FIRST AMENDMENT POLITICS IN APPALACHIA: THE GAP BETWEEN

POLICY AND PRACTICE

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By

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Abstract: This project will look at the complicated subject of separation of church and state in the realm of public education. This will be examined in the context of a unique region of the United States known as Appalachia, a region characterized by its simultaneous rejection and acceptance of modern values. This research asks how citizens in this area view the separation of church and state, using public education as the research medium. This will be done through a multiple methodology approach combining quantitative and qualitative data in order to gauge attitudes most accurately. This research is a necessary addition to Appalachian studies as the focus has been either been upon the practice of the individuals living there or the policy of legislators and legal decision. This study asks how residents view their First Amendment rights in a micro-context of education.
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Chapter 1: History & Background

A Legal History: Separation of Church and Schools

The separation of church and state relies upon two constitutional strictures: the First Amendment, known as the establishment clause, and the Fourteenth Amendment, which allowed for incorporation of the First (Bennet 185). The First states that:

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

and the Fourteenth provides:

“No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States (U.S. Const. amend. I, XIV).”

Read together, these statutes provide that the government, whether state or federal, has no ability to establish religion in the public sphere and should a state government make such an establishment, the federal government is compelled to stop said establishment (Bennet 185). This statute though, has been challenged throughout history in a number of important Supreme Court cases. The initial landmark cases of separation of church and state occurred in the realm of public education, where the battle is arguably fought most fiercely (Bennet 185). The cases Engel v. Vitale (1962) and Abington School District v. Schempp (1963) prohibited nonsectarian prayer and school-sponsored Bible reading, respectively (Lupu 5; Sch. Dist. of Abington Twp. v.
Schempp 1,9). Following this, a need for a method of deciding establishment became apparent in *Lemon v. Kurtzman (1971)* where public aid for non-public religious schools in Pennsylvania was being challenged, the result of which allowed aid to be provided to non-public institutions (*Lemon v. Kurtzman* 1). From this case, the Lemon Test was developed as a three-pronged examination of any establishment case brought to trial. This test consists of three guides for deciding impartiality of the state:

“In order to pass establishment clause scrutiny a challenged government action must (1) have a secular purpose, (2) have a primary effect that neither advances no inhibits religion, and (3) not foster excessive government entanglement with religion (Religion and the State 1644)”

Since these decisions, the Supreme Court has decided a number of cases centered on religion in public schools, where they have found an establishment clause violation in every instance that has gone before them (Religion and the State 1659). Decisions of these cases have resulted in limitations on educators to exercise religious speech on school grounds, as they have been decided to be acting as agents of the state, and therefore subject to the establishment clause while on school grounds (Lupu 13). The issue of religious speech at non-compulsory events such as commencement ceremonies and sporting events has been decided unconstitutional as well, the court saying that “the price for dissent (non-attendance to accepted rituals) was too high” (Bennett 187).

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1 *Engel v. Vitale* was also the first instance of a free speech decision in schools by the Supreme Court (Lupa 9).

2 For this research, the term “religious speech” may refer to school-sponsored prayer, student-initiated prayer, religious observances, and school-propagated religious monuments or erected commemorations.
From this, the research topic set forth in this paper will ask how people interpret the establishment clause, with respect to its violation, in the public sphere. More specifically, I will look at the attitudes surrounding the separation of church and state in the realm of education.

Composition of the Appalachian Region

For this study of attitudes about separation of church and state, I will focus on a unique region of the United States. The region of Appalachia consists of 205,000-square-miles of territory stretching across thirteen states from New York to Northern Mississippi, following the spine of the Appalachian Mountains.

Figure 1 (Pollard 4)
The area is widely rural (42%) compared with the rest of the United States (20%) (Appalachian Regional Commission/ARC). The population of the area is fairly homogenous, with 83.6% of its over twenty-five million residents identifying as white non-Hispanic compared to 63.7% of the population at large in the 2010 census (Pollard 3, 14). The region has been traditionally economically depressed as its formerly booming mining and timber industries left the region barren and poverty stricken with 18% of the population in poverty as of 2008 (ARC). The massive deterritorialization³ and re-making of the region’s sources for economic stability⁴ have resulted in a group-identity that has become defined by “traditional⁵” values, namely that of religious adherence (Keefe 169).

**Literature Review**

Religion in schools has been a passionately contested subject in the United States for almost as long as there have been public schools. The subject has been broadly researched and has led to two predominant theories of separation of church and state. These theories rest on two portions of the Constitution, the First Amendment and the Fourteenth, and the “wall of separation” between church and state mentioned by Thomas Jefferson (Bennett 185-6). The first, more conservative, theory

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³ Deterritorialization as used here refers to the lasting effect of both the mining and timber industries on the Appalachian Territory. For instance, mining resulted in the loss of water sources through pollution and created unstable and unlivable territory from sinkholes and mine collapses.

⁴ The region of Appalachia relies upon services industry jobs for economic stability instead of its pervious reliance on manufacturing, mining, and other skilled labor jobs (Fowler 323-325).

⁵ “Traditional” being defined here by anthropologist Susan E. Keefe to mean those of religious morality and community loyalty (i.e., American Pride).
is exemplified by John Harmon McElroy, of the University of Arizona, who disagrees with the very definition of an establishment of religion, decided by the Supreme Court in *Engel v. Vitale* (McElroy 36). According to McElroy, there has been no establishment of religion since 1833 since only government-sponsored preference of religion counts as establishment (34). Further, he argues that the First Amendment was added as a tool for ratification, in order to encourage approval by the seven states that had some form of established religion (36). McElroy’s main argument stems from the idea that the First was added not to separate government and religion, but to protect a state’s right to establish or not establish religion separately from the federal government. In other words, it is up to the states to decide whether they would establish religion or not (McElroy 37-39).

Following this same line of thinking, Justice Antonin Scalia wrote in the *McCreary County v. ACLU of Kentucky* dissent that “those who wrote the constitution believed that morality was essential to the well-being of a society and that encouragement of religion was the best way to foster morality” (Pew, McCreary 4). This part of the dissent was not joined by any other justices; however, a less extreme version of this religious freedom emerged in the concurring opinion of Justice Clarence Thomas in the decision of *Van Orden v. Perry* which follows McElroy’s line of reasoning. Thomas states that the establishment clause should be limited to federal government because the incorporation of the clause in *Everson v. Board of Education* (1947) is not supported by the text or history of the constitution (Pew, McCreary 5). These beliefs rely heavily on historical context to justify them. However, this does not
change that the establishment clause was incorporated, and the courts have decided to interpret any action of the state for a predominately religious purpose as a violation of that clause (*Lemon v. Kurtzman*).

That interpretation though, is also subject to criticism. The Lemon Test, used to decide impartiality, allows for room in which states may justify their religious speech. This is because the Test does not prohibit *all* accommodations of religion, since some may be decided to have a primarily historical or moral purpose (*Religion and the State* 1646, 1656). In *Donnelly v. Lynch* (1984) accommodation of religion in the public sphere was argued to serve three purposes: to encourage religion in civic life, recognize the importance of life in America, and promote the state interest in a cohesive community with shared identity (*Religion and the State* 1643). As well, members of the Christian Fundamentalist Movement have argued that establishment does not isolate non-adherents; it actually encourages religion in the public sphere by making it more receptive to religious practice (*Religion and the State* 1641). While this brand of reasoning might allow for religious accommodation to be a good thing, the Supreme Court’s opinion has predominantly been in favor of the minority, saying that the goal of the establishment clause is to protect those whose freedom is undermined by a state-sponsored preference of religion (*Religion and the State* 1639). From this, it would seem that the individual and group interpretation of a religious preference or practice on public grounds is the deciding factor in whether a case of establishment reaches a courtroom.

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6 Justice Sandra Day O’Connor states in the *Lynch V. Donnelly* concurring opinion that a state-sponsored religious action “sends a message to non-adherents that they are outsiders, not full members of the political community” (*Religion and the State* 1639).
This topic is argued in many ways, but according to Tom Bennett and George Foldesy, of South Mississippi School District and Arkansas State University, respectively, “In no other arena has that battle (separation of church and state) raged more intensely than in our public schools” (185). One reason for this battle is the educators themselves; a 2011 study done by Jared R. Stallones, of California Polytechnic Institute, looked at educators today and traced their teaching styles to those who came of age in the 1950s (21). Stallones categorized educators by how they interpreted their own religious backgrounds and separated them into three categories: Integrators, who deliberately incorporated their faith, Reinterpreters, who gave religious terms new names to suit their educational purpose, and Deniers, who took great care to separate their personal and professional realms of belief (26). Stallones then makes some important observations from his study, first that a difference for these views may lie in their upbringing, whether it be more urban or rural, leading to more separated and more integrated views, respectively (29). He also identifies that active practitioners are more likely to be Integrators (30). Stallones identifies how upbringing and religious adherence affects practice, the next step is to ask how these conditions work and present themselves in specific cultures.

