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School Board Will Appeal Judge's Ruling

Decision amounts to unnecessary judicial intrusion into local control of schools

The Cobb County School Board voted 5-2 today to appeal the Northern District Court's decision of January 13, 2005 requiring the school district to remove stickers placed in science textbooks. The school board's attorneys will pursue the appeal at no additional cost to the district or Cobb County taxpayers.

School board members today said the court has, in effect, condemned the Board for taking a reasonable approach to address the concerns of its citizens on a controversial issue. "The board two years ago had no intention of inserting religion into the curriculum," said then-Board Chairman Curt Johnston. "In fact, its intention was to strengthen the teaching of evolution." The judge's ruling stands as an intrusion into local control of school policy and administration.

"We are proud of our curriculum in Cobb County, which follows national and state standards in teaching science and the theory of evolution," said current Board Chairwoman Kathie Johnstone. "In his decision, the judge states, 'There is no evidence in this case that the School Board included the statement in the sticker . . . to promote or advance religion.'" (P. 35)

Based on the language contained in the judge's decision, Board members were surprised by the ruling. The Board felt the order was not based either on their intent or their action. As the decision says, it "is not really based on the Court's factual findings but is 'in large part a legal question to be answered on the basis of judicial interpretation of social facts' ". (P. 31)

Therefore, the Board voted to appeal the case to the 11th Circuit Court of Appeals.

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