SB336 HOUSE EDUCATION COMMITTEE SUBSTITUTE

SYNOPSIS: Existing law does not expressly provide a right nor does it expressly protect tenure and employment for a public school teacher or teacher at an institution of higher education for presenting scientific information pertaining to the full range of scientific views concerning biological or physical origins. In addition, students are not expressly provided a right to a position on biological or physical origins.

This bill would expressly provide rights and protection for teachers and students concerning their position on biological or physical origins.

A BILL TO BE ENTITLED

AN ACT

Providing teacher rights and protection for a public school teacher or teacher at an institution of higher education to present scientific information pertaining to the
full range of scientific views concerning biological or physical origins in applicable curricula or in a course of learning; providing employment and tenure protection and protection against discrimination for any public school teacher or teacher at a public institution of higher education related to the presentation of such information; and providing student protection for subscribing to a particular position on biological or physical origins.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

Section 2. The Legislature finds that existing law does not expressly protect the right of teachers identified by the United States Supreme Court in Edwards v. Aguillard to present scientific critiques of prevailing scientific theories. The Legislature further finds that existing law does not expressly protect the right of students to hold positions regarding theories of biological or physical origins. It is the intent of the Legislature that this act expressly protect those rights.

Section 3. Every K-12 public school teacher or teacher or instructor in any two-year or four-year public institution of higher education, or in any graduate or adult program thereof, in the State of Alabama, shall have the affirmative right and freedom to present scientific information pertaining to the full range of scientific views
concerning biological or physical origins in any curricula or course of learning.

Section 4. No K-12 public school teacher or teacher or instructor in any two-year or four-year public institution of higher education, or in any graduate or adult program thereof, in the State of Alabama, shall be terminated, disciplined, denied tenure, or otherwise discriminated against for presenting scientific information pertaining to the full range of scientific views concerning biological or physical origins in any curricula or course of learning.

Section 5. Students may be evaluated based upon their understanding of course materials, but no student in any public school or institution shall be penalized in any way because he or she may subscribe to a particular position on biological or physical origins.

Section 6. The rights and privileges contained in this act apply when the subject of biological or physical origins is part of the curriculum. Nothing in this act shall be construed as requiring or encouraging any change in the state curriculum standards in K-12 public schools, nor shall any provision of this act be construed as prescribing the curricular content of any course in any two-year or four-year public institution of higher education in the state.

Section 7. Nothing 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.
Section 8. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.