

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 05-10341-II
and
No. 04-11725-II

Cobb County School District, et al.,
Defendants/Appellants

v.

Jeffrey Michael Selman, et al.,
Plaintiffs/Appellees,

**MOTION BY GEORGIA CITIZENS FOR INTEGRITY
IN SCIENCE EDUCATION, ET AL.
FOR LEAVE TO FILE BRIEF AS AMICI CURIAE
IN SUPPORT OF APPELLEES**

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CERTIFICATE OF INTERESTED PERSONS

Undersigned counsel of record for Amici Curiae Georgia Citizens for Integrity in Science Education hereby certifies that the following persons and entities have an interest in the outcome of this case:

Appellants/Defendants:

Cobb County Board of Education

Cobb County School District

Joseph Redden, Superintendent

Counsel for Appellants/Defendants:

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E. Linwood Gunn, IV

Appellees/Plaintiffs:

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Paul Mason

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Jeffrey Michael Selman

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Proposed Interviewers:

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Alliance Defense Fund

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Kevin Thomas McMurry

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Amici Curiae:

Alabama Citizens for Science Education

Biologists and other scientists

Coalition for Excellence in Science and Math Education

Colorado Citizens for Science

Georgia Citizens for Integrity in Science Education

Honorable J. Foy Guinn, Jr.

Kansas Citizens for Science

Michigan Citizens for Science

Nebraska Religious Coalition for Science Education

New Mexico Academy of Science

New Mexico Coalition for Excellence in Science and Math Education

New Mexicans for Science and Reason

Ohio Citizens for Science

Oklahomans for Excellence in Science Education

Parents for Truth in Education

Texas Citizens for Science

Tonka Focus

Counsel for Amici:

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Center for Science & Culture
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David DeWolf

Lynn Gitlin Fant

L. Lynn Hogue

Hollberg & Weaver, LLP

William Johnson, Esq.

Rogers & Watkins, LLP

Marjorie Rogers

Catherine J. Ross

George M. Weaver

Trial Judge:

Honorable Clarence Cooper

Proposed amici curiae are twelve grassroots, non-profit, public interest groups from eleven states, including Georgia, founded to promote science literacy and world class science teaching in the public schools of their respective home states. Their members include parents, teachers, scientists, academics, clergy and business leaders. Amici are more particularly described below.

Amici believe that their expertise in education, science, and particularly the teaching of the biological sciences, would assist the Court in determining whether the Cobb County Board of Education “disclaimer sticker” regarding evolution would have a deleterious effect on science education in general and education in the biological sciences in particular as well as whether it would so compromise the integrity of scientific education as to effectively deprive Cobb County students of the adequate public education guaranteed them by the Georgia Constitution. Amici seek to clarify and underscore the broader risk to science education and education in the biological sciences should this Court overturn the District Court’s decision in this case. Amici apprehend a danger of which they wish to apprise the Court that a tactic such as the use of textbook “disclaimer sticker” adopted in Cobb County, if legally validated, will proliferate and undermine science education elsewhere in Georgia and throughout the United States. Amici believe that an adequate scientific education requires that students accurately be informed of the theory of evolution.

The twelve organizations comprising amici are as follows:

Georgia Citizens for Integrity in Science Education (GCISE) consists mainly of Georgia parents concerned about the negative impact of religiously motivated interference in public school science education. GCISE’s Advisory Board includes biotech industry executives,

teachers, university professors from fields including biology, chemistry, and physics, and eleven leaders of religious groups.

Alabama Citizens for Science Education consists of scientists, educators, parents and other concerned citizens. It contends that the *amicus curiae* brief of the State of Alabama in this matter does not speak for the citizens of the State.

Texas Citizens for Science has about 200 members, including professional scientists as well as concerned citizens. It contends that the *amicus curiae* brief of the States of Alabama and Texas does not speak for the citizens of Texas because a former Texas Attorney General found that an evolution disclaimer was unconstitutional and the State's Board of Education concurred.

Colorado Citizens for Science includes a variety of citizens, including school teachers, distributed throughout the state.

Kansas Citizens for Science has a Board of Directors that includes teachers, science professors, computer specialists, businesspeople, clergy, and parents.

Michigan Citizens for Science is a group of concerned citizens, businesspeople, parents and educators. Its advisory board includes several eminent scientists, such as Professor Robert Pennock, widely viewed as the leading philosopher of science regarding the debate over evolution, and Howard J. van Till, Professor Emeritus of Physics and Astronomy at Calvin College (an evangelical Christian institution of higher education) and a founding member of the International Society for Science and Religion.

Nebraska Religious Coalition for Science Education is a network of scientists and professors, clergy of various faiths, high school teachers and other citizens working to demonstrate that religion and serious science are fully and mutually compatible.

New Mexicans for Science and Reason has a membership consisting of scientists, engineers, and non-professionals. New Mexico is the state with the highest number of scientists per capita as compared to any other state in the nation, and the group draws on mainstream scientists to discuss and review many issues, including the issue addressed by this amici.

The Coalition for Excellence in Science and Math Education is comprised of over 200 citizens throughout New Mexico and the nation, including scientists, engineers, educators, university faculty, members of the clergy, and parents.

Ohio Citizens for Science members include parents, educators, and the faith, business, scientific, and agricultural communities.

Oklahomans for Excellence in Science Education has a Board of Governors that includes twenty college and university professors, among them the President-Elect of the Oklahoma Academy of Science, other scientists employed in business and consulting, and three clergypersons.

TonkaFocus is an informal group of parents, educators, community members, and students working to preserve the integrity of public schools in Minnetonka, Minnesota. For these reasons, the Court should grant this motion and allow the brief of amici Georgia Citizens for Integrity in Science Education, et al. to be filed and considered.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing upon the parties by mailing copies, with sufficient postage attached, to:

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This 8th day of June, 2005.

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