APPENDIX IV

TAB CC
Ruling lauded in Dover

Both sides say Ga. decision aids case

By HEIDI BERNHARD-BUBB

Attorneys representing both sides in the lawsuit against the Dover School District over its biology curriculum say their cases will be strengthened by a federal judge's decision yesterday in an evolution case in Georgia.

Opponents of the curriculum call it a helpful precedent, while proponents of it say the judge addressed evolution, not intelligent design—a theory that attributes the origin of life to an intelligent being.

In Georgia, U.S. District Judge Clarence Cooper ruled that stickers placed in the high school biology textbooks, calling evolution a theory, not a fact, were an unconstitutional endorsement of religion. He ordered them removed.

Cobb County, Ga., school officials put the stickers in the books two years ago. They read: "This textbook contains material on...

See DOVER A9

- Group objects to board's policy change.
DOVER
Ga. Case: Reactions
(Continued from Page 1)

The Dover case has been

the subject of considerable

discussion and debate. As a

theory, it is not new, but it

has gained a new level of

notoriety in recent years.

The case began when

parents in Dover, Ohio, sued

the school district for

introducing "intelligent
design" into the science

curriculum. The theory

suggests that life on Earth

must have had a "designer,"

yet it is considered a

controversial topic.

The trial began in 2005,

and the verdict was expected

in early 2006. The case

generated significant

media attention and

public debate.

The Dover school district

were not the only ones

concerned about the

introduction of "intelligent

design" into the curriculum.

Several other school

districts in the United States

have also faced similar

issues.

The case was ultimately

decided in favor of the

plaintiff, who was seeking

the removal of "intelligent
design" from the science

curriculum. The court

ruled that the theory was

not a "science" and therefore

could not be taught in

public schools.

The decision was seen as

a victory for scientists and

users of the "wall of separation

between church and state.

Billy Graham
Managing editor

BILLY GRAHAM

THE YORK DISPATCH
A YEAR LIKE NO OTHER

Throughout 2004, a number of national issues resonated through York County. From the local impact of the war in Iraq, to debates over the proper use of eminent domain, to differing interpretations of separation of church and state, national issues hit home, and sometimes what happened in York made national as well as local headlines.

- UPPER LEFT: The teaching of intelligent design theory at Dover Area High School was among the issues that drew the national media to York. Earlier this month, attorney Eric Rothschild and 11 parents announced a lawsuit against the district in Harrisburg.
- LOWER PHOTO: The war in Iraq was felt throughout York as soldiers, such as Sgt. Eric Fellers of Manchester Township, were called to duty, and five servicemen with York County ties were killed. Meanwhile, at home, a group called SOAR helped support the troops.

Other issues were more local in focus:
- UPPER CENTER: The county opened its new judicial center downtown.
- UPPER RIGHT: Runoff from heavy rains on Mother’s Day brought flash flooding that killed a woman and her young daughter. For a look back at the year, see Pages A8-9.
missioner Doug Kilgore would just totally follow her every step of the way,” Chronicter said.
They ended their first year in office by raising property taxes by 7 percent and creating a new library tax, to ensure library funding grows as the county does — with Chronicter opposed.

A park at Lauxmont?
One of the most controversial issues in York County this year was the effort by county commissioners Lori Mitrick and Doug Kilgore to turn 315 undeveloped acres in Lower Windsor Township into a public park overlooking the Susquehanna River.
Called the Susquehanna Riverlands Preservation Project, it has the backing of the Lancaster-York Heritage Region Board and the York County Farm and Natural Lands Trust. It would contain a welcome center, preserved farmland and an American Indian museum and education center, focused on a site that may have been the last Susquehannock Indian village.
So far, it has received a $1 million, two-year commitment from the state, in part because the commissioners in May moved to take, by eminent domain, the Highpoint tract, owned by Columbia builder Peter Alexich.
Since then, opposition to the project has mounted. Local and national Realtors’ groups have come to Alexich’s defense, as has the state’s Natural Resources Department, which owns Lauxmont Farms. The farm contains the bulk of the land proposed for the project. And there’s been no word on where the commissioners tried to halt what seemed like a new-style avalanche of change orders, but even today, extra costs associated with the building continue to roll in.
Meanwhile, the 2005 county budget includes higher costs for the sheriff’s office, administration and facilities management because of additional staffing and higher-than-expected operational costs of the new judicial center.

Dover in the spotlight
From National Public Radio to the TV show “Nightline,” crowds from the national media began descending on the Dover area toward the end of the year.
They were reporting on a controversy over the teaching of intelligent design in high school biology courses, as approved by the school board in October.
The debate began last June, when a new biology textbook, the 2004 edition of “Prentice Hall Biology,” was up for approval.
The book offended some board members because it teaches the theory of evolution without reference to creationism — although in 1987 the U.S. Supreme Court prohibited the teaching of creationism in public schools.
A divided board approved the book, but some members called for an alternative theory to be taught alongside evolution. A proponent of the intelligent design theory, which attributes the origin of life to an “intelligent being,” donated 60 copies of the book “Of Pandas and People” to the district.
In October, the board voted to add a statement to the curriculum that says there are gaps in Darwin’s theory of evolution, and students should be made aware of other theories, including intelligent design. They then issued a statement they wanted teachers to read in biology class.
Three board members — Jeff and Casey Brown, and Angie Ziegler-Yingling — resigned.
On Dec. 14, 11 parents joined with the American Civil Liberties Union, Americans United for the Separation of Church and State and a Philadelphia law firm to sue the district and its board.
Parents said the board’s intention was religious and violates their children’s civil liberties.
A federal judge said the parents’ attorneys have until Jan. 5 — about two weeks before the classes would begin — to decide whether to seek a restraining order barring the district from offering the curriculum.
And the case wasn’t the only church vs. state controversy in the county in 2004. Hanover officials got a judge’s permission to sell a statue of Wirt Park, containing a decades-old Ten Commandments monument, after Americans United for the Separation of Church and State objected to its presence.

Criticism and praise swirled around the county’s plans to obtain Lauxmont Farms for a new park.

Hell of a year
Farmers have put up with everything from dust storms to floods. But a heavy rain that hit the area over Mother’s Day weekend can only be described as a disaster.
A massive storm dumped rain on the Felton area on Mother’s Day. The resulting flood killed the mother and daughter and caused millions of dollars in damage. Above, Bud Black works to remove mud from his mother’s house.
More than 75 years since evolutionists and creationists sparred in the legendary Scopes trial, their dispute is still not laid to rest.

New statewide teaching standards in recent years have secured evolution's place in biology class -- but only after battles in state after state, including Pennsylvania.

Meanwhile, in some small school districts -- Annville-Cleona is the prime local example -- Christian conservatives still challenge evolution, with varying success.

About 55 percent of Americans in a 2001 Gallup poll proclaimed belief in evolution -- the scientific theory that says all living things evolved through natural processes from common ancestry over millions of years.

The rest agreed that "God created human beings pretty much in their present form at one time within the last 10,000 years or so."

The disconnect between public education and popular belief will keep the controversy alive in courts, legislatures and school board meetings "well into the new century," says historian Edward Larson.

Larson, whose "Trial and Error: The American Controversy over Creation and Evolution" is now in its third edition, described the ongoing battle recently for about 20 people in Harrisburg.

Legislators, pastors, lawyers, school board members, a geologist, a deacon -- gathered at Grace United Methodist Church for a session sponsored by Messiah College in Grantham.

Ted Davis, professor of the history of science at the Christian college, says he hopes to arrange more speakers and conversations for local people interested in the nexus of science and religion.

He is dismayed, he says, when science "becomes a weapon in the culture wars."

It's been more than three decades since the Supreme Court said public schools cannot be barred from teaching evolution. Creationists fighting for equal time in science classes lost in court 16 years ago.

But homeschooling, Christian radio and fundamentalist academies have kept "creation science" alive and even flourishing, Larson says.

So some kids still are learning that the earth is young and dinosaurs roamed the same ground with humans -- scenarios that are in accord with literal readings of the Bible.

Ken Ham, whose "Answers in Genesis" ministry is on the Internet and the radio, has raised money around the country for a Creation Museum, now under construction near Cincinnati.

Incensed at the creationists, some popular science writers have taken aim at religion: Richard Dawkins and Dan Dennett assert that evolution shows God is a myth.

The National Academy of Scientists has tried to soothe feelings by insisting science is "neutral" -- not hostile -- to the existence of God. Still, positions have hardened.
Now, anti-evolutionists are rallying around "intelligent design" - - presented as science, not religion, and therefore fit for public school science classes.

Recently advanced by some scientists but rejected by the mainstream, the theory says the complexity of living structures is scientific evidence of an intelligent designer.

So far, efforts to mandate intelligent design teaching through statewide education standards have been largely unsuccessful, Larson says. And every state says students need some familiarity with evolution. Purposefulness to the universe

Most Americans who believe in evolution also believe the process is divinely ordained, Gallup reports. That includes the Rev. Jim Brown of Market Square Presbyterian Church in Harrisburg. "I believe that there is a purposefulness to the universe that Einstein and others have come up against. It's mystery, but it's there," Brown says. He's also "personally very comfortable" with evolution and does not support the intelligent design movement.

"I'm not unsympathetic with the attempt to hold on to biblical truths," Brown says. "But to try to impose scientific understanding in order to do that -- I don't think it works very well."

But the Rev. William McEllroy Jr. of St. John's Evangelical Congregational Church in Annville finds the idea of human evolution morally offensive.

And it's thinking like McEllroy's -- the biblical literalism of the Protestant fundamentalist church -- that remains "the bedrock for anti-evolutionism in the United States," Larson says.

To McEllroy's mind, evolution might explain changes over time in the characteristics of golden retrievers, for example, but has nothing to do with the diversity of life on earth or with human origins.

Those explanations are found in God, who created everything in six 24-hour days, just as the Bible says, only a few thousand years ago, McEllroy says.

"Evolution is going eventually to be found to be the falsity that it is," he predicts. "There are a lot of scientists who are not evolutionists, and they are being excluded from the mainstream."

He says he learns about those controversies from "Answers in Genesis."

McEllroy supports the teaching of intelligent design, even though it's "a bit deficient," he says. It's "certainly a positive step up from evolution." Political tool

Proponents of intelligent design insist that high schools should "teach the controversy" about evolution.

But just how much controversy is there?

"What they mean by that is 'teaching the theory as though it were not very well established,'" while most scientists think it is, Davis says. "I would say there isn't any controversy, or at least very little."

People who don't like evolution are seizing on scientific debates about how it works and then presenting them as attacks on the basic concept, Davis says.

As a Christian, who believes both in God and in evolution, Davis declares himself sympathetic in some ways to intelligent design - - but concerned that it has become a political tool.

The best-known and best-funded of the proponents of intelligent design is the Seattle-based Discovery Institute, which also promotes a variety of conservative causes.

Perhaps the best-known of the movement's scientists is Michael Behe, a biochemistry professor at Lehigh University who graduated from Harrisburg's Bishop McDevitt High School in 1969.

Behe has no basic quarrel with evolution; he is satisfied that living things evolved from common ancestors -- an idea that is anathema to many now pushing for the teaching of intelligent design in public schools.

But Behe says Darwin's description of how evolution happens -- natural selection among random mutations -- cannot explain the complexity he observes as a biochemist. Intelligent design is the only adequate explanation, he says.

The consensus of his fellow scientists is negative.

The American Association for the Advancement of Science declared last year that intelligent design is about religion, not science, and doesn’t belong in science class. Uphill battle

Annville-Cleona School Board meetings have repeatedly been the scene of clashes over evolution. A seventh-grade science course that covered evolution was approved 6-3 in 1999, over the objections of conservative Christians on the board.

Last summer, the board nixed a reading text that mentioned evolution in ways some members found too assertive.

Elsewhere in the midstate, though, things have been relatively quiet since the mid-’90s.

The Elizabethtown Area School Board in 1997 slapped a disclaimer on a seventh-grade science book, to assert that some ideas in evolution “have not been conclusively proven.”

The texts have since been changed. The new ones also teach evolution, which has since been enshrined in the statewide standards. And there’s no disclaimer.

Two years ago, U.S. Sen. Rick Santorum, R-Pa., sponsored a resolution saying biology teachers should help students understand the “continuing controversy” over evolution.

The presidents of 80 scientific societies fired off a letter telling Congress that, among scientists, there is no controversy. Santorum’s language ended up in a nonbinding report from a conference committee.

Anti-evolutionists face a decidedly uphill battle in the face of the state standards, the basis for student achievement tests, Larson says.

Still, he predicts a continuing “low-level controversy, resulting in a sort of low level of evolution education” -- along with more home-schooling and more fundamentalist high schools. MARY WARNER: 255-8267 or mwarner@patriot-news.com

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Dover debates evolution in biology text
Book on hold because it doesn't address creationism

Author: HEIDI BERNHARD-BUBB For The York Dispatch Did human beings descend from apes? Some members of the Dover Area School Board don't think so and want to make sure the high school biology curriculum teaches more than evolution. William Buck

Article Text:

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public schools as a violation of the separation of church and state.

And according to the Web site of the state chapter of the American Civil Liberties Union, Pennsylvania's new standards "do not include language that could have been interpreted as opening the door to the teaching of creationism." The standards, in fact, call for the teaching of evolution.

But Dover Area Superintendent Richard Nilsen said he is bound by state law to abide by the board's decision. He said the board votes on all textbooks and has the final say.

"The teachers cannot teach from a book that is not board-adopted," he said.

He said the district "will always look for textbooks that have a balanced approach to all topics."

When asked what that means for the evolution versus creationism debate, Nilsen said Dover will "present all options and theories."

ACLU staff attorney Paula Knudsen said the courts have "pretty well settled" the issue, so someone objecting to a textbook presenting creationism would have an "immediate ability to challenge (the) textbook" in federal court.

Districts can "use religion in the school setting to teach about literature, history, whatever, but when you're in the science forum, the case law is so clear it's probably a good idea for school districts not to use creationism at all, even if it's just a portion of a science textbook," Knudsen said.

Nilsen said he is not concerned about exposing the district to a possible lawsuit.

12/31/2004
Still looking: Board President Alan Bonsell said the board would look for a book that teachers and board members could approve, one that presents a fair and balanced approach.

A recommendation on the book will come from the curriculum committee, which also includes board members Sheila Harkins and Casey Brown.

Since last year when she was still a member of the board, Barrie Callahan has been questioning the board as to why the new book was not approved.

**Buckingham** said although the book had been available for review since May 2003, he had just recently reviewed the book himself and was disturbed the book was laced with Darwinism.

Resident Max Pell questioned whether the board should be teaching religion in school: "Creationism is a religious theory," he said. "Why does it have to be taught in biology class?"

Pell graduated from Dover High School in 2003 and just completed his freshman year as a biology major at Penn State University's main campus.

Opposes separation of church and state: **Buckingham** said he believes the separation of church and state is mythical and not something he supports.

Board member Jeff Brown said the entire board would make the final decision and the book has not been completely rejected.

Pell said he had no problem with **Buckingham**'s views if they weren't presented in the school curriculum.

Also at issue is whether a book will be approved before the upcoming school year. Callahan said she was concerned that students would have an outdated textbook for another year.

Assistant Superintendent Michael Baksa said the district was planning to adopt a textbook before the start of the new school year.

He said that he would present options to the curriculum committee and give the committee more information about how the district teaches evolution and creationism.

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12/31/2004
Group: Dover schools could face lawsuit
Says it's a textbook case of church, state separation
Author: HEIDI BERNHARD-BUBB For The York Dispatch

Article Text:

The quest of several Dover Area School Board members to find a high school biology textbook that teaches both evolution and creationism could put the district at odds with the U.S. Supreme Court and at risk of a lawsuit.

William Buckingham, a board member and head of the curriculum committee, said this week he was disturbed by a proposed high school biology textbook, the 2002 edition of Prentice Hall Biology, because it was laced with Darwinism.

Board member Noel Wenrich agreed.

The book was initially selected by the high school science department and district administration to replace the current textbook, which is six years old and out of date in some areas.

A recommendation on the book will come from the curriculum committee, which also includes board members Sheila Harkins and Casey Brown. Buckingham said the committee would look for a book that presented both creationism and evolution.

However, teaching creationism may get the district in trouble.

Robert Boston, spokesman for Americans United for Separation of Church and State, said the district will be inviting a lawsuit if it chooses a textbook that teaches creationism.

"Creationism isn't a science, it's religion, and any attempts to introduce creationism into public school science classes would most likely spark a lawsuit," Boston said. "The district would almost certainly lose a lawsuit like that. It's not even worth wasting the time and energy to consider."

The Washington, D.C.-based group is leading the charge in Hanover to remove a monument to the Ten Commandments from the borough-owned Wirt Park.
Americans United sent a letter to the borough council in November, saying the monument violates the First Amendment and asking that it be removed from public land, where it has been since the 1950s.

The letter sparked strong public response, as residents signed petitions and held a vigil asking the borough not to move the monument.

At the suggestion of State Rep. Steve Nickol, the council petitioned the York County Common Pleas Court for permission to sell the monument and the land on which it sits to a nonprofit organization, so that it will no longer be on public property. Judge Gregory Snyder will hear Hanover's arguments at 9 a.m. Monday.

Previous cases: In 1987, the U.S. Supreme Court rejected the teaching of creationism in public school as a violation of the separation of church and state.

But Buckingham said he is unconcerned about violating the separation of church and state.

Although he swore to uphold the Constitution when he became a school board member, Buckingham said he didn't come to uphold the separation of church and state, which he sees as a myth and the Supreme Court's interpretation.

Also, the Pennsylvania Department of Education high school science standards require the teaching of evolution.

Assistant Superintendent Michael Baksa said the current textbook, called Biology: The Living Science, and the school's science curriculum teach evolution.

"We do not address the origins of life," he said. "The origin of life is left to the personal beliefs of each family."

However, he said teachers may make reference to creationism in class and the district would not prevent students from pursuing other theories.

The district has not rejected the proposed new textbook, Baksa said, but it will continue to look for a book that will make everyone happy.

However, he acknowledged that at the end of the day, the book has to match state standards, which would mean a book that teaches evolution.

The other curriculum committee members stayed away from the creationism issue.

Brown declined to comment, saying she will be making a public statement on the issue at the next board meeting, at 7 p.m. Monday at North Salem Elementary.

Harkins said she didn't think the high school needed a new science textbook, saying the current one has hardly been used. She would not comment on creationism.

The school board will have the final say on which textbook to use, said Superintendent Richard Nilsen.Subscribe Now!

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Dover schools still debating biology text; A board member said a book was rejected because it didn't offer creationism;

JOSEPH MALDONADO. York Daily Record. York, Pa.: Jun 9, 2004. pg. 4

Abstract (Document Summary)

Board President Alan Bonsell disagreed, saying there were only two theories (creationism and evolution) that could possibly be taught. He said as long as both were taught as theories, there would be no problems for the district.

He said there needn't be consideration of the beliefs of Hindus, Buddhists, Muslims or other faiths and views. "This country wasn't founded on Muslim beliefs or evolution," he said. "This country was founded on Christianity, and our students should be taught as such."

Full Text (299 words)

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Former Dover school board member Barrie Callahan repeated her request for new biology books for the high school at Monday night's board meeting.

For the past few months, she has appeared several times before the board to request a status update.

Board member William Buckingham, who sits on the curriculum committee, said a book had been under consideration ("Biology," by Miller and Levine) but was declined because of its one-sided references to evolution.

"It's inexcusable to teach from a book that says man descended from apes and monkeys," he said. "We want a book that gives balance to education."

Buckingham and other board members are looking for a book that teaches creationism and evolution.

But a former student, Max Pell, told the board Monday night that he was concerned that that type of book would trample on the separation of church and state.

Board President Alan Bonsell disagreed, saying there were only two theories (creationism and evolution) that could possibly be taught. He said as long as both were taught as theories, there would be no problems for the district.

"Have you ever heard of brainwashing?" Buckingham asked Pell. "If students are taught only evolution, it stops becoming theory and becomes fact."

After the meeting, Buckingham said all he wants is a book that offers balance between what he said are Christian views of creationism and evolution.

He said there needn't be consideration of the beliefs of Hindus, Buddhists, Muslims or other faiths and views. "This country wasn't founded on Muslim beliefs or evolution," he said. "This country was founded on Christianity, and our students should be taught as such."

On Tuesday, Assistant Superintendent Michael Baksa said teachers, administrators and curriculum committee members will work together to find a book that is agreeable to all.

Credit: York Daily Record
Residents join creation debate A school board member's objection to evolution raises worries about curriculum.
Author: JOSEPH MALDONADO; For the Daily Record/Sunday News

Article Text:

Robert Bowman of Dover is a Christian man. But after reading about the Dover Area School Board's desire to have theories of creation taught alongside of evolution in his daughter's biology class, he still saw a potential for problems in the classroom.

"It seems like Bill (school board member William Buckingham) wants more of a church thing to be going on in school," Bowman said. "But there are a lot of different beliefs even among those that call themselves Christian. Which school board member is going to declare whose version is right?"

During this past Monday night's board meeting, board members Alan Bonsell, Noel Wenrich and Buckingham spoke aggressively in favor of having a biology book that includes theories of creation as part of the text.

"All I'm asking for is balance," Buckingham said.

Asked if he thought this might violate the separation of church and state, Buckingham called the law, "a myth."

Resident Richard Cherry suggested parents who want religion taught as part of a science curriculum enroll their children in Christian or Catholic schools funded by private tuition, not tax dollars.

"Muslims pay taxes, too," said Bowman. "To shoot down their faith and beliefs by saying it's not as important as Christianity isn't fair."

But fellow resident Tom Jackson, who said he was a Christian, said he saw no problem with offending others with different beliefs.

"There really are no other religions," he said. "There's atheism and Christianity. That's it."

12/31/2004
UPDATE School board talks books

Article Text:

Last time: Dover school board member William Buckingham said a new biology book for the district should offer a balance between creationism and Darwin’s theory of evolution.

The latest: County residents weigh in with concerns about neglecting the views of other religions.

What’s next: Residents are invited to voice their opinions at tonight’s Dover school board meeting.

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Record Number: MERLIN_560945
Textbook controversy continues

The Dover Area School Board is debating teaching creation along with evolution.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Monday, June 14, 2004

Nearly a week after the Dover Area School Board’s controversial comments about teaching creation along with evolution in biology class, people across the county are pondering the potential benefits and repercussions.

At last Monday’s school board meeting, board member William Buckingham said as part of a search for a new biology book, he and others are looking for one that offers balance between the Christian views of creation and Darwin’s Theory of Evolution.

After the meeting, he also said there needn’t be any other considerations for the beliefs of Hindus, Buddhists, Muslims or other competing faiths and views.

"This country wasn’t founded on Muslim beliefs or evolution," he said. "This country was founded on Christianity and our students should be taught as such."

Like Buckingham, Jeff Packard of Springettsbury Township said he, too, has a problem with evolutionary theories and principals. But he also has a problem with government officials forcing their religious views on their constituents.

"It's pretty clear that many of the founding fathers were Christian men," said Packard after doing some afternoon shopping in East York. "But given the wording of the Constitution, it's also clear they wanted to protect the religious beliefs of others."

One of the biggest reasons people came to America was to escape religious persecution, Packard said. "You can’t mandate a belief in God," he said. "Faith is a matter of the individual soul and free will."

On Thursday, school board member Noel Wenrich said that no student would be required to believe in creation or a creator any more than they are currently required to believe in evolution.

http://ydr.com/story/local/28613/printer/
"What I am saying is that when you teach only one theory (evolution), that theory becomes a fact," Wenrich said. "I'm not saying that students must believe in creation, but I do believe they must consider the possibility."

Still, Packard said the burden of providing that sort of information to children should fall upon parents, not government. He also said he believes that mandating people to hear about God goes against the individual commission given to all Christians, which is to witness in the name of Jesus personally.

"Look at Christ, himself" Packard said. "He didn't try to change the world by running for office. He did it one-on-one, with love and grace."

While shopping for some video games at West Manchester Mall last week, 15-year-old Mike Johnson said he has no problem with creation being taught in science.

In the fall, Mike will be a sophomore at Dover Area High School.

"I think it would be neat to learn about that," he said. "But not if Christianity is going to be the only religion we talk about."

Mike said he worries that kids who aren't Christian will be made fun of and get told to leave the country.

"I think they might be afraid to raise their hand," he said. "And if that happens, they could lose participation points, which would affect their grades."

His friend, 16-year-old David Storms, will be a sophomore at York County School of Technology in the fall. Like Mike, he said the thought of learning about creation in the classroom is an appealing idea.

"But I think it would be better to learn all beliefs," David said. "I don't think it's right to say that anyone's opinion doesn't matter just because their beliefs are different from yours."

IF YOU GO

The public will have a chance to speak on the issue of teaching evolution and creationism in Dover schools at the school board meeting at 7 p.m. today at North Salem Elementary School.

http://ydr.com/story/local/28613/printer/
Church, state issue divides
Creationism draws 100 to Dover meeting
Author: HEIDI BERNHARD-BUBB For The York Dispatch

Article Text:

Nearly 100 Dover residents and teachers attended last night’s school board meeting to continue debating whether creationism should be taught alongside evolution in the high school’s biology curriculum.

At the center of the controversy is a ninth-grade biology textbook, the 2002 edition of Prentice Hall Biology, which is up for adoption for the upcoming school year and which offended several board members because it teaches evolution without reference to creationism.

Last night’s debate determined one thing -- there are strong feelings on both sides of the issue. The audience responded to each speaker with smatterings of applause.

Board member and curriculum committee member Casey Brown said it is her duty as a board member to uphold her oath to support the Constitution and the school code, which she said is clear about the separation of church and state.

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public school as a violation of the separation of church and state. In addition, the Pennsylvania Department of Education high schools science standards require the teaching of evolution.

The 'least offensive option': High school Principal Trudy Peterman and Bertha Spahr, head of the science department, said the faculty considered that Dover was a religious community when they selected the book, which they believed was the least offensive option.

The book includes one chapter on evolution, which includes a description of Charles Darwin’s theory of natural selection and how he developed his theories.

Brown quoted from the teacher’s edition that the purpose of the section on evolution was to "help students understand the evolutionary worldview and promote understanding without compelling belief."

The book, which has been reviewed for more than a year, was selected by the high school science
department and district administration to replace the current textbook, which is six years old and out of date in some areas.

Spahr said the teachers do not address the origins of life, suggesting to the students that other theories are in existence and should be taught by students' families or at their churches.

She added that the curriculum is aligned with state standards, which she said do not include creationism.

Opponents' position: William Buckingham, a board member and head of the curriculum committee, who brought up the issue last week, stood by his opposition to the book and the separation of church and state.

"Nearly 2,000 years ago someone died on a cross for us; shouldn't we have the courage to stand up for him?" he asked.

Board members Alan Bonsell and Noel Wenrich agreed with Buckingham, saying creationism should be taught to balance evolution.

Buckingham apologized for offending any teachers or residents of the community with his remarks but was unapologetic about his belief that the country was founded on Christianity and not other religions and that a "liberal agenda was chipping away at the rights of Christians in this country."

His remarks were echoed by his wife, Charlotte Buckingham, who said that teaching evolution was in direct opposition to God's teachings and that the people of Dover could not in good conscience allow the district to teach anything but creationism.

A minister's view: Dover resident Warren Eschbach, a minister of the Church of the Brethren, said he was concerned that the issue was polarizing the district.

He said that he believes people might believe in both God and evolution, adding that while public schools should have values, religious beliefs should be taught at home and church. Eschbach also said he was concerned that compelling the staff to teach creationism might expose the district to legal ramifications that could impact the taxpayers.

Robert Boston, spokesman for Americans United for Separation of Church and State, has said the district will be inviting a lawsuit if it chooses a textbook that teaches creationism. Buckingham said he did not believe the members of the AU know what it means to be American.

The school board approved six new textbooks for the high school last night, but the biology book was not among them.

Assistant Superintendent Michael Baksa said the curriculum committee, made up of Brown, Buckingham and Sheila Harkins, is scheduled to meet tomorrow to look for a book that will make everyone happy.

Although the committee is expected to make a recommendation on a textbook, Baksa said the entire board will ultimately determine which book is selected. Subscribe Now!

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Record Number: 2214249

12/31/2004
Book is focus of more debate

The teaching of creationism or evolution was the topic again at the Dover Area School Board meeting.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Tuesday, June 15, 2004

At Monday evening's Dover Area School Board meeting, William Buckingham apologized to anyone he may have offended with the comments he made at last week's board meeting during discussions over a new biology book for the high school.

But then the school board member reiterated one of his statements to the roughly 90 in attendance that the separation of church and state is a myth.

"Nowhere in the Constitution does it call for a separation of church and state," he said.

But, in part of the First Amendment to the Constitution, it states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Buckingham said while growing up, his generation prayed and read from the Bible during school. Then he said liberals in "black robes" were taking away the rights of Christians.

"Two thousand years ago, someone died on a cross," he said. "Can't someone take a stand for him?"

Last week, Buckingham said that the science department's choice for a new biology book is "laced" with Darwinism. This week, he said a Seattle-based think-tank gave the book, "Biology," by Miller and Levine, an "F" grade. He didn't name the think-tank at the meeting and he didn't say why the book received an "F."

But in reference to its teaching of Darwinism, he said, "I challenge you (the audience) to trace your roots to the monkey you came from."

Board member Carol Brown said she reviewed the book and had it with her at the meeting. She said the book makes no mention of anyone evolving from monkeys.
During public comments, Bertha Spahr, chair of the high school science department, said the 1,000-plus-page text only contains seven pages that refer to Darwinism.

In addition to meeting state standards, she said the book was chosen by her department because it takes into account the many different beliefs Dover residents may have.

"It was the least offensive book we could find," she said.

Also during public comments, Buckingham's wife, Charlotte Buckingham, argued that evolution teaches nothing but lies. After quoting several verses from the book of Genesis in the Bible, she asked, "How can we allow anything else to be taught in our schools?"

During her time, she repeated gospel verses telling people how to become born-again Christians and said evolution was in direct violation of the teachings of the Bible.

But the Rev. Warren Eshbach, retired, said the book of Genesis was not written as a science book, but rather as a statement of faith. "It's the place of the church to teach on matters of faith," he said. "Not public schools."

He also said the creationism vs. evolution issue was polarizing the community.

During the meeting, Buckingham told those in attendance that he had been asked to tone down his Christian remarks.

"But I must be who I am, and not politically correct," he said.

After the discussion, Dover Area High School graduate Brad Erney said creationism would only be acceptable in the classroom if it could be taught without a religious context.

"But that's impossible," he said. "This whole thing opens the board up to lawsuits that could end up costing already overburdened taxpayers a lot of money."

As resident Susan Napier skie was leaving the meeting with her three young daughters, she said she had mixed feelings.
"I'm raising my girls with Christian values," she said. "But I can't be a hypocrite and say that in a public school, teachers can only teach from a Christian perspective. One of the reasons people settled in this country was to escape religious persecution."

Napierskie shook her head and said the teaching of evolution does have the potential to undermine the values she is trying to instill in her daughters.
Faithful divided on book; Some say students can learn science and faith; Some say students should learn both creationism and evolution.;


Abstract (Document Summary)
He didn't remember learning about evolution, he said Sunday after worship at the Dover United Church of Christ in Dover.

Jessica] is less enthusiastic. She said if evolution is taught, so should creationism, which is essentially the argument of Christians in the Dover area who are against evolution in a high school text.

North of the Dover square on Carlisle Road, members of Dover Assembly of God of Dover Township applaud those who are speaking out against the biology text.

Full Text (634 words)

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Eighteen-year-old Matthew Rupp's high school memories may be a little foggy seen through his "senior" vision.

He graduated from Dover Area High School this month and his thoughts are more on the future than in the past.

He didn't remember learning about evolution, he said Sunday after worship at the Dover United Church of Christ in Dover.

The problem was the word.

"I guess we did talk a little bit about Darwin," he said, a sheepish smile teasing his lips. "We talked about natural selection."

Dover UCC is on West Canal Road across from his alma mater, where the school board is debating the adoption of a new biology textbook.

The text has angered some Christians in the community who object to the seven pages on the origins of life and the omission of the Genesis account of God creating the Earth.

But evolution in a textbook new or old doesn't bother Rupp, who has attended church with his family his entire life.

Even if his teachers had spent more time on Charles Darwin's ideas, Rupp went on, it wouldn't have changed his faith.

His 15-year-old sister, Jessica, took biology in ninth grade last year, she said, but the school year ended before the class could get to evolution.

She learned about it in history, instead, during the study of the John Scopes "Monkey Trial" of 1925.

"Personally," she said, "I don't think it would affect me whether I learned it or not."

Her brother thinks natural selection could make sense in the wild, where stronger animals may outlive weaker ones.
Jessica is less enthusiastic. She said if evolution is taught, so should creationism, which is essentially the argument of Christians in the Dover area who are against evolution in a high school text.

Where is the chapter on Creation?

"Everyone has their own set of beliefs," Jessica said. "Why should you force evolution on me?"

North of the Dover square on Carlisle Road, members of Dover Assembly of God of Dover Township applaud those who are speaking out against the biology text.

"Whatever the Bible says is what I stick to," said the Rev. Rick Roth, the associate pastor.

Yvette Sproull, wife of the Rev. David Sproull, homeschools their five kids ranging from infancy to 8 years old because of ideology such as evolution that contradicts what they believe.

The Sproull's older children already know about evolution, Yvette Sproull said. Whenever they come across the topic in children's dinosaur books, they discuss it, she said, and then they tear out the page.

"Eventually, we are going to have to tell them about homosexuality and premarital sex," she said.

Other Christians feel those who are angry about the inclusion of evolution in a textbook are the ones who are out of line.

The Rev. Michael Loser of Dover UCC said he wants to teach the joy of the life in Christ, but it is difficult when people hear Christians judging people who believe differently and telling them they are wrong.

"It aggravates me that these people speak as if they speak for all Christians," he said, "and, in fact, they are not."

Teaching about Creation in a public school would be inappropriate, he said, because it was never meant to be science.

"(Evolution) doesn't threaten my faith," he said. "What I like about evolution is the upward movement . . . That God is calling the whole Creation to be like what God wants it to be."

Christine Rupp, Matthew and Jessica's mother, said it is an issue that won't easily be solved in Dover, because whatever the outcome, it is impossible to please everyone.

She just hopes the textbook battle doesn't go to court.

"I just think we have to accept each other," she said.

Reach Karen Muller at 771-2024 or kmuller@ydr.com.

Credit: York Daily Record

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People: Rupp, Matthew, Sproull, Yvette
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The Dover Area School Board postponed its vote on a new ninth-grade biology textbook, but not because of the debate over creationism versus evolution that it sparked last month.

Rather, a newer, 2004 edition of the same book, Prentice Hall Biology, has been published and will be available to the district at no additional cost for the upcoming school year.

The board is waiting because no one in the district has reviewed the new edition.

William Buckingham, the head of the school board curriculum committee who brought up the issue of creationism, said he had not seen the book and would not make any further comment on the creationism issue until next month when the board is expected to vote on adopting the book.

The board will meet at 7 p.m. Aug. 2 at North Salem Elementary School.

Creationism debate: Last month, several board members said the 2002 edition offended them because it teaches evolution -- that man evolved from lower life forms -- without reference to creationism -- that God created man.

Other board members said they believed teaching creationism would violate the separation of church and state.

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public school as a violation of the separation of church and state. In addition, the Pennsylvania Department of Education high school science standards require the teaching of evolution.

Bertha Spahr, head of the high school science department, said last month that the curriculum is aligned with state standards and teachers do not address the origins of life, suggesting to the students that other
theories are in existence and should be taught by students' families or at their churches.

Review process: The 2002 edition was under review for more than a year. It was selected by the high school science department and district administrators to replace the current textbook, which is six years old and out of date.

However, Buckingham said the book was "laced with Darwinism" and offends his Christian values.

The board curriculum committee subsequently met with Assistant Superintendent Michael Baksa, high school principal Trudy Peterman, Spahr and high school science teachers Jen Miller and Rob Eshbach to review additional texts to look for an option that might make everyone happy, said Baksa.

According to Baksa, the committee reviewed six textbooks, and none of them mentioned creationism.

He added that he believed that the meeting resulted in a better understanding in what is being taught in the district, specifically that the origins of life are not addressed and left to the individual beliefs of students.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com .

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Record Number: 2269752
Bio book might be approved; The texts considered by Dover schools did not contain references to creationism.


Abstract (Document Summary)
Assistant Supt. Michael Baksa said the new edition still meets state standards and teaches evolution. There are no references to creationism, he said.

After the meeting, [Bill Buckingham], who has opposed approving any book that does not teach creationism along with evolution, did not say if he would vote to approve the 2004 edition.

Voting for the budget were Alan Bonsell, Jeffrey Brown, Carol "[Casey]" Brown, Bill Buckingham, Jane Cleaver and Noel Wenrich. Voting against were Heather Geese, [Sheila Harkins] and Angie Yingling.

Full Text (373 words)

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On Aug. 2, the Dover Area School Board may vote to order a new biology book. Which book? The 2004 edition of the one they declined in June over its references to Darwinism.

The issue was discussed during Monday evening's school board meeting at North Salem Elementary School. About 20 people attended.

The book discussed last month was the 2002 edition of "Biology," published by Prentice Hall.

Assistant Supt. Michael Baksa said the new edition still meets state standards and teaches evolution. There are no references to creationism, he said.

"We looked at between six or eight books," Baksa said. "This one is still the first choice."

There were several reasons why the others were not selected, Baksa said, including readability, layout, and content as it related to curriculum.

He said neither creation nor intelligent design were a part of any books that were reviewed.

Baksa said in recent weeks, faculty members from the science department met with school board members sitting on the curriculum committee.

They talked about state standards and how those standards are met in the classroom.

Curriculum committee members are Bill Buckingham, Sheila Harkins and Carol "Casey" Brown.

After the meeting, Buckingham, who has opposed approving any book that does not teach creationism along with evolution, did not say if he would vote to approve the 2004 edition.

"You're trying to get me in trouble by asking," he said.

"If you want to know how I'll vote, come to the next meeting." Principal resigns

Trudy Peterman resigned as principal of Dover Area High School to become assistant superintendent of the Greater Johnstown School District. Current associate superintendent Joe Riedel will become the new principal
effective today. Budget approval

In June, the school board approved the 2004-05 budget. Expenditures are expected to be $34,885,672 while revenue is expected to be $33,920,117.

To make up the difference, the board approved a tax increase of 1.35 mills. The increase will raise the overall millage rate to 18.77 and cost the owner of a $100,000 home an additional $135 annually.

Voting for the budget were Alan Bonsell, Jeffrey Brown, Carol "Casey" Brown, Bill Buckingham, Jane Cleaver and Noel Wenrich. Voting against were Heather Geesey, Sheila Harkins and Angie Yingling.

Credit: York Daily Record
Divided Dover board OKs biology text
Author: HEIDI BERNHARD-BUBB <i>For The York Dispatch</i>

A divided Dover Area school board approved a new ninth-grade biology textbook last night, but the debate over teaching creationism alongside evolution in the district is far from over.

It took two votes and a heated discussion to garner approval for the text, which had offended several board members because it teaches evolution without reference to creationism.

Companion: William Buckingham, the head of the school board curriculum committee who brought up the issue of teaching creationism in June, said he would approve the biology textbook, the 2004 edition of "Prentice Hall Biology," only in conjunction with a "companion text" that teaches "intelligent design."


In the first vote on the "Prentice Hall Biology" text, the board was deadlocked with Buckingham and members Sheila Harkins, Angie Yingling, and Heather Geesey voting against approval and members Jeff Brown, Casey Brown, Noel Wenrich, and Alan Bonsell voting for approval of the text. Ninth member Jane Cleaver was absent, and the motion was defeated on a 4-4 vote.

Wenrich and Bonsell said that they could not vote for the "companion text" because they had not reviewed it and it had not been reviewed by the faculty curriculum committee.

Deadline: Buckingham proposed waiting to approve "Prentice Hall Biology" until the other book had been reviewed; however, a delayed vote would have meant that the students and teachers would not have a biology text for the new school year.

"I don't like blackmail; I don't like it that if we don't approve this other book then that means no book," said a visibly upset Jeff Brown.
Student board representative Joshua Rowland questioned why the biology students should go without a textbook for this one issue.

"In 90 days of class, we only spent one day on evolution, so, because of this one issue, they don't get new books?"

**Buckingham** maintained that the books should only be approved together, saying, "We have an opportunity to level the playing field. What is everyone so afraid of?"

Member Casey Brown said that as a member of the curriculum committee she had read the proposed supplemental text from cover to cover and that she didn't believe it fit with the district's curriculum, was not sure about the concept of intelligent design, and was sure that it contained "bad science."

After several heated exchanges, Yingling decided to change her vote to move the process forward, but she said she is behind **Buckingham** philosophically.

The "Prentice Hall Biology" book was approved 5-3 and the board plans to vote on "'Of Pandas and People next month after the faculty and remaining board members have reviewed the book.

Other theories: Bertha Spahr, head of the Dover science department has stated that the curriculum is aligned with state standards and teachers do not address the origins of life, suggesting to students that other theories are in existence and should be taught by students' families or at their churches.

The Prentice Hall text was under review for more than a year. It was selected by the high school science department and district administrators to replace the current textbook, which is six years old and out of date.

The board is expected to vote on the supplemental text at their next meeting, at 7 p.m. Sept. 6 at North Salem Elementary School, 5161 North Salem Church Road.

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Record Number: 2311797

12/31/2004
DOVER Biology text approved

The Dover Area School Board approved the book, "Biology" by Prentice Hall, for use in this coming school year.

Initially, the board deadlocked in a 4-4 vote. William Buckingham, Sheila Harkins, Heather Geesey and Angie Yingling voted against it while Alan Bonsell, Noel Wenrich, Jeff Brown and Carol Brown voted in favor. Jane Cleaver was absent.

After the vote, Buckingham said he would approve the book if the board would also approve a second "companion" book called "Pandas and People," which is about Intelligent Design Theory. Jeff Brown accused the four no votes of blackmailling the board and holding the students hostage.

Buckingham then said if he didn't get his book, the district would not get the biology book. Buckingham has been a staunch advocate for teaching creationism alongside evolution.

But after 30 minutes of debate, Yingling called for a reconsideration vote and changed her mind. The book passed 5-3. The board is still considering the approval of the companion book. A vote on that book could come in September.

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Record Number: MERLIN_616746
Michigan law center offers a defense of creationism

Author: HEIDI BERNHARD BUBB <i>For The York Dispatch</i>

Article Text:

If the Dover Area school board approves an additional text for the biology curriculum next month, it may put itself at odds with the U.S. Supreme Court and at risk of a lawsuit, but it may receive aid from a conservative law center in Michigan.

Robert Boston, spokesman for Americans United for Separation of Church and State, has said the district will be inviting a lawsuit if it chooses a textbook that teaches creationism. William Buckingham said he has received a letter from Americans United threatening to sue.

However, another outside agency has said it will come to the aid of the district if it selects a high school biology textbook that teaches creationism.

In a letter to Buckingham and the district, Richard Thompson, president of the Thomas More Law Center, based in Ann Arbor, Michigan, said, "A textbook adopted by the school board that presents an alternative theory to evolution does not violate the Constitution as long as the alternative theory is appropriately presented."

Thompson offered to represent the district without charge against any lawsuit brought by Americans United.

On its Web site, www.thomasmore.org, the center is described as a national public interest law firm with a three-part mission to: defend the religious freedom of Christians; restore time-honored family values; and protect the sanctity of human life.

Buckingham said that the Thomas More Law Center had recommended the text "Of Pandas and People."

He also said that the district's attorney was reviewing the center's history in court over similar issues.

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public school as a violation of the separation of church and state. In addition, the Pennsylvania Department of Education high school
science standards require the teaching of evolution.

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Record Number: 2311808
Biology book squeaked by Dover Area schools' evolution debate included accusations of blackmail.
Author: JOSEPH MALDONADO; For the Daily Record/Sunday News

Article Text:

Some of the thunder heard in Dover had nothing to do with the weather Monday evening as the Dover Area School Board approved the book, "Biology," by Prentice Hall for use in this coming school year.

Initially, the board deadlocked in a 4-4 vote. William Buckingham, Sheila Harkins, Heather Geesey and Angie Yingling voted against approving the book while Alan Bonsell, Noel Wenrich, Jeff Brown and Carol Brown voted in favor. Jane Cleaver was absent.

After that vote, Buckingham said he would approve the book if the board would also approve a "companion" book, "Pandas and People," which advocates "intelligent design theory" - the idea that the universe was created by an intelligent force rather than the product of random forces.

Jeff Brown accused the four board members voting no of blackmailing the board and holding the students hostage.

Buckingham then said if he didn't get his book, the district would not get the biology book. Buckingham has been a staunch advocate for the teaching of creationism alongside of evolution.

"If we don't get our book, you don't get yours," Buckingham said.

Superintendent Richard Nilsen asked if those voting no intended to change the curriculum, which does not call for the teaching of intelligent design.

Buckingham said the intelligent design book would "level the playing field," in reference to the state's evolution requirement. Harkins said she supported Buckingham. Geesey and Yingling made no comment.

Student representative to the board Joshua Rowand said he remembers spending 90 minutes talking about evolution. Fellow student representative Holly Crane said she didn't remember talking about it at
"We need a biology book," Rowand said. "Is all of this really over a few pages out of a 1,000 page book?"

As the debate raged on, Yingling raised her hand and asked if she could change her vote. A reconsideration motion was approved, and with her vote now a yes, the book passed 5-3.

After the meeting, Yingling said she couldn't say why she changed her mind.

But as Buckingham approached her, he said, "I can't believe you did that. Do you know what you've done?"

To that, Yingling replied, "I feel you were blackmailing them. I just want the kids to have their books."

During the discussion period after the first vote, Harkins said the intelligent design book had been in the hands of the faculty and administration for at least two weeks. But Nilsen said he was unaware of who had reviewed it.

After the meeting Buckingham told Yingling that he felt the faculty had all reviewed the book and would never approve it.

"If the administration does not approve a book, then it takes a two-thirds majority for the board to get it approved instead of a simple majority," he told Yingling. "That's why we needed to hold our ground tonight."

The board is still considering approving the companion book for use in the classroom. During the meeting Bonsell and Wenrich promised Buckingham that the intelligent design book would get a fair review.

"Six votes are not out of the question," Bonsell said.

The board voted to cancel its Aug. 9 meeting, so the earliest the board could vote on the book is at its Sept. 6 meeting at North Salem Elementary School. QUOTE: 'I just want the kids to have their books.'

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Record Number: MERLIN_616549
An evolving controversy Dispute over teaching about the origins of life is likely to flare again this week
Author: LAURI LEBE; Daily Record/Sunday News

Article Text:

The debate over teaching creationism in science class has quieted down since the Dover Area School Board approved its high school biology textbook last month.

But some Dover Area School Board members say they expect to revisit the issue at their next meeting, when William Buckingham will propose introducing to the district the controversial book "Of Pandas and People: The Central Question of Biological Origins."

Buckingham says the book should be taught as a companion text to the approved biology book, and he thinks he will have the support at the Tuesday meeting to get the book into the classroom.

"I feel good about it," he said. "I think we have a chance."

It's a case biologists across the country say they are familiar with and one that is similar to what is happening in other states.

The book teaches the concept of "intelligent design" - the idea that all life was created by a divine being - and supporters of teaching creationism say it's about fairness, giving equal time to competing theories.

But to others, it's an attempt to introduce religion through the back door.

"It's not science," said John Staver, director of science education at Kansas State University.

The concept of intelligent design requires faith, he said, which contradicts the critical thought demanded in science. Fair and balanced.

While Buckingham considers the Bible's Book of Genesis to be life's blueprint, he says the issue of intelligent design is a pragmatic compromise between his beliefs and what the law will allow.
Intelligent design does not necessarily contradict many of the arguments in favor of evolution - such as the ideas of natural selection and adaptation, or the scientific belief that the Earth is as much as 4.5 billion years old.

But intelligent design goes beyond science - evolutionary theory may explain how we got here, but it doesn't answer why.

"Pandas" seeks to answer that question by arguing that natural selection and changes to the gene pool could not have happened randomly.

But the problem is that intelligent design, like creationism, violates the scientific method, said Karl Kleiner, a biology professor at York College. No experiment can prove or disprove God's existence.

"Intelligent design still relies on an event that is not replicable," Kleiner said. Scientists test their theories by trying to prove them false, and advocates of intelligent design are unable to do that, he said.

"They can't say, 'Well, maybe a divine being didn't create it.'"

Flagella and giraffes

"Pandas" uses the giraffe's long neck to illustrate the argument for intelligent design.

The book argues the giraffe's long neck depends on a series of integrated adaptations that could not have happened separately, so they must have been present from the beginning of the species' existence.

A giraffe's circulatory system includes a coordinated system of blood pressure controls. The book says pressure sensors along the neck's arteries monitor the blood pressure and activate contraction of the artery walls.

"The complex circulatory system of the giraffe must appear at the same time as its long neck or the animal will not survive," authors Percival Davis and Dean Kenyon write.

Similarly, Michael J. Behe, a biochemistry professor at Lehigh University, coined the term "irreducible complexity" - the idea that in order for many organisms to have evolved at the cellular level, multiple systems would have had to arise simultaneously. In many cases, he argues, this is a mathematical impossibility.

Behe uses the bacterial flagellum as an example, arguing that for the propeller-like appendage to move, between 30 and 40 protein parts are needed. Removal of any one of those parts causes the system to cease functioning - just as a mousetrap depends on all its pieces to operate.

Darwinism's theory of intermediate and incremental evolutionary steps can't explain this, Behe said.

"It's one big step," he said.

But Kleiner says other scientists have found that the flagellum parts aren't as unique as Behe states and intelligent design proponents are missing a key point - that for every evolutionary step, there were countless genetic mutations that provided no useful advantage to the organism and died out.

Kleiner said supporters often use the eye to argue for intelligent design, saying that surely no singular
organism was born with a genetic mutation that bestowed eyesight. Misrepresenting Darwinism?

But Kleiner said such an argument misrepresents Darwinism.

"It didn't happen overnight," he said.

Instead, a group of cells might have been light-sensitive, permitting an organism to sense shadows, perhaps an advantage in escaping predators. Such a trait would permit the organism to survive long enough to produce offspring who in turn inherited the genetic mutation.

Over time, incremental changes occurred, each one providing an evolutionary advantage until full eyesight evolved.

The same theory applies to the giraffe's long neck, Kleiner said.

"This is the process by which we have diversity on Earth," he said. "If it's not a useful trait, then it will be eliminated from the gene pool."

Additionally, design advocates misrepresent evolution, scientists say, when they maintain that mainstream biology rules out the handiwork of a divine creator.

"Evolution doesn't deny the existence of a God. It just doesn't require one," Kleiner said.

Mainstream biologists and paleontologists continue to debate the fossil evidence for the origins of life, and just as there is room for debate within evolutionary theory, there is disagreement within intelligent design.

While Behe, a Christian and author of "Darwin's Black Box," believes in a common ancestry - the idea that all life, including humans, descended from a common ancestor - other ID proponents disagree and say that a divine being created each individual lifeform with a unique plan.

Professor John Staver has followed the Dover battle from his office at Kansas State University.

National battlegrounds

Since his previous appointment as co-chairman of the 1999 committee to revise science requirements for Kansas schools, Staver has been at the forefront of the battle between evolution and creationism.

Five years ago, the Kansas Board of Education voted to downplay evolution in the state's science standards - which, for many of the state's biologists, became something of a national embarrassment.

After the November 2000 elections, the state board's political makeup changed and the board approved standards stating evolution is a concept unifying all scientific disciplines. But the state Board of Education is expected to be taken over by pro-creationists after the fall election, and Staver said he expects he will be revisiting the issue in 2005.

Ohio has become another battleground, Staver said. After intense lobbying by intelligent-design proponents, the state school board there recently completed curriculum standards, including the writing of model lesson plans, one of which incorporates intelligent design.
Efforts in Pennsylvania to introduce creationism to a statewide curriculum have so far been unsuccessful, but the wording of the state Department of Education's policy leaves the question of teaching creationism open to debate.

The state's official statement on creationism doesn't say it can't be taught in the public schools, and officials are vague on how the subject can be handled.

"Whether it is constitutional to teach creation in the public schools depends on the context in which the instruction occurs," the statement says.

"It is clearly permissible to teach creation as part of a course regarding theories of evolution, which course is part of the school district's curriculum. . . . What occurs or what is proposed in the course must be viewed on an individual basis."

Kleiner expresses the concern that intelligent design could potentially curtail critical thinking and quash scientific curiosity.

"What were the factors that made the giraffe tall?" Kleiner asked. "It doesn't matter. God did it.

"Clearly if your response is to say evolution doesn't happen, then, basically, not to think in evolutionary terms is not to think at all," he said, quoting scientist and Nobel laureate Peter Medawar.

Behe, on the other hand, argues that not permitting intelligent design in science class inhibits critical thinking by preventing alternative views.

"Science is still pretty clueless about how life started," he said. "This is what kinda galls me, that students are being misled to believe that science knows more than it does."

Faith versus science

In the world of science, there is little controversy about creationism, Staver said.

"It's not established science," he said. "Scientists have a lot of weird ideas, but in order to pass muster they have to go through the social community process, let your colleagues examine it, crawl back to your lab, figure out if your criticisms are good."

But the ID proponents have been trying to cut in line, Staver said. "ID folks are appealing to a public that we know has a relatively low level of scientific literacy.

"They won't say it, but they want to recast the paradigm of science to include God within it," Staver said.

Even though he is a staunch proponent of evolution, Staver doesn't dispute the existence of God.

"I accept evolution as a scientific idea and as a fact based on the evidence," he said. "My belief in God is based on my faith.

"It's bad logic to conclude that God doesn't exist when you never considered him in doing the work."

But it's equally bad logic to conclude scientists reject God because a divine creator isn't a necessary part of scientific theory.
If Buckingham is successful, the Dover school district will be the only one in York County teaching intelligent design. Officials from other districts say teachers are prepared to discuss creationism if the issue is raised by students, but nowhere is it part of the curriculum.

But Dover Area School Board member Noel Wenrich says whether Buckingham will get support from the rest of the board depends on what he proposes.

Like Buckingham, Wenrich supports making "Pandas" available to students searching for other answers.

But he doesn't support the actual teaching of the textbook in class unless it's needed to balance the other books, such as Charles Darwin's "Origin of Species."

Wenrich characterizes the two arguments as "intelligent design" and "the primordial soup."

And in the end, he said, faith plays a role in all our decisions, even in science. "You can call it faith, or you can call it exploring other opportunities," he said. Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

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12/31/2004
Biology issue lingers
Author: HEIDI BERNHARD-BUBB <i>For The York Dispatch</i>

Article Text:

The Dover Area School Board still is considering purchase of a companion textbook to teach creationism as part of the district's high school biology curriculum.

Superintendent Richard Nilsen said the book -- "Of Pandas and People: The Central Question of Biological Origins" -- is under review by the school board, staff and district curriculum committee, but he said he had no idea when the issue would come up for a vote.

It took two votes after a heated discussion last month for the divided school board to approve the 2004 edition of "Prentice Hall Biology," which had offended several board members because it teaches evolution without reference to creationism.

Board member William Buckingham proposed the district also purchase "Of Pandas and People," saying it would balance the curriculum and teach an alternate theory to evolution.

The book, originally published by the Foundation for Thought and Ethics in 1989, presents the theory of "intelligent design" and questions the science behind Darwin's theory of evolution.

Buckingham said it is important to distinguish between the concept of creationism, which refers to God and the creation story in the Bible, and intelligent design, which states that some being caused life to begin somehow. He said the distinction is important because intelligent design is not specific to one religion.

Although Buckingham said last month he thought the biology text could not be approved without the companion text, he said last night he is confident "Of Pandas and People" will be approved and is pleased with the review process.

At the Aug. 3 meeting Buckingham and members Sheila Harkins, Angie Yingling, and Heather Geesey first voted against the biology text, with members Jeff Brown, Casey Brown, Noel Wenrich, and Alan Bonsell voting for approval of the text. Board member Jane Cleaver was absent, and the motion was defeated on a 4-4 vote.

12/31/2004
"I would like to see the Bible used as a reference book in the classroom," she said. "We took the Bible and prayer out of our classrooms and look at how kids are today. We showed more respect when I was in school."

District parent Linda Handel was also glad for the change, saying students need to learn more than that they evolved from animals.

Nianna Cullum went a step further and said she would even accept a tax increase to help the district fight the matter in court. But that's where some parents drew the line.

"I'm OK with it until there's a lawsuit," Keller said. "I believe people should be allowed to express their opinions but I don't want to see my tax dollars being used in a court fight."

"Our taxes are high enough," said district parent Nathan Richmond. "And more than that, I want my children to believe what I believe, not what the government tells them."

High school student Jesse Platts thought the board's decision was, "awesome." As a member of the school Bible Club, he said it wouldn't bother him at all to have a discussion about creation in the classroom so long as the teacher didn't go too far.

"They can't be too strong on it," he said. "They still have to let us decide what is right."

Senior Robert Kettermen just shrugged his shoulders.

"Whatever," he said. "School, church, they're both the same thing. I know it's against the law to talk about God in school, but so what if it gets mixed in."
'Of Pandas' is shelved, for now The Dover Area School Board didn't discuss the textbook controversy.
Author: LAURI LEBO; Daily Record/Sunday News

Dover Area School Board members said it's premature to discuss whether a controversial textbook that teaches the concept of a divine creator belongs in a district biology class.

William Buckingham, the head of the board's curriculum committee, said last week he planned to introduce the book "Of Pandas and People: The Central Question of Biological Origins" to the district, proposing it as a companion text to the approved biology book.

But at Tuesday night's meeting, board President Alan Bonsell said the issue was not on the agenda and would not be discussed. Later, he said the board is still researching the book and how it might be used in the classroom before bringing it up for public debate.

But Buckingham said just because it wasn't brought up at the board meeting doesn't mean the issue has gone away.

Board members are still "fine tuning" matters, he said, including any potential legal issues that might arise from using "Of Pandas" in the classroom.

"I can't say much right now," Buckingham said during a break in the meeting, but he vowed to revisit the issue in October.

"Of Pandas," by Percival Davis and Dean H. Kenyon, addresses the concept of "intelligent design," or ID - the idea that life was created by a divine hand and is too complex to be the result of evolutionary chance. Because God is not actually mentioned, the book's proponents say it does not violate the First Amendment's clause prohibiting the establishment of religion.

But many scientists and critics say the book and the ID concept are merely vehicles to get religion in the back door since the U.S. Supreme Court's 1987 ruling prohibiting equal time for the teaching of creationism in public school science class.

12/31/2004
Several residents, including retired science teachers, showed up at the meeting to speak out against bringing the book to Dover.

Irene Jurbala-Austin told the board that in her 35 years of teaching biology, she knows of no student who has had a crisis of religious faith from being taught evolutionary theory.

She wondered if the purpose of the book isn't just to reach out to students who might not believe in a higher being.

"That's evangelism," she said, and doesn't belong in science class.

Barrie Callahan, a district resident and former school board member, said the idea of introducing "Of Pandas" to biology class is "just one more embarrassment for Dover."

During the meeting, Callahan questioned Bonsell on whether the board would announce publicly that a vote is planned at least one meeting before it happens, giving the public time to respond.

Both Callahan and Jurbala-Austin are concerned that the board, to avoid controversy, will try to approve adding the book to the district's curriculum behind closed doors.

"Oh, Lord, it's a little too late for that," Bonsell responded. He said the board isn't trying to do anything out of the public eye and pointed out that the issue of creationism has been hotly debated in the district over the past several months. Reach Lauri L. Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

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Record Number: MERLIN_664828
Controversial bio book allowed

The 'intelligent design' book is approved for Dover schools as 'reference' material.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Tuesday, October 5, 2004

After months of trying, the Dover Area School District has figured out a way to introduce "intelligent design" theory into the classroom.

Supt. Richard Nilsen approved the donation of 50 copies "Of Pandas and People," published by the Foundation for Thought and Ethics, as a reference book for the classroom.

The book, which focuses on intelligent design, was originally published in 1989 and questions the science behind Darwin's theory of evolution.

Earlier this year, the school board discussed replacing its biology books with ones that taught intelligent design and/or creationism. The debate came after the book "Biology," published by Prentice Hall, was rejected by the school board, despite the science department's recommendation.

"The book is laced with Darwinism," board member William Buckingham said at the time. Buckingham is the head of the board's curriculum committee.

In August, the board deadlocked on a vote for "Biology." But after a heated debate among board members and a public outcry from people saying that religion did not belong in the classroom, Angie Yingling changed her vote and the book passed.

Still, that did not stop the district from allowing "Pandas" to be used as reference material. And because the book was labeled as reference, its use in the classroom did not require an approval vote by the board.

The agenda said "Pandas" would be made available to all students.

Former board member Lonny Langione asked if that meant teachers were going to be required to teach intelligent design.

"No," replied Nilsen. "A teacher can, but is not required."

Then Langione asked who was going to train teachers to answer "intelligent design" questions. Nilsen said if a teacher requested training on how to handle questions, the district would provide it.

**In other news:**

Two board members, Noel Wenrich and Jane Cleaver, announced they will resign from the board in November.

Wenrich will be moving after accepting a job in the East Lancaster County School District as a computer technician.

Cleaver has decided to move to Florida.

An advertisement seeking candidates to replace Wenrich and Cleaver will be made public soon. The board hopes to fill the positions by the start of the December meetings.
Pandas' book prompts concerns; Students and parents feel that personal beliefs about God and creation could be influenced by the book's content.


Abstract (Document Summary)

The recent decision by Dover Area School District Supt. Richard Nilsen to allow 50 copies of "Of Pandas and People" into the classroom as a reference book was seen as a victory for those seeking to integrate religion and science.

In August, the Prentice Hall biology text was approved after heated debate. "Pandas" was also discussed as a companion text but was voted down. Because the book, published by the Foundation for Thought and Ethics, presents the possibility that a deity might have created the universe, the board decided against it for fear of a lawsuit demanding separation of church and state.

Her mother, Betty Small, said she was much more comfortable with [Sarah Small] getting her religious guidance from her or her church. But she also said she could live with the "Pandas" book if the district could promise there would be no endorsement of any particular religion.

Full Text (533 words)

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The recent decision by Dover Area School District Supt. Richard Nilsen to allow 50 copies of "Of Pandas and People" into the classroom as a reference book was seen as a victory for those seeking to integrate religion and science.

But the book, which promotes the idea that there is evidence of "intelligent design" in the universe, has left at least one student concerned that her relationship with God and her views of creation will now be laced with government influence.

"My church has already taught me about creation," said Sarah Small, a 13-year-old eighth-grader. "I don't want to be confused by anything the school teaches."

While discussing the adoption of new biology books this past June, school board member William Buckingham said "Biology," published by Prentice Hall, was "laced with Darwinism." To help balance Darwin's teachings of evolution and natural selection, Buckingham began looking for books that also taught a creation theory of the universe.

In August, the Prentice Hall biology text was approved after heated debate. "Pandas" was also discussed as a companion text but was voted down. Because the book, published by the Foundation for Thought and Ethics, presents the possibility that a deity might have created the universe, the board decided against it for fear of a lawsuit demanding separation of church and state.

But an anonymous donor provided copies of the "Pandas" book, to be used as a reference text for interested students.

In addition to her fear about having her religious beliefs contradicted by the school district, Sarah had another concern.

"I'm worried that students who don't believe in the school's God or a Christian God will get harassed because of their different beliefs," she said.

Her mother, Betty Small, said she was much more comfortable with Sarah getting her religious guidance from
her or her church. But she also said she could live with the "Pandas" book if the district could promise there would be no endorsement of any particular religion.

"I do have a concern that one day a teacher will tell their students that something is absolutely right or absolutely wrong," she said.

While Small insisted that the name of no god be mentioned, 15-year-old freshman Alex Haga said he was OK with "Pandas" as long as every god got equal time. "Maybe it will break some stereotypes that people have about other religions," he said.

District mother Tina O'Leary said she, too, was OK with the new reference book, but voiced words of caution. "They can't go too far with this," she said. "As long as teachers talk about God in general terms and don't give it a name, I guess I'm fine with it."

One of her daughters, Victoria O'Leary, a 15-year-old freshman, agreed, adding, "A discussion (about creation) in the classroom may be the only time some kids ever hear about God."

But her twin sister, Faith, said she would rather get creation information from her family or church. "That's just what I would be comfortable with," she said.

QUOTE: I do have a concern that one day a teacher will tell their students that something is absolutely right or absolutely wrong. 'DOVER AREA SCHOOL DISTRICT PARENT

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‘Intelligent design’ voted in

As now written, Dover Area science curriculum will require the theory to be taught, said a biology teacher.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Tuesday, October 19, 2004

The Dover Area School Board voted to add “Intelligent Design Theory” to the district’s biology curriculum Monday evening just two weeks after Supt. Richard Nilsen assured former board member Lonnie Langione that wouldn’t happen.

The change passed by a six-to-three margin after a heated discussion by the board and a dozen members of the community.

During the Oct. 4 board meeting, Langione asked Nilsen if teachers would be required to teach “intelligent design,” after he allowed 50 copies of the book “Of Pandas and People,” published by the Foundation for Thought and Ethics, to be used in science classrooms as reference books.

“No,” replied Nilsen at the time. “A teacher can, but is not required.”

But during Monday’s meeting, district biology teacher Jen Miller said the new curriculum wording implies that she will be required to teach “intelligent design.”

The new wording in the curriculum states: “Students will be made aware of gaps/problems in Darwin’s Theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of life will not be taught.”

For more than an hour, outgoing board member Noel Wenrich tried to amend the wording in an effort to remove the words, “intelligent design.” But through each of his four attempts, his motions failed.

Voting to approve the final version were William Buckingham, Alan Bonsell, Sheila Harkins, Heather Geesey, Jane Cleaver and Angie Yingling. Voting against it were Wenrich, Carol Brown and Jeff Brown.

At the end of the meeting, a tearful Carol Brown read a statement before resigning from the board. She said that

http://ydr.com/story/doverbiology/45864/printer/
on more than one occasion she had been asked if she were, "born again," referring to the Christian term for salvation.

"No one has — nor should have — the right to ask that of a fellow board member," she read. "An individual’s religious beliefs should have no impact on his or her ability to serve as a school board director."

Eleven members of the community spoke before the vote with only one, Eric Riddle, encouraging the board to include "intelligent design" in the curriculum.

"It may cost us a little money to do what’s right," Riddle said, referring to potential lawsuits that may ensue. "But maybe someday, I can feel good about putting my kids in this district."

Riddle currently homeschools his children.

Lawsuits were a fear of just about everyone speaking against the curriculum change. Buckingham said if a lawsuit were brought against the district, a firm would provide free representation for the district. But for the second meeting in a row, he did not mention the firm.

The district solicitor was not at the meeting.

Carol Brown said that just because a firm mentioned by Buckingham might be willing to represent the board, doesn’t mean they would represent faculty members. She said if faculty asked, they would be entitled to representation from the district solicitor, Stock and Leader.

"If they requested Stock and Leader, they (the faculty) should be fired," said board member Heather Geesey. "They agreed to the book and the changes in curriculum."

But Miller and science department head Bertha Spahr said Geesey’s statement wasn’t true. Spahr said the faculty only agreed to the ‘Pandas’ book as a compromise to address Buckingham’s concern that students have alternate materials to study in addition to their regular text.

Spahr also said that not only did her department not approve the new wording, they were not invited to help write it.

"We didn’t know you were going to do this," she said.
The administration said it too did not support the change as it was written. The board recommended something very similar that did not include any reference to “intelligent design.”

After the meeting ended, Wenrich, who in addition to Jane Cleaver, also resigned two weeks ago but for personal reasons, had a short shouting match with Buckingham who had challenged people’s literacy, knowledge of American history and patriotism throughout the night.

“During my resignation speech, I said we needed to disagree without being nasty,” he said. “But nasty is what we got.”
Parents react to decision

Some don't mind religion in school. Others fear costly litigation.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Wednesday, October 20, 2004

There were a lot of comments speaking out against the Dover Area School Board's decision to allow intelligent design to be added to the district's biology curriculum Monday evening.

But while that reaction was negative, the response outside the meeting in Dover was supportive.

"Science has evidence about where we came from as do the Christians," said district parent Darin Keller. "Why shouldn't students be able to talk about both?"

Those speaking out at the meeting took exception to the emphasis the board placed on intelligent design.

Former board member Larry Snook read a passage from the reference book chosen to support classroom discussions on intelligent design, "Of Pandas and People," published by the Foundation for Thought and Ethics.

On page 148, the book states that there is "impressive" evidence to support that living things are the product of intelligent design. He said the passage could lead to a discussion on the origins of life, especially as it pertains to a 'designer' or god.

Snook has repeatedly said that such a discussion would put the district in violation of the laws regarding the separation of church and state, thereby setting the district up to be sued.

But on Tuesday, board member Heather Geesey disagreed.

"We are not going to be sued," she said. "It's not going to be a problem. I have confidence in the district's lawyers."

While waiting for her children to get out of school on Tuesday, district parent June Keefer said she was glad the board decided to incorporate creation into the biology curriculum.

http://ydr.com/story/doverbiology/45963/printer/
"I would like to see the Bible used as a reference book in the classroom," she said. "We took the Bible and prayer out of our classrooms and look at how kids are today. We showed more respect when I was in school."

District parent Linda Handel was also glad for the change, saying students need to learn more than that they evolved from animals.

Nianna Cullum went a step further and said she would even accept a tax increase to help the district fight the matter in court. But that's where some parents drew the line.

"I'm OK with it until there's a lawsuit," Keller said. "I believe people should be allowed to express their opinions but I don't want to see my tax dollars being used in a court fight."

"Our taxes are high enough," said district parent Nathan Richmond. "And more than that, I want my children to believe what I believe, not what the government tells them."

High school student Jesse Platts thought the board's decision was, "awesome." As a member of the school Bible Club, he said it wouldn't bother him at all to have a discussion about creation in the classroom so long as the teacher didn't go too far.

"They can't be too strong on it," he said. "They still have to let us decide what is right."

Senior Robert Ketterman just shrugged his shoulders.

"Whatever," he said. "School, church, they're both the same thing. I know it's against the law to talk about God in school, but so what if it gets mixed in."
Dover curriculum move likely a first

Even some supporters of intelligent design suggest the board might have overstepped.

By LAURI LERO and JOE MALDONADO
Daily Record/Sunday News
Wednesday, October 20, 2004

When the Dover Area School Board voted to require the teaching of intelligent design Monday night, it likely became the first district in the United States to do so.

Until now, the battleground over intelligent design — the theory that all life was created by a divine being — has been largely fought in states such as Kansas and Ohio.

But with Dover's 6-to-3 vote in favor of teaching alternative theories to evolution, "including, but not limited to, intelligent design," the battle lines might have shifted to include York County.

Eugenie Scott, director of the California-based National Center for Science Education, an organization that closely monitors challenges to evolutionary theory, has been following the issue in Dover since June.

Both she and her counterparts at the Seattle-based Discovery Institute — a staunch proponent of intelligent design — say this is the first time they know of where a school district has required the teaching of the theory.

Scott said she believes intelligent design proponents are now looking for a test case to defend the issue in court.

"And Dover may be that guinea pig," she said.

School board member Bill Buckingham is the chief architect of Dover’s newly revised biology curriculum that states "Students will be made aware of gaps/problems in Darwin’s Theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of life will not be taught."

The devout Christian admitted that before presenting the revised curriculum to the board, he had been talking to a conservative Michigan law firm that is interested in defending an intelligent design legal challenge.

But he said those on the other side of the debate are also

interested in a battle on the issue as well.

"We just happen to be at the head of the pack right now," he said. "So it might be us."

Buckingham said Tuesday night that he has been promised legal support by the Ann Arbor-based Thomas More Law Center, a law firm that champions such issues as school prayer and "promoting public morality."

But those at the Discovery Institute, who have also advised Buckingham on the issue, said the board member might have overstepped his bounds.

John West, Discovery's associate director for science and culture, said intelligent design is still a fairly new concept. Consequently, he said, his organization prefers that school districts require the full, fair teaching of evolution, including the flaws.

"We don't endorse or support what the Dover School District has done," West said. "This is not what we recommend."

Buckingham agreed he had been in touch with the Discovery Institute, but when the idea of establishing intelligent design as part of the curriculum emerged, he turned to the law center.

No one at the Thomas More Law Center returned phone calls for comment Tuesday.

However, both the American Civil Liberties Union and Americans United for Separation of Church and State — who say they are closely monitoring the situation in Dover — point out that if the school district were to lose a legal battle, its taxpayers could end up footing the plaintiff’s costly legal bills.

"My response to that is what price is freedom?" Buckingham said. "Sometimes you have to take a stand."

* * *

The issue began in June when Buckingham rejected a biology textbook because, he said, "it was laced with Darwinism."

Soon after, he suggested the book, "Of Pandas and People:

http://ydr.com/story/doverbiology/45962/printer/
The Central question of Biological Origins" be used in biology class as a supplement to any textbook.

Two weeks ago, after much controversy, anonymous sources donated 50 copies of the "Pandas" book to Dover Area High School to be used as a reference materials.

At the same time, the board curriculum committee met several times with Assistant Supt. Michael Baksa and a group of teachers over the past six months. They talked about everything from the "Pandas" book, intelligent design and evolution.

Board members directed the teachers to come up with a change in the curriculum that would open the door for discussion about competing theories to evolution, Baksa said.

They also said they wanted to change the curriculum to say there were problems with Darwin's theory of evolution.

But the sentence about intelligent design was added by committee members Buckingham, Alan Bonsell and Sheila Harkins at a meeting not attended by district staff.

After seeing the revision, Baksa said, teachers took it out, but board members put it back in before Tuesday's meeting.

Ultimately, Scott said, the problem is that the theory of intelligent design depends on a creator.

"They're not talking little green men, this is God," she said. "Intelligent design is just a sham to get creationism into the curriculum."

However, Scott said, the curriculum requirement is so poorly worded that teachers who oppose teaching intelligent design can take advantage of it.

The way the sentence reads, teachers appear to be actually required to teach the "gaps/problems" in intelligent design, she said.

Scott said the intelligent design movement is politically motivated and has little standing with the mainstream scientific community.
"But even if they haven't convinced the scientific community, they have been able to convince the politicians," she said of Buckingham and other school board members across the country.

"And that's too bad for the students in Dover," Scott said.

*Reach Lauri Lebo at 771-2092 or llebo@ydr.com.*

**'INTELLIGENT DESIGN' ISSUE**

The concept of "intelligent design," is the idea that many aspects of life are too complex to have occurred randomly and therefore must have been created by a divine being. Its supporters say teaching it in the classroom is about fairness, giving equal time to competing theories.

But others argue intelligent design is an attempt to introduce creationism through the back door and violates the First Amendment's prohibition against the state establishment of religion.

The U.S. Supreme Court last ruled on the subject in 1987, when it determined a Louisiana law requiring creationism to be given equal time to evolution was unconstitutional "because (the law) lacks a clear secular purpose."

The concept of intelligent design emerged after the 17-year-old ruling, and its teaching in the schools has not yet been addressed by the courts.
Creation debate draws in teachers

Dover science instructors prepare to discuss 'intelligent design'

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, October 24, 2004

The question of who or what created the Earth is controversial. So, too, is the recent decision by the Dover Area School Board concerning what to teach in the district's biology classrooms.

During its regular board meeting on Oct. 18, the board voted 6-3 to allow changes to the biology curriculum that reads as follows: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to intelligent design. Note: Origins of life will not be taught."

The opportunity for discussion falls on Day Six of a 19-day section of biology called, "The Study of Life." During this 90-minute period, students will discuss Darwin's Origins of Species and its flaws.

The discussion will also be opened up to talk about competing theories, specifically "Intelligent Design." Supporting that discussion will be the book, "Of Pandas and People," published by the Foundation for Thought and Ethics.

At an Oct. 4 school board meeting, Supt. Richard Nilsen approved the donation of more than 50 "Panda" books to be used as reference.

Assistant Supt. Michael Baksa said on Thursday that the decision to put the books in the classroom was an act of compromise to the board. As to why they needed 50 books, he said the board was firm in its desire to ensure that every student who had a question about intelligent design could get an answer.

But students won't just be getting their answers from the book. Because intelligent design is named in the curriculum, teachers will be expected to answer questions about the theory.

This poses a problem, because generally, universities and college don't offer anything about intelligent design in

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their teacher degree programs. This is because it may be that no district other than Dover requires it in their classrooms.

"If teachers request training on the subject, we will provide it," Baksa said.

But not everything on the subject. If the discussion turns to things relating to the origins of life, teachers must take a pass. Because students may not phrase the question in exactly that way, Baksa said the administration will be having meetings to plan how teachers will address that and other "gray-area" issues that might be religious in nature.

One idea is to create a pre-emptive handout with answers to such questions the district expects students might ask.

"Or to fulfill the curriculum requirements, it might be enough to say to the students in one line that there are other theories of evolution including, but not limited to intelligent design, and let it go at that," Baksa said.

**Resistance to the move**

While there has been some support over the last six months for the board's attempts to incorporate intelligent design into the classroom, there has been significantly more resistance displayed at public meetings.

They range from general members of the community to ministers, parents, faculty, staff and the administration.

The biggest problem, they say, is that it proposes that the universe, and all things in it, were created by a "designer" during an act of creation.

Many in the opposition have said that title of designer is a thinly veiled synonym for God. As such, they say that this type of teaching opens the door for lawsuits over the constitutional separation of church and state.

Former board members, such as Barrie Callahan, Lonny Langione and Larry Snook, have been outspoken critics of the current board, particularly member William Buckingham. Buckingham is viewed as the driving force behind the intelligent design movement.

On Oct. 21, Snook said he wasn't surprised that the board

http://ydr.com/story/doverbiology/46874/printer/
voted to approve a day to teach creation.

"I believe there's more going on than what we can see," he said. "I still feel as though this board isn't finished with its creation agenda."

**Board members resign**

In 2003, Snook resigned from the board because he believed there was a majority of people on it that didn't listen to his ideas concerning building renovations that, at the time, were being planned in the district.

"I was in a minority that wasn't being heard," he said. "The board can be like that sometimes."

After the Oct. 18 meeting, board members Carol and Jeffrey Brown resigned, giving a similar explanation.

"There were board members that simply stopped confiding in me," Jeffrey Brown said. "They had this single-minded objective and they didn't care what I had to say about it."

In the spring, Jeffrey Brown said he is going to run again for a seat on the board. While it may seem strange to resign, only to immediately decide to run again, Brown said he has his reasons.

"First of all, I no longer want to have my name associated with the actions this board is taking," he said. "I also want to run again because I want to feel a new affirmation from the voters that my opinion matters to them."

His wife hasn't said whether she'll be running again, but said she will be at every meeting.

"I will not leave quietly from these issues," she said. "I will be louder than before, because there are things I can say now that I couldn't say before at public meetings."

Neither Brown said that they regretted resigning from the board, but Jeffrey Brown said he regretted that it came to that.

Another board member who resigned, but for personal reasons, was Noel Wenrich.

Unlike the Browns, who were unhappy that "Pandas"

http://ydr.com/story/doverbiology/46874/printer/
made it into the classroom even as a reference book. Wenrich supported the idea and that of intelligent design in the classroom. But it was the manner in which certain members of the board dealt with other concerned parties that angered Wenrich.

"The fact that teachers were cut out of the decision, the fact that they were made irrelevant bothers me to no end," he said. "After they compromised with us to allow a book they were uncomfortable with into the classroom only to be treated the way they were, well, I don't know why they would ever work with the board again like that in the future."

The action item was placed on the agenda with only the indication that there was going to be a vote for change to the biology curriculum. No specific mention was made that the change had anything to do with intelligent design.

The agenda did mention the changes were written in an enclosure, but it was not made readily available to the public before the meeting. Often, the board approves items with enclosures without stating the nature of them.

Once the audience was made aware of the potential change, 10 of the 11 who addressed the issue spoke out against it. They had many questions about the legality of the change and were dismayed that the district solicitor was not on hand to field questions.

**Concern over legal challenge**

During the meeting, member Sheila Harkins said she had been assured by the solicitor that the changes were legal.

And if they were to be challenged in court, Buckingham said a law firm in Michigan would represent them for free.

But these statements were of little comfort to Jere Wynegar, from the Pennsylvania State Education Association. He called the change "an affront" to the Constitution and cited several Supreme Court cases upholding his views about his perception that religion was about to enter Dover's classrooms.

In response to Wynegar's statement, Buckingham said, "Those who mention religion are just against intelligent design."
In addition to the church and state issue, former board member Barrie Callahan read scientific text from the "Pandas" book, which she described as being outdated 20 years.

"You know how to read," Buckingham said. "What's your point?"

No one seems to know for sure where this issue is headed next. But many did weigh in on where they think the district is today.

"This is a victory for the students," Buckingham said after the meeting.

"The district is divided," Snook said.

"I think the board may have more of this type of thing in mind right now," Jeffrey Brown said. "That's my gut speaking."
Creationist discusses views on the origins of human life; Jim Mackay spent last week at Calvary Bible Church speaking about his beliefs.

JOSEPH MALDONADO. York Daily Record. York, Pa.: Nov 1, 2004. pg. 3

Abstract (Document Summary)

In his lectures, Mackay noted that he has been following the Dover Area School Board’s decision to have intelligent design theory added to its biology curriculum. In an interview, Mackay applauded the decision but said he doubted it would stand up to a court challenge.

In addition to conducting his own global geological surveys, Mackay has lectured in geology at the college level in Australia. His research and experience have led him to conclude that the earth is not billions of years old, as Darwin’s Theory of Origins teaches, but closer to 6,000 years old in accordance with Biblical teaching.

On Sunday, during the church’s morning service, Mackay quoted Genesis 1:1-2 to explain that the earth, from Day 1, was covered in water. On the third day, God summoned dry land to appear. The Bible counters those who argue there wasn’t enough water to cover the earth during Noah’s flood, Mackay said.

Full Text (636 words)

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Even among those who believe creationism should be taught in public schools, there is trepidation and concern about how well it can be taught.

The goal, they say, is to ensure students hear the truth about all of the events that have led up to this moment in time, even if the teachers entrusted with delivering the creation message don’t believe it themselves.

"To be honest, I think most teachers know very little about evolution or creation," said John Mackay, international director of Creation Research in Capalaba, Queensland, Australia. "More often than not, teachers are simply reading to students from a science text book rather than teaching them anything."

Mackay spent the last week as a guest of the Calvary Bible Church in East Prospect. There, he lectured, as he has around the world, on Noah’s Flood and other evidence supporting the premise that God is responsible for all things in existence.

In his lectures, Mackay noted that he has been following the Dover Area School Board’s decision to have intelligent design theory added to its biology curriculum. In an interview, Mackay applauded the decision but said he doubted it would stand up to a court challenge.

At its Oct. 18 meeting, the Dover Area School Board voted 6-3 to allow changes to the biology curriculum that reads as follows: "Students will be made aware of gaps/problems in Darwin’s Theory and of other theories of evolution including, but not limited to intelligent design. Note: Origins of life will not be taught."

Dover Area School Board member Sheila Harkins has said she has been assured by the board’s solicitor that the changes were legal.

Mackay said he had no intention of trying to reach any board members in Dover, and none attended the Sunday services.

In addition to conducting his own global geological surveys, Mackay has lectured in geology at the college level in Australia. His research and experience have led him to conclude that the earth is not billions of years old, as Darwin’s Theory of Origins teaches, but closer to 6,000 years old in accordance with Biblical teaching.
During his week with Calvary Bible, Mackay did several lectures explaining how the dinosaurs came and went in this short period of time and also explained how Darwin's theory has not only misled generations of students, but has kept them from finding the salvation of Jesus Christ.

He said Moses wrote the story of creation, and cited scripture that said those who do not believe the teachings of Moses do not believe in Christ.

On Sunday, during the church's morning service, Mackay quoted Genesis 1:1-2 to explain that the earth, from Day 1, was covered in water. On the third day, God summoned dry land to appear. The Bible counters those who argue there wasn't enough water to cover the earth during Noah's flood, Mackay said.

A majority of those listening to Mackay thought his arguments on behalf of creation were at least as compelling as those offered by evolutionists.

Laura Sabol has a 14-year-old son, Kyle Sabol, who is a ninth-grader at Eastern York High School.

"This is not a separation of church and state issue," Laura Sabol said. "It's a truth issue."

She also said she realizes that not everyone will believe the Christian version is truth. In addition to Christian views of creation in the classroom, she said she believes other faith-based versions should be taught as well.

Her son agreed.

"I wouldn't be offended," he said. "Learning means hearing about all points of view."

Joe Fauth, the church's senior pastor, said he knows that if the door is opened for the beliefs of one religion, it most likely will be opened to all religions.

"That's the American way, isn't it?" he asked after Mackay's second morning sermon.

MUG: Mackay

Credit: York Daily Record

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Apology demanded at Dover schools meeting

The school board released the names of candidates to fill recently vacated board positions.

By JOSEPH MALDONADO  
For the Daily Record/Sunday News  
Wednesday, November 3, 2004

Former Dover Area School Board president Noel Wenrich demanded an apology from fellow board member William Buckingham on Monday night, saying he didn't appreciate the way he challenged his patriotism and religious beliefs during an Oct. 18 school board meeting.

"My religion is between myself, my God and my pastor," Wenrich said at the meeting. During the Oct. 18 meeting, Wenrich made several attempts to change the wording to a curriculum change that ultimately passed allowing intelligent design theory — the theory that all life was created by a divine being — to be taught in the district's biology classrooms. It was during Wenrich's motions that exchanges between Buckingham and Wenrich became heated.

After receiving no apology and a warning from board member Sheila Harkins that he was out of line, Wenrich stormed out of the meeting Monday and did not return. Wenrich submitted his formal resignation during the Oct. 18 meeting and said from the parking lot Monday that he regretted his tenure on the board ended the way it did.

"I wasn't going to sit there while the board insults me as it has other members of the public," Wenrich said from the parking lot. "It's funny how Bill (Buckingham) can say whatever he wants without ever being out of line."

As public comments continued, former board member Barrie Callahan requested access to the board's recorded tapes made during the Oct. 18 meeting to confirm board comments that she read about.

Resident Bryan Rehm also requested to hear the tapes because he had to leave the Oct. 18 meeting early. Like Callahan, he wanted to confirm comments he had heard about.

In the past, Supt. Richard Nilsen said the district did have a practice that allowed access, but not a formal policy.
Bonsell said the district's solicitor advised against releasing the Oct. 18 tapes to protect members of the board from potential legal actions.

After the Monday meeting, in which the minutes of the Oct. 18 meeting were approved, Bonsell said the tapes would be destroyed. He also said, for the three years he has been on the board, meeting tapes have always been destroyed after the approval of the minutes.

"The board adopts the minutes as their public record," Nilsen said.

**Potential candidates named**

The district made public the names of seven candidates who have applied to fill the vacancies left by departed board members Carol Brown, Jeffrey Brown, Jane Cleaver and Noel Wenrich.

The candidates are:

Michael Arnold, Cynthia Corbett, Terry Emig, Sherrie Leber, Monica Marlowe, Bryan Rehm and Bernadette Reinking.

**Other requests**

Former board member Casey Brown asked the board to reconsider the intelligent design change in the biology curriculum. She suggested an optional class called "Religions of the World," which would meet the board's goal of broadening student learning beyond theories of evolution. The board did not comment on her suggestion.

Former board member Larry Snook requested the identity of those who donated the 50 intelligent design reference books, "Of Pandas and People."

"You owe it to the community," he said. "Furthermore, those who support intelligent design deserve to know their benefactor."

The board did not comment on Snook's request.
From: owner-palegal@inia.cls.org on behalf of Nick Matzke [matzke@ncseweb.org]
Sent: Tuesday, November 02, 2004 5:47 PM
To: palegal@ncseweb2.org
Subject: [palegal] Decision to destroy Dover meeting tapes?

Hopefully you've seen this:

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Dover says meeting tapes not public
http://www.yorkdispatch.com/Stories/0,1413,138%7E10023%7E2508118,00.html

By HEIDI BERNHARD-BUBB For The York Dispatch

Dover Area School District officials are refusing to allow residents to hear audio recordings made of the Oct. 18 school board meeting, saying the tapes are not public records under the state's Right To Know Law.

Although the meetings are public, Superintendent Richard Nilsen said according to the district's attorney, Stock and Leader, the minutes of the meeting, prepared by the board secretary, are the official public record of the meeting, and the tapes are considered nonpublic.

Board president Alan Bonsell said the tapes are destroyed after the minutes are prepared and the board had never given them to the public during his three years on the board.

He added that the district's counsel had said the records were not public because of "potential legal action," but would not elaborate on what that action might be.

The board was to vote last night on allowing the public to listen to the recordings of the Oct. 18 meeting "under district supervision," but pulled the item from the agenda.

Nilsen said one other request to listen to an audio recording has been made in his three years as superintendent. He said the board's "past practice" was to allow the public to hear the tapes, but there is no official policy.

He said the change in practice was the board's decision and he could not speak to why that decision had been made.

However, several residents are questioning whether the board is within its legal rights to keep the tapes private.

