

Religious Rights of Parents and Students in U.S. K-12 Public Education

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Abstract

This paper analyzes the rights of parents to direct the religious education of their children in a U.S. K-12 public school and the corollary rights of students to not be indoctrinated by the school to accept a particular religious belief under the First and Fourteenth Amendments of the U.S. Constitution. It argues that to adequately protect those religious rights the school must first analyze its curriculum to ascertain whether it addresses a "religious issue." If it does, then it must determine whether the issue (a) can be taught objectively so that the effect of the education is religiously neutral, and (b) is being taught in that manner. If the answer to either is negative, then the curriculum should be revised to either exclude the subject or teach it objectively in a manner that will achieve a religiously neutral effect.

To adequately respect the rights, the School must employ the comprehensive Constitutional definition of religion, which includes both theistic and non-theistic religious beliefs. A narrow theistic definition encourages the development of curriculum which excludes theistic views on religious issues while promoting exclusively only competing non-theistic views.

The article then briefly discusses the evolution of K-12 education in the U.S. and its current direction toward a single set of National Education Standards for all subjects for every child in the country. It argues that the National Standards are inconsistent with the religious rights of parents and children because they exclude consideration of theistic beliefs and then seek to teach only competing non-theistic religious views on the issues.

The article next briefly describes specific National Standards relating to origins science, sex education and social studies, which collectively promote the core tenets of Religious ("Secular") Humanism.² The article ends with suggestions that might be considered to effectively respect and protect the religious rights of parents and students in public education.

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I. Introduction

This paper analyzes the religious rights of parents to direct the religious education of their children in a U.S. K-12 public school and the corollary rights of students to not be indoctrinated by the school to accept a particular religious belief under the First and Fourteenth Amendments of the U.S. Constitution.

It extends the ideas and conclusions expressed in two articles published in 2009 and 2013: *Kitzmiller's Error: Using an Exclusive Rather Than an Inclusive Definition of Religion* ("*Kitzmiller's Error*") and *Human Rights in a Secular State Will Depend on its Legal Definition of Religion* ("*Human Rights in a Secular State*").³ The Author is a lawyer whom has specialized since 1999 in U.S. Constitutional law as it relates to public education regarding religious issues.

II. Religious Rights of Parents and Students in U.S. K-12 Public Education

A. The basis and necessity of the rights in a secular state.

*Human Rights in a Secular State*⁴ discusses very generally three types of states. A theocracy is one which endorses and promotes a particular theistic religion, such as Iran where the state actually is an instrument of the religion of Islam. An atheocracy, is one which endorses a non-theistic religion. Examples would be Marxist Russia and North Korea. Theocracies often suppress competing theistic sects while atheocracies suppress theistic religions and beliefs.

A third kind is a "Secular State." Secular means not religious. Thus a secular state purports to be neutral as to religion, not endorsing or favoring any religion or religious belief when a government activity "touches the religious sphere."⁵ It is often the preferred idea in a country populated by a plurality of religious beliefs.

The government activity most sensitive to the "religious sphere" is K-12 public education. In the U.S. parents have the duty to educate their children, but may do so free if they use a public school. The alternatives are limited consisting of costly home or private schooling. Private schools cost an average of \$8,549⁶ per child per year, or \$17,090 for a family with two children. Due to these prohibitive costs, public schooling is effectively compulsory for most parents.

The question then becomes, can a state be truly secular if the public school curriculum promotes or endorses a particular religion or religious belief? It seems not. By teaching a particular religious viewpoint to all children of the state, it would indoctrinate the children and interfere with the natural rights of parents to direct the religious education of their children.

This right is incorporated in the European Convention on Human Rights as it provides that "[i]n the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions."⁷

The religious rights of Parents and Students in the U.S. arise primarily under the First and Fourteenth Amendments of the U.S. Constitution.⁸ The First Amendment states that "*Congress* shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech...." After the Civil War the 14th Amendment was adopted. It prohibits a state from depriving "any person of life, liberty, or

property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." In 1940 the Supreme Court held that the 14th Amendment caused the First Amendment to be applicable to not just the Federal "Congress," but also to any state or local governmental agency, including schools.⁹

Thus, after the 14th Amendment the Supreme Court has construed the two to mean together: "**No governmental agency, whether federal, state or local, shall make any law or policy** respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech." This effectively requires all public K-12 schools to be secular and neutral.

The U.S. Supreme Court case that establishes the religious rights of parents and students in public education is the 1987 case of *Edwards v. Aguillard*.¹⁰ *Edwards* involved a challenge to a Louisiana law that required the teaching of a biblical account of origins called "creation science" whenever the curriculum included an objective discussion of biological evolution. The Court found that the law breached a trust owed by the state to the parents and children:

"The Court has been particularly vigilant in monitoring compliance with the Establishment Clause in elementary and secondary schools. Families *entrust* public schools with the education of their children, *but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family*. Students in such institutions are impressionable and their attendance is involuntary."¹¹ (citations omitted, emphasis added, O'CONNOR, J., concurring.)"

The idea of public education initially was that it would teach only secular subjects and therefore not interfere with the religious rights of parents and students. This was explained by Justice Jackson in 1947 in *Everson v. Board of Education*:

"Our public school . . . is organized on the premise that secular education can be isolated from all religious teaching so that the school can inculcate all needed temporal knowledge *and also maintain a strict and lofty neutrality as to religion*. The assumption is that *after the individual has been instructed in worldly wisdom he will be better fitted to choose his religion.*"¹² (emphasis added)

This is possible when the "temporal knowledge" is confined to subjects like reading, writing, and arithmetic which do not address ultimate religious questions. Thus, by limiting the subject matter of the curriculum it will stay in the secular sphere and not touch on the religious sphere.

The idea of restricting subject matter to achieve secularity was addressed in the famous 1971 case of *Lemon v. Kurtzman*.¹³ In *Lemon* the Court considered a state statute that would reimburse parochial schools for a variety of wholly secular expenses, including the purchase of textbooks deemed to be entirely secular and not religious. In this respect the statute classified the following subjects as "secular" and not religious: "mathematics, modern foreign languages, physical science, and physical education." In addition the statutes prohibited reimbursement for "any course that contains 'any subject matter expressing religious teaching, or the morals or forms of worship of any sect.'" *Id.* The Supreme Court concluded that "in the abstract" this demarcation was secular and neutral.¹⁴ However, it concluded the entire program of providing state aid to religious schools produced an "excessive entanglement" with religion that violated the Establishment Clause.

The case is relevant to this analysis as it recognizes a distinction between secular and religious issues or subjects. The list that was deemed secular and neutral did not include curricula relating to historical origins science or classes in behavioral, health and social sciences that deal with issues regarding human sexuality, the sanctity of life, family, morality and ethics.

B. Subject matter dealing with religious issues must be excluded or taught objectively.

But what if the curriculum is expanded to include subjects that address religious issues like the origin of man and it is structured so that only a theistic view is presented? This was the issue in the 1968 case of *Epperson v. Arkansas*¹⁵ where Arkansas enacted a law that banned the teaching of a materialistic theory of human origins - biological evolution. The court held the law violated the Establishment Clause, because it excluded only one of multiple views of origins, thereby not being neutral. If the law had been fully exclusionary by banning all teaching of origins and not just the materialistic view, the law would have been constitutional.¹⁶ The court also noted that religious materials, including the Bible, can be taught if they are taught objectively so that the effect is neutral.

Epperson shows that if the state wishes to expand the curriculum to teach religious issues, it must teach them objectively so that the effect is religiously neutral.

C. Religious rights require use of a comprehensive definition of religion that includes theistic and non-theistic beliefs.

Religion includes both theistic and non-theistic belief systems. Clear definitions of key words are essential to the protection of religious rights. The words whose popular definitions produce the most confusion are "religion," "secular" and "science." The popular definition of "religion" is the worship of God. However, billions of those who reject or do not worship a creator God are also "religious." This includes Buddhists, Confucians, Various Hindu sects, Jainists, Religious ("Secular") Humanists, Freethinkers, Scientologists, Wiccans and Atheists.

The word "secular" means "not religious." However, when used in the context of a theistic definition of religion, then Buddhists and Religious ("Secular") Humanists are not religious. Given this vulgar or popular definition of religion, a so-called "secular" state may be entirely Atheistic, as was Marxist Russian and as is North Korea.

The definition of science is also important to the definition of religion. If a belief is classified as "scientific" then most assume it to be not religious. The problem is that the word "science" defies definition and has been extended to include opinions and questionable assumptions about religious issues. The Oxford Dictionary of Science, does not include a definition of the word "science," or "scientific."¹⁷

The definitions of religion and science are extensively analyzed in *Kitzmiller's Error and Human Rights in a Secular State*.¹⁸ The modern, accurate and constitutionally required definition of religion has moved during the last 100 years from a popular theistic definition to a comprehensive definition that includes both theistic and non-theistic religions.

The popular definition of religion results from the fact that the U.S. was nearly uniformly theistic until the mid twentieth century. However, in 1933 Charles Potter, John Dewey and others published the Humanist Manifesto which set forth the tenets of non-theistic "Religious Humanism," a modern version of Epicureanism. The religion was to be advanced by inserting it

into public schools.¹⁹ Its tenets include a denial of the supernatural and the idea that life should be led using human reason and materialistic science, not the wisdom of God.

