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On January 10, 2006, two identical bills -- [House Bill 106](#) [4] and [Senate Bill 45](#) [5] -- were introduced in the Alabama legislature, under the rubric of "The Academic Freedom Act," and referred to the Committees on Education of their respective chambers. These identical bills purport to protect the right of teachers to "present scientific information pertaining to the full range of scientific views in any curricula or course of learning" and the right of students not to be "penalized in any way because he or she may subscribe to a particular position on any views." In language reminiscent of the Santorum language removed from the No Child Left Behind Act, they specify that "[t]he rights and privileges contained in this act apply when topics are taught that may generate controversy, such as biological or chemical origins." Presumably attempting to avert the charge that their provisions would violate the Establishment Clause of the First Amendment, the bills also provide, "[N]othing in this act shall be construed as promoting any religious doctrine, promoting discrimination for or against a particular set of religious beliefs, or promoting discrimination for or against religion or non-religion."

HB 106 and SB 45 closely resemble [previous antievolution bills](#) [6] -- three bills introduced in 2005 (HB 352, SB 240, and HB 716) and two bills introduced in 2004 (HB 391 and SB 336) -- all of which failed. SB 45's sponsor, Senator Wendell Mitchell (D-District 30), was a cosponsor of SB 240 and SB 336, of which he reportedly said, "I think there is a tremendous ill-balance in the classroom when you can't discuss all viewpoints. This bill will level the playing field because it allows a teacher to bring forward the biblical creation story of humankind" (*Montgomery Advertiser*, February 18, 2004). HB 106's sponsor, Representative Scott Beason (R-District 51), was the sole sponsor of HB 716. A novelty in HB 106 and SB 45 is section 7, providing, "Nothing in this act shall be construed as protecting as scientific any view that lacks published empirical or observational support or that has been soundly refuted by empirical or observational science in published scientific debate. Likewise, the protection provided by this act shall not be restricted by any metaphysical or religious implications of a view, so long as the views are

defensible from and justified by empirical science and observation of the natural world."

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