



## ***Political Threats to Evolution Education***

Attacks on the integrity of science education persist as advocates for intelligent design/creationism (IDC) pursue efforts to pass legislation or to rewrite academic standards in state capitals and local school boards across the nation. This short document provides brief summaries of recent antiscience initiatives, and the efforts undertaken in response to these antiscience initiatives.

---

**ALABAMA**—House Bill (HB) 923, the “Academic Freedom Act,” died when the state legislature adjourned in May 2008. This legislation would have allowed nonscientific concepts such as IDC to be taught as though they represented accepted scientific principles, and would have required teachers to accept nonscientific explanations for natural phenomena in class assignments. In April 2006, two identical antievolution bills in the Alabama House of Representatives and Senate died at the end of the legislative session. In November 2005, the Alabama State Board of Education had voted unanimously to continue using a biology textbook sticker disclaimer that describes evolution as a “controversial theory.”

**ALASKA**—On 28 August 2008, Arizona Senator and 2008 Republican Presidential nominee John McCain announced that he had selected Alaska Governor Sarah Palin as his Vice Presidential running mate. Palin established her creationist credentials during a 2006 Gubernatorial debate when she stated that creationism should be taught alongside evolution in Alaska public school classrooms.

**CALIFORNIA**—In 2008, the University of California (UC) won a multiyear court battle brought against the UC system by several Christian schools and students. At issue in the case was the plaintiff's objection to a UC policy that rejects high-school biology courses that use textbooks published by Bob Jones University Press and A Beka Books because they are “inconsistent with the viewpoints and knowledge generally accepted in the scientific community.” In 2008 a federal judge issued a partial ruling that established the constitutionality of the UC policy for evaluating applicant credentials. On 8 August, the court accepted the university's argument that it properly applied its policies. In

March 2006, a US District Court judge dismissed a lawsuit filed against the UC Museum of Paleontology and the National Center for Science Education. The lawsuit charged that the “Understanding Evolution” Web site hosted by the two organizations violated the Constitution's Establishment Clause. In 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.

**COLORADO**—Bill Ritter (D) was elected governor in 2006, when he defeated Bob Beauprez (R). Beauprez's running mate, Janet Rowland, stirred controversy by supporting the teaching of creationism alongside evolution in the science classroom. Colorado scientists organized to establish the Colorado Evolution Response Team, a group that combats threats to science education.

**FLORIDA**—On 19 February 2008, by a 4-3 vote, the State Board of Education approved new science standards that include the term “evolution.” These standards replaced the 1999 Sunshine State Standards for Science, which were widely criticized by science education experts for their deficiencies. In response to the new standards, some legislators introduced the “Evolution Academic Freedom Act” (HB 1483, SB 2692). The legislation sought to “protect the right of teachers to objectively present scientific information relevant to the full range of scientific views regarding chemical and biological evolution.” The measures died in the legislature.

**GEORGIA**—On 19 December 2006, a settlement was announced in *Selman v. Cobb County*. The Cobb County Board of Education and School District agreed not to restore a warning sticker in science textbooks that described evolution as “a theory, not a fact.” Additionally, the board and district were enjoined to not take any number of actions that “would prevent or hinder the teaching of evolution” and to reimburse \$166,659 of the plaintiffs' legal fees. The settlement followed a May 2006 11<sup>th</sup> U.S. Circuit Court of Appeals decision that sent the case back to U.S. District Court over evidentiary concerns. The Cobb County Board of Education had appealed a 13 January 2005 federal court ruling which ordered the textbook warning stickers to be removed immediately, as they were considered a violation of the Establishment Clause of the First Amendment. The initial trial of *Selman v. Cobb County* took place in late 2004 after 11 parents filed suit against the Cobb County School Board, which, under pressure from local creationists, had adopted the stickers in 2002.

**KANSAS**—During a February 2007 meeting, the Kansas State Board of Education revised state science standards to appropriately consider evolution and reject the "teach the controversy" stance implemented by the previous board, which was dominated by creationists. On 7 November 2006 supporters of evolution education took control of the State Board of Education and now hold a two-seat majority.

