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Louisiana Science Education Act

<http://legis.state.la.us/billdata/streamdocument.asp?did=503483>

Regular Session, 2008 **ENROLLED**

SENATE BILL NO. 733 (Substitute of Senate Bill No. 561 by Senator Nevers)

AN ACT

To enact R.S. 17:285.1, relative to curriculum and instruction; to provide relative to the teaching of scientific subjects in public elementary and secondary schools; to promote students' critical thinking skills and open discussion of scientific theories; to provide relative to support and guidance for teachers; to provide relative to textbooks and instructional materials; to provide for rules and regulations; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:285.1 is hereby enacted to read as follows:

§285.1. Science education; development of critical thinking skills

A. This Section shall be known and may be cited as the "Louisiana Science Education Act."

B.(1) The State Board of Elementary and Secondary Education, upon request of a city, parish, or other local public school board, shall allow and assist teachers, principals, and other school administrators to create and foster an environment within public elementary and secondary schools that promotes critical thinking skills, logical analysis, and open and objective discussion of scientific theories being studied including, but not limited to, evolution, the origins of life, global warming, and human cloning.

(2) Such assistance shall include support and guidance for teachers regarding effective ways to help students understand, analyze, critique, and objectively review scientific theories being studied, including those enumerated in Paragraph (1) of this Subsection.

C. 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.

D. This Section shall not be construed to promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or nonreligion.

E. The State Board of Elementary and Secondary Education and each city, parish, or other local public school board shall adopt and promulgate the rules and regulations necessary to implement the provisions of this Section prior

to the beginning of the 2008-2009 school year.

OUACHITA PARISH SCHOOL BOARD'S SCIENCE CURRICULUM POLICY
[http://www.opsb.net/downloads/forms/Ouachita Parish Science Curriculum Policy.pdf](http://www.opsb.net/downloads/forms/Ouachita_Parish_Science_Curriculum_Policy.pdf)

It is strongly believed that if public school districts were to adopt such enabling policy language as the policy given below, then teachers might feel more comfortable in showing eye-opening clips such as given in this section to their biology class students:

Louisiana Science Curriculum Policy
Adopted November 29, 2006 by Ouachita Parish
Adopted September 9, 2012 by Central

RESOLUTION ON TEACHER ACADEMIC FREEDOM TO TEACH SCIENTIFIC EVIDENCE REGARDING CONTROVERSIAL SCIENTIFIC SUBJECTS:

WHEREAS, the Louisiana Constitution declares that among the legitimate ends of government is "to promote the ... education ... of the people...." (1), and;

WHEREAS, Congress in 2001 declared that "Where topics are taught that may generate controversy (such as biological evolution), the curriculum should help students to understand the full range of scientific views that exist, why such topics may generate controversy, and how scientific discoveries can profoundly affect society." (2), and;

WHEREAS, the U.S. Supreme Court has declared that it is possible for "scientific critiques of prevailing scientific theories [to] be taught" (3), and;

WHEREAS, the Fifth Circuit Court of Appeals has found that it is legitimate for school districts to pass curricular policies for such purposes as advancing critical thinking, fostering informed freedom of belief, and to disclaim any intent to impose an orthodoxy of belief on students (4), and;

WHEREAS, diverse organizations including Americans United for Separation of Church and State and American Civil Liberties Union have acknowledged that "any genuinely scientific evidence for or against any explanation of life may be taught" (5), and;

WHEREAS, the Louisiana Board of Elementary and Secondary Education has promulgated certain Science Framework, and;

WHEREAS, the Louisiana Science Framework at page 11 holds that, "scientific information is continuously open to review and modification" (6), and;

WHEREAS, the Louisiana Science Framework at page 11 further states that, "for scientific ideas to become widely accepted, peers must review, analyze, and critique results" (7), and;

WHEREAS, the Louisiana Science Framework at page 19 declares that, "the process of scientific inquiry involves 'thinking critically and logically about the relationships between evidence and explanations, constructing and analyzing alternative explanations, and communicating scientific

arguments" (8), and;

WHEREAS, the Louisiana Science Framework at page 12 indicates that science should be "presented as a... continuing process for extending understanding of the ultimate, unalterable truth" (9), and;

WHEREAS, it has come to the attention of this Board that some science teachers in the parish school system are uncertain of what can be taught about particular scientific theories;

THEREFORE, the Board of Education of Ouachita Parish School District adopts the following policy and directs that it be inserted in the District's listing of curriculum and instruction policies which is posted online at www.opsb.net.

