



**Meek v. Pittenger (1975)** - Chief Justice Burger - 8/1.

Issue: Not willing to give in, Pennsylvania tried a 3<sup>rd</sup> time (*Lemon v Kurtzman*<sup>1</sup> & *Sloan v Lemon*<sup>2</sup> failed to get money to parochial interests). (1) Act 195 authorized the State to **lend secular textbooks** to children attending nonpublic sectarian schools. (2) Act 195 also authorized the State to **lend “instructional materials and equipment”** including films, projection equipment, maps, etc., to nonpublic schools. (3) Act 194 allowed the provision of **“auxiliary services”** including staff from the public school system to aid in nonpublic schools in areas of counseling, testing, psychological services and speech therapy.

Held: Affirmed in part and reversed in part.

Reasoning: The textbook loan program is ok (*Board v Allen*<sup>3</sup>), but the instructional materials program falls. It has the primary effect of advancing religion because it would be impossible to separate the secular from the religious when it comes to the use of this equipment. The auxiliary service program falls due to entanglement and the potential for loaned staff to stray to sectarian themes.

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<sup>1</sup> Case 1A-R-042 on this website.

<sup>2</sup> Case 1A-R-049 on this website.

<sup>3</sup> Case 1A-R-037 on this website.