

Religion in schools argued at Dover

By JIMEATON

Religion and anti-religion in Dover schools was discussed for two hours at the board of education meeting Monday night, but there were no solutions offered to citizen complaints.

The majority of 80 citizens, including several ministers, showed up to protest the board's Oct. 11 decision to end the distribution of Gideon Bibles in the elementary schools because of a complaint from a Dover parent.

The discussion covered the illegality of the Bible distribution and spilled over into the teaching of evolution and secular humanism and the alleged use of obscene material by some teachers.

"We're here to answer your questions," said LaVerne King, board president, in laying the ground rules for the meeting moved to the Dover High cafeteria because of the crowd.

DOVER SOLICITOR Dennis Traver, the board's legal advisor, said the deci-

sion was based on opinions of courts in three states. One was a decision by the U.S. Supreme Court in 1954 not to hear a case appealed from the New Jersey Supreme Court, which ruled against the distribution of Bibles by the Gideons after school hours to pupils with parental permission.

The state court decided that pupils and parents might look upon the board's use of the school system as a means of distribution as placing a stamp of approval on the Gideon version, thereby

violating the First Amendment to the Constitution. The state court also said that psychological pressure on non-conforming pupils would create unconstitutional religious preferences.

The First Amendment says in part, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." It applies to state and local governing

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bodies, including boards of education, through the 14th Amendment which says in part, "no state shall abridge the privileges or immunities of citizens of the United States."

TRAYER CITED a 1963 ruling by a Florida court of appeals that a board of education could not distribute the King James version of the Bible in the schools because they should not be used for the promotion of any particular religious sect or denomination and that the Florida board's action was supporting those who followed Biblical principles in discrimination against the free exercise of religion.

Trayer also cited an Arkansas case and noted that the Civil Rights Act of 1964 provides for monetary damages if a public official knowingly violates a constitutional right. He added:

"To argue for a close alignment of church and state is to argue for cultural religion; a watered-down form of religion. Non-sectarian religion is a non-Biblical faith."

Trayer told Mrs. Marilyn Law, the mother of three pupils from Winfield, that her proposal to distribute without a presentation by a Gideon with the permission of parents was prohibited by the New Jersey ruling.

Observing that laws should not be violated in doing Christian work, Capt. Lloyd Stoops of the Salvation Army asked whether Dover schools would provide a list of all 5th graders so that distribution of Bibles away from school could be arranged and whether school buildings could be used free during non-school hours for the distribution.

SUPT. BILL KINNEER said use of a building presented no problem but added that a law which took effect last Aug. 24 prohibits release of a class list. Trayer noted that a more recent law makes school boards subject to a state agency which controls the release of information. He added:

"My own feeling is it's a very reasonable alternative. Parents should be notified that the name is on a list and they have the right to remove it."

While King contended that the board must abide by the law, Rev. David L. Wickmann of Dover's First Moravian Church asked whether plans had been made to test the law in Ohio. Trayer said the closest was the 1973 case from New Philadelphia which was dismissed by the federal district court after the board of education agreed to discontinue devotional exercises, religious instruction and the distribution of sectarian materials in the classroom.

Mrs. Isabel Moore, a board member, reiterated her position of Oct. 11 that she personally favored a test case in Ohio.

"Nothing is clear in the law," declared John Seng of Dover. "Too often, too long spineless people have been letting us Christians lose our rights. Let's take it to court. To heck with the money."

After Trayer urged the board to find a way to distribute the Bibles that would conform to court guidelines, Ed West, a board member, said the schools were not established to promote religion and that the board should not be asked to fight a court battle. Joe Stofan said it would waste the taxpayers' money.

THE DISCUSSION shifted to broader concerns after Fred Olinger of Dover denounced the teaching of secular humanism—"this business of man came from a monkey"—as far more serious than distribution of Gideon Bibles.

Rev. Carl Petters of Dover Bible Church asked whether the board could buy Bibles to enable students to examine all sides of the picture. "I don't want the school to do our religious work, but neither do I want it to do things contrary to religion," he said.

"Do you teach evolution as theory?"

asked A. V. Ewing of Dover. "I can remember when Darwin put that in the paper and some professors picked it up as truth," he continued. "You're teaching a lot of stuff that shouldn't be taught."

Ewing was referring to Charles Darwin (1809-1882), an English naturalist who had studied medicine and theology. He published "Origin of the Species" in 1859 and "Descent of Man and Selection in Relation to Sex" in 1871.

Paul Koval, director of curriculum for the Dover schools, assured Ewing that evolution was being taught only as a theory. He reported that the school library contained more books on the Biblical explanation of creation than on evolution. King told Edward Link of RD 2, Dover, that Bibles were not issued along with books describing evolution.

When West advised parents who were dissatisfied with the content of classes to go first to the teachers and then to the principal, superintendent and school board, some responded with complaints about material being used in the classroom. They mentioned obscene material and ridicule of pupils who reported on religious books or asked to be excluded from lessons on the theory of evolution.

ANOTHER ROUND of questions centered on who was responsible for pressure to halt distribution of Bibles, a point first raised by Mrs. Joann Baker of Dover. "We have received a letter that we are outside the law," replied King.

"Who are these people and what is their complaint and are they here tonight?" asked Kenneth Sopher of Dover.

Trayer replied that the names of the individuals were public record but were not relevant. "The point is they have complained and said we feel you are in violation of the law and asked for a legal opinion concerning it," he added.

"There's a school of thought that Christians are getting a raw deal because some of the board members are buddies of those protesting," commented Seng.

"We let this thing go on for 15 years and we got our hands caught in the cookie jar," replied West angrily. "I'm not a buddy of these people," said Mrs. Moore. "I deplore that," said King of the exchange.

Rev. Wickmann asked whether the board would appoint a task force to study ways of putting the Gideon Bibles and moral values into the school system. King said it was not the board's job but challenged the ministers and the Gideons to work with the board. "We should all get together on it."

Capt. Stoops said the ministers and the churches have the machinery to do the job and asked: "How seriously are you listening? Will a list be made available to us? Will there be a test case?"

King said the problems raised during the session would be followed up. "This gives us ideas and lets us know of some problems," he said.

THE BOARD devoted the remainder of the meeting to the following:

— **APPROVED** transfer of \$5534 from the contingency fund to the Title I program to make up a deficit from the 1975-76. Special reading instruction in the elementary schools had been allocated \$42,000.

— **DECIDED** any employee holding more than one job in the school system would qualify for overtime pay only for those hours worked in excess of 40 on any one of the jobs.

— **GRANTED** leaves of absence through 1978 for Jane Gerber and Manjul Khasat, both effective Nov. 24.

— **NAMED** Judith Jones of Dover and Pamela Fouts, both learning disability tutors, to replace them as teachers.

— **SELECTED** Beth Edwards, Lois Armstrong and Maryruth Loessi, all of Dover, to be learning disability tutors.

— **DECIDED** to pay 12 months of hospitalization insurance for staff members on disability leave whose sick leave has expired.

— **ACCEPTED** the resignation of Beryl Scharein as boys' basketball coach.

— **NAMED** Luzon Belko materials and equipment clerk for St. Joseph School, where the board provides auxiliary services, and agreed to share Mary Ann Frye, speech and hearing therapist, with the school.

— **GRANTED** Frank Brendel Oil & Gas Co. of North Canton right-of-way for a natural gas pipeline across the former Wooster Highway School property near Parral.