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WILL THIS WALL FALL?



High court may reverse ruling

Ellen Curran's 6-year-old daughter, Kaitlin, has a mild form of Down's syndrome, and attends kindergarten at Christ the King School in Irondequoit. Prior to enrolling in Christ the King last fall, Kaitlin had attended a preschool where she received various educational services, like speech therapy, provided by the Rochester City School District, her mother said.

Currently, however, Kaitlin receives no such city school district services at Christ the King for the simple reason that the school is off-limits to public school instructors, according to her principal, Colleen D'Hondt. That's because a 1985 Supreme Court decision in the case of *Aguilar vs. Felton* barred public schoolteachers from instructing in parochial school classrooms, she said.

"The whole idea behind this is that we're religious zealots, and we're going to try to convert (public school teachers)," D'Hondt said. "And that's not true."

Although a resource teacher paid by Christ the King is able to provide some daily instruction to Kaitlin, both her

mother and D'Hondt stressed that the little girl needs a greater range of assistance than she's getting — and which she is legally entitled to receive. However, both Ellen Curran and D'Hondt said they oppose sending the girl away from Christ the King every day to receive services.

But the Supreme Court may make a decision this year that could remove the legal wall that stands between religious school classrooms and the public schoolteachers who once taught in them. On Jan. 17, prompted by a lawsuit brought by the New York City School District, the court agreed to take a second look at the *Felton* decision.

In the *Felton* case, the Supreme Court voted 5-4 that sending public schoolteachers into parochial school classrooms violated the constitutional separation between church and state. The court ruled in favor of a taxpayer group called the National Committee for Public Education and Religious Liberty, which had brought the lawsuit.

What drove the court's decision was the fear that public

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