around these days for public education."

"There are fine public schools in this country doing a terrific job," she added.

The exchange occurred during a hearing on H.J. Res. 184, a three-sentence constitutional amendment introduced last week by House Majority Leader Dick Armey, R-Texas.

Voucher Proliferation

Ostensibly, the proposal would allow public school students to pray "without government sponsorship or compulsion."

In reality, NSBA charges, the harmless-sounding measure would open the door to public

funding of religious schools and force public schools to squander precious education dollars on litigation.

'Equal Access'

Bryant pointed to part of H.J. Res. 184 that says federal and state governments could not deny "equal access to a benefit, or otherwise discriminate against any person, on account of religious belief, expression or exercise."

She warned that the provision could force governments to send an unlimited number of children to religious schools if "equal benefits" were to include education benefits.

"This would be the largest unfunded mandate in history," Bryant said. "Members of the committee, this amendment is a nightmare."

Class Issue

Not so, said Bob Smith, president of Messmer High School, a Catholic school in Milwaukee. He said the amendment would let poor parents do what wealthier parents in Milwaukee already do: opt out of a public school system plagued by low expectations and high dropout rates.

"It's not about separation of church and state," Smith said. "It's about giving all people the same freedoms that those who have money enjoy."

Anna Doyle, a Rhode Island mother, testified that the amendment would help dispel the myth held by her children's teachers that religious expression must be squelched.

"The children learn from this to keep their faith hidden, and in doing so, they lose their faith," she told subcommittee Chairman John Canady, R-Fla.

More...

Prayer Amendment Sparks Tense House Debate (Cont.)

NSBA On The Spot Again

Turning to Bryant, Canady asked her if she thought Doyle's children had been mistreated when teachers barred them from giving their classmates home-made rosaries.

"I regret that the children were treated the way they were, but I think the answer is not a constitutional amendment," Bryant said.

Bryant cited a school district in St. Louis, Mo., that recently worked out an arrangement

allowing students to wear religious messages on their clothes and hand out religious literature to their classmates.

"All this came about because, voluntarily, organizations in St. Louis and the schools sat down with the guidelines issued by the [Education Department] last summer," she said. "That's the way we ought to solve problems in the schools."

ED's guidelines note that students have a right to engage in individual or group prayer as long as they don't disrupt instruction. And students may talk with their peers about religion as long as those discussions don't degenerate into harassment.

Thanks to the guidelines, Bryant said, NSBA has received fewer calls this year on church-state questions than in any previous year.

"We know the system is working," she said.
—Xavier Briand

Wall Street Journal, July 26, 1996, P. 1

KIDVID KO'D: Broadcasters won't play ball Monday at a White House meeting on tougher standards for children's TV. They send more programmers than top execs to meet Bill, Al, Hillary and Tipper, and won't promise three weekly hours of kiddie shows. The law doesn't require it, and they want to avoid political disputes. So the White House lowers its expectations.

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More...

*But -
are we
reading the
prayer
amendment
so accurately?
Jm*

A Constitutional Amendment to further protect Religious Freedom

Proposing an amendment to the Constitution of the United States to further protect religious freedom, including the right of students in public schools to pray without government sponsorship or compulsion, by clarifying the proper construction of any prohibition on laws respecting an establishment of religion.

In order to secure the right of the people to acknowledge and serve God according to the dictates of conscience, neither the United States nor any State shall deny any person equal access to a benefit, or otherwise discriminate against any person, on account of religious belief, expression, or exercise. This amendment does not authorize government to coerce or inhibit religious belief, expression or exercise.

- (1) Relationship to 1st Amendment?
- (2) Very broad, very vague. Would undermine all existing understandings. Courts will decide.
- (3) No recognition of "context." Can right be balanced against school's need to maintain orderly environment?
- (4) Seems to say that personal rights of expressing/exercising are paramount.

Schism Over School Prayer

THE FIRST AMENDMENT

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ...

—EFFECTIVE DEC. 15, 1791

RELIGIOUS EQUALITY AMENDMENT

Neither the United States nor any State shall deny benefits to or otherwise discriminate against any private person or group on account of religious expression, belief or identity; nor shall the prohibition on laws respecting an establishment of religion be construed to require such discrimination.