In 1957 the California Court of Appeals held in *Fellowship of Humanity* that fourteen Religious ("secular") Humanist Churches in Alameda County were religious even though they were atheistic. The Court recognized that religion includes many non-theistic belief systems including Taoism, classic Buddhism, and Confucianism. For Judge Peters, a religion "includes: (1) a belief *about* (rather than "in") the supernatural, (2) a system of moral practices resulting from the belief and (3) an organization that advocates and observes the tenets of the belief."²⁰

Since *Fellowship* a number of Courts have found Religious ("secular") Humanism to be a religion and the Supreme Court has recognized it as one.²¹ Similarly, the Courts routinely recognize Atheism as a religion or religious belief.²²

In many cases religious advocates have attempted to insert a non-theistic religious belief into public schools under the guise of "science." The first case was *Malnak v. Yogi*, where a course in transcendental meditation was called the "Science of Transcendental Meditation." The Court disregarded the "science" label and found it to be religious.²³ Similarly, after Humanist Manifesto I proclaimed "Religious Humanism," the author of Manifesto II dropped the "Religious" modifier. When cross examined about what it was if it was not religion, he called the belief system "science," a classification rejected by the Court.²⁴

The issue is important as many opinion-based social subjects have sought and been granted a scientific status even though they are not guided by a scientific method that limits explanations to those which have been empirically derived. Thus, "science" now includes anthropology, archaeology, criminology, economics, education, government, linguistics, political science, psychology, sociology and, in some contexts, geography, history and law.²⁵

The inclusive nature of religion is explained by the Supreme Court in the 1992 case of *Lee v. Weisman*.²⁶ In *Lee* a School sought to characterize a prayer to an "unnamed God" as "non-sectarian," "non-preferential" and therefore neutral. The Court held it was preferential as it favored believers over unbelievers - theists over atheists:

"Many Americans who consider themselves religious are not theistic; some, like several of the Framers, are deists... Thus, a nonpreferentialist who would condemn subjecting public school graduates to, say, the Anglican liturgy would still need to explain why the government's preference for theistic over *nontheistic religion* is constitutional."²⁷

According to Justices Souter, Stevens, and O'Connor in their concurring opinion, the "settled law" is that the "Clause applies 'to each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker[.]'"²⁸ Similarly, in 2005 the Seventh Circuit held that Atheism is a religion.²⁹

A "religious issue" is one that addresses ultimate questions. Analysis of the scope of the religious sphere leads to the question - what is a religious issue? What is the dividing line between religious issues on the one hand and non-religious secular issues on the other?

As explained in *Human Rights in a Secular State* the demarcation between the religious and the secular turns on whether the issue relates to an "ultimate question." Two cases decided by

Judge Adams of the Third Circuit Court of Appeals explain the demarcation - *Malnak v. Yogi*³⁰ and *Africa v. Pennsylvania*.³¹ In *Malnak*, Judge Adams found that a public school course in the "science of creative intelligence and transcendental meditation" (SCI/TM), developed in India by Maharishi Mahesh Yogi, addressed a religious issue because it "concerns itself with the same search for ultimate truth as other religions and seeks to offer a comprehensive and critically important answer to the questions and doubts that haunt modern man."³² However, two years later in *Africa* he found that a prisoner's *ad hoc* belief system that required a special diet was not religious as it did not address ultimate questions. In *Africa* Adams then developed a set of criteria one could use to determine if a belief system was religious:

"First, a religion addresses *fundamental and ultimate questions* having to do with deep and imponderable matters. **Second**, a religion is comprehensive in nature; it consists of a belief-system as opposed to an isolated teaching. **Third**, a religion often can be recognized by the presence of certain formal and external signs."³³ (emphasis added)

The Court further explained that "fundamental and ultimate questions" are those that deal with "certain 'underlying theories of man's nature or his place in the Universe.'" and those "having to do with, among other things, life and death, right and wrong, and good and evil."³⁴ (emphasis added). This idea that religions address ultimate questions was succinctly captured by Justice Frankfurter in *McGowan v. Maryland*:

"By its nature, religion - in the comprehensive sense in which the Constitution uses that word - is an aspect of human thought and action which profoundly relates the life of man to the world in which he lives."³⁵

The Adams criteria are similar to those discussed by Judge Peters in *Fellowship of Humanity* - an organized belief *about* (but not necessarily in) the supernatural and "a system of moral practice directly resulting from an adherence to the belief."³⁶

If all religions address "ultimate questions," then what are they? Roy Clouser, Professor of Philosophy and Religion, identifies and orders ultimate questions in a natural hierarchy. The ultimate of all ultimate questions is the nature of the ultimate reality that is "unconditional" and "nondependent." He refers to this reality as the "Divine." All else is conditioned and dependent on the Divine.³⁷ For the theist, the Divine is a creator God who has made the universe and life for a purpose. For the non-theist, the Divine - the ultimate reality - is self-existing matter, energy and the forces. Theists are teleologists while non-theists are materialists. Teleology is the study of design in nature. Materialism, mechanism, or naturalism is "the doctrine that cause-and-effect laws (as of physics and chemistry) are adequate to account for all phenomena and that teleological conceptions of nature are invalid."³⁸

The ultimate reality or Divine is the answer to the popular statement of the ultimate of ultimate questions - *Where do we come from* - what is the cause of the universe and life?

The next question in the hierarchy of ultimate questions is: "*What is the nature of life?*" This question cannot be answered until the first is answered. For a theist, life is a creation made for a purpose - it has an inherent purpose as it has been "made" or created. All creations have a purpose, end or "*telos*." For the materialist, life is not created; it just *occurs* without purpose due to the interactions of matter, energy and the forces.³⁹

Another key aspect of the second question - what is the nature of life - is what happens when it dies? For the materialist, the answer is simple - the law of entropy guarantees that it disintegrates into a state of disorder. However, many theists believe that life has both a spiritual and physical nature. The spiritual aspect is referred to as the soul that continues after physical death. Since it continues after death, one's behavior during physical life will affect one's spiritual life or soul after death. Thus, many theists believe one needs to live one's physical life in a certain way to ensure a good life after death. However, the materialist need not be concerned with how the living of life before death will affect an afterlife, as there is none.

The third ultimate question is *how should life be led, particularly from an ethical and moral standpoint*. Again, the answer to this question depends on how one has answered the first two questions. The theist relies on reason and the wisdom of God reflected in holy scriptures to guide the living of life. For the Christian, one "must first deny himself, pick up his cross daily, and follow" Jesus, based on scripture and personal experience with Him.⁴⁰ For the non-theist, there is no God to follow or believe. Hence, one should live life to achieve happiness per the use of human reason and materialistic science.

All religions provide answers or solutions to a number of key moral and ethical questions relating to marriage, family, human sexuality and the sanctity of life. The manner in which these issues are resolved depends on one's answers to the prior questions in the hierarchy.

The inclusive definition is necessary for the goal of neutrality to be achieved. A variety of attempts have been made in different contexts to broaden or narrow the definition of religion to achieve a particular goal. They have resulted in a comprehensive, functional and inclusive definition for two reasons. First, as discussed below, it is a fact that many recognized religions are not theistic. Second, a narrow theistic definition of religion is itself not neutral, and the entire goal of the Establishment Clause is to require government to be religiously neutral.

If the definition of religion is gerrymandered to exclude non-theistic beliefs, then those beliefs, which function in the lives of their adherents in the same manner as conflicting beliefs function in the lives of theists, may be systematically endorsed or abridged by the state. The effect is not neutral. Thus a provision designed to secure neutrality and religious freedom actually becomes a tool to deny it. Accordingly, an inclusive definition is necessary.

III. Evolution of K-12 Public Education in the U.S.

A. Initially the "wall" that separated religion from government did not apply to the states or schools.

The early settlers of North America often immigrated to flee governmental establishment of religions that discriminated against their religious beliefs. They then established "colonies" that embraced their religion but subsequently discriminated against late arriving immigrants holding to different religious beliefs. By the time of the revolutionary war all thirteen colonies, except for Pennsylvania, had established a state religion which preferred one sect over others.

After the revolutionary war, the need arose to form a national government. A key issue was which religious sect would the National government support? Also, would the national government be permitted to interfere with the various state religions the colonies had already established? Unwilling to give up their state religions, the Colonies adopted a constitution that forbid the "Congress" of the national government to pass any law "respecting an establishment of

religion or prohibiting the free exercise thereof." Thus the First Amendment was designed to keep the Federal Government out of religion so that the states could freely pursue their own. This then enabled the continuance of state religions that limited religious liberty.

The issue regarding Federal but not state separation from religion was reflected in a famous exchange of letters between Thomas Jefferson and the Danbury Baptist Association in Connecticut. The Danbury Baptists complained to Jefferson about a Connecticut Constitution that permitted the state to prefer the Congregational Church over other sects, including the Danbury Baptists. Jefferson replied that although the First Amendment erected a "wall of separation between Church and [the Congress of the Federal government] state," this "wall" of secularity was not applicable to the states.⁴¹ However, Jefferson expressed his hope that Connecticut would someday voluntarily erect a wall that would separate the state from religion.

As explained under **II.A.** above, the key event which actually imposed the "wall" of secularity on all governments, both state and local, was the 1940 Supreme Court ruling in *Cantwell*⁴² that held that the 14th Amendment imposed the First Amendment on all state and local governments as well, thereby requiring them to all be secular and neutral.