Former board members Larry Snook and Lonny Langione confirmed the tapes have always been destroyed after the minutes are prepared, but if someone asked to listen to them before they were erased there would be no reason to keep them private.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

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1
This is the PALEGAL mailing list (palegal@ncseweb2.org). The purpose of the list is to discuss science education issues in Pennsylvania, primarily the current controversy surrounding teaching evolution, "intelligent design" and the ID textbook "Of Pandas and People" in the Dover/York area.

All posts are confidential and privileged. Users must obtain permission in writing from the author before disclosing or redistributing.

The list administrator is Nick Matzke at NCSE (matzke@ncseweb.org). New list members can be added to the list if approved by a current list member, and if they agree to be added after being made aware of the list purpose and confidentiality rules.

To remove yourself from this list send:
unsubscribe palegal youremail@address here
to: majordomo@ncseweb2.org
Dover Area School Board's decision two weeks ago requiring intelligent design theory to be included as a high school biology reference text dominated last night's board meeting with former board members criticizing the move and one denouncing others on the panel and quitting the meeting.

Noel Wenrich stormed out of what would have been his last meeting as a board member after he demanded an apology from fellow board member William Buckingham. Wenrich said that he and residents in the audience had been personally attacked and insulted at the last meeting by Buckingham and by the board.

"I was referred to as unpatriotic, and my religious beliefs were questioned. I served in the U.S. Army for 11 years and six years on this board, 17 years of my life have been devoted to public service ... and my religion is personal, it's between me, God and my pastor," said Wenrich.

Board president Alan Bonsell told Wenrich he was out of line and making comments of a personal nature, which he had asked the public to avoid at the beginning of the meeting, saying that he was disappointed in the conduct of some board members and residents at the meeting two weeks ago. Nearly 50 people attended the meeting.

Wenrich was asked to leave the podium and shouted from the front of the room that he had enjoyed his service, but could "no longer sit with these people" and left the meeting.

Buckingham made no comment.

Wenrich and Jane Cleaver resigned last month because they are moving out of the district. They were joined by Casey Brown and Jeff Brown, who resigned at the last meeting in protest against the board's choice to require the teaching of intelligent design.

Casey Brown and Larry Sook last night took a more conciliatory tone than Wenrich, but still questioned whether the board was heading in the right direction.

Sook said the board was dividing the community and should disclose the identity of members of the community who donated 50 copies of the intelligent design text "Of Pandas and People," the text supporting intelligent design, to the district to be available as a reference.

Brown suggested that the board rescind its decision on intelligent design, but offer an elective class on religions of the world so that students could be exposed to all of the world's faiths.

At the last meeting, the board voted 6-3 to add intelligent design theory to the district's biology curriculum as a reference text.
The York Dispatch (York, PA) November 2, 2004 Tuesday

The decision could make Dover a national test case over what can be taught in public schools. Stakeholders on both sides of the argument are now watching to see what will happen, with opponents saying they may sue the district unless it changes its policy.

The move came just two weeks after the district announced that 50 copies of the intelligent design text would be included in biology classes as a reference text only.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
SECTION: LOCAL NEWS

LENGTH: 521 words

HEADLINE: Dover allowed to keep tapes from the public

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

The Dover Area School Board is on solid legal footing in its decision to keep audio recordings of the Oct. 18 school board meeting from the public.

Teri Henning, spokeswoman for the Pennsylvania Newspaper Association, said yesterday that the 1996 Pennsylvania Commonwealth Court of Common Pleas case Tapco Inc. v. Township of Neville established that audio recordings of public meetings are not considered public records and do not have to be disclosed to the public under the Right to Know Law.

However, Henning added that just because the board is within its legal rights to keep the tapes from the public, that doesn’t mean they should.

"They should let the public hear the tapes; they are from a public meeting and it promotes public confidence in the board," Henning said.

Several residents had asked to listen to the tapes in the days after the meeting and were denied access by the board. At the meeting in question, the board voted 6-3 to add intelligent design theory to the district's high school biology curriculum -- a move that prompted longtime board members Casey and Jeff Brown to quit in protest.

In addition, there were several heated exchanges between board members and residents present at the meeting.

Insults alleged: Board member Noel Wenrich stormed out during Monday’s meeting after demanding an apology from fellow board member William Buckingham. Wenrich said he and residents in the audience had been personally attacked and insulted at the Oct. 18 meeting by Buckingham and the board.

The decision to include intelligent design in the biology curriculum could make Dover a national test case over what can be taught in public schools. Stakeholders on both sides of the argument are now watching to see what will happen, with opponents saying that they may sue the district unless it changes its policy.

The move to add intelligent design theory to the curriculum came just two weeks after the district announced that 50 copies of the intelligent design text "Of Pandas and People" would be included in biology classes as a reference text only. Superintendent Richard Nilsen said Monday that the district's attorney, Stock and Leader, had advised the board that the minutes of the meeting, prepared by the board secretary, are the official public record of the meeting, and the tapes are considered nonpublic.

Nilsen said the board's "past practice" was to allow the public to hear the tapes, but there is no official policy.

He added that the change in practice was the board's decision and he could not speak to why that decision had been made.
The board was to vote Monday on allowing the public to listen to the recordings of the Oct. 18 meeting "under district supervision," but pulled the item from the agenda after seeking legal counsel.

Former board member Barrie Callahan and resident Bryan Rehm had both asked to hear the tapes and were upset by the board's refusal.

Rehm, who had to leave the Oct. 18 meeting before it was over, said the board was elected by the residents and the residents had a right to hear for themselves what was said at the meeting.

**LOAD-DATE:** March 26, 2005
Morals at the polls; Social issues were on many voters' minds on Election Day.

JENNIFER GISH. York Daily Record. York, Pa.: Nov 5, 2004. pg 1

Abstract (Document Summary)

Melvin Kulbicki said moral values also might have influenced voters in York County, where a recent decision by the Dover Area School Board to add a religion-based theory of evolution to the district's biology curriculum became a major political issue. The vote to add "intelligent design theory" to the biology curriculum ultimately led the three board members who voted against it to resign.

President Bush's campaign stop in York also played on Yorkers' sense of morality. During the July rally at the York Expo Center, Bush pushed family values and religion, evoking cheers from the crowd of 9,000 supporters.

Nationally, Kulbicki said, the 11 states with referendums to ban same-sex marriage also had an influence on both voter turnout and the election results. The referendums, including one in the swing state of Ohio, might have brought more conservative Christians out to the polls.

Full Text (630 words)

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The Rev. Paul Boisvert heard the conversations among people worshiping at the First Assembly of God, so he isn't entirely surprised by what political analysts are saying days after the election about the role morals played at the polls.

As the election neared, the worship pastor at the Manchester Township church said his people talked about honesty and transparency, friendliness toward faith communities and the candidates' stances on abortion and the definition of marriage and as the major deciding factors for their votes in the presidential race.

The church, attended by a generationally and ethnically diverse group of about 500 worshipers each Sunday, even held a registration drive to encourage new voters.

Now he said he's pleased by what the pollsters have found nationwide.

"I was very encouraged and

hopeful that the country is moving in a positive, moral direction," Boisvert said.

Morality was the highest-ranking influencing factor at the polls, according to a CNN exit poll of more than 13,600 voters nationwide.

Of the 22 percent of voters listing moral values as their top issue, 80 percent voted for Bush and 18 percent voted for Kerry.

The votes went the other way on the second highest-ranking issue. Of the 20 percent who named the economy and jobs as their deciding factor, 80 percent voted for Kerry and 18 percent voted for Bush.

Though the hold moral issues had on voters shocked some prominent polling groups that predicted the war in Iraq and the economy would decide the election, a local professor said it was to be expected.

"I'd have been absolutely flabbergasted if that wasn't the case," said Melvin Kulbicki, professor of political science at York College. "We are a country where religion and morality is a deep part of our culture. That's how we frame our issues."
He said stem-cell research joined abortion and same-sex unions as isssue which tugged at Americans' senses of right and wrong.

Kulbicki said moral values also might have influenced voters in York County, where a recent decision by the Dover Area School Board to add a religion-based theory of evolution to the district's biology curriculum became a major political issue. The vote to add "intelligent design theory" to the biology curriculum ultimately led the three board members who voted against it to resign.

The debate in Dover was just one example of how political and religious life have intersected here.

President Bush's campaign stop in York also played on Yorkers' sense of morality. During the July rally at the York Expo Center, Bush pushed family values and religion, evoking cheers from the crowd of 9,000 supporters.

Nationally, Kulbicki said, the 11 states with referendums to ban same-sex marriage also had an influence on both voter turnout and the election results. The referendums, including one in the swing state of Ohio, might have brought more conservative Christians out to the polls.

On election night, television commentators quickly shifted analysis from the influence of the war in Iraq and the economy on voter turnout and election results to the role of evangelicals.

Boisvert said he thought it was interesting that commentators were using a softer term for a group typically referred to as right-wing conservatives. Perhaps, he said, evangelical Christians were starting to be seen as a legitimate voice.

Though the Catholic church made no attempts to endorse any candidates from the pulpit, the Rev. T. Ronald Haney said same-sex marriage and abortion likely played a big role in Catholic voters' decisions.

"Informally we often preach about abortion in the Catholic church and also caring for the children who have been born," said Haney, spokesman for the Harrisburg Diocese, which includes York. "We offer advice on voting your conscience on the moral issues."

MUG: Specter Clarifies earlier quotes. Page 7A

Credit: York Daily Record

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People: Boisvert, Paul, Bush, George (President), Kulbicki, Melvin
Section: MAIN
ISSN/ISBN: 10434313
Text Word Count 630
Document URL:
Creationism disclaimer trial opens in Ga.

School district warning on evolution draws federal suit by ACLU, 6 parents

ATLANTA — School officials in suburban Cobb County go to court today to defend themselves against a lawsuit accusing the district of promoting religion by requiring that science textbooks warn students that evolution is "a theory, not a fact."

The trial in U.S. District Court, expected to last four days, is the result of a lawsuit arguing the disclaimer restricts the teaching of evolution, promotes the teaching of creationism and discriminates against particular religions.

County school officials said their warning, in the form of stickers inserted in science books, simply encourages students to keep an open mind.

Education at issue: The lawsuit was filed by six parents and the Georgia chapter of the American Civil Liberties Union.

"I'm a strong advocate for the separation of church and state," said one of the parents, Jeffrey Selman. "I have no problem with anybody's religious beliefs. I just want an adequate educational system."

The school board adopted the disclaimer after three science texts it adopted in 2002 were criticized by some parents for presenting evolution as fact. More than 2,000 people signed a petition opposing the biology texts because they did not discuss alternative theories, including creationism.

A lawyer for Cobb County schools, Linwood Gunn, said he expects the disclaimer will hold up in court. He said the stickers "improve the curriculum while also promoting an attitude of tolerance for those that have different religious beliefs."

1987 ruling: The U.S. Supreme Court ruled in 1987 that creationism was a religious belief that could not be taught in public schools along with evolution.

In April, U.S. District Judge Clarence Cooper refused to dismiss the lawsuit, saying the school district's disclaimers could have the effect of advancing or inhibiting religion.

The judge applied a test handed down by the U.S. Supreme Court in 1971. In order to have the lawsuit dismissed, the school board had to show that the disclaimer was adopted with a secular purpose, that its primary effect neither advances nor inhibits religion, and that it does not result in an excessive entanglement of government with religion.

Cooper said the school board satisfied him only on the first issue.
SECTION: TOP STORIES

LENGTH: 262 words

HEADLINE: 13 apply for 4 Dover board seats

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

Thirteen candidates have applied to fill four vacant Dover Area school board seats. They'll be interviewed by board members starting at 6 p.m. tomorrow at North Salem Elementary School.

Noel Wenrich and Jane Cleaver vacated their seats at the beginning of October; both are moving out of the district. Jeff and Carol "Casey" Brown quit two weeks later in protest over the decision to require the teaching of intelligent design in the high school biology curriculum.

The board is expected to make the appointments at its reorganization meeting, Dec. 1.

The new appointees will serve for a one-year term, ending in 2005, but can run for election next year.

The new board members will be joining a district that has been mired in controversy over the 6-3 decision last month on intelligent design. Stakeholders on both sides say Dover may be the first school district in the nation to call for teaching intelligent design as an alternative theory to evolution.

Opponents, such as the Pennsylvania chapter of the American Civil Liberties Union and Americans United for Separation of Church and State, have said they may sue if the district does not change its policy.

The Browns, as well as several community members, have said they fear a lawsuit will be costly and embarrassing to the district.

However, the Thomas More Law Center, a law firm dedicated to defending the religious freedom of Christians and the sanctity of human life, has offered to represent the district free of charge.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
Evolution sticker a sticking point for Georgia district

Dover schools recently had similar heated discussions about the teaching of evolution.

ATLANTA — A trial opened Monday over whether a warning sticker in suburban Atlanta biology textbooks that says evolution is "a theory, not a fact" violates the separation of church and state by promoting religion.

The case is one of several battles that have been waged in recent years in the Bible Belt over what role evolution should play in science books.

In Dover last month, the Dover Area School Board voted to add "Intelligent Design Theory" to the district's biology curriculum. The change passed by a 63 margin after a heated discussion by the board and a dozen members of the community.

The new wording in the curriculum states: "Students will be made aware of gaps in problems in Darwin's Theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of life will not be taught."

Voting to approve the final version were William Buckingham, Alan Bonsell, Sheila Harmon, Heather Geesey, Jane Cleaver and Angie Yingling. Voting against it were Wenrich, Carol Brown and Jeff Brown.

Cobb County schools in Georgia put the disclaimers in biology texts two years ago after more than 2,000 parents complained the books presented evolution as fact without mentioning rival ideas about the origin of life, namely creationism.

A group of parents and the American Civil Liberties Union then filed a lawsuit over the stickers. "It's like saying everything that follows this sticker isn't true," said Jeffrey Selman, a parent who filed the lawsuit.

The sticker reads, "This textbook contains material on evolution. Evolution is a theory, not a fact, regarding the origin of living things. This material should be approached with an open mind, studied carefully and critically considered."

A lawyer for the school district, Linwood Gunn, said the sticker was meant to "encourage critical thinking" and said it did not imply that evolution was wrong. Gunn said it was silly to consider the stickers a promotion of religion.

"It doesn't say anything about faith, it doesn't say anything about religion," he said.

But U.S. District Judge Clarence Cooper asked Gunn why it is necessary to have a sticker clarify evolution as a theory. "Why put a sticker on the book when that's already in the book?"

Gunn replied that school board members were simply trying to accommodate all views.

The first witness, parent Marjorie Rogers, started the drive to put the stickers in the books. She said it was only fair to put a small disclaimer in a textbook where religious-based ideas about the origin of life are not mentioned.

"I don't want the Bible taught in the classroom. But there is a wealth of science that would support intelligent design, and that is not taught," she said. "There should be a marketplace of ideas."

The judge also heard from a science teacher who said some students point to the sticker and argue evolution is "just a theory." The sticker "diminishes the status of evolution among all the theories," said teacher Wes McCoy. "I was worried, I didn't want college admission counselors thinking less of their science education, thinking they hadn't been taught evolution or something."

The U.S. Supreme Court ruled in 1987 that creationism was a religious belief that could not be taught in public schools along with evolution.

The theory of evolution says evidence shows current species of life evolved over time from earlier forms and that natural selection determines which species survive. Creationism credits the origin of species to God.

The trial, which will be decided by the judge, is expected to last several days.

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God or science
Several battles have been waged over what role evolution should play in science books, the latest being whether a sticker saying evolution is "a theory, not a fact" in suburban Atlanta textbooks violates the separation of church and state.

Americans asked if they learned more toward evolution or creationism

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SOURCE: Gallup Poll, June 14

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Seven vie for open slots on Dover school board

Two of the four available seats are directly related to the intelligent design issue.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Thursday, November 18, 2004

In a list provided by the Dover Area School District last week, seven district residents have their eyes on four vacant school board seats.

The board will interview candidates to fill the void left by those who recently resigned at 6 tonight at North Salem Elementary School.

In addition to serving students, one of the applicants, Bryan Rehm, said he wants to restore civility and accountability to the board.

He's irritated by the hostility the board members show one another, and more than that, disturbed at the lack of respect the board shows toward district faculty and taxpayers.

"I'm also unhappy with many of their policy decisions," he said. "In particular, I think it's wrong to be teaching (intelligent design theory) in a science class. I think this is going to turn into an expensive court issue that is unnecessary."

Two of the four available seats are directly related to the intelligent design issue. Carol and Jeffrey Brown resigned in protest over the Oct. 18 curriculum changes that mandated the theory be taught in ninth-grade biology.

Rehm said he is not against intelligent design being made available to students at the high school, but said it would be taught more appropriately in a philosophy or comparative religions-type class.

He was also angry that the board voted to destroy the recorded comments from that October meeting even after members of the faculty and community requested to hear them.

The two other seats opened when Noel Wenrich and Jane Cleaver announced their resignation in October for personal reasons.

Rehm said it was the height of hypocrisy when in February of this year, the board failed to accept the resignation offered by board member William Buckingham after his public announcement that he was addicted to the prescription drug, OxyContin.

"We suspend students for drug problems like that, but the board kept Buckingham," he said. "Go figure."

Even though he has very strong feelings about how the school board could have done things better over the past couple of years, he still expects fair consideration for a board seat. If he isn't chosen tonight, Rehm said he will run for formal election in 2005.

Bernadette Reinking, another candidate, said the recent controversies have created peripheral distractions away from things directly relating to education.

"We need to put the focus back where it belongs," the retired nurse said. "On students."

Right now, she said she isn't sure if the board is really paying attention to the opinions of the community. If elected, she said she would encourage the board to establish focus groups involving members of the community.

"We've been through so much that I think we need to at least get an idea of what the community is thinking," she said.

Michael Arnold, Cynthia Corbett, Terry Emig, Sherrie Leber and Monica Marlowe are also vying for the seats on the board. Efforts to reach these candidates for an interview were unsuccessful.

Though the meeting tonight is open to the public, Supt. Richard Nilsen said people will not be able to ask the candidates any questions.

"The board will ask all the questions and make the decision on their own," he said.
Dover legal battle brews

Both sides of the intelligent design debate are in touch with lawyers.

By LAURI LEBO
Daily Record/Sunday News
Thursday, November 18, 2004

A group of people from the Dover Area School District have contacted the American Civil Liberties Union regarding their concern about the district's plan to have intelligent design taught in high school biology classes.

Witold Walczak, legal director of Pennsylvania ACLU, said "a large number of people" with legal standing have retained the services of the civil rights organization.

He would not reveal the identity of the ACLU clients, but said they represent people of all ages and backgrounds.

In response, Walczak said the ACLU is reviewing the Dover case and has put together a legal team, including Americans United for Separation of Church and State and the law firm of Pepper Hamilton, which has offices in Philadelphia and Harrisburg.

"We are concluding our factual investigation and legal research and then we will make a decision on what to do next," he said.

While Walczak would not discuss the possibility of filing suit against the district, the ACLU has said previously that it would consider it.

Last month, the Dover Area School Board voted 6-3 to overhaul its science curriculum. In addition to the teaching of evolution, it now also requires the teaching of intelligent design, the idea that life is too complex to have occurred without a divine creator.

Critics say intelligent design is biblical creationism in disguise. Its supporters say it provides an alternative argument to evolution.

The school board vote came two weeks after an anonymous group of residents donated 50 copies of the pro-intelligent design book "Of Pandas and People," to be used as reference materials.

http://ydr.com/story/doverbiology/49681/printer/
School board member Bill Buckingham is the chief architect of Dover's new biology curriculum that states, "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of life will not be taught."

Walczak said the curriculum revision as worded is confusing.

"It remains unclear to us how the district plans to implement this policy," he said. "We have communicated with the district's solicitor's office, but it still remains unclear as to their intentions."

Buckingham has said he has been talking to the conservative Ann Arbor-based Thomas More Law Center, which is interested in defending an intelligent design legal challenge.

The law firm champions such issues as school prayer and "promoting public morality."

But Buckingham has said those on the other side of the debate are also interested in a battle on the issue as well.

While Dover is believed to be the first school district in the country to actually require the teaching of intelligent design, the issue of evolution has been heating up in other areas of the country as well.

In Georgia, the ACLU is fighting a suburban Atlanta district's decision to include a warning sticker in biology textbooks that says evolution is "a theory, not a fact."

Cobb County schools in Georgia put the disclaimers in biology texts after more than 2,000 parents complained the books presented evolution as fact without mentioning other ideas about the origin of life such as creationism.

But another group of parents are embroiled in a lawsuit over the stickers, which read, "This textbook contains material on evolution. Evolution is a theory, not a fact, regarding the origin of living things. This material should be approached with an open mind, studied carefully and critically considered."

Also last month, a Wisconsin school district 60 miles northeast of Minneapolis revised its science curriculum
policy to read: "When theories of origin are taught, students will study various scientific models or theories of origin and identify the scientific data supporting each."

In addition to Buckingham, voting to approve the final curriculum change in Dover were Alan Bonsell, Sheila Harkins, Heather Geesey, Jane Cleaver and Angie Yingling. Voting against it were Noel Wenrich, Carol Brown and Jeff Brown.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
The national spotlight continued to shine on the Dover School District last night as a crew from the ABC show "Nightline" taped the proceedings.

Staffers have been interviewing all of the major players on the issue, although the producers have not said when the segment will air.

What's behind the spotlight is that Dover may be the first school district in the nation to call for teaching intelligent design in its high school biology curriculum as an alternative theory to evolution.

Intelligent design is a theory that says the universe, and life, are best explained by an intelligent cause, not an undirected process such as natural selection.

Eyes on decisions: Stakeholders on both sides of the issue are now watching closely to see what will happen.

Opponents, such as the Pennsylvania chapter of the American Civil Liberties Union and Americans United for Separation of Church and State, have criticized the decision, saying it is a thinly veiled attempt to bring religion into public schools.

Both organizations have said they may sue -- and free legal aid in defense of the curriculum has been offered by the Thomas More Law Center, a law firm dedicated to defending the religious freedom of Christians and the sanctity of human life.

Although the school board has been quiet on the issue since taking its stand six weeks ago, board member William Buckingham said last night that the district had been misrepresented and that people didn't understand what the board had done.

Buckingham argued that teaching intelligent design does not violate the separation of church and state because it does not talk about one specific God.

And fellow board member Angie Zeigler-Yingling may be one of the Dover residents confused about the meaning of the board's decision.

Zeigler-Yingling voted for the curriculum change, but said earlier this week that she is completely against teaching religion in the schools and does not want to be involved in a lawsuit.

And she said she was afraid to express opposition to intelligent design because she didn't want to be seen as an atheist.

She said she wants to be clear that she has "very strong faith."
SECTION: TOP STORIES

LENGTH: 677 words

HEADLINE: Four get seats in Dover

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

After two board members quit to move away, and two others quit in a dispute over teaching intelligent design in the biology curriculum, the Dover Area school board selected four new members last night.

Sherrie Leber, Ronald Short, the Rev. Edward Rowand and Eric Riddle were chosen from among 13 candidates, and will be sworn in at the board's Dec. 1 reorganization meeting.

All will serve a one-year term, but can run for election next year when there are three two-year terms and four four-year seats on the ballot.

The current board interviewed candidates on four major issues:

--- being fiscally conservative;

--- withstanding attacks and misrepresentation from what board member William Buckingham said was a "vocal minority in the community and left-wing media,"

--- standing up for an unpopular issue that the board feels is right;

--- and being a team player who won't quit if a vote doesn't go their way.

The last two questions were apparently directed at the actions of former board members Jeff and Casey Brown, who quit last month in protest over the board's decision to require the teaching of intelligent design in the high school biology curriculum.

Board members didn't refer directly to the issue, although several members asked questions about candidates' opinions on recent board actions, the "current controversy" in the district, and being courageous in the face of opposition.

Two supporters: However, two of the candidates selected, Short and Riddle, have been vocal supporters of the board's decision.

Riddle, a superintendent at a stone quarry, has said at several previous board meetings that he is proud the board took a stand on the issue.

He has also said that the lack of morality in public schools is part of the reason he and his wife home school his 8-year-old son and 5-year-old daughter.

Short is a Harley-Davidson employee who has a daughter in Dover schools and another who has graduated from them. He's also stood up at meetings to back the board's decisions.
Rowand, pastor at Rohler’s Assembly of God pastor, commended the board’s stance during his interview.

"Important decisions are not always popular, but you weren’t elected to be popular," he said.

Rowand also said he believed it was his responsibility to teach his children about the origins of life and the Bible -- not that of school educators. [His son is one of the two high school representatives to the school board.]

However, despite his personal beliefs, Rowand said he had no agenda and believed it would be his job to support rather than criticize the board.

Sherrie Leber said she also had no agenda and was not seeking appointment to the board because of the recent controversy.

A cost manager at Danskin Inc., mother of a district student and a former youth cheerleading coach, she added she had no real opinion on the issue and wanted more information, but she hoped to bring a new, objective opinion to the board.

**Foes will run:** Several candidates who weren’t chosen disagreed sharply with Buckingham, who has been a prime proponent of including **intelligent design** in the curriculum.

Candidates Terry Emig, Monica Marlowe, Bryan Rehm and Bernadette Reinking, who all were open in their opposition to the board’s **intelligent design** decision during the interviews, said they will definitely be running for election next year.

Rehm, a high school physics teacher who previously worked at Dover High, read a prepared statement that questioned the decision to teach "a perfectly valid faith" as a science.

The four candidates may join former school board member Jeff Brown next year in a fight for the seven board seats up for election next year.

**What’s open:** The seven seats up for election include the four vacated by the Browns and Noel Wenrich and Jane Cleaver, who moved away; and the seats of current board president Alan Bonsell, and members Sheila Harkins and Zeigler-Yingling.

Zeigler-Yingling said she has not decided whether she will seek re-election. Bonsell and Harkins have not commented.

**LOAD-DATE:** March 26, 2005
Candidates chosen for school board

The Dover Area School Board interviewed 13 candidates to fill open seats.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Friday, November 19, 2004

As former Dover Area School Board member Carol "Casey" Brown watched the 13 candidates interview for four vacant board seats Thursday night, she did so with a hope.

She hoped that when the new board members were chosen, they would bring a greater balance of opinion on issues, such as the recent decision to allow "intelligent design" to be taught in ninth-grade biology.

Instead, she said, taxpayers got a preacher, a home-schooer who doesn't send his kids to public school because of his religious beliefs and two others with barely any experience in government.

"I don't think the choices made tonight serve the students or the taxpayers," she said.

The four who were chosen were Edward Rowand, pastor at Rohler's Assembly of God Church in Dover; Eric Riddle, the home-school parent; Ronald Short; and Sherrie Leber.

Leber is an insurance agent who is also involved at Shiloh United Church of Christ, among other things. During his interview, Short was asked by board president Alan Bonsell if he felt he could stand up and fight over the current controversy if he felt it was the right thing to do.

Short said he would be outspoken and understood that some people would be unhappy with the result.

"But I will bear it," he said.

While on one five-minute break between interviews, Buckingham said the board couldn't legally come right out and ask about opinions on intelligent design without looking as though they had a litmus test working for choosing new members.

"But we can ask general questions and to see what they offer up and evaluate from there," he said.
No one who adamantly spoke out against intelligent design was selected. One of those candidates was Bryan Rehm.

"It is a great disservice and fallacy to teach students that a perfectly valid faith constitutes scientific knowledge," he told the board during his interview.

He said the board must allow the curriculum to be developed by the professional educators with expertise in state standards. Rehm said he was speaking from experience. In his resume to the board, he listed himself as a physics teacher with seven years of experience, four of which included writing science curriculum.

The Eagle Scout also listed several educational awards and grants he has received to assist him in his classrooms.

On a break during interviews, Rehm said he found the questions the board was asking interesting. Like Buckingham's question, when he asked potential candidates if they will be able to stand up to the left-wing, liberal media when they inevitably misquote and misrepresent them.

"Those types of questions have nothing to do with the issues facing our students," Rehm said. "Too much of this has been fluff questions with fluff answers."

Rehm vowed to run formally for a spot on the school board next year.

After the meeting, district secretary Peg Funkhouser said she was disappointed that the board did not select Rehm.

"He was clearly one of the most qualified," she said.

Resident Sheri Greenfield agreed.

"He touched a nerve during the interview," she said. "You could tell when it happened because the interviewers got heated and turned personal."

Buckingham said he was very happy with the choices the board made. While some of the candidates suggested that the board revisit and reconsider the choice it made to include intelligent design in the curriculum, Buckingham said that isn't going to happen.
"It's a battle," he said. "I never enter any battle with the intention of losing."

CANDIDATES

Board candidates:

- Michael Arnold
- Cynthia Corbett
- Terry Emig
- Sherrie Leber
- Monica Marlowe
- Bryan Rehm
- Bernadette Reinking
- Jan Snyder
- Angela Wisner
- Robert Stern
- Ronald Short
- Edward Rowand
- Eric Riddle
York Dispatch

Dover opts for referral
School board compromises
By HEIDI BERNHARD-BUBB For The York Dispatch

Monday, November 22, 2004 -

Dover Area School officials have now spelled out how alternatives to evolution theory -- including intelligent design -- will be addressed in the curriculum.

Their decision, which board members say has been misunderstood and misinterpreted by critics, will mainly mean reading a statement to students about alternatives to evolution theory.

The statement explains intelligent design in a sentence, and refers students to the book "Of Pandas and People" if they want to learn more about it.

Superintendent Richard Nilsen said teachers won't be required to teach intelligent design, which is a theory that says the universe, and life, are best explained by an intelligent cause, not an undirected process such as natural selection.

"Teachers will make students aware of the theory of intelligent design, but no lectures will be prepared on the theory; it can be mentioned without teaching it," he said.

He said the district won't be teaching religion and that no religious texts will be brought into the classroom, such as the Bible or the Koran.

Board president Alan Bonsell said that he believes the board's decision has been blown out of proportion.

"We have to teach evolution, that is the state science standards. We are only trying to make students aware of the other side of the story," Bonsell said.

Bonsell said the board as a whole has been silent about the issue because it was working with district administrators, district solicitor Stock and Leader, and teachers to come up with the statement released Friday.

He said the teachers were instrumental in writing the statement and everyone has signed off on it.

Bertha Spahr, chairwoman of the high school science department, could not be reached for comment.

However, former board member Jeff Brown, who quit over the curriculum change, said several teachers objected to the wording of the curriculum change approved by the board last month. He said they interpreted it as requiring them to teach intelligent design.

He said the teachers' objections was one of the reasons he decided to quit.

The latest statement addresses how the district will implement intelligent design into the curriculum with a procedural statement that will be read to students.

It also says, "School districts are places for inquiry and critical discussions...the Dover Area School District's Biology Curriculum is only providing that opportunity for open critical discussions -- the real heart of the scientific practice. Assistant superintendent Michael Baksa and Dr. Nilsen will monitor the instruction to make sure no one is promoting but also not inhibiting religion."

http://www.yorkdispatch.com/cda/article/print/0,1674,138%7E10023%7E2551340,00.html 11/29/2004
Bonsell said the statement is an attempt to diffuse some of the controversy prompted by the move to add intelligent design to the curriculum, a move which has gained national attention.

What's behind the controversy is that Dover may be the first school district in the nation to call for teaching intelligent design as an alternative theory to evolution.

The decision prompted longtime board members Jeff and Casey Brown to quit in protest and opponents, such as the Pennsylvania chapter of the American Civil Liberties Union and Americans United for Separation of Church and State, have said they may sue the district if it does not change its policy.

Bonsell said he believes that intelligent design is a legitimate scientific theory that can be presented as an alternative to evolution without promoting religion.

He said he believes it will give the students of Dover a better education by giving them more than one theory.

He also said he has no desire to be a "test case" and does not want the district to be embroiled in a lawsuit.

However, critics say that the statement issued Friday doesn't change their position at all.

Rob Boston, spokesman for Americans United, said that "this statement indicates that the Dover School Board remains bound and determined to undercut the teaching of evolution in the school district and introduce religiously based theories of origins of life into the classroom. It does nothing to clear up this matter and in fact only makes the matter worse."

Boston, and other critics, such as Eugenie Scott, director of the California-based National Center for Science Education, an organization that has defended the teaching of evolution for the past 30 years, say that intelligent design is a secularized way of teaching creationism and creation science, which is based on Biblical accounts of creation.

"This is basically a backdoor way of saying God did it, not evolution," Scott said last month.

She added that the vast majority of the scientific community dismisses it as "bad science" because it provides no testable explanations or evidence.

Scott also said that forcing teachers to bring intelligent design into the classroom, even just mentioning it, is the same as requiring teachers to teach the theory.

The statements

The Dover Area School Board last month voted 6-3 to change to add the following wording to the high school biology curriculum:

"Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

On Friday, the district administration and school board released a statement to clarify its position. The following will be read to all biology students:

"The state standards require students to learn about Darwin's Theory of Evolution and to eventually take a standardized test of which evolution is a part. Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

"Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book 'Of Pandas and People,' is available for students to see if they would like to explore this view in an effort to gain an understanding of what Intelligent Design actually involves. As is true with any theory,
students are encouraged to keep an open mind.

"The school leaves the discussion of the Origins of Life up to individual students and their families. As a standards-driven district, class instruction focuses on the standards and preparing students to be successful on standards-based assessments."
Dover Area in spotlight

First Amendment organizations are lining up to protest district biology curriculum.

By LAURI LEDO
Daily Record/Sunday News
Tuesday, November 23, 2004

It's not just a Dover issue.

Seemingly, it's caught the attention of everybody.


MSNBC has been following it, and on Friday, National Public Radio ran a segment about it on its "Talk of the Nation" program.

Both scientists and civil-rights organizations across the country say they are closely following it.

When the Dover Area School Board voted in October to incorporate the concept of intelligent design into its high school biology class, it reinvigorated a debate still waging from the 1925 Scopes Monkey Trial.

School board member Bill Buckingham, the chief architect of the curriculum change, says the requirement doesn't violate the First Amendment clause prohibiting the separation of church and state.

But civil rights organizations are lining up to disagree.

In addition to the teaching of evolution, the school district also requires the teaching of intelligent design, the idea that life is too complex to have occurred randomly — or through Darwin's theory of natural selection — and therefore must have been made at the hand of a divine creator.

Critics say intelligent design is biblical creationism in disguise. Its supporters say it provides an alternative argument to evolution.

With the American Civil Liberties Union and the Americans United for Separation of Church and State mulling lawsuits against the district, the Anti-Defamation League has also weighed in on the issue.

http://ydr.com/story/doverbiology/50208/printer/
In a letter sent to the Dover Area administration, the organization urged the district to reconsider the school board decision.

Barry Morrison, regional director of the league's Philadelphia office, wrote: "... it is both unfair and unconstitutional to try to manipulate the character of society by espousing your own religious beliefs in public schools ... The teacher's desk may not serve as a pulpit for religious doctrine."

The Nov. 2 letter was addressed to Dover Area Supt. Richard Nilsen, and he has not responded, Morrison said.

In addition, Nilsen also refuses to comment on the issue to the media.

Morrison said if the ACLU files a lawsuit, the Anti-Defamation League might submit briefs in support.

"We have been talking with the ACLU," Morrison said. "It's possible we may play a role in that."

Last week, Witold Walczak, legal director of Pennsylvania ACLU, said a large number of people with legal standing had retained the services of the civil rights organization in the matter.

While Walczak will not reveal the identity of the clients, he said they represent people of all ages and backgrounds.

The ACLU has also put together a legal team, including Americans United for Separation of Church and State and the law firm of Pepper Hamilton, which has offices in Philadelphia and Harrisburg.

Morrison said the idea that one theory is as relevant as the other is incorrect and unfair to students.

"The school board should look to noted authorities in science, not in religion class," he said.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

THE POLICY

On Friday, the Dover Area School District spelled out its teaching requirements on evolution and intelligent design, which go into effect immediately, in a prepared statement:

http://ydr.com/story/doverbiology/50208/printer/
"The state standards require students to learn about Darwin's Theory of Evolution and to eventually take a standardized test of which evolution is part.

Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The theory is not a fact. Gaps in the theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book, Of Pandas and People, is available for students to see if they would like to explore this view in an effort to gain an understanding of what Intelligent Design actually involves. As is true with any theory, students are encouraged to keep an open mind.

The school leaves the discussion of the Origins of Life up to individual students and their families. As a standards-driven district, class instruction focuses on the standards and preparing students to be successful on standards-based assessments."

The administration will not comment on the issue, but according to a statement released by the district, both Assistant Supt. Michael Baksa and Supt. Richard Nilsen will "monitor the instruction to make sure no one is promoting, but also not inhibiting religion."
THE POLICY

Abstract (Document Summary)
Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The theory is not a fact. Gaps in the theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

Full Text (243 words)
Copyright (c) 2004 York Daily Record

On Friday, the Dover Area School District spelled out its teaching requirements on evolution and intelligent design, which go into effect immediately, in a prepared statement:

"The state standards require students to learn about Darwin's Theory of Evolution and to eventually take a standardized test of which evolution is part.

Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The theory is not a fact. Gaps in the theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book, Of Pandas and People, is available for students to see if they would like to explore this view in an effort to gain an understanding of what Intelligent Design actually involves. As is true with any theory, students are encouraged to keep an open mind.

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Objections by design; Couple's stand in evolution debate has them in the spotlight

Abstract (Document Summary)

Their departure left two vacancies on the board, which, to the Browns' vocal dismay, appears to have been filled by replacements sympathetic to the teaching of intelligent design.

[Noel Wennrich] would like to see the students be aware of what he believes are gaps in Darwinism, but, by requiring the teaching of intelligent design, he believes the district is now set up for a lawsuit. He agreed with the Browns that some board members have been cut out of the discussions in the past several months.

The Browns think what is happening in Dover is a precursor to what will soon be happening across the country, as religious conservatives become more vocal.

Full Text (1767 words)

Copyright (c) 2004 York Sunday News

Jeff Brown was at the Route 74 Restaurant having coffee with the locals, when his cell phone rang.

The former Dover Area School Board member hadn't yet shaved that day, and he was wearing an old flannel shirt.

But he wasn't going to have time to clean up. A camera crew with ABC's NightLine was already on its way.

That's the way it's been going lately.

Since Brown and his wife, Carol "Casey" Brown, quit the Dover Area School Board in protest of their peers' decision to require the teaching of intelligent design in high-school biology classes, the couple has been barely able to keep up with the media attention.

The couple has been both criticized and praised by people on both sides of the issue.

Their departure left two vacancies on the board, which, to the Browns' vocal dismay, appears to have been filled by replacements sympathetic to the teaching of intelligent design.

And now the couple is at the center of a debate that may be playing out in Dover's classrooms, but is being watched across the country and the world.

So far, the Browns have been contacted by the San Francisco Chronicle, The Philadelphia Inquirer, Fox News, a reporter from a German newspaper and a Syracuse University student working on a class paper.

"Eighteen and counting," Casey said of the number of interviews she and her husband have given so far.

Matters of faith

She is a 57-year-old stay-at-home grandmother. He is a 54-year-old self-employed electrician.

She is an Episcopalian. He's a member of the United Church of Christ and teaches Sunday school.

In her resignation speech, she said she would pray for the other board members "pray that you will find the
wisdom to separate your personal beliefs and desires from the proper fulfillment, within the law, of the duties and responsibilities of your office.”

But on more than one occasion since the intelligent design debate began in June, she says she has been asked if she is “born again” because of her opposition.

Despite, or perhaps, they say, because of their strong Christian beliefs, they remain staunch advocates of the separation of church and state.

Which is why they say they opposed the change to the science curriculum to require the teaching of intelligent design the idea that life is too complex to have occurred randomly and therefore must have been created by a divine being.

Intelligent design’s supporters say it is simply about giving time to evolution’s alternative views. But its critics, such as the Browns, say it’s merely a slicked up version of creationism.

“What I think isn’t relevant,” Jeff said. “I can believe the sun rides across the sky every day on the back of the giant turtle. But if I want to call it science, I have to produce the turtle.”

His wife said, “The last time we mixed religion and politics, people got burned at the stake.”

Response

At first, Jeff wasn’t overly concerned about the issue.

He had been hearing school board members talk about intelligent design for several years. At the time, he interpreted it as simply a philosophical alternative to the idea that life was created when “lightning struck the primeval ooze.

“I didn’t view this as a buzz-word for creationism,” he said.

Then board members began talking about adding it to the curriculum.

“I had no problem with that, but, of course, I hadn’t read the fine print,” he said.

It wasn’t until he read “Pandas and People,” the book promoting the concept of intelligent design currently being used as a supplemental textbook at Dover high school, that he became concerned.

He interpreted the book as saying, “I’m apparently an atheist because I don’t believe in their particular version of the origins of life.”

Still, even if he believed every word of the book, he wouldn’t have supported the curriculum change.

“We’re charging our volunteers for criminal background checks,” he said. “Then we turn around and commit the district for an incalculable amount of money in a lawsuit.”

Should school district residents file a lawsuit against Dover over the issue as is expected and the district loses, it could end up paying the legal fees of the plaintiffs.

Jeff said he hopes his fears are unfounded and that he will not end up being able to tell his critics, "I told you so."

“I hope they don’t sue us, I really do,” he said. But he isn’t holding out much hope.
Casey said the issue has already cost the district money. In September and October, she said the board spent almost $1,000 researching the law and gathering legal opinions on the intelligent-design issue.

"I think how many books we could have bought with that money, and it makes me crazy," she said.

Conservatives, really

In the past several months before the final vote, the Browns said their fellow board members had all but stopped talking to them a sad experience for both of them.

"I had endorsed and campaigned for everybody on that board," Jeff Brown said. "Really, all but one of them campaigned and endorsed me."

The Browns say they had been mulling the issue to quit for a long time but they are both clear that they had been hesitant to discuss it together because they didn't want to influence the other to resign.

They know a lot of people have criticized them for quitting, for making it easier for other board members to push through issues they object to.

But they say they had long lost any control over what the board was going to do.

"We weren't being told about things, and I couldn't be effective," she said. "I was failing in my responsibility to the community.

"This isn't what we were elected to do," she said. "Certainly not."

While she continues to second-guess herself on whether she made the right decision, she believes that quitting has made it possible for she and her husband to garner more attention than they would have otherwise.

"I thought we needed to take that step to make people aware, that something definitely was wrong," she said.

Unlike his wife, when Jeff handed in his resignation, he did so knowing that he had every intention of running for office next year. He had first run for office in 1999 with a campaign of fiscal conservatism. Religion in science class had never been brought up.

"I quit, because I never ran on this issue," he said.

He wants to know if there is a mandate.

"I'm running next year to find out as much as anything whether the voters want this," he said. And if voters want to fight the U.S. Supreme Court, he will know when he is defeated.

But he suspects he won't be defeated.

Noel Wenrich, who stepped down from the school board recently to take a job in Lancaster County, is a believer and supporter of intelligent design.

Nonetheless, in October, he voted against making it part of the curriculum. Along with the Browns, he was the only other dissenting vote.

Wenrich believed that to side with the motion, as it was written, was a violation of his "fiduciary responsibility" because he didn't think the courts would uphold it.

The U.S. Supreme Court hasn't ruled on the teaching of religion and evolution since the 1987 case of Edwards vs. Aguillard, in which it was established that a Louisiana law requiring equal time for creationism in high school
biology class was unconstitutional.

Wenrich would like to see the students be aware of what he believes are gaps in Darwinism, but, by requiring the teaching of intelligent design, he believes the district is now set up for a lawsuit. He agreed with the Browns that a some board members have been cut out of the discussions in the past several months.

While there have been no quorum violations, Wenrich said, there have been agreements and alliances made privately.

"I tried eight times to get that wording changed," Wenrich said. "Nobody was listening."

He said for many years, Casey Brown was in the minority on the board, and Wenrich remembers how hard she worked to make changes and be heard.

For years, board members disagreed with each other the Browns were known to differ with each other but in the past, everyone was able to put aside their past differences and work together. But that's changed now, he said.

Now, Wenrich said he envisions a power struggle on the board.

He said he has told the Browns that they should have stayed and fought.

"Stepping down was not in the best interest of everybody," he said.

However, Larry Snook, who resigned from the board two years ago amid controversy surrounding high school renovations, said he is able to relate to the Browns' sense of being ineffective.

Snook, who remains a vocal critic of the board and attends most meetings, said he thinks sometimes it's better to speak out as a private citizen than as an official.

For instance, "I haven't gone away," he said. "I've just changed where I sit."

Since their resignation, the Browns have received a barrage of phone calls from members of the community. The calls have all been supportive. People they run into at the grocery store, on the street, come up to them and tell them they're sorry.

The Browns think what is happening in Dover is a precursor to what will soon be happening across the country, as religious conservatives become more vocal.

Casey ticked off similar cases that are being played out in places such as Cobb County, Ga., where the school district is awaiting a judge's decision regarding the warning stickers placed on biology books warning students that evolution is just a "theory."

Or the Grantsburg School District in Wisconsin that has approved a policy calling for "various models/theories" of origin to be incorporated into biology class.

Or the Kansas State Board of Education, in which a group of newly elected conservatives have vowed to revisit the debate over whether to de-emphasize the teaching of evolution in state science classes.

"It's as if we are one of the starting points," she said. "I'm afraid it's perhaps indicative of what's going to happen everywhere."

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

PIC: JASON PLOTKIN Daily Record / Sunday News
Jeff Brown and his wife Carol "Casey" Brown resigned from the Dover Area School Board because they objected to the teaching of intelligent design. Since then they've been interviewed by the national media and shunned by some of their former constituents.

Credit: York Daily Record

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Dover lawsuit looms
"Intelligent design" sparks ACLU vow
By HEIDI BERNHARD-BUBB For The York Dispatch

Thursday, December 02, 2004 -
The Dover Area School District may face a federal civil rights lawsuit before the end of the year over the inclusion of intelligent design in the high school biology curriculum.

Witold Walczak, legal director of the Pennsylvania chapter of the American Civil Liberties Union, said the organization is representing a large, diverse group of Dover residents and plans to file a lawsuit because the district's attempt to balance science with religion violates the constitution.

The ACLU has put together a legal team that includes Americans United for Separation of Church and State and the law firm of Pepper Hamilton, which has offices in Philadelphia and Harrisburg.

In addition, the Anti-Defamation League, an organization that monitors hate groups and promotes tolerance, has said it may support the ACLU.

Little comment: Dover superintendent Richard Nilsen said the district has not been notified of the threatened suit, and he had no comment on how it will deal with the issue.

But new school board president Sheila Harkins said the board would certainly discuss the issue further if a lawsuit is filed.

And board member Angie Zeigler-Yingling said she would like to revisit the curriculum and its wording.

Defense aid: Free legal aid in defense of the curriculum has been offered by the Thomas More Law Center, a law firm dedicated to defending the religious freedom of Christians and the sanctity of human life.

Several former board members, including Larry Snook and Casey Brown, have questioned whether the center has a binding contract with the district and whether the offer of free legal aid will apply if the district loses the suit -- saddling the taxpayers with costly legal fees.

The district has no contract with the center, Harkins said, but the center's chief counsel, Richard Thompson, said in late October it would defend any individual or the district at no cost regardless of the outcome.

And while the school board and administrators say they have grown weary of the national media attention sparked by the October curriculum change -- the controversy has been covered by The New York Times, National Public Radio, MSNBC, Fox News Channel, and several other major media outlets -- the spotlight isn't likely to diminish.

Legitimate theory?: Thompson said a court case would really be about the legitimacy of intelligent design as a scientific theory, likely the first in the country.

Proponents say that intelligent design is a legitimate alternative to the theory of evolution. Intelligent design is a theory that says life is too complex to be explained by an undirected process, such as natural selection, and must have been created by an "intelligent agent."

Critics say the intelligent agent is God and intelligent design is a veiled attempt to bring creationism and
religion into schools.

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public schools as a violation of the constitutionally mandated separation of church and state.

Science defended: Barry Morrison, regional director of the ADL's Philadelphia office, said that the most dangerous thing about the wording of Dover's curriculum is that it elevates intelligent design, which he calls an "expression of ideology," and denigrates evolution, which is a legitimate and well-tested scientific theory.

Rob Boston, spokesman for Americans United, agrees.

"What is most alarming is that the (curriculum) betrays great ignorance of modern science by stating that evolution is not factual," said Boston.

The district released a statement Nov. 19 to clarify how intelligent design will be incorporated into the classroom.

Part of the statement reads: "Because Darwin's Theory is theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations."

Morrison said that the suggestion that evolution is "just a theory" belittles the overwhelming scientific evidence that supports it, and provides a basis for modern biology.
Union says intelligent design questions still unanswered

Teachers want direction from the Dover Area School Board on how to answer student questions.

BY JOSEPH MALDONADO
For the Daily Record/Sunday News
Friday, December 3, 2004

The Dover Area School Board has a different look from just two months ago.

There are four new members as a result of resignations, a new president, Sheila Harkins, and a new vice president, Heather Geesey.

Even with the changes, some controversies linger, the most prominent of which was the recent curriculum mandate that intelligent design be taught in the district's ninth grade biology classes.

On Thursday, Bill Miller, a union spokesman for the Dover Area Education Association, said those changes were causing confusion and frustration among members of the high school's science department.

"We still have no direction from the administration on how to handle student questions about intelligent design," Miller said.

The word, "direction," is critical to the union because Miller said teachers will not answer intelligent design questions without specific guidance on how to do so from the board and administrators.

Last month, Michael Baksa, assistant superintendent, said the administration will eventually sit down with the teachers and decide how questions relating to intelligent design will be handled.

But Miller said the union wants nothing to do with that.

"If we have any directional discussions with the administration on how to answer these questions, it implies that we are cooperating on the issue," Miller said. "And that sets us up to be a sort of shield (if there is any future litigation). If given a direction by the administration, we will not be insubordinate. But they must be the ones to say how we answer the students in

http://vdr.com/story/doverbiology/51229/printer/
this area."

That is unless the union feels the direction puts them in violation of any laws.

"If that becomes our feeling, we may have to take action," he said. "Maybe it's legal action, maybe it isn't, but we will have to do something."

In a statement released by the union Wednesday, they disputed a November statement issued by the administration, which is posted on the district's Web site.

Miller said the administration's statement implied that the curriculum changes were done with the assistance and approval of the teachers. He said that isn't totally true.

"We never developed any language that allowed intelligent design into the classroom," Miller said.

There is also confusion about another section of the district's statement: "Intelligent Design is an explanation of the origin of life that differs from Darwin's view."

Since the final line of the recently passed curriculum change says, "Note: Origins of life will not be taught," it leaves Miller wondering how the district can prevent students from asking questions that wander down this road.

In another line of the administration's statement, it says, "The Superintendent, Dr. Richard Nilsen, is on record stating that no teacher will teach intelligent design, creationism, or present his/her or the board's religious beliefs."

But at the heart of intelligent design is the idea that there is a designer, who some say represents a deity or god.

"We are really struggling with all of this," Miller said. "We have a real concern that at some point something is going to be said that inadvertently infringes on someone's civil rights."

http://vdr.com/story/doverbiology/51229/prin ter/
Dover science faculty uneasy

Department head resists ID mandate

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, December 5, 2004

With less than a month before the first biology class begins discussing intelligent design theory at Dover Area High School, teachers are nervous. After more than 40 years as a Dover science teacher, science department head Bertha Spahr said she has no answers for students who might ask religious-based questions about the theory.

"But it doesn't look like we have a choice," Spahr said. "The board has made its decision."

Intelligent design suggests that all things were created by a divine being. Critics say the teaching of this theory violates the constitutional separation of church and state.

Last month, assistant supt. Michael Baksa said he would work with the science department to help it prepare what it could and could not say in response to questions that may turn out to be religious in nature.

But Spahr said her department will not offer its assistance. To do so, she said, implies it supports intelligent design in the classroom.

"We will not be insubordinate," she said. "If the administration or board comes up with pre-written responses to questions, we will read them. But we will not help prepare them."

On Thursday, Bill Miller, a spokesman for the teachers' union, the Dover Area Education Association, also said the teachers would not help in this area.

Supt. Richard Nilsen, reached at home Saturday evening, refused to comment.

In August, Spahr said, board member and curriculum committee head William Buckingham said that if the intelligent design book "Of Pandas and People," published by the Foundation for Thought and Ethics, was not placed in the classroom as a reference book, the biology department would not get its sorely needed new biology books.

12/31/2004
That month, amid public outcry from people saying that religion did not belong in the classroom, the board voted to use the book, "Biology," which Buckingham said was "laced with Darwinism." On Oct. 4, with the consent of the science department, Nilsen authorized 50 donated copies of "Of Pandas and People" to be made available in the classroom.

Spahr called it a compromise and thought the issue would end.

But at the Oct. 18 meeting, the board revisited the intelligent design issue and this time voted to add it to the ninth-grade biology curriculum.

Since then, Spahr said, the administration has given science teachers a statement about intelligent design to read to students. The statement reads, in part: "The state standards require students to learn about Darwin's Theory of Evolution and to eventually take a standardized test of which evolution is a part. Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations."

"Intelligent Design is an explanation of the origin of life that differs from Darwin's view."

It notes students can learn more through the "Pandas" book, and encourages students to keep an open mind. The statement continues:

"The school leaves the discussion of the origins of life up to individual students and their families."

Spahr said science teacher Jen Miller edited the statement, but that no one in the science department helped write it. Spahr said a problem could occur after the statement is read to the students. Once this topic is introduced, Miller said, she wonders how many questions will be asked as a result.

"I'm trained to teach to state standards," Miller said. "(Intelligent design') is currently not listed in those standards."

Miller said she hopes it will be enough to read the
statement or refer students to the "Pandas" book. But she realizes that students have the right to discuss curriculum items in class.

"This is all new and something we are not prepared for," she said. "I worry that something I say could cause me to end up in some sort of litigation."

Spahr said the science teachers feel like they're in a battle that can't be won.

"The Supreme Court has said it's unconstitutional to teach creation in the classroom," she said. "So we either risk violating a school board directive or risk breaking the law. What are we to do?"
motion was because, despite Yingling's warning of impending litigation, Bonsell has yet to hear that the district is being sued.

"Is she an attorney?" he asked. "As of last night, no one has said anything about someone having sued us."

Yingling said that by early Tuesday evening she had received more than 30 calls or visits to her home by people offering their support.

Jeffrey Brown, a former board member, was one of those who talked with Yingling on Tuesday. He said he didn't advise her one way or the other.

"This has to be her call," he said. "She has more of a voice if she's on the board, but obviously we (Brown and his wife, Carol 'Casey' Brown, who also is a former board member) resigned because we didn't think anyone cared about our voice."

Until Yingling's resignation is put in writing and accepted by the board, she remains an active board member. That could change at the next meeting, scheduled for Jan. 3 at 7 p.m. at North Salem Elementary School.

"The lawsuits are coming," Yingling said. "And without me, there will be no one speaking on behalf of those that don't want to pay those bills. But I don't know if I want to stay on this ship. It's like being on the Titanic. Everyone seems to see the iceberg, but no one is steering away."
Dover Area loses an official, again

School Board member Angie Yingling said she was out over intelligent design.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Tuesday, December 7, 2004

Another Dover Area School Board member announced her resignation Monday night over the intelligent design controversy.

After failing to get a second on a motion from the board to revisit the decision that led to the theory being taught in ninth-grade biology, resigning member Angie Yingling said, "It's wrong, it's all wrong."

While requesting her motion, Yingling told the board that the changes needed to be made to avoid lawsuits that the board "knows" are coming.

"We've got our point across to the local, state and national levels," she said to the board. "But taxpayers have told me they can't afford any lawsuits over this."

The board did not immediately accept her resignation. But after the board announced it was going into an executive session, Richard Nilsen, the district's superintendent, asked Yingling to reconsider.

Before the session started, Yingling said she would consider the request but only if the board would assure her that the next time she made the motion to revisit the issue, someone would second it and bring the matter to a vote.

She also said that after thinking about it, she regrets voting Oct. 18 to add intelligent design to the student curriculum. But she said she did so because many on the board pressured her by accusing her of being an atheist and un-Christian.

Just before the executive session began, Dover Area parent Cynthia Sneath implored Yingling to stand her ground and remain on the board.

"Bring (the motion) up at every meeting," she told Yingling. "We need a voice of opposition up there."

12/31/2004
But Yingling wouldn't commit one way or the other.

"I feel as though I've been misled throughout this whole thing," Yingling said. "All I wanted was for the 'Pandas' book to be made available as a reference book. Not all of this."

The book Yingling referred to is "Of Pandas and People," published by the Foundation for Thought and Ethics. The book uses intelligent design to suggest that all things were created by a "designer," who many interpret to mean God or other divinity. Critics say the theory violates the constitutional separation of church and state.

Bill Miller, a union spokesman for the Dover Area Education Association, said it was unfortunate that the board would not discuss Yingling's motion.

"Her request had merit," he said.

This past weekend, Miller and science department head Bertha Spahr said they would not participate in formulating any answers to intelligent design questions, despite the theory's addition to the curriculum.

They said they would refer the students to the 'Pandas' book or forward questions to the administration and board via the appropriate chain of command.

Yingling followed the board into executive session and remained in the meeting with them for 90 minutes, but did not change her mind on the resignation.
Board member says the worst is coming

Angie Yingling offered her resignation over the 'intelligent design' controversy.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Wednesday, December 8, 2004

Dover Area School Board member Angie Yingling said things are getting uglier by the minute in her district. "And they're going to get worse," she said.

Yingling offered her resignation at the end of Monday's school board meeting after failing to get a second on a motion to revisit an Oct. 18 curriculum change. The change allowed "intelligent design" theory to be taught in ninth-grade biology.

The theory suggests that all things were created by a "designer," which many interpret to mean God or a divinity. Critics say teaching the theory in public schools violates the constitutional separation of church and state.

On Tuesday, Yingling said she was reconsidering her decision to leave at the urging of Supt. Richard Nilsen and Assistant Supt. Michael Baksa. Neither could be reached for comment.

She said the board has also encouraged her to stay.

"They want to hear what I have to say, but they won't let me vote," she said. "And I want my vote on the record."

The biggest reason she said she was unable to get a second on her motion is because of what she said is the influence Alan Bonsell, the board president, has on other board members.

Bonsell, reached at home, said no one is pressuring anyone to do anything.

"This is ridiculous," he said. "I'm not going to get into this posturing for position."

He did say the reason he didn't offer a second to Yingling's motion was because, despite Yingling's warning of impending litigation, Bonsell has yet to hear that the district is being sued.

"Is she an attorney?" he asked. "As of last night, no one has said anything about someone having sued us."
Yingling said that by early Tuesday evening she had received more than 30 calls or visits to her home by people offering their support.

Jeffrey Brown, a former board member, was one of those who talked with Yingling on Tuesday. He said he didn't advise her one way or the other.

"This has to be her call," he said. "She has more of a voice if she's on the board, but obviously we (Brown and his wife, Carol 'Casey' Brown, who also is a former board member) resigned because we didn't think anyone cared about our voice."

Until Yingling's resignation is put in writing and accepted by the board, she remains an active board member. That could change at the next meeting, scheduled for Jan. 3 at 7 p.m. at North Salem Elementary School.

"The lawsuits are coming," Yingling said. "And without me, there will be no one speaking on behalf of those that don't want to pay those bills. But I don't know if I want to stay on this ship. It's like being on the Titanic. Everyone seems to see the iceberg, but no one is steering away."
SECTION: LOCAL NEWS

LENGTH: 821 words

HEADLINE: Another Dover school board member quits

BYLINE: HEIDI BERNHAD-BUBB For The York Dispatch

BODY:
A third Dover Area school board member resigned last night over the inclusion of intelligent design theory in the biology curriculum.

Angie Zeigler-Yingling, one of six members who voted to include the controversial teachings in October, said she had changed her mind mostly because she believes the district will be sued and that it will burden the taxpayers.

Zeigler-Yingling made a motion to revisit the curriculum and said she was asking for a second only to put her vote on record. But no one seconded the motion.

"You've gotten your point across to the community, to the county and to the whole nation," she said to the board. "It's wrong, I think it's wrong, and you know it's wrong; it's against state and federal law, and you know it."

Change brought national attention: The Dover board set off a firestorm of controversy that has gained national attention when it added the following wording to the curriculum: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

Proponents say intelligent design is a legitimate alternative to the theory of evolution; it says life is too complex to be explained by an undirected process, such as natural selection, and must have been created by an "intelligent agent."

Critics say the intelligent agent is God, and intelligent design is a veiled attempt to bring creationism --and religion -- into schools. They argue it is not a legitimate scientific theory and should not be given equal weight with the theory of evolution, which is well-tested and supported by evidence.

A group of Dover residents has retained the legal services of the Pennsylvania chapter of the American Civil Liberties Union. The ACLU has put together a legal team that includes Americans United for Separation of Church and State and the law firm of Pepper Hamilton.

The ACLU has not yet decided to file a lawsuit, with legal director Witold Walczak saying that the organization is still researching the matter; however, representatives have said that they may make a move before January, when the new curriculum is to be implemented.

Free legal aid in defense of the curriculum has been offered by the Thomas More Law Center, an Ann Arbor, Michigan-based law firm dedicated to defending the religious freedom of Christians and the sanctity of life.

Unclear what 'free aid' covers: However, Zeigler-Yingling and several former board members have said the district has no written contract with the firm. It is unclear whether the firm would pay for legal costs no matter the outcome of a suit and to what extent those services would cover.
After the meeting, Zeigler-Yingling said she would have stayed on the board if anyone had given her the courtesy of a second and a chance to put her opinion and vote on record.

She said she "absolutely regretted" her vote for the curriculum change in October and felt she had been misled by other board members about what the changes meant. Board members Jeff and Casey Brown quit in October, also disturbed by the curriculum change.

No opposing view: Some audience members said they understood Zeigler-Yingling's position, but urged her to reconsider.

"There is no longer an opposing view on the board, and they will just vote in another person who supports their agenda," said resident Cyndi Sneath.

Jeff Brown said he and Zeigler-Yingling could have stayed on the board to put in a minority opinion, but no one would have listened.

"They have accused us of not being team players, but if you disagree with them and don't do exactly what they want, you are off the team anyways," he said.

Bill Miller, Dover Area Education Association representative, said that "it was unfortunate that there was no second [to Zeigler-Yingling's motion] because the discussion had merit and the union's and science department's position had not changed."

Miller said the science department does not know how to answer student questions that may arise and wants specific direction from the board and administration.

"We don't want to be the ones making decisions and answering the questions," said Miller, who said the science department would take no part in developing answers.

Zeigler-Yingling's term would have ended next year. Her position will be the fifth open in the past six weeks. In addition to the Browns' resignations, two members quit to move away.

New members Sherrie Leber, Ronald Short, the Rev. Edward Rowand and Eric Riddle were chosen from among 13 candidates last month.

To fill Zeigler-Yingling's position, the board will have to seek candidates who will serve a one-year term, but can run for election next year when there are three two-year terms and four four-year terms on the ballot.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
College biologists blast Dover

York College faculty members said the 'intelligent design' decision goes against science.

By LAURI LEBO
Daily Record/Sunday News
Wednesday, December 8, 2004

York College's biology professors have entered the fray surrounding "intelligent design" and are now protesting its required teaching in Dover Area High School biology classes.

A letter to the York Daily Record/Sunday News signed by 12 members of the college's biology department states that the decision by the Dover Area School Board to require the teaching of intelligent design "reflects a genuine lack of knowledge about the data supporting evolution by natural selection."

In October, the school board became the first in the country to require the concept to be taught in science class in addition to evolution.

Intelligent design is the concept that life is too complex to have occurred randomly and therefore must have had been "designed" by a divine creator.

Karl Kleiner, one of the professors who signed the letter, said the letter represents the first time members of the college biology department have spoken collectively in this fashion.

He said members of the department felt a professional obligation to speak up since the issue has been raised in their own back yard.

"We've seen this time and again, these attacks on biology curricula across the country," he said.

While York College itself has not taken a stance on the issue, the biologists have academic freedom to speak out, he said.

"But I don't think we're rocking the boat here," he added.

Dover Area School Board President Alan Bonsell and William Buckingham, the board member who was the chief architect of the curriculum change, couldn't be reached for comment.

Kleiner said two members of the department declined to
sign the letter. Elizabeth Hodgson, a lab coordinator who teaches general biology, declined to comment on her reasons for not signing it. Bruce Smith, a biology and botany professor, could not be reached for comment Tuesday.

Kleiner said the issue was something about which both he and Brad Rehnberg, another York College biology professor, felt strongly, especially because it involves the mixing of religion with fact-based science.

"Individuals are altering the science curriculum who do not have a place at the table," Kleiner said. "They are not scientists.

"This is the world according to them."

The letter states that the board decision "reflects a profound misunderstanding of the scientific process, and an equally profound disregard for the science educators and students in the Dover School District."

The issue has divided the school board and garnered attention across the country. The American Civil Liberties Union, along with the Americans United for Separation of Church and State, is expected to file a lawsuit on behalf of school district residents.

On Monday night, Angie Yingling resigned from the Dover Area school board, saying she was pressured to support the curriculum change.

*Reach Lauri Lebo at 771-2092 or llebo@ydr.com.*

**ON THE WEB**

To read the Dover School Board's press release about the teaching of "intelligent design," visit district's Web site at http://www.dover.k12.pa.us/doversd/cwp/view.asp?A=3&Q=261852
Board member says the worst is coming; Angie Yingling offered her resignation over the intelligent design controversy.

JOSEPH MALDONADO. York Daily Record. York, Pa.: Dec 9, 2004. pg. 2

Abstract (Document Summary)

Angie Yingling offered her resignation at the end of Monday's school board meeting after failing to get a second on a motion to revisit an Oct. 18 curriculum change. The change allowed "intelligent design" theory to be taught in ninth-grade biology.

On Tuesday, Yingling said she was reconsidering her decision to leave at the urging of Supt. Richard Nilsen and Assistant Supt. Michael Baksa. Neither could be reached for comment.

He did say the reason he didn't offer a second to Yingling's motion was because, despite Yingling's warning of impending litigation, [Alan Bonsell] has yet to hear that the district is being sued.

Full Text (483 words)

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*****CORRECTION: Alan Bonsell is the former board president.*****

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"This has to be her call," he said. "She has more of a voice if she's on the board, but obviously we (Brown and his wife, Carol Casey Brown, who also is a former board member) resigned because we didn't think anyone cared about our voice."

Until Yingling's resignation is put in writing and accepted by the board, she remains an active board member. That could change at the next meeting, scheduled for Jan. 3 at 7 p.m. at North Salem Elementary School.

"The lawsuits are coming," Yingling said. "And without me, there will be no one speaking on behalf of those that don't want to pay those bills. But I don't know if I want to stay on this ship. It's like being on the Titanic. Everyone seems to see the iceberg, but no one is steering away."

Credit: York Daily Record
Opponents of Dover School Board's decision to include intelligent design in the high school biology curriculum say the board could spend more than $100,000 if it were to lose a court suit against the curriculum.

The board is quick to point out that no lawsuit has been filed, but a group of Dover residents has retained the legal services of the Pennsylvania chapter of the American Civil Liberties Union in the matter.

The ACLU has put together a legal team that includes Americans United for Separation of Church and State and the law firm of Pepper Hamilton, which has offices in Philadelphia and Harrisburg.

The ACLU has not yet filed a lawsuit; legal director Witold Walczak said the organization is still researching the matter; however, it may make a move before January, when the new curriculum is to be implemented.

Free legal aid in defense of the curriculum has been offered by the Thomas More Law Center, an Ann Arbor, Mich.-based law firm dedicated to defending the religious freedom of Christians and the sanctity of life.

But the district has no written contract with the firm and it is unclear whether the firm would pay for legal costs no matter the outcome of a suit, and to what extent those services would cover.

If the ACLU decides to sue and wins, Walczak said the organization would seek plaintiff's attorney fees, which could be "well into six figures in a case like this."

"A lot depends on the twists and turns of litigation, but, at a minimum, our fees would be at least $100,000," Walczak said.

Richard Thompson, chief counsel of the Thomas More Law Center, said yesterday his firm's offer of free legal service still stands and will extend to the entire school board, individual members and any school district employee who may be sued, including teachers.

Thompson said the non-profit, public interest law firm defends people free of charge all over the country with funding through private donations.

However, those services will only cover defense attorney fees, such as travel costs, depositions and filing fees.

If the district loses a lawsuit, the center will not cover the cost of the plaintiff's attorney fees. Nor will it cover the more than $1,000 the district has already spent seeking advice from district solicitor Stock and Leader on the curriculum change.

Thompson said the center would be happy to enter into a standard agreement with the board.
Religion, hunting spur talk; Talk about religion, hunting and roads filled the hours at Hellam ice cream shop.

SEAN ADKINS. York Daily Record. York, Pa.: Dec 10, 2004. pg. 8

Abstract (Document Summary)

Earlier this week, [Robert Arbogast] chatted about intelligent design over a cup of coffee and a newspaper at Jim Mack's Ice Cream shop in Hellam Township.

Phillip Ritter said he has repeatedly appealed to Hellam Township to blacktop and maintain his road.

Ritter, who lives off Fake Road, said Windsor Township has paved its half of the lane and awaits the day when Hellam Township will do the same.

Full Text (669 words)

Copyright (c) 2004 York Daily Record

Robert Arbogast counts himself among residents who believe that religion has a place in the Dover Area School District.

The Dover Township resident said he understands that many children have never learned about God and may benefit from a biology class curriculum based in part on "intelligent design."

The theory proposes that a divine creator brought life into being rather than by random, natural selection.

The Dover Area School Board recently voted to require the teaching of intelligent design in high-school biology classes.

"Maybe the kids will grow up and go to church instead of shooting people and doing dope," Arbogast said. "I'm no angel, but I do go to church every Sunday."

Earlier this week, Arbogast chatted about intelligent design over a cup of coffee and a newspaper at Jim Mack's Ice Cream shop in Hellam Township.

Arbogast and about six of his buddies meet at the local hangout each morning to talk about the news of the day and to keep current on personal issues.

"I have no opinion on (intelligent design)," said Charles Dellinger of Hallam. "I just sit here and don't pay attention to it."

At the opposite end of the small restaurant, two regulars showed little interest in religious issues and focused instead on the topic of road maintenance.

Phillip Ritter said he has repeatedly appealed to Hellam Township to blacktop and maintain his road.

"They got all the road work equipment they ever had," said Bill Blessing of Hellam Township. "But, they get less done."

Ritter, who lives off Fake Road, said Windsor Township has paved its half of the lane and awaits the day when Hellam Township will do the same.

"My tax money is sitting there," Ritter said, "and it's not working for me."
Stephen Beecher, road master for Hellam Township, said in a later interview that the municipality does not own the private driveway and has never maintained the lane.

"I don't know why (Ritter) thinks the township should do anything with that road," he said. "It's a private lane with more than one house."

Ritter said he would be satisfied if Hellam Township agreed to grade the road.

"I think we have a lot of problems with our roads," he said.

Talk of roads drove the conversation at Mack's toward a recent hunting accident that involved the shooting of a North Hopewell Township Woman.

On Nov. 29, Janet Wilhelm suffered a gunshot wound to the thigh while driving home.

Game commission officials say it came from a hunter aiming for deer.

Wilhelm had been driving on Swamp Road near Mount Olivet Road in Winterstown when the bullet punctured the driver's side door of her car.

"Personally," Ritter said, "I think it's a poor hunter that shoots at an automobile."

Blessing said hunters should never be shooting across a road.

Arbogast said he has been an avid hunter for several years, but has not had much luck this season.

The fact that current laws combine doe and buck season is a reason why Arbogast said he has "just not been seeing the deer."

In the past, doe season was three days long while buck season extended to what it is today, he said.

"I think they are killing off too many doe at one time," Arbogast said. "They should put doe hunting back to three days or not have it all. It's not too regulated just yet."

Arbogast glanced down at his newspaper and immediately left the topic of hunting for his earlier thoughts on religion.

Americans United for the Separation of Church and State has threatened to sue Hanover if the borough does not remove a Ten Commandments monument located in Wirt Park.

A recent judgment has allowed the borough the sell the monument and the property on which it sits to a nonprofit group.

"I think that's just ridiculous that they want to move the monument from Hanover," Arbogast said. "That's just the work of the devil."

Reach Sean Adkins at 771-2047 or sadkins@ydr.com.

Credit: York Daily Record

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DOVER CONTROVERSY
York Daily Record  York, Pa.: Dec 11, 2004. pg. 1/07

Abstract (Document Summary)
On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, the Dover Area School District became the first school district in the country to require the teaching of the theory of “intelligent design” in high school biology class....

Full Text (127  words)
Copyright (c) 2004 York Daily Record

On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, the Dover Area School District became the first school district in the country to require the teaching of the theory of “intelligent design” in high school biology class.

Intelligent design is the idea that life is too complex to have occurred randomly through evolution and therefore must have been created by a divine being.

Supporters of teaching ID say the issue is fairness giving time to alternative views.

Critics say ID is not science but merely a way of forcing religion into biology class.

Officials on both sides of the issue are bracing for a lawsuit on the grounds that the policy violates the separation of church and state.

Credit: York Daily Record

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Section:    MAIN
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Dover board limits public comment

Agenda-only discussions legal, but some residents angry

By HEIDI BERNHARD-BUBB
For The York Dispatch

The first order of business for new Dover school board president Sheila Harkins was to limit public comment at meetings.

Harkins said this week the board would go back to the past practice of limiting the public comment periods at the beginning and end of meetings to agenda items only. She added that non-agenda-related personal items should be submitted in writing or handled with board members and administrators individually instead of at the public meetings.

Last week, Harkins also tried to limit public comment, saying the public comment period at the beginning and end of the meetings were not for dialogue or questions, just comments.

She also mandated that speakers limit their comments to agenda items for the first public comment period, but they could comment on any issue at the end of the meetings.

Two recesses: However, she changed her mind after last week's meeting erupted into several heated exchanges between audience members and the board.

Harkins ended those debates with gavel and two, five-minute recesses to regain decorum.

Several former board members present were upset. This is simply a way to stifle the comments of the citizens of Dover, and you can gavel me until you are blue in the face. See DOVER/4.
DOVER
Limits comment
Continued from Page 1
in the face," said Larry Strook.
After the exchanges, Harkins said Monday she discussed the issue with the administration and several
other board members and decided to limit the public comment to agenda items.
"It was out of hand last week, and I am only trying to keep us on task," Harkins said.
However, several residents said they believe the board is trying to silence the public
and keep the media from hearing criticism of the district — in particular over the
issue of intelligent design.
October firestorm: The board set off a firestorm of controversy that has gained national attention. did not add the concept of intelligent
design to the high school biology curriculum in October.
Proponents say that intelligent design is a legitimate alternative to the theory of evolution. Intelligent design
says life is too complex to be explained by an undirected process, such as natural selection, and must have been created by an "intelligent agent." Critics say the intelligent design is a veiled attempt to bring creationism into schools. They argue it is not a legitimate scientific theory and should be given equal weight with the theory of evolution, which is well tested and sup-
sported by evidence.
However, Harkins maintains that the changes are not directly in response to the intelligent design issue and are only meant to keep
the meetings running smoothly and avoid confusion.
October firestorm: The board set off a firestorm of controversy that has gained national attention. If did not add the concept of intelligent
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supported by evidence.

Official policy

Below is Dover's official policy:

The school board policy will be changed to state the following:

1. All board meetings will be open to the public. The only exception will be in cases where the board determines that the meeting would not be in the best interest of the students.
2. All meetings will be conducted in accordance with the Open Records Act of 1972.
3. All board members will be expected to participate in the discussion of the meeting.

A similar issue was raised in November, when the board refused to release audio recordings of the Oct. 18 meeting where intelligent design was added to the curriculum.
As for keeping the audio recordings from the public, the board is on solid legal footing in its decision to limit public comment.
Pennsylvania's Sunshine Law says that residents and taxpayers must be given a reasonable opportunity to comment on matters of concern during meetings, but it allows board officials to limit the time and content of those comments.
Reach Heidi Bernard-Bullock at 834-5703 or
hbernard@yorkdispatch.com.
Letter criticizing Dover board has own critics

One affiliate of York College said the attack on the 'intelligent design' decision is off base.

By LAURI LEBO
Daily Record/Sunday News
Saturday, December 11, 2004

When two members of York College's biology department distributed the e-mail to faculty colleagues, not everyone agreed with its message.

The e-mail was about a proposed letter criticizing the Dover Area School Board's decision to require the teaching of "intelligent design" in high-school biology class.

Twelve members of the biology department faculty signed the letter, which was printed in Wednesday's Daily Record. The letter contended the Dover board's decision "reflects a genuine lack of knowledge about the data supporting evolution by natural selection."

But Mark Simmons, one of the recipients of e-mail, didn't sign the letter.

He didn't see anything wrong with Dover's new science curriculum.

"I see this discussion centered on the 'Theory of Beginnings,'" he wrote to Brad Rehnberg and Karl Kleiner, the York College biologists who initiated the letter. "The Evolutionary Theory as a theory of chance and the Intelligent Design Theory as a theory of design."

Simmons, program director at York Hospital's School of Respiratory Therapy, isn't a physician and isn't a member of York College's biology faculty — points he makes clear — but he works closely with the department. Many of his students at the hospital are from York College and he sits in on many faculty meetings, he said.

Simmons wanted to point out that not everyone connected shares the views espoused in the letter. Two members of the college's biology faculty also declined to sign it.

"I believe that only through Christ that we are going to enter heaven. I believe in a literal heaven, I believe in a literal hell," Simmons said.

12/31/2004
Still, he said, he doesn't think teaching intelligent design constitutes religion. Rather, he said, he believes there is room for the concept in science class.

"Why shouldn't students be presented with both sides?" he asked.

Simmons would like to contact members of the Dover school board to tell them he agrees with their decision to include intelligent design in the school district's high school science curriculum. The decision has garnered attention from both supporters of the concept and those who argue that the move violates the First Amendment clause prohibiting the establishment of religion.

Even though he said he doesn't know Simmons well, Rehnberg said he wasn't surprised by his reaction.

But he disputes Simmons' desire to equate intelligent design as a theory comparable to evolution.

"Creationism/ID is nothing more than a perspective that involves supernatural phenomenon," he wrote in his response to Simmons.

Intelligent design proponents don't really contribute as scientists, Rehnberg said, contending "they are really looking in from the outside." To gain legitimacy, he said, they push the theory in public school districts.

Simmons disagrees. As a "Young Earth" creationist — he believes in the literal interpretation of Genesis — he said he still keeps an open mind on competing ideas.

When he was an undergraduate at Messiah College, a Christian school in Grantham, his professors were able to teach both sides of the issue, Simmons said.

"But they weren't shoving their faith onto their students," he added.

Ted Davis, a professor of religion and science at Messiah, acknowledges the private school is not hampered by the First Amendment prohibiting the teaching of religion.

But even with the First Amendment, Davis thinks there is room for teaching intelligent design — at least in a philosophical way.
He said state education standards permit the discussion of issues of controversy in high school science classes, he said.

"It's one thing to advocate intelligent design," he said. "It's another thing to discuss what the controversy is about."

For instance, he said, the controversy surrounding abortion could be discussed in the classroom, as long as the teacher doesn't advocate either side.

"In same sense, the ID movement could be discussed in class," Davis said.

Reach Lauri Lebo at 771-2092 or llebo@udr.com.

DOVER CONTROVERSY

On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, the Dover Area School District became the first school district in the country to require the teaching of the theory of "intelligent design" in high school biology class.

Intelligent design is the idea that life is too complex to have occurred randomly through evolution and therefore must have been created by a divine being.

Supporters of teaching ID say the issue is fairness — giving time to alternative views.

Critics say ID is not science but merely a way of forcing religion into biology class.

Officials on both sides of the issue are bracing for a lawsuit on the grounds that the policy violates the separation of church and state.
The biology curriculum at Dover Area High School was expected today to prompt what would likely be the first U.S. lawsuit challenging the constitutionality of teaching *intelligent design* in a public school.

Opponents of the Dover Area School Board's decision to include the theory in the curriculum were expected to announce they are filing a federal civil rights lawsuit on behalf of 11 parents.

A statement released yesterday said the Dover parents believe "presenting *intelligent design* to students in public school violates their religious liberty by promoting religious beliefs to their children under the guise of science education."

The parents are represented by the American Civil Liberties Union of Pennsylvania, Americans United for Separation of Church and State and attorneys with the law firm of Pepper Hamilton, which has offices in Philadelphia and Harrisburg.

Yesterday's statement said the attorneys and clients would not be available for comment before a news conference this afternoon at the Capitol Building in Harrisburg.

School district officials and board members also could not be reached for comment.

**What it is:** Dover is believed the first school district in the nation to officially include *intelligent design* in its curriculum. The theory says life is too complex to be explained by an undirected process, such as natural selection, and must have been created by an "intelligent agent."

Critics say the intelligent agent is God and *intelligent design* is a veiled attempt to bring creationism --and religion-- into schools. They argue it is not a legitimate scientific theory and should not be given equal weight with the theory of evolution, which is well-tested and supported by evidence.

In 1987, the U.S. Supreme Court rejected the teaching of creationism in public schools as a violation of the separation of church and state.

Free legal aid in defense of the curriculum has been offered by the Thomas More Law Center, an Ann Arbor, Mich.-based public interest law firm that often defends Christians who say their rights have been violated.

However, those services will only cover defense attorney fees; if the district loses the lawsuit, the center will not cover the cost of the plaintiff's attorney fees, which ACLU representatives say could be "well into six figures."
History of debate: The controversy began in Dover last June, when a new biology textbook, the 2004 edition of "Prentice Hall Biology," was up for approval. The book offended some board members because it teaches evolution without reference to creationism.

A divided board finally approved the biology text in August, with many board members still calling for an alternative theory to be taught alongside evolution.

In October, the board voted 6-3 to add the following words to the curriculum: "Students will be made aware of gaps/problems in Darwin's Theory of Evolution and of other theories of evolution including, but not limited to, intelligent design."

The move came just two weeks after the district announced 60 copies of the intelligent design text "Of Pandas and People" would be included in biology classes as a reference text.

Then, in November, the district released a statement that said teachers would make students aware of intelligent design by reading, but would focus on teaching state science standards, which require the teaching of evolution.

However, the statement did little to satisfy critics or district science teachers, who say that they are unsure of how to answer student questions that may arise from any discussion of intelligent design.

Change prompted resignations: The curriculum change set off a firestorm of controversy that has gained national attention, with reporters from media as diverse as National Public Radio and "Nightline" reporting on the issue.

It also prompted longtime board members Jeff and Casey Brown to resign, saying that they feared a lawsuit.

Last week, a third school board member, Angie Zeigler-Yingling, who originally voted for the curriculum change, resigned. She said she regretted her vote and feared a costly lawsuit.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
A Section
Creationism evolves into court fight; Dover parents to sue over 'intelligent-design' mandate
CHARLES THOMPSON AND MARY WARNER
Of The Patriot-News
792 words
14 December 2004
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English
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York County is about to become the next battlefront in the long-running struggle over the teaching of evolution.

A battery of national civil liberties groups plans to join today with a knot of Dover Area School District parents to file a federal lawsuit aimed at blocking the Dover Area School Board's decision to teach "intelligent design" in a ninth-grade biology course.

The Dover board voted 6-3 in October to require teachers to present intelligent-design theory as an alternative to evolution, which must be taught under state academic standards.

Two of the dissenting board members, Carol Brown and her husband, Jeff Brown, resigned in protest after the vote.

Board member Angie Yingling, who originally voted for the policy, announced during a Dec. 6 board meeting that she intended to resign after she was unable to get the board to reconsider its decision.

Intelligent-design theory holds that the universe is so complex that it must have been created by an unspecified higher power.

Its champions say it provides an alternative argument to evolution, the generally accepted scientific principle that the Earth's species have diversified through time under the influence of natural selection.

Critics say the introduction of the intelligent-design theory moves classroom discussion from science to theology.

The 11 parents joining the federal lawsuit, expected to be filed today by lawyers from the American Civil Liberties Union and Americans United for the Separation of Church and State, contend the school board's decision violates their religious liberties "by promoting religious beliefs to their children under the guise of science education."

"I have no problem teaching creationism, but not as a science," one of those parents, Joel Leib of Dover Twp., said yesterday. "I learned my creation in Sunday school, and I learned my evolution in high school."

Spokesmen for the national groups would not comment yesterday on the Dover case.

The Dover board's action was spearheaded by board member William Buckingham, the chairman of the curriculum committee, who pushed for a "balanced presentation."

"I think it's a downright fraud to perpetrate on the students of this district to portray one theory over and over," he told The Associated Press this fall.

Karl Girton, the chairman of the State Board of Education, saw the passions that evolution can evoke when he presided over the rewriting of statewide science standards in 2001.

"Clearly, there are two camps that are very heavily emotionally invested around the issue," he said.

State standards require the teaching of evolution, which Girton and others note has withstood more than 100 years of analysis and questioning. But districts may teach other theories as long as they don't violate constitutional prohibitions against promoting religion in school.

Perhaps the best-known scientist in the intelligent-design movement is Michael Behe, a Lehigh University professor who
graduated from Harrisburg’s Bishop McDevitt High School in 1969.

Behe agrees that living things evolved from common ancestors, but he says Charles Darwin’s description of how evolution occurs -- natural selection among random mutations -- cannot explain the complexity he observes as a biochemist.

Behe spoke on the topic several years ago at the Evangelical Free Church of Hershey. The Rev. Dave Martin said yesterday that teaching **intelligent design** made sense to him.

"I personally believe the approach is based on science, starts with science," he said. "That’s what differentiates it from creationism, which starts from Scripture."

Most scientists, though, have negative views of the **intelligent-design** theory. The American Association for the Advancement of Science declared in 2002 that **intelligent design** is about religion, not science, and doesn’t belong in science classes.

Proposals to teach **intelligent design** began to reach school boards after the U.S. Supreme Court ruled in 1987 against teaching creationism as science in public schools. Dover’s board is apparently the first to approve such a proposal, said Nicholas Matzke, a spokesman for the National Center for Science Education.

In recent weeks, Dover administrators have stressed they will not let their classrooms become a forum to "promote or inhibit" views about religion.

"The Dover Area School District wants to support and not discriminate against students and parents that do have competing beliefs, especially in the area of the origin-of-life debate," the district said in a statement last month. CHARLES THOMPSON: 705-5724 or cthompson@patriot-news.com MARY WARNER: 255-8267 or mwarner@patriot-news.com

PHOTO; JASON PLOTKIN; Caption: Jeff Brown and his wife, Carol Brown, resigned from the Dover Area School Board because they objected to the teaching of **intelligent design**.

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Intelligent design lawsuit coming

The ACLU, representing 11 parents, will announce its suit against the Dover school district at 1 p.m. today.

By LAURI LEBO
Daily Record/Sunday News
Tuesday, December 14, 2004

Eleven parents plan to file a federal lawsuit today against the Dover Area School District over the teaching of intelligent design in ninth-grade biology class, the first of what some have predicted would be a series of costly legal actions.

The lawsuit states that "presenting 'intelligent design' to students in public school violates their religious liberty by promoting religious beliefs to their children under the guise of science education," according to a statement released by the American Civil Liberties Union Monday.

This is the first time a lawsuit — which will be discussed at a 1 p.m. Harrisburg news conference — has been filed over the issue of teaching intelligent design in public schools.

The ACLU, Americans United for Separation of Church and State and attorneys with the Pittsburgh-based Pepper Hamilton law firm are representing the parents.

Board member Bill Buckingham, who led the campaign to change the curriculum, did not return a phone call for comment. But Richard Thompson, president of the Ann Arbor-based Thomas More Law Center, which has agreed to represent the district for free, said his firm is "armed and ready.

"The shot was fired, and it's down range now," he said. "The board stands fast, and the Thomas More Law Center is ready to represent them."

Thompson accused the ACLU of being anti-free speech, arguing that it's up to the local school boards to establish the curriculum.

"What they are saying is you cannot teach anything contrary to Darwin's theory of evolution," he said.

The ACLU argues intelligent design — the concept that life is too complex to have occurred randomly and therefore must have been created by a divine being — amounts to
teaching religion in science class.

But Thompson, whose law firm champions issues such as school prayer and "promoting public morality," disagrees and said it's merely about presenting an alternative view.

"We've been ready for many years," Thompson said. "We were waiting for a school board that has enough courage to do what should be done."

When the Dover school board voted 6-3 in October to reword the ninth-grade biology curriculum, it became the first in the country to mandate the teaching of intelligent design. The revised curriculum includes the statement: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

Since that vote, three board members have resigned in protest, citing concerns about legal action among their reasons.

In a column published in the York Sunday News on Nov. 28, Jeffrey Brown explained his reasons for resigning and said, "the Dover Area School District can't afford to both give its students the best education possible and make a lot of lawyers rich."

"Digging even deeper into the taxpayers' pockets to fight the Supreme Court shouldn't even be an option," he wrote.

Angie Yingling submitted her resignation on Dec. 6, telling fellow board members that changes needed to be made to avoid lawsuits that the board "knows" are coming.

"We've got our point across to the local, state and national levels," she told the board. "But taxpayers have told me they can't afford any lawsuits over this."

Until Yingling's resignation is put in writing and accepted by the board, she remains an active board member. That could change at the next meeting, scheduled for 7 p.m. on Jan. 3 at North Salem Elementary School.

"The lawsuits are coming," Yingling told the board. "And without me, there will be no one speaking on behalf of those that don't want to pay those bills. But I don't know if I want to stay on this ship. It's like being on the Titanic."