The theories of separation of church and state as well as the attitudes of those in charge of education make an interesting intersection in the realm of multiple modernities outlined by Susan E. Keefe, a professor of anthropology at Appalachian State University. Keefe states that a region can be modern and not modern at the same time, a prime example of which is the Appalachian region of the United States (160).
The reason this area is so unique is the ability to reject secular principles outright, especially those pertaining to religion and social realms, while simultaneously adopting theories of science and politics (171). She compares the region to similar situations across the globe, such as Japan and rural Thailand, but says that nowhere else in the United States will you find the apparent dichotomy of ideology (165-168). She finds in her case study of an Appalachian county that most attend church, and there is no higher compliment that being referred to as a “good Christian” (170). John D. Fowler, a professor of Kennesaw State University, says in his “Historiographical Essay on Modernization and Development in the Appalachian Region” that around the turn of the century when there was a rapid period of industrialization and modernization, Appalachia, experience this same modernization the rest of the United States did (305-306). Fowler then says in the 1960s politicians, academicians and economists began to look at why Appalachia was still rampant with poverty and did not modernize the way the rest of the United States did (305-306). Fowler concludes that the rapid industrialization which brought technology and income to Appalachia began the process of modernization but this process was halted when the industries collapsed with automation (323) In part because the “otherness” of Appalachia was perceived as a problem for missionaries and investors (305). This created a state of “permanent poor” for the residents which had begun the process of modernization on a economic and technological level (Fowler 323, 326). Thus the idea of multiple modernities outlined by O’Keefe may be, at least, in part attributed to what Fowler identifies as the partial modernization through industrialization.
The debate of separation of church and state is unlikely to end soon, but that is not the focus of this study. This research is required to discover how a unique group of people, Appalachians, views their rights to separation of church and state. This set of people can be categorized as the American other and behaves in ways which we have yet to understand (Keefe 160). As such, there needs to be an understanding of how these people see violations of the First Amendment and establishment class in order to understand how they see their right to religious speech on public grounds. Legislators and judges create the idea of violation, but the focus of this study is on the quiet voice of the Appalachian, whose opinion is yet to be heard.

*Research Question & Hypotheses*

For this study, I want to examine the intersection of practice and policy in Appalachia. The question I ask is, how do Appalachians view the separation of church and state? Specifically, how do they view this in the realm of public education? While there are other instances of this public/private interplay (courthouses, workplace, et cetera), public education is a domain all Americans must have contact with; this may be in the form of attendance, employment, taxes, charter school exemptions and more.

The region of Appalachia is a suitable area of study because of its uniqueness in modern culture. I want to explore the attitudes of these people in a region that has a religious tradition combined with American pride in law and land. I hypothesize that for the majority of those who live in the Appalachian region, they see religious speech in schools and the First Amendment right to an establishment of free public space in
concurrence with one another. For example, they would not see a group prayer before commencement ceremonies as a violation\(^7\) of the First Amendment. Further, I believe there may be a view that the First Amendment provides citizens the right to use religious speech in schools. My hypotheses are as follows:

- **H\(_0\)**: Appalachians view religious speech in schools as a violation of their First Amendment right.
- **H\(_1\)**: Appalachians view religious speech in schools in agreement with the First Amendment.
- **H\(_2\)**: Appalachians view use of religious speech in schools as a right guaranteed by the First Amendment.

The difference between \(H_1\) and \(H_2\) is subtle, \(H_1\) says that Appalachians view religious speech in schools as tolerated by the First Amendment, but does not go as far as \(H_2\) which treats religious speech in schools as an unquestionably guaranteed right of expression. \(H_1\) allows for more debate and regulation of religious speech by the federal government while \(H_2\) says that individuals in Appalachia see their ability to use religious speech in school as always allowable with little to no government oversight. \(H_2\) is a more intense version of \(H_1\). In my research I expect to find \(H_1\) to be most supported.

**Methodologies**

In order to grasp a concept as intangible as attitude, I want to approach this topic with multiple methodologies, both qualitative and quantitative. I will be using

\(^7\) By violation, I refer to a legal infringement upon constitutionally provided rights of citizens.
three methods for research: a case study of an establishment violation in Appalachia exhibited in *Baker v. Adams County/Ohio Valley School Board* (2004), interviews with educators located in the Appalachian region, and data compiled from online surveys sent to educators also in the Appalachian region.

*Case-Study: Ten Commandments Monuments in Appalachian Ohio*

The case I will be examining is *Baker v. Adams County/Ohio Valley School Board* which began in 2002 and was denied final appeal in 2005. The establishment clause was claimed to be violated by Barry Baker in four public schools that had stone monuments of the Ten Commandments posted outside their doors, surrounded by other engraved documents like the Magna Carta and Declaration of Independence. The monuments were ultimately removed from school property. I will be examining print media from local and major news sources. A qualitative coding process will then follow which is designed to identify the prevailing values, pre-existing conditions of the local/national community and the attitudes and behaviors which result from these values and pre-existing conditions. These codes will be identified in both national and local print sources and the results will be compared and contrasted for similarity and difference in each of the three categories I have outlined: values, pre-existing condition and attitudes and behaviors categories.

*Interviews: Educators and the Role of Religion in Public Education.*
As well as the opinion of the public, I want to gauge how educators see religion in the public sphere. In order to do this, questions will be formulated according to Jeffrey Stonecash’s guide to political polling and Rea and Parker’s *Designing and Conducting Survey Research* so as to create interview questions with as little bias as possible. Identities of the interviewees are anonymous in order to remove any fear of consequence from their particular school districts. These interviews will be analyzed on the basis of content to formulate a list of qualitative codes to help classify opinions into categories of establishment approval. The process of coding will be the same as in the case-study, but this will be from first-person sources as opposed to the second-person perspective of the case-study.

*Survey Data: Religious Practice and Establishment Violation.*

This part of my study will be a quantitative look at the opinions of educators who work in an environment where they have seen/experienced religious speech in their school. I want to look at those who have experienced a violation of the establishment clause and determine whether they believe it is a violation. My sub-hypotheses are as follows:

\[
\begin{align*}
H_0: \ P_1 &= P_2 \\
H_1: \ P_1 &> P_2 \\
H_2: \ P_1 &< P_2
\end{align*}
\]

<table>
<thead>
<tr>
<th></th>
<th>Violation</th>
<th>Non-Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>p/n= P1</td>
<td>p/n= P2</td>
<td></td>
</tr>
</tbody>
</table>
The null hypothesis is that practice will have no effect on whether educators see religious speech as a violation of the establishment clause. Alternative hypotheses indicate that practice will play a role; H$_2$ confirming my research hypothesis. As with my interviews, I will be formulating questions based on Stonecash’s guide to political polling as well as Rea and Parker’s *Designing and Conducting Survey Research*. In addition to the qualitative nature of this research, the other information gathered in the survey will be discussed. This includes the types of religious speech encountered, area of origin, and years teaching experience will be discussed.
Chapter 2: Case Study - Ten Commandments Monuments in Appalachian Ohio

Introduction

For this chapter I conducted a qualitative case study comparing and contrasting the attitudes informing journalistic pieces published by local and major print news sources that pertained to a Ten Commandments display on public school property in the early 2000s. This display in Adams County lies in southern Ohio and is a part of the western edge of Appalachia. The constitutionality of the displays was eventually brought to trial for violating the First Amendment’s establishment clause. An analysis of the newspaper pieces was done by coding the data according to “The Coding Manual for Qualitative Researchers” by Johnny Saldaña and then analyzed for the themes presented in local and major news and then reporting the findings of similarity or difference.

Case Narrative

The case came to legal discourse when on June 11, 2002 Barry Baker filed in the United States District Court for the Southern District of Ohio, Western Division (Baker v. Adams County, 2002, Case No. C-1-99-94). Prior to this on February 9, 1999 Baker had brought complaint against the Adams County/Ohio Valley School board for violating the establishment clause of the First Amendment by placing a religious monument in the form of a stone engraved with the Ten Commandments in front of all four district high schools in 1997 (Baker v. Adams County, 2002, Case No. C-1-99-94). After the board refused to remove the monuments, Baker sued the Adams County/Ohio Valley School. Once the lawsuit was initiated the single Ten
Commandments displays were changed to “Foundations of American Law and Government” displays, which added four other stones engraved with famous documents to the Ten Commandments display\(^8\) (Baker v. Adams County, 2002, Case No. C-1-99-94). The question asked in the case was, “whether or not government, in this case, the public schools of Adams County, Ohio, should be used as a vehicle to endorse and promote the Ten Commandments (Baker v. Adams County, 2002, Case No. C-1-99-94).” Ultimately the court ruled that the establishment clause of the First Amendment prohibited the displays and the school board was ordered to remove them (Baker v. Adams County, 2002, Case No. C-1-99-94).

![Image of Ten Commandments](image)

Figure 2 Ten Commandments Display in Adams County Ohio (Court Rules on Commandments)

On November 20, 2002 in Baker v. Adams County/Ohio Valley Sch. Bd., No. 02-3777 the school board filed for a motion to stay the district court’s order and in the United States Court of Appeals for the Sixth Circuit in 2004 they filed for an appeal of the original decision. In this case the court used the “Lemon Test” established in

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\(^8\) Monuments added were the Justinian Code, Declaration of Independence, Preamble to the United States Constitution, and the Magna Carta (Baker v. Adams County/Ohio Valley Sch. Bd., Nos. 02-3776, 02-3777).
Lemon V. Kurtzman. The three-pronged test begins with determining that an action “must have a secular legislative purpose.” According to the court:

In particular, there is no evidence that the Ten Commandments monuments were originally erected with a secular purpose. The fact that the monument was donated by the Adams County Ministerial Association, a Christian religious organization that also agreed to indemnify the Board for any litigation expenses, implies the opposite. Furthermore, as the district court noted, "there are no contemporaneous minutes, documents, or formal policy explaining the intent or purpose of the School Board in permitting the permanent placement of [the original] monoliths." The fact that the original displays contained only the Ten Commandments monuments "imprinted the defendants' purpose, from the beginning, with an unconstitutional taint (Baker v. Adams County/Ohio Valley Sch. Bd., Nos. 02-3776, 02-3777)."

