

HOUSE BILL 302

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

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AN ACT

RELATING TO PUBLIC EDUCATION; PROVIDING FOR PROTECTION OF TEACHERS AND STUDENTS REGARDING THE TEACHING OF CONTROVERSIAL SCIENTIFIC TOPICS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] TEACHING OF CONTROVERSIAL SCIENTIFIC TOPICS.--

A. The department, school district governing authorities and school administrators shall not prohibit any teacher, when a controversial scientific topic is being taught in accordance with adopted standards and curricula, from informing students about relevant scientific information regarding either the scientific strengths or scientific weaknesses pertaining to that topic. A teacher who chooses to provide such information shall be protected from reassignment, termination, discipline or other discrimination for doing so.

B. This section only protects the teaching of scientific information and specifically does not protect the promotion of any

religion, religious doctrine or religious belief.

C. Public school teachers may hold students accountable for knowing and understanding material taught in accordance with adopted standards and curricula, but public school teachers shall not penalize a student in any way because that student subscribes to a particular position on the controversial scientific topic being taught.

D. For purposes of this section:

(1) "controversial scientific topic" includes biological origins, biological evolution, causes of climate change, human cloning and other scientific topics that are often viewed by society as controversial; and

(2) "scientific information" means information derived from observation, experimentation and analyses regarding various aspects of the natural world conducted to determine the nature of or principles behind the aspects being studied. "Scientific information" may include information that coincides or harmonizes with religious tenets, but does not include information derived from religious writings, beliefs or doctrines."