

Question I (Child Worship Club) (50 points)

Public Forum-FUP + lit-can't refuse CWC based on content unless satisfy strict scrutiny(4)\_\_\_\_  
Lemon test-secular purp of facilities use policy-create pub forum includ'g use by CWC-(5)\_\_\_\_  
effect-available to all community groups, private relig activity, but no other group in school then,  
taught by former pub sch teachers, w/in hearing of day care children, use disclaimer?----(6)\_\_\_\_  
entanglement - administrative arrangements with club sponsors, waiting area etc.------(5)\_\_\_\_  
Endorsement test - purpose to endorse religion?------(3)\_\_\_\_  
endorsement-how will presence of CWC effect Christians and nonChristians - insiders/outside,rs,  
but who is relevant group? Children or parents who must give permission------(4)\_\_\_\_  
reasonable observer w/ knowledge of history and context,situ where relig practice occurs(4)\_\_\_\_  
coercion-day care students hear prayers in caf, leg coercion? Move CWC site in bldg?---(6)\_\_\_\_  
Good News Club permitted similar use of school facilities afterschool by religious club--(5)\_\_\_\_  
distinctions-K-5 not K-12, former pub sch teachers teach, waiting area, day care in caf---(5)\_\_\_\_  
miscellaneous\_\_\_\_\_ (3)\_\_\_\_\_

Question II (Latin Cross in Forest Park) (50 points)

religious symbol on pub prop'y-gov't not private display like 10 C. cases, not pub forum(5)\_\_\_\_  
Lemon test - secular purpose - civil war memorial or memorial to Christian soldiers------(4)\_\_\_\_  
effect-cross, Latin text, alone, denominational, \$, but war memorial, plaque, no coercion(5)\_\_\_\_  
entanglement-no entanglemt w/ relig org, but divisiveness-reaction to rebuilding------(5)\_\_\_\_  
endorsement-reasonable observer w/ knowledge of history of memorial & replacement--(5)\_\_\_\_  
historical exception- been there since 1876, but replaced in 2002 after vandalism------(4)\_\_\_\_  
lost religious significance over time like Sunday Closing Laws------(3)\_\_\_\_  
no objection till lawsuit, but divisive pol issue in 2002 after vandalism-Jewish vets etc---(4)\_\_\_\_  
ceremonial deism vs. denominational religious symbol, visible outside park------(5)\_\_\_\_  
patriotic not religious symbol like Rehnquist in pledge case, used for patriotic events-----(4)\_\_\_\_  
use for religious services-private speech on pub forum, gov't uses for patriotic exercises(3)\_\_\_\_  
miscellaneous\_\_\_\_\_ (3)\_\_\_\_\_

Question III (School Uniform) (50 points)

Free Exercise-substantial burden on sincerely held religious beliefs or lifestyle choice----(5)\_\_\_\_  
Malnak test for religion-ultimate questions, comprehensive, formal signs applied to facts(6)\_\_\_\_  
if neutral rule of general applicability and not hybrid case use reasonableness test------(4)\_\_\_\_  
discriminatory ag particular religions (strict scrutiny-SS)------(3)\_\_\_\_  
hybrid case-rt to raise child as wish-Yoder or Sherbert indiv rev for exemption-SS rev---(4)\_\_\_\_  
SS test applied-compellg purp-discipline, school spirit, \$, gang violence------(3)\_\_\_\_  
but nec'y not to exempt AA's kids? experience w/broader exemption?------(3)\_\_\_\_  
less restrictive alt-something betw orig and new policy- broader definition of religion----(2)\_\_\_\_  
Etab Cl challenge to existing rule-unconst'l accommodation?-Lemon test------(3)\_\_\_\_  
secular purpose to accommodate, effect, entanglemt-gov't define relig garb------(5)\_\_\_\_  
Kennedy test-lifts identifiable burden on religion and doesn't shift burden to others------(4)\_\_\_\_  
available to others who are similarly situated? neutral betw religions or favors trad'l-----(5)\_\_\_\_  
miscellaneous\_\_\_\_\_ (3)\_\_\_\_\_