—INTRODUCED NOV. 15, 1995,
BY REP. HENRY J. HYDE (R-ILL.)

RELIGIOUS LIBERTIES AMENDMENT

To secure the people's right to acknowledge God according to the dictates of conscience: Nothing in this Constitution shall prohibit acknowledgments of the religious heritage, beliefs, or traditions of the people, or prohibit student-sponsored prayer in public schools. Neither the United States nor any State shall compose any official prayer or compel joining in prayer, or discriminate against religious expression or belief.

—INTRODUCED NOV. 28, 1995,
BY REP. ERNEST J. ISTOOK JR. (R-OKLA.)

More...

SCHISM OVER SCHOOL PRAYER, continued... (2)

Two GOP-Proposed Constitutional Amendments Reflect Split in Conservative Thinking

By Bill Broadway
Washington Post Staff Writer

A year ago, Rep. Newt Gingrich (R-Ga.) predicted that the new Republican-led House of Representatives would pass a constitutional amendment allowing for voluntary school prayer before the Fourth of July recess. It didn't happen.

Ostensibly, the goals of the party's "Contract With America" got in the way. But behind the scenes, religious lobbyists and House conservatives delayed action to debate what language would give a prayer amendment a better chance for passage than three ill-fated predecessors.

No amendment was formally proposed until two weeks ago, when Rep. Henry J. Hyde (R-Ill.) filed the Religious Equality Amendment, which would bar government discrimination based on religious belief but conspicuously lacks the words "God" or "prayer."

Then came a second proposal—announced before Thanksgiving and filed Tuesday—from Rep. Ernest J. Istook Jr. (R-Okla.). His Religious Liberties Amendment supports student-sponsored prayer, condemns government discrimination against religious expression and would allow individuals and organizations to display religious symbols in public places.

The final wording, whether one of the proposals or a composite, will be important for two reasons. It will set the tone for future legislative discussions and judicial proceedings, and it will offer guidance to religious conservatives outside Congress in demanding greater freedom of expression.

The two versions represent a divergence in conservative thinking that has developed inside the Capitol and out. The Hyde proposal makes no mention of school prayer and uses neutral language that calls for equal treatment of all faiths—language that will appeal to a greater number of voters and judges. Istook's version would specifically protect student-sponsored school prayer and "acknowledgments" of religious belief such as crosses, menorahs or passages of Scripture.

Critics say there is no need for an amendment, arguing that the first 16 words of the Bill of Rights provide the necessary protection. Barry Lynn, executive director of Americans United for Church and State, sees little difference in the two amendments and finds them equally capable of erasing the rights of religious minorities and nonbelievers. "In spite of the internal bickering, the sum and substance of the amendments are similar. [Either] would erase the doctrine of church-state separation from the First Amendment."

The House debate has set Istook, a second-term congressman, against Hyde, a 20-year veteran and chairman of the House Judiciary Committee. That body's constitutional subcommittee will heavily influence the wording on any amendment.

Istook "has been plowing the field for a while," one ob-

WHAT THEY HOPE TO ACCOMPLISH

HYDE AMENDMENT: *Focuses on discrimination rather than school prayer. It is primarily concerned with equal access to government funds. For example, school districts that offer tuition vouchers for private schools must provide equal consideration to secular and religious schools.*

ISTOOK AMENDMENT: *Allows student-led prayers but bans compulsory prayer. It allows for public display of religious symbols, such as a cross on a city seal. Anti-discrimination clause would allow a student to read the Bible on the school bus or a driver to order a license plate that says "God 4 Us."*

server said. He introduced a prayer amendment in the 103rd Congress—it got nowhere—and began discussions with Gingrich about developing a voluntary school prayer amendment under the new regime. Raised as a Southern Baptist, Istook, 45, joined the Church of the Latter-day Saints 22 years ago.

Hyde, 71 and a Roman Catholic, decided to introduce his own amendment "after a cordial disagreement with Mr. Istook on how to proceed," said Sam Stratman, Hyde's press secretary. The constitutional subcommittee held five hearings across the country before drafting Hyde's amendment.

Joint hearings on the proposals could begin before Christmas, Stratman said. A constitutional amendment requires two-thirds approval of both houses and ratification by 38 states, with a seven-year deadline for ratification.

