NATIONAL COUNCIL ON BIBLE CURRICULUM IN PUBLIC SCHOOLS Post Office Box 9743 • Greensboro, NC 27429

THE Bible IN HISTORY AND LITERATURE

This curriculum guide has been prepared using the King James Bible, because of its widespread use, its influence upon the development of American culture and Western Civilization, and its literary qualities. However, school districts are free to use whichever Bible translation they choose, or they may allow each student to use the translation of his or her choice. Sometimes students can benefit from comparing different translations in and out of class.

TABLE OF CONTENTS	<u>PAGE</u>
Federal Guidelines: Religious Expression in Public Schools	vi
Objectives/Methods of Presentation	1
Textbooks & Supplemental Resources	2
Letter to the Instructor	9
Unit I: Introduction to Study about the Bible	
Action Statements & Lesson Objectives	10
Sample Lesson Plans	11
Literary Form & Biblical Criticism	13
Introduction to the Bible	16
The Origins of Writing	17
The Septuagint	21
Paul's Epistle to the Colossians	23
Pictures of Papyrus Fragments	25
The Latin Vulgate Bible	26
The Wycliffite Bible in English	30
The History of Scripture in Print	32
The Bible in America	44
Student Activities to Reinforce Learning	48
Old Testament Word List	49
Old Testament Word List - Answers	50
Periods of Hebrew History in the Old Testament	52
Pre-Babylonian Hebrew	53
The Hebrew Alphabet with Pictographic Meanings	54
Translations of the Bible	56
The Lord's Prayer (Translations)	58
Samaritan Pentateuch	59

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Unit 2: Beginnings (Genesis Chapters 1-25)	
Action Statements & Lesson Objectives	60
Sample Lesson Plans	61
Abraham (Chapters 12-25)	64
Information About Ur	65
Life of Abraham Quiz	67
Life of Abraham - Answers	70
Student Activities to Reinforce Learning	71
Unit 3: Isaac, Jacob, and Joseph (Genesis Chapters 25-50)	
Action Statements & Lesson Objectives	72
Sample Lesson Plans	74
Review of Isaac	75
Genesis 42-45	77
Discussion Questions for Joseph	78
Student Activities to Reinforce Learning	79
Unit 4: Moses In Egypt (Exodus Chapters 1-15)	
Action Statements & Lesson Objectives	80
Sample Lesson Plans	82
Exodus Map	83
Test Your Knowledge	84
Test Your Knowledge – Answer Key	85
Exodus Quiz	86
Exodus Quiz -Answers	87
Facts About the Exodus	88
Student Activities to Reinforce Learning Three 40 Year Periods in Moses' Life	89 90
Unit 5: The Passover (Exodus Chapter 12)	
Action Statements & Lesson Objectives	91
Passover Celebration Puzzle - Literary Genre - Knowledge and Skills #4	92
Passover Feast & Recipes	93
Unit 6: Hebrew Law (Exodus Chapters 20-40)	
Action Statements & Lesson Objective	97
Sample Lesson Plans	98
Laws of the Ancient Hebrews	99
Plan for the Tabernacle	102
Comparison: Protestant Ten Commandments and Kentucky's state laws; Catholic Ten Commandments; Hebrew Ten Commandments	103
Unit 7: Becoming a People: Laws, Customs, & Holidays (Leviticus & Numbers)	
Action Statements & Lesson Objectives	106
Sample Lesson Plans	108
Leviticus	109
Numbers	112
Student Activities to Reinforce Learning	115

