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Since the March 2009 decision of the Texas state board of education to adopt a set of flawed state science standards, media coverage has increasingly emphasized the possible consequences. As NCSE previously [reported](#) [4], although creationists on the board were unsuccessful in inserting the controversial "strengths and weaknesses" language from the old set of standards, they proposed a flurry of synonyms — such as "sufficiency or insufficiency" and "supportive and not supportive" — and eventually prevailed with a requirement that students examine "all sides of scientific evidence." Additionally, the board voted to add or amend various standards in a way that encourages the presentation of creationist claims about the complexity of the cell, the completeness of the fossil record, and the age of the universe. The result, NCSE's executive director Eugenie C. Scott commented, was "a triumph of ideology and politics over science."

The board's antics seem to have caught the attention of legislators in Texas. There are now no fewer than six bills in the Texas legislature — HB 710, HB 2261, HB 3382, SB 440, SB 513, and SB 2275 — that would reduce the state board of education's power. As the *Wall Street Journal* (April 13, 2009) [reported](#) [5], "The most far-reaching proposals would strip the Texas board of its authority to set curricula and approve textbooks. Depending on the bill, that power would be transferred to the state education agency, a legislative board or the commissioner of education. Other bills would transform the board to an appointed rather than elected body, require Webcasting of meetings, and take away the board's control of a vast pot of school funding." To be sure, it is not only with respect to evolution that the board's actions have been controversial, but the recent decision about the state science standards seems to

have been the last straw.

Gaining the most attention recently is [SB 2275](#) [6], which would transfer authority for curriculum standards and textbook adoption from the board to the Texas Commissioner of Education; the bill received a hearing in the Senate Education Committee on April 14, 2009. The *Dallas Morning News* (April 15, 2009) [reported](#) [7] that one of its sponsors, Senator Kel Seliger (R-District 31), told the committee, "The debate [over the science standards] went on with almost no discussion of children," adding, "The fact is there is nothing that makes the board particularly qualified to choose curriculum materials and textbooks." The Texas Freedom Network's Kathy Miller was among the witnesses at the hearing [testifying](#) [8] to "the state board's unfair processes, divisive ideological history and outright ineptitude." Texas Citizens for Science's president Steven Schafersman ([writing](#) [9] on the *Houston Chronicle's* Evo.Sphere blog on April 14, 2009) and the *Waco Tribune* ([writing](#) [10] in its April 17, 2009, editorial) have both expressed their support for the bill.

Unless such a bill is enacted, it seems likely that the board will pressure textbook publishers to dilute the treatment of evolution in the biology textbooks submitted for adoption, probably in 2011. As Lauri Lebo [explained](#) [11] in a story on Religion Dispatches (April 14, 2009), "With almost \$30 million set aside in the budget, Texas is second only to California in the bulk purchase of textbooks. But Texas, unlike California, approves and purchases books for all the state's school districts. Publishers often edit and revise textbooks in order meet the specific demands of the Texas board members." NCSE Supporter Kenneth R. Miller, coauthor (with Joe Levine) of several widely used textbooks published by Prentice-Hall, told the *Wall Street Journal* that "We will do whatever we think is appropriate to meet the spirit and the letter of Texas standards," but firmly added, "We will never put anything in our books that will compromise our scientific values."

Lebo discussed the possibility of litigation over the board's decision: "Now the issue is whether there is enough prima facie evidence to challenge the Constitutionality of the wording now, or wait for the textbook review process in two years." It is not surprising that she thought of the possibility, since she wrote a book, *The Devil in Dover* [12] (The New Press, 2008), about the *Kitzmiller* case, which she covered for a local newspaper, the *York Daily Record*. That newspaper's report (April 6, 2009) on the situation in Texas [opened](#) [13] with a noteworthy quotation from one of the eleven plaintiffs in the *Kitzmiller* case, which established the unconstitutionality of teaching "intelligent design" creationism in the public schools: "Steve Stough was silent. He had just heard a passage from Texas' new public school science standards, and was processing. Then: 'Oh ----,' he said. 'That's intelligent design without using the nomenclature. It really, truly is.'"

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