12/31/2004
Everyone seems to see the iceberg, but no one is steering away.
SECTION: TOP STORIES

LENGTH: 950 words

HEADLINE: Darwin v. 'Design' in Dover

BYLINE: CHRISTINA KAUFFMAN<cm-bd> <cm+bd>and HEIDI BERNHARD-BUBB<cm-bd> The York Dispatch

BODY:

Beth Eveland said she plans to stay and fight.

Three board members of the Dover Area School Board have resigned in protest of the board's vote to include the controversial theory of intelligent design in the high school biology curriculum.

Intelligent design attributes the origin of life to an intelligent being and does not accept the theory of evolution regarding such origins.

But "running away isn't going to solve anything," she said.

The parent of a first-grader in the district said she knows there are plenty of other parents who feel the way she does. Moving -- and uprooting her child -- is not an option, she said.

The 35-year-old Dover Township woman was one of a group of 11 district parents to join a federal civil rights lawsuit filed against the district and its board yesterday in Harrisburg.

The parents contend the school board violated their children's religious freedom by including the theory of intelligent design in biology classes and making teachers read a disclaimer saying there are several "gaps" in the scientific research in the theory of evolution.

News conference explains suit: Several parents joined attorneys from Pepper Hamilton law firm, and members of the American Civil Liberties Union and Americans United for Separation of Church and State for a news conference yesterday in the Capitol building.

Their suit seeks an injunction to stop intelligent design from being referenced when high school biology students study evolution beginning next month, as well as its permanent removal from the curriculum. It is believed to be the first lawsuit in the country to challenge the teaching of intelligent design theory.

They group alleges the board introduced intelligent design because of its members' personal religious beliefs.

According to their lawsuit, the theory was created specifically as a science "consonant with Christian and theistic convictions" and designed to replace the banned creationism.

The lawsuit alleges that the Discovery Institute, which promotes the intelligent design theory, has argued for using the theory in a "Wedge Strategy" to "replace materialistic explanations with the theistic understanding that nature and human beings are created by God." And its proponents acknowledge it was part of a new strategy to get God into the schools.
Dover parent Christy Rehm said she doesn’t want her four children to learn “bad science,” and she wants to teach religion to them herself.

“I have faith in ourselves as parents,” she said. “I have faith in our church community; and I have faith in our community as a whole; I don’t believe it is the job of the school to teach my children a religious viewpoint.”

A high school English teacher with a master’s degree in curriculum, Rehm said writing curriculum should be left to the teachers and district administrators who have expertise in those areas.

The board ignored protest from the science department over the inclusion of intelligent design in the curriculum, she said.

Rehm’s husband, Bryan Rehm, is also a plaintiff in the suit. He once taught physics at Dover Area High School, but now teaches at New Oxford High School.

He recently sought to fill a vacant seat on the school board, but was turned down.

Former board member Barrie Callahan is also a plaintiff in the suit, though she was not present at the news conference.

She said later that the board’s determination to move forward with its agenda had “forced her hand.”

“It absolutely became a matter of conscience and doing the right thing” to pursue a lawsuit, she said.

Callahan has been a vocal critic of the board’s actions regarding the biology curriculum. She served on the school board for seven years, losing a re-election bid in 2003.

Several parents said that although the suit has been filed, they still hope that the school board will change its mind.

“I really hope this doesn’t have to go to trial,” said Cynthia Sneath. “I hope the board reconsider their position and pulls the curriculum.”

Free legal aid limited: Though the school board has been offered free legal aid by the Thomas More Law Center, a Michigan-based public-interest law firm that often defends Christians who say their rights have been violated, federal law bars the center from paying for the plaintiffs’ legal fees if the defense loses.

ACLU representatives have said their legal fees likely will hit “six figures.”

Only one Dover school board member was present at the news conference. Angie Zeigler-Yingling, who submitted her resignation Dec. 6 over the intelligent design issue, said she is still a board member until the board’s next meeting, when her resignation would be made final.

Zeigler-Yingling said in her remaining weeks as a board member that she was attempting to get four votes to revisit the curriculum and eliminate the controversial wording.

Yesterday, she said she hopes the board would call an emergency meeting to deal with the lawsuit and remove the curriculum so a costly lawsuit can be avoided. But, she said she doubts that will happen.

The board is expected to approve her resignation at its next meeting, Jan. 3.

Yingling voted in favor of the curriculum, but later changed her mind about the issue, saying she felt coerced by fellow board members.

Board members Jeff and Casey Brown -- who opposed the board’s decision -- resigned earlier this year, saying they feared a lawsuit.

Other board members were not present at the press conference and could not be reached for comment or did not respond to requests for comment.

-- Reach Christina Kauffman at 505-5434 or jman@yorkdispatch.com" e-mail ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
SECTION: TOP STORIES

LENGTH: 585 words

HEADLINE: Creationism, evolution and the courts

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

and CHRISTINA KAUFFMAN

The debate over evolution didn’t end in 1925 with the Dayton, Tenn., trial of science teacher John Scopes, who was prosecuted for teaching the theory of evolution.

During the last several decades, the debate has continued with anti-evolution movements assuming a variety of forms.

In the 1970s and 1980s, legislators throughout the country pushed for "equal time" laws that would require the teaching of "creation science" alongside evolution. Creation science was creationism, or the story of creation according to the Bible, recast in scientific terms.

Several equal time laws were successful until 1987, when the Supreme Court struck down one such law in the landmark case, Edwards v. Aguillard.

In that case, the Supreme Court ruled that Louisiana’s law requiring the teaching of creation science "lacked a clear secular purpose" and violated the "establishment clause" of the First Amendment. That clause calls for the separation of church and state.

In Dover, the issue focuses on intelligent design --a theory offered in the late 1980s that says an intelligent being is responsible for the origins of life. The theory has not yet been tested in court.

According to the lawsuit filed against the Dover Area School District, the intelligent design theory was created specifically as a science "consonant with Christian and theistic convictions." The lawsuit alleges that the Discovery Institute, which promotes the intelligent design theory, has argued for using the theory in a wedge strategy to "replace materialistic explanations with the theistic understanding that nature and human beings are created by God." And its proponents acknowledge it was part of a new strategy to get God into the schools.

ACLU representatives said the Dover board has "gone further" than any other school board when it put the curriculum in place.

Attorneys in the case against Dover say there is no distinction between creation science and intelligent design theory.

However, Richard Thompson of the Thomas More Law Center --an Ann Arbor, Mich. public interest law firm that has offered to represent Dover free of charge -- said the decision in Edwards v. Aguillard also stated that teaching a variety of scientific theories might be validly done if the other theories have a clear secular purpose.
Thompson said that intelligent design meets this standard because it makes students aware that there are problems with evolution.

"We are not saying that Genesis, or creationism, is the answer, we are going to teach evolution. But why not let students know that there is an evolution controversy," Thompson said.

Opponents of intelligent design say there is no evolution controversy and that the evidence, from the fossil record to modern genetics, supports evolutionary theory.

The Dover case is also likely to involve case law from the 1971 Supreme Court case Lemon v. Kurtzman, which established a test to determine whether a legislative act violates the separation of church and state.

The Lemon test consists of three prongs: The government's action must have a legitimate secular purpose; the government's action must not advance or inhibit religion; and the government's action must not result in an "excessive entanglement" of the government and religion.

Under the Lemon test, the Dover school board's motivation in adding intelligent design to the curriculum will be scrutinized as well as whether intelligent design theory has a legitimate secular purpose.

LOAD-DATE: March 26, 2005
A federal civil rights suit filed by parents of students in Dover Area School District yesterday claims that Dover Area School Board erred when it voted to put in place intelligent design curriculum in its high school biology classes.

The suit claims that:

--- The board's intention was religious because it decided to include the curriculum despite the objection of the high school science faculty.

--- The decision to accept the curriculum is in violation of the First Amendment's Establishment Clause, which prohibits the teaching or presentation of religious ideas in a public school.

--- Both authors of "Of Pandas and People," the book to be referenced by students in Dover, were advocates of Christian creation science. One author publicly acknowledged that his motive for writing the book was religious.

--- "Of Pandas and People" is published by the Foundation of Thought and Ethics, which describes itself as a Christian think-tank.

--- Board member William Buckingham said that the board was looking for a book that offered a "balance" between Darwin's theory of evolution and the biblical view of creation. He said there need not be any consideration for the beliefs of Hindus, Buddhists or other competing faiths because "This country was founded on Christianity, and our students should be taught as such."

--- Buckingham, the board's leading proponent of the curriculum, said on the night of the vote Oct. 18, "Two thousand years ago, someone died on a cross. Can't someone take a stand for him?"

--- When board members Jeff and Carol "Casey" Brown resigned from the board after voting against the resolution, Carol Brown read a statement saying that other board members asked her if she was "born-again."

--- When board member Angie Ziegler-Yingling announced she was resigning from the board, she said she regretted voting for the curriculum and did so only because other board members accused her of being an atheist.

--- Students will be told about "gaps" in the scientific research about the theory of evolution but not about any flaws or weaknesses in intelligent design.

--- Dover's administration would have to monitor teachers to make sure they don't identify "God" as the "intelligent agent" or "designer" when students ask questions about intelligent design.
design' vs. Darwin hits home

Parents sue Dover schools over curriculum

The parents contend the school board violated their children's religious freedom by including the theory of intelligent design in biology classes and making teachers read a disclaimer saying "there are serious "gaps" in the scientific research on the theory of evolution."

News conference explained suit: Several parents who decided to join a federal lawsuit to remove intelligent design from the science curriculum yesterday explained the motives behind their decision. "We feel that the children need to have unbiased information about all the different theories that exist," said one parent.

History of controversy filed

The lawsuit was filed yesterday against the school board, claiming a violation of the parents' rights. The board had previously rejected the parents' request to remove intelligent design from the curriculum.

Jim Gove and others heard about controversy

During a school board meeting yesterday, parents expressed their concerns about the inclusion of intelligent design in the biology classes. The board members listened intently, but no action was taken on the parents' request.

From Page 3

Continued from Page 3

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"We feel that the children need to have unbiased information about all the different theories that exist," said one parent.
The Dover Area School District's superintendent says the district will not respond formally to the lawsuit filed Tuesday over intelligent design in the biology curriculum until the board and administrators have met with their solicitor and insurance carrier.

"We have no official comment at this time, but our solicitor Stock and Leader is reviewing the case filed against the district, and we will be meeting to decide our next action," superintendent Richard Nilsen said yesterday.

Eleven parents Tuesday filed a lawsuit against the district in federal court in Harrisburg, saying the board violated their children's religious freedom by including the theory of intelligent design in biology classes.
Local/State

**ACLU, 11 residents file suit to block 'intelligent' theory**

JAN MURPHY
Of The Patriot-News
615 words
15 December 2004
Patriot-News
FINAL
B01
English
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Tammy Kitzmiller wants her Dover Area High School ninth-grader to learn scientific explanations for the origin of life in science class, not religious ones.

But the Dover Area School Board has decided biology teachers will teach students about holes in Darwin's theory of evolution and present information about **intelligent design**, a theory that holds the universe is so complex that it must have been created by a master intellect.

That decision is now the subject of a lawsuit that Kitzmiller and 10 other Dover-area residents filed yesterday in U.S. Middle District Court. They maintain the policy was adopted for religious reasons and not to improve science education.

The lawsuit is believed to be the first time the court has been asked to weigh in on the teaching of **intelligent design** in public school classrooms.

The lawsuit claims the district's policy and use of a textbook promoting the theory violates the U.S. Constitution by "subjecting their children to an unwelcome governmental endorsement of religion."

It also argues that the policy violates rights in the state constitution that deal with the separation of church and state. And it points to a 1987 U.S. Supreme Court decision banning the teaching of creation science.

A lawyer who has offered to represent the district for free maintains Dover's policy is not unconstitutional.

Richard Thompson of the Thomas More Law Center, a public interest law center that promotes conservative Christian and family values in Ann Arbor, Mich., said Dover's policy does not promote the teaching of creationism.

Dover teachers will continue to teach about evolution under the policy, he said, but now will supplement that instruction with "the controversy surrounding evolution."

While the lawsuit may be a first, Witold Walczak of the American Civil Liberties Union said, "we fear it is certainly not the last."

Battles were waged in about 20 states last year over the teaching of some form of creationism, said the Rev. Barry Lynn, executive director of Americans United for Separation of Church and State.

Carl Jarboe, a former chemistry professor from Lebanon, intends to carry the banner next year. He came to yesterday's news conference armed with a sign proclaiming "ACLU Censors Truth" to support Dover's position.

Lynn's group, along with attorneys for the ACLU and the Philadelphia-based law firm of Pepper Hamilton, are representing the parents in the lawsuit free of charge.

Walczak said that if the parents win the suit, they will ask the court to order the district to pay their court costs, which could be high.

Thompson said threats such as that have intimidated other school boards from taking the step that Dover has.

"Dover happens to be the school district that didn't back off after all these threats," he said.


7/22/2005
If the board stands fast, Walzak said, lawyers for the parents will "strongly consider" seeking an injunction to prevent teachers from carrying out the board's policy when the origin of life is scheduled to be taught next year. JAN MURPHY: 232-0668 or jmurphy@patriot-news.com INFOBOX: DIFFERING VIEWS

* CREATIONISM: As described in the book of Genesis, God created plants, animals and humans fully developed.

* EVOLUTION: All species evolved naturally from a common ancestor over eons, through random mutation and environmental adaptation.

* INTELLIGENT DESIGN: Natural processes cannot adequately explain the complexity of life. It implies the work of a supernatural intelligence.

AN INFOBOX APPEARS AT THE BOTTOM OF THIS STORY.

PHOTO; GARY DWIGHT MILLER; Caption: Tammy Kitzmiller and her lawyer, Stephen Harvey, talk about the lawsuit filed yesterday.

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Parents defend lawsuit

By LAURI LEBO
Daily Record/Sunday News
Wednesday, December 15, 2004

A year ago, Steven Stough would never have expected to be standing before a throng of television cameras announcing his involvement in a First Amendment lawsuit.

But that was before the Dover Area School District changed its science curriculum to require the teaching of intelligent design — the concept that life is too complex to have occurred randomly and therefore must have been created by a divine being.

A science teacher in southern York County, Stough doesn't want his daughter, who will be taking ninth-grade biology next year, to be taught in science class what he believes is a religious-based belief.

So Stough contacted the American Civil Liberties Union and, on Tuesday, he joined 10 other parents in suing the Dover district and Dover Area School Board.

The ACLU's Pennsylvania chapter, along with Americans United for Separation of Church and State and the Philadelphia-based law firm of Pepper Hamilton, filed the lawsuit on the parents' behalf.

The lawsuit is the first one in the nation challenging the teaching of intelligent design in the public schools.

The parents in the lawsuit all have diverse religious beliefs, said Eric Rothschild, a lawyer with Pepper Hamilton. Several of the plaintiffs identify themselves as Christian and say they are active in their churches. But they are all "motivated by the desire for sound science in their children's class," Rothschild said.

In announcing the lawsuit, ACLU's state legal director
Witold Walczak called the Dover Area board's decision the latest chapter in the ongoing battle against evolution science, which dates back almost 80 years to Tennessee's Scopes "Monkey Trial."

The concept of intelligent design emerged only two years after the U.S. Supreme Court struck down, in 1987, the teaching of "scientific creationism" in public schools, Walczak said.

The same people behind scientific creationism came up with the idea of intelligent design, which Walczak called "creationism stripped down of all references to God."

"Teaching students about religion's role in world history and culture is proper, but disguising a particular religious belief as science is not," Walczak said. "Intelligent design is a Trojan Horse for bringing religious creationism back into public school science classes."

The Rev. Barry W. Lynn, Americans United Executive Director, said, "There is an evolving attack under way on sound science education, and the school board's action in Dover is part of that misguided crusade."

Supporters of the teaching of intelligent design say the concept is merely about presenting an alternative view to the theory of evolution.

But the lawsuit states the board's decision was religiously motivated.

"The leading proponent on the Board of the October 18 resolution (Bill Buckingham) stated during the Board's discussion of the biology curriculum, "Two thousand years ago, someone died on a cross. Can't someone take a stand for him?"

In the past two weeks, Buckingham has not returned calls for comment. Board President Sheila Harkins and former board president Alan Bonsell also did not return phone calls.

But Richard Thompson, president of the Ann Arbor-based Thomas More Law Center, which has offered to represent the district for free, said he would look forward to tearing apart in court the plaintiffs' argument of religious motivation.

12/31/2004
"You cannot shackle the rest of the school board with that one statement," he said.

Thompson, whose law firm champions issues such as school prayer and "promoting public morality," said "there is nothing wrong with having a religious intent with legislation having a secular purpose."

Buckingham has a constitutional right to say what he wants "and he shouldn't back away from that," Thompson said, "but that doesn't make the legislation a violation of the (First Amendment) establishment clause."

Many of the other parents who filed suit were reluctant to discuss their children's feelings about the case, fearing repercussions against them.

Deb Fenimore, who has two children in the district, one in 12th grade and one in seventh, said she fears the board would do something vindictive against her family.

"The board has already ostracized other members of this community," she said. "But if they are as Christian as they say they are, nothing should happen to me or my child."

Stough said he is also concerned.

"Of course I'm worried," Stough said about how his daughter's school friends will react to the news.

But he has faith in his daughter.

"She knows when to turn and walk away," he said.

Even though his daughter is not yet 14, Stough said, when he first approached her about filing suit, she was already well informed about the case and had concerns regarding church and state issues.

"You can't be in Dover and can't not be talking about it," he said.

And after the press conference, Stough said he planned on picking up his daughter from school and taking her to dinner.

He said the two had a lot more to talk about.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

12/31/2004
EVOLUTION OF AN ISSUE

The sides

The issue: Intelligent design is the idea that life is too complex to have occurred randomly — or through Darwin's theory of natural selection — and therefore must have been made by the hand of a divine creator.

For ID: Supporters of teaching ID say the issue is fairness — giving time to alternative views.

Against ID: Critics say ID is not science but rather an attempt to introduce creationism through the back door and violates the separation of church and state.

Creationism in the courts: The U.S. Supreme Court last ruled on the subject in 1987, when it determined a Louisiana law requiring creationism be given equal time to evolution was unconstitutional "because (the law) lacks a clear secular purpose." The concept of intelligent design emerged after the 17-year-old ruling, and its teaching in the schools has not yet been addressed by the courts.

Timeline

Aug. 2: The Dover Area School Board approved the book, "Biology" by Prentice Hall, for use in science classrooms after first deadlocking on the issue.

Board member William Buckingham said he did not want the text to be approved unless the board would also approve a second "companion" book called "Pandas and People," which is about Intelligent Design Theory.

Buckingham is the lead proponent of teaching intelligent design alongside evolution.

Early October: Dover Area Supt. Richard Nilsen approved the donation of 50 copies of "Of Pandas and People," published by the Foundation for Thought and Ethics, as a reference book for the classroom. Because the book was labeled as reference, its use in the classroom did not require an approval vote by the board.

Oct. 18: In a 6-3 school board vote, the Dover Area School District became the first school district in the country to require the teaching of intelligent design in high school biology class.

12/31/2004
THE PLAINTIFFS

Eleven plaintiffs in the federal lawsuit against Dover Area School District are suing the district over its decision to make intelligent design part of the science curriculum. All send or, in the case of preschoolers, plan to send their children to district schools:

- Tammy J. Kitzmiller, parent of children in ninth and 11th grades;

- Bryan and Christy Rehm, parents of children in eighth and second grades and kindergarten, and parents of a preschooler;

- Deborah F. Fenimore and Joel A. Leib, parents of children in 12th and seventh grades;

- Steven Stough, parent of a child in eighth grade;

- Beth A. Eveland, parent of a first-grader and a preschooler;

- Cynthia Sneath, parent of a first-grader and a preschooler;

- Julie Smith, parent of a 10th-grader;

- Aralene "Barrie" D. and Frederick B. Callahan, parents of a 10th-grader; Barrie is a former Dover Area School Board member.
She hopes for change

Board member Angie Yingling said she will try one more time to avoid a lawsuit.

BY LAURI LEBO
Daily Record/Scranton News
Wednesday, December 15, 2004

Angie Yingling took a front-row seat at Tuesday’s press conference announcing the lawsuit against the Dover Area School District.

The Dover Area School Board member said she wasn’t happy to be there.

"I want it to go away," she said as television crews stepped around her, setting up cameras and microphones.

But as attorneys discussed details of the lawsuit at the state Capitol Rotunda in Harrisburg, Yingling furiously scribbled notes, gathering information for her new battle with her fellow board members, she said.

Yingling stepped into the center of the fray over intelligent design earlier this month when she tried to resign from the school board.

In October, Yingling had voted in favor, along with a majority of her fellow board members, of requiring the teaching of intelligent design in high school biology class.

But last week, she announced she had changed her mind — saying she was misled — and tried to quit the school board after she couldn’t get anyone to agree to take another look at the decision.

At the meeting, she warned that changes were needed to avoid lawsuits that the board knew was coming and that taxpayers couldn’t afford.

As she predicted, 11 parents filed suit against the district Tuesday. The American Civil Liberties Union, Americans United for Separation of Church and State and the
Philadelphia-based law firm of Pepper Hamilton are representing the plaintiffs.

While Yingling might now be the board's lone dissenter in the intelligent design debate, she doesn't know if she can remain on the school board.

"I don't know if I will be able to," she said. "And you know why — the pressure."

Because the board wouldn't accept Yingling's resignation, she now has one more chance to change board members' minds at the Jan. 3 board meeting — when she plans to request a motion to revisit the issue.

Dover's ninth-grade biology class is expected to reach the unit addressing evolution some time next month.

But Eric Rothschild, an attorney for Pepper Hamilton, said at the press conference he hopes the issue is resolved before an injunction is necessary to stop the teaching of intelligent design as an alternative to evolution.

He called on board members to vote again, and this time, Rothschild said, make "an informed and enlightened" decision.

Now, Yingling said, if she can just get four board members to agree with her, the lawsuit could be dropped, she said. But she doesn't hold out much hope.

She said she has tried to contact her colleagues, but has had little luck garnering support.

Dover Area board President Sheila Harkins and board members Alan Bonsell and Bill Buckingham did not return phone calls for comment on the lawsuit.

But as lawyers discussed whether Dover will "agree to go to battle," Yingling whispered, "I can tell you, they're gonna."

_Reach Lauri Lebo at 771-2092 or llebo@ydr.com._
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-- Aralene "Barrie" D. and Frederick B. Callahan, parents of a 10th-grader; Barrie is a former Dover Area School Board member.

Credit: York Daily Record
For the 157th Christmas, the hills of Glen Rock will be alive with carols through the night.

Decked in Dickens-era greatcoats, capes and top hats, the Glen Rock Carolers will stroll the streets from midnight until dawn on Christmas Day. Whatever the weather, be it rain, snow or bitter cold, the Christmas tradition, among the oldest in America, will continue.

But first, they'll present a concert at 11 p.m. Christmas Eve in Zion Lutheran Church.

Veteran members of the prestigious group include: Mark Kroh, who at age 91, has been singing for 75 years; James Kroh, singing for 70 years; Bud Shepperd, 63 years; and Rodger Smith, 59 years. Joining this select group is Don Slonaker, with 50 years of caroling to his credit.

Darryl J. Engler has been directing the carolers for 21 years.

Incidentally, a Chinese TV crew has just filmed this hearty band of 50 men as part of its plans to show Christmas in small-town America.

Santa will be cruising the area on Sunday, but he won't be on a sleigh. Instead, he'll be riding a motorcycle, and, weather permitting, dozens more bikers will be with him.

Their mission: Delivering toys to kids.

"Friends Who Ride For Friends" they call themselves. Each year since 1987, they contribute money to buy presents for the children linked to refuges such as Access-York, The Lehman Center and Human Life Services.

Any motorcyclist is invited to join this event. Coordinator Tom Meisenbach says they'll rendezvous at the York Motorcycle Club, 2337 Whiteford Road. Then, at noon, they'll roar off with a motor police escort along the Santa trail.

Dover appears destined to be in the national news for some time to come. Its school board is the target of the ACLU and others trying to torpedo a decision introducing "intelligent design" into the existing evolution-only curriculum. What is quite surprising is that taxpayers unwittingly help to finance the ACLU. If a community won't cave to its demands, and if it wins the case, taxpayers get stuck with paying ACLU lawyers' fees.

The Dover case, first of its kind in the nation, could eventually reach the U.S. Supreme Court.
Newly ordained Bishop Kevin C. Rhoades will celebrate a Mass at 11 a.m. Sunday at St. Patrick's, where he was once stationed as a young priest. He'll return to York on Jan. 26 for an official visit to St. Joseph's.

What kind of a man is he? Very bright, very humble, very caring and relaxed, observers say, adding that he can wear a baseball cap as comfortably as his new miter.

What inspired Nelson Mandela, the hero of South Africa and much of the world? Christmas brings to mind his thought: "We were born to make manifest the glory of God within us."

Christmas is the time of year, the humorist notes, when even the strongest men get emotional over family ties ... especially if they have to wear them.

OneMillionMoms.com, which reacts to what it considers offensive TV programming, reports that McCormick, Lenscrafters, Radio Shack and Papa John's have withdrawn ads from "Life as We Know it." Also, Kellogg and Leapfrog have dropped "Desperate Housewives."

According to a Scripps clinic survey, the holiday season is likely to leave many Americans 5-10 pounds heavier, thanks to indulging in too many high-fat foods.

Party-time is here ... MADD suggests you not serve alcohol to guests during the last 90 minutes of festivities.

St. John Episcopal Church reports that its freezer sale netted $6,000 for its programs.

Brownies and Cubs Scouts are learning to ski this weekend at Ski Roundtop.

Christmas gift from the city ... free parking tomorrow.

For your enjoyment ...

---Wanda Stevenson Ashby and Friends ... Christmas concert, 7:30 p.m. Saturday, Bethany UM Church.
---The Spirit of Christmas ... songs of the season, Iris Dramatic Society, 7 p.m. Sunday, St. Mary's.
---Christmas Magic ... 6-9 week nights, 5-9 weekends, Rocky Ridge.
---Model RR Exhibit ... 1-5 p.m. Sundays through Dec. 26, 381 Wheatfield St.

Columns by Hank Merges, a local writer, appear Tuesday and Thursday in The York Dispatch. Reach Hank at hmerges@yorkdispatch.com or 854-1575.

LOAD-DATE: March 26, 2005
District officials consider suit, ponder response

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, December 19, 2004

After almost seven months of talk about intelligent design theory, the Dover Area School District has gone silent.

The only public statement is posted on the district's Web site:

"The Dover Area School District Board of Directors, Administration, and the District's solicitor and insurance carrier currently are reviewing the legal action filed Tuesday against the Dover Area School District in connection with its revised ninth grade Biology curriculum. As of this time, no action has been taken with respect to the case other than to refer the matter to the District solicitor.

"Until the District solicitor has had full opportunity to review the ACLU's action and to consult with the Board and Administration, there will be no formal statement or response. All statements, actions, and decisions will be posted on the Dover Area School District website (http://www.dover.k12.pa.us). At this time, no administrator will provide additional comments, interviews, or information."

On Tuesday, 11 district parents sued the district over the Oct. 18 curriculum change that made the teaching of "intelligent design" possible in biology. Students are to begin taking the course under the revised curriculum next month.

The parents are being represented by the Pennsylvania Chapter of the American Civil Liberties Union, Americans United for Separation of Church and State and the Philadelphia-based law firm of Pepper Hamilton.

As of Saturday, it was still undecided who would be representing the school district. The district has scheduled a meeting Monday to address the issue.

Though the solicitor is reviewing the suit, school board member and curriculum chair William Buckingham has said the Thomas More Law Center of Ann Arbor, Mich., would defend the school board's decision, for free.
Neither Thomas More nor the district’s solicitor, Stock and Leader of York, have filed any defense motions.

“We know them from their Web site only,” Tom Schmidt of the ACLU in Pittsburgh said of the Michigan firm. Eric Rothschild of Pepper and Hamilton said the same.

Thomas More’s Web site states the firm is “a not-for-profit public interest law firm dedicated to the defense and promotion of the religious freedom of Christians, time-honored family values, and the sanctity of human life. Our purpose is to be the sword and shield for people of faith, providing legal representation without charge to defend and protect Christians and their religious beliefs in the public square.”

No one at Thomas More could be reached to discuss why it is representing the Dover school district.

On Friday, the Thomas More site announced the firm was suing two school districts in New Jersey on behalf of parents.

The suit contends that the districts of South Orange and Maplewood were violating the civil rights of two students through the districts’ ban on traditional Christmas music. The lawsuit was filed on behalf of Michael Stratchuk and his two children, who are students in those districts.

One parent in the Dover Area School District, Deb Fenimore, said her family’s civil rights were being violated because of the faith-based intelligent design addition in science.

“I would support it as an elective where students choose to take the class and know what they are getting into,” Fenimore, who is one of the 11 suing the district, “Otherwise, science theory, not religious-faith theories, should be taught in science.”

Lawyers working for the Dover parents have not said what their next step will be. On Tuesday, Schmidt said, there will be a status conference in federal court in Harrisburg.

“Other than that, we will not make any comments,” Schmidt said.
Some allies question Dover board’s policy

‘Intelligent design’ backer sees problems in the wording

By LAURI LEBO
Daily Record/Sunday News
Sunday, December 19, 2004

While the Dover Area School District gears up for a legal fight over the teaching of "intelligent design," it is doing so without the blessings of some of the concept’s biggest supporters.

Last week, on the same day 11 parents filed a federal lawsuit against the district, the Discovery Institute urged the school board to drop its battle. The Seattle-based Discovery Institute, which backs scientists studying intelligent design, is the country’s leading proponent of the concept.

"Dover’s current policy has a number of problems, not the least of which is its lack of clarity," according to a statement it released Tuesday morning.

"The policy’s incoherence raises serious problems from the standpoint of constitutional law."

Dover’s policy, which was approved on a 6-3 board vote in October, states: "Students will be made aware of gaps/problems in Darwin’s Theory and of other theories of evolution including, but not limited to, intelligent design. Note: Origins of life will not be taught."

Intelligent design is the idea that life is too complex to have occurred randomly and therefore must have been designed by an intelligent creator.

The Discovery Institute says science cannot determine the identity of the creator, or “intelligent cause,” as it states on its Web site.

John West, associate director for Discovery’s Institute for Science and Culture, said it was necessary to issue a statement because the media has been confusing Dover’s policy with Discovery’s goals.

“We were being lumped together with trying to teach intelligent design,” West said.

Attorneys involved in the case aren’t sure what to make of
the announcement, which appeared to be timed to coincide with Tuesday’s news conference announcing the federal lawsuit. “We’ve been scratching our heads,” said Vic Walczak, legal director for the Pennsylvania’s American Civil Liberties Union.

While Walczak declined to speculate on what it meant, he said, “I certainly don’t think it’s good for Dover.”

In addition to the ACLU, Americans United for Separation of Church and State and the Philadelphia-based law firm of Pepper Hamilton filed the lawsuit in U.S. Middle District Court in Harrisburg on the parents’ behalf.

The suit is the first one in the nation challenging the teaching of intelligent design in the public schools, the ACLU said.

“Although we think discussion of intelligent design should not be prohibited,” West said in the statement, “we don’t think intelligent design should be required in public schools.”

The Discovery Institute has opposed the district’s curriculum change since it took place Oct. 18.

Before the board voted, Discovery staff told board members they should not take the step of making intelligent design part of the curriculum. Since then, West said, Discovery staff has spoken privately with district officials and told them to reconsider.

“We have tried to communicate our view to the board,” he said.

But in the lawsuit, the Discovery Institute is mentioned as an organization that has promoted replacing the “theory of evolution in public classrooms with so called ‘science’ that is ‘consonant with Christian and theistic convictions.’”

West said the piece to which the suit referred came from a Discovery Institute fund-raising letter that had nothing to do with intelligent design.

West said the Discovery Institute takes the position that evolution should be taught in the public schools, “but it should be taught robustly,” including the controversies.

He said teaching the concept of intelligent design in public

12/31/2004
schools is premature.

"It's still working its way through academic debate," West said.

But Nick Matzke, a spokesman for the National Center for Science Education, which defends the teaching of evolution, said he thinks the Discovery Institute is concerned the Dover case will not win in court — possibly killing future attempts at getting intelligent design into the public schools.

The National Center for Science Education is working pro bono as a consultant for the plaintiffs' attorneys on the science and science education aspects of the Dover case, Matzke said.

In addition to the Discovery Institute, another leading proponent of intelligent design also criticized the Dover school board.

Phillip Johnson, a Berkeley law professor and author of "Darwin on Trial" told the San Francisco Chronicle recently that he thinks the board's decision was ill-advised.

Requiring intelligent design to be taught raises "the buzzword problem," he told the Chronicle. "It's the problem of stirring up the automatic reaction from the lobbies that exist to protect Darwinism and have great influence with the media. You get this 'religious fanatics are trying to censor science again' kind of coverage."

Attempts to reach Johnson were unsuccessful. His secretary at Berkeley said he was ill and would not be available for interviews for several weeks.

Dover school board members Bill Buckingham, Alan Bonsell and Sheila Harkins did not return phone calls for comment.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

Meeting Monday

The Dover Area School Board is holding a special meeting at 7 p.m. Monday to take action on legal representation regarding the federal lawsuit filed over the teaching of "intelligent design." The meeting is to be held at North
Salem Elementary School, 5161 North Salem Church Road in Dover.
INTELLIGENT DESIGN; Board to meet today
York Daily Record. York, Pa.: Dec 20, 2004. pg. 1

Abstract (Document Summary)
The Dover Area School Board is holding a special meeting at 7 p.m. today to take action on legal representation regarding the federal lawsuit filed over the teaching of intelligent design.

Full Text (96 words)
Copyright (c) 2004 York Daily Record

The Dover Area School Board is holding a special meeting at 7 p.m. today to take action on legal representation regarding the federal lawsuit filed over the teaching of intelligent design. The meeting is to be held at North Salem Elementary School, 5161 North Salem Church Road in Dover.

"Monday's meeting is to approve the law firm. That is the only thing on the agenda," said Heather Geesey, school board vice president.

Eleven parents filed the lawsuit last week to fight the board's decision to add intelligent design to the ninth-grade curriculum.

Credit: York Daily Record

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Church backs Dover board

Members of Harmony Grove Community Church signed a petition backing the teaching of intelligent design.

By KAREN MULLER
Daily Record/Sunday News
Monday, December 20, 2004

Lights twinkled on an evergreen tree and from window wreathes dressed in gold Sunday at Harmony Grove Community Church in Dover Township.

"Twas six days before Christmas, and the congregation stood to sing "Joy to the World" and "The Birthday of a King."

"You chose fisherman to follow you. You chose shepherds," the Rev. Robert Mignard prayed after sharing the story of the Christ child born in a manger. "You came to the masses ... We thank you, O God, for the breadth of your love for us."

A charismatic preacher founded the independent, fundamentalist church in the 1950s. Church beliefs include the authority and inerrancy of the Bible, that God created man and that God's people are born again.

The church's welcome packet said it follows Matthew 28:19-20, that begins, "Go therefore and make disciples of all the nations." The church supports nearly 50 missionaries, some of whom are members of Harmony Grove.

This is the worship home of a Dover Area School District board member who's fighting for his convictions on an issue in which all Christians don't agree.

The school district and William Buckingham, board member and curriculum chair, continue to draw national attention since Tuesday, when 11 parents filed a federal lawsuit against the district for revising the ninth-grade biology curriculum to include intelligent design. The idea is that life is too complex to have occurred randomly and must have been designed by an intelligent creator.

Buckingham didn't go to church Sunday, so he didn't hear...
the church pray that God would guide him and give him wisdom. He wasn't there to see about a dozen people signing a petition supporting the teaching of intelligent design to Dover Area students.

The petition also circulated at Dover Assembly of God, but didn't show up at Calvary Lutheran Church in Dover.

The Rev. John Woods of Calvary Lutheran said if he had been asked to sign, he would have refused.

Intelligent design is just another way to package creationism, which shouldn't be taught in public schools, he said.

He hears people say, "We need to get God back into the schools," and he doesn't believe God ever left, he said.

People can pray anytime, and the spirit of God goes everywhere, he said.

"No matter what happens, it is going to cost the school district and the taxpayers money," Woods said. "If the kids want to be taught something like this, let them find out in a church setting where it belongs."

David Miller, member of Harmony Grove's consistory and an elder, said the church isn't embarrassed or ashamed of Buckingham's stand against evolution.

On Sunday, he invited the church to pray about it, then sign the petition if they felt led by God.

Phil Miller and his wife, Marie, signed the petition.

"I think Bill's a good, solid man," Phil Miller said after the service. "And you know where he is coming from and what he believes in. ... I think Bill has a burden for the young people."

Phil Miller, a 1952 graduate of Dover Area High School, remembered when the school day started with the "Pledge of Allegiance," followed by the reading of 10 Bible verses and the recitation of "The Lord's Prayer."

Buckingham and the Dover Area School Board are on his prayer list, he said.

As he spoke, church members turned off the Christmas
lights and closed the church until the next service — Christmas Eve.

The Millers removed their two children from public school after their daughter finished second grade, Marie Miller said.

The children graduated from the Christian School of York.

"Moving our children to Christian school was not because we wanted out of public school but because we wanted them to hear the truth," she said. "... We really felt the Lord guiding us to make the change."

Reach Karen Muller at 771-2024 or kmuller@ydr.com.
Dover board picks More legal team

The Michigan-based law center promotes itself as a defender of Christian freedoms.

By LAURI LEBO
Daily Record/Sunday News
Tuesday, December 21, 2004

One day before its first appearance in court, the Dover Area School Board appointed a legal team to represent the district in its battle over intelligent design.

The Michigan-based Thomas More Law Center, which touts itself as a defender of Christian freedoms, has agreed to represent the Dover district for free. And after listening to members of the public urge them to hold off on hiring legal representation at a special meeting Monday night, board members voted 7-0 to take the law center up on its offer.

Former school board member Jeff Brown asked how the district intends to argue that intelligent design isn't about forcing religion into science class — as its critics assert — when it hires a law firm which "exists pretty much solely to promote Christian religion."

"Their stated purpose pretty much precludes us from winning this case," Brown said.

Brown, and his wife Carol "Casey" Brown both resigned in protest from the school board Oct. 18, following a 6-3 vote to revise the district's science curriculum to require the teaching of intelligent design in ninth-grade biology class.

Intelligent design is the idea that life is too complex to have evolved randomly through natural selection and therefore may have been designed by an intelligent creator. It's proponents say its merely about presenting an alternative argument to the theory of evolution.

A week ago, 11 parents filed a federal lawsuit against the school district, arguing the requirement violates the First Amendment by requiring "teachers to present to their students in biology class information that is inherently religious, not scientific, in nature."

But Richard Thompson, president of Thomas More, said the fact that the law firm champions Christian values has no bearing on the case. "The Dover school board has been
done a great injustice," Thompson said.

He also said that teachers aren't required to teach intelligent design, but merely make students aware of it.

The revised curriculum states: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to, intelligent design. Note: origins of life will not be taught."

In addition to the law center, Carlisle attorney Ron Turo is representing the district pro bono.

The American Civil Liberties Union, Americans United for Separation of Church and State and the Philadelphia-based law firm Pepper Hamilton filed the suit in U.S. District Court for the Middle District of Pennsylvania on behalf of the parents.

The initial complaint points to the fact that board members amended the curriculum to include the phrase "intelligent design" over the vehement objections of the district's science faculty. Additionally, the case states that some board members, in discussing the issue, have made statements indicating a desire to get religion into the schools.

At a June meeting, Bill Buckingham, the chief architect of the curriculum change, told the public, "This country was founded on Christianity and our students should be taught as such."

Buckingham and newly appointed board member Ronald Short were absent from Monday night's meeting.

In voting in favor of appointing the Thomas More Law Center, school board member Angie Yingling said she was only supporting the decision because "we have to show up in court tomorrow and we need a lawyer."

The two sides are meeting this afternoon in federal court for a status conference.

Yingling initially voted in favor of the curriculum change, but earlier this month, she said changed her mind and tried to step down from the board.

She has said she hopes to convince other board members to revisit the curriculum rewrite and drop the phrase 12/31/2004
"intelligent design" before next month's regular meeting.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
Nearly a hundred Dover Area residents gathered at a school board meeting last night, the majority urging the board to delay hiring an attorney to battle a lawsuit challenging the constitutionality of adding intelligent design theory to the biology curriculum.

Audience members said the board should resolve the federal lawsuit without going to court. But the board was unswayed and with no comment voted unanimously to hire the Thomas More Law Center, a Michigan-based public interest law firm that often defends Christians who say their rights have been violated.

After the meeting, school board members said they could not comment on the case for legal reasons.

But board president Sheila Harkins and member Alan Bonsell and Harkins both responded to questions about risking taxpayer dollars on a costly suit by saying they did not intend to lose.

The More center has said it will cover the cost of the district's defense. Federal law bars the center from paying for the plaintiffs' legal fees if the defense loses, however, and American Civil Liberties Union representatives have said their legal fees likely will hit "six figures."

The suit: Eleven parents sued the district last week saying that the school board violated their children's religious freedom by including the theory in high school biology classes and making teachers read a disclaimer saying that there are several "gaps" in the scientific research in the theory of evolution.

Intelligent design attributes the origin of life to an intelligent being and says that life is too complex to be explained by an unguided process like evolution.

The parents are represented by attorneys from Americans United for Separation of Church and State as well as from the ACLU.

The first pre-hearing conference in the court case was scheduled for this afternoon, and already the national group that promotes the teaching of intelligent design has urged the Dover board to rescind its curriculum change and rewrite it, saying it is currently misguided and incoherent.

Meeting: Last night's crowd, which included district teachers and students, former students, parents, former board members and taxpayers, was directed by board president Sheila Harkins to restrict comments to the district's choice of attorney and told that there would be a recess if they strayed from the topic.

The Rev. Warren Eshbach of Thomasville said that he had never seen the community so fractured over an issue and that the board should not hire an attorney until it had revisited the curriculum.
"The issue could be worked out with dialogue and reason with a group that could include pastors, teachers, students, administrators, and taxpayers ... as one who believes in reconciliation, it's not too late to work this out," Eshbach said.

His comments were followed by applause from the audience.

Former board members Lonnie Langione and Larry Snook said a lawsuit was likely to hurt the students and cost the taxpayers of the district.

Dover High School senior Chaitanya Ayysola said he was already being teased about the quality of his education at Dover. He said the board should wait and think about the students' future.

Graduates speak: Brandyn Lau, a 2003 Dover High School graduate and sophomore at Juanita College studying bio-chemistry, agrees with Ayysola.

Lau, home for the holidays, came to the meeting with a group of six Dover graduates who all said before the meeting that they were generally embarrassed by the school board's actions.

"I am quite surprised and appalled that my school district would knowingly break the law, this is not a matter of interpretation," said Lau.

Lau said he was very familiar with intelligent design theory, having attended both Dover and York Catholic High School, where the theory was taught.

"Intelligent design is more of a feeling than a science based in fact and evidence," he said.

Only two residents, Donald Bonsell and Guy Stambaugh, said they were Christians who supported the school board. Bonsell, a former board member and father of current board member Alan Bonsell, said only a small part of the community was present at the meeting and that the hearts of the people of Dover were behind the school board.

Their comments met with applause from three audience members.

But resident Peg Funkhouser took issue with Bonsell’s comment.

"I am against hiring the Thomas More Law Center and I think sitting down to talk is an excellent idea. I am part of the community and I am out here tonight," she said.

Another resident, Don Sherwood, also urged the board to wait and told the audience, "Remember what Thomas Jefferson said in 1803, 'If you don't like it, vote the rascals out.'"
Dover says ID won't be taught

But plaintiffs could start deposing school district officials as early as today.

By LAURI LEBO
Daily Record/Sunday News
Wednesday, December 22, 2004

Despite a Dover Area School District curriculum stating students must be made aware of intelligent design, attorneys representing the district in court Tuesday said the concept will not be taught in biology class next month.

In a scheduling conference before federal Judge John Jones in U.S. Middle District Court in Harrisburg, a defense attorney for the Dover district said a temporary restraining order to stop the curriculum from being taught is not necessary.

"Intelligent design is not going to be taught," said Robert Muise, a lawyer with the Thomas More Law Center representing the Dover district in a federal lawsuit filed last week. "Creationism is not going to be taught. Religion is not going to be taught."

But attorneys for 11 parents suing the district and the school board say without fully knowing what will be taught in the biology class' chapter on evolution — which may take place as early as Jan. 13 — they can't make a decision on whether to file for a restraining order.

Judge Jones agreed and ordered that plaintiffs could start planned depositions as early as today of three school board members — board President Sheila Harkins, Curriculum Chairman Bill Buckingham and former board President Alan Bonsell, as well as Supt. Richard Nilsen.

The plaintiffs then have until Jan. 5 to determine whether they will file a motion for the restraining order.

Muise had also argued that since only one child of the 11 plaintiffs will be directly affected — plaintiff Tammy Kitzmiller has a son taking the required biology class next semester — the boy could stay out of the classroom for the day.

But Stephen Harvey, one of the plaintiffs' attorneys with the Pepper Hamilton law firm, said, "We're not going to engage in self-censorship."
At issue is the wording of the science curriculum change, which states, "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

One of the district's arguments is that because the curriculum only states that students will be "made aware," the district will not actually be teaching students about intelligent design, Richard Thompson, president of Thomas More, said Monday night.

But Steven Stough, a seventh-grade science teacher and one of the parents in the lawsuit, doesn't buy it.

"I'm a teacher. Anything I say in a classroom is teaching," Stough said after the hearing.

Also, in the standards-driven environment of today's public schools, it's unfair to suggest a student sit out a class, he said, because it's denying him a right to education.

When the Dover school board voted 6-3 in October to reword the ninth-grade biology curriculum, it is believed to have become the first in the country to mandate the teaching of intelligent design.

Intelligent design is the idea that life is too complex to have evolved randomly through natural selection and therefore may have been designed by an intelligent creator.

Its proponents say it's merely about presenting an alternative argument to the theory or evolution. But in the lawsuit against the district, the parents say it's not science, and say their First Amendment rights are violated by requiring "teachers to present to their students in biology class information that is inherently religious."

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
SECTION: LOCAL NEWS

LENGTH: 382 words

HEADLINE: Deadline for Dover lawsuit

BYLINE: CHRISTINA KAUFFMAN<cm-bd> The York Dispatch

BODY:

Lawyers representing American Civil Liberties Union and 11 parents of Dover Area School District students have until Jan. 5 to seek a temporary order barring the district from providing controversial curriculum for its ninth-grade biology students.

The parents' legal team made its first appearance in federal court in Harrisburg yesterday after parents last week sued to challenge their school board's policy.

The lawsuit sought a restraining order against the teaching, which they believe is scheduled to begin Jan. 18.

With the change, teachers will read students a statement raising questions about the theory of evolution, mentioning intelligent design and referring them to a book, "Of Pandas and People," if they want to learn more.

Middle District Judge John E. Jones allowed attorney Stephen Harvey and other members of Pepper Hamilton, the law firm representing parents, to get depositions from four people to help them decide if the restraining order is necessary: board president Sheila Harkins, former president Alan Bonsell, superintendent Richard Nilsen and William Buckingham, chairman of the board's curriculum committee.

The suit: The suit filed last week accuses Buckingham and others of having religious motives for voting to implement the policy. The suit said Buckingham told people that the school board was looking for a book of curriculum that offered a "balance" between Darwin's theory of evolution and the biblical view of creation.

According to the suit, Buckingham said there need not be any consideration for the beliefs of Hindus, Buddhists or other competing faiths because "This country was founded on Christianity, and our students should be taught as such."

Buckingham has been on vacation, but Harkins and Nilsen sat with attorneys from the Thomas More Law Center, a Michigan-based public-interest law firm that is representing the school district and its board for free.

The center bills itself as a firm that defends Christians whose rights have been violated.

Scientist Charles Darwin's theory of evolution says that people evolved from less complex beings.

Intelligent design attributes the origin of life to an intelligent being.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
Current events served up; Some patrons at the Reliance Caf question the war, back intelligent design.

SEAN ADKINS. York Daily Record. York, Pa.: Dec 24, 2004. pg. 4

Abstract (Document Summary)

Cooper and his friends meet regularly at the Reliance Caf to eat breakfast and discuss current events, which range from the battles in Iraq to the issue of intelligent design in the Dover Area School District.

The Dover Area School Board's decision to fold the teaching of intelligent design into its ninth-grade biology curriculum might prove beneficial for students, [Betty Lau] said.

Seated at the opposite end of the West York restaurant, Kim Barnhart and Joyce Frey also chatted about intelligent design over breakfast.

Full Text (698 words)

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Ray Cooper received his first draft notice to defend his country in World War II when he was still in high school.

The West York resident said he battled the enemy on foreign soil belonging to countries such as Germany and France.

As an experienced soldier, Cooper said, it was easy to form an opinion about the U.S.-led war in Iraq.

"I think we should have stayed out of there in the first place," he said. "I think it's like a second Vietnam."

Cooper and his friends meet regularly at the Reliance Caf to eat breakfast and discuss current events, which range from the battles in Iraq to the issue of intelligent design in the Dover Area School District.

During a recent get-together, the group approached the topic of war directly and chatted about recent claims by soldiers that Humvees are not well-shielded against enemy fire.

Al Taylor of West Manchester Township said the vehicles should have better armor underneath to deflect damage caused by land mines.

"I want to know where these insurgents are getting these weapons," Cooper said. "Nobody seems to know."

Betty Lau said she had heard Defense Secretary Donald Rumsfeld claim that the soldiers had everything they needed to fight the war.

The West York resident did not agree.

"I bet Rumsfeld has everything he needs," she said.

Lau said it was wrong for Rumsfeld not to personally sign letters to families of troops killed in action.

Earlier this week, Rumsfeld acknowledged the practice of using a machine to sign his name, and said that he would start to personally sign the letters.

"It's too late now," Lau said. "He should have signed (the letters) right away and not have it done by a machine."
Lau said the government should focus on taking care of domestic concerns rather than fighting the war.

Cooper said that he agreed and that the government should pull troops from Iraq.

The group's discussion soon shifted to the domestic front.

Taylor said he does not agree with York's proposal to increase the occupational privilege tax from $10 to $52 for those who work in the city.

"It's a bad time to do it with everyone spending money on Christmas," he said.

Mary Knott of West York agreed.

"Taxes are a penalty for the living," she said.

Financial obligations were not the group's lone local concern.

The Dover Area School Board's decision to fold the teaching of intelligent design into its ninth-grade biology curriculum might prove beneficial for students, Lau said.

Intelligent design is the idea that life is too complex to have occurred randomly and therefore might have been created by a divine being.

"They should put God in," she said. "They are not getting it anywhere else."

Dean Becker said teaching religion in the classroom is a good idea, as long as "they are not cramming it down your throat."

Seated at the opposite end of the West York restaurant, Kim Barnhart and Joyce Frey also chatted about intelligent design over breakfast.

Barnhart said she works a third shift at Die-Tech in Newberry Township.

Frey said she works a similar shift at Tooling Dynamics in York.

Children should be taught that other theories exist besides evolution, Barnhart said.

"Our country was founded on the principles of Christianity," she said. "Keeping prayer out of school is not a good thing."

Frey said she questions why people who oppose God being stated in the Pledge of Allegiance have no problem using currency printed with the mention of God. The two women soon abandoned talk of religion for a less loaded topic.

Christmas shopping.

Barnhart said her optimum time to holiday shop is in the morning and on a weekday.

That strategy allows her to avoid large crowds filled with people who can sometimes be rude.

"This a time for good will toward men," Barnhart said. "Not a time to pull packages out of someone's hands."

Reach Sean Adkins at 771-2047 or sadkins@ydr.com.
Kathryn Cooper and her husband, Ray, are regulars of the Reliance Caf in West York. About once a week, the couple gathers friends to socialize there.
As the clock ticks the final hours toward Christmas, quietly reflect ...

When the song of angels is stilled,
When the star in the sky is gone,
When the kings and princes are home,
When the shepherds are back with their flock,
The work of Christmas begins:
To find the lost,
To heal the broken,
To feed the hungry,
To release the prisoner.
To rebuild the nations,
To bringing peace among brothers,
To make music in the heart.

-- From church bulletins at St. Joseph's, York, and Aldersgate UM.

Threats by the ACLU, presently attacking the Dover "intelligent design" decision, prompted Beaver County to remove a Nativity scene from a public park.

Meanwhile, Alan Sears, president of the Alliance Defense Fund and leading a national effort to "stand up to the ACLU's censorship of Christmas" has declared:

"The ACLU continues in legal terrorism by waging war against 96 percent of Americans who want to celebrate Christmas."

In a poll, Gallup found that three out of every four Americans say there is not enough emphasis on the religious nature of Christmas.

DREAMWrights plans a campaign next year to raise $1.5 million to renovate its headquarters at 100 Carlisle Ave.

First St. John's Evangelical Lutheran Church at 140 W. King St. plans a Christmas service in German at 4 p.m. Sunday.
Each Moravian congregation the world over is assigned to pray around-the-clock one day every year for the needs of the church and the Kingdom. Today is Covenant Moravian's time.

Reporting in Bottom Line, Dr. Maria Simonson, of Johns Hopkins, says cold weather makes people more sensitive to pain.

Santa is likely to deliver tons of Monopoly sets again this year. Trail Blazers Almanac notes that "more Monopoly money is printed in a year than real money throughout the world."

Snippets in the news ...

---If Maryland lawmakers don't soon address the skyrocketing costs of medical malpractice insurance, 40 percent of its physicians will retire or leave the state, says the Maryland State Medical Society. This year, doctors saw premiums rise 28 percent. Now they're being bombed with a 33 percent hike.

---Commentator Michael Reagan suggests the NAACP name Bill Cosby its new leader. Making waves, Cosby has been challenging black parents to take responsibility for their children's education, criticizing elements in black culture that glorify violence and sexual irresponsibility, and even questioning the off-English that he believes may prevent young blacks from succeeding in a broader society.

---Lois Kinard is the Red Lion Senior Center's latest Volunteer of the Month. A devotee of Southern Gospel music, she serves as a pianist for religious services at the center.

New Eagle Scouts ...

---Cameron L. Whitecomb, Troop 20, Yorkshire UM Church ... son of Craig and Bev Whitcomb. Project: Saving nine trees at Rocky Ridge.

---Grady C. Erdman, Troop 48, Glen Rock Jaycees ... son of Ronnie and Stephanie Erdman. Project: Painted 69 fire hydrants in Glen Rock.

You're invited to the eighth annual "Festival of Nine Lessons and Carols" at 4 p.m. Sunday at St. Rose's ... a unique concert by the York Ecumenical Choral Society, directed by Jonathan Noel.

Another holiday treat ... tours of the high-tech Byrnes Health Education Center 11 a.m.-2 p.m. Dec. 28 ... register, Dana Miller, 848-3064.

Finally, to all ... a merry and blessed Christmas!

Columns by Hank Merges, a local writer, appear Tuesday and Thursday in The York Dispatch. Reach Hank at hmerges@yorkdispatch.com or 854-1575.

LOAD-DATE: March 26, 2005
Dover intelligent design proponent goes absent

Buckingham missed as legal fight heats up

By LAURI LEBO
Daily Record/Sunday News
Sunday, December 26, 2004

The chief lobbyist of the plan to add intelligent design to the Dover Area School District's science curriculum has all but disappeared from the scene in recent weeks.

School board member Bill Buckingham has been absent from all three public school board meetings this month. On Monday, he missed a special meeting to pick lawyers to defend the curriculum revision he fought so hard for.

"We wanted to be able to talk to him as well," said Richard Thompson, president of the Thomas More Law Center, which was chosen at the meeting to represent the district.

Jeff Brown, who resigned from the Dover school board Oct. 18 after it voted to rewrite the curriculum to include intelligent design, said Buckingham's absence raises questions.

"Where is this guy?" he said. "Why isn't he around to sort of help sort it out?"

Thompson said not only have defense attorneys with the More center been unable to talk to Buckingham, they don't know how to contact him. They have called district officials, but they say they don't know how to reach him, he said.

Thompson said Buckingham has told people he had a personal family emergency and is out of the state. He said he would be gone for a few weeks but would be back by the end of the month, Thompson said.

Even officials with the pro-intelligent design Discovery Institute have tried to reach the retired Dover resident with no luck.

His wife, Charlotte Buckingham, did not return phone calls seeking comment. School board members Alan Bonsell and Sheila Harkins also did not return calls, and school administrators will not comment on the lawsuit.

Eleven parents are suing the school district and the board

12/31/2004
over the fact that high-school biology teachers must present intelligent design in addition to evolution.

In the district's first appearance in court last week, Buckingham was not there. Board President Harkins was present. But at Tuesday's hearing in federal court in Harrisburg, attorneys for the parents said they wanted to depose Buckingham, who, as head of the school board's curriculum committee, was the chief proponent for the intelligent design requirement.

The depositions are to determine whether a temporary restraining order is necessary to stop the teaching of intelligent design during next semester's class on evolution, which could take place as early as Jan. 13.

Plaintiffs' attorneys have also asked for depositions from Harkins, former board President Bonsell and Supt. Richard Nilsen.

Even though he hasn't spoken to him, Robert Muise, also with the More center, assured reporters that Buckingham will be available before the plaintiff's Jan. 5 deadline to file a request for a restraining order.

The fight over intelligent design first began in June when Buckingham refused to approve a biology book because it was "laced with Darwinism."

Following a battle that continued through the summer, the board approved the textbook "Biology." But a month later, 50 copies of a "supplemental" textbook on intelligent design, "Of Pandas and People," were donated to the school district. The district will not release the names of the donors.

Because no district funds were used, the school board did not need to vote on the books. At the time, many thought the issue was settled.

But then, in October, Buckingham successfully led efforts to revamp the science curriculum to include the phrase "intelligent design."

The Discovery Institute, which supports research into the concept of intelligent design, and had spoken to Buckingham over the summer, opposes the school board decision. John West, a Discovery associate director, said officials there tried to contact Buckingham following the
vote but have been unsuccessful.

"Do you know where he is?" West asked.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

Science controversy at a glance

Despite protests by science teachers, who said they were kept from participating in the decision, and some school board members, the Dover Area School Board revamped its science with a 6-3 vote on Oct. 18.

The curriculum is believed to be the first in the country requiring the teaching of intelligent design — the idea that life is too complex to have evolved randomly through natural selection and, therefore, may have been designed by a creator — in high-school biology class.

The curriculum states: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

Despite a news release issued by the district on the subject, many questions remain about exactly what will be taught in class regarding intelligent design. And teachers themselves say they're still not sure what to do if students ask questions about the subject.

Students are expected to reach the chapter on evolution as early as Jan. 13. Lawyers for the 11 parents suing the district over the curriculum change have until Jan. 5 to file for a temporary restraining order to prevent the new curriculum from being taught.
Science controversy at a glance

York Daily Record  York, Pa.: Dec 26, 2004. pg. 1/06

Abstract (Document Summary)

Students are expected to reach the chapter on evolution as early as Jan. 13. Lawyers for the 11 parents suing the district over the curriculum change have until Jan. 5 to file for a temporary restraining order to prevent the new curriculum from being taught.

Full Text (204 words)

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Despite protests by science teachers, who said they were kept from participating in the decision, and some school board members, the Dover Area School Board revamped its science with a 6-3 vote on Oct. 18.

The curriculum is believed to be the first in the country requiring the teaching of intelligent design the idea that life is too complex to have evolved randomly through natural selection and, therefore, may have been designed by a creator in high-school biology class.

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Credit: York Daily Record

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Section: LOCAL
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Christian-secular clashes intensify; Local controversies will force courts to decide religion's role in nation's public life


Abstract (Document Summary)

City officials in York tried for two years to keep a local pastor from marching in the Halloween parade with a float depicting the bloody images of aborted fetuses. The Rev. Jim Grove and his followers marched this year, with their gory display and the support of the State Supreme Court.

"... Issues about religion, the relationship between religion, churches and government, and religious freedom because the conversation is so politically charged it becomes a conflict," said Steve Elliott, executive director of the First Freedom Center in Richmond. "Lots of times it becomes litigation."

The Rev. Jim Grove's fight for the right to march in York's Halloween parade with a gory float depicting aborted fetuses culminated with a court victory and a spot at the back of this year's parade. He said he's pleased to see more religious people fighting for their rights.

Full Text (1363 words)

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In the minds of some, a movement to kick God out of school started with the publication of Darwin's Theory of Evolution in 1859. In the Dover Area School District this year, another movement kicked back.

For the past several years, a nationwide effort has been under way to force communities to remove monuments of The Ten Commandments from public property. That effort reached Hanover this year, where it ran into a wall of opposition.

City officials in York tried for two years to keep a local pastor from marching in the Halloween parade with a float depicting the bloody images of aborted fetuses. The Rev. Jim Grove and his followers marched this year, with their gory display and the support of the State Supreme Court.

Theologians, professors and lawyers say the struggle to determine the rightful role of religion in public life didn't end with the drafting of the Constitution, the Bill of Rights and First Amendment.

They say it has just begun.

More and more Christians have become discontented with what they see is an increasingly secular society, and they are standing up for their faith, said the Rev. Brent Walker, lawyer and executive director of the Baptist Joint Committee in Washington, D.C.

"There is certainly a conservative resurgence," Walker said. "And they are clearly more vocal and perceived to be more powerful."

Many Christians believe the establishment discriminates against them, said the Rev. Stephen Tourville, superintendent of the Penn Del District Council of the Assemblies of God.

They just want a level playing field, he said.

"Our nation has moved away from its Judeo-Christian roots," he said. "... And it is difficult to accept the transition that has taken place."

But while the movement's origins may be the faith, what's happening in the faith community doesn't indicate
revival sweeping the land, theologians said.

Membership in mainline denominations has declined. Churches share pastors or go without for years because of shortages. And many smaller, neighborhood churches in cities and rural areas struggle to fill pews and pay bills.

Some say what’s driving the conservative movement is a spirit of activism.

"I don’t think it is a question of more or less religion," said Rita Nakashima Brock, visiting scholar at the Graduate Theological Union in Berkeley, Calif. "There was certainly a heavy involvement of religious activism in the 1960s. ... It’s a longstanding American tradition."

Others believe the strength of the conservative right has been bolstered by the re-election of President George W. Bush, who speaks openly of his Christian faith.

"They feel they were responsible for Bush winning the election," said Steve Neubauer, president of the Pennsylvania Nonbelievers. "And they feel Bush is going to back them up with what they want to do."

Across the nation and in York County many people are choosing to let the courts decide the role religion will play in public life.

"...Issues about religion, the relationship between religion, churches and government, and religious freedom because the conversation is so politically charged it becomes a conflict," said Steve Elliott, executive director of the First Freedom Center in Richmond. "Lots of times it becomes litigation."

Case in point Dover.

Eleven parents filed a lawsuit this month in federal court over Dover Area School District’s decision to teach intelligent design, a concept that points to a higher being by saying life is too complex to have been created randomly by natural selection.

Opponents say it is an attempt to slip creationism into the public schools by passing it off as science, and say religious discussions should stay in the church and at home.

Supporters of the decision say it’s good to offer students alternative concepts to evolution.

John Whitehead, lawyer and president of the Rutherford Institute, said any judicial ruling on intelligent design will affect the next generation.

"Judge (Roy) Moore called me, and I told him (his case) was going to get ruled unconstitutional," he said of the former Alabama chief justice’s fight to keep a Ten Commandments display at the state Supreme Court building. "This intelligent design thing is an entirely different thing... It is a very complex subject, and I don’t think the courts are equipped to handle it."

Another case in point Hanover.

Threats of a lawsuit spurred Hanover officials this month to sell a plot of land in a public park where a Ten Commandments monument had been placed. It was a gift to the borough from a civic group in 1957.

Members of the Washington, D.C. based Americans United for the Separation of Church and State said the monument had to be removed or they would sue.

Some Christians responded with horror at the talk of taking away the monument, saying The Ten Commandments do not espouse one religion, but reflect the morals held by people of many faiths.

Neubauer saw the reaction from Christians wanting to keep the monument as an attempt to proselytize.
"Just the fact that they demand these displays should be on public property rather than private property," Neubauer said, "is an indication that they are not just worshipping, they are trying to impose their religious values on someone else."

Elliott and others said the benefit of such conflicts is that the debate might help Americans better appreciate their religious freedoms.

The faith-led conflicts concern those who worry the lines that separate church and state have become blurred.

"They fail to understand for us to have real religious liberty, government should not be permitted to take sides in religion one way or another," Walker said. That separation, he said, has resulted in a vibrant religious landscape and a diversity of religions.

But living out the faith and the separation of church and state means different things to different people.

Grove, of Heritage Baptist Church in Springfield Township, believes Christians must act before their freedoms slip away.

And he believes in separation he said his church has never applied for nonprofit status because it doesn't want government in its business.

The city placed his anti-abortion float last of the 108 entries in the Halloween parade this year in between a city fire vehicle and a police car.

Spectators shouted "pro-choice" as his float passed.

The city barred his float from the parade in 2002 and 2003, so Grove took the city to court. A U.S. Middle District judge ruled in September that Grove's First Amendment rights were being violated when York excluded him from the parade.

Grove said he is watching the situation in Dover carefully and commends the school district for its approval of intelligent design.

Finally, people are joining him, he said, and standing up for what they believe.

"I just hope it's not too little, too late," he said.

Reach Karen Muller at 771-2024 or kmuller@ydr.com.

QUOTE: There is certainly a conservative resurgence. THE REV. BRENT WALKER, BAPTIST JOINT COMMITTEE

PIC: DAILY RECORD / SUNDAY NEWS -- FILE

The Rev. Jim Grove's fight for the right to march in York's Halloween parade with a gory float depicting aborted fetuses culminated with a court victory and a spot at the back of this year's parade. He said he's pleased to see more religious people fighting for their rights.

PIC: DAILY RECORD / SUNDAY NEWS -- FILE

FAR RIGHT: Rather than move this monument of the Ten Commandments from Wirt Park in Hanover, where it stood since 1957, the borough sold a small plot of land around the display to a private owner.

PIC: DAILY RECORD / SUNDAY NEWS -- FILE
BELOW: Jeff Brown and his wife, Carol, resigned from the Dover Area School Board this year after fellow members approved the teaching of Intelligent Design in science class. Eleven parents have since sued the district over the decision to teach what they say amounts to religion.

PIC: DAILY RECORD / SUNDAY NEWS -- FILE

RIGHT: Rather than adhere to a demand from the Historic Architectural Review Board, leaders of Sts. Peter and Paul Roman Catholic Mission in York say they might go to court rather than uncover a datestone placed on the building in 1973 when it was a Protestant church.

Credit: York Daily Record

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People: Grove, Jim, Bush, George W., Neubauer, Steve
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Dover board member back

Bill Buckingham missed a meeting appointing legal defense for the district.

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Friday, December 31, 2004

Dover Area School Board member Bill Buckingham, who headed the board’s push to have intelligent design included in the district’s science curriculum and then missed three board meetings — including the one at which the school board appointed a legal team to defend a lawsuit over the new policy — is back on the scene.

"All I can tell you is that I had to take care of some personal business," he said Thursday.

Before he left in early December, he said, representatives from the Thomas More Law Center in Ann Arbor, Mich., advised him not to say where he was going or what the personal matters pertained to.

On Dec. 20, without Buckingham present, the board voted to appoint the Thomas More center to defend it against a lawsuit filed on behalf of 11 parents in the district who do not want intelligent design to be taught in Dover Area biology classes.

More than a week ago, Thomas More center president Richard Thompson said he wanted to get in touch with Buckingham but didn’t know where to find him.

Buckingham said he’ll attend the board’s meeting Monday.

"I hope I haven’t given the impression that I have been ducking the issues or hiding," he said.

Buckingham said he is ready for the district’s day in court.

"It has always been my contention that this board hasn’t done anything wrong," he said. "So let’s get on with it."

Attorneys for parents who are suing the district have said they want to depose Buckingham to help them determine whether to file a request for a temporary restraining order in hopes of preventing intelligent design from being taught this semester in ninth-grade biology class. That
could occur as early as Jan. 13.

Monday, former board president Alan Bonsell, current president Sheila Harkins and district Supt. Richard Nilsen are scheduled to give legal depositions on the issue.

Intelligent design suggests that life was created by a designer, which critics say equates to a deity or god. They argue that teaching the theory violates the constitutional separation of church and state.

"We do not want to teach religion," said Buckingham, who is chairman of the curriculum committee. "That's not what this is about."

Former board president Alan Bonsell reiterated what he has said since the curriculum change.

"The board simply wants to provide an alternative, scientific theory of how the world works," he said. "And intelligent design is science."

Neither Buckingham nor Bonsell would say any more about the curriculum change on the advice of their lawyers.
SECTION: TOP STORIES

LENGTH: 2210 words

HEADLINE: For York, a year like no other

BODY:

In no particular order, here are 10 of the most significant stories from York County in 2004.

A new look for the county

A new, activist board of county commissioners took office in 2004, promising a thorough evaluation of county policies and practices, and a commitment to keeping government dealings in the public eye.

Republicans Lori Mitrick and Steve Chronister, and Democrat Doug Kilgore, began the year by setting a team of 40 people to work studying county government.

No substantial shakeup ensued, but the report recommended additional staffing and higher wages, better training and adoption of new technology. In response, the commissioners approved new positions and created grant-writing and training departments in the 2005 budget.

During the year, the commissioners took a stand for intermunicipal cooperation, giving York City $100,000 for 2004 and promising the same for 2005.

They continued plans for the $63 million upgrade of the 911 system and a new dispatching center. They also expanded the scope of planned projects at the prison and the old courthouse, adding millions to the costs, and allocated $2 million to secure land to create a park in Lower Windsor Township.

In many cases, Mitrick and Kilgore voted in unison on issues, with Chronister opposed.

"I thought Mitrick and I would disagree on things, but I never thought the actual minority commissioner Doug Kilgore would just totally follow her every step of the way," Chronister said.

They ended their first year in office by raising property taxes by 7 percent and creating a new library tax, to ensure library funding grows as the county does -- with Chronister opposed.

A park at Lauxmont?

One of the most controversial issues in York County this year was the effort by county commissioners Lori Mitrick and Doug Kilgore to turn 915 undeveloped acres in Lower Windsor Township into a public park overlooking the Susquehanna River.

Called the Susquehanna Riverlands Preservation Project, it has the backing of the Lancaster-York Heritage Region Board and the York County Farm and Natural Land Trust. It would contain a welcome center, preserved farmland and an American Indian museum and education center, focused on a site that may have been the last Susquehannock Indian village.
So far, it has received a $1 million, two-year commitment from the state, in part because the commissioners in May moved to take, by eminent domain, the Highpoint tract, owned by Columbia builder Peter Alecxih.

Since then, opposition to the project has mounted. Local and national Realtors’ groups have come to Alecxih’s defense, as he had already received permission to develop the site, and the land-taking is tied up in court.

Also in bitter negotiations with the county is the Kohr family, which owns Laxmont Farms. The farm contains the bulk of the land proposed for the project. And there’s been no word on where the rest of the money for the estimated $15 million to $20 million project would come from.

A new judicial center
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A $50 million York County Judicial Center at George and Philadelphia streets opened in July 2004 -- a year behind schedule and $7 million over budget.

It was dedicated in an Oct. 2 ceremony, with a keynote address by Pennsylvania Supreme Court Justice J. Michael Eakin.

Ground was broken in May 2001 for the seven-story building, designed by Helmut, Obata & Kassebaum, PC, of Washington, D.C., and constructed by York-based Kinsley Construction.

The structure, with room for the county courts to expand, replaces the old courthouse in the first block of East Market Street, which was built at the turn of the 20th century, when York County had only about 117,000 residents. Today, the population is nearing 400,000.

As 2004 progressed, county commissioners tried to halt what seemed like a never-ending avalanche of change orders, but even today, extra costs associated with the building continue to roll in.

Meanwhile, the 2005 county budget includes higher costs for the sheriff’s office, administration and facilities management because of additional staffing and higher-than-expected operational costs of the new judicial center.

Dover in the spotlight
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From National Public Radio to the TV show “Nightline,” crews from the national media began descending on the Dover area toward the end of the year.

They were reporting on a controversy over the teaching of intelligent design in high school biology courses, as approved by the school board in October.

The debate began last June, when a new biology textbook, the 2004 edition of “Prentice Hall Biology,” was up for approval.

The book offended some board members because it teaches the theory of evolution without reference to creationism -- although in 1987 the U.S. Supreme Court prohibited the teaching of creationism in public schools.

A divided board approved the book, but some members called for an alternative theory to be taught alongside evolution. A proponent of the intelligent design theory, which attributes the origin of life to an “intelligent being,” donated 60 copies of the book “Of Pandas and People” to the district.

In October, the board voted to add a statement to the curriculum that says there are gaps in Darwin’s theory of evolution, and students should be made aware of other theories, including intelligent design. They then issued a statement they wanted teachers to read in biology class.

Three board members -- Jeff and Casey Brown, and Angie Ziegler-Yingling -- resigned.

On Dec. 14, 11 parents joined with the American Civil Liberties Union, Americans United for the Separation of Church and State and a Philadelphia law firm to sue the district and its board.

Parents said the board’s intention was religious and violates their children’s civil liberties.

A federal judge said the parents’ attorneys have until Jan. 5 -- about two weeks before the classes would begin -- to decide whether to seek a restraining order barring the district from offering the curriculum.
And the case wasn't the only church vs. state controversy in the county in 2004. Hanover officials got a judge's permission to sell a silver of Witt Park, containing a decades-old Ten Commandments monument, after Americans United for the Separation of Church and State objected to its presence.

War takes its toll on York

They may be thousands of miles from home, but in 2004 home hasn't been far away for American service men and women serving overseas, especially those in Iraq and Afghanistan.

Like Americans around the country, York County families, individuals, churches and organizations have taken up the cause of making sure the troops know folks on the home front care. They've collected everything from deodorant to soccer balls -- just about anything to make life a little more comfortable, even safer, for the troops.

York County-based Support Our American Recruits, SOAR, has been in the forefront of making sure what's donated gets overseas.

"It's really an uplift, a joy for the soldiers," said Becky Bair, SOAR's collection coordinator. "They enjoy anything you send them."

Organized soon after the start of the war in Iraq to send cards, letters and care packages, this year SOAR transformed into a virtual clearing-house for organizations and individuals who want to show their support. And the support has been pouring in all year.

Farm fracas

Concentrated animal feeding operations -- maligned by their opponents as "factory farms" -- continued to make headlines in York County in 2004.

After neighbors in Peach Bottom Township last year staved off one farmer's effort to open such a hog farm, an East Hopewell Township farmer fought the same battle this year.

About eight months ago, farmer John Marsteller Jr. submitted a plan to build a 3,300-head hog farm on his Round Hill Church Road property.

Residents came out in force to protest, saying the farm would emit foul odors, pollute and drain their wells and lower property values.

In September, Marsteller cut the size of farm by a little more than 1,000 hogs so it would no longer be classified as a CAFO.

Still, more than 800 residents signed a petition to stop the farm, and more than 130 applauded the board of supervisors after it unanimously voted to reject the 2,200-head hog farm Dec. 1. Marsteller is appealing the decision.

Meanwhile, the issue continues to draw attention statewide. Gov. Ed Rendell at the end of 2003 vetoed a bill that would have prohibited municipalities from regulating CAFOs, but then tackled the issue during the 2004 session. His Agriculture, Community and Rural Environment [ACRE] Initiative would have set up a state board to mediate municipality-farmer disputes. Although it died in the Legislature, the issue could be back on the table in 2005.

Hellam farm preservation

Farmland preservationists took control of Hellam Township's development ordinances away from development advocates in 2004 as a new majority formed on the board of supervisors and adopted a new land-use ordinance.

Supervisors Michael Martin and Russell Yoas joined incumbent Martin Reed to form a three-man preservationist majority. Incumbent supervisors Phil Smith and Stewart Leland have favored development.

The new land-use ordinance reversed changes development supporters had made in 2003 to a plan from the late 1990s. One of the main changes limits the sale of development rights.
The new majority also promised open government. In regular meetings and special workshops that have run late into the night, they've heard and deliberated residents' concerns. And they started a review of the township's comprehensive plan, which guides the development of the township for the next 10 years.

Meanwhile, former supervisors Richard Cloney and Paul Dellinger battled the changes in the ordinance; they had applied for transferable development rights under the 2003 ordinance.

Whether their plans can go forward depends on the outcome of another case in York County Common Pleas Court - an appeal by preservationist Katina Snyder to invalidate the township's 2003 ordinance.

Mother's Day flooding
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Devastating flooding that hit sections of southeastern York County in May had victims comparing the disaster to the 1972 floods spawned by Tropical Storm Agnes.

Worse than the millions of dollars in damaged property was the Mother's Day drowning of a young mother and her daughter when their car was swept away in the flooded north branch of Muddy Creek in Felton.

Rescuers couldn't reach Karen King, 35, of Brogue, and her 4-year-old daughter, Hannah, as rising waters trapped them in their car.

Felton's municipal building was flooded, and sidewalks and storm sewers in the borough were damaged.

Flooding from rain-swollen creeks such as Muddy and the tiny Fishing Creek that flows through Windsor Borough inundated homes and businesses. Flooding also hit sections of North Hopewell, Windsor and Lower Windsor townships and some 40 miles of state and county roads and bridges.

The area was designated eligible for federal assistance after the York County Commissioners declared a disaster emergency, and the flood's aftermath raised concerns about whether the region has adequate stormwater management policies.

The stadium drags on
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Often over the past few years, the prospects for a baseball stadium in York City have looked bleak.

At this time last year, incoming County Commissioner Steve Chronister filed for an injunction that effectively stopped the project's progress before the outgoing commissioners could vote on backing a bond for it.

And in June, the York City School Board rejected plans to build the stadium on its Small Athletic Field, voting to renovate the field on its own.

But at the close of 2004, a stadium in York City is still a possibility.

In an October report, a committee appointed by Mayor John Brenner recommended two sites for the stadium: Small Field and a block of land along Arch Street.

Brenner has appointed another committee, this one charged with studying the two sites.

Downtown renaissance

In downtown York, 2004 has seen entrepreneurs filling empty storefronts and drawing up plans for further development.

Restaurants such as The Harp and Fiddle and Fisher's are now open for business on North George Street. Bars, such as Ron Kamionka's half-dozen establishments, draw crowds on West Market Street. Gift shops and a high-end condominium complex, The Lofts, opened, and the county's new judicial center was finally completed.

In fact, city economic development director Matt Jackson reported that 28 new businesses opened in York in 2004.
Some attributed the development to the judicial center and the Strand-Capitol Performing Arts Center, which reopened in the fall of 2003. Others cited city efforts at redevelopment. And while officials say they are proud of the new development, they contend that there is still room for improvement -- and many more empty spaces to be filled.

LOAD-DATE: March 26, 2005
Lesson will be brief, attorney says

By LAURIE LERO
Daily Record/Sunday News
Sunday, January 2, 2005

The attorney for the Dover Area School District said no one will be teaching intelligent design.

But lawyers for the 11 parents suing the district said they'd still like to get that on the record from the people who fought to get the concept in the science curriculum.

The entire statement on the subject of intelligent design in next semester's ninth-grade biology class will take about a minute, said Richard Thompson, president of the Thomas More Law Center, which is representing the district.

And because intelligent design — the concept that life is too complex to have evolved through natural selection, and therefore must have been created by an intelligent designer — is only "mentioned," Thompson said; it's not being "taught."

But while Thompson said the wording is clear, attorneys for the parents suing the district think otherwise.

Eric Rothschild, an attorney with the Pepper Hamilton law firm that is representing the plaintiffs, says he doesn't yet know what will be taught when the class reaches its chapter on evolution. So plaintiffs' lawyers have scheduled depositions Monday for Supt. Richard Nilsen and three of the school board members — Sheila Harkins, Alan Bonsell and Bill Buckingham.

Rothschild said he hopes the depositions will help lawyers glean what the board's intentions were when it passed the curriculum revision in October.

Part of the argument is over the exact meaning of the wording of the new science curriculum, which states students will be "made aware" of alternative theories to evolution, including intelligent design.

A news release issued last month by Dover's administration states that intelligent design will not be taught. Instead, teachers are to read a prepared statement and note that students can read "Of Pandas and People," a book about the concept.

1/2/2005
Lesson will be brief, attorney says - York Daily Record

The news release goes on to state that Nilsen "has directed that no teacher will teach Intelligent Design, Creationism, or present his or her, or the Board's, religious beliefs."

In the meantime, teachers also say they're still not sure how they're supposed to comply with the board's decision. Bertha Spahr, who heads the district's science department, said last month that a problem could occur after the statement is read to the students. Once this topic is introduced, Miller said, she wonders how many questions will be asked.

The directive leaves teachers feeling caught between the school board and the First Amendment's prohibition of government establishment of religion, Spahr said at the time.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

1/2/2005
Mark curriculum committee's minutes absent

No written record of ID decision was kept

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, January 2, 2005

The story of how intelligent design made its way into the Dover Area School District's biology curriculum has taken nearly seven months to write, to date.

Then again, "write" may not be the best word to use in telling this story, since the district has taken few or no notes about the process that made the teaching of the concept possible.

Recently, the district denied a request made by the York Daily Record/Sunday News to review the minutes of the school board's curriculum committee. It wasn't because the records aren't public but rather because there are no minutes.

Supt. Richard Nilsen said as far as he knows, none of the board's subcommittees has ever kept minutes of their meetings.

"I think there is around 16 different subcommittees of the board," Alan Bonsell, a board member and a former board president, said last week. "It's not that anyone is trying to keep things secret; it's just not something we thought was necessary."

But according to Teri Henning of the Media Law Council in Harrisburg, any committee that meets with the intent of influencing a larger board decision must advertise its meeting, make it open to the public and record minutes.

Those rules are part of the state's Sunshine Law, which is designed to make the government process more accountable to the public.

Exceptions to the sunshine rules include discipline and personnel matters. But for the most part, Henning said, all government-run meetings should be documented via the minutes.

"But the truth is, while it disappoints me, it doesn't surprise me," Henning said. "Our Sunshine Law doesn't have the teeth needed to force compliance."

1/2/2005
At worst, someone could take members of a government board to court for failure to comply with the rules by not keeping minutes. "The fine runs about $100," Henning said.

In addition to making it difficult for citizens, the failure to keep the minutes also affects other government officials. In September, former Dover school board and curriculum committee member Casey Brown requested a copy of the minutes for a meeting she missed.

It was during that meeting that Brown said the decision was made to add intelligent design to the curriculum.

She said she asked Michael Baksa, assistant superintendent, for the minutes.

"I was told that motions made on curriculum subject matter (at regular school board meetings) counted as minutes for curriculum committee meetings since the main board keeps minutes of their own," Brown said. "I told (Baksa), given the nature of where all of this was going, the board really should keep its own separate minutes."

Typically, a subcommittee chairperson is responsible for keeping the minutes, Brown said. In the case of Dover's curriculum committee, that person would be school board member William Buckingham.

"(Curriculum) meetings were very informal," Buckingham said on Dec. 30. "So minutes hardly seemed worth the time."

But Henning said it's always worth the time because without minutes, the public has no way to know who met, or how many times, or what was said, or if anyone from the public commented.

That could be an issue now that a group of parents has sued the district over the inclusion of intelligent design, which the parents say has religious overtones, in the curriculum.

Over the last few months, Buckingham has repeatedly said at regular board meetings that the theory has nothing to do with religion. The decision, he said, was made to provide students with alternative theories about how the universe works.

1/2/2005
But without curriculum minutes, Henning said there is no way to know if anything different was said away from public ears.

"The fact that the district is now in the middle of a lawsuit that involves, to some extent, discussions and decisions made at committee meetings, (provides) further evidence of the need for agencies to keep and maintain accurate minutes of their public meetings," Henning said.

**Meeting Monday**

Dover school board member Angie Yingling has said that at Monday's board meeting, she plans to request a motion to revisit the board's decision to include intelligent design theory in its biology curriculum. The meeting is scheduled for 7 p.m. North Salem Elementary School.

It's also possible the board could accept Yingling's resignation at Monday's meeting. Yingling voted for the curriculum change, but she announced in December that she had changed her mind and said she wanted to leave the board because she couldn't get other members to agree to reconsider the decision.
Students differ on intelligent design

But both sides agree all the hoopla is ‘kind of dumb’

By LAURIE BO
Daily Record/Sunday News
Sunday, January 2, 2005

Talk to students, and many of them will tell you the furor over intelligent design is all a little silly.

After all, it’s just one class period.

Actually, not even a whole class period, Corey Miller said.

He figures 40, 45 minutes.

That’s about the amount of time he spent learning about evolution when he took the mandatory biology class last year at Dover Area High School.

He and a friend, Brett Elicker, remember studying natural selection, as well as, they think, the concept of “fight or flight.” But they say they have little other recollection of the class. So the two sophomores think there is nothing wrong with learning alternatives to what Miller calls “the philosophy of evolution.”

“It’s something that’s still not proven,” he said, sitting at a pizza shop across from his high school.

Elicker identifies himself as a Christian and believes in the biblical account of creation, but Miller says he’s not particularly religious and doesn’t go to church. Despite their differences, the two 16-year-olds say the controversy is just about presenting alternative views.

Until the school board made the decision to revamp the district’s science curriculum in October — requiring the inclusion of intelligent design in biology class — the two friends didn’t think much about evolution.

But since then, they have been following each new development in the case closely.

Intelligent design is the concept that life is too complex to have evolved randomly through natural selection and, therefore, must have been created by an intelligent designer. In December, 11 parents filed suit against the district. The suit argues that intelligent design is
essentially about religion and has no place in science class.

Elicker doesn’t think intelligent design conflicts with the First Amendment’s guarantee of government’s neutrality toward religion, since it encompasses all faiths, he said, “except for atheism.”

And it was while reading about the debate that Miller began to think that, perhaps, evolutionists didn’t have it all figured out. He would like to know where the transitional fossils are that show animals with both wing and arm, beak and mouth.

While the two friends find the subject interesting, among other students, it’s become a joke.

Amanda Patterson, 17, and her best friend, Mike Helmick, 17, say Dover’s now famous across the country.

Playing video games at the West Manchester Mall last week, Helmick said he never paid much attention in biology class “because it doesn’t interest me.”

And even though everyone else seems to be talking about it, Patterson said teachers aren’t allowed to discuss the issue with students.

Still, Helmick thinks intelligent design can fit just fine into a scientific discussion of evolution.

Patterson, however, is not so sure.

“I think it might violate the separation of church and state,” she said.

Both students said they believe in natural selection, but draw the line that humans evolved from other primates.

So for them, intelligent design makes sense.

“We’re so complex we couldn’t have been created by any scientific explanation,” Patterson said.

Ninth grader Kandy Kline, 15, took the semester-long biology class this fall and is just completing it now. She said Charles Darwin’s name never even came up.

Overall, she thinks the whole debate is “kind of dumb” and too much has been made of it.
“If they want to learn about creationism, they should be able to do so in an elective class,” Kline said.

Her boyfriend, Brian Borror, 14, who is also in the ninth grade, will take the class starting this month. While he realizes he is at the center of the fray, he looks forward to learning about both evolution and intelligent design.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

Grads speak

While some Dover Area High School students think too much has been made of whether intelligent design will be taught in biology class, some college students disagree.

Last month, a group of Dover graduates, home for the holidays, attended a school board meeting to speak out against the curriculum revision.

Some say it’s embarrassing to pick up a newspaper and read about the issue occurring in their hometown.

Penn State University sophomore Eric White said a friend e-mailed him a Philadelphia Inquirer story about Dover with a note that said, “I think this is where you went to school.”

The article was about how Dover is believed to be the first school district in the country to require the teaching of intelligent design.

“It kind of makes you proud,” White said sarcastically.
Dover board quiet on ID

School officials reached no compromise Monday on district science policy.

By JOSEPH MALDONADO
For the Daily Record Sunday News
Tuesday, January 4, 2005

Early Monday afternoon, Angie Yingling seemed optimistic that her fellow members of the Dover Area School Board might come to some kind of arrangement that would end the intelligent design lawsuit against both them and the district.

But at the school board meeting later Monday night, neither the board nor administration gave any indication that that would be the case.

"Before the meeting tonight, I think the board may decide to remove the books ("Of Pandas and People") from the classroom and place them in the library in a section set aside for evolutionary studies," Yingling said while walking in downtown York.

Yingling, who said she did not attend the meeting because of illness, also said she thought the board might compromise and change its mind about the wording that allowed intelligent design into the district's ninth-grade biology curriculum.

The school board met in an executive session for a little more than an hour before the regularly scheduled planning meeting. But little was said to the public about what took place, except that the board discussed personnel and legal issues.

Immediately after the planning meeting, Sheila Harkins, board president, responded to Yingling's comment by saying, "I have no idea where she's coming from."

Yingling could not be reached for comment after the meeting Monday night.

In October, the board voted to include the concept of intelligent design in the district's ninth-grade biology curriculum.

In December, 11 parents filed a federal lawsuit against the school district, arguing the curriculum change violates the
First Amendment by requiring “teachers to present to their students in biology class information that is inherently religious, not scientific, in nature.”

All of the board members, with the exception of Yingling, attended the executive session, though new board members Eric Riddle and Sherrie Leber showed up late and did not participate long.

The district’s interim financial planner, Ed Hermance, and another associate also attended the meeting, though their role was not made public. Before the executive session, Hermance said that, to his knowledge, the lawsuit has not cost the district anything financially, yet.