Istook's proposal has 101 co-sponsors to Hyde's five. Yet Hyde has greater outside support from such influential conservative organizations as the National Association of Evangelicals, the Christian Legal Society, the Family Research Council and the Traditional Values Coalition.

The Christian Coalition, which included a voluntary prayer amendment in its "Contract With the American Family" in the spring, has not endorsed either amendment, spokesman Mike Russell said. But the coalition's legal counsel, Jay Sekulow, joined other lawyers in the months-long discussions that produced the Hyde amendment. Istook has criticized Hyde for seeking input from "legal scholars to whom the issue of school prayer itself is not important."

More...

SCHISM OVER SCHOOL PRAYER, continued...(3)

One of those scholars, University of Chicago law professor Michael McConnell, successfully represented a group of Christian students from the University of Virginia before the U.S. Supreme Court this year. The court ruled 5 to 4 that the university violated the students' free speech rights when it refused to provide funds for their magazine while subsidizing nonreligious publications.

McConnell said the decision followed the court's recent trend toward neutrality, moving away from its rigid church-state separation stance of the 1970s and early '80s. Still, he said, the court has not done enough to protect religious expression, citing its refusal Monday to hear the case of a Tennessee ninth-grader who was not allowed to write a research paper on Jesus in her public school class.

"All over the country, there are confused teachers, legislators, school boards and attorneys that continue to discriminate in the public sphere because that's what they think the Constitution says," McConnell said.

Kathryn Hazeem, chief counsel for the House constitutional subcommittee, said discrimination is the critical religious issue of the '90s. "This is not about school prayer," she said. "People don't realize that."

Istook disagreed, saying he based his amendment on the "enduring strength of the public's desire" for a school prayer amendment. He supplied a list of 28 polls taken since 1962, when the Supreme Court ruled against state-mandated school prayer, that show widespread support for a prayer amendment. During that time, the House defeated one such amendment (in 1971) and the Senate two (in 1966 and 1984).

The Rev. Lou Sheldon, founder of the Traditional Values Coalition, an interdenominational lobbying group, said Hyde's proposed amendment provides "clarity and dignity" for the issue. "When people say prayer in school, they mean religious freedom."

If passed, an amendment on religious liberties would be the Constitution's 28th. Its purpose, McConnell said, would be to "alter the interpretation" of the First Amendment, not replace it. It still could achieve that goal even if it fails to get enough votes in Congress or the states.

He used the analogy of the Equal Rights Amendment, whose primary objective was to invalidate laws that discriminated against women despite protections under the 14th Amendment. The ERA was not ratified by enough states, but "the process of national thought and deliberation" influenced court decisions, he said.

FOR MORE INFORMATION

To read the full text of the voluntary school prayer amendments and their preambles, see Digital Ink, The Post's on-line service. To learn about Digital Ink, call 202-334-4740.

Some Deadlines for College Aid For 1996-97 Are Getting Close

YOUR MONEY MATTERS

By LYNN ASINOF

Staff Reporter of THE WALL STREET JOURNAL

The 1996-97 college year may seem a long way off, but parents hoping their kids will qualify for financial aid had better keep a close eye on some fast-approaching deadlines.

While the cutoff dates for financial-aid applications vary from school to school, many colleges say prospective students need to take action during the next few weeks.

A new aid-application form being used by many of the more-selective colleges and some scholarship programs is part of the reason for quick action. Budget confusion in Washington is adding to the urgency, guidance counselors and others say.

"The unpredictability of the government would indicate extra care," says Margaret Addis, head of the guidance department at Newton South High School in Newton Centre, Mass.

That's because applicants who miss their schools' cutoff dates receive aid only if there are still funds available in the

programs for which they qualify, she says. But with Congress looking over student aid as part of the budget-cutting process, aid money is apt to be in shorter supply than in the past, making leftover funds less likely.

The new form, called the Financial Aid Profile, is expected to create some confusion this year because it adds an extra step to the application process. Developed and processed by the College Board's College Scholarship Service, the form is designed to eventually replace individual schools' in-house applications.

But just to receive the form, students must pay a fee and register with CSS and specify to which colleges they plan to apply, often weeks before the form itself has to be submitted. As a result, many students should be requesting their profile forms now to meet college deadlines.

