



Threats to Evolution Education

Despite favorable November 2007 election outcomes in some states and a strong ruling by the Federal district court in Pennsylvania in December 2005, proponents of creationism and intelligent design continue to influence local school boards, state boards of education, and state legislatures. Following are brief summaries of recent anti-evolution initiatives, and the efforts undertaken by advocates for science education to combat them, from across the United States.

ALABAMA—On 7 November 2006 incumbent Bob Riley (R) defeated Lieutenant Governor Lucy Baxley (D) in the gubernatorial election. Riley supports teaching alternative philosophies to evolution (including ID) in the science classroom. On 18 April 2006, two identical anti-evolution bills in the AL House of Representatives and Senate died at the end of the 2006 legislative session. On 10 November 2005, the Alabama State School Board unanimously voted to continue using a biology textbook sticker disclaimer that describes evolution as a "controversial theory." Alabama textbooks have included the disclaimer for more than 10 years.

CALIFORNIA—In September 2007, a federal judge ruled against Larry Caldwell, a creationist lawyer and parent who sued the Roseville Joint Union High School District and school officials, claiming his civil rights had been violated when he unsuccessfully lobbied the school board to teach alternatives to evolution. In November 2006, the positions of candidates on whether to teach intelligent design became an issue in local school board races, including Kern High School District. In March 2006, a U.S. District Court judge dismissed a lawsuit filed against the University of California Museum of Paleontology and the National Center for Science Education. The lawsuit contended that an "Understanding Evolution" website hosted by the two organizations violated the Constitution's Establishment Clause. On 17 January 2006, a Kern County high school agreed to remove the course "Philosophy of Design" from its curriculum. Eleven parents had sued the school district over the constitutionality of the anti-evolution course.

COLORADO—Bill Ritter (D) defeated Bob Beauprez (R) in the gubernatorial race. Beauprez's runningmate for lieutenant governor, Janet Rowland, stirred controversy by supporting the teaching of creationism alongside evolution in the science classroom. Colorado scientists recently organized (Colorado Evolution Response Team) to combat the attacks on science and oppose efforts to weaken the teaching of evolution in the science classroom.

FLORIDA—In dramatic contrast to its deficient 1999 science standards, the Florida Department of Education

released a draft revision of science standards on 19 October 2007 that prominently featured evolution.

GEORGIA—On 19 December 2006, a settlement was announced in *Selman v. Cobb County* that was lauded by both science education and civil liberties groups and eliminated the need for a retrial. In the agreement, the Cobb County Board of Education and School District agreed not to restore the warning sticker (in any form) that described evolution as "a theory, not a fact" to science textbooks. Additionally, the Board and District were enjoined to not take any number of actions that "would prevent or hinder the teaching of evolution" and must reimburse \$166,659 of the plaintiffs' legal fees. This settlement follows the 25 May 2006 Eleventh Circuit Court of Appeals decision that sent the case back to the District Court over concerns about evidence. The Cobb County Board of Education had appealed a 13 January 2005 federal court ruling where the textbook warning stickers were considered a violation of the Establishment Clause of the First Amendment and were immediately ordered to be removed. The initial trial of *Selman v. Cobb County* took place in late 2004 after eleven parents filed suit against the Cobb County Board who, under pressure from local creationists, originally adopted the stickers in 2002.

KANSAS—During its 13-14 February 2007 meeting, the state Board of Education revised state science standards to appropriately consider evolution and reject the "teach the controversy" stance of ID/creationism advocates. On 7 November 2006 supporters of evolution education took control of the state Board of Education with a 6-4 majority. Two pro-evolution Republicans, Sally Cauble (District 5) and Jane Shaver (District 9) replaced anti-science members of the board. However, Republicans John Bacon (District 3) and Ken Willard (District 7) were re-elected. Bacon and Willard were part of the 6-4 anti-evolution majority that redefined science in 2005 and allowed the teaching of intelligent design/creationism. Incumbent governor Kathleen Sebelius (D) was re-elected to a second term. In October 2006, Sebelius called the Board of Education "an embarrassment to the state" and vowed to push for a constitutional amendment to make the board advisory and shift power to a Secretary of Education in the governor's Cabinet.

