

Regular Session, 2008

HOUSE BILL NO. 1168

BY REPRESENTATIVE HOFFMANN

TEACHERS: Provides for the La. Academic Freedom Act

1 AN ACT

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

7 Be it enacted by the Legislature of Louisiana:

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

9 §2118. Discussion of certain scientific evidence; prohibitions; limitations;
10 dissemination to local school systems

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

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

14 (2) That the State Board of Elementary and Secondary Education has
15 promulgated the "Louisiana Science Framework" which states that "the process of
16 scientific inquiry involves 'thinking critically and logically about the relationships
17 between evidence and explanations, constructing and analyzing alternative
18 explanations, and communicating scientific arguments' ".

19 (3) That an important purpose of science education is to inform students
20 about scientific evidence and to help students develop critical thinking skills that

1 they need in order to become intelligent, productive, and scientifically informed
2 citizens.

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

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

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

21 C. Neither the state Department of Education nor any public elementary or
22 secondary school governing authority, superintendent of schools, or school system
23 administrator, nor any public elementary or secondary school principal or
24 administrator, shall prohibit any teacher in a public school system from helping
25 students understand, critically analyze, and review, in an objective manner, the
26 scientific strengths and scientific weaknesses of existing scientific theories pertinent
27 to the course or courses being taught. Such topics may include those topics listed in
28 Paragraph (A)(4) of this Section.

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

7 E. This Section shall only protect the teaching of scientific information and
8 shall not be construed to promote any religious doctrine, promote discrimination for
9 or against a particular set of religious beliefs, or promote discrimination for or
10 against religion or non-religion.

11 F. By no later than the start of the 2008-2009 school term, the state
12 superintendent of elementary and secondary education shall notify all public school
13 system superintendents of the provisions of this Section. Each superintendent shall
14 then disseminate to all employees within his school system a copy of the provisions
15 of this Section.

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

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hoffmann

HB No. 1168

Abstract: Provides for the La. Academic Freedom Act.

Proposed law specifies legislative findings as follows:

- (1) The Preamble of the La. Constitution declares that the promotion of education is one of the legitimate ends of government.
- (2) The State 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) 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) The teaching of some scientific subjects, such as biological evolution, the chemical origins of life, global warming, and human cloning can cause controversy, and some teachers may be unsure of the expectations concerning how they should present information on such subjects.

Proposed law provides that the state Dept. of Education, all 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 and learn about scientific evidence and that helps students develop critical thinking skills and respond appropriately and respectfully to differences of opinion about controversial issues.

Proposed law provides that neither the state Dept. of Education nor any school official shall prohibit any teacher in a public school system from helping students understand, analyze, and review, in an objective manner, the scientific strengths and weaknesses of existing scientific theories pertinent to the course or courses being taught. Specifies that such topics may include biological evolution, the chemical origins of life, global warming, and human cloning.

Proposed law prohibits the state Dept. 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 proposed law shall only protect the teaching of scientific information and shall not be construed to promote any religious doctrine, discrimination for or against a particular set of religious beliefs, or 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 education shall notify all public school system superintendents of the provisions of proposed law and require each superintendent to then disseminate such to all employees within his school system.

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

(Adds R.S. 17:2118)