

ENGROSSED HOUSE
BILL NO. 2107

By: Kern, Dank, Deutschendorf,
Wesselhoft, Balkman,
Calvey, Cargill, Coody,
Hickman, Terrill, Tibbs and
Winchester of the House

and

Brogdon of the Senate

An Act relating to schools; creating the Academic Freedom Act; stating legislative finding and intent; providing rights and protection for public school teachers to present certain scientific views; providing employment protection for public school teachers who present certain information; providing academic protection for students who subscribe to certain scientific positions; clarifying application of rights under the act; providing for construction of the act; providing for codification; providing for noncodification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-115 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Academic Freedom Act".

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Oklahoma 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 scientific views. It is the intent of the Legislature that the Academic Freedom Act expressly protects those rights.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-116 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Every public school teacher in the State of Oklahoma, shall have the affirmative right and freedom to present scientific information pertaining to the full range of scientific views on the biological or chemical origins of life.

B. No public school teacher in the State of Oklahoma shall be terminated, disciplined, or otherwise discriminated against for presenting scientific information pertaining to the full range of scientific views on the biological or chemical origins of life.

C. Students may be evaluated based upon their understanding of course materials, but no student in any public school shall be penalized in any way because the student may subscribe to a particular position on scientific views pertaining to the biological or chemical origins of life.

D. The rights and privileges contained in the Academic Freedom Act apply when topics pertaining to the biological or chemical origins of life are taught that may generate controversy. Nothing in this act shall be construed as requiring or encouraging any change in the state curriculum standards for public schools.

E. 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 nonreligion.

SECTION 4. This act shall become effective September 1, 2006.

Passed the House of Representatives the 2nd day of March, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate