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[**Selman v. Cobb County settled: Stickers stay out!**](#) [3]

by Nick Matzke

Americans United for Separation of Church and State has just posted [the following press release](#) [4] indicating that a settlement has been reached in *Selman v. Cobb County School District*. The case concerned the constitutionality of "warning label" stickers placed in the front of biology textbooks in Cobb County. The stickers were removed after a district court found them unconstitutional, but the decision was vacated by the Court of Appeals and returned to the district court for further evidence. Under the agreement reached today, the stickers will remain out of textbooks. For further background on the case, see [NCSE's Selman webpage](#) [5] and [previous NCSE news stories](#) [6]. NCSE was involved in the preparations for retrial and further details will be posted in the future.

Americans United Applauds Settlement Of Georgia Lawsuit Over Evolution Disclaimer Tuesday, December 19, 2006

AU's Lynn Commends Cobb County School Board For Supporting Sound Science Education

Americans United for Separation of Church and State today lauded a Georgia public school board's decision to drop its defense of anti-evolution disclaimers for science textbooks.

The Cobb County School Board has agreed to settle the long-running legal fracas over its 2002 decision to place anti-evolution stickers in high school biology textbooks.

In an agreement announced today, Cobb County school officials state that they will not order the placement of "any stickers, labels, stamps, inscriptions, or other warnings or disclaimers bearing

language substantially similar to that used on the sticker that is the subject of this action." School officials also agreed not to take other actions that would undermine the teaching of evolution in biology classes.

"Cobb County school officials have taken the right step to ensure that their students receive a quality education," said the Rev. Barry W. Lynn, executive director of Americans United. "Students should be taught sound science, and the curriculum should not be altered at the behest of aggressive religious groups."

After the Cobb County School Board passed the sticker policy, school district parents, represented by attorney Michael Manely and the American Civil Liberties Union of Georgia, sued arguing that the policy promoted religion in science classrooms and therefore violated the separation of church and state. In early 2005, U.S. District Judge Clarence Cooper agreed and ordered the school district to remove the stickers from its 35,000 biology textbooks.

The textbook disclaimer declares that evolution is a controversial scientific theory.

Since federal courts have ruled that creationism is religion and cannot be taught in public school science courses, Religious Right groups have sought ways to undermine the teaching of evolution and sneak discussion of religious beliefs on the origins of life into public school science courses. Textbook disclaimers on evolution, are one such tactic.

School officials removed the stickers, but asked the 11th U.S. Circuit Court of Appeals to reverse Judge Cooper's *Selman v. Cobb County School District* decision. In late spring, the appellate panel sent the case back to Cooper requesting more information about the situation.

Americans United, Bondurant, Mixon & Elmore, an Atlanta law firm, and Pepper Hamilton, a Philadelphia law firm, joined the ACLU of Georgia in handling the case on remand.

Jeffrey Selman, the Cobb County parent who led the charge against the anti-evolution disclaimer and president of the Georgia chapter of Americans United, said the settlement puts to rest a contentious struggle over religious and political agendas.

"The settlement brings to an end a long battle to keep our science classes free of political or religious agendas," Selman said. "I am very pleased that the Cobb school board has dropped its defense of the anti-evolution policy. The board should be commended for taking this action."

Richard Katskee, assistant legal director of Americans United, and Eric Rothschild of Pepper Hamilton were among the attorneys who successfully argued against a Pennsylvania public school district's policy of promoting "intelligent design" in science courses. In 2005, a federal judge ruled that intelligent design is not science and that the Dover Area School Board's policy violated the First Amendment principle of church-state separation.

Some of the experts who were instrumental in persuading the federal court to invalidate the intelligent-design policy also joined the effort to persuade Cobb County school officials to abandon their defense of the anti-evolution stickers. Those experts include Kenneth Miller, a biology professor at Brown University, Brian Alters, a professor of science education at McGill University, and Eugenie Scott, executive director of the National Center for Science Education.

Americans United's Katskee applauded the Cobb County School Board's decision to settle the legal dispute.

"The school district can now place its focus squarely on providing a sound education to Cobb County students," he said.

Katskee added that Cobb County officials showed "great courage" in deciding to end the ongoing and often contentious battle, which has attracted national attention.

"Cobb County students can be thankful that their school board is working in their interests," he said. "The board has chosen an admirable course of action by dropping its defense of the evolution disclaimer."

Rothschild said he is pleased the Cobb County School Board chose not "to continue waging a prolonged court battle over an attack on evolution."

Americans United is a religious liberty watchdog group based in Washington, D.C. Founded in 1947, the organization educates Americans about the importance of church-state separation in safeguarding religious freedom.

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