filiated colleges, hospitals, and social services providers; and as a consequence it has found direct aid programs to such entities to be permissible.[79]

In its most recent decisions the Court has modified both the primary effect and excessive entanglement prongs of the *Lemon* test as they apply to aid programs directly benefiting sectarian elementary and secondary schools; and in so doing it has overturned several prior decisions imposing tight constraints on aid to pervasively sectarian institutions. In *Agostini v. Felton*[80] the Court, in a 5–4 decision, abandoned the presumptions that public school teachers giving instruction on the premises of sectarian elementary and secondary schools will be so affected by the religiosity of the environment that they will inculcate religion and that, consequently, an excessively entangling monitoring of their services is constitutionally necessary. In *Mitchell v. Helms*,[81] in turn, the Court abandoned the presumptions that such schools are so pervasively sectarian that their secular educational functions cannot be differentiated from their religious educational functions and that direct aid to their educational functions, consequently, violates the Establishment Clause. In reaching these conclusions and upholding the aid programs in question, the Court overturned its prior decision in *Aguilar v. Felton*[82] and parts of its decisions in *Meek v. Pittenger*,[83] *Wolman v. Walter*,[84] and *Grand Rapids School District v. Ball*.[85]

Thus, the Court's jurisprudence concerning public aid to sectarian organizations has evolved, particularly as it concerns public aid to sectarian elementary and secondary schools. That evolution has given some uncertainty to the rules that apply to any given form of aid; and in both *Agostini v. Felton*[86] and *Mitchell v. Helms*[87] the Court left open the possibility of a further evolution in its thinking. Nonetheless, the cases give substantial guidance.

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[79] Bradfield v. Roberts, 175 U.S. 291 (1899) (public subsidy of the construction of a wing of a Catholic hospital on condition that it be used to provide care for the poor upheld); Tilton v. Richardson, 403 U.S. 672 (1971) (program of grants to colleges, including religiously affiliated ones, for the construction of academic buildings upheld); Roemer v. Maryland Bd. of Pub. Works, 426 U.S. 736 (1976) (program of general purpose grants to colleges in the state, including religiously affiliated ones, upheld); and Bowen v. Kendrick, 487 U.S. 589 (1988) (program of grants to public and private nonprofit organizations, including religious ones, for the prevention of adolescent pregnancies upheld).

[80] 521 U.S. 203 (1997).

[81] 530 U.S. 793 (2000).

[82] 473 U.S. 402 (1985).

[83] 421 U.S. 349 (1975).

[84] 433 U.S. 229 (1977).

[85] 473 U.S. 373 (1985).

[86] 521 U.S. 203 (1994).

[87] 530 U.S. 793 (2000).