B. Since 1940 public education has systematically walled out theistic religious views while walling in non-theistic religious views.

The exclusion of theistic religious views. Prior to the separation, public schools were governed by local independent school boards elected by parents that typically promoted Christian views. However, since the separation in 1940, a series of Establishment Clause complaints have effectively eliminated theistic views from all public schools. Generally, the Courts have held that any school activity that supports theistic religion may be viewed by an objective observer as state endorsement of "religion."

Thus, to avoid an endorsement schools and other public facilities have systematically excluded theistic activities previously permitted, including: (a) voluntary Bible studies that occur on school premises before the start of school,⁴³ (b) a teacher's silent reading of the Bible in the view of his English class⁴⁴ (c) a teacher's provision for a minute of "voluntary prayer or meditation,"⁴⁵ (d) mention by a student valedictorian of the Student's theistic religious beliefs during her speech,⁴⁶ (e) a kindergartner's reading to his class from his "favorite book" if it is a Bible,⁴⁷ (f) a football coach's "bending a knee" with his team during its voluntary collective prayer before or during the game,⁴⁸ (g) an invocation to an unnamed God at a high school graduation ceremony,⁴⁹ (h) nativity scene,⁵⁰ (i) a copy of the ten commandments⁵¹ to be displayed in a court house, (j) a cross to become a part of a city logo,⁵² or (k) a cross-shaped memorial to a deceased highway patrolman privately erected in a state highway right of way.⁵³

Religious issues have been added to the curriculum, but they are taught only from a non-theistic perspective. As discussed above, the Supreme Court in *Everson* viewed the Public Education system as one in which only secular subjects would be taught, such as "mathematics, modern foreign languages, physical science, and physical education."⁵⁴ Since *Everson* (1947) and *Lemon* (1972), the issues addressed by public school curriculum have been expanded beyond purely secular subjects. They now include subjects that address religious questions such as origins science and behavioral, health and social sciences that deal with issues regarding human sexuality, the sanctity of life, family, morality and ethics.

Modern curricula actually lead children to ask and answer "compelling questions"⁵⁵ which deal with all of these religious issues. The question then becomes whether it also "objectively" provides children with all of the information necessary to make an informed decision about the matter so that the effect of the teaching is religiously neutral. Also, are the "compelling questions" presented when their minds are (a) cognitively mature and (b) knowledgeable, so that they may make an informed decision? The need for a cognitively mature mind that is knowledgeable is essential for informed decision making about abstract, highly complex and controversial issues. Origins science falls into that category as well as teaching about human sexuality, family, and moral and ethical behavior - how a "good citizen" should act.

Another significant change is that previously religious issues might arise in isolated instances for brief periods during the 13 year course of public education. Thus, teaching about origins science might be confined to a week or two in a tenth grade biology class after the student (a) had formed his religious worldview at home, (b) had mentally matured, and (c) had acquired the background knowledge sufficient to make his own decision about the matter. Today, this isolated occasional intrusion into the religious sphere is being comprehensively expanded through the implementation of an aligned set of national education standards designed to be taught incrementally, progressively and non-objectively to every student in the country, beginning in Kindergarten for the entire 13 year educational experience of the child with the goal of actually establishing in the child a "worldview" that embraces the core ideas that are taught.⁵⁶

Although this formula may make good sense pedagogically with certain subjects like mathematics and English grammar, when applied to matters of opinion, and particularly religious matters, it becomes an instrument for systematic indoctrination in the worldview. This is inconsistent with the right of the parent to direct the religious education of the child and the right of the child to not be indoctrinated by the state to accept a religious viewpoint. A program of nationalization also moves the educational decisions from the parents and thousands of competing independent school boards to an undefined relatively small group of educators, that likely embrace a common set of non-theistic religious beliefs.

The inherent religious problem with the National Standards is that they implicitly define religion as just theistic. They then employ a strategy of Establishment Clause compliance that excludes "religion" by excluding only the theistic viewpoints. The non-theistic views are taught exclusively as "secular" when they actually promote non-theistic religion.

The *Common Core State Standards* for English and Math (CCSS) were released for adoption by states on June 2, 2010.⁵⁷ "By November 2013 a total of 45 states and the District of Columbia had adopted the CCSS in both subjects,"⁵⁸ induced in part by U.S. Department of Education monetary grants⁵⁹ and waivers of non-compliance with the requirements of No Child Left Behind.⁶⁰ Although the standards in Math and English do not explicitly address religious issues, they provide the foundation for national standards for all students in all other subjects.

Thus, the 2012 *Framework for K-12 Science Education* was designed to take advantage of the success of the CCSS and to align science standards with the math and English standards. As of May 2015, twelve states had explicitly adopted the Science Framework and Standards.

In 2012 the *National Sexuality Education Standards* were published "to promote the institutionalization of comprehensive sexuality education in public schools" that were "informed by... the Common Core State Standards for English Language Arts and Mathematics."⁶¹ Although all states have standards on sexuality education, it is uncertain as to the number of

states that have adopted or incorporated the National Sexuality Education Standards as they were recently "developed to address the inconsistent implementation of sexuality education nationwide and the limited time allocated to teaching the topic."⁶² National Social Studies State Standards, released in 2013, were also designed to be aligned with the Common Core Standards and their acceptance by the states is yet to be determined.⁶³

A metaphor one might use for this project if it is successfully accomplished is a double bacon burger to be fed daily to every child in the US beginning at age 5. The top and bottom buns are the math and English standards. They hold the meal together but do not provide it with the flavor. In between one will find a half pound of meat consisting of the Science standards which promote a materialistic/Atheistic worldview. Non-theistic Sex Education and Social Studies Standards provide the bacon, pickles, lettuce and mustard (or catsup and mayo if one prefers) that promote non-theistic values regarding human sexuality, family, sanctity of life, social justice, and environmentalism.

The following table reflects the religious issues addressed by National Education standards, the curricula that deal with the subject and the competing included non-theistic views and excluded theistic views. The included non-theistic views match the tenets of Religious ("Secular") Humanism.

National Standards that Address Religious Issues Using an Exclusive Theistic Definition of Religion

<u>Religious Issue Addressed</u>	<u>Curricula</u>	<u>Included Non-theistic/Atheistic Views</u>	<u>Excluded Theistic Views</u>
1. Where do we come from?	origins science	Matter - unguided evolutionary process	Creator God who made the universe and life for a purpose.
2. What is the nature of life?	origins science	It is a physical occurrence that ends on death	It is a creation made for a purpose that includes a soul that continues after death.
3. How should one decide to live life?	sex education, psychology, anthropology, social studies	Use reason and science - make evidence-based decisions. "Good and evil," are relative concepts that change with history and culture.	Use God's wisdom derived from scripture and personal experience along with reason and science. Do good and avoid evil, as reflected in "natural law" and the wisdom of God.
4. Goal of life	sex education, psychology, anthropology, social studies	"To live life well and fully." "Working to benefit society maximizes individual happiness."	Various. Christians set goals via a selfless personal relationship with Christ: To have "life" one must "deny himself and take up his cross daily and follow me." (Matt 16:24-25)
5. Human Sexuality	sex education	Children should make "safe" reasoned decisions about sex.	Obey religious tenets and laws about sexual activity to optimize the mental and physical health of the individual, family and culture.
6. Family - Marriage, divorce, duties of mother, father, children and extended family.	sex education, psychology, anthropology, social studies	The family is a very broad concept and includes many different relationships. One should be "tolerant" of another's choice of sexual relationships	God has defined family relationships through natural and scriptural revelation. Thousands of years of human experience show that God's plan optimizes the mental and physical health of the individual, the family and the culture.
7. Sanctity of Life	sex education, psychology, anthropology, social studies	Use science and reason to make decisions. Abortion is a woman's choice.	Abortion: Depends on one's interpretation of scripture. Many believe life begins at conception in the womb and may not be taken by the mother.
8. Other issues of ethics and morality.	sex education, psychology, anthropology, social studies and environmental science	Use science and reason to make decisions. Act to reduce suffering, improve society, and develop global community. Seek to minimize the inequities of circumstance and ability, and support a just distribution of nature's resources and the fruits of human effort. Protect nature's integrity, diversity, and beauty in a secure, sustainable manner.	Various. The Christian religion is focused on selfless service to Christ: To have "life" one must "deny himself and take up his cross daily and follow me." (Matt 16:24-25; Mark 8:34-35; Luke 9:23-24). Christians may decide ethical and moral issues based on the answer to the question: "What would Jesus do?"

The following section discusses the issues presented in the chart in more detail.

IV. National Education Standards Address Religious Issues Without Objectivity

A. National Standards for teaching materialistic origins science interfere with the religious rights of Parents and Students.

Origins science, unlike math, physics and chemistry, addresses the ultimate questions core to all religions. Where do we come from, a creator God or simply self-existing matter, energy and the forces? This question is addressed in cosmological, chemical and biological evolution. Along the way the second question is asked and answered - what is the nature of life? Is it a creation made for a purpose that continues spiritually after physical death or is it a mere purposeless occurrence that ends on death without an afterlife?

Answers to these questions provide the foundation for the third key question - how should we live life and what should be the basis for making those decisions? Should we rely on science, reason and the natural and scriptural revelations of religions that have been tested by thousands of years of human experience, or should we rely only on "reason" and materialistic science?