TEACHER ACADEMIC FREEDOM IN SCIENCE EDUCATION WHEN COVERING CONTROVERSIAL SCIENTIFIC SUBJECTS:

The Ouachita School District understands that the purpose of science education is to inform students about the scientific evidence and to help them develop critical thinking skills they need in order to become scientifically minded citizens. The District also understands that the teaching of some scientific subjects, such as biological evolution, the chemical origins of life, global warming, and human cloning, can cause controversy, and that some teachers may be unsure of the District's expectations concerning how they should present information on such subjects. The District shall endeavor to create an environment within the schools that encourages students to explore scientific questions, learn about scientific evidence, develop critical thinking skills, and respond appropriately to differences of opinion about controversial issues. The District shall also endeavor to assist teachers to find more effective ways to present the science curriculum where it addresses scientific controversies. Toward this end, teachers shall be permitted to help students understand, analyze, critique, and review in an objective manner the scientific strengths and weaknesses of existing scientific theories pertinent to the course being taught.

Footnotes:

- (1) Louisiana Constitution, Preamble.
 - (2) H.R. 1 - "No Child Left Behind Act of 2001": Joint Explanatory Statement of the Committee of Conference, Title I, Part A, item 78, edworkforce.house.gov].
 - (3) Edwards v. Aguillard, 107 S.Ct. 2573, 2583 (1987).
 - (4) Freiler v. Tangipahoa Parish Board of Education, 185 F.3d 337, 344-46 (5th Cir. 1999).
 - (5) Joint Statement of Current Law on Religion in the Public Schools (4/12/1995) Religion In The Public Schools: A Joint Statement Of Current Law <http://www.aclu.org/religion/schools/16146leg19950412.html> (Accessed July 20, 2006).
 - (6) Louisiana Science Framework, page 11.
 - (7) Ibid.
 - (8) Ibid, page 19.
 - (9) Ibid, page 12.
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AMERICAN HISTORY HERITAGE ACT

<http://www.legis.state.la.us/lss/lss.asp?doc=80221>

Louisiana Revised Statutes 17:2117. Reading and posting of certain writings, documents, and records; prohibition; limitations; dissemination to local school systems

A. No public elementary or secondary school governing authority, superintendent of schools, or school system administrator, nor any public elementary or secondary school principal or administrator shall prohibit any teacher in a public school system of this state from reading and posting in a public school building or classroom or at a school-sponsored event any excerpts or portions of the following:

(1) The preamble to the Constitution of the state of Louisiana.

(2) The Declaration of Independence.

(3) The United States Constitution.

(4) The Mayflower Compact.

(5) The national motto.

(6) The national anthem.

(7) The pledge of allegiance.

(8) The writings, speeches, documents, and proclamations of the founding fathers and presidents of the United States.

(9) Organic documents from the Pre-Colonial, Colonial, Revolutionary, Federalist, and Post-Federalist eras.

(10) United States Supreme Court decisions.

(11) Acts of the United States Congress.

B. No public elementary or secondary school governing authority, superintendent of schools, or school system administrator, nor any public elementary or secondary school principal, administrator, or teacher, in the course and scope of his duties in such capacity, shall censor or suppress in any way any writing, document, record, or other content of any material listed in Subsection A of this Section or any portion thereof based upon religious or other reference or content in any such material.

C. By not later than the start of the 1997-1998 school term, the state superintendent of elementary and secondary education shall notify all public school system superintendents of the provisions of this Section. Each superintendent shall then disseminate to all employees within his school system a copy of the provisions of this Section. Acts 1997, No. 415, §1, eff. June 22, 1997.