**KENTUCKY**—In May 2007, the \$27-million, privately funded Answers in Genesis Creation Museum opened in northern Kentucky, near Cincinnati, Ohio. The 60,000-square-foot museum features science-mimicking exhibits that present the story of Biblical creation as literal truth. In January 2007, the Kentucky Board of Education discussed requisite qualifications for a new education commissioner, but did not include potential candidates' positions on intelligent design (ID). On 9 January 2006, Governor Ernie Fletcher (R) advocated teaching ID in his annual State of the Commonwealth address. Former Commissioner Gene Wilhoit later contradicted this message when he publicly voiced concerns that hiring someone who believes ID should be taught in public schools would be a mistake. In December 2005, the Kentucky Academy of Science expressed its opposition to attempts to equate IDC with evolution.

**LOUISIANA**—The "Louisiana Science Education Act" (SB 733), formerly the "Louisiana Academic Freedom Act" (SB 561), passed the Louisiana Senate in April 2008, 27 years after the state passed its Balanced Treatment for Evolution-Science and Creation-Science Act, a law overturned by the Supreme Court in 1987. SB 733 was quietly signed into law by Governor Bobby Jindal (R) on 25 June 2008. Sponsored by State Senator Ben Nevers (D-District 12), the legislation seeks to create questions that do not exist around evolution and climate change. The statewide measure was modeled on a policy passed by the Ouachita Parish School Board in 2006. Before approval by the Senate Education Committee, the legislation was renamed, renumbered, and "sanitized" by removing "strengths and weaknesses" language and the list of specific scientific topics. Nevers later restored the list of topics—"biological evolution, the chemical origins of life, global warming, and human cloning"—to SB 733. In 2007, David Vitter (R), one of Louisiana's US Senators, sought to secure a \$100,000 earmark in a Federal Appropriations bill. The money would have gone to the Louisiana Family Forum (LFF) "to promote better science education." The LFF is a Christian group that opposes the teaching of evolution. A coalition of national organizations joined together to oppose the earmark. Senator

Vitter ultimately withdrew his request in October 2007.

**MICHIGAN**—HB 6027, an "academic freedom" bill, was introduced in the Michigan House of Representatives on 30 April 2008 and was referred to the House Committee on Education. Science education advocates opposed HB 6027 because it was intended to create questions that do not exist around the issues of evolution and climate change. The bill was cosponsored by John Moolenaar (R-District 98, Midland) who previously cosponsored legislation that would have encouraged the teaching of "the design hypothesis as an explanation for the origin and diversity of life" in public-school science classes. An identical bill, SB 1361, was introduced in the state Senate in June; both measures died in committee. In October 2006, the State Board of Education approved "science content expectations" that require high-school students to explain the process of evolution and its supporting scientific evidence.

**MINNESOTA**—On 20 May 2006, education legislation (SF 2994) passed the state House of Representatives and Senate. A provision in the original legislation that banned the Department of Education and school districts from "utilizing a non-scientifically based curriculum, such as intelligent design," was stricken from the final bill.

**MISSISSIPPI**—Legislation that would authorize local school boards to teach alternatives to evolution (HB 625) died in the House Education Committee on 30 January 2007. In April 2006, HB 214 was signed into law, which allows teachers to "answer questions from individual students on the origin of life." In January 2005, SB 2286 was introduced in the state Senate. If passed, SB 2286 would have required public schools to teach IDC if they teach evolution; the legislative language was similar to a Louisiana measure that the US Supreme Court found unconstitutional in the 1987 *Edwards v. Aguillard* case. SB 2286 died in committee.

**MISSOURI**—HB 2554, an act "relating to teacher academic freedom to teach scientific evidence regarding evolution," died in May 2008 with the end of the legislative session. Passed by the House of Representatives' Committee on Elementary and Secondary Education, the legislation used rhetoric from "academic freedom" legislation of other states. Representative Robert Wayne Cooper (R-District 155) introduced the legislation. In 2004, he sponsored HB 911 and HB 1722--legislation that would have permitted equal time for "intelligent design" in Missouri's schools.