Modern origins science is historical, materialistic, functionally Atheistic and not objective. If origins science was itself an objective non-controversial empirical science that depended only on observations and experimentation for its explanations, then it could be taught by a neutral state even though its explanations were inconsistent with a particular religious viewpoint. This is because its explanations would be inherently objective. That objectivity would render the state's teaching neutral as to religion, as the facts would establish the absence of religious bias.

However, explanations provided by most institutions of science about the origin and nature of life and the universe are inherently non-objective for two reasons. The explanations are necessarily materialistic and functionally Atheistic because they are based on a seldom mentioned doctrine called methodological naturalism ("MN"). MN is also called "scientific materialism" or "mechanism." MN requires one to assume that the apparent design of many natural objects and systems is just an illusion, and that all natural phenomena are due solely to the interactions of matter, energy and the forces.

MN was explained in 1997 by Richard Lewontin, a prominent geneticist and evolutionary biologist, as "*a priori commitment, a commitment to materialism*. It is not that the methods and institutions of science somehow compel us to accept a material explanation of the phenomenal world, but, on the contrary, that *we are forced by our a priori adherence to material causes* to create an apparatus of investigation and a set of concepts that produce material explanations, no matter how counter-intuitive, no matter how mystifying to the uninitiated. *Moreover, that materialism is absolute, for we cannot allow a Divine Foot in the door.*"⁶⁴ (emphasis added)

The second reason origins science is controversial is that it is a subjective historical rather than an empirical science. MN essentially requires an Atheistic historical narrative or "just so" story with respect to deeply religious issues. Its tunnel vision requires that the history be written such that no events are due to an intervening mind or intelligence.

As explained by evolutionary biologist Ernst Mayr in 2000: " Evolutionary biology, in contrast with physics and chemistry, is a *historical* science – the evolutionist attempts to explain events and processes that have already taken place. *Laws and experiments are inappropriate techniques for the explication of such events and processes. Instead one constructs a historical*

narrative, consisting of a tentative reconstruction of the particular scenario that led to the events one is trying to explain."⁶⁵ (emphasis added)

Historical sciences depend on abductive reasoning to determine the best of competing explanations for the cause of unobserved and unobservable past events. Accordingly, historical narratives reduce to opinions not facts. The opinions are expressed in probabilistic terms - event A was "most likely," or "beyond a reasonable doubt" caused by X. A third possibility is "we don't know" - we lack the evidence necessary to reasonably determine a "best explanation" for the cause of event A.

Origins science is like forensic science that seeks to determine the cause of a death. Was the death more likely due to an accident, natural or an intelligent cause (suicide or homicide) or do we lack the evidence sufficient to close the case in favor of one of those explanations? However, in origins science we seek to explain the cause of life rather than the cause of a death.

The origin of the Universe, of life and much of the diversity of life is mysterious because the Universe and Life appear designed. The mystery in Origins Science is that both the universe and life give the appearance of having been brilliantly designed for a purpose. The evidence shows that the universe is not infinite, but rather it started with a beginning or "big bang," 13.5 billion years ago. Out of the "bang" emerged matter, energy and forces having very precise characteristics. These elements give the appearance of having been fine-tuned for life. Alter any of the forces or the characteristics of matter or energy by a smidgen and life would not exist. Probabilistic calculations reveal that chance is an implausible explanation. The laws of physics and chemistry also fail to explain the event as it produced those laws. This suggests that the universe may be due to an intelligent cause, an inference recognized by Francis Collins, Martin Rees and Paul Davies.⁶⁶

Similarly, the origin of life reflects a biological big bang out of which information processors of unimaginable sophistication and complexity arose. *E. coli*, the simplest form of bacteria, uses an operating system more robust in its "architecture" than the Linux Operating System⁶⁷ and the genetic code has been found to exhibit "Eerie Perfection," the best of millions of possibilities.⁶⁸ Richard Dawkins, explains that "Biology is the study of complicated things that give the appearance of having been designed for a purpose"⁶⁹ and that the design is "brilliant."⁷⁰

This then raises the core question of origin science. Is the apparently "brilliant design" of the universe and life real or an illusion? Is it an illusion like the illusion of a rising sun which has been disproved by observation? The current state of our actual scientific knowledge is that we simply do not know the answer to the question - origins science is a case not closed. We do not know if these origins events are due to accidental, natural or intelligent causes.⁷¹

As a consequence of both the nature of origins science as an historical science and use of the tunnel vision of MN in writing the history, the opinions regarding origins provided by modern institutions of science are not objective. Rather MN causes the two ultimate questions to be answered with materialistic/Atheistic explanations.

New National Science Standards seek to establish a materialistic/atheistic religious "worldview." Formerly origins science might be taught for a couple of weeks in a tenth grade biology class in isolation from other subjects. Thus, by the time the student had learned about a materialistic "core idea" of origins he had already formed his worldview.⁷² However, a new *Framework for K-12 Science Education*⁷³ (the "Framework") and related *Next Generation*

*Science Standards*⁷⁴ ("Framework & Standards" or "F&S") are designed to establish in the child a materialistic/functionally atheistic worldview, by teaching the materialistic "core idea" of cosmological, chemical and biological evolution incrementally, progressively, comprehensively, and deceptively throughout the student's entire K-12 educational experience, beginning in Kindergarten along with other aligned subjects.

The inheritance of traits is to be introduced in Kindergarten. Each year another concept is added. The F&S are based on psychological studies that recognize that children intuitively develop a "misconception" that life is designed by a creator. Inexplicably the curricula standards are structured to change the misconception by the end of middle school when the child is 13-14. The psychological studies that form a part of the basis for the F&S recognize that it is not an easy task as materialistic evolution is counterintuitive. However, educational psychologists find that impressionable children tend to naturally accept what authority figures tell them is true. Eventually, like their teachers, they will embrace materialistic explanations of the key questions of life - where do we come from and what is the nature of life.⁷⁵

The F&S explicitly seeks to establish in all students in the U.S. a "scientific worldview."⁷⁶ However, because it employs MN it is one that is actually materialistic and functionally Atheistic. This worldview is then designed to cohere with and be aligned with all other curriculum. Since many of the subjects involved in other curriculum are themselves classified as science - social science, health science, behavioral science, anthropology - all of the other curriculum becomes a vehicle to promote the scientific worldview that is materialistic.

Although the F&S includes policies designed to promote equity and non-discrimination with respect to students on the basis of sex, race, ethnicity, socio-economic status, language and disability, it makes no provision to prohibit discrimination based on religion, thereby allowing the F&S to promote exclusively a non-theistic religious worldview.⁷⁷

The F&S make no provision to cause students to adequately understand and appreciate that MN is used. Nor does the program seek to explain the effect of the use of MN on the explanations students are led to accept about where they come from and the nature of life. Indeed MN cannot be meaningfully disclosed until the mind of the child is both mature and filled with the necessary background knowledge, a time after middle school when the children have already unwittingly formed their materialistic worldview.

To adequately disclose MN, the curriculum must disclose the banned teleological alternative and the evidence which supports it. In a stock offering an investor must be shown the other side of the story or "historical narrative" essential to an informed investment decision. However, the F&S are designed to lead children to believe that there is no other "reliable" side to tell, when in fact the teleological argument is based on functional patterns in nature that appear brilliantly designed for a purpose, that are not attributable to physics and chemistry and that have not been shown to be due to chance using statistical analysis and probability theory.

State adoption of such an extensive, sophisticated, and comprehensive policy of religious indoctrination of students in the garb of science education would seem contrary to the religious rights of students and their theistic parents.

B. Non-theistic Sex Education interferes with the religious rights of Parents and Students.

Sex education addresses ultimate religious questions about how life should be lived. Sex education is another subject not included in the list of "secular" subjects mentioned in the *Lemon* case. It is typically taught in health science classes. However, it is now being expanded by *National Sexuality Education Standards*⁷⁸ to be taught progressively throughout the child's 13 year educational experience.

Based on our answers to questions about the cause and nature of life, religions then explain how we should live our lives, ethically and morally. The most profound of these issues deal with tenets about the basis for one's decision making - what starts the decision tree - do we use the wisdom of God or science and reason? Next are tenets about human sexuality - when, how and with whom may one engage in a variety of sexual activities - then decisions about family and the duties of members of a family, and finally decisions about the sanctity of life, including abortion.

An extensive article in Wiki explains that "[m]ost world religions have sought to address the moral issues that arise from people's sexuality in society and in human interactions. Each major religion has developed moral codes covering issues of sexuality, morality, ethics, *etc.* These moral codes seek to regulate the situations which can give rise to sexual interest and to influence people's sexual activities and practices."⁷⁹ Even non-theistic Buddhists are to "refrain from sex outside marriage," as the "Buddha is said to have admonished his followers to avoid unchastity' as if it were a pit of burning cinders."⁸⁰

An article in *Psychology Today* shows that Religious Humanists, have a significantly different view of sex - one typically advanced by Comprehensive Sex Education:

"As opposed to conservative Christian beliefs about pre-marital sex, the secular humanist view—**which is atheistic or, better, non-theistic**—doesn't start with 'pre-ordained' assumptions about right and wrong but attempts to understand this basic libidinal drive holistically. By seeing sexuality not from the perspective of **established religious dogma**, but from a bio-socio-cultural vantage point, humanists **endeavor to help young people better** grasp the complex nature of sexual intimacy. To prompt them to consider the various ramifications—ethical and otherwise—of unrestrainedly letting loose their libido. And to have them question whether giving **unmitigated expression** to their erotic impulses is finally in their best interests."⁸¹ (emphasis added)

Sex education address all of these religious issues, including: "What is a family, and does family include unmarried couples whether or not heterosexual?;" "Is having sex a decision a child may make?" "When is it appropriate for a child to decide to have sex, if at all?" "With whom is it appropriate for a child to have sex, if at all?" "What sexual acts are OK?" "When one has sex how should it be done 'safely?'" "What does "safe sex" mean?"