At Vassar College, Poughkeepsie, N.Y., for example, incoming freshmen are supposed to file the completed profile form with CSS by Jan. 1. "You would have to register by the first few days in December to get the profile in time," says Kalman A. Chany, author of "The Princeton Review Student Access Guide to Paying for College." "If you all of a sudden woke up the day after Christmas and realized you had to do the profile form, you would never be able to get the form in time to meet the deadline."

George Washington University in Washington, D.C., wants you to register for the profile form by Dec. 15 so that it can be filed with CSS in early January. Middlebury College, Middlebury, Vt., recommends that the profile form be filed with CSS by Dec. 30.

Other schools have deadlines for when they want the results back from CSS, a process Mr. Chany estimates can take as long as six weeks.

With each school setting different deadlines, just keeping track of the various cutoff dates for both admission and aid applications can be a major problem. "This is probably the most difficult thing for families to get their hands around," says Jim Miller, director of undergraduate financial aid at Harvard University, Cambridge, Mass. He and others say it often takes a full-blown organization chart to handle the job.

Why such early deadlines? "To get the information as early as possible," explains Michael Fraher, director of financial aid at Vassar.

In the past, aid forms couldn't be filed until at least Jan. 1, as income tax information from the previous year was required. This created problems at some schools, with students accepted under various early-decision programs having to wait for their aid awards.

But with the earlier deadlines, colleges can begin by reviewing estimated tax data, which can be updated later. This gives the schools more time for analysis so they can make awards to early-decision applicants in a more-timely fashion.

The push for earlier aid consideration is also coming from the students, as seen by the growth of applicants seeking some sort of early-decision admission, says Carol Gill, an independent education consultant from Dobbs Ferry, N.Y.

"There is a sense that a student applying early-decision will have a better chance to be fully funded," she says, noting that close to 50% of her clients are applying to colleges with some sort of early action in mind.

Profile registration forms are available from high school guidance offices and college financial aid offices. There is a \$5 registration fee, and it costs \$14.50 for each school to which the information is sent.

For an additional \$5.50, you can get a data confirmation report, which Mr. Chany strongly recommends because it will assist you in revising any estimated data. Folks with credit cards who are feeling a time crunch can register either by fax at no additional charge or by phone for an extra \$10. If time is really short, CSS will send the customized profile form back to you by express delivery for an additional \$10 fee.

Washington Post, November 7, 1995, P. 3

Texans Band to Thwart Religious Influence

A Political Legacy's Crusade Against Conservative Christians in Government Attracts Clergy

By Sue Anne Pressley
Washington Post Staff Writer

AUSTIN—At a recent forum headed by the Texas Freedom Alliance, one of the guest speakers railed against the "Christian mess" invading state and local politics.

Another blasted the Baptists for blatant self-righteousness.

Some people agreed the time has come to don a stand-taking button: "The Christian Right is Neither."

All of them were ministers.

It is a testament to the whirlwind organizing powers of the Texas Freedom Alliance that—in its short life since February, and with only two staff members—the nonpartisan group has drawn together a wide-ranging and sometimes surprising band of protesters against religious influences in government agencies and public schools.

Billed as the first organization of its kind in Texas to represent "the mainstream," its supporters seek to awaken those self-described "moderates" who were accused of sleeping through the recent spate of history-making elections.

While they were sleeping, said Cecile Richards, executive director of the alliance, Christian-right proponents were busy building a stronghold in the state education system. Thinly cloaked candidates of the radical right, she said, were winning positions on the state Board of Education and setting off controversies about the contents of the new health textbooks. Censorship battles were popping up on small-town school boards throughout the state as new members, armed with religious agendas, challenged student reading lists.

Suddenly, she said, everyone from Mark Twain to Maya Angelou was under attack.

"Regardless of party or background, people are not comfortable with extremists taking over, whether in the schools or in their political parties or in running government," said Richards, 38, a former labor organizer and the daughter of former governor Ann Richards (D). "They [the far right] definitely have the right to be involved and I applaud their efforts, and in some ways, their involvement has gotten people with other points of view involved. Our concern is when folks with a fairly extreme ideology want to run everything and there's no room for people who look at things differently."