Thus the Court did not examine the second two prongs of the Lemon Test, with the failure of the first and therefore they upheld the lower court’s decision. The School Board attempted to appeal to the Supreme Court of the United States, but was denied on June 28, 2005 (Adams County/Ohio Valley Sch. Bd. v. Baker, No. 04-65). The monuments were removed in 2003 and there has been no further litigation since that point in time.

Method of Analysis

For this analysis local and major news sources were identified (below) and then coded according to Saldaña’s guide. Qualitative coding is an inexact science but in general these codes are intended to “symbolically assign a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based visual data” (Saldaña 3). For this research the codes are either descriptive of a particular behavior/attitude, reflect the values of the individual(s) writing the piece, or point to a pre-existing condition of the community (Saldaña 7). From the codes a variety of
themes are deduced; themes are the “outcome of coding, categorization, and analytic reflection.” These have the potential to lead to theory and will be discussed in the analysis section.

**Time Frame**

The time frame for the articles to be analyzed will be approximately one month before the initial complaint with the Adams County/Ohio Valley School Board (February 9, 1999) until six months after the Supreme Court denied appeal (June 28, 2005). This time frame, January 1999 – January 2006 is designed to capture all media attention from the named print media pertaining to the case. The one month prior to the plaintiff’s complaint is included to ensure that no media attention prior to filing goes overlooked.

**Sources**

All sources were acquired electronically using key terms. These terms are as follows: Barry/Berry Baker, Adams County, Ten Commandments, and Ohio. Berry/Barry Baker is used in both capacities as the court cases as well as media are inconsistent in the spelling of the plaintiff’s name.

**Major News Sources studied:**

- *USA Today*
- *The New York Times*
- *The Washington Post*

**Local News Sources to be studied:**
• *Peoples Defender*, Adams County, Ohio
• *Cincinnati Enquirer*, Cincinnati, Ohio
• *Times Gazette*, Hillsboro, Ohio

*Rationale and Purpose*

The major print sources were chosen because they are national newspapers in origin and according to the “*State of the News Media Report 2012,*” a study conducted by the PEW Center for Research, they are the three most circulated papers in the United States. The local print sources were chosen by those closest in geographical distance and those with the availability within Adams County, which all three papers are readily available to those who live within the county’s borders. *The People’s Defender* is the only newspaper located within Adams County, the *Times Gazette* originates from Hillsboro, Ohio, twenty-five miles North of Adams County, and *The Cincinnati Enquirer* originates from Cincinnati, and is the most widely circulated local paper available in Adams County. The purpose of this analysis was to identify a difference (if any) in the way the story of Ten Commandments displays is told in public discourse as well as identify whether local and national media supported the monument’s existence or not in relation to the First Amendment.

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9 This “top three” distinction excludes The Wall Street Journal because it deals primarily with economic and business news as opposed to politics and contemporary social content.
Findings

Figure 3 National Print Media Qualitative Coding

From a key-terms search of the list of print news sources, nine national articles and twenty local articles were compiled, which contain references to the Baker v.
Adams County/Ohio Valley School Board Ten Commandments Litigation. The twenty-nine articles were coded and tables were created for both types of sources, local and national:

Figure 4 Local Print Media Qualitative Coding

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10 Articles from The Cincinnati Enquirer could not be obtained through the research institution or media website; therefore it has been omitted from the analysis.
The charts above illustrate how the story of the Ten Commandments controversy is told. The values in the left column combined with the pre-existing local or national conditions elicit the behaviors and attitudes outlined in the right column.

Analysis

After a comparison of the local and national codes, some similarities can be found. First, in the values that are discussed, Right/Freedoms, Separation of Church and State, Freedom of Expression, Historical Importance, Founding Principles and Compromise are found in both. Then when the pre-existing conditions are compared the perceived erosion of morals, growing diversity, and Christianity’s national prevalence are discussed in both types of media. In the attitudes/behaviors column, which is designed to illustrate the resulting actions based on the values and conditions of the subjects, there are four similar topics discussed: civil disobedience, appeals, constitutional interpretation and required removal (of monuments). The similarities in the two types of media are found most in the types of values and pre-existing conditions discussed. Of the twenty values identified, six are common to both; of the eight pre-existing conditions identified, three are common to both. The most difference is found in the attitudes/behaviors expressed on a national and local scale. Of the twenty-seven behaviors and attitudes identified only four were common to both local and national media.

When talking about rights and freedoms local and national media expressed multiple views all talking about the importance of religious freedom and freedom of
expression. Rights-talk was tempered by the religious subject matter, but a unifying theme of preserving freedom was present in all rights-talk:

<table>
<thead>
<tr>
<th>National</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;He indicated that people have a right, a very distinct right, to express their religious views,&quot; Robert C. Byrd, WV Democrat (Kirkpatrick).</td>
<td>&quot;But in contrast, how to use that when freedom is at stake? The dilemma is this: telling one person to stop doing something that annoys another is, in effect, trampling the rights of one to preserve the rights of another (Which is the Real Affront).&quot;</td>
</tr>
</tbody>
</table>

**Figure 5 Rights/Freedoms**

Freedom of expression was also discussed in a similar fashion, in a legalistic sense those writing expressed their belief that their ability to worship whenever and however they chose was action guaranteed by the law:

<table>
<thead>
<tr>
<th>National</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;We are being singled out because of the religious nature of our display,&quot; Patrick J. Mahoney, Director of the Christian Defense Coalition (Stewart).</td>
<td>&quot;This is a case of free speech, free expression,&quot; Rev. Rob Schneck, Founder of the Ten Commandments project (The law is on our side)</td>
</tr>
</tbody>
</table>

**Figure 6 Freedom of Expression**

This historical importance of the monuments was also treated similarly in both types of media. The necessity for keeping historical markers of the past was often used as a precursor to the piece expounding on the in founding principles of the nation:
Plattsmouth argues that because the Ten Commandments form the basis for Western Legal Systems, the monument is a secular symbol and not a religious icon (Willing). Removing the monuments would be denying the future of the country their heritage.” Steve Crampton, American Family Association (Monuments Stay for Now).

Figure 7 Historical Importance

Compromise and separation of church and state were values most often expressed by the opponents of Ten Commandments monuments on school or public property. Opponents in both local and national media would point to the value of separation of church and state but then soften their argument with the value of compromise for maintaining that separation, as exemplified in an editorial for the local People’s Defender:

"Constitutional law has been brought to bear and challenged over the Ten Commandments displays located in front of the AC/OVS high schools. Doing so involves interpretation, doing so involves compromise (Which is the Real Affront)."

The maintenance of constitutional principles remains clear throughout opponents’ arguments, but they indicate that they are willing to work with the other monument supporters to create a fair resolution.

The pre-existing conditions expressed by proponents of Ten Commandments monuments were that of the perceived erosion of morals in the United States as well as Christianity’s national prevalence:
"That's the majority opinion of the country. I don't hear anyone complaining," Barrow VA Commission Chairman, Doug Garrison (Copeland). "According to a new commentator, there are 4,000 of those monuments across the nation," [Ken] Johnson [Pastor in Adams County Ohio] remarked. "There would be an uprising in our country if they decided to take out that many monuments. (Court Rules on Commandments)"

"When we are desperate to strip away every degree of religiosity, we pay the price with things like Columbine," Tom Tancredo, CO Republican (Rosin). "It is time for all of use to stand up for what is right and to oppose these liberal judges who desire only to rewrite the law (Bubp)."

"Monument opponents say that America's increased diversity accounts for many of the lawsuits (Willing)." "There are many ways for people of the faith to attract and teach children, there's no need to do it in school," Barry Baker, Plaintiff (Monuments Fall).

Throughout all articles read, these two pre-existing conditions were taken by Ten Commandments supporters to justify the keeping of the monuments though attitudes and behaviors, which will be discussed below. The growing diversity and need for inclusion within the country was used by opponents of Ten Commandments monuments in local and national media as cause for concern about their existence:

Finally when the values and pre-existing conditions are combined they reveal the attitudes and behaviors of the supporters and opponents of Ten Commandments monuments and the similarities were few. Only civil disobedience, appeals,
constitutional interpretation and required removal (of monuments) were discussed and these were presented in a factual manner, listing events that were non-disputable.

The attitudes and behaviors unique to national media were the Christian Movement, lobbying for Christianity, constitutional protectionism, equality, judicial avoidance, grey area debate, lobbying for conservatism/liberalism, political maneuvering /agenda setting, connections to large tragedies, public support of Christianity and interfering with conservative legislation; with the exception of the Christian movement and public support of Christianity, the national attitudes and behaviors centered on legalistic and political actions and attitudes.