Since religions take a position on all of these issues, then how can a school address these issues and still preserve the religious rights of parents to direct the religious education of the child and the right of the child to not be indoctrinated by the state? How should sex education be taught, if at all? Can these subjects be taught objectively and neutrally to a five year old or a ten year old, or to a thirteen year old? When the curricula strays into religious issues relating to when, with whom and how one may have sex and whether abortion is a permissible solution to

an unwanted pregnancy - is it even possible to teach all the various religious views about it objectively so that the effect is religiously neutral?

Most sex education incorrectly assumes the subject is not religious. The difficulty with modern sex education is that it treats the subject as if religion was not at issue. In fact the issue of human sexuality goes to the very heart of religion as it addresses fundamental questions about morality, marriage, family, parenting, and the sanctity of life.

National Sexuality Education Standards do not mention the word "religion" except as one of many influences that may impact a child's decisions regarding the child's "expression of gender, sexual orientation and identity."⁸² Since sex education is classified as health "science," it is implicitly not treated as a religious issue.

A number of problems arise from a "scientific" classification of sex ed. First, modern science, as discussed previously, uses a materialistic assumption that permits only materialistic/Atheistic explanations. When sex is treated as science, it will be treated within a functionally Atheistic frame of reference. God did not create human sexuality in a particular way for a purpose, it just occurred via unguided evolutionary processes.

Secondly, since "science" is supposed to be empirical, students will be misled into believing that the non-theistic "scientific" explanations are valid while the theistic religious views may be disregarded as simply faith based dogmas, not empirically derived and evidence-based, and therefore not reliable.

Third the scientific and not-religious classification permits the total exclusion of theistic views as "religion" (defined exclusively as only theistic). Since the subject is health science and not "religion," then "religious" views, all of which happen to be theistic, may be systematically excluded. Otherwise the state would be endorsing "religion."

The standard curricula are implicitly grounded in the argument that one should act based on "reasoned" and "evidence-based" scientific conclusions, not unreliable "faith-based" adherence to religious dogmas. This is the core tenet of Religious ("secular") Humanism - life should be led based on science and reason. The inherent problem with reason is that its output is only as good as its input. If the so-called "evidence-based" input is faulty, so too will be the output - garbage in garbage out.

So-called "evidence-based" input regarding human sexuality can easily be garbage as the input also depends on emotions, fallible human speculations, assumptions and opinions and often on a dearth of human experience. On the other-hand, the rejected so-called "faith-based" conclusions are ones that have actually been tested by thousands of years of human experience, have been embraced by Eastern Religions, and have been shown by human experience to actually optimize the mental and physical health of the individual family and culture.

The following very briefly discusses two kinds of Sex Ed Curriculum - Comprehensive Sex Education and Abstinence Till Marriage (ATM).⁸³ The Comprehensive curricula is incorporated in *National Sexuality Education Standards*, designed to be taught uniformly by all schools to every child in the US.⁸⁴

Comprehensive Sex Education. Comprehensive Sex Education is comprehensive as it addresses practically every issue regarding human sexuality one might imagine, to include how,

when, where and with whom one may engage in sexual activity. The sanctity of life enters the discussion as abortion is discussed as a "family" planning option.

Although the issues are comprehensive, the discussion is not as it omits traditional theistic views.

Modern curriculum reflected in *National Sexuality Education Standards* begins the education in Kindergarten. At age 5, children are taught that they have the right to not be touched by others "when they do not want to be touched."⁸⁵ However, many religions and even the criminal law simply do not permit any sexual touching, regardless of whether the child "want[s] to be touched." Furthermore, the age of the "toucher," is not limited to adults, but includes other children. Thus the child does not have the right to touch their friends in particular ways and places even if the friend wants to be touched.

Psychology Today explains that theistic and non-theistic religions have different views about touching: "Andersen notes that Atheists and agnostics touch more than religious types, 'probably because religions often teach that some kinds of touch are inappropriate or sinful.'"⁸⁶

A regional state conference on Comprehensive Sex Education in 2004 addressed a critical issue - what should children be taught about *when* it is permissible for them to have sex - when does the light turn green for them? The discussion was fascinating as the question addressed the more fundamental question of what is "love?" There appeared to be a consensus among the educators that love should precede sex. Hence, sex is OK if it is romantic and not promiscuous. But what is "love?" The instructor suggested that true love certainly does not occur on the first day of school, but might occur by spring break. Also, one should not engage in it with a "shark," but rather should find a personality like that of a "dolphin."⁸⁷ The discussion did not mention laws that make it criminal for anyone, including other children, to have sex with a child below a specified age, which in some cases is the age of 18.

The following are summaries of some of the concepts that *National Sexuality Education Standards* expect children to learn during the age of five to seven and in middle school:

"By" age 7 students should know:

"[H]uman sexual anatomy," "*different kinds of family structures*," "ways to show respect for different types of families;" "healthy ways for friends to express feelings to each other;" "why bullying and teasing [about homosexuality is] wrong;" that you "have the right to tell others not to touch [you] *when [you] do not want to be touched*;" "how boys and girls may be expected to act;" and "how friends, family, media, society and culture [but not religion] influence ways in which boys and girls think they should act."

Between 11 and 14 students who will not be legally able to consent to engage in any sexual activity until the age of 16-18 should know:

How to make good decisions about engaging in sexual activity, the differences "between gender identity, gender expression and sexual orientation" and "the range of gender roles" and how to "promote dignity and respect for all people in the school community;" that "sexual intercourse" includes anal and oral sex, the physical health benefits, risks and effectiveness of "various methods of contraception," and "pregnancy prevention," "negotiation skills about the use of contraception," "emergency contraception" (the morning after pill), "the use of effective communication skills to reduce or eliminate risk for STDs, including HIV." "the characteristics of healthy and unhealthy relationships,"

the "differences between friendships and romantic relationships," "communication skills that foster healthy relationships," how "to communicate personal boundaries," "behaviors that constitute bullying, sexual harassment, sexual abuse, sexual assault, incest, rape and dating violence," who are "trusted adults" that one may communicate with "about bullying, harassment, abuse or assault," and that you have the right to not be touched if you "do not want to be touched."⁸⁸ (emphasis, strikeouts and bracketed material added)

The high school standards include a discussion of abortion, defined as nothing more than "a medical intervention that ends a pregnancy." The Random House College Dictionary defines it as "the removal of an embryo or fetus from the uterus in order to end a pregnancy." Many religions consider an abortion to be the taking of the life of another, as life is believed to begin at inception. Students in High School are to "Compare and contrast the laws relating to pregnancy, adoption, abortion and parenting," thus educating students on how to have one if they decide to do it. Notice only the "laws" are to be analyzed, not the various religious views about the matter. Nor do the standards suggest a discussion of the impact of an abortion on the long term mental health of the mother, which includes the symptoms of post traumatic stress disorder (PTSD).⁸⁹

The Comprehensive Sex Ed model implicitly assumes that decisions about sex are not to be guided by "parochial" scriptures, but rather by reason and logic. The goal is to focus on the teaching of "*functional knowledge* and essential *personal and social skills* that contribute directly to *healthy sexuality*."⁹⁰ (emphasis added)

The program is problematic because it ignores the fact that the issue is religious and not entirely secular. Therefore, the state should not take a position (other than one required by law) on how, when and with whom a child may have sex and what is "healthy sexuality." Otherwise it interferes with the religious rights of the parent and the student. Secondly, it assumes that children have the capacity to make good decisions, when in fact their decision making capacity does not fully mature until the mid twenties when the frontal cortex finally completes its development. Finally, the law simply does not permit a child to decide to have sex until the age of consent - 16 to 18. Thus to imply that it is permissible for a child to decide to have sex at an earlier age amounts to a tacit permission to break the law.

Abstinence till Marriage Sex Education. Abstinence till marriage sex education (ATM) implicitly assumes that children should be guided to abstain from sex until they enter into a binding marriage commitment. Notwithstanding this guiding principle, the curricula does call for an objective discussion of laws regarding prohibited sexual activity, STDs, methods of contraception and the consequences of premarital pregnancy. Thus, the program is designed to assume that many children will not in fact abstain although they should be encouraged to do so.

The ATM program is in many respects consistent with the tenets of both traditional theistic religion, but also many non-theistic religions like Buddhism. However, it is inconsistent with even stricter tenets of some theistic religions like Islam, and obviously is inconsistent with many non-theistic religions like Religious ("secular") Humanism, Atheism, and Wicca. So even the ATM curriculum may implicitly interfere with the religious rights of non-theistic parents and the right of the child to not be indoctrinated.

Sex Ed that Respects the Religious Rights of Parents and Children. To effectively protect the religious rights of parents and students it may be necessary for the state to abstain from sex education until children reach an appropriate age. Curriculum that limits the discussion to STDs and contraception following puberty may be areas that permit objective treatment

without offense to religious rights. Parents should be informed of exactly what their children will be taught, when they will be taught and who will be teaching them. Their rights will also be respected by seeking their written consent prior to the teaching.

C. Non-objective Social Studies interferes with the religious rights of Parents and Students.

Social Studies include a number of subjects that address religious issues. These include (a) the morals and ethics deemed necessary to be a “good citizen,” including issues regarding human sexuality, discrimination, family, care for the environment, and “social justice” and (b) the impact of various religions on civilization and how globalization is affecting religious views and values.

As with other “sciences,” social studies curricula often treat the subject as a not-religious or secular “science” that promotes only non-theistic solutions to the problems of humanity. As explained under origins science, modern institutions of science use methodological naturalism (MN), a doctrine that assumes that the ultimate reality is self-existing matter, not a creator God. Given the absence of a creator God, one should use reason and materialistic science to solve the problems of life – not “parochial opinions.”⁹¹

This idea, which reflects the core tenet of Religious (“Secular”) Humanism, appears to be the basis of the *College, Career, and Civic Life (C3) Framework for National Social Studies Standards*,⁹² developed by the National Council for the Social Studies. According to the *C3 Framework* “students need the intellectual power to recognize societal problems; ask good questions and develop robust investigations into them; consider possible solutions and consequences; separate evidence-based claims from *parochial opinions*; and communicate and act upon what they learn.” (emphasis added)

The *C3 Framework* is general and ambiguous by design; that is, it has no real content (specific learning objectives). It simply suggests ways in which social studies should be taught – emphasizing such concepts as critical thinking, collaboration, and inquiry. All of the actual learning objectives must be supplied by the states that develop their standards. Thus the *C3 Framework* doesn’t provide specific guidance on religious issues. States could choose to stress theistic religious concepts or else ignore them entirely. But overall the *C3 Framework* tends to emphasize reasoning skills that do not mention traditional theistic ideas. For example:

“Preparation for civic life. Advocates of citizenship education cross the political spectrum, but they are bound by a common belief that our democratic republic will not sustain unless students are aware of their *changing cultural and physical environments*; know the past; read, write, and think deeply; and act in ways that *promote the common good.*”⁹³ (emphasis added)

Yes, cultures change – but perhaps values should not. However, the *C3 Framework* operates in an environment in which values are relative, depending on the person and the situation. Nothing is constant and absolute; the message is that we must be flexible to adapt and evolve with the times. And who determines the “common good”? The government, the majority, or traditional theistic principles?

“Now, more than ever, students need the *intellectual power* to recognize societal problems; ask good questions and develop robust investigations into

them; consider possible solutions and consequences; *separate evidence-based claims from parochial opinions*; and communicate and act upon what they learn.⁹⁴ (emphasis added)

“Evidence-based claims” are those made using science and reason. In today’s culture the wisdom of scripture and Judeo-Christian principles are viewed as old-fashioned and obsolete. In modern society the “parochial” views of theistic parents and students are often ignored or portrayed in an unfavorable light. Students learn in social studies that cultures change, and therefore one’s religious precepts should evolve as well to more intellectually suitable beliefs.

The National Council for the Social Studies has also published *National Curriculum Standards for Social Studies*.⁹⁵ *NCSSSS* is a “framework for professional deliberation and planning.” *NCSSSS* does have some content (learning objectives), but these tend to be broad and not very specific. Nevertheless, one can gain a better understanding of the philosophy of social studies from *NCSSSS* as compared to the *C3 Framework*.

NCSSSS divides social studies content into ten *themes*. Learning objectives from some of these themes, as described below, often show a lack of regard for traditional theistic principles:

Culture. *NCSSSS* states: “By recognizing various cultural perspectives, learners become capable of understanding diverse perspectives.” *Multiculturalism* starts with the premise that all cultures are equally valid. However, cultural equivalence is a myth; the fact is that some cultures have moral and ethical values that many find abhorrent.

Time, Continuity, and Change comprise the *history* theme. History is a narrative of the past that may be written or constructed through omission and misrepresentation to support a particular belief or view. Given the non-theistic bias, many theists complain about history curricula that emphasizes exploitation of indigenous peoples, colonial expansionism, victimization (of minorities, the working class, and women), the lives of “ordinary” people, and social justice rather than the impact of Christianity that has shaped Western civilization.

People, Places, and Environments comprise the *geography* theme. Students study *physical* geography along with extensive coverage of *environmental* geography. The theme supports activism to reduce man’s use of natural resources and to promote globalism and sustainability. But the discussion lacks an objective description of the effects of human activity on climate change or of the competing ideas of governmental control versus individual liberty.

Individual Development and Identity is a theme that explores *human behavior and development*. Students learn that “individual choices are influenced by personal and social factors.” They are not led to acquire their basic value system at home (from parents) and in their religious community. When discussing human development, particularly values and ethics, only non-theistic views are suggested for consideration.

Individuals, Groups, and Institutions is a theme that explores *interactions* between individuals and groups or organizations. Students look at *conflict* and how to deal with it, but no specific approaches or methods are recommended. As in the previous theme, there is no consideration of theistic principles of ethics and morality.

Power, Authority, and Governance is a theme that focuses on the workings of *government*. Students study the “fundamental values of constitutional democracy (*e.g.*, the common good,

liberty, justice, equality, and individual dignity).” However, it lacks any mention of traditional theistic values, despite the fact that the American system was based on Christian principles.

Global Connections. *Globalization* is a ubiquitous theme, along with the sub-themes of *universal human rights*. However, there is no mention of the view that fundamental rights come from God rather than governments.

Civic Ideals and Practices. This is the *civics* theme. Rights and responsibilities of citizenship are listed: “respecting the rule of law and due process, voting, serving on a jury, researching issues, making informed judgments, expressing views on issues, and collaborating with others to take civic action.” This is a good list for participation as a citizen in the workings of government, but it says nothing about the personal characteristics of a citizen. Many believe that for a democracy to succeed, its citizens need to assume personal responsibility for themselves and their family. This includes a strong work ethic and a caring attitude. Instead, the standards emphasize social justice and wealth redistribution.

The difficulty with National social studies standards is that they assume a completely non-theistic context, while essentially endorsing all of the tenets of Religious ("Secular") Humanism. To protect the religious rights of theistic parents and children, as a minimum, the theistic context needs to be objectively included such that the overall effect is religiously neutral.

V. **Suggestions for the protection of the Religious Rights of Parents and Students**

Since the state enters the religious sphere when it teaches origins science, sex education and social studies, the curriculum needs to be designed to teach the subjects objectively to protect religious rights. The following are general suggestions for such a difficult task.

1. The audience should be mature and knowledgeable. Curriculum dealing with religious issues such as origins science, sex education and controversial areas of social sciences should be delayed until the child has (a) formed a basic religious worldview per the direction of parents, typically by age 13, and (b) has the basic background knowledge necessary to understand and make an informed decision about the matter.

2. The audience should know a religious issue is involved. Students should be adequately informed that the curriculum they are about to be taught address opinions regarding religious issues. They should also know that the issues have not been decided by the state or by science, that explanations about origins, sex education and what it means to be a "good citizen" often reduce to controversial opinions rather than established facts, that there are many competing and conflicting views about the issues, and that the student should keep an open mind with respect to the issue and seek parental guidance about it.

3. The audience should know that the school must be neutral. Students should be informed that teachers may not present one of competing explanations about a religious issue as valid or as the best explanation, and that their job is to objectively explain the actual state of our scientific or other knowledge about the competing sides of the issue.

4. The audience should be adequately informed about MN and other assumptions. Any "scientific" explanation that deals with a religious issue that is based in part on Methodological Naturalism, must be accompanied by an extensive discussion of that doctrine the

extent of its use or influence on the development of the explanation, the competing explanations excluded due to the use of the doctrine and the evidence that supports the excluded views.

5. The audience should know that the Goal is to objectively inform them about the actual state of our scientific and other knowledge. If students know this goal then they and others may assess the extent to which it is achieved and whether the effect of the presentation is religiously neutral. Students should be told what we don't know as well as what we do know.

6. Parents and the public should be informed of the content of curricula that address religious issues. Public school websites should describe the content of religiously sensitive curricula so that Parents may make informed decisions about how they should respond to the content. Without adequate information, parents will not be able to effectively exercise their religious rights or those of their children.

VI. The effect of public education on the rights of other citizens.

Public education that favors a particular religion interferes not only with the rights of parents and students, but it also interferes with the rights of the Citizens who live, vote and pay taxes in the state to fund the discriminatory public education. It stigmatizes them as outsiders in the community, deprives them of the equal protection of the laws, and interferes with their right to seek to influence members of the community to embrace their particular religious beliefs. An educational system that effectively produces voters that favor a particular religious view will eventually disenfranchise the citizen who holds a different religious view. This is exceedingly important as much legislation addresses religious issues, particularly in the area of health care, abortion, euthanasia, marriage, adoptions and so forth.

As a consequence, a religiously biased public education system affects practically all aspects of the state. If the education system is not substantively neutral, then the state will become religious and thereby restrict the religious freedom of non-adherents.

