

02-1624 ELK GROVE UNIFIED SCHOOL DISTRICT v. NEWDOW

Ruling below: CA 9, 292 F.3d 597.

QUESTIONS PRESENTED:

~~1) Whether the policy of Petitioner ELK GROVE UNIFIED SCHOOL DISTRICT that requires teachers to lead willing students in reciting the Pledge of Allegiance, which includes the words "under God," violates the establishment clause of the First Amendment to the United States Constitution?~~

~~2) Whether a non-custodial parent of a minor child has standing in federal court to challenge the policies of a public school district that require teachers to lead willing students in reciting the Pledge that includes the words "under God," when the non-custodial parent does not have legal authority to direct either the education or the religious education of the child?~~

CERT. GRANTED: 10/14/03

J. Scalia took no part.

Limited to the following Questions:

1. Whether respondent has standing to challenge as unconstitutional a public school district policy that requires teachers to lead willing students in reciting the Pledge of Allegiance.

2. Whether a public school district policy that requires teachers to lead willing students in reciting the Pledge of Allegiance, which includes the words "under God," violates the Establishment Clause of the First Amendment, as applicable through the Fourteenth Amendment.