

MEMORANDUM

TO: All Members of the House of Representatives

FROM: Representative Eugene DePasquale
Representative Will Tallman

DATE: April 14, 2011

SUBJECT: Repeal Section 1112 (Religious Garb Statute) of the Public School Code of 1949

In the near future, I plan to introduce legislation that, if enacted, would repeal Section 1112 of the Public School Code of 1949.

Currently, Section 1112 prohibits a teacher from wearing any garb, mark, emblem or insignia that would indicate he or she was a member of or adherent to any religious order or sect while in the performance of their duties as a teacher. A teacher who violates this ban must be suspended from teaching for a term of one year, or permanently disqualified from teaching after multiple offenses. Furthermore, a public school director can be held criminally liable for failing to enforce this prohibition.

Historically, such “garb statutes” were enacted through anti-Catholic sentiments that sought to limit Catholic influences on many aspects of American society. Specifically, Pennsylvania’s statute aimed at keeping priest collars and nun’s habits out of secular classrooms. Today, Pennsylvania is one of only two states, along with Nebraska, to retain such legislation.

As this law currently stands, it affects public school teachers of all faiths. Furthermore, the law discourages individuals who wear religious garb as an expression of their faith from becoming teachers in public schools. Repealing this law is not about providing a pulpit from which a teacher could proselytize his or her faith, but instead is about providing for religious neutrality so that every teacher, regardless of religious faith, may freely exercise his or her religion in the most ordinary way.

Should you wish to join me in repealing this antiquated law, please contact Cynthia Clory at cclory@pahouse.net 717-787-7514 or Jodi Addington jaddingt@pahousegop.com 717-787-8575.