is one of *policy* and not of constitutional law, if the federal government offers aid to education in public schools, aid should similarly be offered to education in church-related schools.

The question of policy considered, the problem of constitutionality may now be explored.

II

The Constitution and Church-Related Education

The question presented, in its broadest terms, is whether the federal government may aid education in church-related schools. However, no proposal has been made that government undertake to pay the full cost of the education provided in a church-related school. Such a proposal might involve constitutional problems not presented by proposals for limited support of such education and might moreover foreshadow total governmental control of such education. The forms of limited aid being chiefly discussed are:

a. Matching grants to church-related educational institutions for secular instruction therein.
b. Long-term loans to church-related educational institutions for secular instruction therein.
c. Grants or loans of tuition to students, which may be used in church-related educational institutions.
d. Tax benefits to parents as part or total reimbursement for tuition expended by them in church-related (or other) educational institutions.

It is the conclusion of this study that (1) the church-related schools perform a public function which, by its nature is supportable by government; (2) that such support may be only in a degree proportionate to the value of the public function performed; (3) that such support may take the form of grants to institutions or of loans to institutions or the form of grants of tuition or tax benefits; (4) that the federal government may constitutionally provide support in any of the aforementioned forms.

In order to ascertain whether the foregoing conclusions with respect to constitutionality are correct, it is needful, first of all, to examine those judicial decisions and other materials which provide the constitutional background.