This can be seen in the ways that both supporters and opponents expressed their opinions and how they framed the discussion of religious establishment:

"There is a line, but is not a clear line. There are some white areas and some black areas, but there's plenty of gray," Eugene Volokh, UCLA Law (Roig-Franzia).

"The disputes over Commandments displays nationwide have reflected the ongoing tension over how much government should be allowed to embrace religion (Biskupic)."

"Judges at all levels are being tugged, sometimes reluctantly, into a deeply divisive debate (Roig-Franzia)."

"The Supreme Court's decision…suggests that the court feels the lower court rulings were at least consistent (Lane)."

"The court said local officials must remain neutral toward religion and that such displays will be permitted only if the setting's overall message is secular (Biskupic)."
There is a general consensus in the national articles that opinions are varied and there is justification for both sides. Any time a controversial or strong message was conveyed a statement like the ones above followed immediately. Local media, in contrast, did not have this same deference to equal coverage and the complicated nature of the issue.

The attitudes and behaviors expressed in local media center on internal strife and action as opposed to national achievement. These were: evangelism, faith integration, perceived anti-freedom legislation, emotional outcry, plaintiff/ACLU vilification, perceived war on Christianity, and lobbying for the Ten Commandments. These were expressed by advocating personal action on a local scale. Concern for a larger problem was not the main topic of discussion, preservation of culture was primary:

"According to them, no matter how you say it, if it's related to a religion - Christianity at least - then it's definitely in violation (Perfecting the Science)."

"Ministers have collected approximately 10,000 [local] signatures in favor of keeping the monuments (Appeals Expected)."

"Of all the people involved in this, Berry Baker has just about done the most good. Before him there was just the four monuments and now there's 127,000. We should thank him." Ed Harmon, Adams County for the Ten Commandments Volunteer (ACTC Garners)

“He believed that the ACLU and Baker were working toward total elimination of any religious forum on a public square (Monuments Stay for Now).”

The exceptions to the centralized and specific attitudes are ones that were expressed by the ACLU and legal counsel for the Baker v. Adams County/Ohio Valley case:

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10During the trial period yard signs were distributed to locals depicting the Ten Commandments monuments saying "We Stand for the Ten Commandments."
ACLU impatience, legal processes, violation/not a violation of the First Amendment discussion. Even with the more broad ideologies of the opponents of the Ten Commandments monuments their opinions were still tempered with recognition of the locality:

"We've been very patient. It's time to remove the monuments," Legal Director of the ACLU of Ohio, Raymond Vasvari (*Ultimatum Given*).  

“The ACLU has indicated that this could be an establishment of religion (*The Law is on Our Side*)”

The opponents of the Ten Commandments monuments showed more similarity, though, to their national counterparts than did the local supporters to the national. The opponents in a national and local setting based their arguments on logical conclusions of constitutional law and First Amendment protections/guarantees.

Also the ratio of opponents’ opinions to supporters’ opinions is different in local media as compared to that of the national media. In local media the coverage is severely skewed in the favor of supporters’ opinions. In national media both sides were presented evenly, even the two opinion pieces that were coded dedicated a large portion of their writing to the opposing viewpoint and concession making. The local media did not have this same deference. Opinions of opponents were used as a way to introduce the topic and then the bodies of the pieces were dedicated to the viewpoints of supporters of the Ten Commandments monuments and explanations of why the opposing viewpoints were not valid.

*Summary*
After coding twenty-nine articles (twenty local and nine national) for the values, pre-existing-conditions, and attitudes/behaviors expressed in their content similarities and differences were examined. Values and pre-existing conditions of both local and national media were found to have many common codes such as right/freedoms talk, growing diversity of the nation, Christianity’s national prevalence and the historical importance of Ten Commandments monuments. The fewest similarities were to be found in the attitudes and behaviors expressed by local supporters of Ten Commandments monuments and national supporters of Ten Commandments monuments. National and local opponents however retained fairly similar attitudes and behaviors. Also, national coverage of the Ten Commandments strife included nearly even representation of opponents’ and supporters’ opinions, while the local media included much more information about supporters’ values, behaviors and attitudes.

**Conclusion**

From this analysis some consistent themes emerge. The differences in the way stories were told on a national and local scale can be seen in the attitudes and behaviors expressed by the supporters of Ten Commandments monuments. The values and pre-existing conditions expressed by both parties had many similarities but the resulting beliefs and actions were different. The national supporters focused on logical legal argumentation in order to create change and support their viewpoints, the local supporters used emotional arguments and grass-roots style organizing to support their cause. Opponents of Ten Commandments monuments used logical, legal arguments
throughout local and national media. However, local opponents included more deference to the opinions and rationale of the supporters’ viewpoints.

This research supports my H1 hypothesis by showing that Appalachians view the removal of the monuments as legally wrong. They believe that the First Amendment allows for the continued presentation of the monuments. My hypothesis is not supported in that local opponents do not appeal to emotions in their argumentation but rely upon a logical, legal remedy. From this it can be surmised that while the end goal of Ten Commandments supporters was the same, their solution strategy was not. Local and national supporters express many of the same values and identify many of the same pre-existing conditions in the United States but how they internalize and interpret that information manifests itself differently. The local supporters express their dissatisfaction with the lawsuit with emotional and spiritual arguments that rely on a source of authority that is not primarily legal; it relies on traditional and fundamental human morality. National supporters conversely use legal recourse to support their goals and desire for national action, local supporters express that they want their monuments to be left alone but do not concern themselves with the fate of monuments across the nation.
Chapter 3: Interviews - Educators and the Role of Religion in Public Education.

Introduction

For this chapter I conducted a set of individual interviews with high school educators in Appalachia. These interviews were designed to see what kinds of religious speech teachers had experienced while teaching, how they saw that religious speech affecting their students and whether they felt religious speech in public schools was in agreement with or in violation of the First Amendment. The method of data coding is the same as the one used in chapter 2 as outlined by Johnny Saldaña in “The Coding Manual for Qualitative Researchers.” These codes were then analyzed for themes of agreement and disagreement.

Method

For these interviews a set of questions was created according to Jeffrey Stonecash’s guide to political polling and Rea and Parker’s Designing and Conducting Survey Research in order to create interview questions with as little bias as possible. The interview script contained three sections with different types of questions: “background” questions to provide interviewee demographics and context, “First Amendment” questions to gauge the interviewee’s knowledge and interpretation of the amendment and “religious speech” questions to gather information about the interviewee’s experience with religious speech and their opinion on such actions’ validity within the frame of the First Amendment. These questions were submitted to and approved by Ohio University’s Institutional Review Board (IRB). Participants

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12 The interview script can be found in the Appendices, Appendix A
were found through colleagues and acquaintances who knew current teachers in Appalachian schools and their participation was requested via e-mail. All teachers interviewed were asked to gain permission from their respective principals either through e-mail correspondence with myself or the interviewee. Participants were asked to sign a consent form and invited to ask any questions about the research they had. In addition they were given a debriefing form with contact information should they wish to remove themselves at any time. As well, snowball sampling occurred in one school when an educator recommended I interview a colleague. The identities of participants as well as their individual schools were kept anonymous in compliance with IRB and after analysis all recordings were destroyed. All interviews were recorded electronically and then transcribed for analysis. Each interview was assigned a number for purposes of identification.

In total, eight interviews were conducted in rural Appalachian Ohio in five different school districts. Interviews ranged in length from seven to thirty-five minutes of discussion. In some interviews teachers brought up points of discussion about community culture and values, which I asked them to elaborate on. Some teachers spoke specifically about Appalachia and its influence on community opinion of religious speech and the First Amendment. In these cases I also asked teachers to expound on this topic. First, demographic information was collected to give context to the educators’ sentiments. Then the educators’ knowledge of the First Amendment and their interpretation of its meaning in practical terms were identified. Then the religious speech section was discussed for responses and this section was coded for themes that
reflect a teacher’s belief that religious speech in schools was in violation of or in agreement with the First Amendment. Also, this section was coded to reflect community behavior and sentiment regarding the use of religious speech in schools as well as any references to Appalachia as a culture.

*Demographics*

All educators interviewed were asked to provide background information about their years teaching, area of origin, and involvement with the community and the school. Three teachers were in their first year, three had taught between seven and nine years, one had taught for fourteen years and one had been teaching thirty years with only two more until they were eligible for retirement. Teachers interviewed taught a variety of subjects including mathematics, social studies, English, music, talented and gifted curriculum, economics, journalism, technical communications, drama and psychology. One teacher was an alternative school instructor requiring that they teach all subjects, most of which were remedial. Most teachers taught more than one subject.

Teachers were also asked about their school and community involvement. When asked if they had any coaching or leading position within the school seven identified that they were. Positions mentioned were: co-leader of National Honors Society, school newspaper advisor, marching band director, leader of yearbook publication, leader of Model United Nations, track coach, football coach and member of their school’s board of distinguished alumni. Interviewees were then asked the same question with regards to their involvement with coaching and leading positions within
their community and four teachers identified that they held such positions. One teacher mentioned that they were part of a national writing project for a university, another mentioned their involvement with their teachers union, another was part of an after-school child involvement and advancement program and the other said he served as the assistant pastor of a local church.

