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for Our

A Talk with

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hen classes began at Faribault (Minnesota) High School in the fall of 1997, high school biology teacher Ken Hubert was looking forward to a productive year. However, early in 1998 Ken became concerned that a colleague—first-year biology teacher Rodney LeVake—was not teaching evolution as prescribed in the school's curriculum. When Ken confronted Rod with his concerns, Ken learned that his concerns were justified—Rod told Ken, "I can't teach evolution." When Rod was later reassigned to a physical science class for refusing to follow the school's curriculum, he filed a lawsuit that ended in early 2002 when the U.S. Supreme Court refused, without comment, to hear Rod's case.

Last month in *The American Biology Teacher* I reported a conversation I had with Rod LeVake

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with Dave Wieber, of the science department. In our school, it's not a true administrative role.

Moore: What did your administrative duties involve?

Hubert: A variety of things, such as budgeting, ordering materials, and things like that. I also read the various science journals that we were receiving, such as *Natural History*, *Scientific American*, and *The American Biology Teacher*, and I routed articles from those journals to teachers. Rod told me that he didn't care to read *The American Biology Teacher* because of the journal's position on evolution.

Moore: When the school year started, did Rod ever say anything that indicated that he had reservations about teaching evolution?

Hubert: No.

Moore: When did you first have concerns about Rod's teaching of evolution?

Hubert: Another teacher told me that he was concerned that Rod was not teaching evolution. One of the science prep-rooms was in the back of Rod's classroom; when the other teacher was in the prep-room, he'd heard Rod say some things that concerned him.

Moore: Such as?

Hubert: I'm not sure what was said, but he wasn't teaching evolution. Other biology teachers were devoting two-three weeks to evolution, but Rod wasn't covering it.

Moore: Rod says that he gave evolution the same coverage that his predecessor had—that is, one day—and that his students did a lab activity about evolution.

Hubert: His predecessor gave more coverage to evolution than one day; in fact, he was the co-author of the curriculum that required the coverage of evolution. The lab

activity, if I remember correctly, was a handout from the textbook about peppered moths.

Moore: Did you spend any time in Rod's class? Did you have first-hand knowledge of what Rod was teaching in his class?

Hubert: Yes; Rod's classroom was next to mine, and most days I would end up walking through his classroom to get to the prep room as I was getting materials ready for my class. In the time we were covering evolution, Rod wasn't. All of the biology teachers were covering evolution, not just because it was a required part of our curriculum, but because it's the cornerstone of biology and such an important concept. As I recall, evolution was also included in 33 of the 35 chapters of the course textbook. I couldn't imagine deleting evolution from an introductory biology course.

Moore: What other concerns did you have?

Hubert: Several. For example, Rod told students about biological features that Rod claimed evolution could not have produced. Also, I found out later that he gave at least one student extra credit for summarizing articles from creationist magazines.¹ One day during a break between classes, we started talking about evolution. He told me that he had concerns about evolution and asked me if I really thought there could be such changes, and he threw out an example like bananas evolving from pea plants or something like that.

Moore: Let me guess your answer to that question.

Hubert: I was shocked to hear him say that and didn't know what to say in response. Before we could talk any more we had to go to class. The next day Rod gave me a

copy of *Bones of Contention*. He refused to read *The American Biology Teacher*, but read creationism materials like *Bones of Contention*. When he gave me that manual, I knew that we had a problem.

Moore: What did you do?

Hubert: I discussed my concerns with the co-chair of the department. We decided that we needed to talk with Rod to get his side of the story. Since I was a biology teacher and the co-chair wasn't, I was the logical choice to speak to Rod.

Moore: How did Rod respond to your meeting?

Hubert: Rod was very upset. He kept saying that we shouldn't teach evolution because, according to him, it's not true.

Moore: What did you do next?

Hubert: I got advice from a variety of people. Eugenie Scott of the National Center for Science Education was especially helpful.

Moore: Were there other meetings?

Hubert: Yes. For example, the principal asked Rod to meet with the science department and Cheryl Freund, the district curriculum director. The principal wanted us to affirm that Rod's beliefs about the teaching of evolution were in the minority. At that meeting, Rod had no support from the other science teachers in the department. Rod told us repeatedly that he had problems with evolution and could not teach it as fact. He gave each of the department members a copy of *Darwin's Black Box and Evolution: A Theory in Crisis* and asked us all to read them. The discussions were fruitless.