KENTUCKY—On 28 May 2007, the \$27 million, privately-funded Answers in Genesis Creation Museum opened in northern Kentucky, just minutes from Cincinnati, OH. The 60,000 square-foot museum features scientific-appearing dioramas and exhibits that present the story of Biblical creation as literal truth. At its 10 January 2007 meeting, the Kentucky Board of Education discussed requisite qualifications for a new education commissioner, but did not include potential candidates' positions on intelligent design. In October 2006, former Commissioner Gene Wilhoit publicly voiced concerns that hiring someone who believes intelligent design should be taught in public schools would be a mistake, directly contradicting the position of Governor Ernie Fletcher (R). On 9 January 2006, Fletcher advocated teaching intelligent design/creationism in his annual State of the Commonwealth speech. In December 2005, the Kentucky Academy of Science publicly opposed "attempts to equate scientific creationism and intelligent

design" with evolution. Kentucky has a statute, not tested in courts, that allows local educators to choose to teach creationism in public schools.

LOUISIANA—In a fiscal year 2008 appropriations bill, U.S. Senator David Vitter (R) requested \$100,000 for the Louisiana Family Forum, a Christian group that opposes the teaching of evolution in the public school classroom, "to promote better science education." A coalition of concerned organizations joined together to oppose the earmark, resulting in its subsequent withdrawal by Vitter on the Senate floor on 18 October 2007. On 10 March 2006 the Louisiana Academy of Sciences adopted a resolution declaring that "intelligent design" is not a science and opposing its inclusion in state science programs. In May 2003, anti-evolution legislation to bar federal employees from distributing "false or fraudulent" information was tabled in committee. Two other anti-evolution bills died at the conclusion of that legislative session.

MAINE—On 7 November 2006 incumbent Governor John Baldacci (D) defeated conservative gubernatorial candidate Chandler Woodcock (R), who supported teaching intelligent design alongside evolution in public schools.

MARYLAND—In April 2006, two anti-evolution bills died at the end of the legislative session after receiving unfavorable reports by a House Committee.

MICHIGAN—On 10 October 2006, the Michigan Board of Education unanimously approved 'science content expectations' that require high school students to explain the process of evolution and the scientific evidence supporting it. The Board struck language from the standard that suggested controversy and lack of scientific consensus. In the 7 November 2006 gubernatorial election, incumbent Governor Jennifer Granholm (D) defeated Dick DeVos (R), who had publicly supported teaching intelligent design in science classrooms.

MINNESOTA—In December 2006, a billboard along Interstate 35W in downtown Minneapolis displayed the message, "Everyone has an opinion on evolution. Read ours. Post yours. www.WholesYourCreator.com." The billboard (and another similar one in Duluth) as well as the companion website were sponsored by a local woman who supports creationism. On 20 May 2006, an omnibus education bill (SF 2994) passed both the state House of Representatives and the Senate. However, a provision in the original bill that banned the state department of education and school districts from "utilizing a nonscientifically based curriculum, such as intelligent design" was removed from the final bill. In 2004, the state legislature adopted strong science education standards that did not include controversial changes that would have allowed the teaching of "evidence against" or "weaknesses" of evolution.

MISSISSIPPI—A bill that would authorize local school boards to teach alternatives to evolution (H.B. 625) died in the state House Committee on Education on 30 January 2007. On 20 April 2006, H.B. 214 was signed into law, allowing teachers to "answer questions from individual students on the origin of life." This anti-

evolution language emerged during the conference committee. On 10 January 2005, S.B. 2286 was introduced to require public schools to teach intelligent design/creationism if schools teach evolution; the bill language was similar to a Louisiana measure that the Supreme Court found to be unconstitutional in the 1987 *Edwards v. Aguillard* case. S.B. 2286 later died in the Senate Education Committee.

MISSOURI—In December 2006, Governor Matt Blunt withdrew the nomination of Donayle Whitmore-Smith to the State Board of Education following vocal opposition from state leaders over her support of private school vouchers and a noncommittal stance on teaching evolution, and not creationism, in the science classroom. In April 2006, the anti-evolution Missouri Science Education Act, H.B. 1266, passed the House Education Committee, but was never sent to the full chamber. The bill would have allowed the teaching of critiques of evolution. In January 2005, H.B. 35 was introduced, which would require all public school biology textbooks to have at least one chapter containing a critical analysis of the origins of life. The bill later died in the Education Committee.