All but one teacher had spent either the entirety of their time teaching in the same district or all their time save one year. One teacher had taught five years in several previous districts and four in their current district. Four educators were originally from the district in which they taught. Of the four that were not, two classified their area of origin as suburban, one identified theirs as urban and the other classified theirs as rural. When asked if they were a part of their respective area’s religious community three said yes, while two of the five who did not identify themselves as a part of the religious community added that they were “church friendly” and “lapsed.” The demographics of those interviewed present a well-varied mix of individuals with teaching experience and subject matters.

*First Amendment Knowledge and Interpretation*

Teachers were informed that the questions in this section pertained to the First Amendment and were then asked “what is the First Amendment in your own words?” Then their answers were compared to what the First Amendment of the United States Constitution provides for, which are the (a) freedom of religion, (b) freedom of speech, (c) freedom of the press, (d) the right to peaceably assembly and (e) the right
to petition the government for redress of grievances (U.S. Const. amend I). Of the eight teachers, three mentioned all five provisions of the constitution, two identified freedom of religion and freedom of speech, three only identified freedom of speech, and one merely identified the significance of the amendment but stated that they “don't think about it often[…]kind-of out of sight, out of mind.”

Next educators were asked “In regards to liberties and freedoms, what does the amendment mean to you?” Five of those interviewed identified the amendment as enabling their ability to be free in their day-to-day actions and opinions. Two connected the amendment to a functioning government with one identifying it as the “most important amendment of all because without [those First Amendment freedoms] you can't really have a democracy.” The other enumerated the ways in which the five freedoms provide for a secular, well-functioning government, connecting its existence to the conditions of the founding fathers. The other three linked the amendment to contemporary issues, one expounded on their student’s view of rights:

"In schools we encounter a lot, we talk about the word entitlement […] in the young generation this sense of entitled purpose to their lives where they should be allowed to do a certain battery of things whether they're respectful/disrespectful […] I think it's almost an overly developed sense of liberty."

The final two saw the amendment as a contemporary tool used by others to infringe upon the rights of others saying:

"Anymore, freedom of speech is used to bash anyone else who doesn't have the same point"

“We're the melting pot of the world, we have all different ethnicities from
every different country coming here looking for the American Dream and before long there's not going to be an American Dream because we're protecting the rights of .002% of the populations and the rest of us, 75% are screaming "hey, you're taking away our rights."

All eight expressed the amendment’s importance and half acknowledged the contentious nature of the amendment’s meaning.

For most of the teachers the amendment’s freedom of speech and freedom of religion guarantees were the most common responses, indicating that these two enumerations are the most important to them personally. Only three teachers mentioned all five protections of the amendment and two of them taught some form of government curriculum. The practical effect of the amendment was largely seen as an assurance of an individual’s ability to freely think and act. In addition it was seen as a necessity for government operation. The most revealing opinions come from those who identify the amendment’s place in modern political and social discourse. The two teachers who saw the amendment as a tool and the teacher who saw their students’ view of it as “entitled” identify the distortion of the amendment’s purpose. They saw the intent or purpose of the amendment, to them, as being distorted and misused, either for a social or political purpose.

**Religious Speech Experience and Amendment Interpretation**

This section began with an explanation of the term ‘religious speech’ as I have used it throughout this research. Teachers were told that religious speech in this section could refer to “school-sponsored prayer, student-initiated prayer, religious observances, and school-sponsored religious monuments or erected
commemorations.” They were then asked if they had ever witnessed any type of religious speech while teaching. If so, they were asked to provide what types. All but one teacher said they had witnessed religious speech, with three adding that it was an extremely common occurrence. Teachers identified student-initiated prayer, school-sponsored religious observances and programing, teacher and administrator prayer, student-teacher theological discussion, student-led religious groups and student prayer at commencement ceremonies and academic banquets. Some provided specific examples of such religious speech:

"Speakers and assemblies that students were forced to attend that had religious themes that were sponsored by local churches […] A speaker coming in who was talking about how he was going to explain how Noah’s ark didn’t’ kill the freshwater fish [he was a Genesis defender and he spend forty-five minutes defending the bible]."

"A teacher made no bones about that she was of a religious bent and she would tell the students that she had in her room, 'if you have a problem with it you need to be in a different classroom.’”

"We [the teaching staff] received an e-mail from administration saying we hope to fly in face of being politically correct and wish you a Merry Christmas in celebrating the birth of our Lord Jesus Christ. Our superintendent has led staff meetings in prayer.”

The teacher who said they had not witnessed religious speech attributed it to their length of time teaching being in their first year, saying they “would not be surprised to see it in the future.”

When asked if they had personally participated in religious speech only two said they had. One teacher said they had not yet, but intended to be a part of the student religious club in their school. Two said that they had not participated in religious speech but they were often a part of discussions about religion in an
educational context of history. One teacher who said they had participated in religious speech said that they had been involved with discussion with students over the validity of creationism versus evolution. The other teacher who said they participated in religious speech said it occurred "almost on a daily basis whether it would be with teachers […] with students, at least a couple times a week."

Religious Speech in Relation to the First Amendment and Practical Effect

The next question I asked educators was to indicate whether they felt religious speech in schools was a violation of the First Amendment or in concordance with its tenants and then to explain why they felt that way. Their responses were placed into one of four categories: soft violation, hard violation, non-violation and hard non-violation. The hard/soft distinction is intended to capture those who said there were exceptions to their opinion, with “soft” answers believing exceptions existed and “hard” answers saying there were no exceptions. In total three said religious speech was a soft violation, four said it was soft non-violation and one said it was hard non-violation; no teachers responded that religious speech in schools was a hard violation.

Teachers went on to explain why they felt that way, with all but one teacher acknowledging the complicated nature of religious speech in school. Those saying it was a soft violation were the most sensitive to this issue, saying:

"I don't think that it’s right to shut it off completely but I also don’t think that you need to preach it or practice it on an everyday schedule."

"The government will not establish religion, that doesn't mean we're here to prevent religion either."
"If [religious speech] comes from administrators it is a violation of the First Amendment […] However, to deny a student would be violating their free exercise clause."

These same teachers were very distinctive in saying that student-initiated religious speech that happened on the student’s own time was acceptable and also their right. These teachers also identified the main purpose of public education as the instruction of young persons and explained that education comes first and foremost in the professional functioning of teachers.

Those teachers who saw religious speech as soft non-violation also conceded that not all types of religious speech were allowable in the realm of public education but they were more lenient in their opinions on the participation of teachers as well as students. One teacher said, “Technically teachers aren’t allowed to initiate the conversation but if someone starts the conversation, it’s okay.” Another teacher recognized the value religious speech can have in facilitating the education process, saying:

"I view the school as a social institution that needs to be monitored. […] At the same time, education is about making connection with kids so if you can make a connection whether it's through religion or football or track, you probably shouldn’t block that."

Another teacher indicated that they did not care to share their own opinions, but “if other people want to, that's fine with me.” A teacher who said that religious speech was a soft violation mentioned this same belief but also indicated her own desire to keep their beliefs private because she “want[ed] to make sure that [the students] feel comfortable enough to talk to me about whatever they want to.” This teacher then
explained that they felt sharing their beliefs would potentially close down that line of communication from student to teacher. The only teacher who said religious speech was a hard non-violation rested her belief on the amendment’s guarantee of equal rights, saying that teachers and students of all religious beliefs should be able to express their beliefs, saying: "As long as we [all types of religious believers] are given equal rights it’s not a problem with me."

Teachers were then asked “How do you see examples of religious speech in a school environment affecting students?” This question was intended to gauge whether educators saw religious speech as a positive or negative influence on the education and social interactions of students. Teachers were widely varied in their opinions on how they saw religious speech affecting students, with five teachers saying the effect is both positive and negative, two teachers said it was overwhelmingly positive and one teacher said it was overwhelmingly negative.

The teachers who saw religious speech in schools as both a positive and a negative influence were both teachers who saw religious speech as a soft-violation and soft non-violation of the First Amendment. These educators largely separated their opinions based on whether the action was school-sponsored or not. They indicated that school-sponsored religious speech has the potential to ostracize students of different faiths. Some noted that the racial and cultural homogeny of their communities as inherently exclusionary to students of difference because their presence was so small. They identified religious speech’s influence as having the potential for forced self-identification should a student not participate. Two teachers addressed this directly:
"In a community like this, [people of different faiths] are going to be ostracized. Religious speech in school that's expected of students still in communities like this.”

"I've seen school-sponsored, school initiated prayer at the beginning of the school day affect students who do not share that same religious belief. They feel ostracized during that time period."

Another teacher worried that while religious speech could be positive, she wanted teachers to be careful about talking about their own beliefs as they may hinder the level of comfort a student has with their teacher saying, "If someone has an opinion or wants to say something about it, I want them to be able to know that they can."

The two teachers who saw religious speech in schools as a positive influence had very different reasons why. The first teacher, who was the only teacher to identify as hard non-violation for religious speech in schools, felt that:

"Everybody that had their own faith and they go with their parents or they go on their own and they can practice their faith equally. It could be a problem for the kids that haven't been raised with any kind of faith and they can feel lost."