VII. Conclusion.

To adequately protect the religious rights of parents, students and citizens of a pluralistic state that is required to be secular, public education needs to be designed so that it either avoids entirely the religious issue or treats it with scrupulous objectivity.

As explained, scrupulous objectivity is probably not possible with respect to the discussion of extremely complex or subjective and abstract concepts with immature children and those who lack the necessary background information. However, even where the children are knowledgeable and mature, the burden of providing all sides of many religious issues objectively in a manner that produces a religiously neutral effect will likely take more time and resources than are available during the public school day.

The state could also achieve neutrality by providing parents with education vouchers which they could then endorse to the public or private school of their choice. This would enable a Muslim parent to educate their children in schools that endorse the Koran or a Christian parent to educate their children in a Catholic or Protestant school. The competition might actually be quite healthy for the educational progress of the country as a whole as schools would be competing for the educational dollars controlled by the parents.

NOTES

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² "Religious ("Secular") Humanism," is used to describe the religion proclaimed by the Humanist Manifestos, the first of which explicitly declared the belief system to be a religion and called it "Religious Humanism." The parenthetical ("Secular") is added to reflect that this religion is popularly but incorrectly referred to as "Secular Humanism." Secular means not religious.

³ *Id.*, at Note 1

⁴ *Id.*

⁵ *Gillette v. U.S.*, 401 U.S. 437, 450 (1971)

⁶ The Center for Education Reform K-12 facts as of September 2014; accessed at <https://www.edreform.com/2012/04/k-12-facts/>.

⁷ Article 2, Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms, Paris, 20.III.1952

⁸ *Everson v. Bd. of Educ.*, 330 U.S. 1, 18 (1947): "That Amendment requires the state to be neutral in its relations with groups of religious believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions, than it is to favor them."

⁹ *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940).

¹⁰ *Edwards v. Aguillard*, 482 U.S. 578, 583-4 (1987)

¹¹ *Id.*

¹² *Everson v. Bd. of Educ.*, 330 U.S. 1, 23-24 (1947) (emphasis added) (Jackson, J., dissenting) (holding that a state may pay the bus fares of all students, including those who attend parochial schools).

¹³ *Lemon v. Kurtzman*, 430 U.S. 602, 610 (1971)

¹⁴ *Id.* "The legislatures of Rhode Island and Pennsylvania have concluded that secular and religious education are identifiable and separable. In the abstract we have no quarrel with this conclusion." at 613. The Court ultimately concluded that although the statute did not violate the purpose or effect prong of the test, taken as a whole, the statute created an excessive entanglement with religion as it effectively caused the state to subsidize the Catholic Church.

¹⁵ *Epperson v. Arkansas*, 393 U.S. 97, 109 (1968).

¹⁶ *Id.*

¹⁷ *Oxford Dictionary of Science* (Oxford University Press, 2003)

¹⁸ See Note 1.

¹⁹ Charles Francis Potter, *Humanism: A New Religion*, 128 (Simon & Schuster, 1930): "Education is thus a most powerful ally of humanism and every American public school is a school of humanism. What can the theistic Sunday schools meeting for an hour once a week and teaching only a fraction of the children, do to stem the tide of a five-day program of humanistic teaching?"

²⁰ *Fellowship of Humanity v. County of Alameda*, 153 Cal.App.2d 673 (Cal. App. 1957).

²¹ *Washington Ethical Soc'y v. District of Columbia*, 249 F.2d 127 (D.C. Cir. 1957); *Smith v. Bd. of Sch. Comm'rs of Mobile County*, 655 F. Supp. 939 (S.D. Ala. 1987), *rev'd on other grounds*, 827 F.2d 684 (11th Cir. 1987); *Strayhorn*, Tex App. 2003: 110 S.W. 3d 458; *Torcaso v. Watkins*, 367 U.S. 488 (1961)

²² *Torcaso v. Watkins*, 367 U.S. 488 (1961); holding that the free exercise rights of an Atheist were abridged by requiring him to take an oath to God, *Lee v. Weisman*, (S.Ct. 1992: 505 U.S. 577), holding under the establishment clause that a so-called "nonpreferential" or "nonsectarian" prayer to an unnamed God, was in fact preferential and sectarian as it preferred "theistic over nontheistic religion;" and *Kaufman v. McCaughtry* (7th Cir 2005: 419 F.3d 678), holding that prison regulations denying religious status to Atheists violated the Establishment Clause.

²³ *Malnak v. Yogi*, 592 F.2d 197, 211-12 (3d Cir. 1979).

²⁴ *Smith v. Bd. of Sch. Comm'rs of Mobile County*, 655 F. Supp. 939, 982 (S.D. Ala. 1987), *rev'd on other grounds*, 827 F.2d 684 (11th Cir. 1987).

²⁵ Wikipedia, *Branches of Science*, accessed at https://en.wikipedia.org/wiki/Branches_of_science.

²⁶ *Lee v. Weisman*, 505 U.S. 577 (1992).

²⁷ *Id.* at 617 (emphasis added).

²⁸ *Id.* at 611 (quoting Justice Potter Stewart in *School Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 319-20 (1963) (Stewart, J., dissenting)).

²⁹ *Kaufman v. McCaughty*, 419 F.3d 678, 682-4 (7th Cir. 2005)

³⁰ *Malnak v. Yogi*, 592 F.2d 197, 211-12 (3d Cir. 1979).

³¹ *Africa v. Pennsylvania*, 662 F.2d 1025, 1032 (3rd Cir. 1981)

³² *Malnak*, 592 F.2d at 214.

³³ *Africa v. Pennsylvania*, 662 F.2d 1025, 1032 (3rd Cir. 1981)

³⁴ *Africa, Id.* at 662 F.2d 1032-3, (emphasis added)

³⁵ *McGowan v. Maryland*, 366 U.S. 420, 461 (1961) (Frankfurter, J., concurring with Harlan, J.).

³⁶ *Fellowship of Humanity v. County of Alameda*, 153 Cal.App.2d 673 (Cal. App. 1957)

³⁷ See generally John Calvert, Chapter 5, *Legitimizing Human Rights: Secular and Religious Perspectives*, Angus Menuge, Editor (Ashgate Publishing Ltd, 2013) and the discussion at 106-111 of Clouser, R. 2005. *The Myth of Religious Neutrality: An Essay on the Hidden Role of Religious Belief in Theories*. Notre Dame, IN: Notre Dame Press.

³⁸ "naturalism: a theory that expands conceptions drawn from the natural sciences into a world view and that denies that anything in reality has a supernatural or more than natural significance; specifically : the doctrine that cause-and-effect laws (as of physics and chemistry) are adequate to account for all phenomena and that teleological conceptions of nature are invalid." Webster's, *Id.*

³⁹ See *National Science Education Standards* 138 ("ABILITIES TO DISTINGUISH BETWEEN NATURAL OBJECTS AND OBJECTS MADE BY HUMANS: Some objects *occur* in nature; others have been *designed and made by people to solve human problems* and enhance the quality of life. . . . Objects can be categorized into two groups *natural and designed.*") (emphasis added).

⁴⁰ Matt. 16::24-5, N.I.V.

⁴¹ The letter used the word "state," but the First Amendment then only was applicable to Congress of the Federal Government. The letter from the Danbury Baptists and Jefferson's reply is posted at <http://www.wallbuilders.com/libissuesarticles.asp?id=65> . Jefferson's 1802 letter is published by the Library of Congress at <http://www.loc.gov/loc/lcib/9806/danpre.html>

⁴² *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940).

⁴³ *Bell v. Little Axe ISD*, 766 F.2d 1391 (10th Cir 1985)

⁴⁴ *Roberts v. Madigan*, 921 F.2d 1047, 1057 (10th Cir 1990)

⁴⁵ *Wallace v. Jaffree*, 472 U.S., 38, 70 (1986)

⁴⁶ David Boroff, *Texas high school valedictorian cut off after mentioning 'God' in graduation speech* (Daily News June 11, 2013) accessible at <http://www.nydailynews.com/news/national/valedictorian-cut-mentioning-god-graduation-speech-article-1.1369065>

⁴⁷ *Busch v. Marple Newton School District*, 567 F.3d 89 (3d Cir. 2009)

⁴⁸ *Borden v. School Dist of East Brunswick*, 523 F.3d 153 (3rd Cir, 2008)]

⁴⁹ *Lee v. Weisman*, 505 U.S. 577, 583 (1992)

⁵⁰ *County of Allegheny v. American Civil Liberties Union*, 492 U.S. 573 (1989),

⁵¹ *McCreary County v. ACLU of Kentucky*, 545 U.S. 844 (2005)

⁵² *Robinson v. City of Edmond*, 68 F.3d 1226, 1230 (10th Cir, 1995)

⁵³ *American Atheists, Inc. v. Davenport*, 637 F.3d 1095, 1113 (10th Cir. 2010)

⁵⁴ *Lemon v. Kurtzman*, 430 U.S. 602, 610 (1971)

⁵⁵ National Council for the Social Studies (NCSS), *The College, Career, and Civic Life (C3)*

Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12

Civics, Economics, Geography, and History, at 17 (Silver Spring, MD: NCSS, 2013).

⁵⁶ *Framework for K-12 Science Education: Practices, Crosscutting Concepts and Core Ideas*, (2012; http://www.nap.edu/catalog.php?record_id=13165#); and Citizens for Objective Public Education, Inc. analyses of the Framework and Standards dated June 1, 2012 and January 29, 2013 accessible at <http://copeinc.org/science-standards.html>.