Unit 8: Deuteronomy, Joshua & Judges	
Action Statements & Lesson Objective	116
Sample Lesson Plans	
Map: Era of the Exodus and Wandering	118
Joshua	119
Judges	120
Ruth	
Unit 9: Literature Highlights (Job & Psalms)	
Action Statements & Objectives - LG - Knowledge and Skills #2 & #3	122
Sample Lesson Plans	124
Job	126
Poetry in the Bible - LG Knowledge and Skills #2 & #3	127
Characteristics of Hebrew Poetry	128
Poetic Understatement as a Characteristic of the Hebrew People	132
Hebrew Poetry as an Expression of the People: The Ballad and the Folk Song	133
The Psalms as an Expression of Hebrew Devotion to God And Nation	134
Hebrew Songs: Idealization of Human Behavior and Man's Responsibility	135
The Song of Solomon	136
Poetry in the New Testament	138
Allegory	139
Shakespeare & The Bible	141
Unit 10: The Kings and Prophets	
Action Statements & Lesson Objectives	146
Sample Lesson Plans	147
Topical Outline	148
Wisdom Literature	152
Divided Kingdom	154
The Prophets	156
Captivity	158
Restoration	159
Unit 11: The Dead Sea Scrolls & Other Archeological Finds	
Action Statements & Lesson Objectives	160
Archeological Discoveries	163
Manuscripts in Other Languages	165
Unit 12: The Intertestamental Period & Chanukah	
Action Statements & Lesson Objectives	166
Sample Lesson Plans	167
Intertestamental Period	169
The Apocrypha (Intertestamental Period) - Literary Genre	
- Knowledge and Skills #2, #3, & #6	174
Chanukah	177
Bible Times Map	179
Bible Times Map (Today)	180
Old Testament Timeline	181

New Testament Timeline	182
Unit 13: Introduction to the New Testament (B'rit Chadasha)	
Action Statements & Lesson Objectives	184
Introduction to the New Testament	185
New Testament Word List	186
New Testament Word List- Answer Sheet	187
Notes on Introduction to the New Testament	189
Map of Israel	191
Notes on the Period's Leaders of Israel	192
Pontius Pilate	194
Herod the Great	195
Herod Antipas	196
Characteristics of the Gospels	197
Unit 14: The Four Gospels	
Action Statements & Lesson Objectives	199
Sample Lesson Plans	201
Information About the Gospels	204
Facts About Myrrh and Frankincense	206
Beatitudes	207
Beatitudes - Answer Sheet	208
The Parables of Jesus - Literary Genre - Knowledge and Skills #2, #3, & #5	209
Unit 15: The Final Week of the Biblical Account of the Life of Jesus	
Action Statements & Lesson Objectives	214
Sample Lesson Plans	215
Passion Week - Post Activity	216
Passion Week - Post Activity Answers	218
Crucifixion	222
Crucinalon	222
Unit 16: The Acts of the Apostles & the Beginnings of the Church	
Action Statements & Lesson Objectives	224
Sample Lesson Plans	225
Birth of the Christian Church	226
Unit 17: The Bible In History	
Action Statements & Lesson Objectives	228
The Bible and American History	228
The Colonial Period's "City on a Hill"	230
A Source of Revolutionary Ideas	231
Biblical Citations	234
Symbols of a Nation	235
Observations of the U.S. Supreme Court	237
The Bible in Our Vernacular	239
Famous Ouotes	240

Unit 18: Biblical Art

Action Statements & Lesson Objectives	251
Religion in Art: The New and the Old	252
Leonardo Da Vinci	254
Caravaggio	258
Peter Paul Rubens	262
Michelangelo	268
Biblical Art Activities	274

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The accompanying CD has audio capabilities under Adobe Reader version 7.0. Version 7.0 may be downloaded online at: http://www.adobe.com/products/acrobat/readstep2.html

NOTES REGARDING THIS CURRICULUM AND THE LAW

This revised curriculum guide was reviewed and updated by members of the NCBCPS Board of Directors, attorneys, primary scholars, a curriculum specialist, and classroom teachers. Their continuing input in the enhancement and development of *The Bible In History and Literature* is reflected in this August, 2005 edition.

NCBCPS encourages all public schools to follow applicable law and all federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious views, traditions, and perspectives of their students. No public school teacher or official should ever endorse, favor, promote, or disfavor or show hostility to, any particular religion or nonreligious faith. Nothing in this curriculum is intended to violate any provision of the United States Constitution or federal law, any state constitution or state law, or any rules or guidelines provided by the United States Department of Education or state department of education.

For the convenience of every instructor of this elective course, following this Table of Contents is a statement of principles regarding religious expression—including specific information regarding teaching about the Bible, and the role of religion in the history of America and other countries—that was produced by the United States Department of Education. NCBCPS recommends that instructors of this course, and *all* public school employees, familiarize themselves with and closely follow these federal guidelines.

RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS Guidelines issued by the U.S. Department of Education

Reproduced from the U.S. Department of Education website at: http://www.ed.gov/Speeches/08-1995/religion.html

Background

In 1995, President William Jefferson Clinton directed U.S. Secretary of Education Richard W. Riley to consult with the Attorney General and "provide every public school district in America with a statement of principles addressing the extent to which religious expression and activity are permitted in our public schools." Their purpose was to end widespread confusion surrounding those issues, and in August of that year a copy of the resulting guidelines was mailed to every school superintendent in the country. The guidelines were later modified slightly and released again in 1998, and they are printed in their entirety below. The website captioned above may be useful for further background and information.

RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS

Student prayer and religious discussion: The Establishment Clause of the First Amendment does not prohibit purely private religious speech by students. Students therefore have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activity. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable nondisruptive activities. Local school authorities possess substantial discretion to impose rules of order and other pedagogical restrictions on student activities, but they may not structure or administer such rules to discriminate against religious activity or speech.

Generally, students may pray in a nondisruptive manner when not engaged in school activities or instruction, and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias and hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech that constitutes harassment aimed at a student or a group of students.

Students may also participate in before or after school events with religious content, such as "see you at the flag pole" gatherings, on the same terms as they may participate in other noncurriculum activities on school premises. School officials may neither discourage nor encourage participation in such an event.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen, or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

<u>Graduation prayer and baccalaureates:</u> Under current Supreme Court decisions, school officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to

baccalaureate ceremonies and may in some instances be obliged to disclaim official endorsement of such ceremonies.

Official neutrality regarding religious activity: Teachers and school administrators, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students. Teachers and administrators also are prohibited from discouraging activity because of its religious content, and from soliciting or encouraging antireligious activity.

<u>Teaching about religion:</u> Public schools may not provide religious instruction, but they may teach <u>about</u> religion, including the Bible or other scripture: the history of religion, comparative religion, the Bible (or other scripture)-as-literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.

<u>Student assignments:</u> Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance, and against other legitimate pedagogical concerns identified by the school.

Religious literature: Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on nonschool literature generally, but they may not single out religious literature for special regulation.

Religious excusals: Subject to applicable State laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the students' parents on religious or other conscientious grounds. However, students generally do not have a Federal right to be excused from lessons that may be inconsistent with their religious beliefs or practices. School officials may neither encourage nor discourage students from availing themselves of an excusal option.

<u>Released time:</u> Subject to applicable State laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day.

<u>Teaching values:</u> Though schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student garb: Schools enjoy substantial discretion in adopting policies relating to student dress and school uniforms. Students generally have no Federal right to be exempted from religiously-neutral and generally applicable school dress rules based on their religious beliefs or practices; however, schools may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation. Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages.

THE EQUAL ACCESS ACT

The Equal Access Act is designed to ensure that, consistent with the First Amendment, student religious activities are accorded the same access to public school facilities as are student secular activities. Based on decisions of the Federal courts, as well as its interpretations of the Act, the Department of Justice has advised that the Act should be interpreted as providing, among other things, that:

General provisions: Student religious groups at public secondary schools have the same right of access to school facilities as is enjoyed by other comparable student groups. Under the Equal Access Act, a school receiving Federal funds that allows one or more student noncurriculum-related clubs to meet on its premises during noninstructional time may not refuse access to student religious groups.

<u>Prayer services and worship exercises covered:</u> A meeting, as defined and protected by the Equal Access Act, may include a prayer service, Bible reading, or other worship exercise.

<u>Equal access to means of publicizing meetings</u>: A school receiving Federal funds must allow student groups meeting under the Act to use the school media -- including the public address system, the school newspaper, and the school bulletin board -- to announce their meetings on the same terms as other noncurriculum-related student groups are allowed to use the school media. Any policy concerning the use of school media must be applied to all noncurriculum-related student groups in a nondiscriminatory matter. Schools, however, may inform students that certain groups are not school sponsored.

<u>Lunch-time and recess covered:</u> A school creates a limited open forum under the Equal Access Act, triggering equal access rights for religious groups, when it allows students to meet during their lunch periods or other noninstructional time during the school day, as well as when it allows students to meet before and after the school day.

Revised May 1998