This teacher cited the same problem as those who had mixed feelings about the effect of religious speech, but they did not see it as taking away from the overwhelmingly positive nature of religious influence. The other teacher who saw religious speech as an overwhelmingly positive influence in their school also recognized religious speech in schools as a soft-violation of the First Amendment. This teacher eloquently explains what at first appears as a contradictory viewpoint:

“Given the rampant poverty in my district, given the widespread drug use and fragmented families and stuff that goes on here [this is] something that is overall seen as a positive, binding force […] which is why, even though I see it in my school district, I’m not going to do anything about it. Because 1: It wouldn’t get me anywhere personally and 2: I see, essentially there’s no
cultural conflicts and I don’t see anyone else’s rights being deprived and I see it being a positive building block for the moral fiber of our district and the community.”

This teacher had the interesting standpoint of recognizing the legal violation but the value in looking past it in order to reap the social benefits in a community that is in desperate need of help. The only teacher that strongly identified religious speech in schools as overwhelmingly negative also believed that religious speech in schools was a soft violation of the First Amendment. This educator said that religious speech on the part of the school “sends the wrong message.” They also believe in the right of students to exercise their faith at school in their own time but was adamant about the negative influence of sponsored religious speech on all students. They see the ability of the public school system to act as a secular place of learning is broken down by school-sponsored religious action. In addition they said the forced self-identification of students is against the spirit on the amendment, which this teacher said is intended to protect individuals from having to reveal their beliefs. I interpreted this educator as having concerns about the effect that Christian programming in their school had on non-adherents more so than the effect of religion in general. In a relatively non-diverse community this teacher was very concerned with the ostracizing and marginalizing of non-Christians.

Teachers were mostly split over whether they saw religious speech in public schools as a violation of the First Amendment. All but one was willing to admit the complicated nature of the issue and identify situations in which exceptions to the rule exist. Teachers who saw such speech as a violation recognized the importance of
maintaining the individual rights of individuals while also accomplishing the goal of education, to instruct. Those teachers who did not see it as a violation identified different reasons why religious speech was allowable and even identified situations in which religious speech could aid in the teaching of students.

These teachers saw the influence of religious speech on students in many different ways. The majority of teachers, seven of the eight, mentioned some concern about the effect school-sponsored religious speech could have on students of difference. Some teachers were more concerned than others about this issue, but these teachers still recognized the possibility for minority exclusion that was possible within their schools. Two teachers saw religious speech in schools as positive: one citing the equal rights of practitioners as important and the other identifying Christianity in particular as a positive for the moral development in his poverty-ridden district. One teacher saw the influence as overwhelmingly negative, saying that a students’ rights to express themselves in their free time is important, but that schools have no place sponsoring religious speech as it inevitably creates exclusion. Throughout all discussion teachers were willing to admit the contentious nature of religious speech in schools and its effect on students and many teachers indicated a need for compromise and further discussion between educators, the community, and administrators.

Community Traits

The final question in the “religious speech” section asked educators about their opinions in relation to their community; I asked “Do you think your opinion mirrors the community in general?” Of the eight teachers, four responded that their opinion
did not reflect the community because theirs was more liberal, three said their opinion
somewhat reflected the community’s, and one said that their opinion reflected the
community’s in regards to Christianity’s positive influence.

One teacher saying they were more liberal went on to say that they did not see
the issue of religious speech in schools as “that much of an issue,” saying that there
were more pressing issues within the community. Two teachers identified their
respective school community’s desire for religious influence in schools:

"A lot of people who are raised with a particular mindset towards religion who
feel like their religion is the only right religion, they don't care about what the
law says because in their mind, religion takes priority over the law."

"I think a lot of people in the overall community in rural settings think religion
should be a part of school."

The final more liberal teacher also identified the community’s influence, but they said
that it created a culture in which people did not want go against the norm, saying:

"People here don't want to be viewed as anything different […] here once you
get labeled something it says with you forever because most people don't
leave."

The teacher who said their views were reflective of the community they taught in said
this in reference to the belief that religion is a positive influence. This teacher said that
even local teachers who were a part of the local religious community would concede
that religious speech was a technical violation of the First Amendment, but that like
this educator, they maintained its positive influence.

Of the teachers who saw their views as somewhat reflective of the community
two said that they believed many of the tenants of Christianity but not necessarily the
way it was handled in schools. Another identified the prevalence of religious speech in schools to the nature of the community:

"I feel that generally that the tie to religion is a really rural Appalachian 'ism' especially in today's world. They have clung to it more tightly than most urban areas."

This teacher felt that religious speech in schools was a reflection of Appalachian rural communities’ attempts to hang on to their traditions in a rapidly changing world. In addition to the teacher above, another teacher discussed the changing nature of Appalachia. They said:

“As the changing world encroaches more upon these small communities as things like joblessness drives people out of these communities and you get substitute residents into the community, I think you’re more and more likely to see those kinds of things change and that religious dialogue and perhaps the restriction of it or the carefulness of how we present it is likely to increase.”

This discussion of change in the realm of religious speech and its prevalence in rural Appalachian schools was a common side note of other teachers throughout their interviews. Many said religious speech was still happening in schools, but they believed it was becoming more regulated.

Themes

The “religious speech” section of the interview contained five questions, in addition to comparing and contrasting the answers of the educators to one another in the previous sections, the answers were coded to reflect themes of educators and the communities they spoke about. These codes were collected and then compared to identify themes found throughout interviews. Codes were separated into two categories of reference and then two subcategories within each, opinions & conditions.
Some codes within the educators’ opinions are tagged as to whether they were common to those that felt religious speech in schools was a violation or non-violation.

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<thead>
<tr>
<th>Educator Opinions &amp; Conditions</th>
<th>Conditions</th>
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<tr>
<td>Religion should be allowed in moderation and with respect to others</td>
<td>Need to be able to communicate with students</td>
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<td>Rights to individual expression</td>
<td>Education comes first</td>
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<td>Student-initiated action is acceptable</td>
<td>Necessity of teaching religion in a historical context</td>
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<td>Teachers should not participate in religious speech (violation)</td>
<td>Schools as a social institution</td>
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<td>Not sharing my individual beliefs</td>
<td>Growing diversity</td>
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<td>Contentious Issue</td>
<td>Forced self-identification</td>
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<td>Teachers participating in but not initiating the conversation (non-violation)</td>
<td>Need to teach students in a religiously homogenous culture</td>
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<td>Student marginalization from perceived “difference”</td>
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<tr>
<th>Community Opinions &amp; Conditions</th>
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<tr>
<td>Rights to religion being taken away from students</td>
<td>Community acceptance</td>
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<tr>
<td>Christianity as a positive cultural influence</td>
<td>Pervasive poverty</td>
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<td>Biblical Morals should be incorporated into schools</td>
<td>Appalachia as racially homogenous</td>
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<td>Community disenfranchisement with government action</td>
<td>Conservative Culture</td>
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<td>Traditional Culture</td>
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<td>Christianity’s prevalence embedded nature in the community</td>
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From these codes it is possible to construct a narrative of how educators and Appalachian community members view the separation of church and state in
public schools. As educators in the public school system they face a distinct set of challenges when interpreting the First Amendment as described by the coded conditions. Schools serve as a social as well as educational institution; therefore operating within this system presents challenges. Public school teachers need to be able to effectively educate students in a religiously homogenous culture as compared to other parts of the United States, but even so, even this homogeneity is growing more diverse.

The opinions of these teachers vary but most recognize the volatility and contentious nature of religious speech in schools. Also, all teachers believe students have a right to individual expression, they also recognize the potential marginalization of students in school-sponsored activities for a student’s perceived “difference.” Where they disagree is whether teachers can participate in religious speech and how. Those who see religious speech as a non-violation say that teachers may participate in, but not create religious speech. Those who see such speech as a violation believe that teachers should not participate in religious speech at all.

When discussing the area they taught in teachers identified the prevalent conditions in their respective Appalachian communities. Conditions most identified were community acceptance of religion (Christianity in particular), pervasive poverty, racial homogeneity, a conservative and traditional culture and Christianity’s prevalence and embedded nature in the community. This fits the picture of rural Appalachia presented by Susan O’Keefe in the literature review. The opinions teachers identified within their communities reflect the conditions they identify. A
traditional culture that desires biblical morals incorporated into schools would undoubtedly see Christianity as a positive cultural influence. Teachers also saw the community’s disenfranchisement with government regulation of religion in schools as a fear of having their rights to religion taken away.

The teachers interviewed had a unique perspective about the acceptance of religion within their community because they served not only as individuals but also agents of government regulation through their positions in publicly funded education. Teachers were more likely to consider the larger picture and discuss the way times were changing towards a more inclusive, diverse model of education. These teachers believed the communities they resided in did not necessarily feel the same way, especially those in the older generation who were clinging to Appalachia’s conservative and traditional culture.

Conclusion

The interviews I conducted with these eight teachers were revelatory of how Appalachians view the separation of church and state. Most teachers felt that religion in schools was allowed at least some of the time and that it could serve as a positive as well as negative influence. These teachers worried that school-sponsored religious speech had the potential to ostracize non-adhering students, especially in a culture that values tradition and conservatism. Teachers were varied on their opinions on how to handle religious speech, but they were willing to open avenues for discussion and compromise within their schools. They identified this as a difference between their view and that of the community, with community members being less willing for
compromise and more adherent to tradition. Some teachers also went on to explain the nature of the culture they taught in. These teachers saw the current state of religious influence in public school system as changing with the younger generations. Teachers indicated that for young people this issue was not particularly salient, that it was the older generation and parents who desired the ability to use religious speech in schools and weighed its importance more heavily. Teachers also differentiated between school-sponsored religious speech and student-initiated religious speech as the general point of distinction for whether the speech was allowed, with student-initiated being more protected and school-sponsored being more scrutinized. The information presented in the last chapter supports my H₁ hypothesis that Appalachians do view religious speech in schools as a protected right.

