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3 SENATE EDUCATION COMMITTEE SUBSTITUTE FOR SB45

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8 SYNOPSIS: Existing law does not expressly provide a
9 right nor does it expressly protect tenure and
10 employment for a public school teacher or a teacher
11 at an institution of higher education for
12 presenting scientific information pertaining to the
13 full range of scientific views. In addition,
14 students are not expressly provided a right to
15 positions on views.

16 This bill would expressly provide rights and
17 protection for teachers concerning scientific
18 presentations on views and students concerning
19 their positions on views.
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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 Providing teacher rights and protection for a public
26 school teacher or a teacher at an institution of higher

1 education to present scientific information pertaining to the
2 full range of scientific views in applicable curricula or in a
3 course of learning; providing employment and tenure protection
4 and protection against discrimination for any public school
5 science teacher or science teacher at a public institution of
6 higher education related to the presentation of such
7 information; and providing student protection for subscribing
8 to a particular position on views.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. This law shall be known as the "Academic
11 Freedom Act."

12 Section 2. The Legislature finds that existing law
13 does not expressly protect the right of teachers identified by
14 the United States Supreme Court in *Edwards v. Aguillard* to
15 present scientific critiques of prevailing scientific
16 theories. The Legislature further finds that existing state
17 law does not expressly protect the right of students to hold a
18 position on views. It is the intent of the Legislature that
19 this act expressly protects those rights.

20 Section 3. Every K-12 public school science teacher
21 or science teacher or science instructor in any two-year or
22 four-year public institution of higher education, or in any
23 graduate or adult program thereof, in the State of Alabama,
24 shall have the affirmative right and freedom to present
25 scientific information pertaining to the full range of
26 scientific views in any science course.

1 Section 4. No K-12 public school teacher or teacher
2 or instructor in any two-year or four-year public institution
3 of higher education, or in any graduate or adult program
4 thereof, in the State of Alabama, shall be terminated,
5 disciplined, denied tenure, or otherwise discriminated against
6 for presenting scientific information pertaining to the full
7 range of scientific views in any science course, provided,
8 with respect to K-12 teachers, that such information is
9 consistent with the Course of Study approved by the Alabama
10 State Board of Education.

11 Section 5. Students shall be evaluated based upon
12 their understanding of course materials, but no student in any
13 public school or institution of higher education, shall be
14 penalized in any way because he or she may have beliefs
15 contrary to any matter contained in course materials so long
16 as the student adheres to academic and discipline
17 requirements. In the case of K-12, evaluations shall adhere to
18 the State Board of Education approved Course of Study and
19 students may not violate the local board of education's Code
20 of Conduct.

21 Section 6. Nothing in this act shall be construed as
22 requiring or encouraging any change in the state curriculum
23 standards in K-12 public schools, nor shall any provision of
24 this act be construed as prescribing the curricular content of
25 any course in any two-year or four-year public institution of
26 higher education in the state.

1 Section 7. Nothing in this act shall be construed as
2 protecting as scientific any view that lacks published
3 empirical or observational support or that has been soundly
4 refuted by empirical or observational science in published
5 scientific debate. Likewise, the protection provided by this
6 act shall not be affected by the fact that such scientific
7 views are consistent with any religion or philosophy, so long
8 as the views are defensible entirely from and justified by
9 empirical science and observation of the natural world.

10 Section 8. Nothing in this act shall be construed as
11 promoting any religious doctrine, promoting discrimination for
12 or against a particular set of religious beliefs, or promoting
13 discrimination for or against religion or non-religion.

14 Section 9. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.