

Bible lawsuit

BY ELAINE MARSILIO | Posted: Thursday, November 1, 2007 12:00 am

MIDLAND U.S. District Judge Rob Junell detailed requirements Wednesday for both parties in a federal lawsuit over the Ector County Independent School District's Bible curriculum.

Junell is requiring both the defendants and plaintiffs to go to mediation by Feb. 1 with both choosing a mediator by Dec. 1.

If they can't decide on a suitable one, Junell said, the court would appoint one.

Eight parents filed the federal lawsuit against ECISD in May calling for officials to do away with the district's Bible course — implemented in August 2006 — on the grounds that it violates individual religious liberties.

The American Civil Liberties Union, the ACLU of Texas, People For the American Way Foundation and national firm Jenner & Block LLP filed the suit on behalf of the parents who say they don't agree with how the course is taught.

Junell met informally with Randall Rouse of Lynch, Chappell & Alsup in Midland, who represents ECISD in the lawsuit, and Bill Stoughton of Jenner & Block, in his chambers Wednesday before appearing with them in the courtroom.

Junell said both parties were open to mediation in resolving the case.

In mediation, Rouse said after the courtroom proceeding, the two parties try to resolve the case on a neutral ground outside of the courtroom.

Rouse and Stoughton said they're in the discovery phase of the case, and Junell moved the trial date from an April proceeding to a July 28 court date.

Junell also has required both sides to give dates for the parties to name experts and discovery phase date cutoffs at a later time.

ECISD uses the National Council on Bible Curriculum in Public Schools curriculum for its Bible courses, being taught at Odessa High and Permian.

ECISD maintains that although National Council asks students to use the King James Version of the Bible, the district allows students to use whatever version they prefer.

Attempts to reach ECISD board president Carol Gregg and ECISD interim superintendent Hector Mendez were unsuccessful Wednesday.



Moment of silence

One of the plaintiffs in the suit, Lori White, also local ACLU chapter president, said she looked forward to mediation and hoped the two sides could possibly reach a settlement in the case.

“I would like to see both parties sit down and discuss things,” White said.

TIMELINE OF EVENTS

>> **April 26, 2005:** ECISD’s board of trustees voted 6-0 to add a Bible elective for the 2006-’07 school year.

>> **Oct. 18, 2005:** ECISD formed a Bible Curriculum Committee of teachers and administrators to review possible curricula.

>> **Nov. 10, 2005:** The Bible Curriculum Committee held a public input meeting in which the majority of speakers favored the Bible Literacy Project.

>> **Dec. 6, 2005:** The Bible Curriculum Committee recommended both the Bible Literacy Project’s textbook and one by the National Council on Bible Curriculum in Public Schools.

>> **Dec. 20, 2005:** Trustees voted 4-2 to adopt the NCBCPS curriculum.

>> **Aug. 14, 2006:** ECISD implements the Bible classes at Odessa and Permian high schools.

>> **May 16, 2007:** The American Civil Liberties Union, the ACLU of Texas, People for the American Way Foundation and national law firm Jenner & Block LLP filed a federal lawsuit in Midland on behalf of eight parents and taxpayers stating the Bible course violates individual religious liberties.

>> **May 21, 2007:** ECISD trustees voted 6-0 to have Plano-based Liberty Legal Institute represent the school district at no cost.

>> **July 2, 2007:** ECISD filed an official answer and a Rule 68 offer of judgment to the ACLU and other plaintiffs asking them to settle the suit and accept a \$500 offer each to walk away.