**MONTANA**—HJR 21 and SJR 8 were introduced in the State Legislature in 2007. The resolutions would have supported the “separation of church and state and quality education.” The resolutions died in committee. In 2004, a Darby, Montana, minister led an effort to pressure the local school board to adopt a policy that would support the teaching of nonscientific criticisms of evolution. The school board ultimately defeated the proposal by a 3-2 vote. School board members that supported the policy were not reelected.

**NEVADA**—The Secretary of State filed a “Truth in Science” initiative in February 2006, which called for a state constitutional amendment requiring that “strengths and weaknesses” of evolution be taught in public schools. The initiative was withdrawn in June because supporters were unable to garner the required 83,184 signatures to place the measure on the ballot.

**NEW MEXICO**—In January 2007, four antievolution bills were introduced in the legislature. These proposals died at the end of the legislative session. HB 506 and SB 371, identical legislation, would have allowed teachers to provide information about the strengths and weaknesses of evolution when teaching about “biological origins,” encouraging students to come to their own conclusions. HJM 14 and SJM 9 would have required compliance with the above bills by the Public Education Department. 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.

**NEW YORK**—In June 2006, AB 8036, an antievolution bill that would have required students to receive instruction in “all aspects of the controversy surrounding evolution,” died in committee.

**OHIO**—In December 2008, the Cincinnati Zoo removed a controversial package ticket deal with the nearby Creation Museum (in Kentucky) after receiving criticism about the partnership. In June 2008, the Mount Vernon City School District Board of Education unanimously voted to begin proceedings to fire John Freshwater, a middle-school science teacher. Freshwater preached his beliefs about creationism, devalued evolution, and ignored the required science curriculum. In February 2006, the Ohio Board of Education voted 11-4 to remove a 2004 “Critical Analysis of Evolution” lesson plan and a corresponding indicator from the state science standards. Scientists and educators actively opposed the lesson plan, contending it was a thinly disguised

attempt to introduce IDC into the curriculum. In an effort to circumvent this decision, the “Framework for Teaching Controversial Issues” was introduced in July 2006 and was supported by several board members. However, in October 2006 the board voted 14-3 to end discussion of these proposed teacher guidelines. In November 2006, 5 of 11 elected positions on the board were on the ballot; pro-science candidates won four of those seats, including one formerly held by Deborah Owens-Fink, a vocal supporter of antiscience measures. In the gubernatorial election, voters selected Democrat Ted Strickland. Strickland opposes the teaching of ID in the science classroom, and will appoint 8 of 19 members to the Ohio State Board of Education.

**OKLAHOMA**—Although it died in the State Senate Rules Committee in April 2008, the “Religious Viewpoints Antidiscrimination Act” (HB 2211) was resurrected by its supporters in the form of a Senate amendment to HB 2633. The measure passed the House in May 2008 by a 70-28 vote and was sent to Governor Brad Henry (D). The governor vetoed the legislation. In April 2006, four antievolution bills died in committees, including HB 2107, “The Academic Freedom Act,” that passed the House in March 2006. HB 2107, HB 2526, HCR 1043, and SB 1959 were introduced in January and February 2006.

**PENNSYLVANIA**—In November 2006, Bob Casey (D) defeated incumbent Senator Rick Santorum (R), chairman of the Senate Republican Conference and a powerful supporter of the ID movement. Santorum was a member of the advisory board to the organization that defended the Dover school board in the 2005 *Kitzmiller v. Dover Area School District* case. The case began in October 2004 when the school board amended the district’s science curriculum to authorize the use of an IDC textbook, and 11 local parents later filed a federal lawsuit. Following a no-jury trial in 2005, federal Judge John E. Jones III ruled that the district’s inclusion of the IDC textbook in the science curriculum violated the Establishment Clause of the First Amendment of the Constitution. The ruling also declared that ID is not science, and “moreover intelligent design cannot uncouple itself from its creationist, and thus religious antecedents.” On 8 November 2005, before Judge Jones’s decision, eight antievolution members of the Dover school board who voted for the weakened science standards failed to win reelection.