Two representatives of the district’s legal team from the Thomas More Law Center in Ann Arbor, Mich., also attended the meeting for about 10 minutes. Neither stayed for the planning meeting and neither would identify themselves before leaving.

Earlier in the day, several members of the board gave depositions in Harrisburg in response to the lawsuit including Harkins, Alan Bonsell and William Buckingham. Beth Eveland, who is one of the 11 parents suing the district, was at the depositions.

“From the tone of the depositions, it looks like there is no room for change or compromise,” she said. “This thing looks like it’s still full steam ahead.”

Board members, however, declined to discuss the case.

“I have nothing to say on the advice of my legal counsel,” Buckingham said.

Those words represented the theme for the evening from the board and administration.

During the public comments section resident Gina Myers went to the podium to ask about what she had been reading on the intelligent design issue, but was cut off by Harkins.

“Comments are limited only to agenda items,” Harkins said.

Myers, who had wanted to speak out in defense of the school board’s decision, shyly apologized and returned to
her seat. Behind her, fellow resident Sharon Wetzel said to people nearby Myers that she should have been allowed to speak.

"There is always a miscellaneous section on the agenda," she said. "Why couldn't she speak under that?"

*Staff writer Lauri Lebo contributed to this report.*

**THE CONTROVERSY**

**Background:** Despite protests by science teachers, who said they were kept from participating in the decision, and some school board members, the Dover Area School Board revamped its science curriculum with a 6-3 vote on Oct. 18.

The curriculum is believed to be the first in the country requiring the teaching of intelligent design — the idea that life is too complex to have evolved randomly through natural selection and, therefore, might have been designed by a creator — in high-school biology class.

The curriculum states: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

**Where the issue is now:** Despite a news release issued by the district on the subject, many questions remain about exactly what will be taught in class regarding intelligent design. And teachers themselves say they're still not sure what to do if students ask questions about the subject.

**What's next:** Students are expected to reach the chapter on evolution as early as Jan. 13. Lawyers for the 11 parents suing the district over the curriculum change have until Wednesday to file for a temporary restraining order to prevent the new curriculum from being taught.

**NO PANDA PINS PROTEST POLICY**

While no word was spoken publicly on the subject at Monday night's Dover Area School Board meeting, some members of the public voiced their opinion against the district's recent intelligent design controversy by wearing
pins.

The pins of a panda bear with a line through its face are in protest of the school board decision to specifically include the concept of intelligent design in its science curriculum.

Fifty copies of the pro-intelligent design book “Of Pandas and People” were donated to the school district by persons whose names the district will not release.

The books are to be used for reference for students who want to learn more about intelligent design.

Several of the parents who have filed a federal lawsuit against the district, along with a handful of others at the meeting, wore the pins.
Dover Area School Board members last night refused to address the pending federal lawsuit over intelligent design, strictly enforcing their stringent rules restricting public comment at monthly meetings to agenda items only.

Meanwhile, the plaintiffs in that lawsuit, including 11 parents, have until tomorrow to seek a temporary restraining order barring the district from referencing the intelligent design concept in biology classes. Those classes begin next week.

The suit was filed last month on behalf of the parents by the American Civil Liberties Union, Americans United for Separation of Church and State and attorneys from the Harrisburg-based Pepper Hamilton law firm.

Angie Zeigler-Yingling, who last month said she would resign because of the refusal to revisit the intelligent design issue, did not attend last night's meeting due to illness. She remains a board member and had been expected to ask the board to alter the curriculum and to make her resignation official.

Superintendent Richard Nilsen said the board has not been asked to officially accept her resignation. Zeigler-Yingling could not be reached for comment, but is expected to attend the board's next meeting at 7 p.m. Monday at North Salem Elementary School.

Zeigler-Yingling voted in favor of the curriculum in October, but later changed her mind, saying she felt coerced by fellow board members.

Former board members Jeff and Casey Brown -- who opposed the board's decision -- resigned earlier this year, saying they feared a lawsuit.

The legal action is believed to be the first in the country to challenge the teaching of intelligent design theory, which attributes the origin of life to an intelligent being. It counters the theory of evolution, which says that people evolved from less complex beings.

The district contends that it will not be teaching intelligent design and that teachers will only read a statement raising questions about the theory of evolution, mentioning intelligent design and referring students to a book, "Of Pandas and People," in the library.

Four depositions: Yesterday, the plaintiffs' attorneys deposed board president Sheila Harkins, former board president Alan Bonsell, former curriculum committee chair William Buckingham, and superintendent Nilsen to determine if the restraining order is necessary.

One plaintiff, Beth Eveland said no decision had yet been made regarding the restraining order.
In the meantime, Nilsen said the district plans to move forward with its biology curriculum as currently written.

Dover biology teacher Jen Miller said that she is still not sure how to handle student questions that may arise when she reads the statement on intelligent design to her students next week. Miller said she has been told to direct students back to the statement if they raise questions about religion or the origin of life.

She also said a discussion has been scheduled tomorrow between the district's top administrators and science department.

The science department released a statement last month that said it was "by no means giving their consent or agreement to the development of" the district statement on intelligent design.

Comment disallowed: An effort to raise the subject before the school board last night was rejected, however.

Gina Myers was told that she could not comment on intelligent design because public comment is now limited to agenda items only.

New board president Sheila Harkins changed the rules last month, saying she wanted to keep meetings running smoothly and avoid contention.

More than 50 residents on both sides of the issue came to the meeting. Myers said she wanted to tell the board she supported their decision.

"It's good for the students' learning process to make them aware of other scientific theories and to make another textbook available," Myers said.

With public comment limited, others made their opinions known without words. Andy Langione, a Dover High School graduate and freshman at Penn State University, wore a button he made with a slash through a panda.

"It's an anti-'Of Pandas and People' button," said Langione, "Sometimes buttons speak louder than words."

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

GRAPHIC: Zeigler-Yingling ... said she would resign but remains a board member because she didn't attend last night's meeting.

LOAD-DATE: March 26, 2005
Dover school district's controversial biology curriculum, which makes reference to "intelligent design" theory, will take effect next week as planned.

Lawyers representing 11 parents who sued the district in federal court over the presence of intelligent design in its curriculum, have decided not to seek a temporary restraining order to block the lessons.

Attorney Eric Rothschild of the Philadelphia-based law firm Pepper Hamilton said the decision not to seek the restraining order came because of what was said in depositions this week by school officials, who were questioned about the origin of the curriculum change and statements by board members that were religious in nature.

Rothschild said that during those depositions Monday, district officials said they either had no memory of statements that were reported in The York Dispatch and York Daily Record during June 2004, or flatly denied that they were made.

Those who disputed the statements were: board president Sheila Harkins, former board president Alan Bonsell, former curriculum committee chair William Buckingham and superintendent Richard Nilsen.

More research: Rothschild said that because the evidence is in dispute, the attorneys will have to conduct more research to confirm the reports, which could not be done before the new curriculum starts Monday in Dover biology classes.

"These reports are not the substance of our case, but they did go toward the school board's motive in changing the curriculum," Rothschild said.

The parents' legal action is believed the first in the country to challenge the teaching of intelligent design theory, which attributes the origin of life to an intelligent being. It counts the theory of evolution, which says that people evolved from less complex beings. The statements included references to creationism, the biblical account of the origin of life, and several statements made by board member William Buckingham.

For example, as reported on June 15, 2004, by The York Dispatch and by the York Daily Record, Buckingham said "Nearly 2,000 years ago someone died on a cross for us; shouldn't we have the courage to stand up for him?" at a June 14 school board meeting.

Buckingham's denial: Buckingham said he never made that statement in reference to the evolution debate, but in reference to a resolution the board passed to support the "under God" phrase in the Pledge of Allegiance in November 2003. His testimony was supported by that of Sheila Harkins.

However, the school officials also said that they had never asked the local papers to retract or correct any reports made.
Although audio recordings of the board's public meetings are made, the district destroys the tapes once

LOAD-DATE: March 26, 2005
Teachers may give evolution alternative; Dover parents group won't seek restraint

PETE SHELLEM
Of The Patriot-News
625 words
6 January 2005
Patriot-News
FINAL
B01
English
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Biology teachers in the Dover Area School District may begin reading a four-paragraph statement offering an alternative to the theory of evolution, since attorneys for parents who objected to the policy decided not to seek a restraining order by yesterday's deadline.

Witold J. Walczak, legal director of the Pennsylvania chapter of the American Civil Liberties Union, which is representing parents opposed to the policy, said yesterday the group decided not to ask U.S. District Judge John E. Jones III for a restraining order.

Walczak said the group did not want to ask the judge to make a decision without a complete record, especially in light of denials by school board members that they initially sought to teach creationism.

A full trial will probably not be held until this spring, he said.

Walczak said three board members denied in depositions Monday making statements at board meetings regarding Christ, religion and creationism that were reported in local papers as controversy surrounding the policy mounted.

"This whole history of them indicating a desire to teach creationism is legally damaging to their argument," Walczak said. "They seem to be trying to whitewash that history."

The district's attorney, Ronald Turo, said he wasn't present at the meetings or the depositions, but added it wouldn't make any difference to the case.

He said individual board member's opinions are not the policy of the district, which boils down to a four-paragraph statement being read before evolution is taught to ninth-grade biology students.

The statement says evolution isn't a fact and intelligent design is an alternative theory students could consider. It directs them to a book called "Of Pandas and People" that describes the theory of intelligent design, which says the universe is so complex that it must have been created by a supernatural intelligence.

"Is this teaching? Everybody's losing perspective," Turo said. "The school district hasn't ordered them to teach anything. They are requiring teachers to read a statement.

"When a school district is precluded from making a statement of fact to its students, what do we have left?" Turo said. "That's pretty scary."

The ACLU claims that Dover's policy is an introduction of religion into the classroom that infringes on constitutional provision of separation of church and state.

The school board voted 6-3 on Oct. 18 to include intelligent design in the ninth-grade science curriculum, in what is believed to be the first such requirement in the country.

Walczak said the board members' intent plays a role in determining whether there is such an infringement.

Walczak said he was confident the plaintiffs could show the board members endorsed creationism, despite the fact that tapes of the meetings were destroyed. More than 100 people attended the hearings.

Board member William Buckingham was reported to have said "this country was not founded on Muslim beliefs or evolution, this
country was founded on Christianity and our students should be taught as such."

He also reportedly said "2000 years ago, someone died on a cross. Can't we take a stand for him?"

Two other board members and Superintendent Richard Nilsen denied in depositions that those comments were made, Walczak said. One board member said the newspaper quotes were "fabrications," he added.

Turo said he was glad the issue wouldn't be decided on the limited facts that could be presented in a hearing on the temporary restraining order.

"We said from the beginning, let's give this case the time and thought and research it demands," he said. PETE SHELLEM: 255-8156 or pshellem@patriot-news.com

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DOVER BOARD CHALLENGES BIO LAWSUIT

Wants 5 parents, claims removed from the case
by HEIDI BERNHARD-BUBB
The York Dispatch

Attorneys defending the Dover Area School District want to dismiss five of the 11 plaintiffs and two of the claims in the lawsuit against the district over the inclusion of intelligent design in the district's biology curriculum.

The motion, filed in federal court in Harrisburg on Friday, alleges the five plaintiffs lack standing because their children will not be tested on the intelligent design aspect of the ninth-grade curriculum.

Plaintiff's attorney states the third-grade curriculum, containing peripheral references to intelligent design, is improper.

The motion states that at least five of the 11 plaintiffs lack standing because the parents cannot prove that their children will face any test that includes intelligent design.

Public money should be dismissed because they lack facts to support the claim.

The lawsuit, filed last month by attorneys from the American Civil Liberties Union, Americans United for Separation of Church and State, and People Hamilton on behalf of 11 Dover parents, said reading a statement about the gaps in the theory of evolution and referring to an alternative theory that attributes the origins of life to an "intelligent agent" violates their children's civil rights.

Cite children's ages: The motion asks that plaintiffs Beth Eveland and Cynthia Sneebe dismissed because their children are too young; both have children in first grade and pre-school age children.

Richard Thompson, chief counsel of the Thomas More Law Center, which is defending the district, said no one knows if the policy or the children will be in the district by the time they reach the ninth grade.

The motion also asks that plaintiffs Frederick and Barrie Callahan and Julie Smith dismissed because their children are in 10th grade and will not be taught the controversial curriculum.

Lawyers argue there is no evidence of a "coercive religious practice" because students can opt out of hearing the statement, it also said there was no evidence that defending the district would cost it money.

The school district is being represented by Thomas More free of charge, although it could have to pay plaintiffs' attorney fees if it loses the case.

News release poll: Thompson said the motion seeks to focus the case on those who have a legitimate personal interest in the case, such as Tammy Rittenour, who currently has a child in the 10th grade, or several others who have children in eighth grade.

A news release put out by the law center accused the ACLU of piling on plaintiffs "to give the impression that more people support their position than actually do."

It referred to a recent poll of 425 registered Dover voters conducted by the Harrisburg-based Susquenness Polling and Research firm, which showed that 54 percent support the board's decision, while 36 percent do not and 10 percent are undecided or don't care.

ACLU attorney Woold Walczak said the plaintiffs will certainly oppose the motion, which he called "a complete waste of time" and a public relations move to try to influence public opinion.

Numbers irrelevant? "You only need one person to challenge the curriculum... it's irrelevant to the outcome of the case and the focus should be on the Constitutional issues involved," Walczak said.

He also said the plaintiffs don't yet need to present evidence of a "coercive religious practice" or improper use of public monies.

Furthermore, Walczak said, the controversial statement is part of the district's school-wide curriculum and that when the school board passes the Constitution it sends a message that affects the entire student body.

Plaintiff Barrie Callahan, whose standing is being challenged, said that "when you change the definition of science it affects everyone" in the district.

She said that she believes the curriculum could hurt how college admission boards will view a diploma from Dover High School, which would affect her child. And she also is worried the curriculum change could be the beginning of a move to censor or alter other parts of the curriculum.

The plaintiffs have until Feb. 15 to answer the motion.

Reach Heidi Bernard-Bubb at 584-1575 or news@yorkdispatch.com.
SECTION: TOP STORIES

LENGTH: 305 words

HEADLINE: Dover profs want to opt out

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

The Dover High School science department wants to opt out of the district's controversial biology curriculum, which makes reference to intelligent design theory.

The staff has written a letter to the administration asking that teachers be allowed to opt out of the new curriculum taking effect next week, which includes reading a statement that raises questions about the theory of evolution, mentioning intelligent design and referring students to a book, "Of Pandas and People," in the library.

The science department is suggesting that the administration read the statement to the students in their place.

Superintendent Richard Nilsen said earlier this week that a letter was being sent to district parents to tell them that as with any controversial subject matter being taught in the schools, parents could pull their children out of the lesson.

Nilsen and Dover Area Education Association president Bill Miller, who is serving as a spokesperson for the science department, could not be reached for comment this morning. The intelligent design curriculum is the subject of a lawsuit, believed to be the first in the nation.

The suit was filed by parents who say the school board violated their children's religious freedom by including the theory of intelligent design in biology classes.

The parents are represented by attorneys from the Pennsylvania American Civil Liberties Union, Americans United for Separation of Church and State and Pepper Hamilton.

The district is being represented, free of charge, by the Thomas More Law Center, a Michigan-based public interest law firm that bills itself as a defender of Christian rights. Intelligent design theory attributes the origin of life to an intelligent being. It counters the theory of evolution, which says that people evolved from less complex beings.

LOAD-DATE: March 26, 2005
SECTION: LOCAL NEWS

LENGTH: 307 words

HEADLINE: Dover parents form PTO

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

Peg Funkhouser says the recent intelligent design controversy that seems to have taken over Dover is not the reason that she and other parents decided to form a parent-teacher organization at the high school.

"Of course that is bringing a lot of people out and its something to be concerned about, but my sole purpose is to get parents more involved in their children's education and support our teachers," Funkhouser said.

It's a move that is being celebrated by the district's top administrators.

At several recent meetings, superintendent Richard Nilsen has said that the district is about more than the intelligent design debate.

"Dover is about great students, great teachers, and great parents," Nilsen said. "There is nothing more important than getting involved with your child's education."

Funkhouser, who is spearheading the effort, is a library secretary for the district at both Dover and Weigelstown elementary schools. She has a child in 11th grade at the high school and another child who graduated in 2004.

The district has PTOs at all of the elementary schools and at Dover Intermediate School, but a PTO has never been successful at the high school.

Funkhouser said one was attempted three or four years ago, but never caught on. But, as a longtime "PTO mom," Funkhouser said she believes a high school PTO could succeed and do a lot of good.

Her biggest goal for this year is to get the organization solidified and then build upon that foundation in coming years.

Funkhouser said she hopes to get at least 25 to 30 parents to join, although she would gladly take more.

"It's going to be an ongoing process, but hopefully we can get the word out and lots of parents will participate to make their child's education better," she said.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
District’s lawyers see ‘good sign’

But lawyers for the parents said they can still prove their case.

By TERESE ANN BOECKEL

Daily Record Sunday News

Friday, January 7, 2005

A lawyer for the Dover Area School District said it’s “a good sign” that attorneys representing 11 parents decided Wednesday not to seek an injunction that would stop the district from presenting the concept of intelligent design in its ninth-grade biology class.

“After several days of depositions it became clear that they simply did not have a strong enough case to ask that the policy be blocked,” said Richard Thompson, president and chief counsel for the Thomas More Law Center, which is representing the school district.

“Clearly, if they thought they could have succeeded, they would have asked the court to stop the policy before it was implemented.”

But Eric Rothschild, an attorney with the Philadelphia-based Pepper Hamilton law firm that is representing the parents who filed the lawsuit, said, “We feel we have a very strong case.”

The plaintiffs’ lawyers did not ask a federal judge to block the implementation of the policy because school board members Alan Bonsell, Bill Buckingham and Sheila Harkins and district Supt. Richard Nilsen denied or didn’t recall earlier statements about why the board wanted to include intelligent design, Rothschild said.

Lawyers interviewed the four this week, saying they wanted to find out what led to the policy in order to determine if they had enough evidence to ask for an injunction.

The statements now in dispute included one by board member Bill Buckingham that this country was founded on Christianity and that students should be taught as such.

The plaintiffs had planned to present those statements to a judge as their argument to stop the policy, Rothschild said. While they believe they have the evidence to
convinced a judge of their position, Rothschild said, it is in dispute, and it wasn't possible to present a whole record in time to request an injunction.

So they will work on finding witnesses, taking more depositions and calling experts in preparation for a spring hearing. Rothschild said he believes they will find that the statements, reported in two separate newspapers, were accurate.

**Lawyers request definitions**

In the depositions, the plaintiffs' lawyers — Rothschild and Stephen G. Harvey — pressed for definitions of evolution, creationism and intelligent design and asked questions about what will be taught in class as early as Jan. 13.

When Bonsell, who is the past school board president, was asked the meaning of "intelligent design," he said it is a scientific theory. Buckingham agreed with that.

"I have done some reading on it," Bonsell said. "And I have seen that it is a scientific theory that differs from Darwin's Theory ... Darwin is everything basically happened by chance. Where Intelligent Design says that it didn't happen that way."

Rothschild asked: "How did it happen if it didn't happen by chance?"

"I can't answer that," Bonsell responded.

Harkins, who is the current school board president, said she does not know if there is a general definition of intelligent design, and said she's "still exploring" what it means. Harvey pressed her for a definition.

"That every living cell possibly is designed down to the tiniest organism and if it is designed how it may have been designed, if there was possibly a designer or something," Harkins said.

She said she does not perceive it as "religion."

**ID discussed over time**

Harkins said the idea to include intelligent design in the curriculum has been discussed over several years, and has
been mentioned by Bonsell, Buckingham and former school board member Noel Wenrich. She and Buckingham were both on the board’s curriculum committee.

During those discussions, she said, there were differing views about it. She said Casey Brown, a former board member, viewed it as "religious" and that Bonsell viewed it as "totally scientific."

Harvey asked Harkins how she knew that intelligent design is scientific and not religious in nature. Harkins said she has read that several scientists who appeared to be "reputable" support the theory.

Buckingham said that the theory of evolution is not offensive to his personal religious beliefs. Harkins said the theory does not conflict with her religious views.

When the theory of intelligent design is introduced later this month, teachers will only read a prepared statement, Nilsen said. If students ask about creationism or intelligent design, they will be told to do that research on their own or ask their parents, Nilsen said.

The statement includes a reference to the book, "Of Pandas and People," that will be available to students who are interested in finding out more about intelligent design. The book, Nilsen said, will be housed in the school library.

When asked during the deposition why he was forbidding open and critical discussion about intelligent design but not any other theory of evolution, Nilsen said it was because of time constraints and legal reasons.

"(The teachers) believe they are liable if they open that discussion," he said.

Nilsen also said he thinks it is a topic that should be discussed with parents — not the school district.

Reach Teresa Ann Boeckel at 771-2031 or teresa@ydr.com.
Dover teachers get 'relief'

Administrators, not science instructors, will read an intelligent design statement to high school students.

By JOSEPH MALDONADO
For the Record Sunday News
Saturday, January 8, 2005

Dover Area High School science teachers won’t have to read a statement informing ninth-grade biology students that there are problems with Darwin’s theory of evolution, and that intelligent design is a theory with a differing view of the origin of life.

“And there is a great sense of relief, though there is still no great sense of trust in the district,” said Bill Miller, a Dover Area Education Association spokesman.

On Thursday, teachers in the high school’s science department sent a letter to the administration requesting they be allowed to “opt out” of reading a four-paragraph statement about intelligent design to students. On Friday, the district, through its attorneys at the Thomas More Law Center in Michigan, released a statement that said administration officials will read the “one minute” passage including intelligent design.

The Thomas More lawyers said Supt. Richard Nilsen announced that the district believes that no Dover faculty has the right to “opt out of any policy or curriculum developed legally and publicly by the Dover Area School District Board of Directors.” But, Nilsen said, the teachers’ request was granted because of a lawsuit over the inclusion of intelligent design in the science curriculum.

In December, 11 parents sued the school, saying intelligent design is not science but is an attempt by the district and its board to introduce religion into the classroom. That violates the Constitutional separation of church and state, they say.

The district has said the statement’s only purpose is to make students aware that there are other theories, including intelligent design, that differ with Darwin’s theory. In depositions connected to the lawsuit, board member Sheila Harkins said she does not perceive intelligent design as religious, and board member Alan Bonsell said he believes it is a scientific theory.
Sandy Bowser, Dover teachers union president, said she believes that Pennsylvania's Code of Professional Practice and Conduct for Educators gives them the right to opt out of the curriculum. She said the code forbids teachers from knowingly providing information they believe to be false.

"Intelligent design is not science," Bowser said. "It is a belief system."

Richard Thompson, the district's chief counsel from Thomas More center, called the teachers' request to opt out a "tempest in a teapot."

"It is ironic that this policy was enacted with the input of the very teachers who are now attempting to sabotage it," he said.

Bowser disagreed with Thompson regarding the teachers' input.

"We gave no input at all into the statement or the curriculum change as it is presently written," she said. "We have tried to compromise, but at this point the state standards of education and the Constitution must be upheld."

Neither Thompson nor Dover Assistant Supt. Michael Baksa could be reached for comment.

"I'm glad the district made the decision that it did," Bowser said. "Things are as they should be, for now."

**Intelligent design statement**

The following is the statement to be read to Dover Area High School students:

"The Pennsylvania Academic Standards require students to learn about Darwin's Theory of Evolution and eventually to take a standardized test of which evolution is a part.

"Because Darwin's Theory is a theory, it continues to be tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

"Intelligent Design is an explanation of the origin of life
that differs from Darwin's view. The reference book, Of Pandas and People, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves.

"With respect to any theory, students are encouraged to keep an open mind. The school leaves the discussion of the Origins of Life to individual students and their families. As a Standards-driven district, class instruction focuses upon preparing students to achieve proficiency on Standards-based assessments."

An Open Letter to the Dover Area School Board:

As scientists, scholars, and teachers, we are compelled to point out that the quality of science education in your schools has been seriously compromised by the decision to mandate the teaching of "intelligent design" along with evolution. Science education should be based on ideas that are well supported by evidence. Intelligent design does not meet this criterion: It is a form of creationism propped up by a biased and selective view of the evidence.

In contrast, evolution is based on and supported by an immense and diverse array of evidence and is continually being tested and reaffirmed by new discoveries from many scientific fields. The evidence for evolution is so strong that important new areas of biological research are confidently and successfully based on the reality of evolution. For example, evolution is fundamental to genomics and bioinformatics, new fields which hold the promise of great medical discoveries.

According to the York Daily Record (November 23, 2004), you issued a statement claiming that "Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The theory is not a fact. Gaps in the theory exist for which there is no evidence." This is extraordinarily misleading. While one can refer to the general body of modern evolutionary knowledge as "theory," the same is true of all other scientific knowledge, such as the theory of relativity or the theory of continental drift. It is one of the hallmarks of scientific inquiry that all such ideas are open to testing and reinterpretation. That theories are open to testing, however, does not mean that they are wrong. Evolution has been subject to well over a
Dover's lawyer responds to Penn letter

Professors don't understand intelligent design issue, lawyer says

By JOSEPH MALDONADO
For the Daily Record Sunday News
Sunday, January 9, 2005

It didn't take long for the Dover school district's lawyer to respond to an open letter from 32 professors from the University of Pennsylvania criticizing the district for including intelligent design theory in its science curriculum.

Penn professors from the biology and philosophy departments on Friday asked the administration and board of the Dover Area School District to "alter the misguided policy of teaching intelligent design creationism . . . ."

Richard Thompson of the Thomas More Law Center wrote a letter, released Saturday, telling the professors that Dover will not be teaching intelligent design and that if their lack of study on the issue represents how they go about making scientific conclusions, their students should "get their tuition money back . . . ."

In October, the board voted to make students aware of problems with Darwin's theory of evolution and alternative theories, specifically intelligent design, as part of their ninth-grade biology curriculum. Intelligent design suggests that life is too complex to have evolved on its own, and that a designer played a role in the creation of life.

Thompson is the district's lead attorney in a case brought against the district in December by parents who say the curriculum change violates the rights and the Constitutional separation of church and state. But, Thompson wrote, "No teacher will teach 'intelligent design,' creationism, or present his or her, or the board's religious beliefs."

In addition to accusing Penn faculty of not understanding the issue, Thompson questioned why a professor from the philosophy department, Michael Weisberg, helped author the letter.

"What does philosophy have to do with this issue?"
Thompson asked.

On Saturday Weisberg asked that a copy of the letter be sent to him by e-mail. In his reply, he did not comment on the letter, but offered a Web site, http://www.aaas.org/news/releases/2002/1106id2.shtml. It contains a statement approved more than two years ago by the American Association for the Advancement of Science’s board of directors. The board said intelligent design proponents haven’t tested the theory or provided evidence to support it, and that it is “improper” to include the theory as part of science education.

Thompson, in his letter to the Penn professors, said Dover was asking the students to consider that any evidence is susceptible to two sets of interpretations.

“This policy promotes critical thinking, which is not only important for the science profession, but for education in general,” Thompson wrote.

**Center’s letter**

Letter from Thomas More Law Center to University of Pennsylvania biology professor Paul Sniegowski and philosophy professor Michael Weisberg:

If the level of inquiry supporting your letter is an example of the type of inquiry you make before arriving at scientific conclusions, I suggest that at the very least, your students should get their tuition money back, and more appropriately, the University should fire you as a scientist. It is clear that you do not have the slightest idea of the actual Dover school policy that you so vehemently condemn, and so let me educate you.

You write that the Dover school Board made a decision to “mandate the teaching of ‘intelligent design’ along with evolution.” That statement is untrue; in fact the opposite is the case. The school board policy specifically states: “No teacher will teach Intelligent Design, Creationism, or present his or her, or the Board’s, religious beliefs.”

Moreover, the school board adopted and purchased the biology textbooks for its students that were recommended by the school science teachers and the administration.

Regarding your dispute with the definition of the theory, you fail to include the actual definition used in the policy,
"A theory is defined as a well-tested explanation that unifies a broad range of observations." That definition was recommended by the science teachers and adopted by the school board.

Finally, you are under the impression that Dover students will not be taught evolution. Let me disabuse you of that concern. The policy specifically acknowledges that the students must learn about Darwin's Theory of Evolution and take a standardized test in which evolution is a part. Accordingly, the only theory taught in class is Darwin's theory of evolution, and the only textbook used in class is the standard text positing this theory.

I notice that your open letter was signed by a member of the Department of Philosophy. What does philosophy have to do with this issue? This issue is not about science versus philosophy; it is about two different interpretations of the same scientific data by scientists. I assume you would agree that the metaphysical implication of Darwin's theory of evolution has no place in the science classroom. Or perhaps it is for this very reason that you so staunchly and dogmatically defend Darwin and place his theory above all criticism.

In conclusion, the Dover policy merely makes students aware of a growing controversy in the scientific community over the extent to which the theory of evolution can explain complex biological systems. This policy promotes critical thinking, which is important not only for the science profession, but for education in general. Moreover, this policy is in keeping with the Congressional intent behind the No Child Left Behind Act of 2001 and complements an honest science education.

Sincerely,

Thomas More Law Center

Richard Thompson

President and Chief Counsel
The Dover High School science department will be allowed to opt out of reading a statement to ninth-grade biology classes this week that questions the theory of evolution and refers to intelligent design theory.

However, the students will still hear the statement.

The district announced Friday through its attorneys at the Thomas More Law Center in Michigan that the administration would read the intelligent design statement in place of teachers, pending the resolution of the lawsuit against the district over the biology curriculum.

Seven science teachers sent a letter to the administration Thursday saying they believe the mandate to read the statement violates the Pennsylvania's Code of Professional Practice and Conduct for Educators, said Sandi Bowser, president of the Dover Area Education Association.

Bowser said the code states that teachers cannot knowingly misrepresent subject matter or curriculum.

"Intelligent design is not science, it is not biology, it is not an accepted scientific theory," said Bowser.

According to a statement released by Thomas Møre, superintendent Richard Nilsen said that "While the Dover Area School District believes that the DASD faculty has no right to 'opt-out' of any policy or curriculum developed legally and publicly by the Dover Area School District Board of Directors," the administration will read the statement until the lawsuit is resolved.

Richard Thompson, chief counsel of Thomas More, called the teachers' request a "proverbial tempest in a teapot" and said teachers were "now attempting to sabotage" a policy created with their input.

However, the teachers' union said last month that the teachers had only edited the intelligent design statement and had not been involved with writing it or forming it.

"We need to keep religion and philosophy in religion or philosophy classes and out of science class," said Bowser, who called intelligent design a belief system.

Nilsen said he could not comment on the issue because of a lawsuit filed last month on behalf of 11 parents by the Pennsylvania American Civil Liberties Union, Americans United for Separation of Church and State and Pepper Hamilton Law firm.

The parents claim the school board violated their children's religious freedom.

The district, represented by Thomas More free of charge, has said the curriculum attempts to give students a better education by making them "aware" that there are "gaps/problems" with evolution, and that other theories exist.
The intelligent design theory attributes the origin of life to an intelligent being. It counters the theory of evolution, which says that people evolved from less complex beings.

The policy, which set off a firestorm of controversy in the district that has garnered national attention, prompted two board members to quit in protest.

Last month, a third board member, Angie Zeigler-Yingling, said she would resign because of the board's refusal to revisit the issue.

Zeigler-Yingling did not attend last week's meeting due to illness and remains a board member. She had been expected to ask the board to alter the curriculum and to make her resignation official last week.

The board meets again tonight at 7 p.m. at North Salem Elementary.

Zeigler-Yingling could not be reached for comment on whether she will attend the meeting and whether she still intends to resign.

LOAD-DATE: March 26, 2005
SECTION: TOP STORIES

LENGTH: 582 words

HEADLINE: Anti-board ticket eyed in Dover

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

http://media.mnginteractive.com
http://media.mnginteractive.com
http://media.mnginteractive.com

Angie Zeigler-Yingling said she had hoped to convince her fellow Dover school board members to revisit the district's controversial biology curriculum and find a compromise that would end the lawsuit against the district.

But now she says the fate of the curriculum will be decided by voters in the upcoming elections, when seven seats are on the May 17 primary ballot.

"It's all about the primary now, whoever wins in the primary will win in November. If I can get a group together to run against the board with at least five votes, we can immediately overturn the curriculum," said Zeigler-Yingling from her home last night.

Zeigler-Yingling's term is one of four that expires at the end of the year; three two-year terms are also up for election.

Last month, Zeigler-Yingling said she would resign before her term ended, because of the board's refusal to revisit the intelligent design issue.

She was expected to make her resignation official at the Jan. 3 board meeting or at last night's meeting, but she didn't.

Now she said she'll offer an official letter of resignation next month.

Zeigler-Yingling said she delayed the letter because she was hoping to get the board to revisit the issue. She had requested time on last night's agenda to make a motion to that effect, but was told that she couldn't because of the pending litigation against the district.

After a brief action meeting, the board adjourned to executive session for more than an hour, saying they would discuss personnel and legal matters.

The board returned to hire a staffer, and then adjourned with no discussion of the biology curriculum or Zeigler-Yingling's status.

Would not discuss session: After the meeting, a visibly upset Zeigler-Yingling said the issues were discussed during the executive session, but said she could not discuss them further.
Zeigler-Yingling voted in favor of the curriculum in October, but later changed her mind, saying she felt coerced by fellow board members.

Now, Zeigler-Yingling said she may join former board members Jeff Brown and Casey Brown, who quit over the intelligent design issue in October, to run as a bloc against the current board.

Seats in play: Current board members Sheila Harkins and Alan Bonsell are up for re-election, as are the seats of recent board appointees Sherrie Leber, Ronald Short, Edward Rowand and Eric Riddle.

The current board members have not yet announced whether they will seek re-election.

The district's biology curriculum, which makes reference to intelligent design, is the subject of a lawsuit against the district filed last month on behalf of 11 parents by the Pennsylvania American Civil Liberties Union, Americans United for Separation of Church and State and the Pepper Hamilton Law firm. The suit was filed by parents who say the school board violated their children's religious freedom.

The district, represented by the Thomas More Law Center free of charge, has said the purpose of the curriculum is to give students a better education by making them "aware" there are "gaps/problems" with evolution and that other theories exist.

Intelligent design theory attributes the origin of life to an intelligent being. It opposes the theory of evolution, which says that people evolved from less complex beings.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

GRAPHIC: Dover School Board members Angie Yingling, left and Sheila Harkins talk before the start of last night's meeting. Dover School Board member Angie Yingling reviews paperwork before the start of the meeting, Monday January 10, 2005. Bryan Rehm, one of the plaintiffs against the Dover School District's plan to teach intelligent design, talks to reporters during a break in the meeting, Monday, January 10, 2005. John Pavoncello

LOAD-DATE: March 26, 2005
Dover school officials have been silent on the issue of intelligent design and the controversy generated by the district's biology curriculum, citing the pending lawsuit against them.

But their attorneys at the Thomas More Law Center in Michigan have been actively responding to critics with a series of open letters and statements released in the past three days.

After the Dover High School science department sent a letter to the administration Thursday asking that teachers be allowed to opt out of reading a statement that questions the theory of evolution and refers to intelligent design theory, attorneys from Thomas More criticized the department for "attempting to sabotage" a policy created with their input.

However, the teachers' union said last month that the teachers had only edited the intelligent design statement and had not been involved with writing it or forming it.

In a statement last night, attorneys from the Thomas More Law Center said the school board had a document that "contradicts the teachers' recent claim that they gave no input into the statement or the curriculum change as it is presently written."

According to Richard Thompson, chief counsel of the center, assistant superintendent Mike Baks said "worked with the teachers and kept them informed throughout the entire process that led up to the development of the biology statement and curriculum change. Not only did the teachers edit the biology statement, but also they agreed to all the changes in the biology curriculum except for the inclusion of the phrase 'intelligent design.'"

Oppose Penn professors: In addition to the statements on the Dover science department, attorneys from Thomas More also responded to an open letter from 32 University of Pennsylvania professors Friday criticizing the district for including intelligent design in the biology curriculum.

The professors' letter stated that "the quality of education in your schools has been seriously compromised by the decision to mandate the teaching of intelligent design along with evolution. Science education should be based on ideas that are well supported by evidence. Intelligent design does not meet this criterion: It is a form of creationism propped up by a biased and selective view of the evidence."

In response, Thompson accused the professors of not understanding the district's policy, saying "if the professors' letter was any indication of their level of inquiry before arriving at scientific conclusions, then at the very least, your students should get their tuition money back."

Thompson went on to say that the many "biology scientists" have careers that depend on evolution and are "conducting an assault on school boards across the nation that dare to challenge their dogma."
The More Center is a public interest law firm that often represents Christians who say their rights have been violated.

LOAD-DATE: March 26, 2005
Intelligent design foes frustrated

The issue was not discussed at a Dover school board meeting.

By JOSEPH MALDONADO
For the Daily Record Sunday News
Tuesday, January 11, 2005

As Monday evening’s meeting of the Dover Area School Board progressed, board member Angie Yingling looked distracted. Every now and then she would pick up her pen, bow her head and write.

She was writing was her letter of resignation.

At the end of the agenda, the board went into an executive session to talk about personnel and legal issues. Before Yingling went into the session, she said she wrote the letter with the intention of reading it after the executive session.

She said she wanted to be placed on the agenda so she could make a motion — a motion to have two words, “intelligent design” removed from the ninth-grade biology curriculum and a correlating statement.

Before the executive session, Yingling said she had made a request to be on the evening’s agenda but was denied by the board’s president, Sheila Harkins.

“I’m going to ask again during executive session,” she said.

She said if she were again denied, she would resign.

But after the nearly one-hour session ended, the board returned to its seats, hired a new district employee and adjourned.

Immediately afterward, Yingling was surrounded by members of the local and national media.

A little later, as she walked to her car, she asked herself, “Why won’t they let me speak?”

She then said she was told she wasn’t allowed to speak at the meeting because Richard Thompson of the Thomas More Law Center advised Harkins not to allow it.

So why didn’t Yingling resign?
"I keep telling myself that if I can round up some people to run for election, a new board can resolve these issues in an instant," she said. "So I keep telling myself to hold on."

During the break for executive session, Bryan Rehm echoed those sentiments. Rehm is one of the 11 parents suing the district and board over an Oct. 18 decision to include "intelligent design theory" in ninth-grade biology.

Like Yingling, he is frustrated with board's control over discussion of the intelligent design issue. In early December, Harkins, the new board president, issued a new rule saying the public could no longer comment on issues not on the agenda unless a request was submitted in writing.

Rehm sent a written request, but he opted against speaking Monday night because, he said, "The board isn't listening anyway."

Next month, Rehm will submit the necessary paperwork to run for a seat on the school board. The deadline is Feb. 28.

"I've talked with 30 to 50 different individuals," he said. "And people overwhelmingly don't like what's going on."

Before the meeting, someone in attendance handed out a flier citing an example of the council in Plum Borough, near Pittsburgh, trying to limit public speech and being rejected in court.

"The attachment will be submitted to our solicitor for a review," said Richard Nilsen, the school superintendent. "We'll have a report on that by next meeting."
Public comment policy assailed

Opponents passed out a statement calling the new rule illegal.

By LAURI LEBO
Daily Record/Sunday News
Tuesday, January 11, 2005

Residents opposed to the Dover Area School Board’s new public comment policy couldn’t speak out about it publicly at Monday night’s meeting — because it wasn’t on the agenda.

So instead, they passed out a written statement that contended the policy is illegal because it violates both Pennsylvania’s Sunshine Law and the First Amendment to the U.S. Constitution.

“The public has the right to make comment on agenda and non-agenda items,” the statement said. “It could be perceived that the Board’s change in policy is to limit the voices of the taxpayers.”

Sheila Harkins, in one of her first acts as the new board president, initiated the policy last month that limits public comment solely to items on the meeting agenda.

Harkins said she hadn’t read the distributed statement, but she said the public comment policy had been enacted with the OK of district lawyers. She referred further questions to Supt. Richard Nilsen, who said he will pass on the statement to lawyers at Stock and Leader. He plans to have a response for board members by next month’s board meeting, he said.

The statement makes reference to a newspaper article about a federal judge’s 2002 decision in a case called Schlegel v. Plum Borough to issue a temporary restraining order against enforcement of a provision of a borough ordinance limiting public comments to items on the agenda.

The statement was passed out at Monday’s meeting by plaintiffs suing the district over the revamping of its biology curriculum to include intelligent design — the concept that life is too complex to have evolved solely through natural selection and therefore must have been designed by an intelligent creator — as an alternative to the teaching of evolution.

Cynthia Sneath, one of the plaintiffs in the intelligent design suit, said the Schlegel case perfectly mirrors the situation in Dover.
Unless the curriculum revision is placed on the agenda, "we can't even talk about it (intelligent design)," she said.

Beth Eveland said she distributed the information in the hopes that the school board will rescind the public comment policy. She said she would have liked to have appealed to the board directly — but couldn't because it wasn't on the agenda.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
Dover to discuss design' next week; Teachers have not reached the chapter discussing evolution.

LAURI LEBO. York Daily Record. York, Pa.: Jan 12, 2005. pg. 3

Abstract (Document Summary)

In December, a group of parents filed a federal lawsuit against the district over the school board's decision to include the phrase "intelligent design" in its biology curriculum. Intelligent design is the concept that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Despite the specific mention of intelligent design in the curriculum, the district maintains that the only discussion of the concept will be in a one-minute statement read to students in the high school's three biology classes.

Attorneys for the plaintiffs had intended to seek a temporary injunction last week to keep intelligent design out of the biology classes.

Full Text (417 words)

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Dover Area educators will not address the issue of intelligent design in biology class Thursday.

Biology teachers at Dover Area High School have not yet reached the chapter that deals with evolution, so the lecture will take place next week, an attorney for the district said Tuesday.

Richard Thompson, president of the Thomas More Law Center representing the district, said the subject of intelligent design will not come up until Monday and Tuesday.

In the meantime, Tammy Kitzmiller, who is one of 11 parents suing the district in federal court over the issue and who has a daughter taking the biology class, received a letter sent home by the district Tuesday permitting students to opt out from the class if they choose.

Kitzmiller said she has not made a decision whether she will sign the letter.

Last month, district officials had said they expected ninth-graders in the semester-long class would discuss evolution as early as Thursday.

In December, a group of parents filed a federal lawsuit against the district over the school board's decision to include the phrase "intelligent design" in its biology curriculum. Intelligent design is the concept that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Despite the specific mention of intelligent design in the curriculum, the district maintains that the only discussion of the concept will be in a one-minute statement read to students in the high school's three biology classes.

But last week, teachers in the high school's science department sent a letter to the administration requesting they be allowed to "opt out" of reading the four-paragraph statement, and administrators agreed to take over the job.

After the statement is read, teachers will continue with the lesson on evolution.

Attorneys for the plaintiffs had intended to seek a temporary injunction last week to keep intelligent design out of the biology classes.
However, they were thwarted when school board members denied, in depositions, statements attributed to them last summer by both The York Dispatch and the York Daily Record/York Sunday News.

An attorney for the plaintiffs, Eric Rothschild of Pepper Hamilton, said lawyers were surprised by the denials of what they thought was an "established set of events."

Rothschild said the inconsistencies would not have been easily resolved in a short hearing. However, he said, he expects the plaintiffs' attorneys will be successful in the long run when they take the case to court in the spring.

Credit: York Daily Record
A statement that raises questions about evolution and makes reference to an alternative theory will not be read to ninth-grade biology students at Dover High School tomorrow as expected.

However, the superintendent said the delay has nothing to do with the lawsuit filed against the district over the statement or the science department's request last week to opt out of reading it.

The statement will be read next Tuesday or Wednesday because the teachers have not yet reached the evolution segment of the course, said superintendent Richard Nilsen.

"In all fairness, Jan. 13 was the earliest date that the teachers would reach the evolution section," Nilsen said.

The controversial four-paragraph statement will be read to students by district administrators.

Teacher request: Last week, the science department asked to opt out of reading the statement, which makes reference to intelligent design theory, saying it violates the Pennsylvania's Code of Professional Practice and Conduct for Educators.

Union president Sandi Bowser said the code states that teachers cannot knowingly misrepresent subject matter or curriculum, and the science department does not consider intelligent design science.

The district's biology curriculum is the subject of a lawsuit filed last month on behalf of 11 parents by the Pennsylvania American Civil Liberties Union, Americans United for Separation of Church and State and Pepper Hamilton Law firm.

The parents say the school board violated their children's religious freedom.

The district, represented by the Thomas More Law Center free of charge, has said that the purpose of the curriculum is to give students a better education by making them "aware" that there are "gaps/problems" with evolution and that other theories exist.

Intelligent design theory attributes the origin of life to an intelligent being. It counters the theory of evolution, which says that people evolved from less complex beings.
SECTION: LOCAL NEWS

LENGTH: 324 words

HEADLINE: Curriculum wording

BODY:

The school board previously voted 6-3 to add the following wording to the high school biology curriculum:

"Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to Intelligent Design. The Origins of Life is not taught."

District officials have said that intelligent design will not be taught, but students will be made "aware" of the theory and problems with evolution through the following statement, released in November:

"The Pennsylvania Academic Standards require students to learn about Darwin's Theory of Evolution and to eventually take a standardized test of which evolution is a part. Because Darwin's Theory is a theory, it is still being tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

"Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book 'Of Pandas and People,' is available for students to see if they would like to explore this view in an effort to gain an understanding of what Intelligent Design actually involves. As is true with any theory, students are encouraged to keep an open mind.

"The school leaves the discussion of the Origins of Life up to individual students and their families. As a standards-driven district, class instruction focuses on the standards and preparing students to be successful on standards-based assessments."

The following was added to the district's press release on the statement on Dec. 14:

"The foregoing statements were developed to provide a balanced view, and not to teach or present religious beliefs. The Superintendent, Dr. Richard Nilsen, has directed that no teacher will teach Intelligent Design, Creationism, or present his or her, or the Board's, religious beliefs."

LOAD-DATE: March 26, 2005
What it means to Dover case
LAURI LEBO and JOE MALDONADO. York Daily Record. York, Pa.: Jan 14, 2005. pg. 1/07

Abstract (Document Summary)

The attorney representing the Dover Area School District said a federal judge's decision regarding stickers on textbooks in Cobb County, Ga., will not affect the battle here over intelligent design.

In a case that has been watched closely by people on both sides of the Dover debate, District Judge Clarence Cooper ordered a suburban Atlanta school system Thursday to remove the stickers from its high school biology textbooks that call evolution "a theory, not a fact."

"(The sticker) was just a critique of evolution," [Eric Rothschild] said. "(In Dover) we have that and the affirmation of intelligent design, which is clearly a religious concept."

Full Text (357 words)

The attorney representing the Dover Area School District said a federal judge's decision regarding stickers on textbooks in Cobb County, Ga., will not affect the battle here over intelligent design.

In a case that has been watched closely by people on both sides of the Dover debate, District Judge Clarence Cooper ordered a suburban Atlanta school system Thursday to remove the stickers from its high school biology textbooks that call evolution "a theory, not a fact."

But the verdict is still out on whether Dover's change to its biology curriculum, requiring students to hear about the concept of intelligent design, will hold up in court.

Intelligent design is the idea that life is too complex to have evolved solely through natural selection and therefore was created by an intelligent designer.

Last month, 11 parents filed suit against the Dover Area district over the October curriculum revision.

Richard Thompson, president of the Thomas More Law Center, which is representing the Dover Area district, said a Pennsylvania court would not be required to follow the judge's ruling in the Georgia case.

Also, Thompson said, Judge Cooper in his written decision spelled out that the Atlanta case had nothing to do with the concept of intelligent design.

Still, that doesn't mean Thompson, whose firm touts itself as being "dedicated to the defense and promotion of the religious freedom of Christians," likes the decision.

"It's quite permissible in school to put condoms on cucumbers," he said, "but don't you dare criticize evolution."

Eric Rothschild, an attorney representing the parents from Pepper Hamilton, LLP in Philadelphia, said he was aware of the court's decision.

"We've been watching this case closely," he said. "And we think the result was very favorable to our position."

While Rothschild said he would never assume that any Pennsylvania judge would automatically follow suit on the issue, he also said he felt his client's case was even stronger than that of the plaintiffs in the sticker case.
"(The sticker) was just a critique of evolution," Rothschild said. "(In Dover) we have that and the affirmation of intelligent design, which is clearly a religious concept."

Credit: York Daily Record
Attorneys representing both sides in the lawsuit against the Dover School District over its biology curriculum say their cases will be strengthened by a federal judge's decision yesterday in an evolution case in Georgia.

a theory that attributes the origin of life to an intelligent being.

In Georgia, U.S. District Judge Clarence Cooper ruled that stickers placed in high school biology textbooks, calling evolution "a theory not a fact," were an unconstitutional endorsement of religion. He ordered them removed.

Cobb County, Ga., school officials put the stickers in the books two years ago. They read: "This textbook contains material on evolution. Evolution is a theory, not a fact, regarding the origin of living things. This material should be approached with an open mind, studied carefully and critically considered."

Similar language was used in a statement written by Dover school officials in November. It raised questions about evolution and referred to intelligent design theory. Dover's statement says, "Because Darwin's Theory is a theory, it is still being tested" and, "The Theory is not a fact."

It also states that students are "encouraged to keep an open mind" about evolution and intelligent design theory.

The statement will be read to Dover biology students starting next week.

Plaintiff's lawyer -- helpful precedent: But last month, 11 parents sued over the curriculum, saying it violated their children's religious freedom.

Their attorney, Eric Rothschild, said the Cobb County case sets a helpful precedent and is a good sign because of similar issues in both cases.

However, he said every case has to be decided on its own merits and he believes the case against Dover is even stronger because Dover's policy goes further than the stickers with its inclusion of intelligent design theory in the curriculum.

In addition, Rothschild said there is a stronger record of the Dover school officials' religious motivation and that Dover's language "takes pains to single out evolution as the only scientific theory being taught for which there are gaps and problems."
District officials, represented by the Thomas More Law Center free of charge, say the curriculum seeks to give students a better education by making them "aware" of "gaps/problems" with evolution and that other theories exist.

**Board’s lawyer -- strengthens defense:** Richard Thompson, chief counsel of the Thomas More Law Center, said the Cobb County decision will not impact the defense’s case at all and will probably strengthen it.

Thompson cited support for Dover in Judge Cooper’s ruling, which reads, "the Court is not resolving in this case whether science and religion are mutually exclusive, and the Court takes no position on the origin of the species. Second, the issue before the Court is not whether it is constitutionally permissible for public school teachers to teach intelligent design. ... Third, this case does not resolve the ongoing debate regarding whether evolution is a fact or theory."

Thompson said the defense will use much of the same case law cited in the judge’s ruling and said the definition of a scientific theory was taken directly from the biology textbook, which makes it different from the language used in the Cobb County stickers.

The case against Dover is expected to go to trial sometime this year.

**No restraining order:** Last week, the plaintiffs decided not to seek a temporary restraining order to block the intelligent design statement because of a dispute over statements of school officials that allegedly showed the board’s religious motivation in changing the curriculum.

School officials either said they could not recall hearing or making certain statements, or said they were made in a different context.

In a statement released on the Thomas More Web site, Thompson said, the "pull back is clearly a good sign for the Dover School District. After several days of depositions it became clear that they simply did not have a strong enough case to ask that the policy be blocked."

Rothschild said he is confident attorneys for the plaintiffs will ultimately be able to prove the board’s religious motivation, but did not have enough time before the deadline for the restraining order.

--- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

The Associated Press contributed to this report.

**LOAD-DATE:** March 26, 2005
Residents: Dover policy breaks the law

Western Pa. case invalidated similar comment rules

By HEIDI BERNHARD-BUBB 1/15 The York Dispatch

A group of Dover residents say the school board's new public comment policy -- limiting public comment to agenda items only -- violates Pennsylvania's Sunshine Law and the First Amendment to the U.S. Constitution.

And they cite a case in Western Pennsylvania that forced a borough to change its policy.

Dover's policy was enacted in December by new board president Sheila Harkins who said that the change was meant to keep the meetings running smoothly and avoid contention. She said it was not in response to the ongoing intelligent-design controversy and lawsuit against the district.

However, several residents have questioned whether the new policy was a way for the board to squelch opposition to its agenda.

OTHER ARTICLES IN THIS SECTION

1/15/2005
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questions; Week of Prayer
comments; Local services celebrate prayer week
or
requests; Nation
put; Washington briefs
an item; World
on the
agenda to be submitted to the board in writing. The school board has final
say on what will go on the agenda.

Beth Eveland, Cynthia Sneath and Tammy Kitzmiller, plaintiffs in the
lawsuit against the district over the inclusion of intelligent design in the
biology curriculum, passed out a handout at Monday’s meeting that
questioned the legality of the public comment policy.

Eveland said the handouts were given to the public on behalf of the three
plaintiffs and “a group of concerned taxpayers” because they wanted to
get information out and would not be allowed to speak because the policy
was not on the agenda.

Superintendent Richard Nilsen said the handout would be passed along to
the district’s solicitor Stock and Leader and a response would be given
next month.

Not interested in another lawsuit: Eveland said the group is not
interested right now in suing the district. But she thinks the public should
be allowed to discuss such issues as the public comment policy and the
intelligent design debate, at the board meetings rather than in writing or
with individual school board members.

The residents’ protest of the policy may have solid legal footing.

Teri Henning, legal counsel for the Pennsylvania Newspaper Association
said she thinks "a blanket policy that restricts comment in this way is
overly restrictive and is inconsistent with the requirements of the
Sunshine Act."

According to Henning, the Sunshine Act requires government agencies to
allow residents and taxpayers a "reasonable opportunity" to comment on
"matters of concern, official action or deliberation which are or may be
before the board or council."

The Sunshine Act also gives the public the right to comment on matters
that "may be" before the board in the future. Restricting comments to
agenda items only would not allow residents to comment on future
business or ongoing business.

Constitutional argument: Witold Walczak, legal counsel of the
Pennsylvania American Civil Liberties Union, said government agencies
are allowed to limit public comment in ways that are content-neutral, for
example, limiting the length of comment, when it occurs, and banning
obscene or irrelevant comments, such as reading from the phone book.

However, he said, the public has a right to comment on any current or
future school district business and cannot be restricted to agenda-items

P 00386
only, he said.

Walczak said there is also a strong constitutional argument against the policy.

It violates the public's right to free speech because the board can restrict those things that they don't want to discuss; they are controlling the message, and that is prohibited by the First Amendment, Walczak said.

Walczak was an attorney for a similar case in Western Pennsylvania cited in the Dover residents' handout.

In the 2002 case, Schlegel v. Plum Borough, a federal judge issued a temporary restraining order against a provision of a borough ordinance that limited residents' comments to items on the council's agenda.

He said that he sees no difference between Dover's policy and the Plum Borough ordinance provision.

Walczak said Plum Borough ultimately settled with the plaintiffs, paid their fees, and changed its policy.

The school board's next meeting, where the policy may be discussed, will be at 7 p.m. Feb. 7 at North Salem Elementary School.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

Your Voice
What do you think about the Dover School Board decision to include intelligent design in the curriculum?

(More Messages)

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<thead>
<tr>
<th>Who is the designer</th>
<th>1/15/2005 2:02:00 PM</th>
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<tr>
<td>Dover Resident</td>
<td>With the story of creation in the Bible, you know that the creator is God. With Intelligent design, it is only stated that life on earth is too complex to have evolved, that it had to be created. ID does not identify the creator. So with intelligent design, the creator could have been anyone, God, an alien or even Satan. Contemplate on that for a few minutes. If you are a Christian, and you believe in the Book of Genesis, you should be as outraged that the school board is teaching something other than Creationism, as you may be that the curriculum contains evolution. You need to find out more about ID before you go jumping on the school boards band wagon.</td>
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<th>ID</th>
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<td>Biology Teacher in New Mexico</td>
<td>#1 Intelligent design has a far more scientific base than John Q Public knows about. #2 Find a believable naturistic theory for the origin of life on Earth and ID will go away. Otherwise ID makes the most sense scientifically. #3 Controversy is a great educational motivator. You have to</td>
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understand a system to be able to judge its validity.

Dover Issue       1/14/2005 10:16:00 AM
Joan Bitzer
I watched Nightline last night. Mr. Mumment's assumption that anyone who is not a devote Christian automatically thinks Christians are half-educated and dumb because they believe in creationism, I.D. or whatever you call it is ludicris. He doesn’t understand that by pushing their faith, they are ostracizing those who don't share their faith. Creationism, I.D. and the like are just that, FAITH. Pushing it into a scientific forum does not make it scientific. Until it stands to the same scrutiny as evolution, it remain faith.

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Luddite imbeciles
1/13/2005 11:01:00 PM
Lowell Skelton
This controversy has gone on far too long. It's a clear choice between teaching science or mythology. Those who believe evolution is "teaching atheism" are beyond any hope of education. Apparently they believe God is too stupid to put a complex process like evolution into motion. With these imbeciles dictating education policy, the next curriculum revisions will be the stork theory of reproduction, and the use of black cats, ladders, broken mirrors, and rabbits' feet in determining mathematical probability.

Our Children's Future
1/12/2005 6:01:00 PM
Jerry Sparks
The children in these classrooms will soon find themselves in an incredibly competitive job market. Science and technology will be the driving forces. If one wants a lesson in natural selection then attempt to find a job when you are not qualified. Darwin pulled a lot of his ideas from Thomas Malthus and considerations of successful business enterprises. Businesses that could not compete would be chosen against and eliminated. If we want our children to be "fit" in the science and technology job market then the highest standards need to be maintained in science. How can a school board think they are helping the children accomplish this when they are running against the grain of the National Academy of Science and the scientific community at large regarding the merits of this issue? One
can always find a Doctor that will advocate snake oil if it fits their needs. One will always be able to find scientists that will believe in ID, UFOs, or the Loch Ness monster. If these indeed have merit then let the scientific community work it out first. Do not turn a child's classroom into a sociopolitical battleground where the primary casualty of war is the child's education and future.

1/12/2005 2:05:00 PM

Mary Bupp

I believe there is a silent majority of parents in Dover who agree with what these 11 parents are trying to do. But they are afraid to speak out lest they be judged by their neighbors and congregations. It believe most pastors in the area probably side with Pastor Esbach. There is a time and a place for everything. If it looks like a dog, sounds like a dog and wags like a dog, it is a dog. Let's call I.D. what it really is, creationism in wolves clothing. I hope the silent majority can muster the conviction to back these courageous 11 parents.

1/12/2005 2:00:00 PM

Dover Wentz

There has been a majority of public comment about this at the Dover School Board meetings, yet they turned a blind eye (ear). What happened to representation of the taxpayers. These people are promoting their own agenda. Let the scientists figure it out! Science texts are updated every couple of years - more than any other text book. Why? Because science is always discovering new and exciting things about our world. To keep informed I read science journals - from all walks. Maybe more people should do the same.

1/12/2005 1:56:00 PM

Ray Hunt's comment

John Baublitz

I agree with Mr. Hunt. This board's previous words and actions speak louder than their current words. Let's vote the rascals out of office!

1/12/2005 1:53:00 PM

Dover Issue

Barb Stoffer

I agree with Mr(?) Blymire's comment below. If that is how a religious school teaches creationism and evolution, why wouldn't a public school do the same?

Post a Message
Statements from depositions

York Daily Record. York, Pa.: Jan 16, 2005. pg. 11

Abstract (Document Summary)

On Jan. 3 three Dover Area School District board members Bill Buckingham, Sheila Harkins, Alan Bonsell and Supt. Richard Nilsen gave depositions that dispute many of the remarks from school board meetings attributed to them by the York Daily Record/Sunday News and The York Dispatch.

-- Regarding statements that board members said creationism should be taught in addition to evolution at June 7 and June 14 board meetings, school board President Sheila Harkins said, "We never looked for a book that included both creationism and evolution, never."

-- Regarding statements attributed to Bonsell at the June 7 school board meeting that there were only two theories that could be taught (evolution and creationism), Bonsell said, "I didn't say that."

Full Text (475 words)

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The following are some of the statements and their responses to them in the depositions.

-- Regarding statements that board members said creationism should be taught in addition to evolution at June 7 and June 14 board meetings, school board President Sheila Harkins said, "We never looked for a book that included both creationism and evolution, never."

Board member Alan Bonsell said, "All this debate about creationism, yes, that never did happen. It was not a debate about creationism."

-- Regarding an article that said Buckingham objected to the proposed high school book because it was laced with Darwinism, plaintiffs' attorney Stephen G. Harvey asked, "Did you say that?"

"Not to my knowledge," Buckingham said. "I expressed a concern."

-- Regarding the statement attributed to board member Bill Buckingham after the June 7 school board meeting: "This country wasn't founded on Muslim beliefs or evolution. This country was founded on Christianity, and our students should be taught as such."

Board President Sheila Harkins said, "It wasn't said then."

Harvey asked, "How do you know that?"

"He only said it once. Once was too much," Harkins said.

"You did hear him say that in or around November of 2003, correct?" Harvey asked.

"You better believe it," Harkins said.

"To the best of your knowledge, he didn't make this statement again on June 6th?" Harvey asked.
Harkins: "That's correct."

Board member Alan Bonsell said, "... before this, there was another discussion on the Pledge of Allegiance, but this was the year before.

Plaintiffs’ attorney Eric Rothschild asked, "You think he did make a statement along those lines regarding the pledge?"

"To be honest," Bonsell said, "I'm not sure when he said it or if it if this is exactly what he said, I'm just not sure."

-- When Nilsen was asked whether he recalled any of the board members "speaking in favor of a biology book that includes theories of creationism as part of the text," the superintendent said, "No."

Later in the deposition, Nilsen was asked, "You have no recollection of the subject of creationism at any School Board meeting?"

"That's correct."

Have the School Board members expressed to you in any other setting their desire to have creationism taught in the public school?

"No. Exact opposite."

What do you mean by exact opposite?

"They don't want the origins of life taught at all."

--Regarding statements attributed to Bonsell at the June 7 school board meeting that there were only two theories that could be taught (evolution and creationism), Bonsell said, "I didn't say that."

Credit: York Daily Record
Dover figures deny remarks on creationism

Their depositions contradict what others remember

By LAURIE LEBO

Daily Record Sunday News
Sunday, January 16, 2005

As Dover Area School District officials prepare to read a controversial statement to ninth-grade biology classes this week, what really happened at school board meetings in June has become a central issue in the First Amendment fight over intelligent design.

In sworn depositions, school board members deny charges that they were motivated by religion when they revamped the district science curriculum to include the phrase "intelligent design."

School board members Bill Buckingham, Sheila Harkins and Alan Bonsell and Supt. Richard Nilsen have, under oath, either said they have no memory of making the remarks related to creationism or denied making them.

But some residents and former district officials insist the board members made the statements they later denied making.

Attorneys for 11 parents suing the district over the curriculum requirement that biology students must be told about the concept of intelligent design say the requirement is an attempt to get God into science class, something the U.S. Supreme Court has forbidden in a number of cases.

In the federal lawsuit’s complaint, filed in December, attorneys point to several remarks concerning creationism reportedly made by some board members at school board meetings last summer. The statements were reported by both The York Dispatch and the York Daily Record/Sunday News.

"I was a part of the curriculum committee, and I've never had anyone ever talk about looking for a book of creationism and evolution," Harkins said in depositions.

When attorneys asked Buckingham whether he said at a school board meeting that all he wants is a book that offers balance between what he said are the “Christian view of creationism and evolution,” Buckingham stated,
"Never said it."

But a taped television interview at the time shows Buckingham, the board's chief proponent of intelligent design, talking about teaching creationism in science class.

At issue are discussions that took place at the June 7 and June 14 meetings on whether to approve a teacher-recommended biology book. In deposition hearings Jan. 3, the parents' attorneys attempted to show the discussions were about whether students in the ninth-grade biology class should be taught creationism in addition to evolution.

**Teaching two theories?**

In June, Buckingham voiced concerns that the biology book included references to Darwinism. But in their depositions, three school board members said they don't remember any discussion of creationism at board meetings.

One week after the June 14 meeting, Buckingham, in a taped interview with a Fox television reporter regarding the biology textbook, said, "My opinion, it's OK to teach Darwin, but you have to balance it with something else such as creationism."

He also said in the WPMT-TV (Ch. 43) interview that he opposed the biology textbook because "the book that was presented to me was laced with Darwinism from beginning to end."

In his deposition, Buckingham said he didn't recall uttering the phrase "laced with Darwinism," although he admitted to having concerns with the mention of evolutionary theorist Charles Darwin in the textbook.

Richard Thompson, president of Thomas More Law Center, which is providing legal representation to the district in the suit, did not return calls for comment regarding the television interview.

Eric Rothschild, an attorney for Pepper Hamilton, which is representing the 11 parents suing the district, also declined to comment, saying he first wanted to view the tape himself.

When board members in their depositions disputed
published accounts of the meetings, parents' attorneys decided they could not prove their case in time to meet a court deadline to request an emergency injunction that would have prevented intelligent design from being mentioned in class this week.

But while plaintiffs were temporarily thwarted by the denials in the depositions, they say the battle is far from over. No court date has yet been scheduled.

The parents' case had been hindered because there is believed to be no recorded documentation of the meetings. According to practice, the school board recorded the two June meetings. However, after the official minutes are typed, all tapes are recorded over. The official minutes, available online at http://www.dover.k12.pa.us, include motions and votes but do not record the discussions or statements made by board members or others.

Also, there has been little discussion of the issue since the board changed its public comment policy last month and prohibited residents from discussing items not on the printed agenda without first submitting a request in writing.

'Died on a cross'

One of the most controversial statements, which was quoted in the lawsuit and by both local newspapers, was reportedly made by Buckingham at the June 14 meeting: "Two thousand years ago, someone died on a cross. Can't someone take a stand for him?"

In depositions, both Harkins and Buckingham said the remark had been made only at a meeting in November 2003 during a debate over the Pledge of Allegiance.

"He never said that again," Harkins said.

Christie Rehm, one of the 11 plaintiffs in the case, said she remembers Buckingham making the remark, and said she didn't start coming to board meetings until June 2004 -- after the controversy over the biology textbook arose.

"I genuinely recall what I heard," Rehm said. "In part because I was so appalled by that meeting."

Former board members Jeff and Casey Brown said they recall Buckingham's statement from the June meeting, as
well as an ongoing discussion of creationism.

The Browns resigned from the school board in October 2004 after the board voted to add the phrase "intelligent design" to the biology curriculum. When asked if the "died on a cross" statement could have been made only in November 2003, Casey Brown said, "Absolutely not."

Her husband said he remembers the specifics because "It kind of made me want to crawl under the table."

Former board member Larry Snook, who left the board in 2003, also recalls Buckingham's remark. He said board members were discussing creationism during the textbook debate.

However, Noel Wenrich, who stepped down from the board in October 2004, said he thinks the remark might have been made in November 2003 by Buckingham's wife, Charlotte. While Wenrich supports teaching the concept of intelligent design, he said he disagrees with the way the board handled it and was one of three board members who voted against the curriculum change Oct. 18.

Warren Eshbach, a retired pastor who has on several occasions appealed to the school board to drop the intelligent design requirement, also said he recalls creationism being discussed at the meeting.

He himself used the word when he addressed board members on June 14. He said he remembers asking them, "Are you sure you want to mandate the teaching of creationism?"

He said he remembers cautioning them that to do so would violate U.S. Supreme Court decisions forbidding the teaching of creationism in public school science classes.

Proponents of intelligent design — the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer — say that the concept is not related to the biblical account of creation.

Despite board members' assertions that intelligent design is not about religion, in court depositions, Bonsell, Buckingham and Harkins struggled to define it.

"It's a scientific theory because a lot of scientists back it,"


Buckingham said.

Bonsell declined comment last week. Harkins and Buckingham did not return phone calls. Pastor Edward Rowand, who joined the board in December, would not talk to a reporter because the reporter declined to discuss her religious beliefs.

"If you won't talk to me, I'm not going to talk to you," he said.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

Statements from depositions

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Board President Sheila Harkins said, “It wasn’t said then.”

Harvey asked, “How do you know that?”

“He only said it once. Once was too much,” Harkins said.

“You did hear him say that in or around November of 2003, correct?” Harvey asked.

“You better believe it,” Harkins said.

“To the best of your knowledge, he didn’t make this statement again on June 8th?” Harvey asked.

Harkins: “That’s correct.”

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“That’s correct.”

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school board meeting that there were only two theories that could be taught (evolution and creationism), Bonsell said, "I didn't say that."
Dover lawyers look to Santorum

Senator's proposed amendment to education bill may affect Dover's ID controversy.

By W.B. SULLIVAN
Medill News Service
Monday, January 17, 2005

WASHINGTON, D. C. — Attorneys for the Dover Area School District have cited a position espoused by U.S. Sen. Rick Santorum, R-Pa., in their defense of the district's proposal to include the concept of intelligent design in high school biology classes.

Representing the parents of 11 Dover students, the American Civil Liberties Union has claimed that the district's decision to include intelligent design in its curriculum is fundamentally about religion and is therefore unconstitutional.

This week, the subject of intelligent design is expected to be addressed in ninth grade biology classes. In three classes administrators are expected to read a four-paragraph statement on the concept.

Intelligent design is the concept that life is too complicated to have evolved randomly through natural selection and therefore must have been created by a supremely intelligent being. It does not claim any religious theory as an answer.

The language of the so-called "Santorum Amendment" was adopted into the conference committee report of the 2001 No Child Left Behind Act. The amendment says, "Where topics are taught that may generate controversy (such as biological evolution), the curriculum should help students to understand the full range of scientific views that exist, why such topics may generate controversy, and how scientific discoveries can profoundly affect society."

Santorum's amendment is not part of the final language of the No Child Left Behind Act and does not mandate the teaching of alternate theories regarding the origins of life.

But according to a September 2003 letter to a major proponent of intelligent design, Santorum and two other congressional Republicans said the amendment's inclusion in the conference committee report "therefore represents the official view not only of the Conference
Committee but of the United States Congress as a whole about how science instruction should proceed under the No Child Left Behind Act."

"We take that language in the fact that it was part of the final conference report, regarded on par with the authority of law," said Richard Thompson, President of the Thomas More Law Center in Ann Arbor, Mich., and lead counsel for the Dover school district. "Courts go to the reports to discover the intent of legislation. Report language has historically been considered."

But that, according to ACLU attorney Vic Walczak, does not pass constitutional scrutiny. The Establishment Clause of the Constitution states that, "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof."

Neither the Santorum language nor the theory of intelligent design make mention of religion.

"Even if this required the teaching of intelligent design it still wouldn't be a defense to the court saying it's unconstitutional," Walczak said. "This should not even come into the legal calculus of this case."

The Santorum language was approved in the Senate by a bipartisan vote of 91 to 8 and was supported by such staunch Democrats as Sen. Edward Kennedy, D-Mass., who once spoke to the conferees on behalf of Santorum's amendment.

"We want children to be able to speak and examine various scientific theories on the basis of all of the information that is available to them so they can talk about different concepts and do it intelligently with the best information that is before them," Kennedy said in a June 13 statement. "I think the senator has expressed his views in support of the amendment and the reasons for it. I think they make eminently good sense."

Kennedy's office declined to comment on whether he currently supports the language as applied to the Dover case.

Santorum proposed the amendment to educators to help students learn to distinguish philosophy from science, but has stated repeatedly that this does not involve creationism.
"I am not an advocate for intelligent design and I do not believe that public schools should be teaching biblical creationism in the science classroom," Santorum said. "However, I do believe that evolution should be taught as a theory — not fact. It's important to teach the controversy of evolution so that students fully understand the depth of discrepancies regarding Darwin's evolution theory and the increasing number of respected scientists beginning to question evolution."

Thompson too contended that the argument in Dover is not over creationism but balanced educational opportunities in schools.

"[Intelligent design] may have net implications, so does evolutionary theory and that does not in and of itself make it unconstitutional," Thompson said.
More parents want to join lawsuit, on district's side

By JOSEPH MALDONADO
For the Daily Record Sunday News
Wednesday, January 19, 2005

A new set of parents have appeared on the intelligent design legal landscape. But unlike the first group, these parents support the Dover Area School District's October decision to include intelligent design in the ninth-grade biology curriculum.

In December, 11 parents sued Dover's school board and administration, saying the inclusion of intelligent design in the classroom violated the constitutional separation between church and state.

Michael and Sherree Hied, Raymond and Cynthia Mumment and James and Martha Cashman have petitioned the courts to become defendants with the board and administration.

The petition was filed Monday in the U.S. District Court for the Middle District of Pennsylvania. Two law firms, Drinker, Biddle and Reath in Philadelphia and The Rutherford Institute in Charlottesville, Va., have agreed to represent the six pro bono.

On the surface it might sound as though these parents are susceptible to the same legal repercussions as the other two entities. But John Whitehead, attorney and president of The Rutherford Institute, said that is not the case.

"These parents did not pass the policy," he said. "Their request is on a separate action."

The "interveners," as they are called in the petition, state they want to ensure that students have access to information concerning the evolution theory's gaps.

"These are very important discussions on the origins of life," Whitehead said. "And (students) need the truth about the different views on this subject."

According to its Web site, the institute's mission is to provide legal services in the defense of religious and civil liberties and to educate the public on important issues affecting their constitutional freedoms.

If the legal representatives of the plaintiff parents succeed
in their lawsuit, Whitehead said, the end result will be the
total censorship of any idea that competes with "Darwin's
Theory of Evolution."

While there is an emphasis in the institute's mission
statement about defending religious liberties, Whitehead
said science classes could also be discussing another
theory called Panspermia.

This concept suggests that life began when a meteor or
comet containing biological spores hit the earth, planting
the seeds for life. Whitehead said the censorship of any of
these ideas would violate the interveners First
Amendment right to free speech.

Jason Gosselin, an attorney from Drinker, Biddle and
Reath, said he understands the plaintiff's concern about
intelligent design's potentially religious connection.

But he also said that even if a connection could be proven
— a claim he disputes — that in itself should not be
enough to discredit and disregard intelligent design's
legitimate scientific value.

"None of these discussions should be banned from any
institute of learning," Gosselin said.

As long as the board is meeting its mandate to teach state
standards, Gosselin said, no one should stop it from going
above and beyond.

Sherree Hied said she was approached to become an
intervener after attorneys from Drinker, Biddle and Reath
read editorials submitted by their daughter, Sarah Hied,
who is in college. The Hieds agreed to be a part of the
petition because they have another daughter getting ready
to take ninth-grade biology in Dover.

"She is slated to hear the intelligent design statement next
time it's read," Sherree Hied said. "And we wanted to
show our support for the board's decision."

Eric Rothschild, an attorney representing the 11 plaintiff
parents, said the new petition won't change anything
about the way they are pursuing the case.

"All this does is involve more lawyers," he said. "And all
that does is increase costs."
He also said that it didn't surprise him that more people were becoming involved.

"We're just going to keep pressing forward regardless of who is taking part," he said.
A Section

Telling biology students of concept divides town

JIM LEWIS
Of The Patriot-News

877 words

18 January 2005
Patriot-News
FINAL
A01

English

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Dover braced for 'intelligent design' battle

Eugene Hildebrand, a retired steel-plant painter, laments the lack of God in America's classrooms as the eggs and toast on his plate at the Route 74 Diner grow cold.

Used to be, teachers would read Bible verses in class. But judges and lawsuits have removed religion from the classrooms, and what do you have? he asks. Sweating on TV, guns in schools, moral decay that shocks the 73-year-old Dover man.

"We're taking Bibles to the jails now," he says ironically. "If they teach a little more about religion in schools, they wouldn't have guns in schools, policemen in schools. If they don't want God in schools, they're idiots."

But he's encouraged by a recent decision by the Dover Area School Board to counter the teaching of evolution with the theory of "intelligent design" in the high school's ninth-grade biology course.

The board voted 6 to 3 in October to read a one-minute statement to those classes that calls evolution "a theory" in which gaps "exist for which there is no evidence." Intelligent design, the statement says, is "an explanation of the origins of life that differs from Darwin's view."

Eleven parents have filed a federal lawsuit challenging the board's decision. But that won't stop the statement from being read to students this semester, perhaps as early as this week, according to a spokesperson for the Thomas More Law Center, a conservative Christian law center that is representing the school board.

Dover is the first school district in the country to require teachers to introduce intelligent design in science classes.

The board's act also may have made Dover, a working-class town of brick and frame houses about 35 miles southwest of Harrisburg, a battleground for the latest fight over evolution and creationism, and the separation of church and state.

Dover is an old, middle-class town of about 1,800 people in the conservative suburbs outside York. Narrow porches hug busy Route 74, below a clock in the tall steeple of a Lutheran church near the small square. Modest Christmas decorations -- placards of Santa Claus and snowmen surrounded by green garlands -- still hang from the square's traffic lights.

At the high school, a flat, red brick building that seems to be a collection of additions, the tall bust of an eagle -- the school mascot -- greets visitors at the entrance.

To Hildebrand, who has lived in town for 33 years, God and biology go together as well as the eggs and toast on his plate.

"It's like the Bible says -- God created the Earth, and that's it," he said. "Evolution is Darwin's theory. It's not a fact. I'll stand on the word of God in the Bible, and nothing else."

Not everyone is happy with the board's decision. Other townspeople see it as an offensive by ambitious conservative Christians to make a name for themselves.

"The six who voted for it are out the door -- everyone knows it," said Kelly Crone, the father of a high-school student, speaking of the chances of incumbent board members winning re-election. "They're going to have more problems with parents fighting over this than what it's worth. If we lose, we pay -- and we're going to lose."


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Others support the effort, seeing it as an overdue victory in a long-time assault against Christianity in schools, courthouses and city halls. To them, someone always seems to be challenging Christian symbols and references to God.

"I'm a little tired of five or six people saying we should take the Ten Commandments out of a courthouse, or God shouldn't be on our money," said Carol Krout, who owns an upholstery shop beneath apartments in a large frame house along Route 74.

Customers and friends outside Dover have sent e-mails to Krout lamenting the same thing, she said. She would like to see the school board's decision put on a ballot for the public to decide. "People are a little tired of everything religious being taken out of everything," she said.

Some aren't fired up by the issue. They believe the one-minute statement on intelligent design is innocuous, perhaps a decent compromise.

Walter Reed sits and smokes a cigarette on the porch of a small frame house along Route 74, a tattered, weather-beaten American flag hanging from a post above him. He believes religion should not be taught in schools -- "That was the purpose of Catholic school, right?" he asked -- but the statement on intelligent design doesn't disturb him.

"It doesn't bother me none," he said. JIM LEWIS: 255-8479 or jlewis@patriot-news.com

PHOTO; PAUL CHAPLIN; Caption: "If they don't want God in schools, they're idiots," said Eugene Hildebrand, 73, of Dover, applauding the introduction of the theory of "intelligent design" in biology classes at Dover Area High School.; "That was the purpose of Catholic school, right?" said Walter Reed of Dover, explaining his opposition to the teaching of religion in public schools.

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Students miss ID idea

Dover Area school officials told students about intelligent design, then left.

BY LAURIE BOK and JOE MALDONADO
Daily Record Sunday News
Wednesday, January 19, 2005

Some of the 35 Dover ninth-graders who heard about intelligent design Tuesday couldn't explain the concept afterward.

The controversial statement didn't define intelligent design, and school administrators who read it didn't answer questions.

Yet the law firm championing the case for the Dover Area School District touted it as a "revolution in evolution."

Dover is believed to be the first district in the nation to require intelligent design to be mentioned as an alternative to evolution in public school science class.

Despite criticism from the district's own science faculty and from university professors — as well as a lawsuit filed to keep the concept of intelligent design out of the classroom — administrators read a four-paragraph statement on the concept and what the statement referred to as "gaps" in evolutionary theory.

But what students in the two classes learned from the one-minute lecture remains to be seen.

When asked to explain intelligent design, Nick Shontz, a student in one of the biology classes said, "I really wasn't paying attention."

His friend Jess Miller, who is also taking biology but who had not yet heard the statement, said she thinks the controversy comes close to violating the First Amendment's Establishment Clause prohibiting the establishment of religion.

"If they're going to teach that, then they should teach everything — like Rastafarianism," Miller said.

The statement read to students didn't actually say what intelligent design is about — the idea that life is so complex it could not have evolved solely through natural
selection and therefore must have been created by an intelligent designer.

Rather, it read: "Intelligent design is an explanation of the origin of life that differs from Darwin's views. The school leaves the discussion of the origins of life to individual students and their families."

Attorneys for the 11 parents suing the district over the requirement say the school board was motivated by religion when it voted 6-3 in October to add the phrase "intelligent design" to the biology curriculum.

Board members say they were merely trying to present an alternative view to the theory of evolution.

But Danielle Yagodich, one of the students in class when the statement was read, disagrees.

While she thinks the statement itself "was kind of confusing," she said the motives behind it are clear.

"Putting this into the curriculum is one small step," Yagodich said.

"Eventually, there's going to be creationism in the class."

No questions

After students heard the statement, they were told that if they had any questions, they should speak to their parents or contact district administrators, students said. They were also told they could refer to one of 60 copies of the book, "Of Pandas and People," kept in the high-school library.

Yagodich said some of her friends had questions, but administrators left the room before anyone could raise their hands.

"Pretty much on the last word they were headed for the doors," she said.

Earlier this month, teachers requested being exempt from reading the statement, and administrators agreed to take over the duties.

When Supt. Richard Nilsen and asst. Supt. Michael Baksa showed up to read the statement, teachers Jennifer Miller
and Bob Linker left the room. About a dozen students, who had signed permission slips from their parents also allowing them to be excused, also left.

After Miller returned to the classroom, she said some students were a little confused and frustrated.

"Students did voice their frustration that they couldn't ask more questions about intelligent design," Miller said.

"A couple of them asked why (the board and administration) still felt the need to read something that their parents could have read to them," she said.

Jessica Arruda, another student taking biology, said she thought that if school board members were so concerned that students learn about intelligent design, than students should have been able to talk about it and ask questions.

"I feel that, if they are for something, then there should have been discussion allowed," Arruda said. "I was wondering why we weren't allowed to ask questions?"

Bertha Spahr, head of the high school's science department, said, "Overall, things went rather smoothly today. After tomorrow, I'm hoping this controversy goes away for at least a little while."

"It's been a long semester," she said. "I just want to get back to doing what we are really paid to do, and that is to give our students the best education in accordance with state standards."

The next pre-trial conference in the federal lawsuit, filed against the district last month by 11 district parents, is not scheduled until August. The trial date is set for Sept. 26.

The statement is to be read again today during the second, third and fourth periods of biology teacher Leslie Prall's biology class. After that, it's not scheduled to come up again until late May or early June.

**Educational value**

In response to the reading, the Thomas More Law Center, which is representing the district in its lawsuit, issued a news release saying "A revolution in evolution is underway."
Richard Thompson, president of the conservative law firm, which touts itself as a defender of the "religious freedom of Christians," said Dover Area students are now receiving the most balanced science education regarding evolution in the country.

But both the Discovery Institute, a leading proponent of intelligent design, and Ken Miller, who wrote the textbook "Biology" used in Dover Area's biology classrooms, said the statement does little to teach students about anything.

"The statement is so strangely worded," Miller said. "It shows little or no educational or scientific purpose."

Even though he is on the opposite side of the fence from Miller on the issue of intelligent design, John West, a Discovery Institute spokesman, agreed.

"Some of the language isn't particularly helpful," said West, an associate director of the institute's Center for Science and Culture. "As a statement about intelligent design, it leaves it hanging.

"It's fairly innocuous, but it doesn't say much," he said.

The statement says: "Because Darwin's Theory is a theory, it continues to be tested as new evidence is discovered."

Miller called the assertion "problematical" because it singles out evolution, even though all scientific theories are subjected on ongoing scrutiny.

He said it sends the message to students that evolution is "an unreliable and shaky part of science ... which is misleading and inaccurate."

In addition, the statement says that "intelligent design is an explanation of the origin of life that differs from Darwin's view."

But Miller said Darwin spoke little of the "origin's of life." Rather, his research was on the "origin of species."

While West said Discovery opposes the teaching of intelligent design in public schools, he said if Dover wants to get the concept into the curriculum, then it should be fully discussed as opposed to merely mentioned.

"This is not a particularly coherent way of going about it,"
he said. "It is confusing."

West said the whole issue raises the question, "Why is the district falling on its sword for something that is so inconsequential?"

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

THE STATEMENT

Dover Area School District administrators read the following statement to ninth-grade students Tuesday as part of the biology curriculum, and are scheduled to read it again today:

"The Pennsylvania Academic Standards require students to learn about Darwin's Theory of Evolution and eventually to take a standardized test of which evolution is a part.

"Because Darwin's Theory is a theory, it continues to be tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

"Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book, Of Pandas and People, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves.

"With respect to any theory, students are encouraged to keep an open mind. The school leaves the discussion of the Origins of Life to individual students and their families. As a Standards-driven district, class instruction focuses upon preparing students to achieve proficiency on Standards-based assessments."

THE CURRICULUM

Dover Area School District's Web site says ninth-grade biology students will spend 19 days studying natural selection, the mechanism of evolution and the origins of biodiversity. According to the instruction guide:

• Students will be able to list evidences used to support
Darwin's theory of the Origins of Species.

- Students will be able to make a timeline that demonstrates evolutionary changes during the history of Earth.

- Students will be able to define natural selection and artificial selection and demonstrate the process.

- Students will be able to describe how speciation takes place, using Darwin's finches as an example.

- Students will be able to list how species change due to reproductive isolation.

The entire ninth-grade biology curriculum can be found at http://www.dover.k12.pa.us. Click "Curriculum," then "Science," then "Science Curriculum," then "Biology."
Parents sue to expand teachings

Claim evolution’s problems are ‘censored’

By CHRISTINA KAUFFMAN

Six Dover Area School District parents filed a petition in a federal court Monday insisting they don’t want information about Darwin’s theory of evolution to be expunged from their children’s education.

The parents are seeking to intervene in a suit filed last month by 11 parents and the American Civil Liberties Union. That suit said that Dover’s middle schools were teaching a “creation statement” instead of the more recent request. The suit was filed by Michael and Sheree Hoo, parents of a ninth-grader.

Dover’s debate

Biology class makes U.S. history

Students finally hear a ‘design’ statement

By CHRISTINA KAUFFMAN

Crowds of students gathered through the building’s doors, many holding signs and signs for the “Design” statement. The statement was presented to the school yesterday at Dover Area High School. It was a day that future students at Dover might not realize about their history books in the BIOS.
History of evolution dispute

Board struggles, rejections mark Dover's decision

By CHRISTINE KARRTEN

The Dover Area School Board, after several months of bickering, is expected to make a decision whether to allow the teaching of evolution challenged by intelligent design theorists at its public schools. But the decision is not expected to be easy.

The decision will be made during the board's meeting on Monday at 7:30 a.m. in the boardroom of the school district's administration building.

The decision, which will be made by a majority vote of the five board members, will be based on the advice of the district's legal counsel, who will present a report on the legal implications of the decision.

The board has been discussing the issue for several months, and has received input from members of the public, including parents, teachers, and students.

The district's legal counsel, who has been consulted on the matter, has recommended that the school board adopt a policy that recognizes the importance of evolution and intelligent design in the curriculum.

The decision will likely be met with opposition from some members of the public, who believe that the teaching of evolution should be emphasized in the curriculum.

However, the district's legal counsel has stated that the decision must be made in the best interests of the students, and that it is important to provide an environment where students can learn about evolution and intelligent design in a balanced manner.

The decision will be a significant moment in the history of the Dover Area School District, and will likely have implications for the future of education in the district.

Biology

Class makes history

Crawford, New Paltz

The biology class at Dover Area High School made history on April 12, 2004, when the students successfully cloned a frog using somatic cell nuclear transfer technology.

The class, taught by teacher John Thompson, had been working on the project for several months, and had received guidance from experts in the field.

The cloning process involved the following steps:

1. The nucleus of a frog cell was isolated and inserted into an enucleated frog egg.
2. The egg was then activated and cultured until it reached the blastocyst stage.
3. The blastocyst was then implanted into the uterus of a host frog, and the embryo developed into a clone.

The successful cloning of the frog was a significant achievement for the biology class, and was seen as a major breakthrough in the field of cloning.

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Retirement Communities

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P.00425
In an upbeat report to the community, George W. Waldner, president of York College, reflecting the feelings of faculty and staff, declared of his students...

"With very few exceptions, they have solid values, clear goals, obvious talent and a strong desire to be successful in life."

Students hail from a widening geographic area. York County, of course, but many other communities in Pennsylvania, plus Maryland, New Jersey, New York, Connecticut, Virginia and Delaware.

Locally, Red Lion tops the roster of students entering York College. Susquehannock is next, followed by Dallastown, Central and Eastern.

"... Statistics tell a story of very positive change," Waldner notes. "Two-thirds of our entering freshmen this year graduated in the two top quintiles of their high school classes. Ninety-eight percent had 'A' or 'B' averages... and their average combined SAT was 1095..."

Interestingly, Waldner points out that "the bulk of our students prefer to label themselves politically and socially moderate, rather than liberal or conservative. When I think of the 'typical' York College alumnus or student in terms of lifestyle values, the words 'middle-of-the-road' come to mind. That has not changed over the years."

In these days of debate about religion, the First Freedom Center finds...

- 83 percent of those surveyed reject the idea of an "official religion" for the nation.
- 84 percent say religious liberty is more important or as important today as it was at the country's birth.
- 59 percent feel it is important to understand the religious beliefs of others.