MONTANA—The anti-creationist H.J.R. 21, a bill very similar to S.J.R. 8 from 2005, was introduced on 26 January 2007 in the Montana House of Representatives and referred to the Committee on Education. On 17 January 2005, S.J.R. 8 was introduced, supporting the "separation of church and state and quality education." The resolution indicated the Senate's support for local school districts to implement curricula based on sound science. After a hearing in the Senate Education Committee the resolution died. In 2004, a Darby minister led an effort to pressure the local school board to adopt a policy that would support the teaching of non-scientific criticisms of evolution. The school board ultimately defeated the proposal by a vote of 3 to 2. School board members that supported the policy were not reelected.

NEVADA—The "Truth in Science" initiative calling for a Nevada constitutional amendment that requires teaching the "strengths and weaknesses" of evolution in public schools was filed with the secretary of state in February 2006. However, the initiative was withdrawn in June before the necessary 83,184 signatures for it to appear on the ballot in November 2006 were collected.

NEW MEXICO—In January 2007, four anti-evolution bills were introduced to the state legislature, but all measures died by the end of the legislative session in March 2007. The identical H.B. 506 and S.B. 371 would have allowed teachers to provide information about the strengths and weaknesses of evolution when teaching about "biological origins" and encouraged students to come to their own conclusions without penalty. H.J.M. 14 and S.J.M. 9 would have required compliance with the above bills by the Public Education Department and explained the suspicious rationale behind them. On 10 April 2006, the Rio Rancho school board voted to amend Science Policy 401, replacing language considered by some to promote teaching ID with language directly from state science standards. In August 2003, the State Board of Education voted to adopt strong science standards that do not

include language designed to cast doubt on the role of evolutionary biology in science.

NEW YORK—In June 2006, A.B. 8036, an anti-evolution bill that would require students to receive instruction in “all aspects of the controversy surrounding evolution,” died in the House Committee on Education. The bill was originally introduced in May 2005.

OHIO—In February 2006, the Ohio Board of Education voted 11-4 to remove a March 2004 “Critical Analysis of Evolution” lesson plan and a corresponding indicator from the state science standards. Scientists and educators actively opposed the plan, contending it was a thinly disguised attempt to introduce intelligent design/creationism into the science curriculum. In a suspicious act that appeared to circumvent this decision, the “Framework for Teaching Controversial Issues” was introduced in July 2006 and was supported by several board members. However, on 10 October 2006, the Board voted 14-3 to end discussion of these proposed teacher guidelines. In November 2006, five of 11 elected positions on the Board were up for vote; pro-science candidates won four of those seats, including one formerly held by Deborah Owens-Fink, a consistent and vocal supporter of anti-evolution measures. In the gubernatorial election, voters selected Democrat Ted Strickland. Strickland opposes the teaching of intelligent design in the science classroom, and as governor, appoints 8 of 19 members to the Board of Education.

OKLAHOMA—On 7 November 2006, incumbent Sandy Garrett (D) defeated Bill Crozier (R), a supporter of teaching alternatives to evolution in science classrooms, for state superintendent of public instruction. In April 2006, four anti-evolution bills died in committees, including H.B. 2107, “The Academic Freedom Act,” that passed the House of Representatives on 2 March 2006. H.B. 2107, H.B. 2526, H.C.R. 1043, and S.B. 1959 were introduced in January and February 2006. In March 2004, legislation passed by the House included an “evolution disclaimer” in textbooks and provided state funding for local school systems to purchase textbooks not on the state adoption list died in the Education Committee of the Senate.

PENNSYLVANIA—On 7 November 2006, Bob Casey (D) defeated incumbent Senator Rick Santorum (R), chairman of the Senate Republican Conference and a powerful and influential supporter of the “intelligent design” movement. Santorum was on the advisory board to the legal group that defended the Dover school board in the landmark case, *Kitzmiller v. Dover Area School District*, in 2005. The case began in October 2004 when the school board amended the district’s science curriculum to authorize the use of an intelligent design/creationism textbook, and eleven local parents subsequently filed a federal lawsuit. Following the no-jury trial 26 September - 4 November 2005, Judge John E. Jones III ruled that the school district’s inclusion of the controversial textbook in the science curriculum violated the Establishment Clause of the Constitution. The ruling also declared that intelligent design is not science and “moreover intelligent design cannot uncouple itself from its creationist, and thus religious antecedents.” On 8 November 2005, prior to Judge Jones’ decision, eight

anti-evolution members of the Dover school board who voted for the weakened science standards failed to win reelection. The newly elected board members openly opposed the inclusion of intelligent design/creationism in science classrooms.