This research is limited by the number and range of interviews. For a more descriptive and representative study more interviews need to be conducted as well as over a larger geographic area, as all of these interviews occurred in Appalachian Ohio. Nonetheless, this interview study provides insight about how Appalachians view the separation of state and why they often maintain its place in public education. Appalachians in this sense view the ability to use religious speech as a tool in their public school system, a protected view. I would not say that this research goes as far as supporting the H₂ Hypothesis, as most of those recognize the need for secularity in school as opposed to the right to conduct a public enterprise in a totally non-secular way.
Chapter 4: Survey Research – Religious Practice and Establishment Violation

Introduction

For this chapter I examined the views of educators in Appalachian public high schools using quantitative survey data\(^{13}\). This survey asked whether teachers had experienced religious speech in schools and if they see this religious speech as violation of the First Amendment. This data is intended to reveal how teachers who have experienced religious speech in schools first-hand view it in the context of separation or church and state doctrine.

Method

In order to conduct this research a list of survey questions was created using Jeffrey Stonecash’s guide, *Pollitical Polling: Stategic Information on Campaigns*, as well as Louis Rea and Richard Parker’s *Designing and Conducting Survey Research: A Comprehensive Guide* in order to create a survey with as little bias as possible. The survey was kept very simple with only seven questions, five of which were background questions intended to bring participant demographics to the research. The online survey was sent out to twelve Appalachian public high schools in Southern Ohio, West Virginia, and Kentucky. The survey was completely anonymous and was first sent to the school’s principal along with a letter of purpose and then forwarded by the principal to their high school staff. The information was then analyzed using the online-survey collection features and sorted for those who responded that they had experienced religious speech in schools, then placed in a simple formula to determine

\(^{13}\) A copy of the survey is included in the appendices, Appendix B
the percentage of educators who saw religious speech as a violation and those who did not. The survey also allowed respondents to specify what kinds of religious speech they had experienced and also to elaborate as to why they felt religious speech in schools was a violation or not.

**Sub-Hypothesis**

<table>
<thead>
<tr>
<th></th>
<th>Violation</th>
<th>Non-Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>H₀:</td>
<td>P₁=P₂</td>
<td></td>
</tr>
<tr>
<td>H₁:</td>
<td>P₁&gt;P₂</td>
<td>p/n=P₁</td>
</tr>
<tr>
<td>H₂:</td>
<td>P₁&lt;P₂</td>
<td>p/n=P₂</td>
</tr>
</tbody>
</table>

*Where n=those have experienced religious speech in schools*

The null sub-hypothesis indicates that experience has no effect on whether educators see religious speech as a violation of the establishment clause. H₂ confirms my research hypothesis, indicating that experience with religious speech plays a role in viewing it as a non-violation of the First Amendment. H₁ disproves my research hypothesis by indicating an opposite relationship; that experience in schools leads Appalachian educators to believe that religious speech in school is a violation of the First Amendment. My sub-hypothesis indicates that the prevalence of religious speech in schools leads educators to feel differently about the establishment clause and separation of church and state than those who have not experienced religious speech in the public education system.
**Findings & Analysis**

After a one-month waiting period the survey was taken down and there were a total of 156 respondents. Of these 156 responses, 66 educators reported experiencing religious speech while teaching at their respective schools. Out of those 66, 55 saw religious speech in schools as in “in agreement with the First Amendment” and 11 responded that “it is a violation of the First Amendment.”

<table>
<thead>
<tr>
<th>Violation</th>
<th>Non-Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/66 = P₁ = .17</td>
<td>55/66 = P₂ = .83</td>
</tr>
</tbody>
</table>

*Figure 11 Teachers who have experienced religious speech*

Therefore the P₁ < P₂ = H₂, .17 < .83 confirming my hypothesis.

There were 90 teachers who responded that they had not experienced religious speech while at their school and of their responses 65 saw religious speech in schools as in “in agreement with the First Amendment” and 25 responded that “it is a violation of the First Amendment.”

<table>
<thead>
<tr>
<th>Violation</th>
<th>Non-Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>25/90 = R₁ = .28</td>
<td>65/90 = R₂ = .72</td>
</tr>
</tbody>
</table>

*Figure 12 Teachers who have not experienced religious speech*

In this instance the educators still found religious speech in agreement with the First amendment more often than they responded that it was a violation. In contrast, though, a higher percentage of teachers believed it was a violation when they had not
experienced religious speech in their school as opposed to teachers who had experienced religious speech and were more likely to find religious speech in agreement with the First Amendment.

However, this difference is small. Overall, 120 of 156 teachers responded that religious speech in schools was in agreement with the First Amendment, a 77% majority. While 36 teachers, 23%, responded that religious speech was a violation of the First Amendment. This indicates that the determining factor of believing religious speech is a violation or not is not experience, though experience does have an influence. Further research would be necessary to determine this and I would suggest sending surveys to non-Appalachian schools in order to compare results. This data indicates that the majority of those teachers surveyed believe religious speech is allowed for in the First Amendment and this is perhaps because of what Susan O’Keefe finds in her research on Appalachia. Her assertion that Appalachians have a strong adherence to “traditional” and Christian values combines with what my research reveals as predilection towards the acceptance of religious speech in public schools (169-170). This reflects that those being studied see the government as operational to their way of life and feel that religion in school is not a violation since the citizens are those that are establishing and enjoying their religious speech, and the First Amendment guarantees that freedom.
**Demographics and other Collected Information**

In addition to asking questions about experiencing religious speech and opinions about that speech violating the First Amendment, respondents were also asked to give some background information to provide context for this research. The majority of teachers who responded had taught for more than twenty years (38.5%), with those teaching ten-twenty years following closely with 30.8% and those who had taught one-five and five-ten years tying with 15.4%.

![Figure 13 How long have you been a teacher?](image)

Similarly the largest percentage, 34.6%, of teachers responded that they had taught in their respective district more than twenty years, five-ten years and ten-twenty years tied with 23.1% and 19.2% of teachers said they had been teaching for one-five years.
Teachers were then asked if they were originally from the area they were teaching in. Overwhelmingly respondents answered yes, 80%. Teachers saying they were not could choose suburban and rural (a different rural location than the one they currently taught in) 8% of the time each, and only 4% said they were from an urban area originally.

In addition, teachers were asked if they were a part of their area’s religious community. To this 73.1% said yes, and 26.9% responded no.
This demographic information gives a snapshot of the communities being surveyed. Most teachers had taught in their respective districts over twenty years as well as most teachers originating from the area in which they were teaching. Also most teachers identified themselves as being part of the area’s religious community.

In addition, respondents were given the option to comment on what types of religious speech they had seen or participated. Responses given were: talking about religion during class, student-led prayer, Ten Commandments monuments, students/coach prayer before sporting events, the naming of break periods with religious overtones, saying “under God” in the pledge of allegiance and prayer during graduation ceremonies.

Teachers were also given space to explain their reasoning as to why they believed religious speech in schools was a violation of the First Amendment or not. What follows are examples of the most common responses:

“It is a violation that I am not allowed to practice my religion at work.”

“As long as there are Christian staff members and Christian students in a school, there will always be prayer in school.”
“It [the First Amendment] doesn’t necessarily have anything to do with it as student led initiatives would not be a violation.”

“God/prayer/a moment of silence has been taken out of school. Do I think having these things in school was a violation of the 1st amendment? NO, I do not. Do I agree with having these things taken out of school? NO, I do not.”

“While I believe religious speech in schools is in agreement with the 1st Amendment, I also believe that the application of that right is no more important than the rights of others to NOT be subjected to religious speech.”

“We are a very closed society. Christian beliefs are the only ones taught or encouraged, and probably allowed.”

Responses that said they believed religious speech was a violation of the First Amendment were often ambivalent, as though they knew their opinion would not change the way things were. Those who believed the First Amendment was in agreement with religious speech were often vehement in their sentiment regarding their right to practice religion in schools.

**Conclusion**

This research reveals that most Appalachian educators surveyed believed that religious speech in schools was in agreement with the First Amendment. It also showed that having experience with religious speech in their school made a teacher more likely to believe religious speech was in agreement. Most teachers surveyed had been teaching over twenty years, were originally from the area in which they taught, and/or were a part of the area’s religious community.

This study supports my H₁ research-hypothesis that Appalachians view the use of religious speech in public schools in agreement with the First Amendment. It is not clear if it supports the H₂ as the survey did not include a way to gauge how strongly
educators felt about their belief. It also lends that the culture which sustains the belief is influenced by experience which could be identified as commitment to tradition. This research is limited by the number of respondents, the sampling pool, and the lack of a control group in which to study. However, it is still revelatory of the attitudes of the Appalachians found in Ohio, West Virginia, and Kentucky. In order to get a better grasp of Appalachian attitudes I would recommend a larger survey sent to a more representative group of Appalachians and a control survey sent to non-Appalachian public educators with similar demographics.
Chapter 5: Research Conclusions

Goals

The main goal of this research was to begin to explore how Appalachians view their right to the separation of church and state. As I identified, Appalachia is an under-researched region of the United States with unique cultural perspectives. This led me to ask how Appalachians view the separation of church and state, as outlined in the First Amendment, in the realm of public education because of its predominant place in public society. From this I developed a hypothesis as follows:

- H₀: Appalachians view religious speech in schools as a violation of their First Amendment right.
- H₁: Appalachians view religious speech in schools in agreement with the First Amendment.
- H₂: Appalachians view use of religious speech in schools as a right guaranteed by the First Amendment.

