

Engel v. Vitale: Preserving the Separation of Church and State

Engel v. Vitale (1962)

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Grade Level	11th – 12th Grade	**Time Frame**	90-120 Minutes
Subject	Social Studies	**Duration**	2 Periods
Course	U.S. Government, U.S. History		

Essential Question

How did the Supreme Court ruling in Engel v. Vitale (1962) shape the interpretation of the First Amendment and impact the role of religion within public schools?

Summary

In this lesson, students review the First Amendment and consider whether or not the separation of church and state can violate the fundamental rights of American citizens. Students then analyze images and complete a Painting a Picture activity. To extend their learning, students read a brief document about Engel v. Vitale and fill out a graphic organizer summarizing key information from the case. On completing the reading, students gather into small groups where they discuss the circumstances in which school prayer may or may not violate individual rights protected by the First Amendment. Finally, students reflect on what they have learned in this lesson to answer the essential question using the It Says, I Say, and So strategy.

Snapshot

Engage- Students review the First Amendment and discuss the separation of church and state during a Think-Pair-Share activity.

Explore- Students analyze images and complete a Painting a Picture activity.

Explain- Students read a brief document about Engel v. Vitale and complete a graphic organizer.

Extend- Students are placed into small groups where they discuss the circumstances in which school prayer does and does not violate the First Amendment.

Evaluate- Students reflect on what they have learned in this lesson to answer the essential question using the It Says, I say, and So strategy.

Standards

Oklahoma Academic Standards (Social Studies: United States Government (9th through 12th grade))

USG.3.10: Analyze historic and contemporary examples of landmark Supreme Court decisions which have addressed and clarified individual rights under the First Amendment, including
USG.3.10C: Engel v. Vitale (1962)

Attachments

- Constructive Controversy Guide—Preserving the Separation of Church and State - Spanish.docx
- Constructive Controversy Guide—Preserving the Separation of Church and State - Spanish.pdf
- Constructive Controversy Guide—Preserving the Separation of Church and State.docx
- Constructive Controversy Guide—Preserving the Separation of Church and State.pdf
- Engel v. Vitale Case Summary—Preserving the Separation of Church and State - Spanish.docx
- Engel v. Vitale Case Summary—Preserving the Separation of Church and State - Spanish.pdf
- Engel v. Vitale Case Summary—Preserving the Separation of Church and State.docx
- Engel v. Vitale Case Summary—Preserving the Separation of Church and State.pdf
- Graphic Organizer—Preserving the Separation of Church and State - Spanish.docx
- Graphic Organizer—Preserving the Separation of Church and State - Spanish.pdf
- Graphic Organizer—Preserving the Separation of Church and State.docx
- Graphic Organizer—Preserving the Separation of Church and State.pdf
- It says, I say, and So—Preserving the Separation of Church and State - Spanish.docx
- It says, I say, and So—Preserving the Separation of Church and State - Spanish.pdf
- It says, I say, and So—Preserving the Separation of Church and State.docx
- It says, I say, and So—Preserving the Separation of Church and State.pdf
- Lesson Slides- Engel v. Vitale.pptx
- Painting a Picture Handout—Preserving the Separation of Church and State - Spanish.docx
- Painting a Picture Handout—Preserving the Separation of Church and State - Spanish.pdf
- Painting a Picture Handout—Preserving the Separation of Church and State.docx
- Painting a Picture Handout—Preserving the Separation of Church and State.pdf

Materials

- Lesson Slides
- Painting a Picture Handout
- Engel v. Vitale Case Summary
- Graphic Organizer Handout
- Constructive Controversy Guide
- It Says, I Say, and So Handout

15 minutes

Engage

Teacher's Note: Trigger Warning

This is a sensitive topic for many people. The goal of this activity is to encourage students to examine their own beliefs and reasoning, as well as other key concepts commonly associated with the First Amendment. Encourage students to discuss and ask questions in a respectful manner, while being open to all ideas.

Examples of these ideas include freedom of expression, private versus public expression of faith, coercion, peer-pressure, voluntary versus compulsory, freedom of religion, freedom of speech, freedom to gather. These are just some rights that might come to mind as things that are often in conflict with separation of church and state.

Introduce the lesson using the attached **Lesson Slides. Slides 4-5** contain the essential question and learning objectives. Advance to **slide 6** and ask students to reflect independently on the following question:

How far is it possible to extend the principle of separation of church and state without violating other fundamental rights?

Next, use the Think-Pair-Share strategy to start student conversations in the class around this question. Once students have had a moment to think about this question, organize students into small groups for further discussion. Each small group should have only two or three people for this brief conversation. Ask students to discuss and exchange ideas in their small groups for a few minutes. After students have finished their small group discussions, take the opportunity to ask if any groups want to share the main ideas of their discussion with the whole class.

When the whole class discussion has concluded, go to **slide 7** and introduce the First Amendment to students. Explain the purpose of the First Amendment and give students the opportunity to read all of the text contained in this section of the Bill of Rights. Once the students have read the text, ask them to think about how the First Amendment is related to the question discussed earlier in the lesson. Answer and clarify any questions or misconceptions students may have and begin transitioning to **slide 8** for the next activity.

Teacher's Note: Close Reading

Be sure to have students carefully examine the text of the First Amendment and explain the significance of the Establishment Clause and Free Exercise Clause to the students.