000787
Dover debate expands to other faiths
Buddhist, biologist will speak about religion's place in science

By CARYN TAMBER
The York Dispatch

To Andy Hoover, the debate over the teaching of evolution in Dover has been wrongly dominated by those of one religion.

The Dover school board voted last October to mandate the reading of a statement making ninth-grade biology students aware of "gaps" in Darwin's theory of evolution and referring the students to a book on intelligent design. Intelligent design holds that the world is so complex that it must have been designed by some kind of intelligent force.

Hoover is the community education organizer at the Harrisburg office of the American Civil Liberties Union, which joined 11 Dover parents in filing a federal lawsuit against the board and the district.

Beyond Christianity: "We've heard a lot of Christian perspectives on this topic, and it seems worthy to take the time to find the perspective from at least one of the other world religions and how it affects American education," Hoover said.

Next week, a representative from a very different faith tradition will discuss his thoughts on the Dover controversy.

Sensei Anthony Stultz, spiritual director of the Harrisburg-based Buddhist group Blue Mountain Lotus Society, will join a Shippensburg University biologist and one of the attorneys representing the ACLU in a discussion on religion's place in science.

Buddhist beliefs: "In Buddhism, we don't have a specific mythology about creation," said Stultz, who has a master's degree in physics and religion. "In fact, Buddhists, we don't have any kind of teaching about a creator. "Our assumption is that the universe has always existed in one form or another," he said. "When it comes to asking questions about the origin of the universe, we rely on scientific inquiry most of the time."

Stultz said he does not see how intelligent design has any science to back it up.

Next week's event is sponsored by the Central Pennsylvania Coalition for the Defense of Civil Liberties, whose member groups include the ACLU, the Council on American-Islamic Relations, Andrew Young National Center for Social Change and Harrisburg's Institute for Cultural Partnerships.

Reach Caryn Tamber at 854-1975 or caryntamber@york-dispatch.com.

Discussion at Dickinson

The Central Pennsylvania Coalition for the Defense of Civil Liberties will sponsor "The Dover Dilemma: A Conversation on Religion in the Science Classroom," at 7 p.m. Tuesday. The event will be held at the Dickinson School of Law, Room 144, College and South streets in Carlisle. The public is invited and admission is free.
Science and religion: Time for a bridge?

Panelists tackle Dover biology debate

By CHRISTINA KAUFFMAN
The York Dispatch

Sensei Anthony Stultz, quoting the Dalai Lama, said trying to define the creator of the universe creates more problems than answers.

The issue of religion and public schools has stirred controversy from the Dover Area School District to Cobb County, Ga.

The arguments don't serve a purpose but to polarize the community: those who believe in evolution and are characterized by their opponents as "God-hating, atheistic, amoral" people against those who believe and are "moral" and "good," he said.

There is a middle ground, he said. People can believe in God and in evolution. But those who push the issues have their own agendas, and they want to fuel the division.

It's time for discussion — open, honest discussion — between the two parties, he said.

About 15 people attended the forum last night at the Dickinson School of Law in Carlisle to talk about the legal battle that the Dover Area School District is embroiled in.

While two science teachers from Dover Area High School turned out, no other identified Dover resident engaged in the dialogue.


Stultz, the head teacher of Harrisburg's Blue Mountain Lotus Society, a Buddhist society, was one of five speakers on the panel.

Thomas Schmidt, an attorney with Pepper Hamilton, a law firm that volunteered to take the case of 11 parents who are suing the school district and its board, also attended.

Schmidt refused to talk specifically about the Dover case, citing a conflict of interest.

But, he did explain the First Amendment's "establishment" clause, which bars government entities — such as a public school district — from establishing a religion.

Last Oct. 18, the school board voted to include a statement about the theory of intelligent design in its biology curriculum. Intelligent design attributes the origins of life to an intelligent creator.

Some said the move violated the First Amendment of the Constitution and opened the door for religion to be taught in public schools.

Overview from teachers: Science teachers Rob Eshbach and Jenn Miller gave the audience a brief overview of the curriculum change, on which discussion began about 18 months ago, they said.

Last week, school administrators went to biology classes and read the statement, which says there are gaps in the theory of evolution and that there are alternative theories, such as intelligent design.

Miller, like other science teachers, stood in the hallway with students who didn't want to hear the statement.

The teachers said their science department colleagues opted out of reading the statement because a state ethics clause says they should not teach something in the classroom if they don't believe it is true.
The teachers don’t believe intelligent design is a viable scientific theory, they said.

They refused to share their personal views about intelligent design.

“That would not be professional at this time,” Eshbach said. “Our personal views don’t enter the classroom.”

Shippensburg biology prof: Pablo Delis, a biology professor from Shippensburg University, said evolution is “basically understood as a fact” in the scientific community.”

He held up a recent National Geographic magazine. The cover asked “Was Darwin wrong?”

“A teaser,” Delis said, opening the magazine to the story about evolution and scientist Charles Darwin, who developed the theory of evolution.

“No,” the magazine title said. “The evidence for evolution is overwhelming.”

The theory of intelligent design represents “a lack of understanding or lack of knowledge at the microscopic level,” Delis said. Many questions brought forth by intelligent design proponents were “thoroughly resolved at the beginning of the 19th century.”

Delis said that, for more than 145 years, scientists have been trying to make a name for themselves by “knocking down Darwin,” but no one has been able

“This controversy is a great opportunity to teach what science is and what science is not,” Delis said. “I cannot tell you, through science … if your stand on any issue is good or bad. I cannot tell you if you have a soul, or even if I have a soul.”

Raised a Catholic in Spain, Delis said he wears his “science hat” when he’s being a scientist. He leaves behind his opinion as a human being.

Many tensions: Edward Davis of Dillsburg, a Messiah College professor of the history of science, said tensions exist between the scientific community and many areas of life and human culture.

Dickinson College religion major Jackie Wagaman, 20, was one of few students who attended the forum.

A Manchester Township native, the West York Area High School graduate said she thinks the Dover situation is “just absurd.”

“I’m not comfortable with the term ‘intelligent design,’” she said. “I don’t really think it holds a lot of water. It’s like taking the easy way out of calling it creationism.”

— Reach Christina Kaufman at 717-539-534 or kaufman@yorkdispatch.com.

Edward Davis of Dillsburg, a professor of history and science at Messiah College, discusses his views on science and religion at last night’s meeting in Carlisle about the Dover School Board intelligent design issue.
Firm polls Dover residents about ‘design’

Results of 400 questioned expected tomorrow

BY CHRISTINA KAUFFMAN
The York Dispatch

Few Dover residents turned out to offer opinions at a forum held last night to talk about religion and science, but a Harrisburg-based research firm is conducting a telephone poll to ask residents how they feel about the intelligent design debate.

Jim Lee, president and founder of Susquehanna Polling and Research, said a poll of 400 random, registered voters in Dover Area School District was completed last night.

He said results of the poll and the exact questions will not be available until a 1 p.m. press conference tomorrow at the capital rotunda in Harrisburg.

But, he said, the poll consisted of questions like:

■ Generally, do you approve or disapprove of action the school board has taken?
■ What is your perception of what intelligent design means? Is it a legitimate scientific theory or religious theory synonymous with creationism?
■ Why do you support or not support the action the board took?
■ How important is the school board’s decision to who you will vote for in the upcoming election?
■ Do you think the school board is doing a good job overall?
■ Is the school district going in the right direction?
■ What is the most important problem facing the school district?

“Testing the temperature, so to speak, of the electorate with some big picture-type questions,” Lee said.

He said he is interested to see how the school board’s decision will impact the school board elections.

Lee said that no one commissioned the two-day poll; his company will fund the research.

“When there is an event or something very newsworthy, we like to once in a while conduct a survey just to get information out there to the public,” he said. “It’s an interesting topic and we thought it met the test for doing it internally.”

“The ramifications of what the school board did will have a ripple effect across the state and the nation,” he said. “People’s perception has as much to do as what the experts are saying.” He said the company purchases a sample of registered voters in the school district and calls them at random.

The demographics of respondents mirror the demographics of school district, with the same percentage of senior citizens and Democrats and Republicans, and is consistent with voter turnout numbers in Dover Area School District, he said.

Copies of the Dover poll will be handed out at tomorrow’s press conference, Lee said.

The margin of error for the survey is about 4.5 percent, he said. Susquehanna Polling and Research is a 4-year-old company that primarily does polling for Republican candidates for public office.

“We’re a political polling firm, so we need to pick one side or the other in order to be reputable,” he said.

But the company also works with trade groups, lobbying firms, corporations and organizations.

It’s client list includes groups from the conservative, such as the National Federation of Independent Business, to the liberal, such as the Human Rights Campaign, which lobbies for gay and lesbian rights, Lee said.

He refused to comment on his opinion of intelligent design.

Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.
Local/State
'Dover Dilemma' speakers favor science
MATT MILLER
Of Our Carlisle Bureau
503 words
26 January 2005
Patriot-News
CARLISLE
B01
English
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The debate over intelligent design is fomenting a fuss in Dover Area School District, the media and the courts, but it didn't draw a crowd at the Dickinson School of Law last night.

About 20 people attended a free program by the Central Pennsylvania Coalition for the Defense of Civil Liberties on "The Dover Dilemma," the legal battle over the bid by the school board in that York County district to require that biology students be made aware of the concept of intelligent design as an alternative to the theory of evolution.

The fight over intelligent design -- which poses that life is so complex that a supremely intelligent being must have created it -- has taken the district and dissenting parents into federal court.

An attorney, two Dover biology teachers, a leader of midstate Buddhists and a Shippensburg University biology professor who participated in last night's program in a law school classroom all took similar positions; none advocated the Dover board's action.

The professor, Pablo Delis, called the Dover controversy "a great opportunity to teach what science is and what science is not."

Evolution is provable, he said, as humans have shown through the breeding of animals and cultivation of favored strains of plants. Intelligent design proponents exhibit "a basic misunderstanding of what science is and how science operates," Delis said.

Science, he said, is a means of exploring and understanding the natural world, not a vehicle to prove or debunk religion.

"We cannot answer questions about spirituality, questions about the soul, questions about God with science," he said.

Anthony Stultz, spiritual director of the Blue Mountain Lotus Society, a former fundamentalist Christian and a believer in evolution, said Buddhists don't even address the issue of a creator. Nor, he said, are they averse to changing their beliefs if science proves them wrong.

Stultz agreed with Delis that intelligent design isn't science, but an attempt by advocates of "theism" -- the belief in a God who intervenes in human affairs -- to buttress their waning influence in society.

Dover teachers Jen Miller and Rob Eschbach said they don't delve into creation issues anyway.

"It has never been our practice to teach the origin of life," Eschbach said. "Our main concern is how species evolve over time. ... We're not really concerned about how we got here."

Thomas Schmidt, whose law firm, Pepper Hamilton, represents the 11 Dover parents who are suing the district, said their fight and others across the country, mark the latest rounds in a decades-long battle over efforts by religious interests to breach the constitutional separation of church and state.

Intelligent design, he said, is merely the "next wave" in the assault, a follow-up to attempts to teach creationism in public schools.

"That will be part of the struggle in the Dover case: Is it religion, or is it science?" Schmidt said. TATT MILLER: 249-2006 or mmiller@patriot-news.com

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7/22/2005
SECTION: <B>

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HEADLINE: Tax reform takes priority

BODY:

Fifty percent of readers responding to The York Dispatch Web poll on President Bush's agenda for the second term felt reform of the nation's tax code should be his top priority.

More than 12 percent said Bush's other key initiatives should be to keep the military up to date and ready to respond to terrorist threats around the world.

Twelve percent also said the president should move with the Congress to solve problems facing the Social Security system, develop programs to stem the loss of jobs and get a handle on the deficit.

This week's question:

The Dover Area School Board controversy over the inclusion of intelligent design in high school biology classes has brought sharp criticism from those opposed to introducing religion in public schools and support for the board from religious groups.

Should the school board:

--- Rescind its decision to include intelligent design concepts in public school classes?
--- Continue to battle a federal lawsuit brought by parents and the ACLU to halt the inclusion in the biology curriculum.

Poll results will be reported weekly and a new poll question asked. To vote, go to www.yorkdispatch.com and follow the prompts.

LOAD-DATE: March 26, 2005
Sports

DISTRICT 3 GIRLS' BASKETBALL RANKINGS

CHRIS KORMAN
Of the Patriot-News
226 words
28 January 2005
Patriot-News
FINAL
T12
English
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NOTES: Dear District 3-AAA girls' basketball teams:

This is our second letter. Apparently the first one -- in which we asked politely for one of you to step to the front of the pack -- didn't reach you.

So now, as Feb. 15 and the start of the district playoffs loom, we thought we'd check in again.

Here's our dilemma. We rank a team like Susquehannock -- which we know to be a talented, well-coached squad -- and it goes and loses to 7-14 Dover.

Sure, there's some wacky stuff happening down in Dover, but last we checked, intelligent design had nothing to do with playing hoops.

Now check out Palmyra. Both losses are to that ludicrous Lower Dauphin team, but some of the wins haven't been all that convincing. Take, for example, the 33-28 win over Mechanicsburg. That same Mechanicsburg team then went and lost to an 8-10 Hershey team.

Of course, the picture is clearing up in Class AAA, because Monica Dean is back for McDevitt and should be back to herself when the games start to matter.

Still, one thing is clear: if there were ever a year for an open tournament, this is it. And open is certainly the right word for 3-AAA.

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Local/State

Poll finds 'design' decision support; But Dover voters dislike controversy

From staff reports
592 words
28 January 2005
Patriot-News
FINAL
B01
English
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Registered voters in Dover Area School District support their school board's decision to inform students of rival theories of evolution by a margin of 54 percent to 36 percent, according to a new survey by Susquehanna Polling Research.

But those same residents just as clearly are upset by the national controversy the school board's decision has engendered.

Only 36 percent said the district, in general, is doing a good job.

Forty-four percent of residents believe the district is trending downward.

The board voted in October to require ninth-grade biology and science teachers to read a one-minute statement in class outlining alternate theories, including intelligent design, to Charles Darwin's theory of evolution. Dover became the first school district in the nation to take that step.

Intelligent design argues that there is scientific evidence the human race was "designed," by a guiding force.

"There is support for the board, but there is considerable consternation about whether they should have prioritized this issue and made it so high profile," said James Lee, president of Susquehanna Polling Research, which conducted the survey.

Lee added that residents don't like their new national notoriety and fear expensive lawsuits may result in higher taxes.

The Pennsylvania chapter of the American Civil Liberties Union is representing parents opposed to the policy in a lawsuit.

Earlier this month, administrators in the Dover district read a statement to three biology classes yesterday describing intelligent design.

The national controversy that the board's decision initiated dwarfs all other issues in the district, with 32 percent citing it as their top issue in the poll.

Educational improvement finished second at 15 percent, while concern about taxes registered 11 percent.

Because the questions were tailored to elicit reactions to the school board's actions, no comparable national or statewide polling data were available, Lee said.

Nick Matzke, spokesman for the National Center for Science Research, which defends and promotes the theory of evolution, said the reaction was "what you typically see in national polls when this question is asked.

"The default reaction of people is that it is only fair to teach both sides, so you see polls like these," he said.

But Matzke added, "Science is not democratic. In science, questions are decided by the experts, based on the evidence, and that is not going to change, based on what a poll number says."

Evolution, Matzke said, "is science and that is why it is in the curriculum standards of the state of Pennsylvania."

Several groups advocating the teaching of alternative theories to evolution did not respond to requests for comment yesterday.


7/22/2005
Two of the nation's most active intelligent design advocacy groups -- the Seattle-based Discovery Group and California-based author Phillip Johnson -- have urged the Dover school board to amend its policy to allow that intelligent design be taught.

But they have urged it not to risk a legal defeat by mandating its inclusion in the curriculum.

The poll asked 425 school district residents questions about the controversy on Jan. 24-25. Its error margin is plus or minus 4.7 percent.

But even as 54 percent supported the school board's actions, 58 percent said "intelligent design" is a religious theory, not science, the poll reported.

Only 29 percent of respondents said it was a legitimate scientific theory.

"Critics of that theory have clearly done a better job of making their case than supporters of intelligent design," Lee said.

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Poll: ID matters to Dover voters

A survey found intelligent design would influence a majority of voters.

By LAURI LEBO
Daily Record/Sunday News
Friday, January 28, 2005

No matter what they think of it, voters in the Dover Area School District will be casting their ballots in May over the issue of intelligent design, according to the results of a poll announced Thursday.

In a random survey, 89 percent of likely voters said the issue was either very or somewhat important in terms of influencing their votes, and 95 percent of those polled said they were familiar with the issue.

The telephone poll, conducted this week by Susquehanna Polling & Research, surveyed 425 registered voters out of the district’s community of more than 22,000.

When asked how they felt about the board’s October decision to add the phrase "intelligent design" into the science curriculum, 54 percent of voters (with an margin of error of plus or minus 4.7 percentage points) said they support it. Thirty-six percent of those surveyed said they oppose the decision, and 10 percent said they’re undecided.

But when asked if they think the district is headed in the right direction, 44 percent said they think it’s on the wrong track.

James Lee, Susquehanna Polling president, said the difference between those who support the board’s decision and those who think the district is on the wrong track could indicate a fear that a federal lawsuit filed over the issue by 11 parents could be damaging to the district.

When asked what is the "single most important problem" facing the district, almost a third cited the controversy over intelligent design. Fifteen percent said better/quality of education and 11 percent said taxes.

Lee said typically almost 40 percent of voters cite taxes as the primary issue.

For those considering running for office, the results could prove interesting.

Jeff Brown, who quit the school board after the Oct. 18 6-3 curriculum vote, is running again for election.
He said he wasn't surprised to hear that most polled voters support the board's decision.

"If anything, I expected more support," he said.

"A lot of people don't understand science. I didn't understand science until I had to take a crash course on this."

But he said he believes ultimately, "it's going to play out as a pocketbook issue.

"And watch that soft support go racing in my direction once I point out the cost to the district."

The Thomas More Law Center is representing the district for free. But if the district should lose its battle in federal court, it could be held liable for the plaintiffs' legal fees.

The American Civil Liberties Union, Americans United for Separation of Church and State and the Philadelphia-based law firm of Pepper Hamilton is representing the parents for free but would likely try to recoup its expenses.

Bryan Rehm, the only other announced candidate and one of the plaintiffs in the lawsuit, could not be reached for comment Thursday night.

Dover board members Sheila Harkins, Alan Bonsell and Angie Yingling are all up for re-election. They have not yet announced whether they will run and could not be reached for comment.

Both Ronald Short and Pastor Ed Rowand, who were appointed to the board to fill vacancies in December, declined comment.

Sherrie Leber and Eric Riddle, also appointed recently, could not be reached for comment.

Intelligent design is the concept that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Its opponents, including the 11 parents suing the district over the requirement that biology students must be told about it, say it's a way of inserting religion into science class.

Its supporters say it's merely about presenting an alternative view to Darwin's theory of evolution, which is the mainstream scientific community's broadly accepted view of man's origins.

POLL INFORMATION

James Lee, president of Susquehanna Polling & Research, said that, for the past couple years, the Harrisburg-based firm has picked a newsworthy topic and independently surveyed voters on where they stood on the issue.

This week, the firm polled registered voters in the Dover Area School District on how they feel about the controversy over intelligent design.

Lee said the 4-year-old firm, which boasts of a substantial client list of state and county Republican organizations, commissioned the poll itself and was not hired by any other organization.

In 2002, it conducted a similar independent survey on the outcome of the Democratic primary in the gubernatorial race.
Even though the Dover poll was random, Lee said those surveyed mirrored party registration in the district.

Fifty-three percent of those surveyed were registered Republican, and 34 percent were Democrats.
A poll released by a Harrisburg-based research and polling firm shows that a majority of voters support the Dover Area School Board in its decision to require that a controversial statement be read in biology classes.

Jim Lee, founder and president of Susquehanna Polling and Research, said the results also show that the intelligent design debate will be the major issue affecting the May 17 school board primary elections.

According to a phone survey of 425 registered voters, 54 percent of those surveyed said they support the board's decision, while 36 percent do not support the board's decision. Ten percent said they were undecided or the decision didn't matter to them.

Though a higher percentage of people -- 46 percent -- said they were more likely to vote for a school board candidate who voted in favor of requiring that the statement be read, Lee said the data show that people who
At least two running: Bonsell and Harkins have stated that they intend to seek re-election for their four-year seats on the board.

There are four possible candidates who were appointed to the board by other members, to serve out terms left by people who resigned.

Jeff and Casey Brown resigned because they were not in favor of intelligent design.

Noel Wenrich and Jane Cleaver resigned for other reasons.

Appointees Sherrie Leber, Ron Short and Edward Rowand have said they are interested in running, but they are unsure if they would run for a two- or four-year seat.

Appointee Eric Riddle has said he is just filling in this year and has no current plans to run.

Buckingham, the major proponent of intelligent design, and Geevey are not up for re-election until 2007. Yingling has said she planned to resign from the board, but it has not been made formal. Although she voted for the curriculum change, she had a change of heart and later spoke out against the board’s action.

Other results: Other findings of the poll, which has a 4.7 percent margin of error, include:

- Fifty-eight percent of those polled said they believe intelligent design is a religious theory synonymous with creationism, a doctrine that God created the universe. Twenty-nine percent said they believe intelligent design is a legitimate scientific theory.
- Sixty-five percent of respondents support the school board because they think that other theories should be taught in addition to Charles Darwin’s theory of evolution. Nineteen percent said they support the decision because of "the need to bring religion, God or creationism into public schools."
- A majority of the respondents, 63 percent, were Republicans. Thirty-four percent were Democrats and 10 percent were Independent. Three percent refused to answer.
- Forty percent of respondents were age 45-59. Thirty-one percent were older than 60. Twenty-three percent said they were 30-44. Six percent were 18-29.

Reach Christina Kauffman at 505-5434 or ckaufman@yorkdispatch.com.

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**Ga. bill targets evolution teaching**

Requires only 'scientific facts' be in classrooms

By DOUG GROSS
The Associated Press

ATLANTA — A state lawmaker introduced legislation designed to prevent the theory of evolution from being taught in Georgia's classrooms.

The bill by Republican Rep. Ben Bridges requires only "scientific fact" be taught in public schools — in his mind ruling out the theory of evolution.

"It's in the book that it's a theory, but those teachers teach it like it's a fact," he said yesterday. "Let's teach them the truth or don't teach them anything."

The bill appears to face long odds. Democrats in the Legislature blasted the proposal — particularly the measure's use of the word "theory" to suggest evolution is an unproven assumption.

"You mean, like the theory of gravity?" quipped Democratic Rep. Tom Bordeaux.

In November, a suburban Atlanta school district was put on trial for placing a disclaimer on science books calling evolution "a theory, not a fact." Judge Clarence Cooper ruled this month the disclaimers must be removed because they tacitly endorse the religious belief of creationism, even though it's not specifically mentioned. The Cobb County school board is appealing.

A year ago, Georgia's schools superintendent caused an uproar when she proposed to replace the word "evolution" with "changes over time" in the state's science curriculum. The proposal was quickly dropped amid widespread criticism.

Lawmakers in Kansas also are wrestling with how to teach evolution.

There, efforts to expose students to stronger criticisms of evolution were rebuffed by a committee rewriting science education standards — setting up a potential confrontation with the conservative-minded State Board of Education.

The committee, appointed by the state board, is revising Kansas' standards for science education, which currently describe evolution as a key concept students should learn.
For The York Dispatch  Although the Dover Area School board is on solid legal footing in its decision to keep audio recordings of meetings from the public, three former board members say the board is violating its own past practice.

Former board member Casey Brown recently said that in the summer of 2002, the board had a discussion about how long audio recordings should be kept after meetings, with the board deciding the tapes should be kept for six months and would be available to the public during that time.

Last November, the board denied the requests of several residents who asked to hear the tapes of the Oct. 18 meeting during which the board approved the addition of intelligent design to the high school biology curriculum.

Residents cried foul, but audio recordings of public meetings are not considered public records and do not have to be disclosed to the public under the Right to Know Law, said Teri Henning, legal counsel for the Pennsylvania Newspaper Association.

Differing recollections: At the time, former board president Alan Bonsell said the tapes are destroyed after the minutes are prepared, and the board has never given them to the public during his three years on the board.

However, Brown, along with former board members Jeff Brown and Barrie Callahan dispute that claim, saying that the board's past practice was to keep the recordings for six months before destroying them, even after the minutes were prepared.

Bonsell and board president Sheila Harkins could not be reached for comment yesterday. Casey Brown, who quit the board along with husband Jeff Brown on Oct. 18 in response to the intelligent design dispute, said she had no recollection of the board's ever discussing a change in the length of time audio recordings were to be kept during her board tenure.

Superintendent Richard Nilsen said he also remembered the initial conversation taking place, but did not remember details about how long the tapes were to be kept.

Board secretary Denise Russell, who raised the issue in 2002 because she was running out of storage space for the tapes, was unavailable for comment because of illness.

Minutes of the board's meetings from April to October 2002 contain no record of a vote being taken on a policy regarding the audio recordings; however, the minutes reflect only official action taken and contain no record of board discussions.

Although the board has the right to keep the tapes private, some residents have said the tapes could have shed light on disputed statements made by several board members in June 2004. Some of those statements are now being called
into question in the ACLU lawsuit in federal court against the district over the inclusion of intelligent design in biology classes.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

LOAD-DATE: March 26, 2005
SECTION: TOP STORIES

LENGTH: 667 words

HEADLINE: Dover board challenges bio lawsuit

BYLINE: HEIDI BERNHARD-BUBB For The York Dispatch

BODY:

Attorneys defending the Dover Area School District want to dismiss five of the 11 plaintiffs and two of the claims in the lawsuit against the district over the inclusion of intelligent design in the district's biology curriculum.

The motion, filed in federal court in Harrisburg on Friday, alleges the five plaintiffs lack standing because their children will not be directly affected by the ninth-grade curriculum.

In addition, the motion states the plaintiffs' claims of a "coercive religious practice" and improper use of public money should be dismissed because they lack facts to support the claims.

The lawsuit, filed last month by attorneys from the American Civil Liberties Union, Americans United for Separation of Church and State, and Pepper Hamilton on behalf of 11 Dover parents, said reading a statement about the gaps in the theory of evolution and referring to an alternative theory that attributes the origins of life to an "intelligent agent" violates their children's civil rights.

Cite children's ages: The motion asks that plaintiffs Beth Eveland and Cynthia Sneath be dismissed because their children are too young; both have children in first grade and pre-school age children.

Richard Thompson, chief counsel of the Thomas More Law Center, which is defending the district, said no one knows if the policy or the children will still be in the district by the time they reach the ninth grade.

The motion also asks that plaintiffs Frederick and Barrie Callahan and Julie Smith be dismissed because their children are in 10th grade and will not be taught the controversial curriculum.

Lawyers argue there is no evidence of a "coercive religious practice" because students can opt out of hearing the statement; it also said there was no evidence that defending the district would cost it money.

The school district is being represented by Thomas More free of charge, although it could have to pay plaintiffs' attorney fees if it loses the case.

News release, poll: Thompson said the motion seeks to focus the case on those who have a legitimate personal interest in the case, such as Tammy Kitzmiller, who currently has a child in the ninth grade, or several others who have children in eighth grade.

A news release put out by the law center accused the ACLU of piling on plaintiffs "to give the impression that more people support their position than actually do."

It referred to a recent poll of 425 registered Dover voters conducted by the Harrisburg-based Susquehanna Polling and Research firm, which showed that 54 percent support the board's decision, while 36 percent do not and 10 percent are undecided or don't care.
ACLU attorney Witold Walczak said the plaintiffs will certainly oppose the motion, which he called "a complete waste of time" and a public relations move to try to influence public opinion.

**Numbers irrelevant?** "You only need one person to challenge the curriculum ... it's irrelevant to the outcome of the case and the focus should be on the Constitutional issues involved," Walczak said.

He also said the plaintiffs don't yet need to present evidence of a "coercive religious practice" or improper use of public monies.

Furthermore, Walczak said, the controversial statement is part of the district's school-wide curriculum and that when the school board violates the Constitution it sends a message that affects the entire student body.

Plaintiff Barrie Callahan, whose standing is being challenged, said that "when you change the definition of science it affects everyone" in the district.

She said that she believes the curriculum could hurt how college admission boards view a diploma from Dover High School, which would affect her child. And she also is worried the curriculum change could be just the beginning of a move to censor or alter other parts of the curriculum.

The plaintiffs have until Feb. 15 to answer the motion.

-- Reach Heidi Bernhard-Bubb at 854-1575 or news@yorkdispatch.com.

**LOAD-DATE:** March 26, 2005
SECTION: LOCAL NEWS

LENGTH: 135 words

HEADLINE: Comment policy questioned

BODY:

The Dover Area School Board's new public comment policy -- limiting public comment to agenda items only -- has come under fire for possibly violating Pennsylvania's Sunshine Law and the First Amendment to the U.S. Constitution.

A group of residents led by Beth Eveland, Cynthia Sneath and Tammy Kitzmiller, plaintiffs in the lawsuit against the district over intelligent design, passed out a handout at last month's board meeting that questioned the legality of the public comment policy.

Superintendent Richard Nilsen said the handout would be passed along to the district's solicitor, Stock and Leader, and a response would be given this month.

The school board's next meeting, where the policy may be discussed, will be at 7 p.m. Feb. 7 at North Salem Elementary School.

Heidi Bernhard-Bubb

LOAD-DATE: March 26, 2005
ANNVILLE-CLEONA

* A midyear report was submitted to the state regarding the district's Accountability Grant programs. The $132,564 grant is supporting four programs: reading coach at Annville Elementary; special education teacher at the secondary school; half-time kindergarten teacher; and tutoring programs at Annville and North Annville elementary schools.

* Bruce I. Althouse Jr. was hired as a long-term substitute special education teacher, Feb. 14-June.

* Lebanon County EIT Bureau was authorized to conduct the 2005 census by mail at $2,900.

* The preliminary spelling bee will be held Feb. 10 at Annville Elementary.

* The Annville-Cleona Parent Teacher Organization will meet at 7 p.m. Feb. 10 at North Annville Elementary. CORNWALL-LEBANON

* Cedar Crest Middle School art club members and students in the high school's alternative education program are making Valentines for veterans at the Lebanon VA Hospital to be delivered Feb. 14.

* The Cedar Crest Middle School staff will take on eighth-graders in a basketball game at the pep rally at 1:50 p.m. Friday in the middle school gym.

* Kurt Phillips, assistant director of business affairs, was approved as a Pennsylvania Registered School Business Official by the state Association of School Business Officials after meeting personal, ethical and professional standards. He has been with the school district since 2001. LEBANON

* These seniors won the 2004-05 Lebanon Women's Club Senior Girls' Oratorical Contest: Hallie Fenton, first place, speech titled "A Chance for Life"; Alisha Ponce, second, "Are We Really Equal?"; and Katie Holler, third, "Intelligent Design."

* Cyrus G. Rauch Senior Boys' Oratorical Contest winner is Steffan Bomberger with a speech titled "Are We to Blame?"

* Senior Parents Night for boys' basketball, cheerleaders and wrestling is tonight.

* LHS Pops Concert will be held at 7:30 p.m. tomorrow.


* Maggie Blouch, daughter of Scot and Debbie Blouch and a high school senior, participated in the Presidential Youth Inaugural Conference Jan. 16-21 in Washington, D.C. She plans to study business finance at Bucknell University. At Palmyra she is vice president of the peer counseling club and a member of National Honor Society.
• A point-of-sale lunch program will go into effect Feb. 16 in the middle school cafeteria and will start at Pine Street later in the year. Pupils will have accounts to which parents can add lunch money.

• Cathryn Roberts and David Sellers are the Rotary Club students of the month for January. Roberts also was named girl of the month by Palmyra Woman’s Club. She is involved in the medical careers club, while Sellers participates in Envirothon and soccer.

• "The Wizard of Oz" will be presented at 7 p.m. March 4-5 and 2 p.m. March 6 in the high school auditorium. The dates were changed from Feb. 25-27 due to a conflict with county chorus.

• Student council agreed to donate some of the proceeds from the Feb. 19 winter formal dance to tsunami relief.
Attorneys: Cut five from lawsuit

Attorneys for Dover Area say some parents lack standing in the federal suit over intelligent design.

By LAURI LEBO
Daily Record Sunday News
Tuesday, February 1, 2005

Ask Barrie Callahan if she thinks her daughter is affected by the Dover Area School District's controversy over intelligent design, and she'll tell you there's no question.

"If they're trying to introduce their religion onto other people, where else could this go?" Callahan said.

But attorneys are requesting that Callahan along with four of the other 11 parents suing the district over the issue be dismissed from the federal lawsuit.

In court papers filed Friday, the Thomas More Law Center requested Callahan, her husband Frederick, Beth Eveland, Cynthia Sneath and Julie Smith be removed from the suit because, according to the motion, they lack standing.

"You have to show a specific injury," said Richard Thompson of Thomas More. "You can't just bring a lawsuit because you think a policy is unconstitutional."

As an example, Thompson pointed to the Pledge of Allegiance case in which the U.S. Supreme Court ruled last year that a California father did not have standing in the case because he was involved in a custody fight over his daughter and could not speak for the girl.

But even though her daughter's already taken the biology class, Barrie Callahan doesn't think that means she's not affected — especially now that she's applying to colleges.

"When you're applying to really competitive schools, and these schools think Dover's trying to try to change the definition of science ... that can impact her from that standpoint."

Parents' attorneys have until Feb. 15 to respond to the motion. Because only five of the plaintiffs could be removed from the suit, the case will continue no matter how U.S. District Court Judge John E. Jones III rules.

Eric Rothschild, an attorney with Pepper Hamilton
representing the parents, said because the motion would not dispose of the lawsuit, he questions why it was filed at all.

"As far as I heard, there have been no promises that the district's going to stop teaching this in a few years," Rothschild said. So those parents, Eveland and Sneath, whose children are at least eight years away from ninth grade, "have an interest in protecting their children in what the district intends to eventually teach them," Rothschild said.

As for the Callahans and Smith, whose children have already taken biology, Rothschild said, in essence, the "school district policy is promoting religion to the entire high school."

The motion also requests that one of the plaintiff's arguments regarding "coerced religious practice" should be dismissed. Because students may opt out from hearing the statement regarding intelligent design — as some did when it was read last month — defense attorneys argue the policy is not violating the First Amendment's Establishment Clause and the Pennsylvania Constitution.

In the motion, attorneys cites 24 separate cases, including Bauchman vs. West High School in which a Jewish student challenged a choir teacher's choice of Christian devotional music, but was allowed not to participate in those songs she found offensive.

The motion states that students are merely "made aware" of intelligent design and are not actually being taught it.

Fifty copies of the book "Of Pandas and People," a book espousing the concept of intelligent design, are kept in the school library as a reference.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

BACKGROUND

On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, Dover Area is believed to have become the first school district in the country to include intelligent design in its high-school biology curriculum.

Intelligent design is the idea that life is too complex to
have evolved solely through natural selection and therefore must have been created by some intelligent force.

Its supporters say it's about fairness — giving time to alternative views to evolution.

Its critics say it's not science, but a way of forcing Christianity into biology class. In December, 11 parents filed a federal civil rights suit against the district.

On Jan. 18 and 19, as part of the school board's mandate, district administrators read a statement to ninth-grade biology students in which intelligent design was mentioned.

DEADLINE

Parents' attorneys have until Feb. 15 to respond to the motion. Because only five of the plaintiffs could be removed from the suit, the case will continue no matter how U.S. District Court Judge John E. Jones III rules.
DOVER SCHOOLS; Parent-teacher group meets

York Daily Record. York, Pa.: Feb 6, 2005. pg. 2

Abstract (Document Summary)

Background: Among the topics discussed were scholarships, graduation and prom parties, and Honors Program courses.

Concerning scholarships, Principal Joel Riedel told the parents they should begin speaking with the guidance office in January of their child's junior year to acquaint themselves with what's available.

Full Text (191 words)

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Action: On Monday, a group of more than 20 parents, teachers, school board members and administrators gathered for the inaugural meeting of the Dover Area High School's Parent Teacher Organization.

Background: Among the topics discussed were scholarships, graduation and prom parties, and Honors Program courses.

Concerning scholarships, Principal Joel Riedel told the parents they should begin speaking with the guidance office in January of their child's junior year to acquaint themselves with what's available.

A year later, families should work together to complete the applications that the student best qualifies for. Even if the applicant is not an exact match for the requirements, some organizations will still give money to the best candidate applying.

"Apply for everything," Riedel said. "In June, many organizations will call and ask why their scholarships have not been awarded."

And Peg Funkhauser, a library aid who helped organize the meeting, said anyone wishing to volunteer for post-prom or pre-graduation parties should contact her via the district office.

Next step: The next meeting is set for April 25, at 7 p.m. at the high school.

JOSEPH MALDONADO

For the Daily Record/

Sunday News

Credit: York Daily Record

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Dover controversy

York Daily Record. York, Pa.: Feb 6, 2005. pg. 3

Abstract (Document Summary)

Dover is believed to be the first district in the nation to require intelligent design the idea that life is so complex it could not have evolved solely through natural selection and therefore must have been created by an intelligent designer to be mentioned as an alternative to evolution in public school science class.

Full Text (156 words)

Copyright (c) 2005 York Sunday News

Dover is believed to be the first district in the nation to require intelligent design the idea that life is so complex it could not have evolved solely through natural selection and therefore must have been created by an intelligent designer to be mentioned as an alternative to evolution in public school science class.

Despite criticism from the district’s own science faculty and from university professors, administrators read the following statement to students in ninth grade biology classes:

"Intelligent design is an explanation of the origin of life that differs from Darwin's views. The school leaves the discussion of the origins of life to individual students and their families."

Eleven parents are suing the district over the requirement because they believe the school board was motivated by religion when it voted 6-3 in October to add the phrase “intelligent design” to the biology curriculum. The trial date is set for Sept. 26.

Credit: York Daily Record

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Section: MA/N
ISSN/ISBN: 10434313
Text Word Count 156
Document URL: 
Voices were not raised last night at a meeting of the Dover Area School, but the meeting was full of contention after the board unanimously accepted Angie Yingling's resignation.

Yingling announced her plan to resign in December, but did not make it official until last night. Motivating her resignation, she said, was her opposition to the inclusion of intelligent design in the high school biology curriculum.

Reading from a written statement, a teary-eyed Yingling told board members their "personal religious agendas are spiraling out of control" and "your appearances in court are an embarrassment to Dover. You people appear to be ... religious zealots preaching from the shadows."

Last June, both The York Dispatch and the York Daily Record reported that board member William Buckingham made a comment to the effect that "Nearly 2,000 years ago someone died on a cross for us; shouldn't we have the courage to stand up for him?"

Under oath, Buckingham said he never made that statement in reference to the evolution debate, but in reference to a resolution in support the "under God" phrase in the Pledge of Allegiance in November 2003.

Also under oath, board members Sheila Harkins and Alan Bonsell both said they could not recall what was said in the June meeting.

Intelligent design: <! -->The depositions were taken as part of a court case against the district by 11 parents who oppose including intelligent design in the curriculum.

Intelligent design attributes the origins of life to a higher being, and some say it has been promoted by Christians as an alternative to the theory of evolution.

Yingling voted for the measure, but later said she did it only because she was called "un-Christian" and pressured to vote with the majority.

"I did not want to resign, but as early as November 2003 I realized things were going from bad to worse," she said last night.

"I guess my colleagues believe that Christian values will make the difficult children better and the really bad children somewhat better," she said. "However, Christian values are up to the parents to teach and the church to reinforce, not the school board directors."

Yingling is the third board member to resign in opposition to intelligent design. Jeff and Casey Brown also did so, although Jeff Brown plans to run for a seat this year.
Casey Brown and Yingling both said they are considering a run.

But Yingling said it is best for now that she resign because "I don't want to be associated with them [the board]."

She estimated that as many as 30 people may run for the seven seats open in November's election.

**Other disputes:** The Browns left the meeting with Yingling shortly after the resignation.

Jeff Brown said the board will appoint someone to take Yingling's position "who will not make any waves."

Bonsell disputed that, saying he intends to vote for whoever will be best for the school district. Harkins refused to talk to reporters after the meeting.

During an unrelated moment during the meeting, Bonsell said the district is getting a bad reputation from the "local media" because former board members are talking to reporters.

He took issue with the fact the Browns and former board member Barrie Callahan told people last month that the board decided in 2002 that audio recordings of the meetings should be kept for six months.

Bonsell presented a letter from the board's secretary saying that, since her tenure began about 10 years ago, the recordings have generally been destroyed immediately after the board approved the minutes.

**Alleged misrepresentation:** Bonsell also said allegations of "scare tactics" being used by board members are false and are "misrepresentation" by "the media."

"The media bias and innuendo is just dripping," he said.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

**LOAD-DATE:** March 26, 2005
Dover official resigns

Angie Yingling said she will consider running for the school board again.

BY JOSEPH MALDONADO
For the Daily Record Sunday News
Tuesday, February 8, 2005

Before resigning from the Dover Area School Board, Angie Yingling delivered harsh words gently spoken.

"As a board of director, one must represent the views of all of the members of the community," she quietly said. "Not just Christian Fundamentalist dogmas."

Yingling's statement refers to ongoing litigation surrounding an October board decision to include the teaching of "Intelligent Design Theory" in ninth-grade biology. The concept is associated, by many critics, with Biblical creationism.

In October, Yingling was one of the six in the majority who voted to add intelligent design to the curriculum. The others were Alan Bonsell, William Buckingham, Heather Geesey, Sheila Harkins and former board member Jane Cleaver.

Later, Yingling said she was coerced into voting for the change and said after her resignation that she still regrets voting the way she did.

For almost two months, Yingling has walked the fence about resigning. In December, she announced her resignation, but did not submit her request in writing until Monday evening. Last month, Yingling said she held out hope that a compromise on the intelligent design issue could be reached.

"But during the executive sessions, it's pretty clear they are unified to continue moving (the lawsuit) forward," she said.

After her resignation, no one had anything to say during the meeting about her five years of board service. After the meeting, Supt. Richard Nilsen said she made a significant positive impact while sitting on the board subcommittees for York County High School and York County School of Technology.
After her resignation, Yingling left the meeting early. As she headed to her car she said she was considering running again for the school board this coming term. She said the reason was because she wanted to feel the absolute support of the community on this issue.

Standing next to her in the parking lot were two other former board members, Casey and Jeffrey Brown. Like Yingling, Jeffrey Brown has said he wants to run again for the board and wants to feel affirmation from the voters on the intelligent design issue.

Feb. 15 is the first day those interested can begin collecting signatures for a seat on the board.

"We'll just have to see how the voters feel on this issue," Jeffrey Brown said.

In related news:

- **Tape issue:** Bonsell, who was board president when the intelligent design curriculum change was made, read a statement regarding requests made by different members of the community to hear the meeting tapes.

In December, Bonsell said the public would not be allowed to hear the tapes as it had been the board's ongoing policy to record over the tapes once the minutes were approved. His response to the request drew criticism from some former board members, who recalled the district keeping tapes for longer periods of time.

From a letter written by former board secretary, Denise Russell, he read that, according to her recollection, it has been only twice in the past 22 months that the board has elected to keep tapes after the approval of the minutes; once on April 23, 2003, and again on May 12, 2003.

The tapes were kept for a period of six months, though the reason why was not given.

- **Public discussion:** Current Board President Harkins said the board is revisiting her December decision to limit public discussion to those items on the agenda.

During an executive session before the meeting, Yingling said, the district's solicitor, Philip Spare, went over the board's existing policy.
He wrote a letter to the board stating that the policy as is currently written allows anyone with a legitimate interest in a contemplated action of the board to be placed on the agenda if they provide a written request to the superintendent or board president five days before a meeting.

The solicitor's letter also states, "Under the current board policies, public comment cannot be limited to agenda items only."

Harkins said Geesey will be re-writing the public comments policy and should have a new version ready by the March 7 meeting.

Harkins invited the community's input for the new policy during the public comments portion of the meeting, and the public was given the most latitude Monday night for asking non-agenda questions since Harkins became president.
Voices were not raised last night at a meeting of the Dover Area School, but the meeting was full of contention after the board unanimously accepted Angie Yingling's resignation.

Yingling announced her plan to resign in December, but did not make it official until last night. Motivating her resignation, she said, was her opposition to the inclusion of intelligent design in the high school biology curriculum.

Reading from a written statement, a teary-eyed Yingling told board members their "personal religious agendas are spiraling out of control" and "your appearances in court are an embarrassment to Dover. You people appear to be religious zealots preaching from the shadows."

Last June, both The York Dispatch and the York Daily Record reported that board member William Buckingham made a comment to the effect that "Nearly 2,000 years ago someone died on a cross for us; shouldn't we have the courage to stand up for him?"

Under oath, Buckingham said he never made that statement in reference to the evolution debate, but in reference to a resolution in support of the "under God" phrase in the Pledge of Allegiance in November 2003.

Also under oath, board members Sheila Harkins and Alan Bonsell both said they could not recall what was said in the June meeting.

Intelligent design: The depositions were taken as part of a court case against the district by 11 parents who oppose including intelligent design in the curriculum.

Intelligent design attributes the origins of life to a higher being, and some say it has been promoted by Christians as an alternative to the theory of evolution.

Yingling voted for the measure, but later said she did it only because she was called "un-Christian" and pressured to vote with the majority.

"I did not want to resign, but as early as November 2003 I realized things were going from bad to worse," she said last night.

"I guess my colleagues believe that Christian values will make the difficult children better and the really bad children somewhat better," she said. "However, Christian values are up to the parents to teach and the church to reinforce, not the school board directors."

Yingling is the third board member to resign in opposition to intelligent design. Jeff and Casey Brown also did so, although Jeff Brown plans to run for a seat this year.
Casey Brown and Yingling both said they are considering a run.

But Yingling said it is best for now that she resign because "I don't want to be associated with them [the board]."

She estimated that as many as 30 people may run for the seven seats open in November's election.

**Other disputes:** The Browns left the meeting with Yingling shortly after the resignation.

Jeff Brown said the board will appoint someone to take Yingling's position "who will not make any waves."

Bonsell disputed that, saying he intends to vote for whoever will be best for the school district. Harkins refused to talk to reporters after the meeting.

During an unrelated moment during the meeting, Bonsell said the district is getting a bad reputation from the "local media" because former board members are talking to reporters.

He took issue with the fact the Browns and former board member Barrie Callahan told people last month that the board decided in 2002 that audio recordings of the meetings should be kept for six months.

Bonsell presented a letter from the board's secretary saying that, since her tenure began about 10 years ago, the recordings have generally been destroyed immediately after the board approved the minutes.

**Alleged misrepresentation:** Bonsell also said allegations of "scare tactics" being used by board members are false and are "misrepresentation" by "the media."

"The media bias and innuendo is just dripping," he said.

--- Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.

**LOAD-DATE:** March 26, 2005
The Dover Area School Board's vote to include mention of the theory of intelligent design in its biology classes has created a flurry of informational seminars -- and opposition -- from Pennsylvania colleges and universities.

Biology professors from Penn State University and York College sent open letters to the board that, in essence, challenged the scientific validity of intelligent design and urged the board to repeal its vote.

The biology department from Shippensburg University is the latest to join in the opposition.

In a letter released yesterday, 13 biology professors told the board that introducing intelligent design to students as if it were a valid scientific theory "will do a monumental disservice to the students in your district."

The letter said intelligent design is a "veiled strategy to teach religion instead of science."

"We should not be fighting cultural and scientific wars that were resolved, in legal and experimental grounds, over 60 years ago," it said. "Let science be science. For the sake of the students we urge you to reconsider your decision and return to the original scientific standards of Biology in your curriculum."

Board members refused to comment on the letter because they are involved in litigation with parents who have filed suit against them because of intelligent design.

Forums, debates: In addition to the letters, several colleges and universities have been conducting forums to educate people about the theory of evolution and religion in schools.

On March 1, the Elizabethtown College Center for Science and Religion will conduct a series of debates called "Intelligent Design: The Scientific, Theological and Civil Dimensions of the Debate."

The all-day forum includes national figures involved in the Dover case.

At 9:30 a.m., a debate will be held between Lehigh University biology professor Michael J. Behe, a national proponent of intelligent design, and East Tennessee State University philosophy professor Niall Shanks, author of the current best-selling critique of intelligent design.

At 12:45 p.m., John Haught, Landegger Distinguished Professor of Theology at Georgetown University, and the Rev. Dave Martin, senior pastor at Evangelical Free Church of Hershey, will debate the theological aspects.

At 3 p.m., Witold Waleczak, legal director of the Pennsylvania American Civil Liberties Union, which is representing Dover families in their lawsuit, and Richard Thompson, president of the Thomas More Law Center, which is defending the school district, will debate the civil and legal issues.
Paul Gross, emeritus professor of life sciences at the University of Virginia, will give a lecture at 7:30 p.m.
Gross, a developmental biologist, has taught at MIT and the University of Virginia.
Gross is co-author with Barbara Forrest of "Creationism's Trojan Horse: The Wedge of Intelligent Design." He also publishes journal articles and reviews on science and science education.

Speakers at Dickinson, F&M: Dickinson College in Carlisle will host a seminar about "The Ten Commandments and the Law," also on March 1.

The featured speaker is Paul Finkelman, a law professor from the University of Tulsa Law School, who served as an expert witness in an Alabama case in which a chief justice was removed from the bench for refusing to take down a monument to the Ten Commandments in his courthouse.

Franklin & Marshall College in Lancaster will celebrate evolution theorist Charles Darwin's birthday by discussing "Seedlings, Chicks and Children: Darwin's Concerns and Eugenics" on Feb. 17.

James Moore, a world-renowned scholar at the Open University in the United Kingdom who has written books about Charles Darwin, is the key speaker at the annual Darwin Day Lecture.

Moore is expected to talk about Darwin's personal and theoretical concerns about the potential social consequences of genetic engineering.

-- Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
INTELLIGENT DESIGN; More motions in Dover fight

York Daily Record. York, Pa.: Feb 9, 2005. pg. 1

Abstract (Document Summary)

Last month six parents filed papers asking to join the lawsuit in support the Dover Area School District's October decision to include intelligent design in the ninth-grade biology curriculum, arguing that preventing their children from hearing about the concept violates their First Amendment rights to free speech.

Full Text (181 words)

Copyright (c) 2005 York Daily Record

Last month six parents filed papers asking to join the lawsuit in support the Dover Area School District's October decision to include intelligent design in the ninth-grade biology curriculum, arguing that preventing their children from hearing about the concept violates their First Amendment rights to free speech.

But on Friday, the plaintiffs' attorneys filed a motion arguing that the six parents should not be allowed to intervene in the suit because there is no "First Amendment right of parents to demand that a school teach any particular subject." Also on Friday, attorneys for the school board and district filed a counter-motion in support of the six parents.

Michael and Sherree Hied, Raymond and Cynthia Mumment and James and Martha Cashman have petitioned the courts to become defendants with the board and administration.

The 11 parents suing the district say the inclusion of intelligent design which essentially states that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer violates the constitutional separation between church and state.

Credit: York Daily Record

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A Section
Creation fight evolves beyond Dover
MARY WARNER
Of The Patriot-News
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For one side, what's at stake is the integrity of science.

For the other side, it's the human soul.

America's latest battle over the teaching of evolution erupted last fall in Dover in York County, where Calvary Lutheran's steeple and Tom's convenience store frame a town square 25 miles south of Harrisburg.

The 21st century's version of the conflict between science and religion is looming elsewhere, too, in state legislatures and school boards around the country.

"Each side is feeling hunkered down, against another inquisition," said Michael Silberstein, director of Elizabethtown College's Center for Science and Religion.

Dover's school board this month presented intelligent design in science class as an alternative to evolution. Some parents sued the board. Other parents countersued.

As mainstream scientists condemned the Dover board, Christian conservatives unhappy with evolution pressed their case for intelligent design elsewhere.

In the past two months, efforts to teach intelligent design in science class made headlines in Mississippi, Georgia, Montana, South Carolina and Kansas.

"It's happening all over the place," said Silberstein, who teaches a philosophy course on evolution and its challengers. Intelligent design advocates have been emboldened by conservative successes in the November election, he said.

The U.S. Supreme Court ruled more than three decades ago that evolution -- the theory that all life evolved naturally from common ancestors over eons -- could not be barred from science class.

A fight for equal time for biblical creation lost in court in 1987.

Anti-evolutionists retreated to homeschooling, Christian academies or resentment for years.

Now they're rallying around intelligent design, which says life's complexity is evidence of a supernatural designer. The evidence is science, not faith, so it's fit for science class, they said.

The intelligent design movement includes a few scientists, but most dismiss it. They said science explains natural mechanisms; anything else may be important, but it isn't science.

"Imagine if, in the history of science, whenever we hit a difficult problem or anomaly, we just said, 'Well, God did it.'" Silberstein said. "We'd never get anywhere."

For many Christians -- including Pope John Paul II -- there's no conflict between evolution and their faith. But it's not just biblical literalists who oppose evolution.

It tells such a sweeping natural story that it seems hostile to their cherished sense of the supernatural, Silberstein said. That
includes even the concept of a soul. 'Open to different things'

William Buckingham, a retired police officer and former Marine, was the Dover board member who led the charge for intelligent design.

After a meeting last fall, he told The York Daily Record all he wanted was a balance between evolution and divine creation. "This country was founded on Christianity, and our students should be taught as such," he said.

Buckingham and other board members have laid low since the ACLU and Americans United for Separation of Church and State filed suit.

A recent poll showed Dover residents favored introducing intelligent design in science class by 54 to 36 percent -- though opponents were more likely to feel strongly and to say the issue would guide how they vote.

Rich and Diane Thornton, parents of two teenage daughters, said they like what the board did, that it's a matter of fairness.

"How many times in America do we stand up for minority rights, as well we should," Rich said. "But when there's a minority opinion on science, then all of a sudden it's not important?"

Years ago, he believed in evolution and God. But "the more I researched the more I saw ... the evidence just points vastly to intelligent design," he said.

"Darwin's theory is just that, a theory. There are other theories that should be introduced also," Diane said. "We need to teach our children to be open to different things."

Diane, 48, cooks for a neighboring school district. Rich, 54, is worship pastor at Friendship Community Church -- in charge of music, graphics and video clips that go with the sermons.

Rich said he's not speaking for the church. "We would certainly not teach people that God did not create the Earth. But in terms of the details -- whether someone believes in evolution or not -- that's not something that would separate someone from us."

Rich said the opposition to intelligent design -- and added that he's not talking about local opponents -- seems to grow from a sense that "something is at risk ... that evolution, if that falls, there is a God in the mix of everything.

"There is a group that's so afraid ..."

"... of opening that door," his wife completed the thought.

Rich believes in "some changes along the way, from a type of dog to different types," he said. "But I don't think dogs ever came from cats or people ever came from monkeys.

"I believe in the creation story, the seven days of creation -- however long those days may be."

"I believe God created us specifically in his image as man and woman. Period. Paragraph," Diane said.

"But if it comes down to the end when I'm up in heaven and God says, 'By the way, Diane, you did come from a monkey,' I'll be OK with that."

For now, the Thorntons said their daughters "are not buying evolution." They know "you've got to learn the stuff and pass the test," Rich said. "But in this case, you don't have to believe it." Faith and confidence

Like the Thorntons, Steven Stough lives on the edge of Dover in a development of houses with pastel siding. He has a teenage daughter, too. He worships with the Thorntons at Friendship.

The similarities end when it comes to evolution.

Stough watched school board meetings with growing alarm last fall and then he called the ACLU. Now he's one of 11 plaintiffs in the ACLU suit.

The board is "trying to pass a generic form of creationism off as legitimate science," he said. As a science teacher and a father,
he said he has to stand against that.

Flanked by a treadmill and a weight machine in his family room, Stough is doing yet another interview about **intelligent design**. A BBC crew was there recently, he said.

If he didn’t know better, he’d think from recent news stories that Dover people talked of nothing else but evolution and “the place had become a riot zone,” Stough said. Not at all, he said.

Still, “this is not my cup of tea, being in a federal lawsuit against a school board,” said Stough, whose favorite pastimes include watching old movies. “I’ve prayed a lot about this.”

Stough, 49, lives with his wife and two cats. He has a 14-year-old daughter by a previous marriage who lives nearby. Every school day for 28 years, he has driven to nearby Glen Rock, where he coaches high school varsity track and teaches seventh-grade science.

“Theory” may mean “hunch” in casual conversation, but in science it’s a well-established explanation for a series of facts. “My kids at school can tell you that,” Stough said.

There’s the heliocentric theory that the Earth revolves around the sun, he said.

“What if I were to say to you the Earth is at the center of the solar system?” he said, warming to the subject. Some people believe that, based on the Bible, “and they try to put the science together. Should we introduce that?”

Stough said he maintains at once a faith in God and a confidence in modern science.

“The beauty … the reasoning” of the creation story appeal to him, he said, but “obviously I don’t take the book of Genesis literally.”

He said he worries about his daughter, Ashley.

“She’s a pretty smart cookie. Maybe she’ll choose to go into the sciences. I don’t want her being taught something that isn’t science,” he said.

She’ll be applying to college and she’s in a school system that’s “becoming a laughing stock,” he said.

The Dover case will likely reach the U.S. Supreme Court, Silverstein said. In the meantime, people across the country choose sides.

Opponents of evolution feel as though they’re in a “scientific inquisition,” he said. “Science has the legitimacy, gets the funding, and has a story to tell about the nature of humanity that leaves them … without meaning.”

To people on the other side, it looks like a new religious inquisition. They’re “literally worried about the Dark Ages vs. the Enlightenment,” he said. MARY WARNER: 255-8267 or mwarner@patriot-news.com INFOMBOX: TERMS OF DEBATE *EVOLUTION: A scientific theory that all life forms evolved by natural processes from common ancestors over eons. *THEISTIC EVOLUTION: Belief in evolution and a God who initiated it. No claim to scientific evidence for God. *INTELLIGENT DESIGN: The claim that life’s complexity offers scientific evidence of design by a supernatural intelligence.

AN INFOMBOX APPEARS AT THE BOTTOM OF THIS STORY.

PHOTO: SEAN SIMMERS; Caption: Steven Stough, a science teacher whose daughter attends school in Dover, opposes **intelligent design**. He is a plaintiff in an ACLU suit against the school board. BELOW: Diane and Rich Thornton, who have two teen daughters, approve of the school board allowing **intelligent design** to be presented in science class as an alternative to evolution.; Michael Silverstein, who teaches a philosophy course at Elizabethtown College on evolution and its challengers, is planning a public seminar March 1 to analyze both sides of the issue.

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A Forum to look at science, theology, law of intelligent design [Corrected 02/15/05]
The Patriot-News
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CORRECTION: THIS STORY INCORRECTLY IDENTIFIED THE SCIENTIST WHO WILL ADVOCATE INTELLIGENT DESIGN IN A DEBATE MARCH 1 AT ELIZABETHTOWN COLLEGE. HE IS MICHAEL BEHE.

Elizabethtown College will gather some heavy hitters on the topic of intelligent design for a day of formal debate.

The March 1 forum, in the Leffler Chapel and Performance Center, will address scientific and theological questions: Is intelligent design really science? Is it good theology? Is Darwinism compatible with Christianity?

The scientific debate will pit intelligent design advocate William Behe against critic Neil Shanks. Behe, a Harrisburg native who graduated from Bishop McDevitt High School, is a biochemistry professor at Lehigh University. Shanks teaches philosophy, biology and physics at East Tennessee State University.

Debating the theology of intelligent design will be the Rev. Dave Martin of the Evangelical Free Church of Hershey and John Haught, theology professor at Georgetown University.

Two opposing attorneys in the Dover litigation -- Witold Walczak of the American Civil Liberties Union and Richard Thompson of the Thomas More Law Center -- will argue the civil and legal dimensions of the effort to introduce intelligent design in public school science classes.

The forum will close with a lecture by Paul Gross, emeritus professor of life sciences at the University of Virginia and co-author of "Creationism's Trojan Horse: the Wedge of Intelligent Design."

Michael Silberstein, associate professor of philosophy and director of Elizabethtown College's Center for Science and Religion, organized the forum, which is open to the public. INFOBOX: IF YOU GO

Forum on Intelligent Design:

* When: March 1.

* Where: Elizabethtown College.

* Schedule: 9 a.m.: Introductions. 9:30 a.m.: Scientific debate. 12:45 p.m.: Theological debate. 3 p.m.: Civil and legal debate. 7:30 p.m.: Lecture.

* More information: (717) 361-1587.

AN INFOBOX APPEARS AT THE BOTTOM OF THIS STORY.

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Dover defends ID stance; Mailing the Dover Area School Board's letter to district residents will cost $900.

LAURI LEBO. York Daily Record. York, Pa.: Feb 15, 2005. pg. 4

Abstract (Document Summary)

In a telephone poll released last month by Susquehanna Polling & Research, 54 percent of registered voters (with a 4.7 percent margin of error) said they support the board's Oct. 18 decision to add the phrase "intelligent design" into the biology curriculum and 36 percent oppose the decision.

[Bryan Rehm] said nothing in the newsletter points to the fact that the Thomas More center's mission statement is "defending the religious freedom of Christians."

The newsletter also includes a letter written by U.S. Sen. Rick Santorum, R-Pa., defending the school board's decision.

Full Text (435 words)

Copyright (c) 2005 York Daily Record

The Dover Area School District is mailing out a newsletter this week to all its residents in order to defend its position in the debate over intelligent design.

The mailer is in addition to the district's quarterly newsletters and addresses, according to its heading, "Biology Curriculum Update."

School board members, along with Thomas More Law Center, which is representing the district in its First Amendment legal battle over the inclusion of intelligent design in ninth-grade biology class, wrote the two-page mailer.

District Supt. Richard Nilsen said the newsletter will cost $900 to mail to the district's 22,000 residents, but he said he did not know the cost of printing.

Under the heading of "frequently asked questions," the newsletter said a "small minority of parents" object to the curriculum change.

But in a telephone poll released last month by Susquehanna Polling & Research, 54 percent of registered voters (with a 4.7 percent margin of error) said they support the board's Oct. 18 decision to add the phrase "intelligent design" into the biology curriculum and 36 percent oppose the decision.

Bryan Rehm, one of the 11 parents who filed suit against the district in December, said he hopes the newsletter encourages residents to ask more questions and get more parents involved.

Rehm said nothing in the newsletter points to the fact that the Thomas More center's mission statement is "defending the religious freedom of Christians."

"Not that there is anything wrong with preserving Christian freedoms," Rehm said. "But the school board's been saying all along this isn't a religious issue."

Steve Stough, another parent involved in the lawsuit, said the district is so cash-strapped that it was forced to cut library spending in half last year, but the board can come up with the money for a newsletter to defend itself.

The newsletter also includes a letter written by U.S. Sen. Rick Santorum, R-Pa., defending the school board's decision.
The senator's letter ran Dec. 25 in the Pittsburgh Post Gazette.

Santorum, who is a member of the advisory board of the Thomas More center, wrote, "The school board simply has presented a balanced curriculum that makes students aware of the controversies surrounding evolution."

Last month, district administrators read a one-minute statement to students that mentioned the concept, which argues that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Residents who have more questions are also referred to the district's Web site at www.dover.k12.pa.us or told to visit the high school library.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

MUG: Santorum

Credit: York Daily Record

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People: Rehm, Bryan, Santorum, Rick

Section: LOCAL

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A story in Sunday's editions incorrectly identified the scientist who will advocate **intelligent design** in a debate March 1 at Elizabethtown College. He is Michael Behe.

Sunday's Bookings column in the Arts & Leisure section incorrectly listed the price for Theresa Williams new book, "The Season of Acceptance." The correct price is $18.95.
By the end of the week, Dover Area School District residents will get a detailed version of the school board's views on a controversial change in the biology curriculum.

The board last night voted to mail a newsletter to all residents, explaining why it decided to add a mention of intelligent design the theory that attributes the origins of life to a higher being.

The newsletter was written by board members and district administration and by attorneys at the Thomas More Law Center, a Michigan-based public interest law firm that bills itself as "the sword and shield for people of faith."

"Unfortunately, a great deal of misinformation has been spread regarding this [biology curriculum policy]," said a draft of the newsletter, provided to reporters by superintendent Richard Nilsen. "We hope this publication will help those interested better understand the substance of the policy."

The front of the newsletter addresses "Frequently Asked Questions," including "What is all the fuss about?"

Says "small minority" oppose: The answer to that question, according to the newsletter, is that "a small minority of parents have objected to the curriculum change, claiming the board "has acted to impose its own religious beliefs on students. This is not true. The approved statement read to students was adopted to present a balanced science curriculum and forbids any presentation of religious beliefs."

It follows with several other questions, including "What is the theory of intelligent design?" and "What about the lawsuit filed by the ACLU?"

Eleven parents, backed by the American Civil Liberties Union, filed suit in December, arguing that the curriculum change violates the Constitution and entangles religion with schools.

One plaintiff, Bryan Rehm, said at last night's meeting that he hopes residents research the information presented by the board.

He took issue with the fact that the letter states the board was not religiously motivated, because the law center that helped write the newsletter and volunteered to defend the board in the lawsuit lists "preserving Christian freedoms" in its mission statement.

According to the center's Web site, "defending the religious freedom of Christians" is one of three categories listed under the heading "Mission."

Santorum essay questioned: Rehm also questioned why the newsletter included an op-ed essay written by U.S. Sen. Rick Santorum, R-Pa., who serves on the Thomas More Law Center's Advisory Board.

Santorum joined the center's board in 2002, according to the center's Web site.
Published almost two months ago in the Pittsburgh Post-Gazette, the essay said the Dover board "simply has presented a balanced curriculum that makes students aware of the controversies surrounding evolution."

"I commend the Dover Area School District for taking a stand and refusing to ignore the controversy," he said.

Rehm, a physics teacher, said Santorum is a lawyer, not a scientist. So he shouldn't draw scientific conclusions, Rehm said.

"I would not walk into a court room and tell a judge how to run the court," he said. "I don't have a legal degree."

Though the newsletter appears to include only arguments in favor of the board's decision, board member Eric Riddle said he does not think people would interpret the letter as one-sided.

"We're just putting out where we are and what's going on," he said.

Describes implementation: The newsletter includes a small article about the implementation of the curriculum, saying only 15 parents of the 175 students enrolled in the course requested their student not be in the room when the statement was read.

"We are pleased that the curriculum change occurred without incident,..." it said, and went on to thank parents and students.

The article emphasized that intelligent design was not taught in class and no teacher presented his or her religious beliefs.

The article doesn't mention that administrators were called in to read the statement because science teachers refused.

The newsletter also features a pie graph of results from the 2001 National Zogby Poll, created by research firm Zogby International, in which it was found that 71 percent of American adults think schools should teach Darwin's theory of evolution, but also teach evidence against it.

Nilsen said the final draft of the newsletter will direct residents to the district's Web site or the high school library, where 60 anonymously donated copies of the intelligent design book, "Of Pandas and People," reside.

The newsletter was sent out in addition to the district's quarterly newsletter and will cost about $900 to mail, Nilsen said.

He said he was not sure of the total cost of creating the newsletter.

-- Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
A group that wants to take intelligent design out of the science classroom in Dover Area School District plans to run five candidates for the school board in the May primary.

The slate includes physics teacher Bryan Rehm, one of 11 Dover Area parents who filed a federal lawsuit with the American Civil Liberties Union to remove intelligent design from curriculum.

The four other candidates are Bernadette Reinking, Terry Emig, Rob McIlvaine and Judy McIlvaine.

Called Dover C.A.R.E.S. [Citizens Actively Reviewing Educational Strategies], the group's platform includes:

--- Gearing Dover graduates for post-secondary success.
--- Managing tax money "responsibly."
--- Establishing "open and respectful" communication between residents and the board.
--- Building relationships in the school system, with employers and community members.
--- Discussing intelligent design in "the proper forum."

Cindy Sneath, secretary of the group, said it is not opposed to intelligent design, but thinks it should be taught in a comparative religion class instead of in a science class.

The Rev. Warren Eshbach, a retired Church of the Brethren minister, is acting as spokesman for the group.

In a press release, Eshbach said the group wants "to provide our citizens with positive and viable alternatives to the current climate in our district."

An adjunct professor at the Lutheran Theological Seminary in Gettysburg, Eshbach could not be reached for comment this morning after the group announced its candidacy in a press release. The five candidates also could not be reached for comment.

Victoria Reiber, a Realtor, is serving as chairwoman of the group.

There are four four-year seats and three two-year terms open on the school board in the May 17 primary.

In October, board members Alan Bonsell, Sheila Harkins, Angie Yingling, Jane Cleaver, Bill Buckingham and Heather Geesey voted to include a statement in ninth-grade biology curriculum that says that, as with all theories, there are gaps in the theory of evolution.
The statement tells students that there are alternative theories that hypothesize the origins of man, including **intelligent design**, which attributes the origins of life to an intelligent being.

**Other candidates:** While Buckingham, the major proponent of **intelligent design**, and Geesey are not up for re-election until 2007, Bonsell and Harkins' terms expire at the end of this year, and they say they plan to seek re-election.

And other candidates are likely to be in the race.

After Noel Wenrich and Jane Cleaver resigned from the board when they moved from the district, and Jeff and Casey Brown resigned in opposition to the **intelligent design** decision, four newcomers were appointed to the board.

Three of them, Sherrie Leber, Ron Short and Edward Rowand, have said they are interested in running, but are unsure whether they would seek a two-or four-year seat.

In addition, Jeff Brown said he intends to run. And Yingling, who just resigned from the board, said she is considering a run again, as is Casey Brown.

--- *Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.*

**LOAD-DATE:** March 26, 2005
Dover schools race on

A group of candidates opposed to ID in science class is seeking seats on the board.

By LAURI LEBO
Daily Record Sunday News
Friday, February 18, 2005

A Dover area citizens group is launching a slate of school board candidates in a primary race that likely will be a referendum on intelligent design.

While the candidates don't think intelligent design belongs in science class, they are not necessarily against seeing it taught in school. But the debate in the Dover Area School District is only one of the group's platform issues.

Members of Dover C.A.R.E.S (Citizens Actively Reviewing Educational Strategies), which is registering as a political action committee, also say they want to see the school board improve communication with the public.

Physics teacher Bryan Rehm, who has already said publicly that he is running, is one of the group's candidates. Rehm is also one of the 11 parents who filed suit against the district for including intelligent design in its ninth-grade biology curriculum.

The other four candidates are:

* Terry Emig, a 49-year-old security officer and school bus driver;

* Bernadette Reinking, a registered nurse and mother of four Dover Area graduates;

* and husband and wife Rob and Judy McIlvaine.

One of the Dover C.A.R.E.S. platform points states the following: Discuss intelligent design in the proper forum to enhance student understanding and critical thinking.

Emig, who has two children in the district and one who graduated from the high school, said he thinks it could be taught, for instance, in social studies or world culture, where it can be discussed in the proper context.

The parents' lawsuit claims including intelligent design in
the science curriculum improperly brings religion into the public school classroom. The Dover Area School Board has said it wants to present alternative views to Darwin's theory of evolution.

The concept of intelligent design is that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Another one of the group's concerns, Emig said, is that he didn't think the school board communicated well with district staff during the debate over whether to change the biology curriculum.

"I feel the board did not really sit down with the science teachers," he said.

Emig said that's why other platform issues for the group are to "establish open and respectful lines of communication," and to "build mutually beneficial relationships among the school system, employers and community members."

"In my personal opinion," he said. "I don't think the school board is doing that."

If a random telephone poll is correct, no matter what voters think of intelligent design, they will likely be casting their ballots in May over the issue.

In a survey conducted in January by Susquehanna Polling & Research, 89 percent of likely voters said the issue was either very or somewhat important in terms of influencing their votes, and 95 percent of those polled said they were familiar with the issue.

When asked how they felt about the board's October decision to add the phrase "intelligent design" to the science curriculum, 54 percent of voters (with a margin of error of plus or minus 4.7 percentage points) said they support it. Thirty-six percent of those surveyed said they oppose the decision, and 10 percent said they're undecided.

When asked if they think the district is headed in the right direction, 44 percent said they think it's on the wrong track.
Seven of the nine school board seats will be on the May 17 primary ballot.

Board members Sheila Harkins and Alan Bonsell, who voted for the curriculum change, are up for re-election. The seats of four people appointed to fill board vacancies that occurred last fall — Ronald Short, Ed Rowand, Sherrie Leber and Eric Riddle — will be on the ballot as well.

Before Angie Yingling resigned from the board earlier this month, she was up for reelection. The school board will appoint a person to fill the position Feb. 28, but that seat will also be up for grabs in the primary.

Yingling, who voted for the curriculum change but now says she regrets that vote, has said she mulling whether to run again.

In addition to the Dover C.A.R.E.S. candidates, former school board member Jeff Brown is running.

Brown resigned from the school board Oct. 18, along with his wife Casey Brown, after a majority of the board voted in favor of adding intelligent design to the science curriculum.

When he picked up his election application Tuesday, Jeff Brown said he picked up one for his wife as well, in case she decides she wants to run.

*Reach Lauri Lebo at 771-2092 or llebo@ydr.com.*
College forum to look into ID

Elizabethtown College said the event was planned before the Dover Area controversy.

By JOSEPH MALDONADO
For the Daily Record Sunday News
Monday, February 21, 2005

Many might assume Elizabethtown College's plan to have a forum on intelligent design and evolution was prompted by the Dover Area School District's decision to introduce intelligent design into its ninth-grade biology curriculum.

But Michael Silberstein, an associate professor of biology and head of the school's Center for Science and Religion, said that is not the case. The school has been planning the forum, set for March 1, since last summer.

"We had already decided to explore the dynamic interface between religion and science before Dover made their decision," he said. "Their choice does, however, make our event more timely and relevant."

Since last summer, a debate has grown about the validity of teaching intelligent design theory alongside Darwin's theory of evolution in publicly funded science classrooms.

The scientific community widely accepts Darwin's theory that species evolved over eons through natural selection. Intelligent design says life could never have evolved to where it is today without the help of some external force, such as an intelligent designer.

Those who oppose intelligent design say, among other things, that the theory is religion in disguise and has no place in a classroom funded by secular government. Those who oppose Darwin say, among other things, that evolution has become a religion unto itself and see no reason why students shouldn't be introduced to a competing theory.

The Elizabethtown College Center for Science and Religion, which is sponsoring the program, was created with a three-year, $15,000 grant from The Local Societies Initiative of the Metanexus Institute of Philadelphia. Elizabethtown provided matching funds for the project.

Silberstein, who founded the center, said it is devoted to a multidisciplinary, constructive and rigorous dialogue in
the field of science and religion.

The center's all-day debate topic is "Intelligent Design: the Scientific, Theological and Civil Dimensions of the Debate." The event is scheduled for March 1 and will include some people closely related to the Dover decision.

In October, it is believed that Dover's school board became the first in the U.S. to mandate that students be made aware of intelligent design in biology class.

Reaction to the decision included a lawsuit by 11 parents who say even the mention of intelligent design violates their constitutional right to have a separation of church and state.

In January, several other Dover parents petitioned the courts to join the legal battle in defense of the board.

Lawyers on both sides will be featured in the 3 p.m. debate. Richard Thompson, who is representing the school board from the Thomas More Institute in Ann Arbor, Mich., will speak on behalf of intelligent design. Vic Walczak of the ACLU, representing the parents in the lawsuit against Dover, will debate Thompson.

"We are anticipating a large turnout," said Mary Dolheimer, Elizabethtown College's director of media relations. "Anyone who comes should follow the parking signs closely and look for opportunities to use our shuttle services."

The shuttles will leave from nearby churches that have allowed the school to use their parking lots.

"I have received hundreds of calls and e-mails about this program," Silberstein said. "We are looking forward to an informative series of debates."

**SEMINAR PLANNED**

A free, multiweek seminar titled "Evolution or Creation" will begin at 7 p.m. March 2 at Heritage Baptist Church in Loganville. The seminar will include videos, lectures, and discussions. It is scheduled for each Wednesday at the same time and is expected to last at least 10 weeks.

Topics to be addressed include the following: "Do the facts prove the theory of evolution? Could there be some other
source of our existence? Is it true that creationism is only religious and evolution is only science?"

For details, call Pastor Jim Grove at 428-1765.

**E-TOWN FORUM**

Schedule for the Elizabethtown College Forum on Intelligent Design, scheduled for March 1 at Leffler Chapel:

- 9:00 a.m. — Opening remarks

- 9:30 a.m. — Session 1: Scientific Dimensions. Includes questions from audience beginning at 11:20 a.m.

- 11:40 a.m. to 12:45 p.m. — Lunch

- 12:45 p.m. — Session II: Theological Dimension. Includes questions from the audience beginning at 2:35 p.m.

- 3 p.m. — Session III: Civil and Legal Dimensions. Speakers include Richard Thompson of the Thomas More Institute, which is defending Dover Area School District in a lawsuit over intelligent design, and Vic Walczak, an ACLU lawyer representing the parents who sued the Dover Area district. Session includes questions from the audience at 4:50 p.m.

- 5:40-7:30 p.m. — Dinner

- 7:45 p.m. — Session IV: Evening Capstone Lecture

- 7:45-8:45 p.m. — Paul Gross, emeritus professor of life sciences at the University of Virginia. Includes questions from other speakers at 8:45 p.m.; questions from the audience at 9 p.m.

For more details on the event, visit [http://www.etown.edu](http://www.etown.edu) and click on "Intelligent design forum" in the scrolling bar, or call 361-1000.
LOCAL
ID DEBATE; Lawyers spar with motions
York Daily Record
127 words
22 February 2005
York Daily Record
1
English
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Plaintiffs suing the Dover Area School District said a motion by district lawyers has no merit.

Attorneys for the district claim that five of the 11 parents who filed suit over the inclusion of intelligent design in ninth-grade biology class have no standing because their children are either too young to be affected or have already taken the class.

But in a motion filed this week, attorneys for the parents say requiring intelligent design in science class amounts to an endorsement of religion. "This endorsement affects all students in the district, and through them, their parents," the motion states.

The two sides meet Monday in federal court, where a judge will rule on the "standing" issue.
SECTION: LOCAL NEWS

LENGTH: 410 words

HEADLINE: Five vie for seat in Dover

BYLINE: CHRISTINA KAUFFMAN The York Dispatch

BODY:

Five Dover Area School District residents have requested to fill a seat left vacant by board member Angie Yingling's resignation.

Yesterday was the deadline for interested parties to apply to fill the seat.

The list includes applicants from many sides of the district's debate over intelligent design, which attributes the origin of life to a higher being.

Applicant James Cashman is one of six parents who wants to intervene in a federal lawsuit filed by 11 district parents and the American Civil Liberties Union.

The ACLU suit seeks to remove intelligent design, which attributes human origin to a higher being, from biology curriculum. Cashman and the other intervening parents want to keep intelligent design in the curriculum.

Terry Emig recently announced his candidacy in the May primary under a group called Dover C.A.R.E.S. [Citizens Actively Reviewing Educational Strategies].

The group's platform includes discussing intelligent design in "the proper forum," such as in a religion class instead of in biology classes.

Other applicants include Mike Arnold, Mike Foreman and William Trimmer.

Trimmer angered some Dover students in 2001 when he said students should be more patriotic.

There are four four-year seats and three two-year terms open on the school board in the May 17 primary. Several residents of varied opinions have said they intend to run, but Dover C.A.R.E.S. is the first group to announce candidates.

The Rev. Warren Eshbach, a retired Church of the Brethren minister, is acting as spokesman for the group. He has said the group wants "to provide our citizens with positive and viable alternatives to the current climate in our district."

Current board members voted to include intelligent design in the biology curriculum, and those appointed by the board to fill vacancies left by resignations have generally agreed with the philosophies it has set forth.

Yingling voted to include a statement about intelligent design in the school's curriculum, but later said she did so because she was pressured and accused of being "un-Christian."

Yingling resigned Feb. 7, saying she did not "want to be associated" with the board. She read a statement that accused board members of having "personal religious agendas" and appearing like "religious zealots preaching from the shadows."
The board will interview the applicants Feb. 28.

-- Reach Christina Kauffman at 305-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
Four vie for Dover position

The school board will meet Monday to choose a replacement for Angie Yingling.

By LAURILEBO
Daily Record Sunday News
Friday, February 25, 2005

James Cashman is so convinced the Dover Area School Board is right, he wants to be on the same side in a federal lawsuit.

Mike Arnold has strong feelings about the issue of intelligent design. But for now, he says, his opinion on the issue is none of the school board's business.

Both Cashman and Arnold hope to fill the board seat vacated earlier this month by Angie Yingling.

Two other candidates, William Trimmer and Mark Foreman, say the district has more important issues to worry about.

On Monday night, the school board will interview the candidates and make its choice to fill Yingling's unexpired term until the end of the year.

Yingling stepped down from the board Feb. 7, saying she regrets her October decision to support intelligent design.

On Oct. 18, the school board voted 6-3 to require students to be told about the concept of intelligent design — the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer — in ninth-grade biology class.

The mandate — believed to be the first one in the country at a public school — has divided the community and spurred a First Amendment lawsuit by parents who believe it amounts to an endorsement of religion.

Cashman thinks the debate is a great thing for Dover because, he said, it forces people to sit down and think about the issue.

"It gets people talking about it," he said. "It stimulates interaction."

Cashman, who believes in the biblical account of man's
origins, doesn't see this as a church-and-state issue.

"I believe there's no intent to teach any religious-based information," he said.

Rather, as one of six parents who have asked to join the lawsuit on behalf of the district, he sees this as an educational freedom issue.

A father of five children, he said he thinks kids should be able to hear both sides of any issue.

On Monday, a federal judge will rule on Cashman's and the other five parents' motion to intervene.

Cashman also intends to be a school board candidate in the May primary. A local business owner, he said he has reached the age — "a very young 50" — at which he wants to give back to the community.

And while Cashman welcomes the debate, Foreman thinks the issue has become too polarized, and it's tearing apart the community.

"I don't like the idea that if you don't agree with them, you're wrong," he said of people on both sides.

Foreman, 48, who identifies himself as a Christian and believes in creationism, said he has not yet made up his mind on the issue and wants to hear more about it directly from the school board.

"I want to hear it from the horse's mouth," he said.

Foreman, a civil engineer who is currently unemployed, has a stepson in the district. He said, if he's picked, he wants to reach out to both sides and help them.

"It's not going to be as easy as that," he said. "It's such a big divide."

But then, he said, he hopes the board can focus on other priorities affecting the district.

The last time there was a board vacancy was in November when a group of 13 residents vied for four positions — including two formerly held by Jeff and Casey Brown, who quit in protest over the intelligent design vote.
At that time, Arnold said he was passed over by the board because he declined to give his opinion on the intelligent design controversy. "I don't think it's relevant when trying to fill an empty seat," he said.

Arnold, 35, said he will give board members, if asked, the same answer Monday night.

While he declined to share his views, he said he believes it's a legitimate issue for a candidate running for office. So after Monday night, he'll be happy to talk about it.

"Right now, intelligent design seems to be gathering all the headlines," said the father of two Dover students. "I think it's a shame because there's more to running the school district than one statement in biology class."

Trimmer, 27, agrees with Arnold.

A welder at Harley-Davidson, Trimmer sees taxes and basic educational standards as being a greater concern for district residents than the fight over intelligent design.

"My concern is that we're going to end up being single-issue candidates," said the father of three girls. "When that ultimately goes away, what's going to happen?"

*Reach Lauri Lebo at 771-2092 or llebo@ydr.com.*

**THE CANDIDATES SPEAK ABOUT INTELLIGENT DESIGN**

- "I believe there's no intent to teach any religious-based information." — **James Cashman**

- "When that (issue) ultimately goes away, what's going to happen?" — **William Trimmer**

- "I think it's a shame because there's more to running the school district than one statement in biology class." — **Mike Arnold**

- "It's such a big divide." — **Mark Foreman**
THE CANDIDATES SPEAK ABOUT INTELLIGENT DESIGN
York Daily Record
68 words
25 February 2005
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1
English
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-- "I believe there's no intent to teach any religious-based information." James Cashman

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MAIN
UPDATE: Anti-evolution book debated
York Daily Record
106 words
1 March 2005
York Daily Record
1
English
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Last time: Copies of the book "Of Pandas and People," which supports the idea that life is too complex to have evolved randomly, were donated to the Dover Area School District as supplementary reading.

The latest: Where the book should be kept in the library or in science classrooms was the subject of intense debate Monday in federal court in Harrisburg.

What's next: Judge John E. Jones III said he expects to rule "promptly" on motions made by both sides in the ongoing Dover controversy over "intelligent design," a critique of the theory of evolution. 1C

Document YKDR000020050302e1310001j

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Local/State

Lawyer asks to join Dover book suit; Clients want to keep 'intelligent design' text in classroom

BILL SULON
Of The Patriot-News
667 words
1 March 2005
Patriot-News
FINAL
B01
English
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Dover Area School District students have a right to hear "how life develops" and should have access in biology class to a book that raises the concept of "intelligent design" as an alternative to Darwin's theory of evolution, a lawyer told a federal judge yesterday.

The lawyer, Stephen A. Serfass of the Drinker Biddle & Reath firm in Philadelphia, asked for permission to join the district in its defense against a federal lawsuit. Civil-liberties groups and the parents of several students filed the suit, arguing that the book, "Of Pandas and People," like the Bible, has no place in the classroom.

U.S. Middle District Judge John E. Jones III said he plans to make a ruling soon on Serfass' request to intervene in the lawsuit on behalf of three other families. Jones gave no estimate for when he would rule.

The case, scheduled to go to trial in September, is believed to be the first in the nation in which a district has required students to hear about intelligent design, which holds that Darwin's theory is fraught with unexplainable gaps, and that certain features of the universe and of living things are best explained by an intelligent cause.

District administrators began reading a statement to that effect last month to biology class students, calling "Of Pandas and People" a reference book that "is available for students who might be interested in gaining an understanding of what intelligent design actually involves."

Stephen Harvey and Eric Rothschild, lawyers with the Pepper Hamilton firm in Philadelphia, asked the court to bar Serfass from intervening in the case. The lawyers represent the families who, with the backing of civil-liberties groups, argue that the teaching of intelligent design crosses the constitutional line separating church and state.

"All they add to the case is cost and complexity," Harvey said of Serfass and his clients' attempt to intervene. Harvey said that he has no objection to "Of Pandas and People" being made available to students on a voluntary basis in school libraries, but that the district should not be allowed to keep copies in classrooms.

"It has no place in the classroom, just as the Bible has no place in the classroom," Harvey said.

Serfass said students should not have to go to the library for the book. He said asking the district to remove the book from the classroom "is no different than removing it from the library."

After Serfass referred to "Of Pandas and People" as a science book, Jones said, "There's the rub. You say it's a science book. The plaintiff says it's not a science book."

Percival Davis and Dean H. Kenyon write in "Of Pandas and People," which was published in 1989, "In the world around us, we see two classes of things: natural objects, like rivers and mountains, and man-made structures, like houses and computers. To put it in the context of origins, we see things resulting from two kinds of causes: natural and intelligent."

Dover administrators, in their statement on intelligent design, refer students to the book and say that evolution "continues to be tested" and "is not a fact."

The Pennsylvania chapter of the American Civil Liberties Union, which is representing parents opposed to the district's intelligent design policy, has not asked Jones to bar the administrators from reading the intelligent design statement to students in class.

BILL SULON: 255-8144 or bsulon@patriot-news.com INFOBOX: TERMS OF DEBATE


7/22/2005
* EVOLUTION: A scientific theory that all life forms evolved by natural processes from common ancestors over eons.

* THEISTIC EVOLUTION: Belief in evolution and a God who initiated it. No claim to scientific evidence for God.

* INTELLIGENT DESIGN: The claim that life's complexity offers scientific evidence of design by a supernatural intelligence.

AN INFOBOX APPEARS AT THE BOTTOM OF THIS STORY.
Grandpa's drug problem makes all the difference

According to Covenant Moravian Church, Grandpa admits ...

My generation just might have been lucky. I had a drug problem when I was young, but I turned out all right anyway.

---I was drug to church.
---I was drug to family reunions.
---I was drug out of bed in the early morning.
---I was drug by the ears when I was disrespectful.
---I was also drug to the woodshed when I disobeyed my parents.
---Those "drugs" still run through my veins and they affect my behavior -- everything I do, say and think.

Over 25 years, the Leo Club of Red Lion Area Senior High School has raised more than $200,000 to enhance school resources, including lighting Horn Field.

Now, following the death of attorney Raymond R. Smith, who pioneered a reading program, the club has stepped up and accepted tutoring responsibilities, says Ron Fitzkee, its president.

Volunteers commit to weekly sessions with first-, second- and third-graders whose teachers decide they need help.

If your kids watch MTV, they're getting a heavy dose of sex, violence and foul language, according to the Parents Television Council.

MTV, the council notes, is part of most basic cable packages.

L. Brent Boswell, president of the PTC, declared:

"It is unconscionable for the cable industry to force families to subsidize this kind of filth for the privilege of being able to watch TV Land, or the Food Network, or the Disney Channel."

March is American Red Cross month ... a salute to all who make the organization such an indispensable element in community life.
Scott Little, a Springettsbury firefighter and member of the U.S. Marine Corps Reserve, writes from Iraq:

The best part is "hoping to make a difference, and having a better world live ..."