SOUTH CAROLINA—In June 2006, the state Education Oversight Committee (EOC) approved new state science standards that include a “critical analysis” indicator in the evolution section. The South Carolina Board of Education earlier approved the anti-evolution standards in November 2005. The new standards will take effect in August 2007. In December 2004, S. 114 was introduced with language allowing the teaching of alternatives to evolution. The bill later died in committee.

TENNESSEE— In January 2007, Senator Raymond Finney (R-District 8) introduced S.R. 17, a bill which, if enacted, would request the commissioner of education to justify the fact that creationism is not taught in the state’s public schools. However, with the conclusion of the first session of the 105th Tennessee General Assembly 12 June 2007, S.R. 17 failed to pass. The bill could be revived during the second legislative session which begins 8 January 2008. In April 2003, a school district rejected three biology textbooks for not giving equal time to creationism.

TEXAS—In November 2003, following a heated battle covered by national media, the State Board of Education (SBOE) approved textbooks with sound science. On 18 September 2006, Texas attorney general Greg Abbott reaffirmed a state law that limits the power of the Texas state board of education to review and reject textbook content as they relate to the Texas Essential Knowledge and Skills (TEKS) standards and any factual errors. While biology textbook adoption proceedings will not likely occur again until 2009, evolution advocates are concerned that anti-evolution members of the board may argue that the textbooks have factual errors or do not conform to TEKS standards. TEKS standards for science were scheduled for review in fall 2007, but were postponed. In June 2007, two bills troubling to evolution advocates were signed into law: H.B. 188 which changed the process by which textbooks are reviewed and adopted by public school districts or open-enrollment charter schools and H.B. 3678, the Religious Viewpoint Anti-Discrimination Act. There is concern that H.B. 188 will permit non-scientific books such as the Discovery Institute’s “Explore Evolution” to be incorporated into the biology curriculum as supplementary material. It appears that H.B. 3678 will allow students in science classes to offer religious and creationist explanations for natural phenomena in class work, homework, and exams without penalty. In July 2007, Governor Rick Perry (R) appointed Dr. Don McLeroy, a SBOE board member who voted against the state’s current high school biology textbook because it did not include a discussion of the weaknesses of evolution, as chairman of the SBOE.

UTAH—On 27 February 2006, the House of Representatives defeated an anti-evolution bill, S.B. 96, that passed the Senate on 17 January 2006. The bill required teachers to instruct students “that not all scientists agree on which theory [of life] is correct.” On 2 September 2005, the Board of Education called evolution

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"a major unifying concept in science and appropriately included in Utah's K-12 Science Core Curriculum."

WEST VIRGINIA—In March 2003, the Board of Education adopted science standards that include evolution education.

WISCONSIN—Encouraged by the success and attention garnered by the Answers in Genesis creation museum in Kentucky, Waupaca resident Bill Mielke indicated in October 2007 his intentions to open a creation museum in the Wisconsin Dells, a popular vacation destination an hour from Madison, WI. On 4 May 2006, AB 1143 died in the State General Assembly. This education bill instructed the school board to ensure that material taught in school science curricula is "testable as a scientific hypothesis and describes only natural processes" and is consistent with the National Academy of Sciences definition of science. The bill was intended to counteract actions that weakened evolution education, including the December 2004 Grantsburg School Board resolution that stated: "Students shall be able to explain the scientific strengths and weaknesses of evolutionary theory. This policy does not call for the teaching of creationism or intelligent design."

WYOMING—In September 2003, a local school board voted against changing the school district's policy on evolution education to require religious criticisms of evolution.

For more information ...

The AIBS Evolution Initiatives webpage (<http://www.aibs.org/evolution-initiatives/>) includes updates about current threats to evolution education and links to AIBS resources helpful to science education advocates. From this site you may also access the AIBS/National Center for Science Education State Evolution List Serve Network.