Richards sees her opponents as a

high-impact coalition of conservative groups, including the Texas Christian Coalition, the American Family Association of Texas and the Eagle Forum. With her assistant, Debbie Frank, she has debated their leaders on radio talk shows, presided over forums with titles such as "American Institutions Under Attack: The Rise of the Far Right in Texas and What You Should Know," and advised parents and teachers on how to combat the self-styled censors they find seated on their school boards.

An election last May, in which the Round Rock school system near Austin was wrested from a group of what the Freedom Alliance considers ultra-conservative leaders, has inspired the organization to make a "training film" it calls "Taking Back Our Schools."

Although it is too early to gauge the impact of the alliance's work in rousing parents, educators and, increasingly, ministers, Richards said she was heartened last spring when moderates in 13 of 14 local school boards whose races she was tracking, including Round Rock, prevailed over

candidates of the religious right. Texas continues to be second, however, to California in the number of morality- or religious-based challenges to books and courses in its public schools, according to a recent survey by the liberal People for the American Way, and the question of censorship remains a highly divisive issue in many areas.

"We are a conservative state and we always have been," Richards said, "but while conservative, Texans don't like national organizations trying to dictate what our kids are taught."

Wyatt Roberts is well-acquainted with her viewpoint. As executive director of the conservative American Family Association of Texas, Roberts has often sparred with Richards in debates, and he has serious questions about the motives of her group.

"I think, by and large, they simply follow us around," Roberts said. "They mobilize around our activities. From what I can tell, they have no agenda other than to oppose conservative Christians. I think it goes deeper, though. I think there's a sincere dislike for Christians. I think it's religious bigotry."

That notion, however, does not go over well with the growing number of Methodist, Presbyterian, Episcopalian and even Baptist ministers who recently have joined forces with the Texas Freedom Alliance.

"I think it's a shameful thing that

More...

TEXANS BAND, continued...

something like the Texas Freedom Alliance has to be created, but it seems to be necessary," said the Rev. Don Sinclair, pastor of the 550-member Bering Memorial United Methodist Church in Houston and speaker at a recent forum. "Religion is getting to be a major social problem. When religious people become intolerant, they do the meanest, strangest, most unconstitutional things, and they think they're doing God's work—they really feel they are. They may have hold on a legitimate issue, but their way to go about it is to deny me the right to disagree."

Sinclair said he had been bumping into Richards at various meetings for a while when he said he "realized we were both going down the same road."

"She was afraid she wouldn't get many ministers to stand up and say, 'These clods are crazy.' I've always been a little too willing to do that," Sinclair said. "I just didn't think I would spend the last few years of my life fighting for the Constitution."

The Rev. Bill Lytle of San Antonio, a former moderator of the Presbyterian Church USA, also is joining the fray. "For some time, I've been concerned about the idea that people might think the religious right was speaking for all of the religious community," Lytle said.

"Perhaps because we have not been as vocal as we should have been over the past several years, we've allowed a certain position to be expressed that almost seems like *the* religious position, and that's not true," Lytle said. "We're in a place now where we need to be serious about what's happening to the poor, the welfare folks, the immigrants."

But Roberts says the alliance has distorted the influence of the Christian right in local governments and public education in Texas and exaggerated its alleged retreat in certain areas. The school board races tracked by the alliance, for example, represent a small fraction of the 1,048 school districts in the state, he said. And he contends that more Texans than Richards would be willing to admit are in favor of the Christian goals pursued by his group and others. A recent statewide poll, he said, showed that two-thirds of the residents of Texas see themselves as conservative Christians.

"I think it's fine they're getting involved," Roberts said of the alliance. "I think it's unfortunate that their only goal seems to be to oppose us."

But Richards, who inherited her mother's outgoing personality and speechmaking ease, has attracted statewide attention. In the current edition of the Texas Monthly magazine, she is described as a "hot counterrevolutionary" who has "state Democrats buzzing."

She shrugs off such notice. "The response has been amazing," she said. "The interesting thing to me is the diversity of folks. I was thinking this would only appeal to people who are very political. But what I'm finding are PTA moms, people who have served on school boards, people who have been run out of their own churches. When you get right down to it, the question is, is the mainstream finally going to organize?"

FOR MORE INFORMATION

To read how the Christian right is flexing its political muscle, see Digital Ink, The Post's on-line service. To learn about Digital Ink, call 1-800-510-5104, Ext. 9000.