--
Currently slugging it out with the ACLU in the Dover "intelligent design" case, the Thomas More Law Center, with 263 pro bono lawyers at its command, is also involved in other legal disputes in 38 states.

Among them was the successful defense of a high school student reportedly told she could not present her Christian beliefs on homosexual conduct during a school-sponsored Diversity Week panel exploring "Homosexuality and Religion."

Other cases involve the Pledge of Allegiance, the Ten Commandments and Nativity displays at Christmas. As the law center sees things: "Left-wing, anti-God organizations, led by the ACLU, are out to destroy the moral and religious foundations of our great nation ... the main battleground in the culture war is the courtroom ..."

--
Making older drivers safer drivers ... that's a goal of the Area Agency on Aging, which just received a federal grant to help train volunteers to spread the safety gospel among senior centers, churches, civic groups, etc. York is one of just 11 agencies in the nation singled out for the $2,000 grant.

--
World Day of prayer starts with a 9 a.m. breakfast Saturday at Calvary UM Church. You're invited ... details, Nadine Wolf, 764-6547, of the Church Women United of York County.

--
Sure signs of spring despite the wintry blast ... St. Matthew's is reviving its softball team and planning a Mother's Day geranium sale.

--
Martin Library's celebrity auction, featuring sports, movie and TV memorabilia, starts at 1 p.m. Saturday.

--
Workshops and seminars ... the Mid-Atlantic Garden Show ... noon-9 p.m. Thursday, 10 a.m.-9 p.m. Friday and Saturday, 10 a.m.-5 p.m. Sunday, York Expo Center.

--
Divorce data in the U.S., according to the Barna Poll ...

---21 percent of atheists/agnostics split.
---21 percent of Catholics and Lutherans.
---25 percent of mainline Protestants.
---29 percent of Baptists.
---34 percent of non-denominational churches.

--
Nuggets in the news ...

---96.79 percent of the state's public school teachers are "highly qualified," says the Pennsylvania Department of Education.

---TV personality Bill Maher believes Christians and others who are religious suffer from a neurological disorder that "stops people from thinking ... we are a nation that is unenlightened because of religion."

--
More Burma Shave highway nostalgia from Al and Edie Heindel, of York ...

Passing school zone
Take it slow
Let our little
Shavers grow

Columns by Hank Merges, a local writer, appear Tuesday and Thursday in The York Dispatch. Reach Hank at hmerges@yorkdispatch.com or 854-1375.
LOAD-DATE: March 26, 2005
Book's fate a court debate

Lawyers argued about whether a text on intelligent design belongs in science class.

By LAURIE ELO
Daily Record Sunday News
Tuesday, March 1, 2005

The parents suing the Dover Area School District over intelligent design in science class aren't trying to ban a book on the subject from the high-school library. They just don't want it in science class.

But another group of parents defending the school district said the book, "Of Pandas and People," should be kept in biology class in case a student wants to read it.

In federal district court in Harrisburg on Monday, the two sides debated the appropriate home of 60 donated copies of the controversial book, which espouses the concept of intelligent design — the idea that life is too complex to have evolved solely through natural selection and must have been created by an intelligent designer.

It is no more appropriate to have the book in science class than it would be to have the Bible there, said Stephen Harvey, an attorney with the Pepper Rothschild law firm representing 11 parents suing the district.

In December, 11 parents filed a First Amendment lawsuit arguing the intelligent design requirement amounts to an endorsement of religion. But the school board maintains its motivation is merely to present alternative views to evolution.

Monday's hearing was to discuss two court motions filed in support of the defense.

In a request filed by the Rutherford Institute, a Virginia-based civil liberties group involved in church-state litigation, five parents have asked to be allowed to intervene in the lawsuit on the district's behalf. While Dover's battle has focused so far on the First Amendment's establishment clause, these parents argue that it's also about freedom of speech and their children's right to hear about intelligent design.

Judge John E. Jones III said he intends to rule "promptly" on the motion, as well as on one by the school district's
attorneys to dismiss five of the 11 plaintiffs on the grounds that their children are either too old or too young to be affected by the policy.

Despite the court requests, much of the hearing focused on the "Pandas" book. According to the district’s curriculum, students are not required to study "Pandas" but may use it as voluntary reference material.

While the district has said the "Pandas" books are to be kept in the library, Stephen Serfass, an attorney handling the parents’ intervening request, said they should be kept in the classroom to protect students’ access to them. Jones called the debate over the book’s home "something of a red herring."

But Robert Muise, an attorney representing the district with the Thomas More Law Center, said the book is "a major part of what we have been arguing."
ID debate continues at college

Lawyers on both sides of the Dover schools controversy spoke at Elizabethtown.

By JOSEPH MALDONADO
For the Daily Record Sunday News
Wednesday, March 2, 2005

The ACLU and Thomas More Law Center of Ann Arbor, Mich., have already gone toe-to-toe a couple of times in court over the intelligent design controversy surrounding the Dover Area School District.

During its regular meeting on Oct 18, the board voted 6-3 to allow changes to their biology curriculum that reads: "Students will be made aware of gaps/problems in Darwin's Theory and of other theories of evolution including, but not limited to intelligent design. Note: Origins of life will not be taught."

Opponents of the decision say it violates their Constitutional right to a separation of church and state. Supporters say the theory is a legitimate scientific alternative to Darwin's theory of evolution, which they say has serious gaps and problems.

On Tuesday afternoon, Richard Thompson from Thomas More and Vic Walczak from the American Civil Liberties Union went at each other again at Elizabethtown College.

The school hosted a series of debates on intelligent design, one of which featured a three-hour session with Thompson and Walczak. They were each given 45 minutes to make their arguments. Then they were given 10 minutes for rebuttal.

Thompson used nearly 15 minutes of his time to present an updated version of "The Emperor's New Clothes" and to tell a joke about the first lawyer to go to heaven.

In his "emperor" metaphor, Thompson said evolution is king. And anyone who tries to make the king aware that he is naked is "stupid and unfit for public office." Then he said the Dover Area School Board is the child in the story, courageous enough to tell the king he has no clothes on.

In addition to praising the scientific merits of intelligent design, Thompson also praised U.S. Sen. Rick Santorum, R-Pa., for encouraging people not to fear lawsuits when
standing up for their principles. Santorum sits on Thomas More's advisory board.

Thompson also said legal efforts to keep God out of classrooms, and other government funded forums, were part of a greater effort to "de-Christianize America." Later though, he said intelligent design has nothing to do with Christianity or religion, saying it offered a legitimate scientific alternative to evolution.

He offered up a three-prong test the court uses to determine if something is religious. He said intelligent design does not address the ultimate question of our existence, does not have any liturgy or clergy and does not intend to identify the designer. Thus, he said, the court would see the theory is not religious.

"Why is the other side so afraid of intelligent design?" Thompson asked. "The clashing of ideas is the American way."

When Walczak began his 45 minutes, he asked the audience if everyone could see his clothes.

Then he said intelligent design is inherently religious, and that the test Thompson referred to was used more by the courts to determine if inmates could grow their hair long or demand more recreation time because of some unfamiliar religious claim.

He also said that because intelligent design is religious, it poses a real danger to anyone who may oppose it.

He cited the experience of a woman he knew in the early 1980s whose life was threatened because the school her son attended prayed in a way that wasn't consistent with her faith.

When she brought the issue to the school board, Walczak said, she was physically assaulted. A student also assaulted her fifth-grade son, breaking his arm, and her home was burned to the ground.

He said of all the types of cases he represents, nothing touches the nerves as much as those involving church and state issues.

But it's not that Walczak doesn't believe that schools shouldn't talk about religion. He said the place for it,
though, is in a religion or philosophy of science course.

There is a misconception that the ACLU is trying to take the Bible, prayer and God out of schools, he said.

"As long as there are math tests, there will always be prayer in schools," he said.

After the debate, several students gave their opinions.

Vanessa Ide, a freshman, said Walczak won.

Fellow freshman Laura Belkot agreed.

"(Thompson) presented an awful lot of fluffy stuff today," she said. "Walczak definitely made the better arguments."

Matt Sembach, a sophomore, said he agreed with Thompson.

"I think students should hear more than one side on this," he said.

Sophomore Justin Shoemaker said he saw only a slight connection between intelligent design and religion.

"The connection is so loose. Why don't the teachers just present both sides and let the students decide which is right?" he asked.
In an article on page C1 Tuesday about the Dover Area School District's battle over intelligent design, the name of the law firm representing the plaintiffs was incorrectly reported. The parents suing the school district are represented by the Philadelphia-based law firm of Pepper Hamilton.

An article on page D3 Tuesday incorrectly identified Jordan Derk. He is a freshman at Dallastown High School.

If you believe we have made a mistake, please call 771-2000.
A Section
BY DESIGN? ; Politely, experts debate creationism and its teaching
MARY WARNER
Of The Patriot-News
756 words
2 March 2005
Patriot-News
FINAL
A01
English
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The ruckus that has brought national attention to Dover schools shifted to Elizabethtown College yesterday for a day of polite debate on a divisive topic.

At issue is the concept of intelligent design, which says the complexity of life is scientific evidence of a creator. It's the latest battleground in America's fight over the teaching of evolution.

The Dover Area School Board this year became the first in the country to require introduction of intelligent design in science class as an alternative to evolution.

Nine Dover parents sued in federal court to reverse the school board's decision. The plaintiffs, represented by the American Civil Liberties Union and Americans United for Separation of Church and State, said the board unconstitutionally endorsed a religious belief.

The case is scheduled for a September trial that likely will be watched closely. In Mississippi, Montana, South Carolina, Kansas and other states, efforts are under way to teach intelligent design.

Yesterday's day-long forum was organized by the college's Center for Science and Religion. Director Michael Silberstein said "hundreds and hundreds" of people inquired about the forum -- including church groups, professors, science students and teachers from public and Christian schools, nearby and in neighboring states. The college arranged for shuttle buses from distant parking areas.

But Silberstein said that Monday's snow dampened attendance. The audience totaled about 350 people.

The first debate was between scientists: Michael Behe of Lehigh University, an advocate of intelligent design, and critic Niall Shanks of East Tennessee State University.

Using Far Side cartoons, drawings of bacteria and dry humor, Behe argued that recently discovered complexity in cells suggests they were purposely designed. Darwin's theories of random mutation and natural selection are insufficient explanations, he said.

"We do not know as much as we would like" about how that complexity evolved, Shanks countered. "But the danger is that you take our current ignorance and convert it to an ontological argument for the existence of God... It's an appeal to ignorance."

Behe and Shanks praised each other and laughed at each other's jokes, but Shanks said later that no "top-flight" scientists consider intelligent design to be science.

The Rev. David Martin of the Evangelical Free Church of Hershey and theologian John Haught of Georgetown University kept that tone in debating the theology of evolution and intelligent design.

Martin said many evangelicals worry that their children's science teachers "might intentionally or unintentionally indoctrinate them in a materialistic world view" -- countering the religious understanding that nature is infused with meaning and humans have unique dignity.

But Haught said it was "quite possible to make Christian theology a suitable context for evolutionary biology."

The audience was most vocal during a debate between the lawyers in the Dover case: Richard Thompson of the Thomas More Law Center, which describes itself as a defender of Christian beliefs, and Witold Walczak of the ACLU.

When Thompson said the ACLU suit is "a part of the agenda to de-Christianize our nation," a couple of "amens" came from the audience -- along with some laughter and one disgusted "geez."

Thompson compared the Dover board to the boy in a children's story, crying "Emperor Evolution has no clothes." Students should learn about the scientific debate over evolution, he said.

"What is science is determined by scientists through a scientific process," Walczak responded. He read a list of groups that have declared intelligent design is not science, including the National Academy of Science and the American Association for Advancement of Science.

"And they're unbiased, are they not?" one man called sarcastically from the audience.

Walczak persisted: "It's not to say it's not metaphysically correct, but it's not science. There's not a single university teaching intelligent design in its science curriculum."

Elizabethtown President Ted Long introduced the forum, noting that it was a particularly appropriate function of a college founded by the Church of the Brethren, known for its peacemaking. MARY WARNER: 255-8267 or mwarner@patriot-news.com

PHOTO; JOE HERMITT; Caption: Dr. Tony Gerard of Derry Twp. asks a question during yesterday's Scientific Dimensions portion of the intelligent-design debate at Elizabethtown College. Gerard is an emergency room physician at Good Samaritan Hospital in Lebanon.; Niall Shanks of East Tennessee State University, left, a critic of intelligent design, and Michael Behe of Lehigh University, an advocate, air their views during the debate.

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LOCAL
Lining up for Dover seats; Potential candidate sees election as referendum on intelligent design
JOSEPH MALDONADO
York Daily Record
530 words
6 March 2005
York Daily Record
1/07
English
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Those interested in holding a seat on the Dover Area School Board have until Tuesday to make their candidacies official with York County's Office of Elections and Voter Services.

Seven board members are up for re-election and, as of Saturday, only Alan Bonsell had confirmed publicly that he is seeking a new term.

At least nine people have said they will run for the open seats on a board that made a controversial decision last year to introduce intelligent design into Dover Area High School's ninth-grade biology curriculum.

But, as the deadline draws near, at least one man finds himself questioning whether his candidacy could hurt efforts to get intelligent design out of science class.

"If I see the (intelligent design) opposition list is in single digits, count me in," said former board member Jeffrey Brown. "If there are more than 10, I'm really going to have to think about whether my running helps or hinders the cause."

On Oct. 18, the board voted 6-3 to have students exposed to the concept of intelligent design, which, proponents say, is a legitimate, scientific alternative to Darwin's theory of evolution.

Brown resigned over the issue saying the board had crossed a line when it passed the change.

Back then, he and his wife, Carol "Casey" Brown, predicted the district would be sued over the decision. His wife also resigned over the decision.

In December, 11 parents sued the district saying the theory's implied religious connection violated their constitutional right to a separation of church and state.

Soon after resigning, Jeffrey Brown said he was going to run again during this year's election. He has said repeatedly he views his candidacy as a voter referendum on the intelligent design debate.

But now he sees a potential problem. So many are outraged about the curriculum change, he said, that there may be 20 people running on an anti-intelligent design platform.

"If that happens, we'll split so many votes that none of us opposed to the change will get elected," he said.

That's why Brown said he will wait until the last minute to submit his petition and declare himself a candidate.

Both he and his wife have collected enough signatures to be eligible, but Carol Brown has been reluctant to say whether she will run. "I still don't know," she said Friday. "I'm still thinking it over."

At least five other candidates are running on a platform that includes opposition to intelligent design. They have formed a group called Dover C.A.R.E.S., which stands for Citizens Actively Reviewing Educational Strategies.

"I think it would have been more proper in a world religion class or something along those lines," Bernadette Reinking, a member of the group, said. "Anywhere but in science."


6/21/2005
Rethinking said she would like to see the opposition group number exactly seven. Jeffrey Brown said he admires the way the group has organized but said neither he nor his wife have been contacted to join.
LOCAL
Who's in the; race so far
York Daily Record
197 words
6 March 2005
York Daily Record
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English
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So far, of the seven Dover Area School Board members up for re-election only one, Alan Bonsell, has
publicly confirmed he is seeking a new term.

The others whose seats are up for election include Sheila Harkins, Eric Riddle, Edward Rowand,
Ronald Short and Sherrie Leber. All have been advocates of "Intelligent Design Theory" in the
biology classroom.

On Monday, the school board will vote on a replacement for Angie Yingling, who resigned last month.
That seat, too, will be up for re-election this year.

Yingling, who opposes intelligent design, has said she plans to run again. Also planning to run are
former board member Jeffrey Brown, who also opposes intelligent design, and Mike Arnold, who
has not publicly taken a position on the issue.

Five people in a group calling themselves Dover C.A.R.E.S. Citizens Actively Reviewing Educational
Strategies have also committed to running. They are Bernadette Reinking, Terry Emig, Bryan Rehm,
Rob McIlvaine and Judy McIlvaine. All are against intelligent design being offered in any science
classroom, though they are not against it being a part of another course.

Document YKDR000020050309e1360001z

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MAIN

UPDATE: Dover board gets new face
York Daily Record
110 words
8 March 2005
York Daily Record
1
English
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Last time: The Dover Area school board accepted applications until Feb. 23 from district residents interested in replacing Angie Yingling, who resigned from the board Feb. 7, saying she regretting voting in favor of adding intelligent design to the district's biology curriculum.

The latest: During their meeting Monday night, members selected James Cashman, who has publicly supported the board's decision on intelligent design, over Michael Arnold, who has said his opinion on the subject is none of the board members' business.

What's next: Seven candidates will vie for spots on the board during the May primary. 1C

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LOCAL
Dover board fills a seat; James Cashman supports the teaching of intelligent design as science.
JOSEPH MALDONADO
York Daily Record
553 words
8 March 2005
York Daily Record
1
English
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After nearly an hour of interviewing two candidates to fill a position on the Dover Area School Board, created when Angie Yingling resigned last month, the board chose James Cashman over Michael Arnold.

Arnold, who was also passed over this past November when the board interviewed for one of four spots created by resignations, said the deciding factor came down to one main issue: intelligent design.

The concept suggests that life is far too complex to have evolved on its own without help from a supernatural "designer."

In October, the board changed the ninth-grade biology curriculum to tell students that there are gaps and problems associated with evolution and that there are competing theories, with specific emphasis placed on intelligent design.

In December, 11 parents filed a federal lawsuit against the school district, arguing the curriculum change violates the First Amendment by requiring "teachers to present to their students in biology class information that is inherently religious, not scientific, in nature."

Supporters say intelligent design is a legitimate scientific alternative to the teachings of evolution.

During his interview Monday evening, Arnold was asked by board President Sheila Harkins if he felt he had been passed over in November because of his failure to respond to questions about intelligent design. Harkin used the example of someone who was chosen during that meeting, Sherrie Leber.

"Sherrie was picked without responding (to questions about intelligent design)," Harkins said.

"She wasn't asked," Arnold replied.

After the election, Arnold said he knew Cashman and believed he would do an "excellent job." But he also said Cashman's willingness to talk about the theory swayed the board.

"(Cashman) is already out in favor of intelligent design," Arnold said. "The board has tried to say the issue would not play a part in their decision, but I find that hard to believe."
As was the case during the last round of interviews, Arnold refused to state before or during his interview his position on the intelligent design controversy.

But after the meeting, Arnold said he had no problems with intelligent design being in the science classroom.

"It's no more faith-based than evolution," Arnold said. "I just don't think the issue should have been a factor in filling a board seat."

During his interview, Cashman said he supported intelligent design.

"I don't think it's a negative thing to bring up," he said. "It forces people to think about what they believe and articulate an answer."

After making its selection, the board took a break. Before being sworn in, Cashman said he would like to see a "truthful, uncensored presentation about the origins of life" in science.

He then said the discussion should be broad and include, but not be limited to, intelligent design. He also said kids should be encouraged to do research or independent studies on the theory and use them in debates in the science classroom.

"These students are our future scientists," Cashman said. "There used to be a time when no one could make a statement that the world wasn't flat."

Both Arnold and Cashman will run for election this year for a full-term seat on the board.

Document YKDR000020050309e13800041

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A recently formed citizens group called Dover Citizens Actively Reviewing Educational Strategies said it has recruited two new candidates for the upcoming Dover Area School Board elections, bringing the group's number to seven. The new members are Larry Gurreri and Patricia Dapp.

The other five members of Dover C.A.R.E.S are Bernadette Reinking, Terry Emig, Bryan Rehm, Rob McIlvaine and Judy McIlvaine. Seven board seats are up for re-election this year.

The group has come out against the teaching of intelligent design in the science classroom. Last week, Reinking said her group would support teaching the theory in another setting, such as a world religions or a suitable history course.

At 6 p.m. tonight, the group will hold a news conference at the Dover Community Center at 3700 Davidsburg Road.

For more information about the group, visit its Web site at www.dovercares.org.

Document YKDR000020050309e13800045

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The Dover Area School Board unanimously appointed to the board last night a man who wants to intervene in a federal lawsuit on its behalf.

Area businessman James Cashman, a father of five, is one of six parents who want to intervene in a lawsuit filed by 11 district parents and the American Civil Liberties Union.

The ACLU suit seeks to remove intelligent design from the biology curriculum. Cashman and the other intervening parents want to keep it in the curriculum; it attributes human origin to a higher being.

Though five people applied for the seat, only Cashman and Mike Arnold, who interviewed for a previous position, remained last night.

Board secretary Karen Holtzapple said three applicants -- Terry Emig, who recently announced his candidacy in the May primary under a group called Dover C.A.R.E.S. [Citizens Actively Reviewing Educational Strategies], Mike Foreman and William Trimmer -- withdrew their applications because of personal and work-related obligations.

Questions for Arnold: Each board member asked the two candidates questions and gave them a chance to explain why they wanted to serve; the term runs through the end of the year.

Arnold, a Dover graduate who owns a hair salon in the district, said the district is successful overall, but there are some things he would like to improve.

He said he wanted to join the board to ensure that his children are given the best possible education, and he wanted to make sure students are not overlooked in the battle over intelligent design. He said intelligent design has captured too much of the board's focus. He said there has been "verbiage" exchanged by the board members and community that, at times, "has been out of line."

He also said teachers leave the district because salaries are too low, and the board should have more communication with the community.

But board member William Buckingham said the board has not focused on intelligent design but "outside forces keep that going."

Arnold said intelligent design was the focus of two questions the last time he interviewed with the board for an open seat; he told the board last night he would not give his opinion on the issue.

After the interview, he said he doesn't have a problem with a statement about intelligent design being read to students.
The board voted to include intelligent design in the biology curriculum, and those appointed to fill vacancies have generally agreed with the board's philosophies.

Questions for Cashman: Board members did not ask questions specifically related to intelligent design, but they did ask Cashman how he responds to controversy.

"For the first time, people are having to understand what they believe in," he said. "For the first time, people in this area are really going to have to think about some things."

Cashman said his children were previously homeschooled but returned to Dover Area schools, and, as a parent, he wants to be involved in the board.

Wouldn't resign: Both candidates were asked whether they would ever resign from the board, and both said "no."

The board did not discuss the candidates before filling out ballots and giving them to Holtzapple.

They came back unanimously in favor of Cashman.

Arnold said he wasn't sure why Cashman was chosen over him, but "he has come out already and said he is in favor of intelligent design."

The open seat belonged to Angie Yingling, who resigned Feb. 7, saying she did not "want to be associated" with the board. She voted to include a statement about intelligent design in the school's curriculum, but later said she did so because she was pressured and accused of being "un-Christian."

Two other board members -- Jeff and Casey Brown -- have resigned in opposition to adding intelligent design to the curriculum. Others resigned when they moved out of the district or for personal reasons.

There are four four-year terms and three two-year terms open on the school board in the May 17 primary, in which Arnold said he will be a contender.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
An international cyber group that opposes intelligent design is donating 20 science books to the Dover Area High School library, but school officials last night said they were not aware of the group's plans.

The cyber-activists said there were motivated to make the donation after reading that an anonymous donor gave 60 copies of the intelligent design book "Of Pandas and People" to the district last year.


Superintendent Richard Nilsen said he was not familiar with the books but, depending on the quantity and nature of the books, either he or the board would be charged with approving the donation.

Board president Sheila Harkins said she was also not aware of the books.

"There was a time when science had to conform to the opinions of the prevailing religious authorities," said Lenny Flank, a freelance writer who in 1997 formed the group, said in a press release. "We call those times 'The Dark Ages.' They are not fondly remembered by most people."

The group has more than 400 members from the United States, the United Kingdom, South Africa, Canada, Australia and Sweden; its Web at "http://groups.yahoo.com/group/DebunkCreation/.

-- Christina Kauffman
The candidates for Dover Area School Board are evenly split in the battle over intelligent design; nine support it and nine are against.

And two of the opposition's most prominent figures say they're now caught between the two sides.

"The worst place to be in a war is in the middle," former board member Jeff Brown said, "because both sides shoot at you."

Tuesday was the deadline for candidates to file paperwork for the May 17 primary.

Both Brown and Angie Yingling resigned from the school board in protest over its October decision to require intelligent design in biology class.

And they say people in the community are still angry about the resignations, thinking they should have stayed and fought.

Brown said not only will they be opposed by intelligent design supporters, but they lack the backing of the Dover CARES political action committee.

CARES, or Citizens Actively Reviewing Educational Strategies, is backing a slate of seven candidates, but organizers never asked Brown and Yingling to join.

"I don't think I have a prayer of winning," Brown said Tuesday night. He said he has vowed not to spend a dime on his campaign.

Dover CARES' seven candidates also oppose intelligent design in science class. Intelligent design is the idea the life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

Yingling voted with the majority of the school board in its 6-3 vote in favor of the concept, but said she has since changed her mind. She stepped down from the board last month.

She said she and Brown would have accomplished nothing if they had stayed on the board. Rather, it would have been like sitting in the corner for the rest of their terms.
"We might have just talked to the wall," she said.

... even school board members are up for election and all are seeking office. But only two of the board members running for office board President Sheila Harkins and Alan Bonsell voted for intelligent design. The five incumbents seeking office were appointed to fill vacancies that followed the Oct. 18 vote. They are Sherrie Leber, Ron Short, Ed Rowand, Eric Riddle and James Cashman. Cashman was appointed Monday night to fill the vacancy left by Yingling's departure.

Bill Buckingham and Heather Geesey are the only two board members not up for re-election.

Eleven parents, including Bryan Rehm of Dover CARES, have sued the district, arguing the intelligent design requirement is designed to get religion into science class. Cashman is one of six parents petitioning the court to join the suit on the district's behalf.

Both Leber and Short say they see their campaign as fulfilling a commitment they made to the board when they were appointed in December. They say they support intelligent design and want to stand by the board throughout the legal battle.

The other two intelligent design supporters running for office are Alina Kline and Michael Arnold.

When he applied for a vacant seat in December, Arnold refused to answer how he felt about intelligent design.

'"I thought it was an inappropriate question,"' he said.

But now that he's a candidate, he's only too happy to make his feelings known.

"I support the direction the board's headed," Arnold said.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

Document YKDR000020050310e1390001b

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Nine Dover Area School Board candidates, including seven board members, have stated their support of the board's decision to include intelligent design in the district's science curriculum.

The board members running for election are: Alan Bonsell, Sheila Harkins, James Cashman, Sherrie Leber, Eric Riddle, Ed Rowand and Ron Short. Candidates Alina Kline and Michael Arnold also said they support the board's decision.

The other nine candidates oppose intelligent design in biology class. They are Jeff Brown, Terry Emig, Bryan Rehm, Judy McIlvaine, Rob McIlvaine, Angie Yingling, Bernadette Reinking, Larry Gurreri and Patricia Dapp.
MAIN
Dover CARES about more than ID; The slate of seven candidates for school board will focus on a variety of issues, they said Tuesday.
JOSEPH MALDONADO
York Daily Record
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9 March 2005
York Daily Record
14
English
Copyright (c) 2005 Bell & Howell Information and Learning Company. All rights reserved.

Seven people seeking a seat on the Dover Area's school board say the district's intelligent design controversy is not their top concern. According to their Web site, it's only No. 5.

The seven Bernadette Reinking, Terry Emig, Bryan Rehm, Rob McIlvaine, Judy McIlvaine, Larry Gurree and Patricia Dapp are a part of a group called Dover CARES (Citizens Actively Reviewing Educational Strategies). At a news conference Tuesday at the Dover Community Building, they introduced themselves to the public and fielded questions about their platform and concerns.

The group lists its No. 1 goal as ensuring the district is providing a quality education that will position students for post-secondary success. On intelligent design, the group wants to discuss the issue in the proper forum to enhance student understanding and critical thinking."

The intelligent design issue is linked to Dover CARES by more than a platform statement. Rehm is one of the 11 parents suing the board and district over an Oct. 18 decision to include the concept in the ninth-grade biology curriculum.

Intelligent design maintains that life is too complex to have developed on its own and was created by an intelligent designer. Some say it is religious in nature and has no place in a science classroom; others say it is a legitimate, scientific alternative to the state standard of teaching Darwin's theories on evolution.

Judy McIlvaine said the issue isn't just a Dover issue.

"It's nationwide," she said.

She cited recent attention to similar issues in states such as Georgia, Wisconsin and Kansas. She said the reason the issue is so prominent in Dover was because the board has taken its decisions one step further than the others.

"It just so happens that we've had a perfect storm," she said.

Judy McIlvaine asked what educational value intelligent design brings to the classroom in its current form.
Introducing a nonscientific theory into science is like comparing apples with oranges, she said. "They are not the same thing."

The seven members agreed that there is a place for the theory in a religion, history or philosophy course. But none support discussing intelligent design in science.

No one in the group would say that the upcoming primary and general election would be decided on the issue of intelligent design. And Dover resident Dennis Benton, who attended the news conference, said that's the way it should be.

"The current board has squandered a lot of money on recent building projects," he said. "And they've turned our schools into a teacher training ground for other districts by keeping them the lowest paid in the county."

Rehm said one of the group's larger goals would be to improve communication in the district. He said the current board has not been fully open about how it makes decisions. He also said that despite the board's claim to the contrary, it has not respected the opinions of the teachers or taxpayers it serves.

If elected, each of the seven candidates promised to make it a priority to open respectful lines of communication between the board, the community, students and taxpayers.

The group also said it would do a better job of managing taxpayer dollars responsibly.

Resident Sharon Wetzel said she attended the news conference to support the candidates.

"I agree with their positions," she said. "I believe they represent the opportunity for a positive advancement for our students and community."

Tammy Kitzmiller, one of the 11 parents suing the district, is also rooting for the candidates of Dover CARES.

"The current board is definitely lacking," she said.

Board member Alan Bonsell said Tuesday the board was doing a great job and cited improving PSSA and SAT test scores.

"Scores have gone up over the last three years," he said. "And so has attendance, which I think suggests that students are enjoying coming to school more."

PIC: DAILY RECORD / SUNDAY NEWS BOB LLENZ

All seven candidates from the Dover CARES platform for school board attended a news conference Tuesday night. At the meeting, the seven introduced themselves and fielded questions from the public.
ASHLAND Body of missing man found at Kernsville Dam

The body of a Schuylkill County man whose truck was swept down the rain-swollen Schuylkill River on Nov. 28 has been recovered in the river near Hamburg.

The body of Keith Yoder, 50, of Ashland, was found Wednesday afternoon by a state forest worker in the Kernsville Dam, about 10 miles downstream from where Yoder's pickup crashed through guardrails into the river near Port Clinton.

A county judge declared Yoder legally dead Feb. 3. SCHUYLKILL HAVEN Man sentenced in killing of fiancee in 2003

A Schuylkill Haven man will serve up to 14 years in prison after pleading guilty in the shooting death of his fiancee at the couple's home in 2003.

Thomas H. Mohan, 53, pleaded guilty to voluntary manslaughter in the Oct. 25, 2003, death of Cynthia A. Billings as jury selection was to begin Wednesday for his trial on criminal homicide, aggravated assault and reckless endangerment charges that were dropped in exchange for the plea. County Judge John Domalakes ordered a sentence of 6 1/2 to 14 years in prison.

Mohan shot Billings once in the chest with a handgun after a day of heavy drinking. SHERMAN HILLS Woman given jail term after son ingested cocaine

A Luzerne County woman has been sentenced to serve up to 2 years in prison after her 2-year-old son suffered permanent brain damage when he ingested cocaine she left in their apartment in August.

Serena Lindsay, 26, of Sherman Hills, was sentenced by county Judge Thomas Burke on Wednesday to serve 9 to 24 months after she pleaded guilty to endangering the welfare of children and other charges.

Tests determined the boy ingested cocaine, and a search of Lindsay's apartment found cocaine residue on a stereo, scales and other objects. WILLIAMSPORT Grand jury indicts 2nd man in Centre County robbery

A Harrisburg man has become the second man indicted by a federal grand jury in the Nov. 13 robbery of a Centre County bank.

Walter L. Mojica, 25, of the first block of Argyle Street, was indicted yesterday on charges of conspiracy, armed bank robbery and the discharge of a firearm during a crime.

Previously indicted and awaiting trial on conspiracy, bank robbery and witness intimidation charges is Lawrence M. Speaks II, 22, of Steelton. The two are accused of robbing the Mifflinburg Bank & Trust Co. office and getting away with $7,232. Judge refuses to dismiss 'intelligent design' lawsuit

A federal judge has refused to dismiss the lawsuit that challenges the teaching of "intelligent design" as an alternative to evolution in a ninth-grade biology course in the Dover Area School District.

U.S. Middle District Judge John E. Jones III denied the school district's motion to dismiss the entire complaint. The order is the latest development in the controversy that followed a 6-3 school board vote in October to present "intelligent design" as an alternative to Darwin's theory of evolution, which must be taught under state standards.


7/22/2005
Parents kept out of Dover suit

They wanted to support the school board on intelligent design, but the judge won’t add them to the suit.

By LAURI LEBO
Daily Record/Sunday News
Saturday, March 12, 2005

Six parents who say their children have a First Amendment right to hear about intelligent design won’t be able to join a federal lawsuit on the Dover Area School District’s behalf, a judge has ruled.

In court documents filed Thursday, Judge John E. Jones III said the parents have not demonstrated that their interests will not be adequately represented by Dover’s attorneys, who will likely “prosecute their defense vigorously.”

Also, Jones said, they could substantially increase the cost of the litigation, which could end up resting “squarely upon the shoulders of the Dover School District taxpayers.”

Eleven parents filed suit against the district in December over the school board’s decision to make intelligent design part of the high-school biology curriculum. The parents believe the requirement violates the First Amendment’s clause prohibiting the government establishment of religion.

Intelligent design is the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an “intelligent designer.”

In January, the six parents, who include newly appointed Dover school board member James Cashman, asked to join forces with the district, saying their children have a right to be aware that there “are gaps in the biological theory of evolution.”

The plaintiffs’ attorney, Eric Rothschild of Pepper Hamilton, said Jones’ decision was good news for both sides.

“I have no doubt about the sincerity or interest in the parents who defend having intelligent design taught,” Rothschild said. But, he added, “it’s helpful to both sides
that we don't have to incur the extra time and costs that this would have created."

Jones also rejected the district's request to dismiss five of the plaintiffs from the suit on issues of standing.

The children of two of the plaintiffs, Beth Eveland and Cynthia Sneath, are eight years away from taking the required biology class, which defense attorneys argued is too far into the future to be relevant. But Jones said there is no evidence that the "injury-triggering event" will not be in place by the time the children reach ninth grade.

As for three parents whose children have already taken biology — Julie Smith and Barrie and Frederick Callahan — Jones denied the motion to dismiss them from the suit but said he might entertain a new motion later.

The district's lead attorney, Richard Thompson of the Thomas More Law Center, said he was disappointed by the ruling but said he hopes to revisit the issue again regarding the standing of Smith and the Callahans. In the meantime, he said, the district is whittling away at the plaintiffs' arguments.

*Reach Lauri Lebo at 771-2092 or llebo@ydr.com.*
Furor Breathes New Life into Aging 'Pandas'

Book Used in Dover a Dated Look at Intelligent Design Concept

By LAURIE LEBO
Daily Record/Sunday News
Sunday, March 13, 2005

Until a group of residents donated 58 copies of "Of Pandas and People" to Dover Area High School, the controversial textbook had faded to the background of the national debate over intelligent design.

The first textbook on the subject, "Of Pandas and People: The Central Question of Biological Origins," hasn't been updated since 1993, and other publications have moved to the forefront of the intelligent-design movement.

The book's assertions have divided the Dover community and promise to be a central issue in the May primary. Last week, 18 people, evenly split on the subject, formally entered the race for Dover school board.

Intelligent design's supporters say they want to expose students to alternatives to the theory of evolution. But scientists, including the author of the textbook used in Dover biology classes, say "Pandas" is outdated, full of flaws and lacking a position on basic biological principals such as the age of the Earth.

At issue is whether the concept of intelligent design — the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer — is a legitimate scientific theory or simply the latest incarnation of creation science.

In 1987, the U.S. Supreme Court struck down Louisiana's education requirement that "creation science" must be taught in science class. Because it is based on biblical texts, the court ruled, it does not have a "clear secular purpose" and therefore violates the First Amendment's establishment clause.

"Pandas," written by Percival Davis and Dean H. Kenyon, was released two years after the Supreme Court's blow to creation science. The book's copyright is held by the Texas-based Foundation for Thought and Ethics. Incorporated in 1980, the foundation states its purpose as both "religious and educational" and seeks to make
"known the Christian gospel and understanding of the Bible and the light it sheds on the academic and social issues of our day."

But "Pandas" was in the works before the Supreme Court decision, said Jon Buell, the foundation's president, and he disputes the accusation that the book is revamped creationism.

The connection is merely a strategy mainstream scientists use to discredit intelligent design, Buell said.

The word "God" is never used in the book. Instead, "Pandas" suggests Earth is created by an "intelligent agent," a "personal agent" and a "master intellect."

Its critics say "Pandas" steers clear of almost all reference to the Earth's age in order to hold up to First Amendment challenges and to avoid alienating biblical creationists.

The book's only reference on Earth's age is this: "Some take the view that the earth's history can be compressed into a framework of thousands of years, while others adhere to the standard old earth chronology."

Michael Behe, a Lehigh University biochemist who wrote one of the chapters in "Pandas," said he is unconcerned that the age of the Earth is not covered because it is covered in students' primary biology books.

But Kenneth Miller, who co-authored with Joseph Levine "Biology," the best-selling biology textbook in the country and the one used in Dover, is one of the most vocal critics of "Pandas." He said the book's hedging on the age of Earth is like teaching U.S. history but refusing to tell students the dates of the Revolutionary War.

* * *

The debate that led to the Dover Area School Board's decision to insert intelligent design into its science curriculum started with a mother's concern that the 1998 version of the district's biology book was out of date.

As board members in June debated the merits of the teacher-recommended textbook "Biology," the board's curriculum chairman said he wanted a book that combined creationism with evolution.
“Two thousand years ago, someone died on a cross,” Bill Buckingham said at a June public meeting. “Can’t someone take a stand for him?”

Buckingham fought to have “Pandas” included in the curriculum as a “companion text” to the textbook “Biology,” published by Prentice Hall. But before the board could vote on Buckingham’s proposal to buy “Pandas,” 58 copies were donated by residents — whose names the district will not release — and several copies are now housed in the high-school library on the reference shelf. The remaining books are kept in a storage room. As of Friday, 10 people had checked out copies from the library.

Eleven parents who filed suit in December over Dover’s intelligent-design requirement have not asked “Pandas” to be banished from the school, but the federal lawsuit states the book should not be in the science classrooms.

***

Even Buell doesn’t recommend the book.

“If they would have contacted me, I would not have encouraged the people in Dover to use it because of other tools that are more up-to-date,” he said. “The idea of intelligent design and the evidence that supports it has gotten extraordinarily more strong than when it was originally printed.”

As for the criticisms that the book misrepresents the theory of evolution, Buell disagreed. He said the main point is valid — that the theory of evolution’s basic principal of life evolving through natural selection and genetic mutation isn’t possible.

“The authors and we feel those are the most powerful arguments,” he said.

John West of the Seattle-based Discovery Institute, which is now at the forefront of the intelligent-design movement, said his organization didn’t have anything to do with “Pandas” and had little to say about it.

Behe, author of the pro-intelligent design book “Darwin’s Black Box,” thinks, for the most part, the book accomplishes what it sets out to do — namely, getting the message out “that there are other ways of approaching
biology."

Behe wrote the book’s chapter on blood clotting, in which he states that any one of the many components needed to stop bleeding on its own is like “a steering wheel that is not connected to the car.”

He said the entire concept of intelligent design is essentially a debate over random versus directed processes.

“Darwin’s idea of random mutations is, I think, at the heart of the big brouhaha,” Behe said.

But Miller said it’s not true, even though the book may try to make it look that way.

“The book is just a shambles,” said Miller, a Brown University biology professor. He said to his knowledge, “Pandas” has never been used as part of any curriculum in the country.

While students in Dover are not required to use “Pandas,” Miller said, it’s a poor choice even as a voluntary reference manual. “One of the criticisms raised by educators is that this is simply not appropriate for the high-school level,” Miller said.

Rather, Miller said he recommends “Pandas” to graduate students. “If they can recognize why this book is so wrong, they know their biology,” he said. “If you’re a high-school student, you’re not going to be able to see the flaws in this.”

* * *

The mainstream scientific community raises a list of complaints, such as:

- The book includes a graphic listing examples of “living fossils,” which includes the horseshoe crab, alligator and aardvark. It raises the question, “Why has an organism like the shark not changed for 150 million years?”

The obvious answer, scientists say, is that it didn’t need to.

According to Darwin’s theory, if a living organism possesses traits necessary to survive in its environment, it will pass on its genes to the next generation. If its
environment changes and the living organism does not survive to sexual maturity, those genes will not get passed on.

Also, Miller said, while it is true that sharklike animals existed long ago, they are a different species than sharks today. It’s disingenuous to say they have not evolved, he said.

- “Pandas” misrepresents paleontologist Stephen Jay Gould’s observations.

The book raises questions about whether punctuated equilibrium — the idea that evolution tends to be characterized by long periods of virtual standstill punctuated by episodes of very fast development — contradicts Darwin’s theory of slow, gradual change.

But the idea that punctuated equilibrium is “an admission of weakness in evolutionary theory was always baffling to Stephen Gould,” said Eugenie Scott of the National Center for Science Education, which defends the teaching of evolution in public schools.

At issue is “Pandas”’ argument that the fossil record is missing evidence of transitional organisms. It states, “...fossil forms first appear in the rock record with their distinctive features intact, and apparently fully functional, rather than gradually developing.”

But the National Academy of Sciences, in its 1999 booklet, “Science and Creationism,” states: “So many intermediate forms have been discovered between fish and amphibians, between amphibians and reptiles, between reptiles and mammals, and along the primate lines of descent that it often is difficult to identify categorically when the transition occurs from one to another particular species.”

- In the chapter on “Biochemical Similarities,” the book points out that biochemical analysis of the bullfrog and the horse show that they are the same distance on the evolutionary ladder from the carp.

The book says this shows a flaw in Darwinism because the bullfrog should be more closely related to the fish.

But Miller said that’s an inaccurate interpretation of Darwinism.
"Are these guys intentionally distorting this to mislead readers?" he said. "Or do they just not get it?"

He said present-day amphibians are as far removed from the ancestors of the carp as horses and humans.

"It's clear that the people who wrote 'Pandas' don't understand that evolution is branching through time," he said.

• Perhaps the most glaring proof the book is outdated, scientists say, is on the subject of whales.

In "Pandas" chapter on "Gaps and Groupings in the Fossil Record," the writer states, "the absence of unambiguous transitional fossils is illustrated by the fossil record of whales."

Scientists have long theorized that whales evolved from land mammals, but "Pandas" argues that mammals and whales are so different, there should be many transitional fossils. But none have been found, the book states.

But since the book came out in 1993, scientists have found three of those intermediate fossils or "missing links."

"We have whales with legs, we have whales with feet, we have amphibious forms that look like weird seals," Scott said. "We've got all these wonderful transitional morphologies, most of which were not described at the time even when the second version of 'Pandas' came out."

• Another omission, Miller said, is on the subject of extinction.

Throughout evolutionary history, new organisms appear and disappear all the time in the fossil record. "If they were perfectly intricately designed organisms," Miller asks, "why do they die?"

For example, there have been 22 documented species of elephants that have roamed the Earth. "If all 22 species were intelligently designed, why does he need 22 tries for two successful elephants?" Miller asked.

Darwin's evolutionary theory explains it "quite nicely," Miller said: In the struggle for existence, some will perish.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
To get the book

Members of the library may check out copies of “Of Pandas and People: The Central Question of Biological Origins” from Dover Area High School’s library.

The library is open to the public from 7 to 7:30 a.m. and 3 to 3:30 p.m. Monday through Thursday.

Copies of the book may also be purchased by the Foundation for Thought and Ethics for $24.95 at http://www.fteonline.com.

Excerpts from ‘Of Pandas and People’

On the intelligent designer

- From page 14: “Darwinian evolution locates the origin of new organisms in material causes, the accumulation of individual traits. That is akin to saying the origin of a palace is in the bits of marble added to the tool shed. Intelligent design, by contrast, locates the origin of new organisms in an immaterial cause: in a blueprint, a plan, a pattern, devised by an intelligent agent.”

- From page 58: “... the experimental work on the origin of life and the molecular biology of living cells is consistent with the hypothesis of intelligent design. What makes this interpretation so compelling is the amazing correlation between the structure of informational molecules (DNA, protein) and our universal experience that such sequences are the result of intelligent causes. This parallel strongly suggests that life itself owes its origin to a master intellect.”

- From page 150, “Intelligent design (cause) — Any theory that attributes an action, function, or the structure of an object to the creative mental capacities of a personal agent.”

“Pandas” further defines intelligent design, on page 150, “In biology, the theory that biological organisms owe their origin to a preexistent intelligence.”

On Earth’s age

- From page 92: “While design proponents are in
agreement on these significant observations about the fossil record, they are divided on the issue of the earth's age. Some take the view that the earth's history can be compressed into a framework of thousands of years, while others adhere to the standard old earth chronology."

**On transitional specimens in fossil record**

- From page 96: “The gaps result from the imperfect nature of the fossil record, only a small part of which was preserved, and it seems unlikely that future research will fill them. Support for the theory of evolution must come from other fields of study.”

- From page 99-100: “Darwinists object to the view of intelligent design because it does not give a natural cause explanation of how the various forms of life started in the first place. Intelligent design means that various forms of life began abruptly through an intelligent agency, with their distinctive features already intact — fish with fins and scales, birds with feathers, beaks, and wings, etc. Some scientists have arrived at this view since fossil forms first appear in the rock record with their distinctive features intact, and apparently fully functional, rather than gradually developing. No creatures with a partial wing or partial eye are known.”

**On whales evolving**

- From page 101: “The absence of unambiguous transitional fossils is illustrated by the fossil record of whales. The earliest forms of whales occur in rocks of Eocene age, dated some 50 million years ago, but little is known of their possible ancestors. By and large, Darwinists believe that whales evolved from a land mammal. The problem is that there are no clear transitional fossils linking land mammals to whales.”

**On “living fossils”**

- From page 88: “Why has an organism like the shark not changed for 150 million years (by the conventional time scale)? W.H. Thorpe, director of Subdepartment of Animal Behavior at Cambridge University in England said: What is it that holds so many groups of animals to an astonishingly constant form over millions of years? This seems to me the problem now (for evolution) — the problem of constancy, rather than that of change.”
On genetic variation and natural selection

- From page 88: "There is a strong case based on experiment that there are limits to genetic variation, which diminishes the persuasive power of Darwin's argument. Moreover, a growing number of scientists accept natural selection as a reasonable explanation for the modification of traits but not for the origins of new structures."
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Another death in York City
An autopsy was scheduled for 9:30 a.m. today on the body of a York man found dead early yesterday behind the Yankee Athletic Club, according to the York County Coroner's Office.

The body of Hector Rengifo Jr., 58, of the 600 block of West Princess Street, was found around 3:30 a.m. behind the club at 260 Lafayette St., according to York City Police.

Police said they are looking into how Rengifo died.

Anyone with information about Rengifo's death is asked to call York City Police at 846-1234, or the department's anonymous crime tip line, 849-2204.

Intruder chased with knife
A Glen Rock man trying to elude police by hiding in a Shrewsbury house was chased away by a homeowner armed with a butcher knife, according to Southern Regional Police.

Andrew Svaty, 18, of 3 High St., was among many party-goers, including juveniles, partying in a house at 50 Brook Circle when police said they raided it around 11 p.m. Friday.

According to police, when officers showed up, Svaty ran to the house on Northbrook Lane, where the homeowner confronted him with a butcher knife.

Svaty was later taken into custody and charged with purchase, consumption, possession or transportation of liquor or malt beverages, according to police.

Police also charged a dozen juveniles with underage drinking.

Southern Regional was assisted by Stewartstown Police and state police.

Senior is Pa. Junior Miss
York Suburban Senior High School senior Mary Kate Robins won the state Junior Miss competition Saturday in Indiana County, meaning she'll advance to the national competition in June.

"Obviously, everyone is very proud of Katie for representing the youth of this county so well," said Lyn Buckler-Bergdoll, president of the board of directors and chairwoman for the York County Junior Miss Program. "It's inspiring to work with young women like this and to meet these kinds of young women in our community."

Robins, 17, was judged on scholastic achievement, an interview, fitness, talent, and self-expression, which includes choreography and public speaking. She earned $5,400 in scholarship money.

Judge says no to parents
A federal judge dismissed a motion by six parents who wanted to intervene in a federal lawsuit against Dover Area School District and its board.
Federal Judge John E. Jones, who is hearing a case filed by the American Civil Liberties Union and 11 parents who don't want a statement about **intelligent design** read in a biology class, issued the ruling Thursday.

Jones said the six parents --Michael and Sheree Hied, Raymond and Cynthia Mummert and James and Martha Cashman -- did not prove their interests would not be adequately represented by the parties already defending the suit.

The parents filed a motion Jan. 18, saying they have an interest in the suit because they want their children to have "full access" to information about evolution and "its many gaps for which there is no scientific evidence."

The ACLU and parents in the first suit said that reading a statement about **intelligent design**, which attributes the origins of life to a higher being, illegally introduces religion into schools.

Jones also dismissed a motion to remove several of the plaintiffs in ACLU case because their children have already taken or are years away from taking the biology class where the **intelligent design** statement is read.

**Employee faces theft charges**

A Spring Grove woman is facing charges for allegedly making unauthorized purchases on her employer's credit-card account, state police said.

Sharen Earleen Brown faces three counts of access device fraud, one count of forgery and four counts each of theft by deception and receiving stolen property, police said.

Between Aug. 28 and Nov. 22, Brown worked for Schaefer Excavating Inc. in Stewartstown and allegedly made 26 unauthorized purchases on two business credit cards, made illegal bank transfers and forged a personal check, costing the company about $6,478, police said.

After turning herself in Friday, Brown was arraigned and taken to York County Prison on $5,000 bail, according to police. She has since posted bail.

*From staff reports*

**LOAD-DATE:** March 26, 2005
Tuesday was the last day to file nomination petitions for residents who want to run for a school board in York County, and the most hotly contested school board race is in the Dover Area School District, where controversy over intelligent design has placed the board in a national spotlight.

There are seven open seats on the board, and 18 candidates vying for them.

three of which are attributed to disapproval of the board's decision to include a statement about intelligent design in a biology class -- have caused more vacancies.

Superintendent Richard Nilsen said it's the "first time in a long time that I'm aware of" that there have been so many open seats: not only the four usual four-year terms, but three two-year terms as well.

York County elections director John Scott said most school districts across the county generally see only about as many candidates as there are positions.

"Sometimes there's no opposition," he said. "But if there's an issue being debated, then you often see opposition."

While each person may have his own reason for running, at least seven of the Dover candidates have banded together.

Called Dover C.A.R.E.S. [Citizens Actively Reviewing Educational Strategies], the political group named Larry Gurrerri, Patricia Dapp, Bernadette Reinking, Terry Emig, Bryan Rehm, Rob McIlvaine and Judy McIlvaine as candidates.

While it has a position on intelligent design -- it should be taught in a religion class, not a science class -- the group has made it clear that it doesn't want to focus on just that single issue.

But the intelligent design battle and Dover C.A.R.E.S. may be inseparable; Bryan Rehm, a physics teacher, is one of 11 Dover Area parents who filed a federal lawsuit with the American Civil Liberties Union to remove intelligent design from curriculum.

Other candidates: Two candidates in Dover are previous board members who resigned over the intelligent design debate and now want to return to the board. Jeff Brown and Angie Yingling -- who said after her Feb. 7 resignation that she did not "want to be associated" with the current board -- have said they want to prove that voters will choose candidates who don't want intelligent design.
Some seats have been temporarily filled with appointees who are in favor of intelligent design: Sherrie Leber, Ron Short, the Rev. Edward Rowand, Eric Riddle and James Cashman, who was just appointed March 7.

Board president Sheila Harkins and vice-president Alan Bonsell are running for re-election.

The two incumbents, their five board appointees and candidates Mike Arnold and Alina Kline support intelligent design; Brown, Yingling and the seven members of C.A.R.E.S. are opposed to intelligent design, at least in the science classroom.

That means the May 17 primary will present Dover residents with 18 candidates, nine in favor of and nine opposed to intelligent design.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: March 26, 2005
Dover Area School Board could have another problem brewing, aside from the federal lawsuit it is facing over intelligent design.

The head of the district's teachers union said there has been tension between teachers and the board for about five years, and attempts to begin negotiating a contract for the coming years have thus far been fruitless.

The contract for the union's 220 teachers -- the lowest paid teachers in York County, according to the Pennsylvania State Education Association -- expires June 30.

Dover Area Education Association president Sandi Bowser said the union began attempting to negotiate with the board at a January meeting. Union representatives had prepared a proposal, but the board didn't.

Because the parties had struck an earlier agreement saying they would both "come to the table" with a proposal, the union didn't divulge their proposal, Bowser said.

At a second meeting March 3, teachers were expecting the board to have a proposal.

Bowser said teachers were so supportive of their union negotiators that they had a banner strung to welcome them.

But board members stayed outside of the negotiating room.

"We waited an hour, but the board never came into the room," Bowser said.

The union was never given a proposal or a reason for why the board didn't enter the room, she said.

Another meeting is scheduled for April 27.

Alan Bonsell, a board member who serves on the negotiations committee, refused to discuss the negotiations, but said the board is "trying to keep that amenable." Board president Sheila Harkins said she doesn't participate in negotiations because her daughter is a teacher in the union.

**Tensions:** Bowser refused to elaborate on specific reasons why there have been tensions between the board and the union, but said "it started basically with this board," about five years ago.

In January, high school science teachers in the union also refused to read a statement about intelligent design -- a theory that attributes the origins of life to a higher being -- and gaps in the theory of evolution. Administrators instead read the statement.

Eleven parents filed a suit with the American Civil Liberties Union claiming that the statement introduces religion into schools. It is now pending in federal court in Harrisburg.
Bowser -- a Spanish and French teacher at the district's two secondary schools -- said the problems began before teachers were unwittingly thrust into the debate about intelligent design.

Teacher compensation and recognition have been at issue at recent board meetings.

Mike Arnold, a resident who applied to be appointed to an open seat on the board, said in his interview with board members that he was concerned teachers are leaving the district because of low pay.

While at least one board member rebutted Arnold's allegations, Bowser said teachers are leaving; between 30 and 40 teachers in the past four or five years have left for salary-related issues, Bowser said.

Dover's new teachers start at about $30,500 per year, while teachers in Dallastown, the highest paid teachers in the county, start at about $40,000 per year.

"We have a wonderful staff," Bowser said. "The people I work with at Dover are worth a couple thousand dollars. They are worth more than a couple thousand dollars. They just want what's fair. They work just as hard as those in other school districts."

At last night's school board meeting, Bowser told the board she was offended that a school board member credited the board -- and not students or teachers -- for high test scores on the state's assessment tests.

"Perhaps the credit for this success has been misplaced," she said.

After the meeting, Bowser said the teachers are trying to "keep positive."

"There's never a Sunday night when I'm down in the dumps about going to work the next day," she said.

Many of the teachers love their jobs as much as she does. They are feeling stressed, but they are supported by the community and are trying to keep morale high, she said.

"Every day we go into our rooms and close the door and do what we're supposed to do and all of this goes away," she said.

Reach Christina Kauffman at 505-5434 or n@yorkdispatch.com"; ckauffman@yorkdispatch.com

LOAD-DATE: March 26, 2005
An international cyber group that opposes intelligent design is still waiting to hear if its donation of more than 20 science books to the Dover Area High School library will be accepted.

The cyber-activists said there were motivated to make the donation after reading that an anonymous donor gave 60 copies of the intelligent design book "Of Pandas and People" to the district last year.

At last night's board meeting, president Sheila Harkins said she is aware a donation of about 20 books has been received, but she is not sure where they came from, or if they are the books donated by the DebunkCreation Web site.

On March 9, the owner of the Web list wrote an e-mail to Barbara Holtzapple, superintendent Richard Nilsen's assistant, saying the group has a UPS record that indicates the donation was received and "signed for by a member of the staff at 10:26 a.m. on Monday, March 7."

"Since the school district has made clear that its sole interest is in teaching ALL sides of the controversy, and not in advancing or favoring any particular viewpoint, I am quite sure that you will agree with us that students should be given access to information on the ENTIRE controversy, including information concerning not only evolutionary biology and other areas of science, but information on the large number of scientific, legal, political, and other criticisms of intelligent design theory and its aims and motives," wrote Lenny Flank.


Board president Sheila Harkins said the board's curriculum committee will review this donation the same as it did the "Pandas" donation.

She said the committee doesn't have set criteria that it looks for acceptable books, but it will make sure they are not "advanced academically beyond anyone's comprehension."

The Web group has more than 400 members from the United States, the United Kingdom, South Africa, Canada, Australia and Sweden.

-- Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.
Dover teachers, board at odds; Both sides say their opponents are stalling contract negotiations.

JOSEPH MALDONADO. York Daily Record. York, Pa.: Mar 18, 2005. pg. 1/03

Abstract (Document Summary)
Charles Sweet, the board's attorney and lead negotiator from Sweet, Stevens, Tucker and Katz in Doylestown, Bucks County, said that isn't true.

[Sandi Bowser] said the teachers are following the advice of the Pennsylvania State Education Association in insisting that both sides exchange proposals at the start of negotiations.

Sweet said he is upset about comments he read from Bowser saying that the current friction between the two groups has been building for almost five years.

Full Text (536 words)

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Before the Dover Area School Board and Dover Area Education Association can negotiate a new teachers' contract, they might have to negotiate a truce over a recent war of words.

Sandi Bowser, president of the education association, said Thursday she is unhappy with the board's unwillingness to present a contract proposal for review. The teachers' contract expires in June.

"On January 20 and March 3, we brought our proposal to the board expecting to exchange ours with theirs," Bowser said. "But on both occasions, the board came empty-handed."

At the March 3 meeting, Bowser said, the teachers waited in a room for more than an hour to negotiate while members of the board's team stood outside, refusing to enter.

But Charles Sweet, the board's attorney and lead negotiator from Sweet, Stevens, Tucker and Katz in Doylestown, Bucks County, said that isn't true.

He said Charles Shugart, who has been assigned by the Pennsylvania Bureau of Mediation to assist with negotiations, kept the parties in separate rooms for the entire meeting.

Shugart met with each party privately, but, Sweet said, he did not bring the parties together in one room because of the unwillingness of the teachers to present their proposals.

Bowser said the teachers are following the advice of the Pennsylvania State Education Association in insisting that both sides exchange proposals at the start of negotiations.

Sweet said that PSEA has no authority to give that kind of advice.

"PSEA is not in a position to dictate how the board bargains," he said. "We expect the teachers to give us their proposal, and we will in turn prepare a response. This is how it has always been done."

Sweet said he has been through this process many times, including recent sessions in South Middletown and Susquenita school districts.

And in all of his experiences, the teachers always present first.
But Bowser said it was the board that agreed in December to make an exchange but has since failed to do so.

"And they've given no explanation why," she said. "I feel like they are negotiating in bad faith."

Sweet said the explanation is simple.

He said the board never agreed to the swap in the first place.

And he said if anyone is acting in bad faith, it's the Dover teachers.

"We are prepared to file suit with the PA Labor Relations Board," Sweet said. "We believe their actions constitute an unfair labor practice."

Sweet said he is upset about comments he read from Bowser saying that the current friction between the two groups has been building for almost five years.

"Look at Dover's board," he said. "There's only one person left who even has five years of experience," he said, referring to board member Sheila Harkins. "So clearly, this board is not where the fault lies."

As it stands today, Bowser said, her group is trying to keep a positive attitude.

But Sweet said the teachers need to stop playing games.

"These are nothing more than strong-arm tactics on their part to see if the board is willing to act on their demands," he said.

"When they're ready to come to the table, so are we. We are ready to negotiate."

Credit: York Daily Record
LOCAL
Dover to review donated books; Anti-creationism group wants 23 books to go in school's library
JOSEPH MALDONADO
York Daily Record
579 words
20 March 2005
York Daily Record
3
English
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(CORRECTION, Apr. 10, 2005--The following story incorrectly attributed a statement made by Dover Area School District Supt. Richard Nilsen. Nilsen said books donated to the district by an anti-creationism group would be reviewed for accuracy.)

The Dover Area School District is reviewing science books donated by an anti-creationism group to determine whether to add the books to its library.

A group called DebunkCreation in St. Petersburg, Fla., donated 23 books of various scientific interests to the high school's library. Supt. Richard Nilsen said the books will have to be reviewed either by the board's curriculum committee, the administration, library personnel or a combination of those groups to ensure the books are educationally appropriate.

Some of the books are written by noted scientists, including Stephen Hawking, Carl Sagan and Richard Dawkins. All support scientific methods and theories that include Darwin's theories of evolution.

Lenny Flank, who founded DebunkCreation in 1989, said the donations were made in an effort to "increase knowledge and decrease ignorance."

Flank said in 1982, board members of a nearby school district began talking about including creationism as an alternate theory to evolution. He said he helped form a group of parents, teachers, clergy and business people to oppose the effort.

Flank said he was notified by the delivery company that the Dover district received the books March 7, and he expected the books to be on the shelves soon after. But he discovered the books would have to go through a review process before being allowed to sit on library shelves.

He was particularly concerned about the potential review by the curriculum committee. He said the books "have nothing to do with curriculum" and are simply a donation to the library.

Last year, a group of residents donated 58 copies of the textbook, "Of Pandas and People" to Dover. The school board had researched the book, which espouses the intelligent-design concept of how life evolved, and approved it as a reference book. It is housed in the school library.

Flank said he heard that board president Sheila Harkins, at the March 14 school board meeting, said
that the donated science books needed review to ensure they were not advanced beyond anyone's 
comprehension. But Harkins said Friday she would never challenge a donated book based on whether 
she thought it was too difficult for students.

"What I said was that I want to ensure that the books are academically appropriate," Harkins said.

Nilsen said Friday that the books had to be reviewed to determine their "educational appropriateness" 
and to make sure they're scientifically accurate. Nilsen and Harkins said Dover students are among 
the smartest anywhere and that "educational appropriateness" has nothing to do with student 
comprehension.

"What if some of these books are written by hate groups?" Nilsen asked. "Or create discriminatory 
issues?"

Harkins said she couldn't think of too many other reasons to refuse the donation, provided the books 
don't deal with pornography or how to become a terrorist.

"We want people to donate books," she said. "Books are good."

Neither Nilsen nor Harkins knew when the books would be evaluated. But Harkins said she hopes to 
have an answer by the next school board meeting on April 4.

PIC: Daily Record / Sunday News -- Bil Bowden

larkins

Wants to ensure books' accuracy

Document YKDR000020050323e13k0001j

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Dover sides pick experts

Lists precede court fight

By LAURIE LEBO
Daily Record Sunday News
Sunday, March 27, 2005

The Dover fight over intelligent design isn't due to go to trial until September, but the two sides in the battle have already lined up their experts.

They include an author of a leading biology textbook, a philosopher who's written a book linking intelligent design to creationism, a biochemist espousing the idea of "irreducible complexity" at the molecular level and a professor who argues the First Amendment can accommodate religious instruction in public schools, according to attorneys from both sides.

The possible experts are required to issue reports, due Friday, on their backgrounds and the likely subjects of their testimony.

The Dover Area School Board in October revamped the biology curriculum to include the concept of intelligent design — the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer.

In December, 11 parents filed a First Amendment lawsuit against the district, arguing the requirement violates separation of church and state.

A possible expert for the plaintiffs is Barbara Forrest, a Southeastern Louisiana University philosophy professor who co-wrote the book, "Creationism's Trojan Horse: The Wedge of Intelligent Design."

The book argues that the intelligent design movement is closely linked to creationists and conservative Christians.

For Dover, the expert list includes Warren Nord, a University of North Carolina philosophy professor who co-wrote "Taking Religion Seriously Across the Curriculum."

The book looks at past First Amendment cases and argues that schools should be teaching students' about religion.

The two sides will review their opposition's reports on
their experts. They have until June to decide whether to hold depositions of the possible experts, Brian Burch of the Thomas More Law Center, which is representing Dover, said Friday.

Other experts who might testify on behalf of the school district policy include William Dembski, a senior fellow with the pro-intelligent-design organization the Discovery Institute; Michael Behe, a Lehigh University biochemist behind the idea of “irreducible complexity;” Scott Minnich, an Iowa State University associate biology professor; and John Angus Campbell, an author and professor on the “rhetoric of science.”

For the plaintiffs, possible experts include Ken Miller, who co-authored the textbook “Biology,” which is used in Dover and is the best-selling biology textbook in the country; Brian Alters, author of “Evolution/Creationism: Students’ Religious Beliefs in Conflict with Science Teaching; and Robert T. Pennock, author of “Tower of Babel: The Evidence against the New Creationism.”

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
Parents argue over intelligent design

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Tuesday, April 12, 2005

Sporting red and white buttons supporting the Dover Area School board at Monday night's meeting, Gina Myers and Wendy Bowers read a statement from a petition backing the board's October decision to include a statement about intelligent design in the ninth-grade biology classes.

The statement said, in part, that the 280 signers were glad the board introduced something that suggests "intelligent causes, rather than random chance provides, a better explanation for the complex biological systems of life."

The pair said the board should be commended for exposing evolution's gaps and problems.

But after the meeting, resident Steve Stough, who is against intelligent design's being taught in the classroom, challenged at least three theory supporters, asking them to describe specifically the gaps and problems they believe exist in the evolution theory.

"If you can't do that, then you're just repeating what someone else told you to say," Stough said.

Myers said her biggest problem was evolution's inability to explain how biological chemistry appeared from nothing.

Stough replied that real science is always in the process of trying to decipher life's mysteries through scientific tests. He said that the concept of a designer was a matter of faith and that intelligent design had nothing at all to do with science.

Listening from a distance, Tammy Kitzmiller said she was irritated that defenders of intelligent design do so under the assumption that it encourages a greater level of critical thinking in the classroom.

"But the superintendent reads a statement saying ID exists and leaves the classroom," she said. "The kids aren't even allowed to discuss the theory or ask questions. How does that inspire critical thinking if you can't even talk about it in class?"

The theory of intelligent design suggests that life is too complicated to have evolved on its own and must have been created by a supernatural designer.
Dover hosts speaker on evolution

Professor defends intelligent design

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, April 24, 2005

At 9 a.m. Saturday, only about a dozen members of the community sat in the auditorium for a program commemorating the rededication of Dover Area High School.

Two hours later, about 100 people were on hand for the district’s biology seminar on intelligent design.

The guest speaker was Michael Behe, a professor of biological sciences at Lehigh University in Bethlehem who has authored “Darwin’s Black Box: The Biochemical Challenge to Evolution” and has published more than 40 scientific papers.

Behe made five points why intelligent design — the concept that life is too complex to have been evolved solely through natural selection and must have been created by an intelligent designer — was a better explanation for the biological world’s existence.

The Dover district is believed to be the first public school district in the country to require that intelligent design be mentioned in a science class. Ninth-grade biology students heard a statement about the concept during a class period in January.

Darwin wrote that all forms of life were, in part, the result of numerous, successive slight modifications. But Behe said there are some biological systems, such as those pertaining to bacterial flagellum and blood clotting, which could not have evolved on their own.

The systems are so complex, he said, that no one part could have worked or survived without all the parts associated with it today. The concept is called irreducible complexity.

Behe, who said he was a Christian, also said he has no trouble accepting that the universe may have begun with a bang some 13 billion years ago. But he can accept this only if the igniter of the bang did so with a plan to get life to where it is today.
He also said he believes there is enough DNA evidence to support the idea that life could have come from a single source and that life is changing to meet the demands of a changing environment.

But, he said that may mean that God, or the designer, is creating through a "secondary means."

"Natural selection does a whole lot," Behe said. "But the question is, can it be extrapolated into everything?"

Kyle Cunningham, a professor of genetics at Johns Hopkins University, made the trip from Baltimore to hear Behe speak. The former Dallastown Area School District student said he's been reading a lot about intelligent design, and it troubles him.

"The ID movement is not about enlightenment," Cunningham said. "It's about creating confusion in an effort to ultimately remove evolution from the classroom."

During a question-and-answer period, he asked Behe how he reconciled evidence suggesting that DNA is in a constant state of evolution.

"Through DNA sequencing, we can see similarities between organisms, and there are some good indications that we all have a common (ancestor)," Behe said. "But there is still nothing to suggest how all of this came about."

The Rev. Chad Rimmer of Union Lutheran Church in York asked Behe if he really believed that high-school biology was the best place to introduce young people to intelligent design.

Behe said yes because there is more evidence for a designer than for evolution. He also said the controversial nature of intelligent design would stimulate students into a discussion they would find interesting. In Dover's statement, however, the district said it "leaves the discussion of the Origins of Life to individual students and their families."

Cunningham said he got the impression that Behe believes everything that evolution teaches except what really took place during the universe's first moments.

"If that's what it comes down to, that's a philosophical
question, not a scientific one,” said Rimmer, who has a biology degree from the University of North Carolina. “So take the discussion out of science and place it where it belongs, in philosophy.”
LOCAL
Dover issues abound; Intelligent design wasn’t the only issue school-board candidates were asked about.

JOSEPH MALDONADO
York Daily Record
747 words
30 March 2005
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English
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Intelligent design has attracted a lot of attention, but it wasn’t the only issue on which residents voiced concern Tuesday during a meet-and-greet with the members of Dover CARES.

The group, composed of seven running for Dover Area School District school board seats, were also asked questions about Act 72, the recent high-school renovation and other tax-related issues.

Residents Scott and Jill Reiter moved into the district last October mainly because they had heard about the district’s exceptional music program. And while they haven’t been disappointed with that, they are disappointed with the board’s decision to include intelligent design in ninth-grade biology.

What’s the point of putting it into the classroom if students can’t even ask questions about it?" Jill Reiter said. "Is that teaching?"

Intelligent design maintains that life is too complex to have developed on its own and was created by an intelligent designer. Some say it is religious in nature and has no place in a science classroom; others say it is a legitimate, scientific alternative to the state standard of teaching Darwin’s theories on evolution.

Like many, the Reiters have no real problem with the theory in their school. But they would rather see it offered as an elective course that combines similar ideas.

Scott Reiter said the course should then be taught by theologians, who he feels would have the best grasp of the subject.

Although Bryan Rehm is one of the 11 parents suing the district over intelligent design, he and the other members of Dover CARES Patricia Dapp, Terry Emig, Larry Gurreri, Herbert and Judy McIlvaine, and Bernadette Reinking have all said they would be agreeable to keeping intelligent design in the district if it were in some sort of elective course. CARES stands for Citizens Actively Reviewing Educational Strategies.

Making a surprise appearance at the meeting were members of the current school board Sheila Harkins and Bill Buckingham, who voted in favor of the theory’s inclusion, and James Cashman.

Cashman replaced former board member Angie Yingling, who resigned in protest over the inclusion of intelligent design.
"We're here to find out what Dover CARES cares about," Harkins said. "I mean, we care about Dover."

Buckingham said none of the current board was there in any official capacity.

"We're just here as residents," Buckingham said.

Cashman agreed, saying he wanted to attach a face with the names of those who he had heard were running with Dover CARES.

"The more, the merrier," Rehm said. "We come to their public meeting, so they are certainly invited to ours."

Members of the current board did keep a low profile, only occasionally talking to one of the 50 or so in attendance. Mainly, the people there directed their questions and comments to members of Dover CARES.

Rosalind Wayne, for example, encouraged support for Act 72.

"I'm a senior living on a fixed income," she said. "The act isn't the greatest, but it's a start."

Rehm said the act will have to be approved or disapproved by the current board by the end of May. But if he were making the decision, he said it would be a tough one.

"On one hand, it does provide tax relief for homeowners by shifting the burden to other places," he said. "But the back-end referendum clause also ties the hands of board members. I mean, I wish I had a vote on approving state budgets."

Two township residents approached Reinking about an assembly held that day at the high school. Ray Krone spoke with juniors and seniors at the high school about his 10 years in prison and time on death row for a murder he did not commit.

One resident asked how it was that the district just spent millions on renovations but still had an auditorium that couldn't seat the whole student body for such an important event.

"I guess this board just lacked a vision when it came time to do the renovation project," she said.

Sharon Wetzel, a Dover CARES committee person, said she was pleased with the turnout and the questions that were asked. She said the group's next step will be to get out into the streets and begin a door-to-door campaign to meet residents.
LOCAL
ELECTION BACKGROUND
York Daily Record
156 words
30 March 2005
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-- Eighteen candidates are running for the Dover Area School Board, nine of whom, including seven board members, have stated their support of the current board's decision to include intelligent design in the district's science curriculum.

-- In January, Susquehanna Polling & Research released results of a telephone survey of 425 registered voters in the Dover area district. Results showed 89 percent of likely voters said the issue was either very or somewhat important in terms of influencing their votes.

-- The board members running for election are: Alan Bonsell, Sheila Harkins, James Cashman, Sherrie Leber, Eric Riddle, Ed Rowand and Ron Short. Candidates Alina Kline and Michael Arnold also said they support the board's decision. Jeff Brown and Angie Yingling are also running for school board and they oppose intelligent design in biology class.

-- Those on the Dover CARES group make up the remaining candidates running for the board.
LOCAL
No tax hike seen for Dover; The school board OK'd a donation of 23 books from DebunkCreation.
JOSEPH MALDONADO
York Daily Record
528 words
6 April 2005
York Daily Record
4
English
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If no dramatic changes occur between now and next month, the Dover Area School Board will pass a 2005-06 budget that includes no new tax increases.

District Supt. Richard Nilsen presented the tentative budget during Monday evening's school board planning meeting.

Initially, it looked as though the board was going to start almost $1 million in the hole after borrowing from its fund balance last year to balance the 2004-05 budget.

But this year, the board realized nearly $2 million in savings after refinancing some of its debt at a lower interest rate and receiving some unexpected state grants.

Language arts curriculum to be revamped

Because of these windfalls, the board was also able to purchase books that will allow the district to totally revamp its language arts programs.

Last month, Cristie Butterfield, language arts supervisor for the Dover Area School District, gave a presentation on a new set of language arts textbooks for every grade, which she said will help improve standard and PSSA test scores.

The new text books will cost $422,000.

Even after that expense, the fund balance is still expected to rest with a balance of almost $3.5 million. Despite that, the budget calls for the elimination of some positions and the cancellation of all field trips.

One budgetary number that cannot be completely accounted for is teachers' salaries. The current contract expires at the end of June. For the past seven months, the board and representatives from the Dover Area Education Association have been at odds about who should be the first to make a contract proposal.

The board paid its negotiating attorney, Charles Sweet, a Bucks County lawyer, $145 an hour to make the four-hour round trip to attend Monday's meeting.
During the meeting, Sweet said he will file a grievance with the labor relations board if the teachers did not bring a proposal to the next meeting.

He also admonished the teachers for requesting negotiations be held off of school property at a neutral location. "This is game playing for no particular purpose," Sweet said.

No one from the association commented Monday evening.

But on Tuesday, Sandi Bowser, president of the education association, said she was disappointed by Sweet's public remarks.

"Regardless of what they say, we are still expecting a mutual exchange at United Church of Christ in Shiloh on April 27," she said. "That's all I'm going to say."

Negotiations are set to begin at 4:30 p.m.

Board OKs donation of books

The school board approved the donation of 23 books donated by DebunkCreation of St. Petersburg, Fla. The books cover various topics of scientific interest.

"We found no problems with any of them," said board member Alan Bonsell.

The books were donated by DebunkCreation after learning the board had accepted nearly 60 copies of Of Pandas and People," which supports intelligent design.

"We wanted to increase knowledge and to decrease ignorance," said DebunkCreation founder Lenny Flank after donating the books in March.
The Dover Area High School will play host to a biology seminar on intelligent design from 11 a.m. to noon April 23.

The event will take place after a high school and intermediate school open house, which is scheduled for between 9 and 11 a.m.

The free seminar, featuring Dr. Michael Behe of Lehigh University, will concentrate on intelligent design.
MAIN
Rep backs intelligent design; A state legislator has introduced a bill to allow the theory to be added to public schools' curricula.

LAURI LEBO
York Daily Record
742 words
9 April 2005
York Daily Record
1/08
English
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A state lawmaker wants all Pennsylvania public schools to have the option of including intelligent design in their science curriculums.

So last month, Rep. Tom Creighton, R-Manheim, introduced a bill to the House Education Committee to insert the concept into the Public School Code.

Current Pennsylvania education standards don't prevent school districts from teaching alternatives to evolutionary theory, but they do not specify that districts may do so.

The bill, which has not yet come up for debate, says a school district may include the concept of intelligent design in "any school instruction concerning the theories of the origin of man and the earth which includes the theory commonly known as evolution."

Intelligent design, which is the subject of a legal battle being fought in Dover, is the idea that life is too complex to have evolved randomly and therefore must have been created by an intelligent designer.

The Dover school board argues that it was trying to present alternatives to evolutionary theory when it voted to add intelligent design to its biology curriculum. But intelligent design's critics, including 11 parents suing the district over the decision, say officials are trying to get religion into science class.

Creighton's bill states that when "providing supporting evidence on the theory of intelligent design, no teacher in a public school may stress any particular denominational, sectarian or religious belief."

While Creighton thinks inserting intelligent design into the state school code could help the Dover Area School Board in its court battle, he said that wasn't the reason he proposed the legislation.

Rather, he said, it's long been his hobby to study issues of creation and Darwinism.

And now, "schools are the battleground for debating this issue," he said.

The Pennsylvania bill is the 10th piece of legislation critical of evolutionary theory introduced this year in state legislatures across the country, according to the National Center for Science Education.

Similar bills are pending in Arkansas, Mississippi, South Carolina, Georgia, Kansas and Missouri.

Creighton is also the primary sponsor of a bill that would require the phrase, "In God We Trust," to be displayed in every public school classroom in the state.

Creighton, in supporting intelligent design, compared the complexities of the DNA molecule to Mount Rushmore.

Both show elements of design, he said.

Creighton said an intelligent designer doesn't necessarily mean God, but ultimately it does get back to religion.

"It could be aliens from Mars who started life here as an experiment," he said.

"But who then created the universe?"

State Rep. Ron Miller, R-Jacobus, who also sits on the House Education Committee, said it's hard to predict how the committee will respond to the bill.

Miller said he is "inclined to support" it. He believes intelligent design fits into classes on history or world culture because it is about "why some people believe certain things and why other people believe other things."

State Rep. Bev Mackereth, R-Spring Grove, whose district covers the Dover school district and who also sits on the Education Committee, said she wants to find out what the court has to say on the Dover issue before deciding whether to support the bill. "Why would we pass something just have the courts overturn it?" Mackereth said.

So for now, she's staying out of the debate and would not comment on her feelings on the subject.

"I don't believe (Dover officials) want me to get involved in their issue," she said.

Mackereth said she has studied the issue and has read "Of Pandas and People," the pro-intelligent design textbook on the shelves of the Dover high school library.

But she said she doesn't know whether Dover's decision to make intelligent design part of the issue crosses the First Amendment line prohibiting the establishment of religion.

But one of the bill's co-sponsors, Rep. Art Hershey, R-Cochranville, said he felt the legislation was worthy of his signature.

"If we're going to flirt with idea that we came from a monkey, we should include other ideas," Hershey said.

"I know who my creator is."
Daily Record/Sunday News Harrisburg bureau reporter Rick Fellinger contributed to this story.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
A Section
Bills would shield schools from church-state disputes
JAN MURPHY
Of The Patriot-News
709 words
9 April 2005
Patriot-News
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Nothing in state law prevents schools from posting the national motto "In God We Trust," proponents of that idea said. Instead, it is fear of being sued.

The same goes for teaching intelligent design as an alternative to evolution, supporters said. Intelligent design is being taught in the Dover Area School District in York County and a group of parents have filed a federal lawsuit.

Because of the litigation threat, some state lawmakers are backing legislation to protect school officials who choose to jump into the murky waters that critics said violate the constitutional separation of church and state.

Rep. Thomas Creighton, R-Manheim, is sponsoring a bill that would allow "In God We Trust" to be posted in a school. He and others also are backing a bill that would allow schools to require teaching intelligent design.

Neither bill would force schools to take action, and neither comes at the request of a school district, Creighton said. Both bills sit in a subcommittee of the House Education Committee.

"The public school code doesn't deal with either of these. It doesn't say schools can and it doesn't say schools can't," he said. "This says yes, they may."

Introducing bills to reinforce authority that school boards already have should not be necessary, said Rep. Samuel Rohrer, R-Berks, a co-sponsor of Creighton's bills. But in this instance, "given the litigious nature of at least one organization that puts the fear into a lot of people's lives, we feel it's highly appropriate."

Critics said Creighton is trying to advance a conservative agenda in public schools.

Creighton called them atheists who are "closed-minded" and get scared "when you mention God."

His "In God We Trust" bill, is co-sponsored by a dozen other Republicans and three Democrats. The bill states that the motto is a key ingredient of gaining a "proper understanding of United States history and government."

Five states have passed laws since 2001 dealing with posting the motto in public schools, said Mike Griffith of the Denver-based Education Commission of the States.

Virginia and Mississippi require that it appear somewhere in school. Oklahoma mandates it in all classrooms and the auditorium. Alabama recommends it. North Dakota allows it.

Larry Frankel, legislative director for the Pennsylvania chapter of the American Civil Liberties Union, said the bill fails to acknowledge that "not everybody who believes in God has the same concept in mind, much less does it account for those from religions with different relationships to God or who even think it's appropriate to use God in this manner."

Still, he said it is of lesser concern than Creighton's proposal to allow the teaching of intelligent design.

The theory on the origin of life suggests gaps exist in Darwin's theory of evolution and that the complexity of the universe and of living things are evidence of a higher power.

Creighton's bill would allow school boards to include instruction about this theory as part of the discussion on the origin of man and Earth. But it would prohibit teachers from stressing "any particular denominational, sectarian or religious belief." It is co-
sponsored by 10 other Republicans and one Democrat.

He introduced the bill as a result of the federal lawsuit that parents filed against Dover Area School District over its school board's decision to require intelligent design to be taught in science class.

The parents, represented by the ACLU and Americans United for Separation of Church and State, said the board's decision unconstitutionally endorses a religious belief. The case is scheduled for a trial this fall.

"No school district ought to have to go through the headaches and cost and the challenge of their legislative authority that Dover has had to go through," Rohrer said.

Since August 2003, Ohio, New Mexico and Minnesota have adopted policies that require schools to critically analyze the theory of evolution, Griffith said.

Frankel said intelligent design is a "sham" for teaching religion, and the courts have ruled religion has no place in the science classroom. JAN MURPHY: 232-0668 or jmurphy@patriot-news.com

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Parents argue over intelligent design

JOSEPH MALDONADO
York Daily Record
330 words
12 April 2005
York Daily Record
4

En
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Sporting red and white buttons supporting the Dover Area School board at Monday night's meeting, Gina Myers and Wendy Bowers read a statement from a petition backing the board's October decision to include a statement about intelligent design in the ninth-grade biology classes.

The statement said, in part, that the 280 signers were glad the board introduced something that suggests "intelligent causes, rather than random chance provides, a better explanation for the complex biological systems of life."

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Myers said her biggest problem was evolution's inability to explain how biological chemistry appeared from nothing.

Stough replied that real science is always in the process of trying to decipher life's mysteries through scientific tests. He said that the concept of a designer was a matter of faith and that intelligent design had nothing at all to do with science.

Listening from a distance, Tammy Kitzmiller said she was irritated that defenders of intelligent design do so under the assumption that it encourages a greater level of critical thinking in the classroom.

"But the superintendent reads a statement saying ID exists and leaves the classroom," she said. "The kids aren't even allowed to discuss the theory or ask questions. How does that inspire critical thinking if you can't even talk about it in class?"

The theory of intelligent design suggests that life is too complicated to have evolved on its own and must have been created by a supernatural designer.

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LOCAL
Dover board hopefuls to meet; 18 school-board candidates will talk about district issues at an April 25 event.

LAURI LEBO
York Daily Record
220 words
18 April 2005
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1
English
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With 18 people vying for seats on the Dover Area School Board race, getting to know the candidates might be a bit daunting for district residents.

So Dover's Parent Teacher Organizations are hosting a "meet the candidates" night from 6:30 to 8:30 p.m. Monday, April 25.

But interested residents hoping to learn more about the candidates' positions on the controversial issue of intelligent design might not learn much at the event.

That's because PTO officials are asking people not to ask specific questions about the issue, citing me constraints. Candidates are free, however, to offer their views on intelligent design in their opening and closing statements.

Seven of the board's nine members are up for reelection.

The 18 candidates are evenly split on the board's October decision to make intelligent design the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer part of the high-school's biology class.

The event will be in the Dover Area High School auditorium.

Political analyst G. Terry Madonna of Franklin & Marshall College will moderate the event.

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Local/State

Student lawmakers tackle issues in Capitol

APARNA KUMAR
Of The Patriot-News
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A special session of the Legislature yesterday culminated in a spirited revolt against the governor. But that was only after the word spread, and excitement peaked, that the speaker of the House might be impeached.

State politics rarely appears as dramatic -- or as much fun -- as it did this weekend, when nearly 550 high school students from across Pennsylvania converged for the 58th annual YMCA Model Legislature and Administration Convention.

The student delegates represented more than 35 YMCA and school youth and government clubs. Throughout the school year, they learned the fundamentals of parliamentary procedure, boned up on current events, studied legal cases, ran for office and voted for their leaders.

This weekend, they served as members of the Legislature, the governor's staff and justices of the state Supreme Court. To accommodate all the delegates, there were two legislatures, the Blue and the Gold. Other participants portrayed reporters, lobbyists and attorneys.

This year's governor was Sara Gellately, 18, a senior at Lower Dauphin High School who has participated for the past five years as part of the East Shore YMCA delegation.

Her administration stood resolute on the platform on which she was elected last year: "We were against intelligent design, against euthanasia, against capital punishment," she said. "I am pro-life. I am for civil unions but not gay marriage."

Defending her views while also listening to the people was sometimes a challenge. "It's hard to remember that you're the governor and you have to represent the whole state, you just can't represent your delegation," Gellately said.

She got her way on civil marriages, signing bills from the Blue and Gold legislatures legalizing them. But in an 11th-hour twist, both legislatures handed her grueling defeats on euthanasia, overriding her vetoes on related bills.

The House chamber roared with applause -- and scattered jeers -- as the votes were announced. As the hour grew nearer lunch and the closing ceremony, Lt. Gov. Kate Gorton, 17, had to bring the rowdy chamber to order on several occasions.

Gorton, a Hershey High School junior, said this year's delegates had so many legislative priorities that fitting them into a bill calendar was a challenge.

The experience taught her a priceless lesson in politics: "Everybody wants a little bit of input, and it's really hard to make everybody happy," she said. "You kind of have to try and find a middle ground." One day, Gorton hopes to be a state senator or "maybe lieutenant governor."

Another midstate delegate presided over the Supreme Court; Rebecca Lehner, a junior at Central Dauphin High School, served as chief justice.

"I was worried that the justices would not be as close knit, but we are such a tight group that it was very exciting, and I can't wait to do it again next year," said Lehner, 17, who was participating for a third year.

The program engages students in the democratic process by putting them in charge.

"We don't tell the kids what to believe. We tell them how to express what they believe," said Barry Martin, a spokesman for the Pennsylvania YMCA.


7/22/2005
Teddy Wilhite, a Central Dauphin ninth-grader, was a delegate to the Commonwealth House, which prepares younger students for the mock legislature. To his surprise, a bill he sponsored vaulted into the main legislature, passed and was signed by Gellaty in the Capitol Rotunda.

It would require high schools to devote equal time to teaching intelligent design and evolution in biology class.

"I tried to make it as politically correct as I could," Teddy said. Seeing the bill signed was "way awesome," he said. But as a consummate politician with presidential aspirations, Teddy, 14, knew how to share the glory.

"I wouldn't have gotten my bill passed if it wouldn't have been for all the good friends and the people that helped me," he said. APARNA KUMAR: 255-8440 or akumar@patriot-news.com

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The Dover Area School District could have been the place John Cougar Mellencamp and Bruce Springsteen were singing about; a place where blue collar workers and farmers lived in a middle-class town, with rural outskirts.

There are pizza shops, ice cream parlors, churches, a McDonald’s, used car dealers and the most celebrated recent addition to the tax base: a Giant Food Store.

Most people know their neighbors, and they can say "ain't" to each other and nobody cares.

But the area -- which includes Dover and Washington townships, and Dover Borough -- was thrust out of virtual anonymity and into the national spotlight last year when its school board voted to include a statement about intelligent design in ninth-grade biology curriculum.

It was little more than a paragraph, but it shaped the world's view of Dover.

German and French television crews have been to town. The district is embroiled in a federal lawsuit being watched by people at the highest levels of science and education.

And Dover residents have staked signs in their lawns to support one of two opposing groups in the May 17 school board primary; like welcome signs, they greet motorists as they drive toward the borough square on Main Street.

Even though 18 people are now running for seven board seats, a poll by a Harrisburg firm last year showed most residents weren't upset at their board about intelligent design; they just didn't like the media attention.

People who have never been to Dover seem to have an opinion about it.

Superintendent Richard Nilsen receives e-mails from Web groups with swear words in their names, telling him "what they think."

But Nilsen and the board's most outspoken member, Alan Bonsell, said most people only have part of the story. Dover is not intelligent design, the same way Columbine is not those two kids with guns, Nilsen said.

