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On January 15, 2009, Louisiana's Board of Elementary and Secondary Education adopted a policy about what types of supplementary classroom materials will, and will not, be allowable under the Louisiana Science Education Act. While the policy echoes the LSEA's requirement that such materials "not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or nonreligion," a provision that "materials that teach creationism or intelligent design or that advance the religious belief that a supernatural being created humankind shall be prohibited for use in science class" was deleted, according to a [report](#) [4] from the Associated Press (January 15, 2009).

Enacted in June 2008 over the protests of scientists and educators across the state and around the country, the LSEA (enacted as Louisiana Revised Statutes 17:285.1) [provides](#) [5], "A teacher shall teach the material presented in the standard textbook supplied by the school system and thereafter may use supplemental textbooks and other instructional materials to help students understand, analyze, critique, and review scientific theories in an objective manner, as permitted by the city, parish, or other local public school board unless otherwise prohibited by the State Board of Elementary and Secondary Education." The policy just adopted governs the way in which BESE will consider such supplementary material.

It was clear from the outset that evolution was in the LSEA's sights. As originally drafted, the law specifically identified "biological evolution, the chemical origins of life, global warming, and human cloning" as controversial subjects, and called on state and local education administrators to "endeavor to

assist teachers to find more effective ways to present the science curriculum where it addresses scientific controversies." In its final version, these topics are no longer described as controversial, but they are still specifically mentioned. And the *Baton Rouge Advocate* (April 19, 2008) editorially [recognized](#) [6], "it seems clear that the supporters of this legislation are seeking a way to get creationism ... into science classrooms."

The policy to implement the LSEA began to be drafted in fall 2008 with the guidance of a committee of veteran educators and scientists assembled by the state department of education. A draft policy was submitted to the BESE's Student/School Performance Support Committee on December 2, 2008. The Associated Press (January 8, 2009) [reported](#) [7], "Proposed for discussion at the December meeting were requirements that any information in the supplemental material be 'supported by empirical evidence.' The proposed language also said religious beliefs 'shall not be advanced under the guise of encouraging critical thinking' and that materials 'that teach creationism or intelligent design or that advance the religious belief that a supernatural being created humankind shall be prohibited in science classes.'"

Barbara Forrest, a professor of philosophy at Southeastern Louisiana University, coauthor with Paul R. Gross of [Creationism's Trojan Horse](#) [8] (revised edition, Oxford University Press, 2007), and a member of NCSE's board of directors, praised the December version of the policy for ensuring that religion would not be taught in the public schools. But Gene Mills of the Louisiana Family Forum, a religious right organization that vociferously supported the LSEA, was unhappy with it, telling the Associated Press, "I would think that it left religious neutrality and took a tone of religious hostility. Or at least it could be interpreted by some to have done that." Action on the policy was not taken immediately, but instead deferred until January 2009.

Subsequently, on January 8, 2009, a revised draft was posted in advance of the BESE committee's January 13, 2009, meeting. The provision that "religious beliefs shall not be advanced under the guise of encouraging critical thinking" was removed, and a provision forbidding consideration of the "religious or non-religious beliefs and affiliations" of the authors of supplementary material was added. Also, the procedure for challenging supplementary material became more complicated, now requiring that complaints must cite the problems with the material, that school districts must be notified of the challenge, and that a hearing must be held at which the district, the complainant, and "any interested parties" would have "adequate time to present their arguments and information and to offer rebuttals."

Forrest decried these revisions in a January 12, 2009, [letter](#) [9] (PDF) to the BESE, objecting that the policy was "altered in ways that are detrimental to the education of Louisiana students." She called for the provision regarding religious beliefs under the guise of critical thinking to be restored, explained that "[t]o determine quality, acceptability, and bias, scientists and teachers customarily and quite appropriately examine the source of instructional material," and described the new procedures for challenging supplementary material as "unclear, ill-conceived, and onerous," adding, "The instructions are vague and confusing, and they unnecessarily complicate what should be a straightforward decision based on the professional expertise of [Louisiana Department of Education] staff."

At the committee's meeting on January 13, 2009, the LSEA's chief sponsor, Ben Nevers (D-District 12), and Gene Mills of the Louisiana Family Forum were in attendance, successfully lobbying for the removal of the section of the policy that provided, "Materials that teach creationism or intelligent design or that advance the religious belief that a supernatural being created humankind shall be prohibited for use in science classes." The provision forbidding consideration of the beliefs and affiliations of the authors of supplementary material was also removed, according to a [report](#) [10] from the Associated Press (January

13, 2009).

With the adoption of the policy by the BESE on January 15, 2009, it is still unclear what will happen. Steve Monaghan, the president of the Louisiana Federation of Teachers, [told](#) ^[11] WAFB television (January 13, 2009) in Baton Rouge, "The time spent on this issue may be in total excess of what the problem was because we don't believe there was a problem in the science classroom anyway": teachers in his organization have not complained about the science education materials at their disposals and presumably would not seek to add supplementary materials. Civil liberties organizations have already expressed their readiness to challenge attempts to teach religion in the guise of science in Louisiana's public schools.

In the meantime, the Lafayette *Independent Weekly* (January 12, 2009) worried about the effect of the LSEA and the policy on Louisiana's reputation. "For many of us interested and active in economic development and hopeful in a newly resurgent Louisiana ... this is not good news," Steve May [wrote](#) ^[12]. "This attempt to pollute the teaching of science in our public schools with religious dogma does more long-term damage to ourselves than all the painful headlines about Edwin Edwards, David Duke or 'Dollar' Bill Jefferson combined, because the damage is far more lasting. Is this the message of educational ignorance that we want to send prospective employers considering locating or relocating to Louisiana?"

Revised on January 16, 2009, to use the correct term ("policy" rather than "guidelines") and to clarify the sequence of events.

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