The null hypothesis (H₀) which if supported would indicate Appalachians view the separation of state as most Americans do. The following two hypotheses serve to indicate a difference in the way Appalachians view the separation of church and state, the first (H₁) says that Appalachians see religious speech in schools as something allowed by the First Amendment. The second (H₂) indicates a more intense version of the first, saying that not only is religious speech in schools allowable, but a protected action in which little to no oversight is necessary. In my research I expected to find my first hypothesis (H₁) the most supported.
Method of Research

The method of research for this project was both qualitative and quantitative. The qualitative research was two-fold. First I conducted a case study of the Baker v. Adams County/Ohio Valley Board Education, in which a Ten Commandments monument placed outside of four Appalachian high schools in Southern Ohio was removed through a long process of litigation and community protest. In this case study local and national print media were gathered and coded for values and pre-existing conditions of the local/national community and then the attitudes and behaviors resulting from those values and conditions. These codes were then compared and contrasted between local and national media. This was intended to determine whether the authors of the pieces believed that religious speech was a violation of the First Amendment and why. Following this, I conducted the second portion of qualitative research through interviews with Appalachian public high school teachers in Southern Ohio. These face-to-face interviews were conducted to gain an in-depth look at what types of religious speech teachers had experienced, their knowledge of the First Amendment, and whether they saw religious speech in schools as a violation of the Amendment. The quantitative portion consisted of an anonymous online survey sent to Appalachian teachers throughout Ohio, Kentucky and West Virginia. This survey intended to gauge not only whether Appalachians saw religious speech in schools as a violation of the First Amendment, but also assess whether experience with religious speech influenced their opinions.
Results

This research was successful in gaining more information about how Appalachians view the separation of church and state. Results from this research primarily supported my first hypothesis (H₁) that Appalachians view religious speech in schools as allowable and therefore indicating that Appalachians have a unique view of the First Amendment that is not consistent with contemporary establishment-clause doctrine. From the case study I found that the way the Appalachians in Adams County, Ohio supported the Ten Commandments monuments was through appeals to higher moral authorities and local action. They also relied upon their “rights” which they felt included the right to express their religious views in schools. National supporters of the Ten Commandments monuments supported their arguments more logically and attempted rectification of their perceived injury (removal of Ten Commandments monuments nationwide) through legal channels. Those who did not support the monuments’ continued existence on a local level supported their belief very similarly to their national counterparts, relying upon the First Amendment and separation of church and state doctrine. They too were logical and approached their battle through legal means. In addition to how they phrased their arguments, the media revealed how the audiences they were intended to reach felt about the issue. National media presented a more balanced view of Ten Commandments battles while local media made it clear that most people in the affected area felt the monuments should remain in place. This supports my hypothesis (H₁) by indicating that monuments supporters see religious speech in schools as allowable within the framework of the First
Amendment. In contrast this hypothesis is not supported by those who did not support the Ten Commandments monuments since they opposed their existence because of separation of church and state doctrine. However, this made up a minority of opinions therefore I maintain that the hypothesis is still supported.

In the interviews I conducted I gleaned information about how religious speech in schools presents itself and the issue’s controversy from a teacher’s perspective. I interviewed eight Appalachian teachers located in Southern Ohio. These teachers ranged from one to thirty years of teaching experience and half were originally from the area the taught while half were not. Four of these teachers indicated that religious speech in schools is a soft non-violation of the First Amendment, meaning they believed religious speech was allowed with some exception; one teacher went a step further and said religious speech was a hard non-violation, meaning that religious speech was always allowed in public schools; three teachers indicated that religious speech in schools was a soft-violation of the First amendment, meaning that in general religious speech was not allowed in public schools, with some exceptions to this rule. This supports my hypothesis (H1) because all teachers, whether they saw religious speech as a violation of the First Amendment or not, indicated there were instances when religious speech in schools was in agreement with the First Amendment. In addition, teachers explained how the communities they taught in, by-and-large, felt that religious speech in schools should be allowed in public schools. Where teachers saw the need for oversight was when religious speech was not student-initiated, they worried about the ostracizing effect of school-sponsored religious speech on minority
or non-adhering students. Hence my second hypothesis (H₂) is not supported in this instance.

The survey research I conducted quantitatively supported my hypothesis (H₁) because of the 156 teachers surveyed, 77% saw religious speech in schools as functioning in agreement with the First Amendment. My second hypothesis (H₂) is not supported by this survey because there is no method for gauging whether those responding felt religious speech in schools was subject to at least some oversight. In addition, I tested to see if whether experiencing religious speech while teaching affected a teacher’s opinion about religious speech in schools. The results indicated a difference, but it was small, suggesting there are/is other factor(s) that influence teachers’ opinions more.

When the three prongs of my research are combined they support my claim that Appalachians view religious speech in schools in agreement with the First Amendment. This also indicates that there is an ideological difference in the way the First Amendment is internalized, interpreted and practiced in the Appalachian region.

Challenges, Limitations, and Further Research

This research was challenging in a few ways: first, it is difficult to convince public school teachers to participate in research that discusses a topic so highly contested. Second, my survey and interview research are limited by the number of respondents, as it presents only a view of Appalachian Ohio, Kentucky and West
Virginia in the survey and of Appalachian Ohio in the interviews. Finally, the case study was limited by the inability to access some articles, which were not available online, LexisNexis, or Ohio University’s collection of microfilms. This limitation is due to my standing as an undergraduate researcher. This project was not funded and therefore what could be accomplished had to be done so within the confines of a student budget.

More research into the political rationalizations of Appalachia is necessary for a further and more complete understanding. I would recommend a more in-depth and broad interview and survey process as I felt those were the most revelatory of Appalachian culture and attitudes. This research was centered in Midwest Appalachia. If surveys and interviews were conducted in Northern and Southern Appalachian states they would be more representative of the whole.

Summary & Relevance

From this research it is clear that Appalachia does not function on the same set of rules or same influences as the rest of the United States. This is a region which has resisted analysis and continues to do so by its social positioning as “backwards” and traditional. It is important to understand how people in this region think in order to understand their political leanings and social standpoints. If there is to be economic development in this region, it is essential to know how people are motivated. Motivations inform decisions and if politicians and economic developers wish to “modernize” the region, they would do well to be informed about how those
motivations come to be. Appalachia is traditionally misunderstood; it is time that more researchers, politicians and leaders make an effort to comprehend it.
Appendices

Appendix A: Oral Interview Script (Chapter 3)

**Background**
1. How long have you been an educator?
2. How long have you taught in this district?
3. Are you originally from the area?
   a. If no, what type of area are you from, urban, rural, etc?
4. What subject do you teach?
5. Are you involved in any coaching or leading positions within the school?
6. Are you involved in any coaching or leading positions within the community?
7. Do you attend church in your community?

**First Amendment**
1. What is the 1st Amendment in your own words?
2. In regards to liberties and freedoms, what does the amendment mean to you?

**Religious Speech**
For purposes of our next set of questions, I want to define the term ‘religious speech’ which in our discussion can refer to school-sponsored prayer, student-initiated prayer, religious observances, and school-sponsored religious monuments or erected commemorations.
1. Have you ever witnessed any kind of religious speech while teaching at this school?
   a. If yes, Please describe.
2. Have you ever participated in any kind of religious speech while teaching at this school?
   a. If yes, Please describe.
3. Do you believe religious speech in schools is concordance with or in violation of the 1st Amendment? And why?
4. How do you see examples of religious speech in a school environment affecting students?
5. Do you think your opinion mirrors the community in general?

*This is a script I have designed to guide the interview. If an educator has a particular story they would like to share or their answer requires clarification I will pursue those routes with additional questions.*
Appendix B: Quantitative Method – Online Survey Questions (Chapter 4)

1. How long have you been an educator?
   a. 1-5 years, 5-10 years, 10-20 years, 20+ years
2. How long have you taught in your current district?
   a. 1-5 years, 5-10 years, 10-20 years, 20+ years
3. Are you originally from the area?
   a. Yes/If no, what type of area are you from, urban, rural, etc?
4. What subject area do you teach in?
   a. Arts, Social Sciences, Natural Sciences, Other
5. Are you a part of the community’s religious community?
   a. Yes/no
6. For purposes of our next questions, I want to define the term ‘religious speech’ which can refer to school-sponsored prayer, student-initiated prayer, religious observances, and school-sponsored religious monuments or erected commemorations.

   Have you ever witnessed/participated in any kind of religious speech while teaching at your school?
   a. Yes/no
   b. If yes, check all that apply: school-sponsored prayer, student-initiated prayer, religious observances, and school-sponsored religious monuments or erected commemorations, other
7. Do you believe, in your personal opinion some religious speech in schools is in agreement with or in violation of the 1st Amendment?
   a. It is in agreement with the 1st Amendment
   b. It is a violation of the 1st Amendment
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