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

20 minutes

Explore

On **slide 8** take a moment to review the Painting a Picture strategy with the class. Make sure that every student has a copy of the **Painting a Picture handout.**

Explain to students that they are about to view several images related to the separation of church and state, specifically prayer in public schools. Have students independently write down their observations and inferences about each photo in the appropriate column on the handout. Advance to **slides 9-12**. Give students approximately two minutes to examine each photo before advancing to the next slide. When the image analysis is complete, proceed to **slide 13**.

After you have shown all of the images, have students read through their notes and consider the following questions:

- Who is leading the prayer in these images?
- In any of these images, did you get the impression that people are being forced to participate?
- Do these students have any concern that not participating could affect their grades or success in school?

Ask for student volunteers to share responses to these questions with the whole class before moving on to **slide 14** and beginning the next section of the lesson.

Teacher's Note: Optional Tech Integration Opportunity

It may be beneficial to print out copies of the images so that students can look at them more closely or allow them to view the photos using an electronic device.

25 minutes

Explain

On **slide 14**, introduce the landmark Supreme Court case of Engel v. Vitale (1962). Make sure that each student has a copy of the **Engel v. Vitale Case Summary** and the **Engel v. Vitale Graphic Organizer**.

Instruct students to read the Engel v. Vitale summary and use that information to complete the graphic organizer handout. Encourage students to consider the First Amendment while they are reading. Students will use their graphic organizer handout as a reference for the next activity in this lesson.

25 minutes

Extend

Advance to **slide 15**. Pass out a copy of the **Constructive Controversy Guide** to each of the students. Organize students into groups and provide them with the following prompt and guiding questions.

*In what circumstances might **prayer at school events** be considered a violation of separation of church and state and in what circumstances might it not be a violation?*

- Are students forced to participate?
- Is the activity led by students?
- Does the activity occur before or after school?
- Is the activity graded? Will students be punished for participating?

Then have students follow the Constructive Controversy Guide where they will look at an issue from multiple perspectives in order to respond to the prompt.

1. Have students work in groups of two or three to use evidence from the reading to design a scenario in which school prayer **would be** a violation of the First Amendment.
2. Have all groups share their reasoning with the whole class.
3. Then construct evidence-based reasoning for circumstances where it **wouldn't be** a violation of the First Amendment**.**
4. Have the groups share their reasoning with the whole class.
5. Synthesize both sides to form a statement of advice for how to balance the separation of church and state with other fundamental rights.
6. Have all groups share their statement of advice with the whole class.

To sum up the issue, go to **slide 16** to review some court case examples. Use these examples to examine whether students agree with the courts or disagree on the issue and the Supreme Court decisions.

Prayer at school events:

- Abington School District v. Schempp. (1963): In this case, the Supreme Court ruled that mandatory Bible readings or recitation of the Lord's Prayer in public schools violated the Establishment Clause. The Court held that such practices constituted government endorsement of religion.
- Lee v. Weisman. (1992): The Supreme Court ruled that including clergy-led prayer at public school graduation ceremonies was unconstitutional. The Court held that the prayer created a coercive atmosphere and violated the Establishment Clause by endorsing religion.
- Santa Fe Independent School District v. Doe. (2000): The Supreme Court held that student-led and student-initiated prayer over the public address system at high school football games violated the Establishment Clause. The Court determined that the prayers were public speech authorized by a government entity and therefore amounted to government endorsement of religion.
- Kennedy v. Bremerton School District. (2022). Coach-led prayer at a sports game. The Free Exercise and Free Speech Clauses of the First Amendment protect an individual engaging in a personal religious observance from government reprisal; the Constitution neither mandates nor allows the government to suppress such religious expression.

Advance to **slide 17** and have students reflect on the following question:

How do the rulings in these cases about school prayer compare to the statement of advice you created as a part of your Constructive Controversy work?

Teacher's Note: Trigger Warning

This is a sensitive topic for many people. Hopefully, we see students examining their reasoning key ideas commonly associated with the First Amendment such as: freedom of expression, private versus public expression of faith, coercion, peer-pressure, voluntary versus compulsory, etc. Freedom of religion, freedom of speech, freedom to gather, these are some rights that might come to mind as in tension with separation of church and state.

15 minutes

Evaluate

Proceed to **slide 18**. Hand out the **Organizer** for the It Says, I Say, and So strategy. Ask students to reflect on the essential question using the designated columns.

In the “It says” column, students write down the rights outlined in the First Amendment. In the “I say” column, students write down their own thoughts on what this right truly means in practice. In the “So” column, students write down their conclusion on the essential question, “How did the Supreme Court's ruling in Engel v. Vitale (1962) shape the interpretation of the First Amendment and impact the role of religion within public schools?”

https://constitutioncenter.org/the-constitution/amendments/amendment-i/interpretations/264

Resources

- Black, Hugo L. (1962, June 25). Engel v. Vitale. Teaching American history. National Constitution Center. (n.d.). The establishment clause. https://constitutioncenter.org/the-constitution/amendments/amendment-i/interpretations/264
- K20 Center. (2021). It says, I say, and so. Strategy. https://learn.k20center.ou.edu/strategy/1514
- K20 Center. (2020). Think-pair-share. Strategy. https://learn.k20center.ou.edu/strategy/139
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- National Constitution Center. (n.d.). The establishment clause. https://constitutioncenter.org/the-constitution/amendments/amendment-i/interpretations/264