Moore: Rod was reassigned to an introductory physical science class. Was this appropriate?

¹For example, see Moore, R. (2004). A talk with Rod LeVake. *The American Biology Teacher*, 66(4), 248. Footnote 8.

Hubert: Yes. It's specified in the union contract that the district can assign (and re-assign) a teacher to teach any subject for which the teacher has licensure. Also, Rod has stated that he believes that evolution is impossible. Someone shouldn't be asked to teach something that they believe is impossible.

Moore: Was Rod ever asked about his religious beliefs?

Hubert: Not in this context. The issue was that Rod was not following the curriculum. His religious beliefs were irrelevant.

Moore: Should he have been fired?

Hubert: I don't know and I wasn't in a position where I would have to make that call. Rod is a good teacher.

Moore: Rod then filed his lawsuit. How did you learn about the lawsuit?

Hubert: I learned about Rod's lawsuit from Dave Johnson (the school principal) and Cheryl Freund (the district curriculum director). It was also on the front page of the local paper. I wasn't surprised.

Moore: Were you named in Rod's lawsuit?

Hubert: No. I had no supervisory authority over Rod.

Moore: How did people respond when Rod filed his lawsuit?

Hubert: Lots of teachers at the high school told me that they supported what the school was doing; they were glad that we were going to fight Rod's lawsuit. They understood that teachers shouldn't be allowed to teach their own curriculum. Lots of people in the community sup-

ported us, but some didn't. I'm sure there were teachers and other people who told Rod that they were happy he was suing the district. I remember getting one letter calling me a Nazi and claiming that the teaching of evolution is responsible for drugs, gangs, Satanism, and suicides.² A parent asked me how I felt about Rod's lawsuit. I told her that we were only trying to ensure that teachers taught science in our science classrooms. The parent responded by saying, "Well, we didn't teach biology that way in 1850 and we don't have to now."

Moore: How did students respond to Rod's lawsuit?

Hubert: It was mixed. Some students wanted us to fight the lawsuit, whereas others supported Rod. Even at our most recent graduation ceremony, the salutatorian thanked Rod for "standing up for the truth."

Moore: Rod lost the case.

Hubert: Yes. It's ironic that Rod denied injecting religion into his classes, yet claimed that he was reassigned because of his religious beliefs. In fact, Rod lost his case and was reassigned because he refused to teach the curriculum that had been approved by the school board. It wasn't that the topic was evolution; he simply refused to teach the approved curriculum. If he had refused to teach cell theory, we'd have been concerned about that, too.

Moore: How has your experience with Rod's case affected your relationship with Rod?

Hubert: We're cordial. I didn't take his lawsuit personally. However, there's no denying that our relationship is strained, and probably

always will be. We get along, and our kids are friends. Rod has many good qualities. He's good with kids, is a positive person, is well-liked, is a good coach, and he works hard. He does a good job in the course he's teaching now. However, his refusal to teach the approved curriculum created a problem that we had to address. When I see Rod, we talk about our kids, news, and sports. It's been hard to talk to him about biology after that first discussion in the hallway.

Moore: How has your experience with Rod's case affected you?

Hubert: I believe I became a better teacher. I've done a lot more science-related reading and I'm more involved in school affairs. I'm also more aware of what creationists and intelligent-design advocates are doing in their efforts to try to eliminate or minimize the teaching of evolution. It's frustrating that the creationism battle continues, but if we want to teach legitimate science we have to keep fighting.

Moore: Were there any downsides to Rod's lawsuit?

Hubert: The only downside to Rod's lawsuit was that it hurt my relationship with Rod. I'm sorry about that.

Moore: Any regrets?

Hubert: None. The case consumed a lot of my time, but science teachers must teach science. I had no choice. I believe I did the right thing.

I agree, Ken. Thanks for standing up for our profession.

Randy Moore
Editor

²The letter also claimed that biblical creationism is scientific and supported by facts, that the Bible records all the basic laws of nature and science, that students should be taught about the Bible, that evolution is a lie, that there is no evidence for evolution, that teachers who teach evolution should be fired, and that the teaching of evolution leads to Satanism, premarital sex, abortion, homosexuality, drugs, gangs, violence, and a poor understanding of science.