

Defending Dissection

Dear Editor:

For three dollars, any teacher can secure a copy of the chronology of the Jenifer Graham case, Docket number 87-03764, from the federal district court. This case is often portrayed as a "win." Indeed one Kansas teacher I surveyed was certain that "case law from California" prohibited him from requiring dissection in the classroom. This is simply not true. The "due process" claim was dismissed and only the first amendment claim was continued, and expected to be argued on the basis of the student's personal belief system.

Enactment of A.B. 2507 by the California legislature (allowing a pupil to opt out of activities that they believe are harmful or destructive to animals, and requiring the teacher to read them their rights before such activities) defused this case as a "test case." In August 1988, with parties close enough to compromise, Judge Manuel Real dismissed the suit on the provision that Jenifer would be tested on a frog that had died of "natural causes"—a solution that proved unfeasible. Thus, as Pat Graham explains, what was to have been a major test case ended in deleting notations and affixing documents. Since the case was dismissed, it did not even make the standard educational law review and the core argument of whether a student has a right to opt out of class work based on a personal belief system is yet to be resolved.

Yet, in handling Jenifer's specific case, Judge Real's provision is seen as reaffirming a school's requirement of reality-based tests. Even F. Barbara Orlans, who has presented many pro-alternative and anti-dissection presentations at NABT meetings, "... upholds the school's view that they can insist on testing knowledge of frog anatomy with a real frog." (*The Science Teacher*, Nov. 1988, p. 37)—nearly identical wording to my description. However, Professor Orlans somehow finds this provision also upheld "Jenifer's right to refuse to dissect a frog," which also seems to be the point of Pat Graham's letter. Orlans can't have it

both ways—they are contradictory statements. The Graham case did not establish any precedent for opting out of dissection. Curriculum remains in the hands of school boards with day-to-day class activities and requirements determined by each teacher under the school board's authority and within limits of professional conduct and standards. Courts have been very reluctant to micromanage the classroom.

The anti-dissection "victory" was in the California legislature, not in the courts. From expanded campaigns for legislated opt-out policies in Florida, Maine, New Jersey, Maryland, Massachusetts and New York, I suspect that anti-dissection groups realize that their efforts are best spent trying to change state laws and local board policy (also see January and March 1992 issues of the *American School Board Journal*).

The vast majority of biology teachers have used dissection: 90 percent of NSTA teachers, 94 percent of Ohio, 96 percent of Indiana and 97 percent of Kansas teachers. In one study (Dunsmore, *Kansas Biology Teacher*, 1991), although 97 percent used dissection as a regular lab experience, only 19 percent had dissection as a required part of the curriculum. Teachers strongly agreed on dissection being a necessary part of today's curriculum and that information is retained longer than when alternatives are used. Outbacks in dissection are related to cost concerns, public relations and expanding curriculum, not to the instructional value of dissection. At the national NABT meeting in Nashville, at the town meeting following reports, the NABT animal use policy and Monograph IV was the sole topic of passionate discussion from the floor with not one defender. The NABT policy and monograph are counter to the AAAS, Sigma Xi and NSTA positions; the Kansas Association of Biology Teachers unanimously voted to dissociate itself from them and call for their rescission. Biology teachers are very aware of the value of well-conducted dissec-

tions. The practice is not going to go away.

John Richard Schrock, Ph.D.
Associate Professor of Biology
Emporia State University
Emporia, KS 66801

Publisher's note:

NABT feels that its animal policies are consistent with AAAS, Sigma Xi and NSTA's positions.

Dear Editor:

In May of last year the Carolina Biological Supply Company (CBSC) sent a newsletter defending animal dissection to science teachers across the country. Problems have arisen because of a very misleading statement made in this newsletter regarding the Jenifer Graham case, which is that, "The disposition of her case upheld the school's position of testing a student's knowledge of frog anatomy with a real frog."

In fact, the judge in this case ordered the school to obtain a frog which died of natural causes, have someone else dissect and photograph the frog, and allow Jenifer to be tested on her knowledge of frog anatomy using the photographs. Since finding a frog which had died of natural causes proved to be impossible, this solution was rejected. Eventually a settlement was reached in which the school agreed to attach a copy of Jenifer's independent tutorial (on which she received a grade of "A") to her transcripts and to pay her attorney's fees.

The reason a frog which died of "natural causes" was decided upon was in deference to Jenifer's ethical convictions that animals should not be raised or killed for dissection purposes. CBSC supplied several frogs which died either in transport or storage before they could be killed, but which did not die from "natural" causes. There is serious doubt that many teachers or school administrators would go to such lengths to accommodate a student with ethical objections to dissecting. A better approach would be to simply incorporate

alternative study methods into the curriculum.

In the past three years the Dissection Hotline has received over 30,000 calls from students with ethical objections to dissecting animals. Many thousands of other students will never take biology because of dissection requirements. For every student courageous enough to speak up, there are at least a dozen afraid to voice their con-

cerns. An increasing number of irate parents are calling us as well, and many of them want to see dissection stopped entirely.

Dissection is not necessary. Not all schools even use dissection. Not all science teachers want to teach dissection. Teachers who are of the opinion that dissection is a necessary "learning experience" need to consider just what *kind* of learning experience it is

for many students. The problem is not going to go away.

Pat Graham, Director
Dissection Hotline
1-800-922-3764

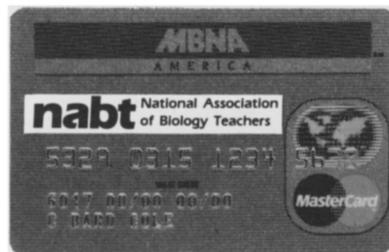
Note:

Teachers can call the Hotline to receive a free packet of information on alternatives to dissection.

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