⁵⁷ *National Governors Association and State Education Chiefs Launch Common State Academic Standards*, (National Governors Association, June 2, 2010; accessible at: http://www.nga.org/cms/home/news-room/news-releases/page_2010/col2-content/main-content-list/title_national-governors-association-and-state-education-chiefs-launch-common-state-academic-standards.html)

⁵⁸ Achieve, Inc. *Closing the Expectations Gap*, 2013 annual Report on the Alignment of State K-12 Policies and Practice with the Demands of College and Careers (Achieve, Inc. Nov 2013)

⁵⁹ *Common Core State Standards Initiative*. (2015, June 3). In Wikipedia, TheFree Encyclopedia. Retrieved 12:05, June 8, 2015, from

http://en.wikipedia.org/w/index.php?title=Common_Core_State_Standards_Initiative&oldid=665267873

⁶⁰ Caitlin Emma, *Common Core repeal costs Oklahoma its NCLB waiver* (Politico, August 28, 2014)

⁶¹ National Sexuality Education Standards: Core Content and Skills, K-12, at 2 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>

⁶² *Id.* at 6

⁶³ National Council for the Social Studies (NCSS), *The College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-2 Civics, Economics, Geography, and History*, at 7 (Silver Spring, MD: NCSS, 2013).

⁶⁴ Richard Lewontin, *Billions and Billions of Demons* 44 N.Y. REV. OF BOOKS 31 (Jan. 9, 1997) (emphasis added)

⁶⁵ Ernst Mayr, *Darwin's Influence on Modern Thought*, SCIENTIFIC AMERICAN, Jul. 2000, at 80 (emphasis added).

⁶⁶ Many scientists, including Francis Collins, the head of the human genome project, find the data imply that the universe is "fine-tuned" for life and therefore is a design. See FRANCIS S. COLLINS, *THE LANGUAGE OF LIFE, A SCIENTIST PRESENTS EVIDENCE FOR BELIEF* 75 (2006); see also GUILLERMO GONZALEZ & JAY RICHARDS, *THE PRIVILEGED PLANET* 195-218 (2004). Martin Rees recognizes the inference, but does not prefer it. See MARTIN REES, *JUST SIX NUMBERS: THE DEEP FORCES THAT SHAPE THE UNIVERSE* 146-48 (2001); PAUL DAVIES, *GOD AND THE NEW PHYSICS* 189 (1983) ("The seemingly miraculous concurrence of numerical values that nature has assigned to her fundamental constants must remain the most compelling evidence for an element of cosmic design.").

⁶⁷ Carl Zimmer, *Linux v. E-Coli*, Discover (May 2, 2010);

<http://blogs.discovermagazine.com/loom/2010/05/03/linux-versus-e-coli/#.UOxfRXexXQg>

⁶⁸ In *Life's Solution: Inevitable Humans in a Lonely Universe*, paleontologist Simon Conway Morris devotes a sub-chapter to the extraordinary efficiency of the Genetic Code, which he calls "EERIE PERFECTION." SIMON CONWAY MORRIS, *LIFE'S SOLUTION: INEVITABLE HUMANS IN A LONELY UNIVERSE* 13 (2003). See also Stephen J. Freeland & Laurence D. Hurst, *The Genetic Code is One in a Million*, JOURNAL OF MOLECULAR EVOLUTION, Sep. 1998, at 238-48.

⁶⁹ See generally Richard Dawkins, *The Blind Watchmaker: Why The Evidence of Evolution Reveals A Universe Without Design*, 1, 6, 21 (1996) (includes discussions between evolutionary biologists).

⁷⁰ Suzan Mazur, *The Altenberg 16: An Exposé of the Evolution Industry*, p. 99 (North Atlantic Books, 2010), "[I see value in looking to physical principles to explain the form of organisms, h]owever, it absolutely neglects the question where does the illusion of design come from? Where do animals and plants get this powerful impression that they have been brilliantly designed for a purpose? Where does that come from? That does not come from the laws of physics on their own. That cannot come from anything that has so far been suggested by anybody [who is a materialist] other than natural selection."

⁷¹ Suzan Mazur, *The Origin of Life Circus: A How to Make Life Extravaganza*, 3, 20 (2014); Freeman Dyson's statement that "'We are all equally ignorant' when it comes to origin of life." "still holds." "Three of the great remaining mysteries are: (1) origin of the universe, which we may never solve; (2) origin of life, which is a huge problem in my opinion; and (3) how the brain works." quoting origin of life expert Harry Lonsdale.

⁷² Barna Group, *Barna Survey Examines Changes in Worldview Among Christians over the Past 13 Years*, (Barna Group, March 6, 2009) accessible at: <https://www.barna.org/barna-update/21-transformation/252-barna-survey-examines-changes-in-worldview-among-christians-over-the-past-13-years#.VWoOCEa2qpI>

⁷³ National Research Council. (2012). *A Framework for K-12 Science Education: Practices, Crosscutting Concepts, and Core Ideas*. Committee on a Conceptual Framework for New K-12 Science Education Standards. Board on Science Education, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

⁷⁴ Next Generation Science Standards: For states, by states. Washington, DC: The National Academies Press (2013).

⁷⁵ Paul L. Harris, & Melissa A. Koenig, *Trust in Testimony: How Children Learn about Science and Religion*, Child Development, May-June 2006: Vol 77, No. 3, pages 505-524

<http://www.gse.harvard.edu/news/features/harris/harriskoening2005.pdf>; Framework, at 249; *Learning Science in Informal Environments: People, Places and Pursuits*, p 113 (National Research Council. (2009). Evans, E.M. (2001). Cognitive and contextual factors in the emergence of diverse belief systems: Creation versus evolution. Cognitive Psychology, 42, 217-266.

⁷⁶ Framework, at 41-2, 48; Standards, Appendix G at 1, 4

⁷⁷ NGSS, *Appendix D - "All Standards, All Students."*, p. 2 (April 2013)

⁷⁸ Future of Sex Education Initiative. (2012), *National Sexuality Education Standards: Core Content and Skills, K-12*, [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>;

⁷⁹ *Religion and sexuality*. (2015, May 18). In Wikipedia, The Free Encyclopedia. Retrieved 12:08, June 8, 2015, from http://en.wikipedia.org/w/index.php?title=Religion_and_sexuality&oldid=662985046 Wikipedia

⁸⁰ *Id.*

⁸¹ Leon F. Seltzer and David Niose, president of the American Humanist Association *Teen Sex: The Holy vs. Humanistic Approach: How do secular humanists look at teenage sexuality?* <https://www.psychologytoday.com/blog/evolution-the-self/201008/teen-sex-the-holy-vs-humanistic-approach> Post published by Leon F Seltzer Ph.D. on Aug 05, 2010 in *Evolution of the Self*

⁸² Future of Sex Education Initiative. (2012), *National Sexuality Education Standards: Core Content and Skills, K-12*, [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>; ""Analyze the influence of peers, media, family, society, religion and culture on self-concept, body image the expression of gender, sexual orientation and identity ID.12.INF.1 and PD.12.INF.1

⁸³ The *Abstinence Clearinghouse* includes resources about ATM at <http://www.abstinence.net/new-home/>

⁸⁴ Future of Sex Education Initiative. (2012), *National Sexuality Education Standards: Core Content and Skills, K-12*, at 12-13 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf> (emphasis and bracketed material added)

⁸⁵ Future of Sex Education Initiative. (2012), *National Sexuality Education Standards: Core Content and Skills, K-12*, at 6 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf> (emphasis and bracketed material added)

⁸⁶ Rick Chillot, *The Power of Touch* (Psychology Today, 2013)

<https://www.psychologytoday.com/articles/201302/the-power-touch>

⁸⁷ John Calvert, *Touring a quagmire: Public Sex Education; Family Concerns: Bridging the Information Gap*, (A publication of Concerned Women of America 2004-17, June 17, 2004 and 2004-18, June 24, 2007)

⁸⁸ Future of Sex Education Initiative. (2012), *National Sexuality Education Standards: Core Content and Skills, K-12*, at 12-23 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf> (emphasis and bracketed material added)

⁸⁹ *The Impact of Abortion on Women* (Abortion Recovery International, Inc. May 30, 2015 <http://www.abortionrecovery.org/abortionaffects/womenmothers/tabid/230/default.aspx>; "Events that typically trigger PTSD include: war, rape, witnessing a murder, being a victim of a violent crime, or surviving the devastations of an earthquake or hurricane. For the woman, or man, who has had an abortion, it is the loss of their unborn child."

⁹⁰ Future of Sex Education Initiative. (2012). *National Sexuality Education Standards: Core Content and Skills, K-12*, p. 8 [a special publication of the Journal of School Health]. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>

⁹¹ National Council for the Social Studies (NCSS), *The College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History*, at 5 (Silver Spring, MD: NCSS, 2013). (emphasis added)

⁹² *Id.*

⁹³ National Council for the Social Studies (NCSS), *The College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History*, at 6 (Silver Spring, MD: NCSS, 2013). (emphasis added)

⁹⁴ *Id.* at 7 (emphasis added)

⁹⁵ *National Curriculum Standards for Social Studies: A Framework for Teaching, Learning and Assessment* (National Council for the Social Studies, 2010); <http://www.socialstudies.org/standards>