

Mediator-Proposed Settlement Document

Re: Bible Curriculum Design Suit for Ector County Independent School District
Case No: MO-07-CV-039

1. A Committee will be formed by the ECISD staff with the charge to develop an original curriculum to teach a Bible Course as per Texas state law, § 28.011, “Elective Courses on the Bible's Hebrew Scriptures (Old Testament) and New Testament and Their Impact on the History and Literature of Western Civilization,” including, inter alia:

Chapter 28(A); Section 28:011, Texas Education Code

“The purpose of a course under this section is to:

(A) Teach students knowledge of biblical content, characters, poetry, and narratives that are prerequisites to understanding contemporary society and culture, including literature, art, music, mores, oratory, and public policy and

(B) Familiarize students with, as applicable:
The contents of the Hebrew Scriptures or New Testament;
The history of the Hebrew Scriptures or New Testament;
The literary style and structure of the Hebrew Scriptures or New Testament; and
The influence of the Hebrew Scriptures or New Testament on law, history, government, literature, art, music, customs, morals, values, and culture.

(C) A student may not be required to use a specific translation as the sole text of the Hebrew Scriptures or New Testament and may use as the basic textbook a different translation of the Hebrew Scriptures or New Testament from that chosen by the board of trustees of the student's school district or the student's teacher.

(D) A course offered under this section shall follow applicable law and all federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious views, traditions, and perspectives of students in their school district. A course under this section shall not endorse, favor, or promote, or disfavor or show hostility toward, any particular religion or nonreligious faith or religious perspective. Nothing in this statute is intended to violate any provision of the United States Constitution or federal law, the Texas Constitution or any state law, or any rules or guidelines provided by the United States Department of Education or the Texas Education Agency.”

The substantive requirements set forth in Texas Education Code § 28.011 for a course conceived under this statute, will be followed even if that statute is not yet in effect statewide.

2. The Committee will be 7 professional local educators appointed by the Superintendent and five votes are required on all action taken by the committee. The Committee will be ongoing with the Superintendent filling vacancies as needed with other professional educators.

3. Whether a Bible class is taught is the sole decision of the School Board. The curriculum developed and approved by this Committee will be presented no later than May 1, 2008 to the School Board. The School Board will vote to adopt or not adopt the curriculum but will not make changes to the curriculum (no line item veto).

4. An appropriate monitoring system to ensure compliance with state law will be implemented as determined by the Committee. The curriculum will be open to the public.

5. The Committee is charged with creating an original curriculum and will not use any existing high school Bible curriculum as its basis, or any past or future versions of such curriculum. Any existing high school curricular material may be used as a resource by the Committee as long as such curriculum materials are in compliance with Texas state law. Within 30 days of the Committee receiving its charge, the Plaintiffs may submit their comments to the Committee for consideration.

6. The primary text for the curriculum will be a parallel translation Bible or multi-translation Bible that uses more than one translation for side by side comparison. In addition, resources will be provided in each classroom that will include several translations of the Bible, including a direct translation from the Hebrew and Greek. Additionally, other analytical texts will be used to aid in the analysis and study.

7. The current curriculum will be replaced with the curriculum developed by the committee, and, after the 2007-2008 school year, this will be the only Bible curriculum taught. In order for a Bible elective to be taught after the 2007-2008 school year, the curriculum will only be the work of this committee and according to this agreement.

8. Lawsuit dismissed without prejudice. Each party to bear it's own costs and fees.