Bonsell, who owns C.R. Smith Radiator in West York, graduated from West York Area High but has since returned to Dover, where the Bonsell family has its roots.

His great-grandfather had the first Model T in town; his grandfather and father before him also served on the school board.
Spartan surroundings: Nilsen works in an old gray cinderblock building, a renovated garage where the district still stores some of its lawn equipment.

If there wasn't a sign on the front of the building, people might drive by, thinking the administration offices of one of the nation's most controversial school districts was a municipal garage.

Nilsen's corner office is small and tidy. The key feature of his uncluttered desk is an open day planner with highlighted dates.

Neatly arranged photos line his windowsill; the window is one of several Bonsell's dad bought at an auction when he was on the board several years ago.

Nilsen's computer was one of several that the district's technology department rescued from a Dumpster.

Vandals broke into the high school and stole 20 new computers, then dismantled them to sell the parts. The district's insurance company didn't want the dismantled computers, so police threw them in a Dumpster. The district's computer experts pulled them out and put them back together.

Some pinkish-red mold grows on the wall above the window in Nilsen's office.

Coughing into his hand, Nilsen jokes that it doesn't bother him; it's just a sign the district has its priorities straight.

A moldy wall ranks behind students and taxpayers.

Fiscal priorities: Dover residents are likely going to be few of those in the county -- possibly in the state -- who don't face a tax increase this year. The tax rate will remain at 18.77 mills, or $1,877 for the owner of a home assessed at $100,000.

If it hadn't had to borrow from its savings last year, Dover would have given taxpayers a rebate this year, Nilsen said.

Some people have criticized the district and its board's frugal demeanor, but Standard and Poors has consistently listed the district as one the top in the state for quality of education for money spent per student.

Scores on the state's standardized tests have increased in the district, as have SAT scores. Pennsylvania System of School Assessment scores are above state average, although SAT scores are not.

The head of Dover's teachers union claims teachers are leaving because, according to the state teachers' union, Dover pays its teachers less than any other district in the county.

Nilsen said the district conducted a study -- using exit interviews -- that showed only one out of four who left did so because they wanted more money.

Dover also leads the state for spending the least, per student, on administrators.

New school: And while building projects in many districts end up over budget and behind schedule, Dover Area High School's recent renovations were completed months early and more than $500,000 under budget. The $13.3 million project included renovation of all classrooms, new offices, seven science labs and auditorium upgrades.

Nilsen and Bonsell -- who was drinking from a bottle of store-brand water -- claims the district is able to save money because the board and administration pay attention to the details, looking for little ways to save money and increase productivity.

And the school district takes it values out to the community.

A student who was suspended in Dover is likely going to spend his or her Saturday washing the fire department's trucks, instead of sitting in a class being guarded by a teacher.

[Suspension inspired one student to want to become a much-needed volunteer firefighter, Nilsen said.]

The York County Controller's Office lists Dover Area as having the second-lowest debt in York County. York Suburban -- whose real estate is valued at almost three times that of Dover -- has the lowest.

But Nilsen said the negative issues pertaining to Intelligent design has carried more weight and overshadowed the accomplishments of a district that is trying hard -- and succeeding -- at giving students a quality education while considering those who have to pay for it.
"That's what my Doverites know about Dover," he said. "People that know Dover are impressed with Dover."

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

GRAPHIC: Residents of Dover and surrounding areas voice their vote with political signs along busier roads such as E. Canal St. Photograph taken Tuesday, April 19, 2005

LOAD-DATE: April 20, 2005
SECTION: TOP STORIES

LENGTH: 780 words

HEADLINE: Dover signs blasted

BYLINE: CHRISTINA KAUFFMAN<cm-bd> The York Dispatch

BODY:

Dover Township Zoning Officer Harry Smith Jr. says he has other things to do, being a busy man who just returned from a two-day state conference with other zoning officers.

But he'll spend most of his day today driving around the township handing out notices of zoning violations to property owners who are displaying political signs for incumbents in the Dover Area School Board race.

It might take part of tomorrow, too, he said.

Smith has been fielding some complaints from residents about the four-foot-by-eight-foot sheets of plywood bearing the names of seven sitting board members who are running in the May 17 primary.

It's pretty unusual for residents to send him letters, he said, so he he's going to have to make the signs his priority today.

"They just have really sprouted up all over the place," he said. "I'm sure some of them are in intersections and obstructing the line of sight and things like that."

The township's zoning ordinance says political signs can be no larger than four feet square.

Board members Sheila Harkins and Alan Bonsell, two of the seven candidates listed on the signs, said they don't think the township should have a problem with the size of the signs.

"I consider myself and others that have done it before grandfathered into the ordinance," Harkins said. "I have made sheets of plywood signs for close to 30 years."

"I don't think the township is going to complain because if the township went around and picked up all of the signs that are violating their ordinance they would need more than a tractor trailer," she said.

But Smith said he plans to send out notices, a warning that will result in a citation if the homeowner doesn't remove the sign.

This year, the race is hotly contested with nine candidates in favor and nine opposed to the teaching of the theory of intelligent design, which attributes the origins of life to a higher being. The board voted last year to include a statement about it in ninth-grade biology curriculum.

Eleven parents and the American Civil Liberties Union have filed a federal lawsuit to remove the statement.

The Rev. Warren Eshbach, spokesman for the seven-member political group opposing the incumbents, Dover CARES, said he doesn't care who's doing it, things should be done in a legal manner.
Candidate Jeff Brown, who is not affiliated with either group, said he would have to give the board the "benefit of the doubt" and assume they didn't know about the zoning ordinance.

But if they did, he thinks the township should "throw the book at them."

A matter of words: But it's not only the size of the sign that matters, Brown said.

What really bothers him is the fact that the signs are "not accurate."

"I think most people do know what the word 're-elect' means," he said.

The signs read "re-elect our school board," although voters never elected five of the seven. The board appointed the other five when other board members, such as Brown, resigned.

Only Bonsell and Harkins were actually elected to their first terms.

One candidate, James Cashman, was just appointed March 7. By the May 17 primary, he will have about 70 days experience.

Larry Snook, a Dover resident who served on the board from 1991 to 2002, said he thinks the signs are "an illusion to lead the taxpayers, the voters in the district, to believe they are 're-electing' a board."

"The reality is that these five were hand-picked because they have views that coincide with the school board," he said.

Eshbach said he hopes that the voting constituency would "be wise enough to know" who has and hasn't been elected before.

He said that incumbents have an advantage over those seeking office for the first time, so the "play on words" might work to the board's advantage.

But Harkins and Bonsell said they've got their words straight.

"My definition for re-elect is to vote into office someone who is already serving," Harkins said.

"Re-elect, I believe the definition is to elect to another term," Bonsell said. "They [the five who were appointed] would be elected to another term. It is true. The community elected the board and the board elected these people to fill out the term. We appointed them but we took a vote. They are serving a term. If we would have appointed them, we wouldn't have had to vote on it. The definition of re-elect is to elect to another term. Everything about it is correct."

According to Webster's Third International Dictionary, re-elect is "to elect for another term in office." Elect: "to select [a person] for political office by vote."

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.
Ahmed Ibrahim just wants to serve meat loaf and mashed potatoes to Dover residents. He doesn't want to be involved in their politics, he said.

Ibrahim moved to Dover Township about three months ago, after he and a business partner bought the Dover Diner, 3050 Carlisle Road; he doesn't know the background of political groups such as Dover CARES or Citizens for an Intelligent Choice.

So when a resident asked if he minded if he put a Dover CARES sign in front of the restaurant, he said he didn't care.

He said he really didn't even know what the sign stood for until he received an anonymous call from a woman claiming to represent a local church -- a key issue in the board race is the teaching of intelligent design in the biology curriculum, a theory some say is a kin of creation theory.

Ibrahim said the woman said she would organize a boycott of his restaurant if he didn't take down the sign.

Another caller was loud and using obscenities, he said.

That was last Thursday or Friday.

The calls continued for a couple of days, for two hours straight one time.

"Every 15 minutes," said Ibrahim, 29. "Most of the time I hung up."

There were little boys who said they were going to boycott the restaurant Sunday mornings.

But last Sunday morning, the parking lot was full as usual.

"I did take them [the signs] down because I don't want no trouble, you know what I mean," he said. "I have no idea with both of them. I don't go with this."

Victoria Reiber, co-chair of Dover CARES, said that her group was told in confidence by two other businesses that "they received a phone call saying either our signs should be removed or they would be boycotted."

"I think threatening a business owner displaying a Dover CARES sign is outrageous and dirty politics," she said. "It's intimidation. I feel that it's dirty politics."
Reiber said a local business owner -- who did not want to be identified -- told members of Dover CARES at a chicken barbecue last Saturday about a similar phone call he received from a group claiming to be from Rohler's Assembly of God.

Three other Dover business owners have reported to The York Dispatch that they also received calls from people claiming to be from the church. The business owners said they were told the people would encourage a boycott of their businesses if the Dover CARES signs were not removed.

Because of fear of repercussions, those business owners did not want to be identified publicly.

'People have the right': The Rev. Edward Rowand is pastor of Rohler's Assembly of God. He was appointed to the board in December and is running for election in November's race, on a ticket opposed by CARES.

"I think people have the right to boycott an establishment if they have a conviction that is different than theirs," he said.

He said, for example, one business put a Dover CARES sign on its property but did not allow the board's group to post their sign; the business would not discuss the issue publicly.

Rowand said he does not know who is calling the businesses, or if they are even from his church, but that people do "have that right if they choose."

Rowand said no businesses have contacted him about the calls. None of the businesses have reported the threats to police. Ibrahim said it was because he didn't want any trouble.

Neither Northern York County Regional Police Chief Carl Segatti nor York County elections director John Scott have received complaints about the sign issue.

Segatti said his office would investigate certain complaints, such as harassment claims, but it would not deal with election-law violations. While the state election code does prohibit certain kinds of intimidation and threats, statutes do not directly address boycotts.

Board president Sheila Harkins, who is running for re-election, said the calls are not coming from the seven incumbent board members' campaigns, and she doesn't condone the tactics.

"I think competition is great," she said. "I encourage the competition. But I don't like this threatening. I don't like this at all."

She said there has been "political warfare on both sides," and that some people -- though she could not provide their names -- have been threatened because they have the board's signs on their property.

She said she would encourage businesses to display both signs "if they so choose."

Candidate Jeff Brown is not a member of either group, but he said he is disappointed anyway.

"These aren't my signs that are being threatened, but I just don't like that kind of tactic by anybody."

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.
MAIN

Signs of tension are surfacing in Dover; Political signs in the emotional school board race are criticized for their size, content and stance.

JOSEPH MALDONADO
York Daily Record
734 words
22 April 2005
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1

Early last week, a customer asked Ramsey Shoukry, owner of the Dover Diner, if he would mind putting up a sign supporting the Dover Area School Board candidates from Dover CARES. Without much thought, Shoukry said yes.

"I really don't know that much about school board politics," he said. "But the request seemed simple enough."

A couple of days later, on April 13, his hostess, Lindsey Sudik, took a call from a woman who said if Shoukry didn't take down the sign, she would organize picketers and a boycott against his restaurant.

"I'm a new business and don't want any problems with anyone," Shoukry said. "So I took the sign down that night."

A representative from another Dover Township business confirmed that it received a similar call, but the person did not want to be identified and declined to comment further.

"I was just trying to be polite with one of my customers," Shoukry said. "But I can't afford to be that polite."

The Dover CARES signs, which promote a group of seven people Bernadette Reinking, Terry Emig, Bryan Rehm, Rob McIlvaine, Judy McIlvaine, Larry Gurreri and Patricia Dapp running for Dover Area School District school board seats, aren't the only ones causing problems with some businesses and residents.

The candidates from Dover CARES, which stands for Citizens Actively Reviewing Educational Strategies, say they have a number of concerns about the district's schools. But a hot-button issue in the district is the current board's decision to include "intelligent design" theory in the high-school biology curriculum, a decision that has been criticized by the Dover CARES slate.

Some of the election signs in Dover seem to hint at the issue, stating that a vote for the current school board is an "intelligent" choice.

Signs promoting the current school board reportedly have sparked emotional responses, just as the
Dover CARES sign at Shoukry's diner did.

James Cashman, a current member of the school board, said he heard that a restaurant he frequents received a call from a customer who said he or she wouldn't eat at the restaurant anymore if the establishment didn't take down a sign supporting the current board.

Dover Township's zoning officer, Harry Smith Jr., said he spent the better part of Thursday checking to see if signs comply with township ordinances.

He said no political sign can be larger than 4 square feet. By Thursday afternoon, he said the number of signs in violation of that rule had not quite exceeded 20.

"But I haven't been through the whole township yet," he said.

He also said some signs were in violation for other reasons, but he didn't have access to his notes and couldn't elaborate.

Former school board member Larry Snook was upset with the current school board's signs for a different reason.

"The signs say re-elect," Snook said. "Many of the names on the signs weren't elected in the first place. They were appointed by the existing board."

The names on the signs to which Snook referred are Alan Bonsell, James Cashman, Sheila Harkins, Herrie Leber, Eric Riddle, Edward Rowand and Ronald Short. Cashman, Leber, Riddle and Short were appointed late last year to replace Noel Wenzich, Casey and Jeffrey Brown and Angie Yingling, all of whom resigned.

Jeffrey Brown said he was disappointed that churches were putting up political signs as well. Federal law prohibits churches, and all tax-exempt charitable organizations, from giving partisan support to political candidates.

The Dover Assembly of God had three signs in front of its property endorsing the current school board. One listed all of the candidate names.

Yvette Sproull, wife of the church's pastor, said she was unaware of the law.

"We didn't put the signs there," she said. "But if it turns out that they are causing us to break a law, we will take them down."

As far as local rules are concerned, Smith said he would soon mail warnings to those displaying signs that violate township ordinances.

"If the problem is not corrected in a reasonable time, the fine could be as much as $500 a day," Smith said.
SECTION: TOP STORIES

LENGTH: 236 words

HEADLINE: About the school board race

BODY:

Two groups of candidates, plus four others who are unaffiliated, are vying for seven open seats in the May 17 primary for Dover Area School Board.

Dover CARES, Citizens Actively Reviewing Educational Strategies, has a slate of seven candidates who are not opposed to intelligent design, but think it should not be introduced in a science class. They think it should be discussed in a class such as comparative religion or sociology.

Those candidates are: Larry Gurreri, Patricia Dapp, Bernadette Reinking, Terry Emig, Bryan Rehm, Rob McIlvaine and Judy McIlvaine.

Rehm is one of 11 plaintiffs in a federal lawsuit against the incumbent board, whose two highest ranking members, president Sheila Harkins and vice-president Alan Bonsell, voted to include a statement about intelligent design in the ninth-grade biology curriculum.

Harkins and Bonsell are seeking re-election on a ticket that includes five board members recently appointed to fill vacancies caused by resignations. They are: Sherrie Leber, Ron Short, Eric Riddle, James Cashman and the Rev. Edward Rowand.

A group called Citizens For An Intelligent Choice has endorsed the incumbents.

Four candidates are not affiliated with either group. Angie Yingling and Jeff Brown are former board members who resigned, saying they were opposed to teaching intelligent design in science class. Mike Arnold and Alina Kline side with the current board.

LOAD-DATE: April 23, 2005
At 9 a.m. Saturday, only about a dozen members of the community sat in the auditorium for a program commemorating the rededication of Dover Area High School.

Two hours later, about 100 people were on hand for the district's biology seminar on intelligent design.

The guest speaker was Michael Behe, a professor of biological sciences at Lehigh University in Bethlehem who has authored "Darwin's Black Box: The Biochemical Challenge to Evolution" and has published more than 40 scientific papers.

Behe made five points why intelligent design the concept that life is too complex to have been evolved solely through natural selection and must have been created by an intelligent designer was a better explanation for the biological world's existence.

The Dover district is believed to be the first public school district in the country to require that intelligent design be mentioned in a science class. Ninth-grade biology students heard a statement about the concept during a class period in January.

Darwin wrote that all forms of life were, in part, the result of numerous, successive slight modifications. But Behe said there are some biological systems, such as those pertaining to bacterial flagellum and blood clotting, which could not have evolved on their own.

The systems are so complex, he said, that no one part could have worked or survived without all the parts associated with it today. The concept is called irreducible complexity.

Behe, who said he was a Christian, also said he has no trouble accepting that the universe may have begun with a bang some 13 billion years ago. But he can accept this only if the igniter of the bang did so with a plan to get life to where it is today.

He also said he believes there is enough DNA evidence to support the idea that life could have come from a single source and that life is changing to meet the demands of a changing environment.

But, he said that may mean that God, or the designer, is creating through a "secondary means."
"Natural selection does a whole lot," Behe said. "But the question is, can it be extrapolated into everything?"

Kyle Cunningham, a professor of genetics at Johns Hopkins University, made the trip from Baltimore to hear Behe speak. The former Dallastown Area School District student said he's been reading a lot about intelligent design, and it troubles him.

"The ID movement is not about enlightenment," Cunningham said. "It's about creating confusion in an effort to ultimately remove evolution from the classroom."

During a question-and-answer period, he asked Behe how he reconciled evidence suggesting that DNA is in a constant state of evolution.

"Through DNA sequencing, we can see similarities between organisms, and there are some good indications that we all have a common (ancestor)," Behe said. "But there is still nothing to suggest how all of this came about."

The Rev. Chad Rimmer of Union Lutheran Church in York asked Behe if he really believed that high-school biology was the best place to introduce young people to intelligent design.

Behe said yes because there is more evidence for a designer than for evolution. He also said the controversial nature of intelligent design would stimulate students into a discussion they would find interesting. In Dover's statement, however, the district said it "leaves the discussion of the Origins of life to individual students and their families."

Cunningham said he got the impression that Behe believes everything that evolution teaches except what really took place during the universe's first moments.

"If that's what it comes down to, that's a philosophical question, not a scientific one," said Rimmer, who has a biology degree from the University of North Carolina. "So take the discussion out of science and place it where it belongs, in philosophy."

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DOVER CANDIDATES FACE OFF; 18 hopefuls weigh in on issues; Forum rules forced candidates to discuss topics other than intelligent design.
LAURI LEBO and JOE MALDONADO
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26 April 2005
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English
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It's the subject of a federal lawsuit, it's divided the community and it was the reason three school board members resigned, but at Monday's Dover Area School Board candidates forum, intelligent design was the 500-pound gorilla in the room that most everyone tiptoed around all night.

"Intelligent design is probably one of the reasons there are 18 candidates involved here," said Angie Yingling, one of the few candidates who addressed the topic openly.

Rather than discuss an issue that 89 percent of likely voters said in a random telephone poll taken in January was either very or somewhat important in terms of influencing their votes, the 18 candidates vying for seven seats on the board limited most of their remarks to property taxes, improving education and teachers' salaries.

The Dover Area High School PTO, which hosted the event along with the district's other parent-teacher organizations, wanted to give district residents a chance to learn the candidates' views on subjects other than intelligent design. So its members asked residents to keep their questions to subjects other than intelligent design. "When that issue is resolved, there will still be issues of running a school board," said PTO representative Suzanne Becker. "We wanted to get people of two different sides to get together and talk."

However, candidates were permitted to talk about the debate during their opening and closing statements.

Seated at a table that spanned three-quarters of the length of the high-school auditorium stage, the candidates also talked about Act 72, the state's property tax-reform plan.

Most of the candidates said they haven't yet made up their minds on the plan, which would supplement property-tax money with state gambling dollars, but board member Ed Rowand said he opposes Act 72 because he opposes gambling.

For the most part, the incumbents touted the district's improving test scores and keeping spending low. And most of their opponents said not enough was being done to improve communication between the board and district residents.

Candidate Bryan Rehm said that at school board meetings within the past year, "people have been
called names or told to sit down. I think that's a problem."

"For the most part, the forum never became a debate. The only forceful exchange was between Rehm and school board President Sheila Harkins over the subject of the high-school construction project.

Rehm criticized the previous school board for failing to plan for future district growth. Harkins disputed his claims and said the school is only two-thirds full.

School board member Alan Bonsell, a staunch intelligent design supporter, spoke of the importance of "character-based education."

Larry Gurreri, one of seven candidates backed by Dover CARES (Citizens Actively Reviewing Educational Strategies), which opposes intelligent design in science class, said "something is broken in Dover, and there are two or three different sides."

He said he hopes to help different sides come together.

In October, the school board voted to revamp its biology curriculum to require intelligent design the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer to be mentioned along with evolutionary theory.

In December, 11 parents, including Dover CARES candidate Rehm, filed a First Amendment lawsuit against the district saying the requirement violates church and state issues.

In the intelligent design issue, the candidates for Dover Area School Board are evenly split on the issue nine support it and nine are against.

Yingling voted with the majority of the school board in its 6-3 vote in favor of the concept but said she has since changed her mind.

The seven school board members up for election all support intelligent design. They are Sherrie Leber, Ron Short, Eric Riddle and James Cashman, Bonsell, Rowand and Harkins.

The other two intelligent-design supporters running for office are Alina Kline and Michael Arnold.

Short was the only school board member to discuss intelligent design. In his opening remarks, he said, "There are many scientific theories and hypotheses that require faith. And evolution is one of them."

Candidate Jeff Brown, who, like Yingling, resigned over the board decision, said he predicted the lawsuit, which he fears will be costly to the district.

"Quite frankly, I hope I'm not right about that," he said.

In addition to Yingling and Brown, the seven Dover CARES candidates Rehm, Gurreri, Bernadette einking, Terry Emig, Rob McIlvaine, Judy McIlvaine and Patricia Dapp all oppose the teaching of intelligent design in science class.
Judy McIlvaine said the board missed an opportunity to help students learn critical-thinking skills by not putting the subject of intelligent design into a class other than science, so the students would be free to talk about it and ask questions.

As Michael Neff paid close attention to the candidates, he kept score using the agenda that had been given to all who attended. By the end of the evening, his score card had him leaning toward the newer candidates running for the board.

"I didn't really know who some of the candidates were," he said. "But I know where all of them stand now."

Like Neff, Eldon and Mary Brown were on the fence at the start of the evening. But after the program ended, said they felt a nudge toward voting for new members.

"I think we need a new board," said Mary Browning. "They (the current board) bragged about how much they did for the high school. But I look around, and I don't think they did much at all."

Sharon Witmer said she could see her vote being split between current board members and the new candidates.

"It would be nice to have a board with different opinions," Witmer said. "Problems get solved better that way when there is more discussion."

Before the program, Witmer said she wasn't sure how she was going to vote.

"But I've pretty much formed my voting opinion tonight," she said.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

PIC: DAILY RECORD / SUNDAY NEWS BIL BOWDEN

Ed Rowand makes a point and Bryan Rehm, center, looks on as the other 16 candidates for Dover Area School Board await their turns to speak during Monday night's forum. Though one candidate said the reason 18 candidates are running is the heated debate over intelligent design, candidates had little to say on the subject during the forum.
SECTION: HANK MERGES

LENGTH: 567 words

HEADLINE: Domestic violence a hidden scourge here

BYLINE: HANK MERGES, Dispatch

BODY:

You see reports about crime and racism in the news all the time. Rarely do you see references to domestic violence.

Yet, domestic violence may be the greatest scourge of all, the hidden scourge in York County.

The latest numbers from Access-York make the point:

--- 176 new adult victims in January and February, added to 165 already on the rolls.
--- 26 new children, on top of 114 already being served.
--- 68 cases involving emergency shelter.

Shameful!

Almost one in every three science teachers feels pressure to include creationism, intelligent design or other alternatives to evolution in their classes, according to the National Science Teachers Association.

Catholic church leaders in the area are actively seeking the victims of sexual abuse by persons representing the church.

Alleged victims may get details from the Web site, www.victim-outreach.com, or call 1-800-626-1680.

The church "promises a pastoral and effective response and assistance toward spiritual and emotional growth and healing."

Hundreds will join the March of Dimes' WalkAmerica along the Heritage Rail Trail on Sunday, a project that raises funds supporting studies probing the cause of health problems associated with premature births.

Walkers will gather at the Indian Rock Elementary School and step off in groups at 9 and 11:30 a.m.

Bill Hewitt, this year's chairman, says details are available at 741-9818 or 1-800-525-WALK.

York Water Company is ready for the next drought now that it has completed construction of a 15-mile pipeline from the Susquehanna river to Lake Redman.

Children from North Hills Elementary School will gather 9:30 a.m. Friday at Stonewood Park to mark Arbor Day, an educational experience arranged by Springettsbury Township, Heritage Lawn & Landscape Care, and American Tree Experts. Tree planting, tree surgery and a nature walk are on the agenda, says David Wendel, director of Springetts Parks and Recreation.
Proceeds from Saturday's upcoming Lady White Rose, a 5-K downtown run starting at 9 a.m. at the YWCA, will benefit the organization. For details, contact race directors Krista Darr, 428-3336, Beth Bulik, 848-3207, or Carolyn Darr, 741-3693.

New Eagle Scouts ...

---Christopher Storm, Troop 102, St. Paul's, Hanover ... son of John and Melissa Storm. Project: Built birdhouses for senior citizens at Grace UMC Church.

---Matthew Cromer, Troop 110, First Methodist, Hanover ... son of Scott and Deb Cromer. Project: Constructed walkway in Penn Township Community Park.

Citizens are invited to make their voices heard at a meeting of the Springettsbury Township Comprehensive Plan Committee at 7 this evening in Central Middle School.

Potpourri ...

---"Dine Out With Access-York" ... 6:30 p.m. tomorrow and Thursday at the Culinary Arts Center.

---Springetts Sertoma ... basket bingo, 6 p.m. Friday at York Catholic.

---Housing Council of York Art Auction ... 7 p.m. Friday at Junior Achievement.

---Spring Fair Yard Sale ... 9 a.m. Saturday ... chicken BBQ, 11 a.m., Eastminster Presbyterian Church.

---Spaghetti Dinner ... 5 p.m. Saturday, First Presbyterian.

Columns by Hank Merges, a local writer, appear Tuesday and Thursday in The York Dispatch. Reach Hank at hmerges@yorkdispatch.com or 854-1575.

LOAD-DATE: April 26, 2005
http://media.mnginteractive.com

The good news: there are 18 candidates. The bad news: there are 18 candidates.

Terry Madonna offered that observation as he opened last night's school board candidate night held by the Dover Area High School Parent-Teacher Organization.

He's a seasoned public affairs professor and director of the Center for Politics and Public Affairs at Franklin & Marshall College in Lancaster. But he's never dealt with so many candidates before, he said.

Lined up in alphabetical order, they filled the entire length of the high school stage, and they span about three generations and several schools of thought.

Candidate Angie Yingling claims it is the most hotly contested election in Dover since her family settled there in 1710.

Local businesses have reported threats of boycotts over their choices of political signs. And the issue that sparked it all --the board's inclusion of *intelligent design* theory in the high school biology curriculum -- has brought Dover international attention.

But most of the discussion last night dealt with communication and teachers, not *intelligent design*. And by the end of the two-hour session, Madonna was congratulating the candidates for conducting their "discourse" civilly.

**Format and introductions:** Madonna allowed the candidates two minutes each to introduce themselves, 45 seconds each to answer questions and a minute-long final statement.

Most used the introduction to tell the audience about themselves.

Mike Arnold has two kids at Leib Elementary.

Alan Bonsell has held the same job for 21 years.

Jeff Brown used his time to dispel what, according to him, is a widely-believed rumor that he's an atheist. He said he's not a quitter, either, and that's why he's running to get return to the board he resigned from.

James Cashman and his wife used to homeschool their kids, but they believed in Dover enough to re-enroll four of the five in public schools.

Patricia Dapp works for a not-for-profit agency, so she's sure can help "bridge the gap" between the schools and the community.
Terry Emig said he's just a regular guy with no college degree who cares about kids. His two sons are in Dover schools. He's president of the Optimist Club of West York.

Larry Gurreri said he feels like something is "broken" in Dover. He wants the community and the board to put it back together as a team.

Sheila Harkins has been involved in Dover Area schools for about 30 years, starting when her daughter began school.

When Alina Kline was a student at Dover Area High School a few years ago, she was the board's student representative. As a recent graduate, she thinks she'll offer "a fresh analysis."

Sherrie Leber has lived in the district for 13 years and has a child in the Intermediate School.

Judy McIlvaine, looking over the crowd, said she's inspired that so many people would come out in the interest of education.

Her husband, Rob McIlvaine, is also a candidate. He's in the manufacturing business.

Physics teacher Brian Rehm taught at Dover's high school for two years. He said things are different when you see them "from the inside." Teachers aren't being helped to do their best, he said.

Bernadette Reinking said she is interested in cost containment and the budget, but children should be the top priority.

Eric Riddle was appointed last December. He said he thought it was his civic duty to add stability to the board because people were resigning. He quoted the Gettysburg Address.

The Rev. Edward Rowand moved to the area 10 years ago. He said his three children have attended Dover schools; their experiences have been "simply outstanding."

Ron Short said intelligent design will broaden the education at the high school.

Yingling said she doesn't want to pay legal expenses for a lawsuit over intelligent design when the money could be spent on education. She graduated on "this stage" 29 years ago.

Act 72: Audience members submitted questions. The first topic was Act 72.

Heralded by Governor Ed Rendell as a program that would considerably cut property taxes, the bill was passed in tandem with the law that legalized slot machines and proposes to use some of the proceeds to reduce property taxes.

The bill has been ill-received, due in part to a "back-end referendum" that would allow taxpayers to vote on tax increases that exceed the cost of living increase.

Districts must choose by May 30 whether to join in. Only two candidates -- Yingling and Brown -- said they would do so.

Yingling said she would support riverboat gambling, too. Elderly people need the relief, she said.

Brown said it may be a "lousy law," but it's the only law for tax relief that people have right now.

Arnold said that he would vote "no" if he had to vote right now. He said the law's intention is good, but there need to be amendments to address problems.

Riddle said the law is so confusing, it's like "voodoo economics." He was one of 15 candidates who said they are still evaluating the law's potential impact on Dover.

Intelligent design: Some members of Dover CARES -- a seven-member slate that doesn't think intelligent design belongs in the biology curriculum -- said the board did not give the community enough information about Act 72.

Board members, in rebuttal, said they held one informational session for residents and are planning another.

Teachers: According to the Pennsylvania State Education Association, Dover's teachers are the lowest paid in the county, and negotiations have been bitter to replace the contract that expires this year.

Arnold said the teachers' contract was the main reason he decided to run. Teachers are leaving because the pay is poor, he said.
Bonsell said teachers also receive benefits, and health care costs for the district have increased more than 50 percent in the past three years.

Brown said not many taxpayers in Dover receive benefits as good as teacher dos'.

Cashman, Kline and Leber said merit pay should be put in place to boost salaries. It is already used with administrators, Cashman said. He said the teachers should come forth with their contract so negotiating can begin.

Dapp said district salaries should be competitive with neighboring districts and that the district should invest in teachers.

Emig and Gurreri said the board should exchange a contract with the teachers. Gurreri said teachers should be paid well if the district hopes to retain them.

Harkins is not participating in negotiations because her daughter is a member of the teachers union. But she said negotiations with support staff are going well because both sides aren't "all lawyered up."

Judy McIlvaine and Rehm said the pay isn't the only problem teachers have; teachers also leave because there is a negative atmosphere and lack of communication from administration and the board.

Rob McIlvaine and Reinking said there must be mutual respect and civility between the two parties before the negotiations are successful.

Riddle said that test scores are good, and that turnover is "a fact of life."

Rowand said teachers have done a good job but they should submit a contract first.

Short said the district can't afford to pay the teachers as much as other districts because they collect less money per mill of taxes than other districts.

Yingling said that while the district might want to increase salaries, it would be impossible for a rural area to compete with the salaries offered in more urban schools.

Public input: Yingling, Reinking, Judy McIlvaine, Rob McIlvaine, Rehm, Gurreri, Emig, Dapp and Brown said the board needs to increase communication with residents.

Residents were upset earlier this year when the board discussed limiting public comment to agenda items.

The board never put that policy in place, but Rehm said some have been "called names and told to sit down" and not been treated fairly.

The candidates suggested periodic resident surveys, forming resident task forces, inviting public speakers and engaging in more public discussions at meetings.

Bonsell, Cashman, Harkins, Kline, Leber, Riddle, Rowand and Short said they the board has tried to reach out to the community by improving its Web site and sending out newsletters.

Bonsell said there are times when the board reaches out to the community and the residents don't become involved: only 12 attended a high school open house Saturday.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

GRAPHIC: Dr. G. Terry Madonna of Franklin & Marshall College in Lancaster gestures to the Dover School Board candidates while moderating "Meet the Candidates" Night, Monday April 25, 2005. All 18 candidates running for the Dover Area School District Board of Education participated in the event, sponsored by the recently formed Dover High School Parent-Teacher Organization and other PTO's in the district.

LOAD-DATE: April 26, 2005
MAIN CANDIDATES' VIEWS
York Daily Record
488 words
26 April 2005
York Daily Record
1/07
English
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Here's what the candidates for the Dover Area School Board had to say during Monday night's debate:

Michael Arnold

I'm not involved in this for the intelligent design issue. (The board's) main job is to ensure a quality education for our kids. We also need to provide and secure quality teachers.'

Alan Bonsell on upcoming teachers' salary negotiations

'shealth-care costs are up 50 percent over the last three years. I also believe we need a merit pay system to ensure the best teachers get paid more.'

Jeff Brown

Last year in November, I resigned over the intelligent design issue. I felt then and now that we would be sued and lose. I haven't been proven wrong on both yet.'

James Cashman on upcoming teachers' salary negotiations

The best teachers should be paid the best. But unfortunately, the system doesn't always allow for that.'

Patricia Dapp on keeping taxes down

We need to work with the legislature to ensure more equitable funding.'

Terry Emig on upcoming teachers' salary negotiations

Both sides still need to exchange proposals.'

Jerry Gurrel on Act 72

The state shoved something down our throats before we were ready for it.'
Print Results

Sheila Harkins on Act 72

... would favor putting it on a ballot as a referendum, though that could make opting in automatic."

Alina Kline

We need a fresh analysis of the educational process in the district.'

Sherrie Leber

I'm running to enhance the progress the board and administration have made over the past three years.'

Judy McIlvaine on upcoming teachers' salary negotiations

We need to go into negotiations with an atmosphere based on trust. Then we can all just lay our cards out on the table.'

Rob McIlvaine

Manufacturers place an emphasis on skills, which relate to good academic preparation. I am committed to this issue.'

Bryan Rehm on upcoming teachers' salary negotiations

Our teachers aren't looking to be the best paid. According to a recent exit poll, only one in four left over money. So why are we starting negotiations with lawyers?'

Bernadette Rienking on upcoming teachers' salary negotiations

Teachers need to feel trusted and heard. There needs to be transparency in negotiations.'

Eric Riddle

It's my civic duty to help however and wherever I can. I'm pleased with the direction the board is taking. The board has done an excellent job the last few years.'

Ed Rowand on upcoming teachers' salary negotiations

The way I read the law, those with a contract need to submit a proposal. It's hard to negotiate without that.'

— on Short

There are many scientific theories and hypotheses that require faith. Evolution is one of them.'

Angie Yingling

The **intelligent design** issue is why I believe there are 18 candidates here tonight. I don't want to pay the legal fees, and I don't think the community does, either.'
SECTION: TOP STORIES

LENGTH: 332 words

HEADLINE: No end to Dover impasse

BYLINE: CHRISTINA KAUFFMAN<cm-bd> The York Dispatch

BODY:

Little progress was made at a third negotiation session between the Dover Area teachers' union and the school board last night.

Neither party submitted a proposed contract, and the district's lawyer indicated the case may end up in court.

The Dover Area Education Association's current pact expires in June.

Clinton Gibbs, a representative with the Pennsylvania State Education Association who is negotiating for the union, said the board should present a proposal at the same time teachers present their proposal to the board.

The school board wants a proposal first from the union, which represents the 220 teachers.

Several issues: One of the apparent issues is pay. According to the state teachers' union, Dover's teachers are the lowest paid in the county.

Relations have apparently been uneasy for a while. Teachers have said there was contention between the board and the union even before the board decided last year to add a statement about intelligent design to the science curriculum, against the science department's recommendations.

The theory of intelligent design attributes the origin of life to a higher being.

Lawsuit? Attorney Charles Sweet, who was hired to handle negotiations for the board, said board members have authorized him to file a suit with the state's Labor Relations Board because the teachers haven't given the board their proposal.

Sweet said the teachers are engaging in unfair labor practices by not submitting their proposal first.

He cited a 1995 case in Blairsville-Saltsburg School District in Indiana County when the teacher's union didn't give a proposal to the board after three bargaining sessions.

"This is number three," Sweet said.

Gibbs said the teachers are within their legal boundaries to request that the board present their proposal at the same time.

If the board files a complaint, the union will counter-file, he said.

-- Reach Christina Kauffman at 503-5434 or ckauffman@yorkdispatch.com.
LOAD-DATE: April 28, 2005
SECTION: LOCAL NEWS

LENGTH: 550 words

HEADLINE: Student essays tackle today's issues

BYLINE: By JACK SHOLL, For The York Dispatch

DATELINE: Two essays on the topic

BODY:

The debate raging in Dover over the teaching of intelligent design has drawn attention from yet another quarter: High school students competing in the York County Bar Foundation's annual essay contest.

and a third on punitive damage awards -- took top honors yesterday in this year's contest.

More than 100 students submitted essays in the contest to encourage youths to think about current social and legal issues and express their views on them.

The top prize winner was Sarah Erdlen, an 11th-grader from York Catholic High School, who wrote on "Is teaching creationism or intelligent design in public high school a violation of the First Amendment requirement of separation of church and state?"

Erdlen, along with second-place winner Adam Beck, also a York Catholic 11th-grader, and third-place winner David Etter, a senior from Dallastown Area High School, were among a number of students and individuals recognized by the foundation at its Law Day 2005 luncheon yesterday at the Yorktowne Hotel.

More than 50 county attorneys, judges and guests attended.

Erdlen, in her essay, argued, "The teaching of creationism or intelligent design in public high school does not violate the First Amendment's requirement but should be taught in "a philosophy or world religion class," not in a science class.

"As long as intelligent design is not the only theory taught in a philosophy class, no violation of the First Amendment has occurred," she wrote

Etter's essay also addressed the issue of the separation of church and state.

Referencing U.S. Supreme Court decisions, he argued, "Teaching creationism and intelligent design should remain out of public schools."

He concluded "it violates laws set forth by our forefathers who wished for complete religious freedom" and its teaching should "remain in church."

Paula Knudson, staff attorney for central and northern Pennsylvania for the American Civil Liberties Union of Pennsylvania, who is involved in a lawsuit challenging the teaching of intelligent design in the Dover Area School District, was the guest speaker at the luncheon.
She said that one positive aspect of the Dover suit is that no matter where one stands, the debate affirms the First Amendment right to free speech in America because it "increases conversation and a person's ability to talk about a controversial issue."

Beck, meanwhile, argued that limiting jury awards to the injured would not solve "the current crisis in our courtrooms regarding tort litigation."

"Civil litigation," he wrote, "with the threat of large, but just, penalties, serves as a check on American corporations and gives consumers a weapon with which to battle."

Beck said he plans to go into law school, most likely pursuing a career as a public prosecutor. Etter plans to major in education. Erdlen, while still formulating career plans, doesn't necessarily plan a career in law. But, she said she likes "the public speaking" part of the profession.

A panel of bar association members, chaired by attorney Susan Docktor, judged the essays on originality, style and clarity.

Students were given five questions as possible topics for their essays. The winners received savings bonds as part of their awards: $300 to Erdlen, $200 to Beck and $100 to Etter.

LOAD-DATE: May 3, 2005
A budget that acknowledges results rather than wishful thinking for the Dallastown Area School District is on the mind of Carroll Tignall. But his opponent, Dave Inkrote, says the best way to handle the growing district is to continue working with other school districts to gather ideas on dealing with revenue and mandates.

The two Republican candidates have their eye on the open seat in Region 3. Tignall and Inkrote will face off in the Republican primary May 17; no Democrats are on the ballot.

Fiscal restraint in budgeting and lack of legitimate planning for enrollment growth in the district are Tignall's main concerns.

"A performance-based budgeting process needs to be implemented that measures results rather than wishful thinking," Tignall said. "In five years the school district tax millage rate has increased almost 43 percent while the cost of living has increased approximately 12 percent."

**Strategic planning:** Although the district has a strategic plan, Tignall says it needs financial goals.

But Inkrote sees the board as a cohesive team that has an excellent working relationship with the administrative staff.

"I can't think of anything that I would want to change," he said. "However, we will continue to be challenged with the increasing student population, state-mandated requirements, and issues pertaining to funding. These problems are not unique to Dallastown and I would suggest that we continue to dialogue with other districts in the county and state to share ideas."

**Census a start:** In an effort to obtain objective enrollment numbers, the board agreed to let Superintendent Stewart Weinberg take a census, which began late last year.

Both candidates say it was a good first step, but Tignall says it's not enough.

"The final compilation that was to be completed in February has yet to be completed and published," he said.

Inkrote also believes there should be immediate attention to Loganville-Springfield and Leaders Heights Elementary schools.

He said he believes the district takes a "quick-fix" approach to solving long-term enrollment and facility issues.

In March, the board also approved Weinberg's creating a committee to scrutinize the needs of the districts' buildings.
Consider Act 72: With the deadline for Act 72 looming, Tignall said he supports any effort to reform and eliminate education funding based upon property tax and would like to work toward no school tax for retired senior citizens.

Senior citizens derive no benefit either directly or indirectly from the district and shouldn't have to pay, Tignall said.

"Act 72 is going to have a tremendous impact on all of the districts across the state," Inkrote said. "Understanding and calculating the tradeoffs required by this act will have a large impact on the budgeting process."

The two also disagree on student results on the Pennsylvania System of School Assessment tests. While Inkrote thinks there are other ways to measure effectiveness, Tignall says there need to be improvements especially in reading and math at the high school level.

What should goal be: "I don't think the goal of the district should be to get the highest score; rather the goal of the district should be to provide the student the best opportunity at being successful in their life. Education is a lifelong pursuit, and having the student prepared for this is a priority," Inkrote said.

If elected, he said, he'd want to improve educational opportunities for students "so that they may become contributors to our society. Expand relations with area businesses to insure that the students are equipped to become productive employees and business owners."

As for the curriculum, Inkrote and Tignall both support the teaching of evolution, but Tignall added, "evolution is a theory, and if it is to be taught in the public schools then other theories such as creation and/or intelligent design need to be taught as well so that students receive a fair and balanced presentation."

-- Reach Jana Benscoter at 854-1575 or dispatch.com" > news@yorkdispatch.com.

LOAD-DATE: May 3, 2005
Residents of the Dover Area School District will have a larger slate to choose from than residents in any other district in York County on May 17; it is one of few school district races that are even contested.

Before a battle began over intelligent design, Dover found itself in a similar position as the rest of the county, without enough candidates. At least one candidate in the 1990s was elected by write-in votes because there was no one running for an open seat.

While there were some heated races in the last decade, focused on school construction funding, this year’s election is unusual for a couple of reasons. There are seven open seats -- three more than usual -- because of resignations.

And there has been increased awareness of the board since its controversial decision last year to include a statement about intelligent design in its science curriculum -- a decision that has put the district in the national media spotlight.

"Dover School District has had a history of no one interested in serving on the school board," said board president Sheila Harkins, who’s seeking re-election. "We have that interest now ... I think the issue of intelligent design has brought out 18 people to run for it (the school board) who probably wouldn't have been interested otherwise."

She said she's happy to have the competition.

Though the number of candidates was likely inspired by the battle over intelligent design, candidates both in favor and opposed to reading the statement in science classes have avoided discussing it.

But there is, nevertheless, a line in the sand.

There are nine candidates in favor of --and nine candidates opposed to -- reading the statement about intelligent design in biology classes.

The theory, which attributes the origin of man to a higher being, is not accepted as a valid scientific theory in the mainstream science community.

Argue lack of communication: The seven candidates offered by the group Dover CARES [Citizens Actively Reviewing Educational Strategies] say they are not single-issue candidates. They are quick to mention they are not opposed to intelligent design, just to teaching it in a science class. They think it should be taught in a comparative religion or a similar elective course.

CARES candidate and physics teacher Bryan Rehm is one of 11 parents who filed a federal lawsuit with the American Civil Liberties Union to keep intelligent design out of the classroom.
Some CARES candidates have said the biggest reason they decided to run was lack of communication by the board. The board attempted to limit public comment at meetings to issues that were listed on the agenda, but decided against it when residents protested.

CARES candidate Bernadette Reinking started to attend board meetings about a year ago.

"I was hearing some issues with how the board treated the community and how the board treated people who wanted to talk," she said. "I ended up being there the night intelligent design was voted in. I didn't even understand the issues, but just the tone of the room was enough for me to stand up and ask them what was going on. I'm not usually like that."

**Policy more accommodating?** Board members said its revised public comment policy -- recently approved with comment periods for both agenda and non-agenda issues -- is more accommodating.

Board vice-president Alan Bonsell said the board tries to inform people and give them a chance to be heard. But sometimes its efforts are in vain, he said, citing a recent informational seminar about intelligent design that the district and the board sponsored. Only 12 people showed up.

Sometimes, people just need to trust that their elected officials are trying to act in the citizens' best interest, he said. "Decisions might not be popular with everyone," he said. "You have to do what you think is right and stick to it."

He and Harkins are the only two board members who voted for intelligent design who are up for re-election.

**Allege disrespect for teachers:** Dover CARES candidates say the disrespect doesn't stop with there.

"I think they [the district's teachers] aren't feeling respected," said candidate Judy McIlvaine. "Relations aren't good overall. The teachers are stressing, and there's sort of a general atmosphere of distrust."

The current board went against teacher recommendations when it put the intelligent design statement in science class. Teachers refused to read the statement, so administrators read it instead. Recently, the tension between teachers and the board has worsened during contract negotiations.

The teachers' contract expires in June, and although they have held three negotiation sessions, neither side has presented a proposal. The board said the teachers should present their proposal first. The teachers union said the board should present a proposal at the same time.

**Polarized on teachers:** Dover CARES candidate Larry Gurreri said teachers are leaving because they are the lowest-paid in the county and the board doesn't consider their concerns.

But board members have maintained there is no communication problem.

Eric Riddle, who was appointed to the board in December, said teachers in a school district are like employees in a company.

"Ultimately, it is the board that represents the people and who should make the final decision," he said. "You can't let your employees run your company. Do I think there's a problem? No. Like any place, you're going to have a few people who are unhappy."

The Rev. Ed Rowand, also appointed in December, said that "things are tighter" whenever two parties have a contract in negotiations.

Candidate Michael Arnold, who is not affiliated with either group, said he said he was inspired to run because of the number of teachers who are leaving. He wants to increase salaries.

**Unaffiliated candidates:** Arnold is also in favor of intelligent design in science class, as is Alina Kline, who is also not affiliated with either slate.

"Intelligent design is an important, valid theory that should be presented as an alternative to evolution as well as any other valid theory," Kline said.

But Rehm, who teaches science in a different school district, said intelligent design is not a science and is not educationally sound.
He said the "real point" to the debate is that intelligent design was not recommended by anyone in the high school science department. It is not consistent with national and state education standards and the board, though its members "admit to not knowing science ... claim to have the greatest understanding of evolution ... and that no one else does."

"The fact is that the ID decision is an expression of the overall toxic climate of communication, or lack thereof," Rehm said.

Candidates Jeff Brown and Angie Yingling were on the board but resigned in protest of the board's decision to include intelligent design.

Yingling voted to include the intelligent design statement in science classes but later said she did so only because she was pressured and called an atheist by other board members. Brown also said he was called an atheist, but he voted against it anyway.

"We're so far ahead of the gun here that it's unbelievable," Brown said. "It's being fast-tracked because of religion. It's purely about religion. I don't care what they [the board members] say."

--Reach Christina Kauffman at 505-3434 or ckauffman@yorkdispatch.com.

LOAD-DATE: May 6, 2005
Not about intelligent design, they say; For the incumbents, it's touting accomplishments

JOSEPH MALDONADO. York Daily Record. York, Pa.: May 8, 2005. pg. 1/10

Abstract (Document Summary)

The seven current board members seeking election, however, are focusing on other issues. The current members Alan Bonsell, James Cashman, Sheila Harkins, Sherrie Leber, Eric Riddle, Edward Rowand and Ronald Short are

Around Dover, signs everywhere seem to identify candidates as members of groups, such as Dover CARES or the current board members.

"Unfunded mandates cost Dover residents millions each year," Bonsell said.

Full Text (649 words)

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The Dover school district's inclusion of intelligent design into its science curriculum and a lawsuit challenging its decision have garnered international attention.

The seven current board members seeking election, however, are focusing on other issues. The current members Alan Bonsell, James Cashman, Sheila Harkins, Sherrie Leber, Eric Riddle, Edward Rowand and Ronald Short are on the record supporting intelligent design in the classroom. So are two other candidates, Michael Arnold and Alina Kline.

Bonsell said a seminar given at the high school by Michael Behe, a professor of biological sciences at Lehigh University, "laid to rest any claim that ID was not a valid scientific theory."

But Bonsell said what the voters really need to do, as they choose from among 18 candidates vying for seven seats, is focus on the positives he said the board is responsible for.

Leber said the district has implemented full-day kindergarten at no expense to the taxpayers and added a breakfast program.

Newcomers Arnold and Kline say the district is doing a good job. But both of them say they believe there is room for improvement.

Kline, 21, is a 2002 Dover grad. She said she is most in touch with students and offers voters the freshest perspective.

Arnold said that, despite the denials by his opponents, he is the only candidate not running on the intelligent-design issue.

"I want to see some more diversity on the board," he said. "I'm there for the kids and no other reason."

Around Dover, signs everywhere seem to identify candidates as members of groups, such as Dover CARES or the current board members.

"I hope the constituents look at the candidates as individuals and not as groups," Arnold said. "Diversity needs to
be the key word for the new board."

Whoever is elected could be involved in negotiations for a new teacher contract.

Leber listed this as her top priority.

"The best education for our students starts with a good relationship between the board and the teachers," she said.

To date, the teachers and board have not exchanged a proposal, and both sides have hired lawyers to help with the negotiation.

Harkins, the board president, has a list of goals for the next term if elected. She said she wants to continue working to improve initiatives such as the new breakfast program, all-day kindergarten and the district's remediation program.

Cashman said he is running because he wants to contribute back to the Dover community. One his goals is to try to fix the imbalance in funding received from state and federal governments.

He and Bonsell said funding was based on a formula created in 1992 and does not account for growth in the district since then.

"Unfunded mandates cost Dover residents millions each year," Bonsell said.

"Also, the state does not take into account the amount of industry or tax-generating capacity within a school district."

Rowand, too, said the biggest issues of the school district are unfunded mandates put on the district by the state and federal governments.

Riddle said a lot of expenses are of concern to him, including rising costs due to benefits such as medical and retirement.

Short said he is frustrated because the federal government is not paying enough for the funding of special education.

"I feel it is important to rectify these problems," Short said, "Also, it wouldn't be fair to the students to allow this to continue."

Despite these challenges, Harkins said, the district offers the best education value per dollar in the county.

More than anything, Bonsell said, if voters just look to the record, the decision will be obvious.

"Dover has the second lowest long-term debt of all the York County school districts," he said. "Our education has shown steady improvement with our children's test scores and better attendance. (We) can boast a two-page list of achievements in education in the last three years."

Credit: York Daily Record

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People: Bonsell, Alan, Harkins, Sheila, Leber, Sherrie, Short, Ronald, Arnold, Michael
Section: MAIN
Not about intelligent design, they say; For one group, it’s taxes, communication, teachers

LAURI LEBO. York Daily Record. York, Pa.: May 8, 2005. pg. 1/10

Abstract (Document Summary)

The Dover CARES candidates are [Rehm]; [Terry Emig]; McIlvaine; her husband, Rob McIlvaine; Bernadette Reinking; Patricia Dapp; and Larry Gurrel.

Even though they share the same position on intelligent design as the Dover CARES candidates, [Jeff Brown] and [Angie Yingling] were not invited to join the committee.

Whether voters are motivated to come out to the polls by teacher issues, taxes or intelligent design, the challengers will need a high turnout to win, Brown said. For Brown and Yingling, another hurdle will be overcoming public frustration with their decision to leave the board.

Full Text (1103 words)

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They say publicly it's not the biggest issue in the race.

Rather, they maintain communication, teacher retention and taxes are more important to voters in the May 17 primary.

But the 18 candidates in the Dover Area School Board race are evenly split on the subject of intelligent design. The incumbents are touting their decision on a billboard as the "intelligent choice," and a poll indicated it will influence the decisions of 89 percent of likely primary voters.

Of the nine candidates supporting the school board's Nov. 18 decision to require intelligent design in biology class, seven of them are current board members. But the nine candidates on the other side of the issue stress that, while they oppose the board's decision, they don't necessarily oppose students learning about the concept.

As a matter of fact, they say, it can go in just about any other class world cultures, comparative religion, current events just as long as it isn't in science.

Candidate Judy McIlvaine said the board has "missed an opportunity to teach students about the whole historical context of the issue."

"Unfortunately, they're putting it in a class with potential legal and constitutional issues. So an administrator walks in, reads a statement . . . and walks out.

"I don't see the kids are learning anything from that. It's such a shame."

The issue has divided the community and has ignited passionate debate.

Business owners who have put up election signs for candidates on both sides say they have been threatened with boycotts if the signs don't come down. The candidates who oppose the board's decision, many of whom identify themselves as Christians, say they have been called heathens.

Rehm, a children's choir director and Bible school leader, pointed to his volunteer work and said, "That's a lot of church activities for an atheist."
Terry Emig, who sings bass in his church choir, joked he’s actually “a bass in a devil’s costume.”

But the opposition candidates, seven of whom are with the political action committee Dover CARES (Citizens Actively Reviewing Educational Strategies), all say intelligent design should not be the primary issue of the race.

The Dover CARES candidates are Rehm; Emig; McIlvaine; her husband, Rob McIlvaine; Bernadette Reinking; Patricia Dapp; and Larry Gurreri.

Former school-board members Jeff Brown and Angie Yingling are also running to regain their seats. The two quit in opposition to the board’s intelligent-design vote. Brown’s wife, Casey, who also quit following the vote, is not on the ballot.

Even though they share the same position on intelligent design as the Dover CARES candidates, Brown and Yingling were not invited to join the committee.

All nine say retaining talented teachers and better communication with the public are more important in the long run.

They point to teacher turnover as one of the bigger problems facing the district.

“We're losing a ton of investment in young teachers,” Rehm said.

Rehm was hired by the district to teach science in 2002. He has since moved to another school.

“I left because they don’t respect the teachers,” Rehm said.

He said since his hiring, seven teachers have left the high-school science department.

Dover CARES candidates say in the past four years, they have been able to account for 42 teachers leaving the district for reasons other than retirement or moving to another town a turnover rate of about 20 percent.

Rob McIlvaine said, in his experience, average industry turnover is closer to 16 percent.

“Recruitment, retention and stimulation,” he said, are key to a productive work force.

One of the reasons for low morale, Rehm said, is the board’s failure to listen to teachers. Science teachers warned board members that the intelligent-design requirement would lead to a lawsuit and pointed to numerous cases showing that the decision would violate the First Amendment, he said.

The candidates are also critical of the way the board has been negotiating with the teachers union.

The teachers’ contract expires the end of June. For the past seven months, the board and representatives from the Dover Area Education Association have been at odds about who should be the first to make a contract proposal.

Rather than negotiate directly with union representatives, the board is paying a negotiating attorney from Bucks County, Charles Sweet, $145 an hour to talk for it.

Union representatives have said they have shown up at meetings with their contract proposal, but the board refused to present its offer. But Sweet has said protocol demands the union presents its offer first.

The challengers say the board is playing games.

"The board is saying the union is engaging in unfair labor practices, but they're the ones not negotiating in good faith,” Emig said. Dover is the lowest-paying district in York County, an issue many of the challengers said
concerned them.

But Brown said property taxes are also a problem. So he said he is less concerned that Dover has the lowest-paid teachers locally than he is with educators' job satisfaction.

"Nobody's going to leave a job they love for a couple hundred dollars a year," he said.

But whether voters are motivated to come out to the polls by teacher issues, taxes or intelligent design, the challengers will need a high turnout to win, Brown said. For Brown and Yingling, another hurdle will be overcoming public frustration with their decision to leave the board.

Brown says he's been called a quitter for his decision. "They're saying it to my face," Brown said. "But my feeling is I don't think anyone's fought harder than me."

He said legal issues stemming from the lawsuit would have prevented him from speaking out.

"On the board, I'd be muzzled," he said. Yingling said she had to step down because she feared being held financially liable if the district were to lose the lawsuit.

But Gurreri said their decision to step down made it possible for board members to replace them with like-minded appointments.

"That's not right," Gurreri said. "They're supposed to be appointed by the people, not by six or seven of them."

Yingling said she has grown weary of the whole debate and just wants it to go away.

"It's all anybody talks about," she said. "Nobody gets along anymore.

"It encompasses every conversation. . . . It just goes on and on and on, and there's never a resolution."

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.

PIC: KRISTIN MURPHY Daily Record/Sunday News

Faith Anderson, a Dover Area High School junior, shows Grace Trimmer, a 1955 graduate of the school, the renovated biology lab at a recent open house at the high school.

Credit: York Daily Record

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DOVER AREA SCHOOL DISTRICT

1. What is the No. 1 issue the Dover school district needs to address?

Jeff Brown: The teachers contract. I hate to shove intelligent design off the front burner. It won't matter what we're talking about in biology if we don't have the teachers. I don't think the contract talks can possibly get more acrimonious.

Patricia Dapp: To determine the best way to run the district, keeping the interest of the students in mind. I believe the school board can be run like a not-for-profit business. To manage the district and the budget to best help the students.

Terry Emig: Communication is poor with board. With Act 72, the only thing they did was hold up a book and say, If interested, read this.' There's a lack of communication with students, teachers and residents amongst the board.

Larry Gurreri: Communication, the school board that's there now is not communicating with the public. You need to talk with supervisors, teachers, students, taxpayers. You need to deal with everybody.

Judy McIlvaine: To bring our community back together. We have managed to get people at odds with each other over something that didn't need to happen. But I think we can work it out.

Rob McIlvaine: It needs to really become more innovative and vigorous and inclusive as to how it addresses the sustainment of student achievement.

Bryan Rehm: Planning for the future. All the decisions made now have long-term consequences. If you don't do something about our taxes, there will be no way to retain quality teachers in the district.

Bernadette Reinking: How board members treat the community. Communication. In the last few months, they've gotten a little bit better, but their track history is they didn't appear to be interested in what people were saying.

Angie Yingling: Property taxes for the school.
2. What grade would you give the school district, and why?

Jeff Brown: I would have to give the district high marks, probably for persevering under duress. I think the district is doing a great job in spite of the school board.

Patricia Dapp: I think an F in the way the board has communicated. I don't think the community trusts them at all. But overall, the way the kids are getting an education, a C.'

Terry Emig: A failing grade, because of a lack of communication. They say no tax increase this year, but they raised taxes the last three years. Teachers are leaving.

Larry Gurreri: A C,' because it needs improvement. We need to give the students what they need, good teachers that stay there.

Judy McIlvaine: A poor grade. There were a lot of glitches with the high school building. I can't say fiscal responsibility is a big plus. They sure get an F in communications.

Rob McIlvaine: Administration missed a great opportunity with intelligent design to create a better understanding of this topic. I think the school board just dodged an F. I give the district, based on young people I have met, who impress me very much, an A.

Bryan Rehm: I would give the current board an F minus' and an incomplete. The students I would give an A.' The majority of the teachers an A.'

‘ernadette Reinking: I'd probably give them a B+ because there's a lot of areas I think they do well. But I don't think it's the board's process of handling things. The teachers keep them afloat and do a good job, I don't feel the board is doing such a good job.

Angie Yingling: An A' because they handle money very well. There are a bunch of other problems, however.

3. Regarding intelligent design, would you leave the curriculum as is, change it to offer ID in a different course, or take ID out of the curriculum altogether? Jeff Brown: My first move would probably be to take it out, but I would be open to suggestions. I'm not even sure it belongs in a world religions class. It's not religion. It's neither fish nor fowl.

Patricia Dapp: I think intelligent design has a place in any school's curriculum. It's just that it's not a science. I think the school board did not use good thinking in mandating it in a science class.

Terry Emig: We're in favor of intelligent design, but when the board put it into the science department, they didn't ask the teachers, the science department.

Larry Gurreri: It needs to be out of science. I have nothing against it being in another class where the students can actually ask questions and learn from it.

Judy McIlvaine: If we possibly can, I'd try to bring people together and come up with something that at least minimally acceptable to all parties. Probably a different curriculum, however.

Rob McIlvaine: I wouldn't take it out altogether. It needs to be positioned so that there can be an intelligent discussion. Social studies, comparative religions, but not in the science curriculum.

ryan Rehm: I would abide by law, ask science department to submit what students need in biology. If community demands ID, have it in comparative religions, philosophy, current events.

Bernadette Reinking: I would put ID in a different course. Philosophy, comparative history or some other venue where there could be some other discussion. Right now, they're not learning.

Angie Yingling: Could offer intelligent design in another class, like philosophy, comparative religion. But I'm not for intelligent design at all, I want it to go away.

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LOCAL
_PRIMARY issues plentiful; Dover debate, York mayor top Tuesday's race_
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In the realm of politics, it's similar to what the Pro Bowl represents for football fans a noteworthy if not terribly interesting anti-climax after the excitement of the Super Bowl.

So it is, typically, with the off-year primary, which takes place Tuesday. November had the presidential election. Tuesday has a bunch of contested and uncontested races among party members for positions such as tax collector and borough council.

But a true political junkie will tell you it's never that simple. First of all, the primary races serve as a preview for the general election, as major party candidates must run in them if they want to run in November. Secondly, the positions up for grabs, such as district justice, are more likely to have a direct impact on an individual voter's life than some of the higher-profile races.

And third, since this is York County, there will be several races with enough conflict and importance to keep them interesting to even a casual political observer.

In Dover, school board candidates are competing for positions in which they may eventually decide a controversial issue regarding the teaching of intelligent design an issue that has made the district a national news story.

In York, two challengers are gunning for an incumbent mayor, and another pair of upstarts is going after a couple of city council members. Five lawyers are vying for a chance to eventually be one of the two new Court of Common Pleas judges in York County. And statewide, Pennsylvania voters will decide whether they want an ambitious but pricey new environmental protection package.

Here are some of the races to watch: Dover Area School Board

The 18 candidates for the Dover board insist publicly that "intelligent design" isn't the biggest issue in the race, instead citing such issues as taxes and teacher retention. But for many observers, that's like saying the big issue at the Lincoln-Douglas debates was when to schedule bathroom breaks.

In October, the school board voted to change its biology curriculum to require intelligent design the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer be mentioned along with evolutionary theory.

In December, 11 parents filed a federal lawsuit against the district saying the requirement violates

the First Amendment's separation of church and state.

The issue has since received national attention and generated some sharp controversy at home. The candidates are evenly split on the district's requirement, with nine supporting it and nine opposed. York mayor

John Brenner, the youngest mayor in York's history, is facing some competition as he nears the end of his first term.

In Tuesday's primary, Democratic voters in the city will decide between him and York City school board President Jeffrey Kirkland. Running uncontested in the Republican primary is Gerry Turner, a retired management consultant and political newcomer who will face either Kirkland or Brenner come November. York City Council

York City Councilmen Cameron Texter and Joe Musso are defending their seats in the primary. Opposing them are two Democratic challengers: recent York College graduate Daniel Verbit and Sterling Von Nickerson, a longtime critic of city council who heads York Citizens for Responsible Taxation and ran unsuccessfully for council in 2003.

Whoever wins will face Nina Aimable, who is unopposed on the Republican ballot, in November. York County Court of Common Pleas

This year, county residents get a chance to judge the judges. In December, Gov. Ed Rendell signed a bill creating two new Common Pleas judgeships for York County, bringing the total number to 14. The Court of Common Pleas handles general criminal and civil cases.

Five local lawyers are running for the post. Like all judicial candidates, they're cross-filed as both Republicans and Democrats. Up to four could make it through the primaries.

Then come November, voters will get a chance to narrow that field down to two. Environmental bond issue

Voters even those not registered as Democrats or Republicans can vote on a proposed $625 million bond issue that Rendell says will go for environmental protection.

The wording of the bond issue states that it would go toward "the maintenance and protection of the environment, open space and farmland preservation, watershed protection, abandoned mine reclamation, acid mine drainage remediation and other environmental initiatives."

While supporters are touting the increased funding for the environment, critics point out that the bond issue has no enabling legislation specifying exactly where the money will go or how the state will pay debt service on the bond issue.

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Hot soup feeds a hot school-board race; Officials and others said the intelligent design issue stirred up Dover Area voters.

JENNIFER GISH
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The women washed dishes, as the fire company auxiliary has done for decades on election days in Dover, a quick cleanup before soup customers lined up alongside voters.

"I hope we have a crowd," said Dottie Schrum, who recently gave up her role as grand matron of the well-known election day chicken corn soup and bean soup sale, which raises money for the fire company.

Elaine Myers said she saw Dover on "Lou Dobbs Tonight" only the night before. Dobbs was doing a quick segment on the school board race and intelligent design debate that brought international attention to the small community.

"CNN, no less," she said, drying a plastic container that once housed pounds and pounds of shredded chicken. "It is something that people talk about."

Only the soup kettles were as hot as the school board race. Primary draw

Eighteen candidates sought seven school board seats. The row of candidates' names stretched across nearly the entire voting booth, and the race was bringing out better crowds than expected in a typical primary.

Only two hours into their day, Dover election workers had already processed more than 70 voters. And they pointed to the school board race as the one and only reason.

"What else is on?" said Phyllis Mummert, the borough's judge of elections. "If it wouldn't be for the school board race, it would be very slow."

At the Dover Township Community Center, where many of the township residents cast their votes, at least 30 people lined up at the doors Tuesday morning waiting for the polls to open at 7. CARES supporters

Kelli Eldredge hustled around the track outside, walking several laps with a friend and getting some exercise in before voting later that day. The mother of two said she's voting for the Dover CARES (Citizens Actively Reviewing Educational Strategies) candidates, who oppose intelligent design being taught in science class but say it can be taught in classes such as world cultures or comparative
"This whole intelligent design thing has nothing to do with it," Eldredge said. "I can't believe what a g deal it's become."

The election, though, has become a big deal for her and the other Dover mothers she works with. She said she's had good experiences with the teachers in the district and isn't convinced the current school board can maintain the quality of education she's come to expect. Current board supporters

Nicole Eckersley is a mother who's also happy with the education her first-grader is getting, but she gives the credit to the school board.

"I voted to re-elect the school board," Eckersley said as she walked out of the community center. Although she supported the incumbents, she said she would have liked everyone to address school tax reform and was disappointed that no one did.

She said she wants to see the role of intelligent design in the science curriculum at Dover expanded to include more discussion of the theory rather than just a one-paragraph statement. Neighbors and the nation

This has been one of the hardest-campaigned races in school board history, with signs supporting the current board members or the Dover CARES challengers dotting yard after yard. In some neighborhoods, there were thick blocks supporting one of the groups. In other developments, battle lines were drawn from one yard to the next.

Inside the borough's fire hall, Jake Sowers stirred the vat of chicken corn soup as he's done every election day for at least 40 years. About 180 gallons would be made and sold by the day's end.

Sowers threw his head toward the front of the building, where outside, school board candidates and their supporters were handing out campaign fliers.

"I told them this morning I wasn't voting, but I will. I just decided to pick on them a little bit," he said, laughing as he stirred the soup.

He hasn't paid much attention to the race. For him, good election turnout means good soup sales.

The line outside the soup window began forming before 10 a.m., with people bringing their own empty pots to be filled.

Somebody mentioned the reporters lingering around the polls.

"Dover's really on the map," said Pauline Sowers, wife of the soup master and an auxiliary volunteer herself.

"It was on CNN last night," Myers said again, still drying plastic containers.

CNN?"
"They were with the school board last night."

"Oh my heavens," Sowers said, and she shook her head.

Reach Jennifer Gish at 771-2090 or jgish@ydr.com.

PIC: DAILY RECORD / SUNDAY NEWS PAUL KUEHNEL

Margaret Will adds some pepper to the chicken corn soup Tuesday at the Dover Fire Hall. Jake Sowers is in the background.

PIC: DAILY RECORD / SUNDAY NEWS PAUL KUEHNEL

Betty Maul, left, and Dottie Schrum prepare the soup for sale at the Dover Fire Hall as the polls take in votes in the background. Schrum has been helping with soup sales for more than 50 years.
Dover votes split; Voters still could have final say on the intelligent design decision.

LAURI LIEBO and JOSEPH MALDONADO
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Tuesday's primary has produced an autumn election showdown in the Dover Area School District over the issue of intelligent design with the results breaking along party lines.

Four four-year school board seats and three two-year seats are up for election in November.

The top vote-getters Tuesday for the Democratic party are all seven candidates with Dover CARES (Citizens Actively Reviewing Educational Strategies), who oppose the board's Oct. 18 decision to require intelligent design in biology class.

They will square off against all seven incumbents, who swept the Republican nominations.

For the four-year seats, with all precincts reporting, the Democratic winners are Bernadette Reinking, Rob McIlvaine, Bryan Rehm and Terry Emig. For the two-year seats, they are Patricia Dapp, Judy McIlvaine and Larry Gurreri.

For the four-year seats, the Republican winners are Alan Bonsell, James Cashman, Sherrie Leber and Ed Rowand. For the two-year seats, the winners are Eric Riddle, Ron Short and Sheila Harkins.

The results are unofficial until certified by the county.

While the incumbents supported the board's decision, only two of them, Bonsell and Harkins, voted on intelligent design. The others were appointed to the board to fill vacancies.

Even though the candidates all said publicly that intelligent design wasn't the primary issue of the race, the incumbents had touted their decision on a billboard as the "intelligent choice," and a January poll by Susquehanna Polling & Research indicated the issue would influence the decisions of 89 percent of likely primary voters.

Now, it looks like the question of whether Dover voters ultimately support intelligent design in science class could be answered in the general election in November six weeks after a federal trial on the subject is scheduled to begin in Harrisburg.

Feeling a little tired and sunburned from a day campaigning at the polls, Bonsell, lead vote-getter among all candidates, said the vote tally was about what he expected.
"We won the Republican side and had a strong showing on the Democratic side," he said. "So I'm excited about going into the fall."

Right behind him in the vote count was Cashman, who was also tired and sunburned, but said he was pleased to have been a part of the process. Although he had never run for a public office, he attributed his success to having five Dover school children.

"We've always been active in the district, so a lot of people know us," Cashman said. "So I think that involvement really paid off today."

Also on the Republican side, Rowand held off Reinking by 171 votes to become the fourth candidate for one of the four-year seats.

"I had the sense that most people had made up their mind when they showed up to vote," Rowand said. "No one really asked me any questions, I just shook a lot of hands and introduced myself to some people."

Dover CARES member Warren Eshbach, a retired pastor, said the results "show that the issue we are dealing with is still a key issue, intelligent design, but I think other issues are still in the running, such as good governance."

Lonny Langione, another Dover CARES supporter, said the outcome of the lawsuit could influence voters, depending on how the judge rules.

"But nothing says it's going to be over by then," he said.

Despite the lack of a clear victory for either side, the candidates say they'll keep fighting.

"It's not a fight you can give up on," said Rehm, who is also one of the parents suing the district over its intelligent design policy.

Dover first attracted international attention and became the center of the debate over intelligent design last year when the school board voted to revamp its science curriculum.

With its 6-3 vote, Dover was believed to have become the first school district in the country to require intelligent design as part of its biology classes' chapter on evolution.

Intelligent design is the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by some intelligent force.

Intelligent design's supporters say it's about fairness giving time to alternative views to evolution.

Its critics say it's not science, but merely a way of forcing Christianity into biology class. In December, 11 parents filed suit against the district, arguing that the mandate violates the First Amendment's establishment of religion clause.

The issue has divided the community and ignited passionate debate.
Challengers Michael Arnold and Alina Kline, who lost the race, had supported the school board's decision.

Former school board members Jeff Brown and Angie Yingling, running to regain their seats, were defeated. The two quit in opposition to the board's intelligent-design vote. Brown's wife, Casey, who also quit after the vote, was not on the ballot.

Even though they share the same position on intelligent design as the Dover CARES candidates, Brown and Yingling were not invited to join the committee.

The nine candidates on the other side of the issue stressed that, while they oppose the board's decision to include intelligent design in biology class, they don't necessarily oppose students learning about the concept. They say it can go in just about any other class world cultures, comparative religion, current events just as long as it isn't in science.

While turnout countywide was at about 17 percent, in some Dover precincts, voters reportedly waited in poll lines more than a half-hour long.

As M.K. Grove Jr., 89, waited in line, he said he didn't see why intelligent design had become such a controversial issue in the primary.

"I think it's stupid to fight over it," he said.

PIC: DAILY RECORD / SUNDAY NEWS JASON PLOTKIN

Dover school board member Edward Rowand, right, debates the issue of intelligent design with Deb Fenimore while she waits in line to vote Tuesday at Salem Lutheran Church. Fenimore is one of 11 parents suing the school district over the school board's decision to require intelligent design in ninth-grade biology class.

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MAIN
Some townships see surprising wins; A variety of issues took center stage. Some incumbents won, but some lost.
TERESA BOECKEL and MICHELLE STARR
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Preserving the rural landscape, managing growth, providing recreation and updating infrastructure topped a list of concerns among candidates vying for township board of supervisors or commissioners.

Results from late Tuesday night are unofficial. The county's board of elections expects to certify them next month.

Here is a breakdown of the results from the contested township races:

GENEVA

Lois Leonard upset incumbent Rickie Fink on the Republican ballot.

Leonard won with 198 votes against Fink, who received 144 votes, and Lynn Kann who got 73 votes, to run for a six-year term as supervisor.

Leonard, a 50-year-old detail shop and car lot owner, advocated creating a newsletter and establishing a township e-mail address among her ideas.

Fink, a 43-year-old township community service director, said he had accomplished some of the goals he had set, such as increasing the tax base.

Kann, a 58-year-old electrician, cited development and construction as the biggest issues in the race.

CODORUS

Robert Gladfelter won on the Republican ticket with 142 votes. James Bailey got 38, Jerome Breeding 36 and Bill Vance 36.

Bailey, a 56-year-old farmer, and Gladfelter, a 43-year-old greenhouse owner/manager, said land reservation and keeping the township rural were big issues in the township.

Fawn
Republican Jonathan Hash won with 89 votes against Robert Birley with 38 votes and Stephen Lees with 32 votes to run for the supervisor seat. Supervisor Henry Sommer is retiring.

Hash, a 37-year-old farmer, said he wanted to protect Fawn's agricultural heritage while protecting the rights of landowners to develop their properties in a responsible manner.

Birley, a 54-year-old business owner, wanted the township to be more aggressive in its search for state and federal grants and matching funds.

Lees, a 46-year-old director of cost containment, was concerned about the township's rapid growth, keeping farms intact and maintaining the area's rural character.

Hellam

Challenger Larry Busino pulled in the lead for the two Republican nominations with 354 votes. Incumbent Phil Smith and Mark Potosky tied with 260 votes.

Busino, a 54-year-old car dealership sales manager, opposed a move to make a corridor between routes 30 and 462 one of mixed use. He prefers it be used for agricultural.

Potosky, a 51-year-old trucking firm account manager, favors a mixed use for the corridor because he said the township needs to expand the tax base to help pay for rising education and police costs.

Smith, a 48-year-old business technician for Verizon, agreed with Potosky on the corridor issue.

Jackson

Republican incumbent David Brown beat former supervisor Jason Yohe to run for a one, six-year position.

Brown pulled in 240 votes. Yohe received 176.

Brown, a 53-year-old retired police officer, said a vote for him would be to help gain a grip on uncontrolled growth.

Yohe, a 41-year-old farmer and contractor, said a vote for him would be to keep taxes down and roads upgraded.

Lower Windsor

Republican incumbent Bill Buser won against challengers Russell Blew and Mary Caldwell.

Buser received 251 votes. Caldwell got 227, and Blew got 209.

One of the issues the candidates addressed was the proposed Susquehanna Riverlands Preservation Project, which calls for acquiring part of Lauxmont Farms and some other neighboring parcels for a

proposed park overlooking the Susquehanna River.

Tuser, a 69-year-old farmer, was hesitant to talk about the proposed park.

Blew, a 62-year-old retired mechanical engineer, said he believes in the importance of private property and opposed the county's use of eminent domain.

Caldwell, a 61-year-old retired development coordinator for ARC of York County, said the project has nothing to do with the supervisors race.

Manchester

Republican incumbents Daniel Leese and Michele Schanbacher won against newcomer Jean Magee to run for two seats on the township's board.

Leese received 590 votes, followed by Schanbacher with 464 and Magee with 441.

Leese, a 49-year-old who is in business development, said updating and repairing infrastructure will be important.

Magee, a 56-year-old instructor at Yorktowne Business Institute, said she'd like to keep the taxes as they've been.

Schanbacher, a 38-year-old homemaker and Lincoln Intermediate Unit guest teacher, said trying to monitor growth is the biggest challenge for the board.

Manheim

Dwight Myers, arborist and farmer, narrowly beat incumbent supervisor Matthew Muir for the spot on the Republican ticket.

Myers received 79 votes, Muir received 78 votes, and Gail Groft, payroll manager and human resource analyst, who also ran, received 15 votes.

Myers, 55, said major concerns are managing the township's growth so the infrastructure can keep pace and holding down spending.

Newberry

Republican Stephen J. Pancoe, administrative director for the state House of Representatives, beat fellow Republican Craig Stanley, a company owner, to run for a supervisor's seat left vacant by Jay McKiernan.

Pancoe received 456 votes, compared with Stanley's 342 votes.

Pancoe, 53, was critical of the board's spending, tax increases and comprehensive plan.
North Codorus

Republican Dennis G. Luckenbaugh, a 60-year-old communications technician, won the right to run for supervisor with 102 votes compared with his opponent Raymond E. Webb, a 40-year-old machinist, who received 67 votes.

Luckenbaugh proposed that the township engineer work directly with the road crew, eliminating the roadmaster's job; the creation of a township Web site; and that the budget be searched before raising taxes.

Penn

Four Republicans competed for two commissioners' spots. Incumbent Mike Johnson with 340 votes and newcomer Phillip Heilman with 281 votes beat incumbent Michael Rishel with 274 votes and challenger Frederick Stine with 193 votes.

Johnson, 37, has experience as an Army veteran, police officer, commissioner and local business owner. He was most concerned about the Black Rock Road and Grandview Road traffic signal project, recycling and smart growth planning.

Heilman, 65, retired business administrator for South Western School District, was concerned about traffic, sewer upgrades and consolidating law enforcement with Hanover borough.

Shrewsbury

Five Republicans interested in preserving farmland sought two spots on November's ballot.

Incumbent Paul Solomon pulled in front with 202 votes. Ed Hughes, who received 125 votes, narrowly beat Joanne M. Townsend, who received 123 votes, and Mark Koski, who received 122 votes. Gerow Brill received 96 votes.

Solomon, 68, is a retired environmental planner for Baltimore County and said during his watch property taxes have remained constant, equipment upgrades have continued and the board has revised land-use laws.

Hughes, the 62-year-old owner of Whistle Stop Bike Shop and township emergency coordinator, said he saw no problem with how the board is running but would like to see the four area boroughs work more closely for emergency preparation plans.

Washington

Jeffrey Propps beat Republican incumbent Lynn Stough Jr. to run for a six-year term on the board of supervisors.

Propps, a 47-year-old distributor for Pepperidge Farms, received 151 votes compared with Stough's 96 votes.

Propps said he believed the main issues are land use and budget.

'ith 268 votes, incumbent Philip Briddell defended his seat as township commissioner on the Republican ticket against Timothy Salvatore, who received 116 votes.

Briddell is a 54-year-old project manager in corporate real estate at Susquehanna Real Estate/Susquehanna Pfaltzgraff Co.

DAILY RECORD / SUNDAY NEWS - JASON PLOTKIN

Poll worker Thelma Kreiser waits for voters during a slow-moving day Tuesday at the Hellam Township building.

PIC: DAILY RECORD / SUNDAY NEWS - PAUL KUEHNEL Don Bonsell, left, campaigns for his son, school board member Alan Bonsell, while Dover CARES candidate Judy McIlvaine, with a campaign button on her collar, also greets voters Tuesday at the Dover Township polling place. Alan Bonsell says intelligent design has a place in the classroom; McIlvaine says that it should not be taught in science class.

PIC: DAILY RECORD / SUNDAY NEWS - KRISTIN MURPHY

Keith Anderson tells Netanya Teery (lying down) to take his fliers and pencils for York City mayoral candidate Jeffrey Kirkland home and to tell her parents to come and vote Tuesday afternoon at Alexander D. Goode Elementary School.

Document YKDR000020050519e15i0003c

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LOCAL
War for Dover board isn't over; The intelligent design issue will continue to be fought, at the polls and in the courts.
LAURI LEBO and JOSEPH MALDONADO
York Daily Record
483 words
19 May 2005
York Daily Record
1
English
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Round one is over, and already it's been quite the electoral battle between the seven incumbent members of the Dover Area School Board and the seven opposing members from Dover CARES.

Both sides have accused the other of making misleading and untrue statements about test scores, construction spending and tax increases. But neither could deliver the knockout blow when it came to the biggest issue facing the district intelligent design.

The debate over intelligent design drew droves of voters to the polls Tuesday in the Dover area.

Seven school board incumbents and all seven members of Dover CARES (Citizens Actively Reviewing Educational Strategies) received enough votes to be on the November ballot.

And as intense as the primary campaigning was, it may ultimately pale in comparison to what could happen later this year as at least some of the candidates are expected to battle in another arena: federal court.

Last December, 11 parents sued the district over the current school board's decision to allow a statement to be read in ninth-grade biology mentioning intelligent design as a competing theory to Darwin's theory of evolution.

"I can't even begin to speculate how that will play out in the minds of voters," said Bryan Rehm, a Dover CARES candidate and also a plaintiff in the lawsuit against the district. "I think it will have some influence, but in which direction, I couldn't say."

Current school board member Bill Buckingham, who has been absent from board meetings for the last couple of months while recovering from knee surgery, said Wednesday he, too, thought the lawsuit would play a role in voter opinion.

"I think it will definitely be in the back of voter minds," said Buckingham, one of the architects for setting the intelligent design statement into the classroom. "But we won't know how much this matters until we get there."

Eric Rothschild, the attorney representing the 11 parents suing the district, said he is staying out of...
the political side of the debate.

"We're taking the approach that the (teaching of intelligent design) is unconstitutional," he said. "The political process is working on a separate track."

But Jeff Brown, a former school board member, said the political process and intelligent design issue are now joined at the hip.

"I think the primary makes it clear how polarized the community is on this issue," he said. "None of the candidates can really afford to take the middle ground on this. Like it or not, this is war."

PIC: DAILY RECORD / SUNDAY NEWS PAUL KUEHNEL

Campaign signs, many of them related to the school board race, lined the driveway of the Dover Township Community building Tuesday.

Document YKDR00020050520e15j0001g

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A Section
Dover voters weigh in on intelligent design [Corrected 05/20/05]
JIM LEWIS
Of The Patriot-News
800 words
18 May 2005
Patriot-News
FINAL
A01
English
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CORRECTION: ERIC RIDdle, RONALD SHORT AND SHEILA HARKINS WON THE REPUBLICAN NOMINATIONS, AND PATRICIA DAPP, JUDY McILVAINE AND LAWRENCE GURRERI WON THE DEMOCRATIC NOMINATIONS FOR THREE UNEXPIRED 2-YEAR TERMS ON THE DOVER AREA SCHOOL BOARD IN THE PRIMARY ELECTION.

You don't usually see John Sheets, a retired factory worker, at the poll for elections. But the local school board's injection of intelligent design into high school biology classes moved him yesterday to vote.

With 18 people running for seats on the board, including seven incumbents, "I figured this was an important election this time," Sheets said. Like many others in Dover, Sheets wants intelligent design to be discussed in class, regardless of its religious basis.

The controversy over Dover's introduction of intelligent design in its classrooms might have been evident in what election workers called a large turnout of voters, such as Sheets, at the district's six polls.

"I was always brought up that life was created by God," he said. "Evolution is not totally wrong, but there are a lot of gaps in it. I don't know why both sides shouldn't be discussed -- after all, they've been around longer than I can remember."

The Dover Area School Board voted 6-3 in October to read a one-minute statement to students, describing intelligent design. It thrust the town of brick and frame houses and neighboring Dover Twp., a suburb of split-level and vinyl-sided homes, into a debate over the separation of church and state that has drawn international attention.

The statement, read by district administrators, calls evolution "a theory" in which gaps "exist for which there is no evidence." It calls intelligent design "an explanation of the origins of life that differs from Darwin's view." Students first heard the statement in January, and 11 parents immediately filed a federal lawsuit challenging it.

The statement has drawn interest from the international media, including The New York Times and the BBC.

Yesterday, a team of seven school board candidates, calling themselves Dover Citizens Actively Reviewing Educational Strategies, or Dover CARES, were among 11 challengers to the seven incumbents seeking to win seven board seats in the primary election.

Incumbents Alan Bonsell, James Cashman, Sherrie Leber and Edward Rowand won the Republican nominations for four-year terms, while Dover CARES candidates Bernadette Reinking, Herbert McIlvaine Jr., Bryan Rehm and Terry Emig won the Democratic nominations, according to unofficial returns.

CARES candidate Lawrence Gurreri and incumbents Eric Riddle, Ronald Short and Sheila Harkins won the Republican nominations for three unexpired two-year terms, while CARES candidates Judy McIlvaine and Patricia Dapp joined Short and Gurreri in winning the Democratic nominations, according to unofficial returns.

Those expecting a passionate God-versus-Darwin debate at the polls wouldn't have found it. Even several challengers said they aren't opposed to introducing intelligent design into Dover's classrooms -- they want it to be discussed in elective courses on American culture or social studies, not in science class.

But their position has not stopped them from being criticized by some residents who believe in intelligent design.

"They think we're atheists," Gurreri said. "We all go to church. I believe in God."

Along Carlisle Road through Dover Twp. and Dover borough are political signs in yards and on porches that tout school board candidates -- and subtly allow supporters to show which side of the debate they're on. "Dover CARES -- common sense, common cause" says one sign, while another suggests a connection with the incumbents that says, "Re-elect our school board."

Incumbents, such as Bonsell, charge that the controversy over the intelligent design statement is a creation of the media.

"The media have made this way bigger than it is," said Bonsell, standing outside a poll at the Dover Twp. Community Building, a beige and brown block and metal structure that houses a library and the local volunteer fire company. "A majority of people are in favor of what we did."

Even some school board critics, such as Jeanne Spahr, an employee at an automotive garage, said intelligent design should be discussed in class. Standing outside a township poll, Spahr lamented a slide in moral standards in society but charged that the board approved the intelligent design statement for publicity, not to spark a classroom discussion on creationism.

"I'm really standing here today feeling really sad that people are picking and debating this, and this should have been a no-brainer," she said. JIM LEWIS: 255-8479 or jlewis@patriot-news.com

PHOTO; GARY DWIGHT MILLER; Caption: The intelligent design debate brought a heavier turnout than usual to the polls in Dover yesterday.

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Some people in Dover Area School District waited about an hour to vote yesterday. In a primary election. An off-year, primary election.

Dover Borough and Washington and Dover townships -- had an almost 70 percent higher voter turnout than York County's average yesterday. The county averaged 16.8 percent voter turnout, while the total for Dover's six precincts was 28.3 percent.

And November will likely bring the same. A slate of 18 school-board candidates -- likely the largest in the district's history -- was only narrowed by four people.

There are four, four-year terms and three two-year terms open on the board.

Because of resignations, only two of the board's nine seats were not up for grabs.

The debate over the board's decision to add to science classes a statement about intelligent design, a theory that attributes the origins of life to a higher being, split the original group of candidates. The numbers are still evenly divided.

Alina Kline and Mike Arnold, proponents of intelligent design, and Angie Yingling and Jeff Brown, previous board members who are opposed to teaching intelligent design in science classes and resigned over tension with the incumbent board, did not make the ballot.

All seven Dover CARES' candidates will be placed on the ballot, and so will all seven incumbent board members.

Some parents filed a federal lawsuit to force the district to remove the statement from curriculum. Dover CARES candidates say they are opposed to mentioning intelligent design in science classes.

The incumbent board --although only two of its members ever voted for intelligent design -- is in favor of intelligent design.

Dover CARES [Citizens Actively Reviewing Educational Strategies] is a bipartisan group, but on the ballot this fall, they'll all be listed as Democrats.

Though they all cross-filed as Republicans and Democrats, the school board incumbents will all be listed as Republicans.
The Dover Area School District is predominantly Republican. Out of 12,871 registered voters, there are 7,866 Republicans and 5,005 Democrats.

The incumbents received substantially more votes than the newcomers. The top Republican for the four-year term, Alan Bonsell, received 1,375 votes, while the top Democrat for the same term, Rob McIlvaine, took home 825 votes.

The top Democrat for the two-year term, Patricia Dapp, won 740 votes, while the top Republican, Eric Riddle, took home 1,249 votes.

