

1 SB336
2 61117-4
3 By Senators Mitchell, Waggoner, French, Lee, Erwin, Byrne,
4 Dial, Figures, Escott, and Ross
5 RFD: Education
6 First Read: 17-FEB-04

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3 ENGROSSED
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6 A BILL
7 TO BE ENTITLED
8 AN ACT
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10 Providing teacher rights and protection for a public
11 school teacher or teacher at an institution of higher
12 education to present scientific, historical, theoretical, or
13 evidentiary information pertaining to alternative positions on
14 the subject of biological or physical origins in applicable
15 curricula or in a course of learning; providing employment and
16 tenure protection and protection against discrimination for
17 any public school teacher or teacher at a public institution
18 of higher education related to the presentation of scientific,
19 historical, theoretical, or evidentiary information pertaining
20 to alternative positions on the subject of biological or
21 physical origins in applicable curricula or in a course of
22 learning; and providing student protection for subscribing to
23 a particular position on biological or physical origins.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. This law shall be known as the "Academic
26 Freedom Act."

1 Section 2. Every K-12 public school teacher or
2 teacher or instructor in any two-year or four-year public
3 institution of higher education, or in any graduate or adult
4 program thereof, in the State of Alabama, shall have the
5 affirmative right and freedom to present scientific,
6 historical, theoretical, or evidentiary information pertaining
7 to alternative theories or points of view on the subject of
8 biological or physical origins in any curricula or course of
9 learning.

10 Section 3. No K-12 public school teacher or teacher
11 or instructor in any two-year or four-year public institution
12 of higher education, or in any graduate or adult program
13 thereof, in the State of Alabama, shall be terminated,
14 disciplined, denied tenure, or otherwise discriminated against
15 for presenting scientific, historical, theoretical, or
16 evidentiary information pertaining to alternative theories or
17 points of view on the subject of biological or physical
18 origins in any curricula or course of learning.

19 Section 4. No student in any public school or
20 institution shall be penalized in any way because he or she
21 may subscribe to a particular position on biological or
22 physical origins, so long as he or she demonstrates acceptable
23 understanding of course materials.

24 Section 5. The rights and privileges contained in
25 this act do not apply unless the subject of biological or
26 physical origins is raised in the context of approved
27 curricula material.

1 Section 6. The rights and privileges contained in
2 this act do not apply to the presentation of theoretical
3 information unless it is accompanied by scientific,
4 historical, or evidentiary information.

5 Section 7. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.

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Senate

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| Read for the first time and referred to the Senate committee on Education | 17-FEB-04 |
| Read for the second time and placed on the calen- dar | 11-MAR-04 |
| Read for the third time and passed as amended ... | 08-APR-04 |

Yeas 28

Nays 0

McDowell Lee
Secretary