

Regular Session, 2008

SENATE BILL NO. 561

BY SENATOR NEVERS

TEACHERS. Provides for the Louisiana Academic Freedom Act. (gov. sig.)

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AN ACT

To enact R.S. 17:2118, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from discussing certain scientific evidence; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:2118 is hereby enacted to read as follow:

§2118. Discussion of certain scientific evidence; prohibitions; limitations; dissemination to local school systems

A. The Louisiana Legislature finds and declares all of the following:

(1) The Preamble of the Louisiana Constitution declares that the promotion of education is one of the legitimate ends of government.

(2) That the Louisiana Board of Elementary and Secondary Education has promulgated the "Louisiana Science Framework" which states that "the process of scientific inquiry involves 'thinking critically and logically about the

1 relationships between evidence and explanations, constructing and analyzing
2 alternative explanations, and communicating scientific arguments.'"

3 (3) That an important purpose of science education is to inform students
4 about scientific evidence and to help students develop critical thinking skills
5 that they need in order to become intelligent, productive, and scientifically
6 informed citizens.

7 (4) That the teaching of some scientific subjects, such as biological
8 evolution, the chemical origins of life, global warming, and human cloning, can
9 cause controversy, and that some teachers may be unsure of the expectations
10 concerning how they should present information on such subjects.

11 (5) That this Act shall be known as the "Louisiana Academic Freedom
12 Act."

13 B. The Louisiana Department of Education, public elementary and
14 secondary school governing authorities, superintendents of schools, school
15 system administrators, and public elementary and secondary school principals
16 and administrators shall endeavor to create an environment within public
17 elementary and secondary schools that encourages students to explore scientific
18 questions, learn about scientific evidence, to help students develop critical
19 thinking skills, and respond appropriately and respectfully to differences of
20 opinion about controversial issues. Such educational authorities in Louisiana
21 shall also endeavor to assist teachers to find more effective ways to present the
22 science curriculum where it addresses scientific controversies. Toward this end,
23 teachers shall be permitted to help students understand, analyze, critique, and
24 review in an objective manner the scientific strengths and scientific weaknesses
25 of existing scientific theories pertinent to the course being taught.

26 C. Neither the Louisiana Department of Education, nor any public
27 elementary or secondary school governing authority, superintendent of schools,
28 or school system administrator, nor any public elementary or secondary school
29 principal or administrator shall prohibit any teacher in a public school system

1 **of this state from helping students understand, analyze, critique, and review in**
2 **an objective manner the scientific strengths and scientific weaknesses of existing**
3 **scientific theories pertinent to the course or courses being taught. Such topics**
4 **may include those topics listed in Paragraph A(4) of this Section.**

5 **D. Neither the Louisiana Department of Education, nor any public**
6 **elementary or secondary school governing authority, superintendent of schools,**
7 **or school system administrator, nor any public elementary or secondary school**
8 **principal or administrator or teacher, in the course and scope of his duties in**
9 **such capacity, shall censor or suppress in any way any writing, document,**
10 **record, or other content of any material which references topics listed in**
11 **Paragraph A(4) of this Section.**

12 **E. This Section only protects the teaching of scientific information, and**
13 **this section shall not be construed to promote any religious doctrine, promote**
14 **discrimination for or against a particular set of religious beliefs, or promote**
15 **discrimination for or against religion or non-religion.**

16 **F. By no later than the start of the 2008-2009 school term, the state**
17 **superintendent of elementary and secondary education shall notify all public**
18 **school system superintendents of the provisions of this Section. Each**
19 **superintendent shall then disseminate to all employees within his school system**
20 **a copy of the provisions of this Section.**

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

Proposed law creates the Louisiana Academic Freedom Act.

Proposed law specifies legislative findings as follows:

- (1) The Preamble of the Louisiana Constitution declares that the promotion of education is one of the legitimate ends of government.
- (2) That the Louisiana Board of Elementary and Secondary Education has promulgated the "Louisiana Science Framework" which states that "the process of scientific inquiry involves 'thinking critically and logically about the relationships between evidence and explanations, constructing and analyzing alternative explanations, and communicating scientific arguments.'"
- (3) That an important purpose of science education is to inform students about scientific evidence and to help students develop critical thinking skills that they need in order to become intelligent, productive, and scientifically informed citizens.
- (4) That the teaching of some scientific subjects, such as biological evolution, the chemical origins of life, global warming, and human cloning, can cause controversy, and that some teachers may be unsure of the expectations concerning how they should present information on such subjects.

Proposed law provides that the Louisiana Department of Education, public elementary and secondary school governing authorities, superintendents of schools, school system administrators, and public elementary and secondary school principals and administrators shall endeavor to create an environment within public elementary and secondary schools that encourages students to explore scientific questions, learn about scientific evidence, to help students develop critical thinking skills, and respond appropriately and respectfully to differences of opinion about controversial issues.

Proposed law provides that the Louisiana Department of Education, nor any school official shall not prohibit any teacher in a public school system from helping students understand, analyze, critique, and review, in an objective manner, the scientific strengths and weaknesses of existing scientific theories pertinent to the course or courses being taught. Such topics may include biological evolution, the chemical origins of life, global warming, and human cloning.

Proposed law prohibits the Louisiana Department of Education or any school official from prohibiting, censoring or suppressing writing, document, record, or other content of any material about biological evolution, the chemical origins of life, global warming, and human cloning.

Proposed law provides that the legislation only protects the teaching of scientific information, and this section shall not be construed to promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or non-religion.

Proposed law provides that, no later than the start of the 2008-2009 school term, the state superintendent of elementary and secondary education shall notify all public school system superintendents of the provisions of this Section. Each superintendent shall then disseminate to all employees within his school system a copy of the provisions of this Section.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:2118)