Republicans turned out in higher numbers, as well. Only 24.8 percent of registered Democrats turned out, while 30.5 percent of registered Republicans voted.

A higher turnout among Democratic voters in November could boost the chances for the Dover CARES candidates. However, both parties will be able to vote across party lines in November.

But before the votes were even counted last night, members of Dover CARES said they were already victorious because voters had taken an interest in the race.

After standing at the polls all day, they said they were impressed to see that the highly contested race had drawn out voters in huge numbers.

"It was a very diverse mix of people," Dapp said, describing voters taking to the polls with campaign literature in hand. "And they looked like they did their homework."

Terry Emig, a CARES candidate who received 800 votes and will appear on the ballot for a four-year term, answered in one word what the group intends to focus on next: "November."

--- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: May 18, 2005
SECTION: TOP STORIES

LENGTH: 838 words

HEADLINE: Four down, 14 left in Dover

BYLINE: CHRISTINA KAUFFMAN - The York Dispatch

DATELINE: Two candidates running independently on each side

BODY:

http://media.mnginteractive.com

It is possible that, at some point, they're all going to have to work together -- those opposed to and those in favor of teaching intelligent design in science classes at Dover Area School District.

After a hotly contested primary race that included complaints of illegal signs and threats of boycotts to local businesses that displayed signs of political opponents, the race for the Dover Area School Board yesterday came to an end that resembles where it started: Split.

Alina Kline and Mike Arnold, who were in favor of intelligent design, and Angie Yingling and Jeff Brown, who were opposed to intelligent design -- were eliminated from the race.

And one slate on each side -- four candidates seeking four-year terms and three seeking two-year terms -- made it on to the November ballot.

Yingling and Brown are former members of the board who resigned because of the intelligent design issue and tension on the board.

Last year, the board voted to include a statement about intelligent design -- a theory that attributes the origin of life to a higher being -- in its science classes.

That brought the national media spotlight to Dover, and prompted a group of 11 parents to join the American Civil Liberties Union in filing a federal lawsuit against the board, claiming the statement violates the law.

Of the 14 candidates remaining, seven from Dover CARES [Citizens Actively Reviewing Educational Strategies] are opposed to teaching intelligent design in a science classroom. Herbert [Rob] McIlvaine, Bernadette Reinking, Terry Emig and Bryan Rehm will appear on the Democratic ticket in November for four open four-year terms on the board.

Rehm, a science teacher in a different school district, is a plaintiff in the suit. If he and board president Sheila Harkins or vice-president Alan Bonsell are elected in November, Rehm will sit on a board alongside two people he is suing.

The November election will be held about a month and a half after the federal trial is expected to start.

The board incumbents, who also ran as a group, are in favor of intelligent design. Bonsell, James Cashman, Sherrie Leber and the Rev. Edward Rowand will appear on the Republican ticket for the four-year terms.
On the Republican ballot for two-year terms will be incumbents Eric Riddle, Ron Short and Harkins. They will face Dover CARES candidates Patricia Dapp, Judy McIlvaine, and Lawrence Gurreri.

Three incumbents would have to win in November to maintain a majority on the board in favor of intelligent design. The Dover CARES group would need to put five members on the board to gain a majority.

But some members of the group have said they wouldn't intend to launch a rollover of the incumbent board's policies even if they were elected; they would want to get community input before making any decisions, they have said.

Temporary relief: When the numbers were read last night, members of Dover CARES clapped and hugged each other.

The Rev. Warren Eshbach, spokesman for the group, laughed at the notion that even the Republicans in the group will be pulling the Democratic lever this fall.

He turned serious, though, telling the candidates he was proud of them. "We started with nothing," he said. "We're ending up being on the ballot."

But the exhale was only temporary. The next big breath will be needed to help the group forge its way through the November election.

And the work will continue if they win that race, they said.

Even before the numbers were tallied, members of Dover CARES were saying that, regardless of the results, the community needs to work together.

Some of the candidates spent the day alongside their opponents yesterday, taking to the polls to campaign.

But the two groups split into separate camps after the polls closed.

Dover CARES held a reception at the home of a supporter, while the board incumbents took to a different location and refused to allow the press to attend.

Bonsell called a reporter after the incumbents' party had ended and said they were happy with the results of the election.

He said they are confident they can carry their successes through November because the school district is predominantly Republican.

Candidate Rob McIlvaine said that if some candidates from Dover CARES are elected along with some incumbents, there will have to be collaboration and compromise.

"We'll be challenged to come together," he said. "The transcendent issue is the welfare of students. Personal differences, political views, things that divided us in the campaign will have to be put aside."

Dapp said she thinks the two opposing groups would be able to work together if they respect each other's viewpoints.

After standing at the poll with an opponent for most of the day, she said she extended her hand to him.

"We shared the day together," she said she told the man. "What will be, will be."

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GRAPHIC: Judy McIlvaine hugs Terry Emig, left, as Patricia Dapp gets a big squeeze from Bryan Rehm while the Dover C.A.R.E.S candidates celebrate their sweep of the Democratic ticket for Dover School Board, Tuesday May 17, 2005. The Dover C.A.R.E.S. candidates will now go head to head against the current Dover School Board in the November general election.

LOAD-DATE: May 18, 2005
A school board candidate who supports teaching creationism and intelligent design in science class won handily in yesterday's primary race for a four-year spot on the Eastern York School Board.

Doug Caldwell garnered a total of 482 votes to Kathleen Clark's 297. Both had crossfilled on the Republican and Democratic tickets. Neither could be reached for comment last night.

Caldwell was appointed to a two-year term on the board in January 2004 but opted to run for an open four-year seat. Incumbent Steven Jeffrey did not seek re-election.

Clark, in addition to vying for the four-year seat, had also launched a write-in campaign for Caldwell's vacated seat, so she could also appear on the November general election ballot.

Caldwell and Clark had agreed on many of the campaign issues -- both support the district's plans to build a new high school, and both have strong reservations about the Act 72 reforms to provide gambling revenue to districts.

However, Caldwell said during the campaign that he favors teaching evolution as well as creationism and intelligent design in the district's science classes.

Clark had disagreed, saying that such discussions should be limited to religion or philosophy courses.

Assuming Clark was successful in her write-in campaign, both candidates will now be unopposed for the district's region 1 in November.

-- Reach Wendi Himmelright at 505-5431 or whimmelright@yorkdispatch.com.

LOAD-DATE: May 18, 2005
SECTION: TOP STORIES

LENGTH: 831 words

HEADLINE: Voters split on candidates for school board

BYLINE: CHRISTINA KAUFFMAN<cm-bd> The York Dispatch

DATELINE: Two candidates running independently on each side

BODY:

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And on the ballot -- four candidates seeking for-year terms and three seeking two-year terms -- made it on to the November ballot.

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That brought the national media spotlight to Dover, and prompted a group of 11 parents to join the American Civil Liberties Union in filing a federal lawsuit against the board, claiming the statement violates the law.

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-- Reach Christina Kauffman at 503-5434 or ekauffman@yorkdispatch.com.

LOAD-DATE: May 18, 2005
Lawyer defends intelligent design

By JOSEPH MALDONADO
For the Daily Record/Sunday News
Sunday, May 22, 2005

“The social implications of Darwinism have been disastrous,” said Richard Thompson, the president and chief counsel of the Thomas More Law Center in Ann Arbor, Mich. “Nazi Germany used Darwin to justify a master race based on the idea that it’s survival of the strongest.”

Thompson’s perception that teaching evolution is socially destructive is just one of the reasons why he volunteered to defend the Dover Area School District’s school board and administration against a lawsuit brought against them last December, he said.

Eleven parents sued the district, saying a statement issued by the district to ninth-grade biology students that intended to teach students that there were gaps and problems with Darwinian evolution, was unconstitutional.

The problem, they said, was that the statement also included the mention of “intelligent design theory.”

Intelligent design suggests that life is too complex to have evolved on its own through the process of natural selection, which Darwin conceived. Intelligent design suggests that all living organisms were designed by a supernatural being or entity.

Critics say the “designer” in intelligent design is God in disguise. And while many of the plaintiffs have said they have nothing against God, they do have a problem with religion being taught in a secular classroom funded with taxpayer money that comes from people of all faiths or no faith at all.

A decision made by Dover’s board Oct. 18 authorized a curriculum change that makes specific mention of intelligent design.

Repeatedly since October, board members such as Alan Bonsell, William Buckingham and Sheila Harkins have said intelligent design is legitimate science and has nothing at all to do with God. But if that is true, opponents of the curriculum change ask, then why has Thompson volunteered to defend the board?

The National Web site states the group is “dedicated to the defense and
promotion of the religious freedom of Christians, time-honored family values and the sanctity of human life.”

The reason Thompson said he took on the case is because Christians, including himself, support intelligent design.

“And because Christians support it, the ACLU wants it out of the classroom,” Thompson said. “(Thomas More) is like the anti-ACLU.”

Evolution, which is the current state standard for biological science in Pennsylvania, has positive implications for atheists in America, Thompson said. “But anything that has a positive implication for Christians is not OK,” he added. “That’s discrimination.”

When the case comes to trial in mid- to late September, Thompson said, intelligent design’s links to creationism won’t matter because his experts will prove that intelligent design is good science.

“We have credible scientists on both sides of the issue who will say that the one-minute statement does a good service for students,” Thompson said. “The statement has already been read once and the roof didn’t cave in.”

But Vic Walczak, ACLU attorney for the plaintiffs, said Thompson’s got nothing.

“Nothing gets my fires burning faster than the way the ACLU is associated with liberal causes,” he said. “We are defenders of constitutional freedoms for people of all religions, including Christians.”

He cited cases last year in which the ACLU supported an Amish fight for horse and buggy rights in Cambria County, a black church near Pittsburgh that had zoning problems with a local government, and a woman in Beaver County who needed counseling but insisted that it be Christian counseling.

“Thompson said we interfere with the rights of people to worship,” Walczak said. “But the truth is Thomas More, and others like them, are trying to impose their religious views, symbols and prayers on everyone.”

Thompson said that while schools are not allowed to teach origins of life, biblical or otherwise, intelligent design will lead students to wonder where life comes from.

Members of Dover’s school board have said the “designer” could be anything, including an alien.

“But for many, the answer will be God,” Thompson said. “And it’s that connection that certain people have problems with.”

People such as Walczak.

“Once you strip away all the rhetoric you are not left with science,” he said. “You are left with something that closely resembles creationism. And that does not belong in any science classroom.”
Dover Biology >>

- Lawyer defends intelligent design  (May 22, 2005)
- Not about intelligent design, they say  (May 8, 2005)
- For the incumbents, it's touting accomplishments  (May 8, 2005)
- Dover hosts speaker on evolution  (Apr 24, 2005)
- Dover board hopefuls to meet  (Apr 18, 2005)

Previous
← Not about intelligent design, they say (2005-05-08)
SECTiON: TOP STORIES

LENGTH: 653 words

HEADLINE: Dover asked to end conflict

BYLINE: HEIDI BERNHARD-BUBB <cm-bd> The York Dispatch

BODY:

As a student representative serving on the Dover Area School Board, 16-year-old Joshua Rowand has had a front seat to the debate over intelligent design.

And last night after members of Dover CARES [Citizens Actively Reviewing Educational Strategies] asked the school board to consider removing intelligent design from the biology curriculum and putting it into another class, Rowand said he had to speak out.

"This whole issue really upsets me ... it's just a one-minute statement; students can respond to the statement, students can go the library and find out more if they want to; it's [the curriculum] not shoving Darwinism down our throats and it's not shoving intelligent design down our throats," Rowand said.

Rowand, an active Christian who believes in creationism and is the son of board member Edward Rowand, took biology two years ago before the addition of the statement on intelligent design. Edward Rowand will appear on the Republican ticket for a four-year term in November's election.

Joshua Rowand said he believes that the students and the district are being hurt by the lawsuit filed against the district by the American Civil Liberties Union on behalf of 11 parents opposed to teaching intelligent design in the biology curriculum.

Repeal proposed: Dover CARES school board candidate Larry Gurreri used last Tuesday's primary election as evidence the community wants change and urged the school board to put the issue to rest.

On behalf of Dover CARES, Gurreri read a statement to the board saying, "The preliminary figures from Tuesday's primary election have made two things clear. One, is that no longer can it be said that a majority of constituents support intelligent design in science class. Two, is that the numbers show our community is still divided ... we urge the board to act in good faith and take steps to end this conflict."

Gurreri said the board should change the "biology curriculum back to its pre-October structure" and suggested it could be taught in another class, philosophy or world religion, where its legality would not be questioned.

The board took no action on the suggestion.

School board member and candidate Eric Riddle said that even if only a 51 percent majority of the community voted for the incumbents, the community was still speaking.

"We are going to stand behind our convictions," Riddle said.

Clarified position: After the meeting, Joshua Rowand clarified his statements saying, "99 percent of the students don't care; it's not a big deal, and the whole issue has been blown way out of proportion."
He said that when he took biology the teachers were sensitive to different beliefs and made it clear that others might have theories that conflict with Darwin’s theory of evolution.

He also said learning about evolution had not affected his personal faith.

When asked whether he thought the addition of the intelligent design statement was necessary, given the way teachers had handled the situation in the past, Rowand said he might not have made the same decision the board did, but he doesn’t think there is anything wrong with it.

Last year, the board voted to include a statement about intelligent design—a theory that holds life is too complex to be explained by an undirected process such as natural selection and attributes the origin of life to a higher being—in its science classes.

That brought the national media spotlight to Dover and prompted the federal lawsuit, which claims the statement violates the law.

In the November election, 14 candidates will compete for four four-year seats and three two-year seats on the board. The seven candidates from Dover CARES are opposed to including intelligent design in a science classroom. The seven board incumbents are in favor of including intelligent design.

-- Reach Heidi Bernhard-Bubb at 834-1574 or hbubb@yorkdispatch.com.

LOAD-DATE: May 24, 2005
Casey Brown said it was with mixed emotions that she accepted a certificate of recognition last night for 10 years of service on the Dover Area School Board.

"It was bittersweet," she said as she was leaving the meeting.

Casey Brown was recognized along with her husband, Jeff Brown, who served for five years, and Angie Yingling, who served more than four years.

All three resigned from the board over the intelligent design controversy; the Browns resigned last November, and Yingling resigned in February.

Yingling and Jeff Brown ran campaigns for open seats on the school board, but were eliminated in the May primary.

Last night, the focus was on the members' contributions during their tenures on the board and not the circumstances under which they left.

Casey Brown said she would not comment on her feelings about her former colleagues until after a federal lawsuit - filed by some parents to force the district to remove the statement from curriculum - is over.

However, the recognitions were not from the school board, but from the district.

Praise for contributions: Superintendent Richard Nilsen listed the various committees the three members had served on and ways in which they had contributed to the district.

Nilsen praised Casey Brown for her commitment to updating the district's policies, Jeff Brown for his humor during tense debates and Yingling for her "great passion for the middle-level student."

The current school board members did not comment on the recognition of the former members.

The district is being sued by the American Civil Liberties Union on behalf of 11 parents opposed to including intelligent design in the biology curriculum.

Last year, the board voted to include a statement about intelligent design -- a theory that holds life is too complex to be explained by a process such as natural selection and attributes the origin of life to a higher being -- in its science classes.

Casey and Jeff Brown voted against including intelligent design in the curriculum and resigned in protest.
Yingling voted for the curriculum change, but later changed her mind saying that she had been pressured to vote with the majority.

For now, the former board members say they are focusing on other things.

Jeff Brown said he was "bummed out for about three days after the primary election," but began to feel relieved that he "was off the hook because [he] spoke [his] mind to the community."

Jeff Brown and Yingling said they do not regret their decisions to resign.

Casey Brown, who is filling her time with classes on "metaphysics and Gaelic," said she plans to run for the school board again in two years.

"Now is not the right time, but I'll run again and I'll be running very hard," she said.

-- Reach Heidi Bernhard-Bubb at 854-1575 or h@yorkdispatch.com
A Section
Demanding change; Board president survives call from residents for resignation
JIM LEWIS
Of The Patriot-News
746 words
7 June 2005
Patriot-News
FINAL
A01
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Angry residents demanded the resignation of the president of the Steelton-Highspire School Board last night and cheered the early retirement of the superintendent, days after a grand jury declared the junior-senior high school was in "chaos" with fights in halls and alleged sexual misconduct between two employees and students.

President Derek Lewis escaped an attempt to force him from office, casting the tie-breaker in a 5-4 vote by the board. The vote prompted a large crowd who came to yesterday's board meeting in the junior/senior high school auditorium to chant, "re-sign, re-sign."

The crowd applauded wildly when the board took a vote to accept the retirement of Superintendent Kenneth Kitch, who announced last month he was leaving almost midway through a five-year contract. When Lewis asked board members for a voice vote, the crowd yelled in unison, "aye."

Kitch, 54, had announced he was retiring for unspecified health reasons. He did not attend the meeting.

Residents said they were reeling over the grand jury report released last week. The report maintains that Lewis pressured Kitch to hire a friend, Rodney "Tubby" Ramsey, as a hall monitor at the junior-senior high school even though Lewis knew Ramsey had a criminal record. Ramsey is awaiting trial on charges that he had sex or sexual contact with students.

The report also cites the firing of a former math teacher, Elizabeth Berthoud, who authorities say played strip poker with one student and regularly had sex with another after he turned 18. Berthoud was charged last week by Dauphin County authorities with corrupting minors.

The report also states that the district drastically underreported school violence to the state Department of Education, possibly to avoid sanctions under the federal No Child Left Behind Act, and let troubled students in its alternative education program roam the streets in the afternoons rather than perform community service.

Donna Lockette said she was happy to find a home in Steelton that was larger than her place in the Central Dauphin School District. Now, she fears she has placed her two children in an unsafe school.

"I am sorry I moved, but no one can fix that but me," said Lockette, who urged the board to conduct more extensive criminal background checks on all district teachers over the summer.

Some residents demanded Lewis resign as president, saying he has set a bad example. Lewis was accused by the grand jury of falsely testifying he didn't know Ramsey's state convictions. Lewis denied the claim.

Lewis and the board voted last night to expand background checks on prospective employees to include federal convictions, something not required by state law.

"I think he would do the district a very good justice and show his integrity if he [Lewis] would resign," said Diane Davis, a Steelton resident. "I don't think he should be asked to resign -- he should volunteer to resign. This is just a poor example. It's terrible."

Brian Proctor, 28, of Steelton, remembered Lewis as his midget football coach, and hoped he would not resign. "He is a father figure for people in the community, especially in the black community," Proctor said.

"This is a fiasco," said Proctor, who watched the meeting from the back of the auditorium. "How are our kids benefiting from us
standing up there and screaming? This isn't 'Jerry Springer.'"

Board member Barry Baumgardner called Kitch "a carpetbagger superintendent" and charged the board "seems to want the power, but they're afraid of the responsibility that goes with it."

He listed some of his ideas that were rejected by the board, including proposals to pick a student to raise and lower the U.S. flag at school and to send a letter of commendation to the Dover Area School Board, which approved the reading of a controversial statement in high school biology classes that suggests the universe was created by "intelligent design."

The letter would have encouraged Dover's attempt "to put God back in schools," but no one else supported it, Baumgardner said.

What the community must do now is come together to solve problems in its schools, residents told the board.

"If we don't settle down ... we will never get the problems solved," said one man. JIM LEWIS: 255-8479 or jlewis@patriot-news.com

PHOTO; Caption: LEWIS

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LOCAL
Dover Area schools' budget passes with no tax hike; The school board also honored former members Casey and Jeff Brown and Angie Yingling for their service.

JOSEPH MALDONADO
York Daily Record
418 words
11 June 2005
York Daily Record
3
English
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The Dover Area School Board unanimously voted to approve its 2005-06 budget during its recent meeting.

Board member Alan Bonsell said there are no tax increases associated with the new budget.

Total expenditures are expected to be $37,445,544, while total revenue is expected to be $35,930,326. The shortfall will be made up with surplus money available in the general fund.

During the meeting, Supt. Richard Nilsen presented former board members Casey and Jeff Brown, and Angie Yingling plaques thanking them for their years of service. Last year, all three resigned over the intelligent design issue.

In October, the board voted 6-3 to read a statement to ninth-grade biology students that would make them aware of the gaps and problems associated with Darwin's theories on evolution. The statement said there were alternative theories, including intelligent design.

Yingling said it felt strange to accept an award from people she disagreed with so strongly.

Casey Brown said she was there because she was promised the award would be given by Nilsen on behalf of the students and residents. Her husband, Jeff, also had reservations but didn't want to give the board the "satisfaction of not showing up."

Yingling said there are still a lot of hard feelings between her, the Browns and the board. But when she looks back on her time on the board, she said, she is proud of her accomplishments.

Casey said, after 10 years on the board, she, too, was proud.

Jeff Brown, who served five years, said he didn't have much to brag about. "The one time when I could have made a difference as a board member I failed," he said. "ID is still in the classroom, and I have to live with that."

Last goodbyes to staff members
On May 25, Denise Russell, the district's former business manager, lost her battle with cancer. Russell spent nearly 30 years in education. "She was efficient, effective and displayed the highest qualities of professionalism," Nilsen said.

On May 31, the district also lost Marsha Mummert to cancer. She had served in the district since 1982, most recently in learning support. "Her love and interest in students was a model for all to follow and emulate," Nilsen said. "She never understood the words give up."

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Faith
KALEIDOSCOPE
Society to honor former Gov. Casey [Corrected 06/19/05]
JUDITH PATTON
Of the Patriot-News
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17 June 2005
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G01
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CORRECTION: THE DATE FOR THE ST. THOMAS MORE SOCIETY MASS AND DINNER ARE INCORRECT. THE MASS FOR THE ST. FIDELIS AWARD WILL START AT 5:30 P.M. WEDNESDAY IN ST. PATRICK CATHEDRAL, FOLLOWED BY DINNER AT THE NATIONAL CIVIL WAR MUSEUM.

The St. Thomas More Society of Central Pennsylvania will honor the late Gov. Robert P. Casey with its 2005 Fidelis Award on Thursday. Sen. Rick Santorum, R-PA., received the first Fidelis Award last year.

The celebration by the organization of Catholic civil and canon lawyers affiliated with the Roman Catholic Diocese of Harrisburg will begin with a Mass at 5:30 p.m. celebrated by Bishop Kevin C. Rhoades in St. Patrick Cathedral, 212 State St., Harrisburg.

Cocktails and dinner will follow at The National Civil War Museum, Lincoln Circle, Harrisburg. Dinner proceeds are earmarked for the Lourdeshouse Maternity Home operated by Catholic Charities and to the Hon. Genevieve Blatt Red Mass Fund.

June 22 is the feast day of the society's patron saint, St. Thomas More, whose principles are honored by the award. Tickets, at $100 a person or $175 a couple, may be purchased today from Marty Toth at 720-3854 or mtoth@aessuccess.org.

"Summer at the Tabernacle," a series of concerts, preaching and teaching, moves into Mount Gretna at 7:30 p.m. Sunday under the umbrella of the Mount Gretna Bible Festival. A fixture at Mount Gretna since 1899, the festival this year begins with Andy Roberts bringing his jazz quartet to the stage for a worship/concert with commentary by the Rev. John Roberts.

Musical interpretations will be presented by the New Holland Band on July 3, the praise band from Trinity Lutheran Church of Camp Hill on July 24, the Susquehanna Chorale on Aug. 21 and Lancaster Brass Quintet on Aug. 28.

Connie Pombo of Maytown, Lancaster County, a missionary and founder of Women's Mentoring Ministries, will lead a seminar for women -- men also are invited -- on "Living the Passionate Life" on July 17. John Read, a Philadelphia church historian, will do a presentation on July 10 about the church groups that established the camp meeting.

Two weeks of Sunday and Wednesday services will open at 10 a.m. July 31 with Dave Stahl and the Sacred Orchestra. Bishop Michael Sigman of the Evangelical Congregational Church will preach at 10 a.m. and 7:30 p.m. Aug. 7 and 7:30 p.m. Aug. 10. The Rev. Darrell Womer, recently retired chaplain of Lebanon Valley College, will lead a hymn sing on Aug. 30. The Rev. Bob Kettering of the Lititz Church of the Brethren will lead a service of word and song at 7:30 p.m. July 31.

For information, visit www.MtGretnaTabernacle.org or ask for a brochure by calling 653-8588 or e-mailing fazdez@infionline.net.

Good Shepherd Roman Catholic Church, Camp Hill, will be filled with golden moments as 180 couples celebrating their 50th wedding anniversaries this year are honored at a Mass and reception at 2 p.m. June 26.

Bishop Kevin C. Rhoades will be the main celebrant for the festivities being held by the Harrisburg Diocesan Family Life Ministry, the Council of Catholic Women and the Senior Adult Ministry. More than 1,000 are expected to attend the celebration.

Some folks can remember when fast food was delivered to the car waiting in the parking lot, sometimes by people sporting roller skates. To relive those times, Swatara Church of God is undertaking its annual Car Hop June 25.

People can stop by the church at 4860 Lindle Road, Swatara Twp., between 4 and 7 p.m. to order burgers, fries, barbecue and malt served by the church youth members. To be served, pull into the parking lot and turn on your headlights.

7/22/2005
For information, call 564-6673 or 939-3961.

An exhibit, "Sings and Symbols: Mixed Media and Collage" by Polly McCann will grace the art gallery at Grantham Brethren in Christ Church, 421 Grantham Road, near Messiah College, through July 10.

McCann, a graduate of Messiah College, gives drawing and painting lessons privately and at the Art Center of Mechanicsburg. A reception will be held from 10 a.m. to 1 p.m. June 26 and an artist talk from 10:15 to 11 a.m. July 10.

She creates collages of layered paper, canvas and paint using fine art techniques and found objects that might include bottle caps and candy wrappers.

For information, call 766-053 or visit www.granthamchurch.org.

Jazz music featuring trombonist Rob Stoneback will echo through the Brooks Prayer Garden at St. Thomas United Church of Christ, 6490 Linglestown Road, Linglestown, at 7 p.m. Sunday. In case of rain, the music will be heard in the sanctuary.

A repeat performer at the Bethlehem Muzikfest, Stoneback has had his own big band since 1979 that has backed well-known singers such as Natalie Cole, Perry Como, Johnny Mathis, The Manhattan Transfer, Aretha Franklin and Englebert Humperdinck.

Joining him for the jazz vespers will be George Grund, piano; Keith Mohler, bass; and Gary Rissmiller, drums. Attendees will need to bring lawn chairs.

For information, call 652-7259.

Lutherans from 140 congregations in the Upper Susquehanna Synod of the Evangelical Lutheran Church are holding their 18th synodical assembly today and tomorrow at Susquehanna University, Selinsgrove.

Critical issues before the church to be discussed are new worship resources, new structure, blessing of same-gender relationships and ordination of gay or lesbian individuals who are living in committed relationships.

To be ordained as pastors will be Carla Volland, who will serve the Clarkstown/Lairdsville Parish in Lycoming County, and Christoph Teille, who will serve the Elysburg Parish in Northumberland County.

Blessings will be offered for the Synod Choir preparing for a tour of Ansbach/Wurzburg Kirchenkreis, its partner synod in Bavaria, Germany.

Messiah College will offer a workshop for high school science teachers, administrators and clergy on issues related to intelligent design, which is being introduced in public schools. With support from the John Templeton Foundation, the course will be offered from June 27-July 1.

Details are available at www.messiah.edu/godandscience/ workshop.html.

Registration fee is $65. For information, contact Davis at tdavis@messiah.edu or 766-2511, ext. 6840. Kaleidoscope presents a weekly mosaic of bits and pieces of news from the midstate's diverse faith community. JUDITH PATTON: 255-8177 or jpatton@patriot- news.com

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LOCAL

Dover and intelligent design
York Daily Record
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On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, the Dover Area School District is believed to have become the first district in the country to include intelligent design in its high-school biology curriculum.

Intelligent design is the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by some intelligent force.

Its supporters say it's about fairness giving time to alternative views to evolution.

Its critics say it's not science, but a way of forcing Christianity into biology class. In December, 11 parents filed a federal civil-rights suit against the district.

On Jan. 18 and 19, as part of the school board's mandate, district administrators read a statement to ninth-grade biology students in which intelligent design was mentioned.

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LOCAL
Experts won't back Dover; School district lawyer claims conflict with intelligent-design advocates
LAURI LEBO
York Daily Record
718 words
19 June 2005
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Seemingly, they're would-be allies.

But a disagreement last week over legal representation means three experts with connections to the pro-intelligent design Discovery Institute will not be testifying in a federal court case on behalf of the Dover Area School Board.

The three experts William Dembski, Stephen Meyer and John Campbell were slated for testimony on the debate over intelligent design.

But last week, their names were removed from the list before they could give depositions in the case.

Eric Rothchild, plaintiffs' attorney with Pepper Hamilton, said he was baffled by the decision.

Meyer is the director of Discovery Institute's Center for the Renewal of Science and Culture, which funds research projects related to intelligent design. Dembski and Campbell are senior fellows there.

Dembski, a mathematician and scientific philosopher, said the Thomas More Law Center, which is defending the school board, basically fired him because he wanted to have his own attorney present during the depositions.

He said he's puzzled and frustrated by Thomas More's refusal to let him participate.

"I felt like I was in the crossfire," Dembski said.

Even though Discovery is probably the country's leading proponent of intelligent design, it opposes the Dover Area School Board's decision to make the concept regarding life's origins part of its science curriculum.

Its members say they don't oppose intelligent design being taught in the schools, they merely oppose it being mandated.

In December, 11 parents filed a lawsuit against the decision, arguing that the board violated the First Amendment clause prohibiting the establishment of religion.
While Dembski said he disagrees with many aspects of Darwinism, "there is still a long way at hammering out ID as a full-fledged research program. That said, there is nobody I know that says **intelligent design** should be mandated. I think this is the problem with Dover. It's not a way you build consensus and help education along."

But Richard Thompson, Thomas More president, said the decision to not use the three experts had nothing to do with their positions on **intelligent design** and whether it should be mandated in a classroom.

Rather, he said he objected to the experts bringing along their own lawyers, calling it a "conflict of interest."

"The case involves the school board and the parents," he said. "Now, if you have attorneys coming in and representing the experts and their attorneys are saying, Don't answer that question, then you have a conflict with the aims of the school board."

Thompson said the problem arose in the past several weeks when the Discovery Institute insisted that its people have separate legal representation.

But Thompson said the defense remains well represented.

Scott Minnich of the University of Idaho and Michael Behe of Lehigh University, along with Warren Nord, a University of North Carolina professor, and Dick Carpenter of Focus on the Family, have "ready given their depositions and are prepared to testify.

Behe and Minnich are also Discovery fellows. They gave their depositions before the debate over legal representation began.

No one at the Discovery Institute returned repeated calls for comment.

In addition to his connections with Discovery, Dembski is also working as an editor and writer for the Foundation of Thoughts and Ethics, publishers of the pro-**intelligent design** book, "Of Pandas and People."

Last month, the nonprofit textbook publisher filed a motion to join the fight against the lawsuit. The lawsuit could harm the Texas company's financial interests and educational goals since "Of Pandas" is being used in the district, its attorneys argue.

"FTE primarily will focus on plaintiffs' purpose to destroy both **intelligent-design** theory as a viable scientific explanation to the origins of life and FTE's ability to market textbooks," according to a motion filed Monday in U.S. Middle District Court in Harrisburg.

Dembski said he thinks the whole issue is unfortunate.

"Discovery and Thomas More have their differences," he said. "I have a lot of loyalty with Discovery."

**PIC: SUBMITTED**
The Foundation of Thoughts and Ethics, publishers of the Of Pandas and People' textbook, filed a motion to join the fight against the Dover Area School Board lawsuit last month.
State studies intelligent design; A House bill would insert the concept into the Public School Code.

RICHARD FELLINGER
York Daily Record
496 words
21 June 2005
York Daily Record
1
English
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Lawmakers studied a controversial bill Monday to allow any Pennsylvania school to teach intelligent design, the alternative to the theory of evolution that has divided the Dover Area School District.

The House Subcommittee on Basic Education heard four hours of testimony from a seven-member panel, which offered mixed views on the bill sponsored by state Rep. Tom Creighton, R-Lancaster.

Creighton's bill would insert the concept of intelligent design, which is the idea that life is so complex it must have been created by an intelligent designer, into the Public School Code. The state's current education standards don't prevent districts from teaching alternatives to evolutionary theory, but there are no specifications that districts are allowed to do so.

Two college professors, a Kansas City attorney and a recent high-school graduate from Lehigh County argued for the bill.

One college professor, the American Civil Liberties Union and Americans United for the Separation of Church and State opposed it. The ACLU has joined 11 parents who are suing the Dover district over its decision to add intelligent design to its biology curriculum.

The bill faces significant hurdles in the Legislature. Rep. Ron Miller, R-Jacobus, a member of the subcommittee, predicted it will stay bottled up in committee because of pressure from critics who say it is an attempt to introduce religion in science class.

Even so, Miller said he could support the bill with certain changes. He is interested in changes proposed by Kansas City lawyer John Calvert, managing director of the Intelligent Design Network.

Calvert suggested amending the bill to clarify the definition of intelligent design and state that districts can teach criticism of evolutionary theory.

The bill's critics and supporters disagreed on whether intelligent design is a religious movement.

Janice Rael, president of the Delaware Valley Chapter of Americans United for Separation of Church and State, said proponents of intelligent design "are activists who are struggling to impose their particular religious viewpoint on us all."

Randy Bennett, associate professor of biology at Juniata College, said intelligent design can't be
Harry Frankel, legislative director for the ACLU of Pennsylvania, said courts have ruled that the U.S. constitution does not allow teaching of religious doctrine in science classes. But Frankel said intelligent design could have a place in courses on philosophy or comparative religion.

Intelligent design supporter Michael Behe, biochemistry professor at Lehigh University, insisted that the concept "is an argument based on empirical, physical data."

Recent high-school graduate Samuel Chen of Emmaus said there are flaws in evolutionary theory that teachers refuse to study.

"Educators who often do not know what intelligent design truly is assert that intelligent design is anti-scientific and based on ignorance, while claiming evolution to be a scientific fact," Chen said.

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A Section

**House panel hears debate on creation theory**

BILL SULON

Of The Patriot-News

539 words

21 June 2005

Patriot-News

FINAL

A01

English

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Supporters and opponents of *intelligent design* found little common ground yesterday on whether the theory may be taught in the state's public schools along with the theory of evolution.

*Intelligent design* holds that the universe and living things are best explained by the existence of a guiding force. Lawyers and professors on both sides of the issue spoke at a four-hour hearing before the House subcommittee on basic education.

The panel is considering legislation to allow schools to include the theory of *intelligent design* when discussing evolution.

"Let it be taught alongside" evolution, subcommittee Chairman Rep. Samuel E. Rohrer, R-Berks County, said near the end of the hearing.

The panel took no action yesterday, but is expected to discuss the issue next month.

*Intelligent design* surfaced as an issue last year when Dover Area School District in York County required that it be taught in science class.

The Dover school board's decision, believed to be the first of its kind in the nation, prompted lawsuits by opponents and led to the proposal in the House.

The bill "would open the door to the teaching of a controversial theological assertion based in creationism," said Janice Rael, president of the Delaware Valley Chapter of Americans United for Separation of Church and State.

She called on lawmakers to reject the measure "in order to preserve the integrity of our public school system and prevent unnecessary politicization of state education of religious fundamentalists."

Rael called *intelligent design* the "antithesis of science." She said proponents were trying to inject science in their cause to get around a 1987 U.S. Supreme Court ruling that said, "The belief that a supernatural creator was responsible for the creation of human kind is a religious viewpoint, and cannot be taught in public schools along with the scientific theory of evolution."

However, Michael Behe, professor of biochemistry at Lehigh University, said the issue of *intelligent design* "is not a religious argument," but one for which he and other proponents contend "simply that some parts of nature are best explained as the result of purposeful activity."

But religion occasionally entered the debate. When Randy Bennett, an associate professor of biology at Juniata College, discussed why he believed *intelligent design* had no scientific legitimacy, Rep. Darryl D. Metcalfe, R-Butler County, said there are "those of us who believe God created" the universe.

Moments later, when Bennett mentioned God, Metcalfe said, "Your God and my God [are] different based on your testimony," evoking gasps and laughter.

Larry Frankel, legislative director of the American Civil Liberties Union of Pennsylvania, called *intelligent design* "the latest alias for creationism" that "should be recognized for what it really is -- a faith-based explanation of the origin of life."

Samuel S. Chen, a student at Emmaus High School, said he wants fellow students to have an opportunity to hear views other than those of teachers who discuss evolution.
"If evolution is indeed a scientific fact, why don't the evolutionists simply produce the evidence to answer the questions and doubts posed by intelligent design?" he said. BILL SULON: 255-8144 or bsulon@patriot-news.com

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BUSINESS
Black bear banter; Regulars at Shiloh Family Restaurant chatted about bears, baseball and the classroom.
SEAN ADKINS
York Daily Record
634 words
24 June 2005
York Daily Record
10

George Wynegar did not encounter the black bear that rambled through parts of York County earlier this week.

But the Dover Township resident does have a theory on why the wild animal left its wooded area to roam through populated communities.

"I guess the bears have to go somewhere, with all the housing developments being built," Wynegar said. "They are just forcing them out of the woods."

Several Shiloh Family Restaurant regulars, including Wynegar, recently chatted about the black bear that had been captured in Windsor Township on Wednesday and later escaped into a wooded area of Upper Dauphin County.

Jane Langeheine and her husband, Terry, appeared to share the same opinion as Wynegar in regard to the bear's actions.

"We are building houses where they live, so they are coming out," she said. "It's (the bear's) neighborhood."

Wynegar said he believes that residents were in no danger with a juvenile black bear on the loose.

"The bear was probably more scared of the people than the people were of the bear," he said.

Recent jumps in population within several sections of the county have forced wildlife out of the backyards of many longtime residents, Langeheine said.

"We used to see a lot of deer in our yard," she said. "The only wildlife we see now are squirrels and rabbits."

While black bears are a rare sight in York County, Julene and Raymond Bechtel have spotted a few of the animals while at their Cameron County cabin.

Next week, the Bechtels said, they will break from their morning schedule, which often includes breakfast at Shiloh Family Restaurant, and head for their cabin in the mountains. The time away will
afford the couple time to relax and to meet with friends.

In past trips to Cameron County, Julene Bechtel said she has seen turkeys, elk and the occasional bear.

"We see bears up in the mountains, so it's not a big deal for us," she said. "But, it's something (to see a bear) down here."

William Moul of Weigelstown, a five-day-a-week Shiloh Family Restaurant regular, said he, too, has seen a black bear, just not in York County.

"The best thing to do is to stay away from the bear," he said.

While news of wild animals roaming the backyards of York County spiked residents' curiosity, other interests such as sports served as conversation.

Often, Moul and Julene Bechtel discuss over breakfast the wins and losses of their favorite baseball teams. Moul is a Baltimore Orioles and Atlanta Braves fan, while Bechtel pledges her allegiance to the St. Louis Cardinals.

"I think the Orioles' pitching has to get better," Moul said. "They have the hitters, but they need better pitching."

Wynegar said he is a Philadelphia Phillies fan, despite the team's sluggish performance earlier in the season. "They seem to be doing much better now," he said.

Wynegar said he often chats with other Shiloh Family Restaurant patrons about the issue of intelligent design and how Dover Area School District has introduced the concept into its curriculum.

Intelligent design proposes that life is too complex not to have been guided by the hand of a divine creator.

"If they can teach (evolution), then they should be able to teach (intelligent design)," Wynegar said. "In this day and age, people seem to forget where they come from. I, for one, did not come from no monkey."

Reach Sean Adkins at 771-2047 or sadkins@ydr.com.

PIC: DAILY RECORD / SUNDAY NEWS KRISTIN MURPHY

Julene and Raymond Bechtel finish up their coffee Thursday morning as Violet Bortner runs dishes back to the kitchen at Shiloh Family Restaurant.

Document YKDR000020050625e16o0002x

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Dover official to leave

Cited health as reason

By LAURI LEBO
Daily Record/Sunday News
Sunday, July 10, 2005

The man who championed the fight to bring intelligent design into Dover's biology classroom is leaving town.

But Dover Area School Board member Bill Buckingham said he will still be involved in September's First Amendment trial over the district's science curriculum.

As a board member, he is one of the defendants in the lawsuit.

Buckingham's departure raises questions about his responsibility to the district. Should the district lose what will likely be a costly legal battle, the plaintiffs would likely sue to recoup legal costs, leaving district taxpayers to foot the bill.

He said he's not worried.

"We don't expect to lose," he said. "We believe we're right."

Buckingham has already sold his Dover Township house and said he will be moving to Mount Airy, N.C., for health reasons. He said his body can no longer stand Pennsylvania's cold winters since having six back surgeries and three knee-replacements.

"The winter in North Carolina starts later and ends earlier," he said.

Buckingham led the battle to make Dover the first public school district in the country to include intelligent design in its science curriculum. Intelligent design is the idea that life is too complex to have evolved solely through natural selection and genetic mutation and therefore must have been designed by an intelligent force.

Eleven parents, arguing intelligent design is religiously based, are suing the district. And some legal experts are
predicting Dover could be the first test case of the concept.

Last June, Buckingham, who was head of the curriculum committee, spoke out against adopting a proposed biology textbook because, he said, it was "laced with Darwinism." During board meetings, he argued for a textbook that balances the "Christian view of creationism and evolution."

But in a sworn deposition in January, Buckingham denied making the remarks about Christianity and creationism, which had been reported in both the York Daily Record/Sunday News and The York Dispatch.

Buckingham had also pushed to have the district purchase the pro-intelligent design book "Of Pandas and People," of which 58 copies were later donated to the school library. The district refuses to release the names of the people who made the donation.

And, in October, Buckingham introduced the motion, which passed 6-3, to make intelligent design part of the district's science curriculum. In January, administrators read a brief statement to ninth-grade biology students that included the phrase.

Bryan Rehm, a candidate with Dover Citizens Actively Reviewing Educational Strategies, said the committee will likely have a member apply to fill Buckingham's term, which ends December 2007. But he said there has been no formal discussion about it.

As for the likelihood any Dover CARES candidates would be chosen by the school board, Rehm said, "based on past practices, I'm guessing their chances would not be that good."

Rehm, a physics teacher who opposed the board's decision, applied to fill one of four board vacancies in November, but was rejected. Instead, the board appointed four people who all supported intelligent design in the classroom. "So far, the school board hasn't seemed to favor any of us at all," he said.

In December, Rehm joined with other parents in suing the district.
Board members Sheila Harkins, Alan Bonsell and Ed Rowand could not be reached for comment.

Buckingham said he doesn’t know when he will formally step down, other than that it will be sometime “in the next month or so.”

He said friends and family understand why he’s moving.

“It’s something actually necessary for my physical well being,” he said.

Reach Lauri Lebo at 771-2092 or llebo@ydr.com.
LOCAL

Dover CARES wants resignation before Sept. 8; If Buckingham resigns before that date, his seat can be added to November's ballot.

JOSEPH MALDONADO
York Daily Record
473 words
12 July 2005
York Daily Record
2

Although he has now said publicly that he is going to resign and move to North Carolina for health reasons, Dover Area School Board member Bill Buckingham has not said when. Some, who expected him to do so during Monday evening's school board meeting, left disappointed when he failed to attend.

Buckingham has missed much of the year, having said in recent months that doctors do not want him walking any more than he has to. But residents, particularly those from the school board candidates group Dover CARES Citizens Actively Reviewing Educational Strategies, were hoping he would attend at least long enough to say when his final day was going to be.

At issue is whether he will resign before Sept. 8. Bernadette Reinking, a candidate from Dover CARES, said if Buckingham resigns before Sept. 8, an open seat will be added to the ballot.

"If it is after Sept. 8, the board will get to appoint who they want and that person will hold the seat until Bill's term is up," said Reinking, who has been in touch with the York County Board of Elections.

Buckingham's term ends in 2007.

Resident Tammy Kitzmiller said she believes Bill should resign as soon as possible.

"The residents of Dover should choose his replacement, not the board," she said. "He's given enough notice and there's plenty of time to get his seat on the ballot."

Dover CARES candidate Bryan Rhem said he is disappointed to see Buckingham leave given the district's current legal situation over the issue of intelligent design.

Last October, the board changed the ninth-grade biology curriculum to make students aware that there are gaps and problems associated with evolution and that there are competing theories with specific emphasis placed on intelligent design.

"In December, 11 parents filed a federal lawsuit against the school district, arguing the curriculum change violates the First Amendment by requiring "teachers to present to their students in biology class information that is inherently religious, not scientific, in nature."
"(Buckingham) was the one who led the drive to get that put in the curriculum and now he's leaving as the district is being sued," he said. "He should make an attempt to live up to the commitment he seems to expect from everyone else."

Alan Bonsell, board vice president, said he did not know what Buckingham's intentions were. He also said he was unaware of the Sept. 8 implications.

But Reinking, during public comment, requested a resignation before the September deadline.

No one on the board commented on her request at the meeting.

MUG: Buckingham Has not given a date of resignation

Document YKDR000020050716e17c0000a

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The timing of Bill Buckingham's resignation from the Dover Area School Board might have an impact on the polls in November.

If Buckingham resigns before Sept. 8, the board of elections can put his seat on the ballot and each party can submit a candidate for election this fall.

However, if Buckingham resigns after the September deadline, the board will have to appoint someone to serve the remainder of his term, which ends in 2007.

**Plans unknown:** Buckingham, citing poor health, reportedly sold his Dover Township home and plans to move to North Carolina, but he has not revealed when he will resign or when he plans to move.

And Buckingham was not present at last night's school board meeting to shed any light on his plans.

At the beginning of the meeting, board president Sheila Harkins announced that Buckingham would be late because he was in another meeting, but he never showed.

He also could not be reached by phone for comment after the meeting. Buckingham's absence and the lack of information about the exact timing of his resignation concerned some residents.

**Intelligent design:** Buckingham was one of six board members who voted in October to make intelligent design part of the district's high school biology curriculum. Intelligent design is a theory that attributes the origins of life to a higher being, not an undirected process such as natural selection. The school board's decision to have a statement on intelligent design read in ninth-grade biology classes sparked a lawsuit by 11 parents.

At last night's meeting, members of Dover CARES [Citizens Actively Reviewing Educational Strategies] said the people of Dover should be given the opportunity to vote on Buckingham's replacement. The group has seven candidates on the ballot in November in opposition to the incumbent board.

"I am concerned about the implications ... appointees are never good in government," said Dover CARES member Cynthia Sneath, one of the parents suing the school district.

Bernadette Reinking, a member of Dover CARES on the ballot in November, asked the board to consider allowing the seat to go up for election.

"It is the right thing to do," Reinking said after the meeting.

**Not yet official:** Harkins said the board has not received Buckingham's resignation.
"I don't know when he is leaving or if he will resign before September. We can't make him leave early," Harkins said.

If Buckingham resigns before September, it will mean almost the entire school board --eight out of nine members-- will be up for election. There are currently four four-year terms and three two-year terms open on the board.

In the past year, the school board has appointed members to five empty seats because of resignations. Two former school board members moved out of the district and three quit over intelligent design.

The five appointees are in favor of intelligent design and will be on the ballot in November.

In the May primary, a field of 18 candidates was narrowed to 14, seven incumbents against seven Dover CARES candidates.

The candidates will face off in what has been called the most hotly contested school board election in Dover's history.

Though all the candidates cross-filed as Republicans and Democrats, the incumbents will be listed as Republicans and the Dover CARES candidates will be listed as Democrats.

LOAD-DATE: July 12, 2005
A federal judge is expected to hear arguments tomorrow relating to a lawsuit filed against the Dover Area School District and its school board. 

filed in December by 11 parents with the help of the American Civil Liberties Union -- seeks permanent removal of any reference to intelligent design from the high school science curriculum.

Middle District Judge John E. Jones will hear arguments about whether news reporters from The York Dispatch and the York Daily Record must turn over notes they took while covering board meetings and be called upon to testify.

Attorney Eric Rothschild of the Philadelphia-based law firm Pepper Hamilton, the law firm that represents the parents, said his clients were willing to accept written affidavits from freelance reporters Heidi Bernhard-Bubb and Joseph Maldonado, who reported on Dover school board meetings in June 2004.

More Center wants testimony: But attorneys from the Thomas More Center for Law & Justice, which represents the school district and its board, said their clients want to hear testimony from the writers.

The writers' reports detailed school board members' explanations of their interest in teaching an alternative to Darwin's theory of evolution. While board member William Buckingham was the only school board member quoted as making a "religious" comment, Rothschild said other school board members were speaking "in very religious terms."

On June 14, 2004, Bernhard-Bubb attended a school board meeting where members discussed evolution and the biology curriculum. She quoted Buckingham as asking, "Nearly 2,000 years ago someone died on a cross for us; shouldn't we have the courage to stand up for him?"

Maldonado reported a similar quote from the meeting.

But Rothschild said school board members and officials disputed the quotes.

The newspapers' editors, in affidavits responding to the parents' requests for information, said school board members never asked the newspapers for a correction or retraction.

"We believe that the articles at issue are very accurate and that the reporters reported that which they had heard," said Niles Benn, an attorney with York-based Benn Law Firm, which represents the newspapers.

He said the articles "speak for themselves," and that there are about 100 members of the public who were present at the school board meeting and heard the statements being made.
Buckingham has recently announced he plans to retire and move south.

Richard Thompson, president and chief counsel for the Thomas More Center for Law & Justice, said his interest in the reporters was a result of the parents’ request to have them deposed.

He said he is not “taking issue” with anything the reporters reported, but “just trying to find out what the facts are.” “What we want to know is, ‘What is the rest of the story?’ ... You can take anything out of context and make it seem that it’s something that it really isn’t.”

The More Center is representing the district free of charge. The Michigan-based center bills itself as a firm that defends Christians whose rights have been violated.

Arguments from book publisher? At the hearing tomorrow, Judge Jones is also expected to hear arguments from the publisher of the intelligent design textbook “Of Pandas and People: The Central Question of Biological Origins.”

Because the scientific validity of intelligent design is expected to be called into question, the publisher, Foundation for Thought and Ethics, wants to intervene in the suit.

In a May 23 motion filed in Harrisburg, the foundation alleges that the parents intend to destroy both intelligent design theory as a viable scientific explanation to the origins of life and the foundation’s ability to market textbooks.

A statement about intelligent design that is read in Dover High’s biology classes refers to the foundation’s book, several copies of which were anonymously donated to a high school library last year.

Attorneys for both sides said they oppose intervention by the publisher.

“We don’t think it’s necessary for them to intervene because it’s not going to in any way be relevant to the issues at the trial,” Thompson said.

He said intervention would only serve to make the trial, which is scheduled to begin in September, “longer and more complicated” and would open a door for “every book publisher” to intervene in various lawsuits if they published a book on the matter being debated.

Benn said Judge Jones will likely issue his findings tomorrow or shortly thereafter.

Statement added last year: The board voted last year to include a statement about intelligent design -- which attributes the origin of life to a higher being -- in its ninth-grade biology curriculum.

The 11 parents allege the board introduced intelligent design because of its members’ personal religious beliefs.

According to their lawsuit, the theory was created specifically as a science "consonant with Christian and theistic convictions" and designed to replace the banned creationism.

The lawsuit also alleges that the Discovery Institute, which promotes the intelligent design theory, has argued for using the theory in a "Wedge Strategy" to "replace materialistic explanations with the theistic understanding that nature and human beings are created by God."

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: July 13, 2005
In sworn depositions in January, Dover Area School Board members denied charges that they were motivated by religion when they revamped the district science curriculum to include the phrase "intelligent design."

At issue are discussions that took place at the June 7 and June 14 meetings in 2004 on whether to approve a teacher-recommended biology book. In deposition hearings Jan. 3, attorneys for parents opposed to the change attempted to show the discussions were about whether students in the ninth-grade biology class should be taught creationism in addition to evolution.

School board members Bill Buckingham, Sheila Harkins and Alan Bonsell and Supt. Richard Nilsen have, under oath, either said they have no memory of making the remarks related to creationism or denied making such remarks. "I was a part of the curriculum committee, and I’ve never had anyone ever talk about looking for a book of creationism and evolution," Harkins said in her deposition.

Some residents and former district officials say board members made the statements they later denied. In the federal lawsuit’s complaint, filed in December, attorneys point to several remarks concerning creationism made by some board members at school board meetings last summer that were reported by the York Daily Record/ Sunday News and The York Dispatch.

When attorneys asked Buckingham whether he said at a school board meeting that all he wants is a book that offers balance between what he said are the "Christian view of creationism and evolution," Buckingham stated, "Never said it."

But a taped television interview at the time shows Buckingham, the board’s chief proponent of intelligent design, talking about teaching creationism in science class. One week after the June 14 meeting, Buckingham, in a taped interview with a Fox television reporter regarding the biology textbook, said, "My opinion, it's OK to teach Darwin, but you have to balance it with something else, such as creationism."

By LAURI LEBO

Daily Record/Sunday News

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Depositions of reporters sought in Dover case

An attorney for York's newspapers said the writers should not have to testify.

By LAURI LEBO
Daily Record/Sunday News
Wednesday, July 13, 2005

Dover Area School Board defense attorneys are fighting to force two local reporters to enter the court battle over intelligent design.

At issue are several articles written June 2004 by Joe Maldonado, a freelance correspondent with the York Daily Record/Sunday News, and Heidi Bernhard-Bubb, a freelance correspondent with The York Dispatch.

The articles were regarding discussions on a proposed biology book during which board members discussed creationism. But in sworn depositions in January, board members denied the remarks attributed to them in the newspaper articles. And in a motion filed earlier this summer, attorneys for the school board asked the court to require Maldonado and Bernhard-Bubb to appear for depositions in the First Amendment lawsuit over intelligent design.

"Only the reporters possess information about their bias, prejudice, interest and motive in their reporting," the motion states.

But Niles Benn, attorney for both newspapers, said the accusations aren't about reporter bias.

"We don't feel there was any bias at all," he said. "The statements were made by the persons quoted. They never asked for retraction, they never asked for a correction."

Richard Thompson, president of the Thomas More Law Center, said he also wants to be able to examine the reporters' notes from the meetings, in order to ascertain whether "they were fair in their stories and were presented in an even-handed manner.

"Credibility is an issue," he said.
Eleven parents filed suit against the Dover school district in December regarding the school board's 6-3 decision to make students aware of intelligent design. The parents argue the requirement is an attempt to get God into science class, something the U.S. Supreme Court has forbidden in a number of cases.

Dover is believed to be the first public school district in the country to include intelligent design in its curriculum. But proponents of intelligent design — the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer — say that the concept is not necessarily related to the biblical account of creation.

'A chilling effect'

"As journalists, we're told to try to stay out of the story," Maldonado said. Nonetheless, he said, "I stand by every word I wrote."

In May, plaintiffs' attorneys subpoenaed Maldonado and Bernhard-Bubb to appear at a deposition. The plaintiffs' attorneys then agreed to accept affidavits supplied by the reporters and their supervisors, swearing to the accuracy of their articles.

Eric Rothschild, an attorney for Pepper Hamilton, which represents the plaintiffs, said he believed it was necessary to subpoena the reporters because the truth of the articles had been called into question.

He added that lawyers for the parents were satisfied with the affidavit asserting the articles were correct.

However, both sides have to agree to the affidavits in order for them to be admissible in court. And defense attorneys say they want to be able to cross-examine the reporters.

For that reason, earlier this summer, attorneys for the school board filed motions asking the court to require Maldonado and Bernhard-Bubb to appear for depositions. A hearing regarding those motions is scheduled for Thursday.
Benn said the entire fight over reporters' testimony would be a moot point if the board had kept its records of its meetings.

According to practice, the school board recorded the two June meetings. However, after the official minutes are typed, all tapes are recorded over.

Randy Parker, Daily Record/Sunday News managing editor, said the newspaper fights to keep its reporters from getting dragged into battles that could jeopardize their "neutral position." And agreeing to the request for reporters' notes and drafts of stories could have a "chilling effect on news-gathering," he said.

"What doesn't make it in the soup isn't relevant," he said.

Both Parker and Benn said there are other sources for the same information.

"Our position is the law in Pennsylvania puts the burden on the subpoenaed party to try to secure the information from every other source," Benn said.

He said approximately 100 other people were at the meetings who could swear under oath to what was said.

"We are far from the only source of information on this," Parker agreed. "Reporters have no magic powers. There are many others who could be called in to testify without having such a hindering effect."

Mark Franklin, York Dispatch managing editor, said editor Lori Goodlin was referring calls made to her and Bernard-Bubb to Benn.

WHAT'S NEXT

A hearing on motions to require two local reporters to appear for depositions is scheduled for 1:30 p.m. Thursday at the federal courthouse in Harrisburg.

BACKGROUND
In sworn depositions in January, Dover Area School Board members denied charges that they were motivated by religion when they revamped the district science curriculum to include the phrase "intelligent design."

At issue are discussions that took place at the June 7 and June 14 meetings in 2004 on whether to approve a teacher-recommended biology book. In deposition hearings Jan. 3, attorneys for parents opposed to the change attempted to show the discussions were about whether students in the ninth-grade biology class should be taught creationism in addition to evolution.

School board members Bill Buckingham, Sheila Harkins and Alan Bonsell and Supt. Richard Nilsen have, under oath, either said they have no memory of making the remarks related to creationism or denied making such remarks. "I was a part of the curriculum committee, and I've never had anyone ever talk about looking for a book of creationism and evolution," Harkins said in her deposition.

Some residents and former district officials say board members made the statements they later denied. In the federal lawsuit's complaint, filed in December, attorneys point to several remarks concerning creationism made by some board members at school board meetings last summer that were reported by the York Daily Record/Sunday News and The York Dispatch.

When attorneys asked Buckingham whether he said at a school board meeting that all he wants is a book that offers balance between what he said are the "Christian view of creationism and evolution," Buckingham stated, "Never said it."

But a taped television interview at the time shows Buckingham, the board's chief proponent of intelligent design, talking about teaching creationism in science class. One week after the June 14 meeting, Buckingham, in a taped interview with a Fox television reporter regarding the biology textbook, said, "My opinion, it's OK to teach Darwin, but you have to balance it with something else, such as creationism."

— By LAURI LEBO
SECTION: TOP STORIES

LENGTH: 775 words

HEADLINE: Notes' value studied

BYLINE: CHRISTINA KAUFFMAN The York Dispatch

BODY:

A federal judge is expected to look at notes taken by a freelance correspondent for The York Dispatch at Dover Area School Board meetings to decide if those notes, and information from another newspaper's correspondent, must be turned over in the federal lawsuit against the school district.

Middle District Judge John E. Jones III presided yesterday over about three hours of testimony in the suit, which was filed by 11 parents against their school district and board members. Parents said board members had religious motives in October 2004 when they voted to make reference to intelligent design in biology classes.

Intelligent design attributes the origins of life to a higher being.

Jones instructed the newspapers' attorney, Niles Benn of York City-based Benn Law Firm, to give him the notes and a draft of a story written by Heidi Bernhard-Bubb for The York Dispatch and e-mails written by Joseph Maldonado for the York Daily Record. The information must be turned over by Tuesday.

The reporters covered the school board's meetings and quoted school board member Bill Buckingham making religious comments.

Residents' attendance cited: Benn said the reporters should not have to testify or turn over information because their news articles are accurate and speak for themselves. He said use of a newspaper's reporters notes should be the last resort.

And he cited case law from two similar cases in which reporters were not forced to turn over information because there were other people who could testify about what happened.

Benn said there were about 100 residents who attended one of the meetings during which reporters quoted Buckingham speaking in religious terms, and the parents' attorneys "haven't even attempted to depose" them.

Witold Walczak, an attorney for the parents, said the reporters' accounts of the meetings are different from those of residents who attended the meeting. The residents would give their accounts based on recollection, whereas the reporters have documented the events as "part of the historic record."

Walczak is legal director of the American Civil Liberties Union of Pennsylvania, which is handling the parents' case along with Philadelphia-based law firm Pepper Hamilton and Americans United for the Separation of Church and State.

Board lawyer calls accounts false: School board attorney Patrick Gillen said it was not the board but the parents who attempted to "drag them [the reporters] into this."
"...when they were on the sidelines we were content with that."

The parents were willing to accept written affidavits from the reporters. But after the reporters were mentioned, the school board's attorneys issued them subpoenas to testify.

Benn filed a motion to quash those subpoenas, arguing the reporters' notes should not be turned over and they should not have to testify.

Gillen said the purpose of the subpoena was "fundamental fairness," because his clients wanted the right to cross-examine the reporters if they testified against the board.

He said the writers' reports were "consistently false" and any newspaper articles should be considered "hearsay."

Buckingham was quoted using religious terms in both separately-owned newspapers.

Though the newspapers are not related, and the reporters do not work in the same office, "ironically, they all heard the same thing," Benn said.

Video clip: There is also a video news clip of Buckingham telling a Fox 43 television reporter that the school's previous biology curriculum was "laced with Darwinism" and he wanted to balance Darwin's theory of evolution with "something else, such as creationism," Benn said.

But in court depositions, Buckingham, his fellow board members and the district's superintendent said they either don't remember Buckingham ever making such comments or that reporters fabricated them. Buckingham has since announced he is resigning from the board and moving to North Carolina.

Benn said the district officials are basically "alleging conspiracy."

Gillen is an attorney with the Michigan-based Thomas More Law Center. The group, which says its mission includes "defending the religious freedoms of Christians," is defending the board for free.

The judge is expected to rule after privately reviewing the papers next week.

If the reporters must testify, Benn wants Jones to issue an order that their testimony be limited only to what "they saw and heard" at meetings, and they should not be questioned about sources and notes.

The federal bench trial will begin in September.

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.

LOAD-DATE: July 15, 2005
LOCAL
Reporters' notes to be studied; The Dover school board lawyers want to scrutinize how stories were written in the intelligent design case.

LAURI LEBO
York Daily Record
685 words
15 July 2005
York Daily Record

English
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A judge wants to privately review the notes, story drafts and e-mails of two local reporters before deciding whether they should be used in court in the battle over intelligent design.

During a hearing Thursday in Harrisburg's federal court, U.S. Middle District Court Judge John E. Jones III agreed to a suggestion by the lawyer for the York Daily Record/Sunday News and The York Dispatch that the judge look at the information before ruling on whether to quash subpoenas in the case.

Defense attorneys for the Dover Area School Board filed motions last month requesting access to the information. They are also asking reporters Joe Maldonado, a freelance correspondent with the Daily record, and Heidi Bernhard-Bubb, a freelance correspondent with the Dispatch, to be required to appear for depositions in the First Amendment lawsuit.

Patrick Gillen, attorney for the Thomas More Law Center, argued that not requiring the reporters to testify is essentially denying his clients their due process.

"Creationism has been largely put into their mouths," Gillen said. And attorneys want the notes, story drafts and e-mails because, he said, the "articles were consistently false and were putting things in a false light."

Meanwhile, the attorney for the 11 parents suing the district is arguing for the newspaper articles to be admitted into evidence, as well as affidavits submitted by both newspapers, and said the plaintiffs want to reserve the right to call the reporters to testify during the trial.

Witold Walczak, Pennsylvania director of the American Civil Liberties Union, said the board members' disputed comments address both motive and principal effect, two elements used by the courts to determine establishment of religion.

The newspapers' attorney, Niles Benn, agreed to turn over Bernhard-Bubb's notes and story drafts and Maldonado's e-mails by the end of the day Tuesday.

Several times throughout the hearing, Jones asked attorneys whether they thought requiring reporters to turn over their notes "runs the risk of chilling reporters to do their work."
After the hearing, Benn said he thinks the judge will find the reporters' material is not relevant.

The issue are several articles written by Maldonado and Bernhard-Bubb in June 2004 regarding discussions on a proposed biology book during which board members discussed creationism. In sworn depositions in January, board members denied the remarks attributed to them in the newspaper articles.

When attorneys asked board member Bill Buckingham whether he said at a school board meeting that all he wants is a book that offers balance between what he said are the "Christian view of creationism and evolution," Buckingham stated, "Never said it."

But, Benn pointed out during the hearing, Buckingham told a Fox News television reporter in June 2004, "My opinion, it's OK to teach Darwin, but you have to balance it with something else, such as creationism."

Benn also argued that Pennsylvania case law dictates that defense attorneys should try to get the information from others who also attended the board meetings and pointed out that the district keeps a list of those people. He also pointed out that had the school board not destroyed the taped recordings of the meetings, its attorneys wouldn't be fighting to compel reporters to testify.

Eleven parents filed suit against the Dover school district in December regarding the school board's 6-3 decision to make students aware of intelligent design. The parents argue the requirement is an attempt to get God into science class, something the U.S. Supreme Court has forbidden in a number of cases.

Dover is believed to be the first public school district in the country to include intelligent design in its curriculum. But proponents of intelligent design say the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by an intelligent designer say that the concept is not necessarily related to the biblical account of creation.

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After listening to lengthy testimony, a federal judge said he will soon make a decision on whether publishers of the controversial textbook "Of Pandas and People" should be able to join a First Amendment lawsuit over intelligent design.

Jon Buell, president of the Foundation for Thought and Ethics, told U.S. Middle District Court Judge John E. Jones III that he doesn't think attorneys for the Dover Area School Board will adequately defend intelligent design against the accusation that it is revamped creation science.

"Of Pandas and People" promotes the concept of intelligent design, which is the idea that life is too complex to have evolved randomly and therefore must have been created by an intelligent designer.

Buell's attorney Dennis Boyle of Lancaster-based Clymer & Musser argued that attorneys may be too busy defending Dover's "political policy," which requires ninth-grade biology students to be told about intelligent design.

Buell said his organization does not promote religion but rather "education and science."

However, the attorney for the 11 parents suing the district, submitted the foundation's 2003 tax-exempt form, which had been submitted to the Internal Revenue Service.

Reading from the form, Eric Rothschild, attorney with the Philadelphia-based law firm Pepper Hamilton, said the form stated the organization's primary purpose is "writing and promoting textbooks with a Christian perspective."

Buell said that was a mistake made by the person who filled out the form.

LAURI LEBO

Daily Record/Sunday News

Document YKDR000020050716e17f0003u
A story on page 3C of Thursday's Daily Record had incorrect information about the blood supply at York Hospital and Gettysburg Hospital. WellSpan Blood Donor Services supplies most of the blood used at the two hospitals, but 10 to 15 percent of their supply comes from the American Red Cross.

The date of DreamWrights Youth and Family Theatre's production of "As You Like It" was incorrect on page 2D Thursday. The play will be at 6:30 tonight at Gifford Pinchot State Park.

The date of Moonlight Boat Rides from the Lake Redman Boat Launch Area in William H. Kain County Park was incorrect on page 2D Thursday. The ride is 8:30 to 11 p.m. today.

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CORRECTIONS

York Daily Record. York, Pa.: Jul 15, 2005. pg. 2

Abstract (Document Summary)

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Full Text (198 words)

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A story on page 3C of Thursday's Daily Record had incorrect information about the blood supply at York Hospital and Gettysburg Hospital. WellSpan Blood Donor Services supplies most of the blood used at the two hospitals, but 10 to 15 percent of their supply comes from the American Red Cross.

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York Dispatch

Textbook publisher wants to join lawsuit
Says company is not a religious organization
By CHRISTINA KAUFFMAN The York Dispatch

Friday, July 15, 2005 - Of religion and science.

That's not what the book is about, John Buell said yesterday in Harrisburg's federal court.

And that's why Buell, the founder and president of the Texas-based Foundation for Thought and Ethics, publisher of the intelligent design textbook "Of Pandas and People," wants to intervene in a federal lawsuit against the Dover Area School District and its board.

An attorney for the 11 parents who filed the suit cross-examined Buell and chipped away at Buell's assertion that the Foundation is "not at all" a religious organization.

Several district parents filed the federal lawsuit, which alleges the board was religiously motivated last October when it voted to require a statement about intelligent design in science classes.

About 60 copies of the textbook were placed in the high school library for reference if students wanted to learn more about intelligent design, which says life is so complex that an intelligent being had to have had a hand in creating it.

Though board members have maintained that the books were donated by an anonymous source, board member Alan Bonsell's deposition names his father, Don Bonsell, as the donator of some of the books.

Buell said he doesn't want the book to be synonymous with the school board because the board, judging from what he has read, wanted intelligent design in its biology classes for religious reasons.

And equating intelligent design -- and thus his book -- to religion would be "catastrophic," Buell said.

"It would make that book radioactive," he said.

The foundation could lose as much as $525,000 in sales from the book and its next edition "Design of Life," to be released next year, he said.

Teachers wouldn't want to buy the book, and scientists and authors wouldn't want to work with the group to create books in the future, he said.

Is organization religious? Buell said his organization is "not at all" Christian or religious in nature. But attorney Eric Rothschild with the Philadelphia-based law firm Pepper Hamilton pointed out that the not-for-profit organization's Internal Revenue Service tax exemption form says their primary purpose is "promoting and publishing textbooks presenting a Christian perspective."

Buell blamed the "error" on a new accountant who was "not even from the state of Texas."
He said he had never seen the form until Rothschild pointed out that his initials were on the bottom of one page.

The organization's Articles of Incorporation from the state of Texas also mention religion, Christianity and the Bible.

Buell blamed that on the attorney who filed the papers.

"So the accountant got it wrong and the attorney got it wrong?" Rothschild asked.

"That's true," Buell said.

Rothschild also brought forth several other examples of the foundation's possible religious ties, including an early draft of the book, which in its infant stages was titled "Biology of Origins."

The draft mentioned "creationism" frequently. But in the final copy of the book, after the title was changed, the word creationism was replaced with the phrase "intelligent design."

Buell said the word creationism was a "placeholder term." The definition of creationism changed to include a religious context after the draft was written, so the writers changed the word, he said.

Lawyer disputes 'surprise': Rothschild said the foundation had no right to intervene by "claiming they were surprised to find" that the school board had religious motivations. He said the suit, which was filed in December, had progressed too far to enter another party.

Middle District Judge John E. Jones said he wanted to focus on Buell's legal rationale for becoming involved in the case, particularly why the timing of the case would be to his detriment and why the Thomas More Law Center, which is representing the school board, would not already be representing his interests.

The board's attorney, Patrick Gillen with the Michigan-based Thomas More Law Center, also opposed the foundation's intent to join the case.

Gillen said the board doesn't consider intelligent design to be akin with creationism, so he will argue that point for the foundation.

Jones repeatedly asked Buell's attorney, Dennis Boyle of Lancaster-based Clymer & Musser P.C., to prove what the publishers would add to the suit, or in what way Thomas More would not be able to represent the foundation.

Jones said he would rule on the intervention "promptly."

-- Reach Christina Kauffman at 505-5434 or ckauffman@yorkdispatch.com.
'Pandas' publisher out of case

A foundation couldn't prove it had a stake in the Dover lawsuit, a judge ruled.

By LAURI LEBO
Daily Record/Sunday News
Friday, July 29, 2005

A federal judge ruled that the publisher of a controversial textbook may not join a First Amendment lawsuit over intelligent design.

U.S. Middle District Court Judge John E. Jones III denied the Foundation for Thought and Ethics' motion to intervene in the case Wednesday. The Texas-based organization had argued that it had financial stake in the lawsuit's outcome.

In a July 14 hearing in Harrisburg, Jon Buell, the foundation's president, said he didn't think attorneys for the Dover Area School Board will adequately defend intelligent design against the accusation that it is revamped creation science.

But in his decision, Jones called the foundation's assertions "absurd" and "disingenuous."

Foundation for Thought and Ethics published "Of Pandas and People," which promotes the concept that life is too complex to have evolved randomly and therefore must have been created by an intelligent designer.

Copies of the book are kept in Dover's high-school library.

Attorneys for both Dover and the 11 parents suing the district opposed the foundation's attempts to join the suit, arguing it would cause delays and complications for both sides.

In his decision, Jones agreed. He wrote that the foundation "was unable to verbalize how its interests and the defendant's interests diverge concerning the merits of the lawsuit."

He also said Buell's claim that he asked to intervene when he became aware of its potential impact on book sales was
"disingenuous" because he admitted to learning details of the case in January.

Bryan Rehm, one of the parents suing the district over the inclusion of intelligent design in the biology curriculum, said he's relieved by the decision because the foundation's interest is solely monetary.

"They don't care about the Dover community, they don't care about the Dover schools," he said. "That's why we entered into this. We do care about the Dover community, we do care about Dover schools."

The foundation's attorney, Len Brown of Lancaster-based Clymer and Musser, said his client is disappointed but has not decided whether he will appeal.

"He stands to lose a lot of money if his interests aren't fairly represented," Brown said.

Dover attorney Richard Thompson said had Jones permitted Buell to join the suit, it would have only complicated the case.

Thompson, of the Michigan-based Thomas More Law Center, said other textbook authors also then could have claimed they had a stake in the case.

"And it wouldn't have really addressed the issues that are involved in this lawsuit," Thompson said.

**AT A GLANCE**

- Thursday, a federal judge rejected attempts by the Foundation for Thought and Ethics, publishers of the pro-intelligent-design textbook "Of Pandas and People" to join the Dover Area School District court battle.

- On May 23, attorneys for the foundation filed a motion to intervene, arguing that if Dover loses its suit, intelligent design would be equated with creation science and sales of its books would plummet.

- In March, Jon Buell, president of the Texas-based organization, told the York Daily Record/Sunday News that he would not have recommended "Of Pandas" to the
Dover school board.

"If they would have contacted me, I would not have encouraged the people in Dover to use it because of other tools that are more up-to-date," he said in March. "The idea of intelligent design and the evidence that supports it has gotten extraordinarily more strong than when it was originally printed."

The foundation is working on an updated version of the book.
York Dispatch

Voters likely to get choice
Dover expected to act on Buckingham's resignation
By CHRISTINA KAUFFMAN The York Dispatch

Friday, July 29, 2005 - The voters of the Dover Area School District will likely have the chance to decide who will fill the seat of board member William Buckingham, who announced his intention to resign about two weeks ago.

The board's agenda for Monday's meeting includes approval of Buckingham's resignation, and district superintendent Richard Nilsen said Buckingham told him he plans to send Nilsen a written copy of his resignation, to be effective as soon as the board approves it Monday.

Buckingham said he was resigning because he planned to move to North Carolina for health reasons. He never publicly announced when he planned to move or resign, and he could not be reached for comment.

His former phone number has been disconnected. A woman who answered the door of his former residence at 3350 Sycamore Road in Dover said she is the new owner and he and his wife have moved.

At a meeting earlier this month, residents and school board candidates voiced concern about the timing of Buckingham's resignation.

**Timing an issue:** If his resignation is approved and effective before Sept. 8, the board of elections can put his seat on the ballot and each party can submit a candidate for election this fall.

But if his resignation is made after the September deadline, the board will have to appoint someone to serve the remainder of his term, which ends in 2007.

Board vice president Alan Bonsell said he wishes well Buckingham and his wife well.

"As far as Bill goes, I believe Bill was a guy who was good at heart and he cared for the kids of Dover, there's no doubt about that," he said. "I hope that his health improves."

School board candidate Bryan Rehm, a candidate with a group opposing the current school board, said he'll be pleased if Buckingham indeed forwards his written resignation to Nilsen for Monday.

Rehm said the resignation gives the citizens a choice, instead of leaving the board to appoint someone who agrees with them.

"For once, it represents the interests of the community...," Rehm said.

Rehm said his group, Dover CARES (Citizens Actively Reviewing Educational Strategies), has some members who would be interested in running for the open seat.

Rehm is also one of 11 parents who filed suit against the district and its board over the issue of intelligent design.
Buckingham was one of six board members who voted in October to make a statement about intelligent design part of the district's high school biology curriculum.

Intelligent design is a theory that attributes the origins of life to a higher being, not an undirected process such as natural selection. The school board's decision to have a statement on intelligent design read in ninth-grade biology classes sparked the lawsuit, filed in December.

**Not related to lawsuit:** Buckingham had been one of the board's most publicly outspoken proponents of intelligent design.

Richard Thompson, an attorney from the Michigan-based Thomas More Law Center, which is defending the school district and its board, said it is "up to the plaintiffs" to decide what kind of role Buckingham will play in the upcoming trial.

Thompson said Buckingham's decision to resign has nothing to do with the pending litigation.

"It is totally because of the pain and his deteriorating conditions," Thompson said.

Buckingham has been "suffering constant pain" over the past two years because of back and knee problems, Thompson said.

Last year Buckingham, who was 57 at the time, said that his crippling back pain began when he was injured in 1982 when a prisoner assaulted him while he was working as a correctional officer at the York County Prison.

**Five appointments:** In the past year, the school board has appointed members to five empty seats because of resignations. Two former school board members moved out of the district and three quit over intelligent design.

The five appointees are in favor of intelligent design, so some residents were concerned the board would appoint another person who agrees with them, robbing voters of the chance to vote for a candidate.

The five appointees will be on the ballot in November.

If Buckingham's resignation is approved and effective before September, it will mean almost the entire school board -- eight out of nine members -- will be up for election. There are currently four four-year terms and three two-year terms open on the board.

In the May primary, a field of 18 candidates was narrowed to 14, seven incumbents against seven Dover CARES candidates.

The candidates will face off in what has been called the most hotly contested school board election in Dover's history. Though all the candidates cross-filed as Republicans and Democrats, the incumbents will be listed as Republicans and the Dover CARES candidates will be listed as Democrats. In the May primary, the Dover CARES candidates won on the Democratic ballot, and the incumbents won on the Republican ballot.

Board president Sheila Harkins did not return a call for comment about whether the board will back a candidate for Buckingham's seat.
Buckingham resigns by letter

The former Dover School Board member cited his poor health as a main reason.

By JOSEPH MALDONADO  
For the Daily Record/Sunday News  
Tuesday, August 2, 2005

In a letter that mentions his struggles with poor health, Oxycontin and anyone he may have been unkind to, Bill Buckingham resigned his position on the Dover Area School Board on Monday night.

There was no mention of the pending litigation over the concept of intelligent design, which was added to the district's ninth-grade biology curriculum due in part to his efforts.

The resignation letter was read by Richard Nilsen, superintendent. Buckingham, who was not present, announced last month that he was going to resign and move to North Carolina because of his deteriorating health.

Buckingham's resignation was accepted by unanimous vote. Board member Ed Rowand was absent at the meeting.

In the letter, Buckingham thanked his fellow board members for their patience and understanding. He also mentioned the condition of his health for the past two years.

"The condition of my back and knees has steadily deteriorated, and I have been in constant pain," he stated. "During this period I have also struggled with Oxycontin ..."

He said the drug has affected his demeanor and apologized for "whatever personal harm I may have caused."

Later in the letter, he apologized a second time to, "anyone I have been unkind and asked for their forgiveness and understanding."
After the meeting Alan Bonsell, board member, said he was understanding of Buckingham's situation.

"I mean the guy had six or seven back operations and I don't know how many on his knees," Bonsell said. "He was a good guy at heart and always cared for the best interest of the kids."

After the meeting, Sheila Harkins, board president thanked Buckingham for his service.

"That's all I want to say," she said.

Because he resigned before Sept. 8, voters will get to decide who will fill Buckingham's position on a permanent term basis during the November election. Meanwhile, the board will interview for a temporary replacement on Aug. 22 at 6 p.m. at North Salem Elementary School.

While he is glad Buckingham resigned before the election deadline, former school board member Larry Snook said he should have done it in person.

"He had no qualms about getting us into hot water (over the intelligent design lawsuit) in person" Snook said. "He should have had no qualms about walking away in person."

Bonsell said he was indifferent about Buckingham resigning by letter, given the district's current state of litigation.

"He'll be back if they (the courts) need him," he said. "If he were healthy, he would have stayed."

Two candidates from political action group Dover CARES, which has opposed the current school board's decision to include intelligent design in the curriculum and is running against them in the fall election, say they will not interview for the temporary seat opened up by Buckingham.

"I interviewed once and it was pretty clear they did not care what I had to say," said Terry Emig from Dover CARES.

"I'm not going to interview," said Bernadette Reinking
from Dover CARES. "Even if they selected me, I doubt if any real changes could be made in such a short period of time."

**NEXT STEP**

Voters in the Dover Area School District will vote in the November election to replace the position now open because of Bill Buckingham's resignation. Meanwhile, the school board will interview for a temporary replacement 6 p.m. Aug. 22 at North Salem Elementary School.
Reporters can be questioned

A judge said the two can be deposed in the Dover case.

By MICHELLE STARR
Daily Record/Sunday News
Wednesday, August 3, 2005

A Pennsylvania District Court judge ruled Tuesday that reporters at both York newspapers could be deposed in a court case over intelligent design in the Dover School District but said they did not have to provide access to their notes or e-mails.

"The reporters may be deposed with regard to what they perceived, saw, and heard at Dover Area School District public meetings ... reporters may not be questioned concerning any confidential sources," Judge John E. Jones III's decision states.

Documents and e-mails are not relevant and reporter's privilege applies to other documents, the judge ruled.

The dispute involves reporting on Dover Area School Board and its decision to allow the teaching of intelligent design.

In December, 11 parents sued the district and its board members, claiming they were bringing God into science class.

In June 2004, Joseph Maldonado, a freelance correspondent with the York Daily Record/Sunday News, and Heidi Bernhard-Bubb, a freelance correspondent with The York Dispatch, quoted school board members discussing creationism.

This summer, plaintiffs' attorneys subpoenaed the reporters for depositions. The reporters sought to quash the subpoenas.

Then the defendants served subpoenas for documents. Defendants have said the reporters have been biased and false. The court found no validity to this claim, Tuesday's documents state.

The reporters' attorney had offered affidavits attesting to
the accuracy of the coverage.

The plaintiffs were satisfied with that, their attorney, Eric Rothschild of the firm Pepper Hamilton, said.

But the defendants were not convinced, said Richard Thompson, president of the Thomas More Law Center.

"Fairness compelled us to say, 'Wait a minute — if you're going to call reporters to the stand, we have a right to depose the witnesses,'" Thompson said. "We got involved in order to ensure that our clients received a fair trial."

Both sides said they are pleased with Jones' decision.

"His ruling will support our view that the reporters can be called to testify what they saw at the public meeting and that what they wrote was accurate," Rothschild said.

Thompson added: "It basically allows us to take the deposition of the two reporters who the plaintiffs have indicated they will take as witnesses. We're going to engage in a full discovery deposition that is relevant to the case to what they saw, heard and perceived."

James McClure, editor of the Daily Record/Sunday News, and Lori Goodlin, editor of the Dispatch, said they were pleased the court ruled against using documents but are considering fighting the decision to allow the reporters to be deposed.

Goodlin said allowing reporters to be deposed takes away their role as neutral observers.

The newspapers planned to consult their attorney, Niles Benn, today.

"We're working hard not to get dragged further into their litigation," McClure said.

Paul McMasters, first amendment ombudsmen at the Freedom Forum in Washington, said bringing reporters into the legal process is dicey. "The story should speak for itself," he said. "Sometimes courts forget that no story, no article is ever the sole product of one reporter."
Bush adds to evolution buzz

The Dover school board has 'powerful friends in Washington,' its attorney joked.

By LAURI LEBO
Daily Record/Sunday News
Wednesday, August 3, 2005

With President George Bush's remarks supporting the teaching of intelligent design alongside evolution, the national political spotlight is now shining brighter than ever on the Dover Area School District and its First Amendment battle.

"The Dover school board called in the big guns," Richard Thompson, an attorney for the district, joked. "They have powerful friends in Washington."

While Bush declined to give his personal opinion on the subject, he said students should be exposed to different ideas on the origins of life.

In a round-table discussion Monday with Texas journalists, he said, "I think that part of education is to expose people to different schools of thought. You're asking me whether or not people ought to be exposed to different ideas, the answer is yes."

Thompson, of the Michigan-based Thomas More Law Center, said Bush's comments showed how far out in front of the issue the Dover board has been in requiring intelligent design to be a part of the district's biology curriculum.

But, he said, Bush is going one step further. Bush said it should be taught in school. Thompson said the board is only making students aware of intelligent design as an alternative to evolution.

Thompson said he thinks Bush is merely weighing in on a subject that has captured the attention of people across the country.

"It's almost a part of the American psyche to debate this," he said.
But while evolution may be debated among politicians and laymen, the mainstream scientific community argues the theory of evolution is almost universally accepted. Evolution is commonly referred to as the "single unifying paradigm of biology."

The National Academy of Sciences and the American Association for the Advancement of Science have both concluded there is no scientific basis for intelligent design and oppose its inclusion in school science classes.

Karl Kleiner, a York College biologist, said the mistake is in believing there should be equity between the theory of evolution and intelligent design.

"It just shows the illiteracy today in what science is and what a theory is," Kleiner said.

In December, 11 parents filed a lawsuit against the Dover district, arguing the school board is trying to force religion into science class.

Bush has weighed in on evolution before. In 1999, when campaigning for president, the then-Texas governor defended the teaching of creationism alongside evolution, stating, "I believe children ought to be exposed to different theories about how the world started." In 1987, the U.S. Supreme Court struck down the teaching of creationism alongside evolution in public schools, arguing it violated the First Amendment clause prohibiting the establishment of religion.

"I certainly don't want to get into a debate with the president," said attorney Eric Rothschild, who is representing the 11 parents suing Dover.

Rothschild, of the Philadelphia-based firm of Pepper Hamilton, said Bush's opinion differs from that of his own science adviser.

Speaking at the conference of the National Association of Science Writers in February, science adviser John Marburger said "intelligent design is not a scientific theory," according to American Prospect magazine.

He also said, "I don't regard intelligent design as a
scientific topic."

Ken Miller, who authored "Biology," the textbook used in Dover, said Bush has taken a position common to politicians.

"It's very easy for politicians to say, 'Let people hear both sides,'" Miller said. But, he added, the problem then becomes which version should be taught.

"There are a variety of non-scientific theories," Miller said. "Young Earth creationism, old Earth creationism, intelligent design, Native American creation myths. So when you talk about letting them hear the other side, it becomes, 'What other side?'"

BACKGROUND

On Oct. 18, when its school board voted 6-3 to approve science curriculum changes, the Dover Area School District is believed to have become the first district in the country to include intelligent design in its high school biology curriculum.

Intelligent design is the idea that life is too complex to have evolved solely through natural selection and therefore must have been created by some intelligent force.

Supporters say the policy simply gives time to alternative views to evolution.

Its critics say it's not science, but a way of forcing Christianity into biology class.
Senator recasts science stance

Santorum said evolution's 'holes' should be taught instead of intelligent design.

By LAURI LEBO
Daily Record/Sunday News
Friday, August 5, 2005

On the heels of President Bush's remarks supporting intelligent design, another conservative politician weighed in, this time against it being taught in science class.

In an interview on National Public Radio on Thursday, U.S. Sen. Rick Santorum — who might be eyeing a presidential run in 2008 — said he opposes intelligent design being taught in the classroom.

"As far as intelligent design is concerned, I really don't believe it has risen to the level of a scientific theory at this point that we would want to teach it alongside of evolution," the Pennsylvania senator said.

Rather, he said, schools should be focusing on teaching what he considers to be "the problems and holes" in evolution.

In December, Santorum praised the Dover Area School District's decision to revamp its biology curriculum, which includes intelligent design. In his Dec. 25 guest column in the Pittsburgh Post-Gazette, he wrote, "I commend the Dover Area School District for taking a stand and refusing to ignore the controversy."

Santorum's spokesman, Robert T. Raynham, said the senator's written praise was limited to "teaching the controversy surrounding evolution."

As for whether Santorum opposes the Dover board's decision to include intelligent design in the curriculum, Raynham couldn't say.

"We would need to talk to the senator about that," he said.

In February, the district mailed out a newsletter defending its position called "Biology Curriculum Update," which included a reprint of the senator's editorial under the
headline, "Sen. Santorum applauds Dover District."

"I can kind of understand what he's saying," said Dover Area Board Member Ron Short. "He's said before that the controversy ought to be taught, as opposed to the idea that, 'this is ID, this is evolution.'"

But the conservative senator's remarks Thursday conflict with President Bush's stated support earlier this week for teaching intelligent design alongside evolution.

Bush told reporters from Texas on Monday that "both sides" in the debate should be taught in schools "so people can understand what the debate is about." On Tuesday, Pennsylvania's senior senator, Arlen Specter, told the Philadelphia Inquirer that he also supports teaching both sides of the issue.

Intelligent design is the idea that life is so complex it must have been created by an intelligent designer.

In December, 11 parents filed suit against the Dover district, arguing that the board was motivated by religion when it rewrote its science curriculum and that intelligent design is actually creationism in disguise. Board members say they were merely trying to present alternative views on the subject.

In January, district administrators read a one-minute statement to students that said, "Intelligent design is an explanation of the origin of life that differs from Darwin's view. The reference book, Of Pandas and People, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves."

As for the fact that Santorum does not consider intelligent design to be a scientific theory, attorney Eric Rothschild pointed out that the senator sits on the advisory board of the Thomas More Law Center, which is representing Dover in its legal battle.

"So I hope the message trickles down," said Rothschild, attorney for the parents suing the district.

Still, Santorum's approach of "singling out the theory of
evolution out of all scientific theories for special scrutiny is no more appropriate, in our opinion, than promoting intelligent design," said Rothschild, who is with the Philadelphia law firm of Pepper Hamilton.

Richard Thompson of the Thomas More Law Center did not return a call for comment.

Santorum has long advocated for teaching what he and others, such as the pro-intelligent design Discovery Institute, call the controversies of evolution.

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