**SOUTH CAROLINA**—In June 2006, the South Carolina Education Oversight Committee approved new science standards that included a “critical analysis” indicator in the evolution section. In

August 2007, the antievolution standards approved by the State Board of Education in November 2005 went into effect. In June 2008, SB 1386--so-called academic freedom legislation aimed at undermining the teaching of evolution--died in the state Senate. Introduced in May 2008, the legislation singled out evolution as a controversial subject and encouraged critical analyses of its strengths and weaknesses. Its sponsor, Senator Michael Fair (R-District 6), previously spearheaded efforts to hinder the teaching of evolution in the state standards.

**TENNESSEE**—In January 2007, Senator Raymond Finney (R-District 8) introduced SR.17, legislation that, if enacted, would have required the commissioner of education to justify the fact that creationism is not taught in the state's public schools. The measure died in the legislature.

**TEXAS**—In June 2008, the State Board of Education (SBOE) began its 10-year review and revision of science education standards for grades K–12. Creationism supporters wanted to preserve existing language requiring that both the "strengths and weaknesses" of evolution be taught to students. This language caused significant controversy between science educators and creationists, but the third draft, released 24 December 2008, did not contain the controversial phrase. The SBOE is expected to finalize the new science standards in March 2009. In April 2008, the Texas Higher Education Coordinating Board (THECB) rejected an application from the Dallas-based Institute for Creation Research (ICR) to grant graduate degrees in science education. ICR sought approval from the THECB to offer degrees while waiting for accreditation from the state-recognized Southern Association of Schools and Colleges. This decision was a reversal from December 2007 when the Certification Advisory Council of the THECB preliminarily recommended that ICR be allowed to offer online master's degrees in science education. In June 2007, two bills troubling to evolution advocates were signed into law: HB 188, which changed the process by which textbooks are reviewed and adopted by public school districts or open-enrollment charter schools; and HB 3678, the Religious Viewpoint Anti-Discrimination Act. There is concern that HB 188 will permit nonscientific books to be incorporated into the biology curriculum as supplementary material. It appears that HB 3678 will allow students in science classes to offer religious and creationist explanations for natural phenomena in class work; further, it has served as a template for other "academic freedom" legislation in other states. In July 2007, Governor Rick Perry (R) appointed Don McLeroy to serve as Chairman of the SBOE. As a board member, McLeroy voted against the current high-school biology textbooks

because they did not include a discussion of the weaknesses of evolution. In December 2007, Christine Castillo Comer was pressured to resign as Director of Science Curriculum for the Texas Education Agency (TEA) after forwarding an e-mail about an upcoming talk in Austin by Barbara Forrest, coauthor of *Creationism's Trojan Horse*, a scholarly work that chronicles how creationist politics influence public school science curricula. The subject of Comer's e-mail was "FYI," and was sent to a few people and members of a local online community. According to an e-mail obtained by a local newspaper, TEA officials stated that agency personnel must remain neutral when talking about evolution and creationism.

**UTAH**—In September 2005, the Utah State Board of Education called evolution "a major unifying concept in science and appropriately included in Utah's K–12 Science Core Curriculum."

**WISCONSIN**—In May 2006, AB 1143 died in the State General Assembly. This legislation would have instructed the state school board to ensure that material "presented as science within the school curriculum" is "testable as a scientific hypothesis and describes only natural processes," and is consistent with the National Academy of Sciences' definition of science. The legislation 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."

**For more information**

The American Institute of Biological Sciences (AIBS) Evolution Initiatives Web page ([www.aibs.org/evolution-initiatives/](http://www.aibs.org/evolution-initiatives/)) includes updates about current threats to evolution education and links to helpful AIBS resources for science education advocates. From this site you may also access the AIBS/National Center for Science Education State Evolution ListServ Network.