

By: Swanson

H.B. No. 1485

A BILL TO BE ENTITLED

AN ACT

relating to academic freedom for public school teachers providing science instruction.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The legislature finds that:

(1) an important purpose of science education is to inform students about scientific evidence and help students develop critical thinking skills necessary to become intelligent, productive, and scientifically informed citizens;

(2) the teaching of some scientific subjects required to be taught under the curriculum framework developed by the State Board of Education may cause controversy, including climate change, biological evolution, the chemical origins of life, and human cloning;

(3) some teachers may be unsure of expectations concerning how to present information when controversy arises concerning a scientific subject; and

(4) the protection of a teacher's academic freedom is necessary to enable the teacher to provide effective instruction that serves the purpose stated in Subdivision (1) of this section.

SECTION 2. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0162 to read as follows:

Sec. 28.0162. ACADEMIC FREEDOM FOR TEACHERS. (a) The State Board of Education, school district boards of trustees, and school

1 district administrators, including school principals, shall  
2 endeavor to:

3 (1) create an environment within public elementary and  
4 secondary schools that encourages students to:

5 (A) explore scientific questions;

6 (B) learn about scientific evidence;

7 (C) develop critical thinking skills; and

8 (D) respond appropriately and respectfully to

9 differences of opinion about scientific subjects required to be  
10 taught under the curriculum framework developed by the State Board  
11 of Education; and

12 (2) assist teachers in finding effective ways to  
13 present scientific subjects required to be taught under the  
14 curriculum framework developed by the State Board of Education that  
15 may cause controversy.

16 (b) The State Board of Education, a school district board of  
17 trustees, or a school district administrator, including a school  
18 principal, may not prohibit a teacher from helping students  
19 understand, analyze, critique, and review in an objective manner  
20 the scientific strengths and weaknesses of existing scientific  
21 theories included in a course taught in accordance with the  
22 curriculum framework developed by the State Board of Education.

23 (c) This section applies only to teaching scientific  
24 subjects included within the curriculum framework developed by the  
25 State Board of Education. This section may not be construed to  
26 promote:

27 (1) any religious or nonreligious doctrine; or

1           (2) discrimination for or against religion or  
2 irreligion or a particular set of religious beliefs or nonbeliefs.

3           SECTION 3. (a) Not later than August 1, 2017, the Texas  
4 Education Agency shall notify the State Board of Education and the  
5 board of trustees and superintendent of each school district in  
6 this state of the provisions of this Act.

7           (b) Not later than August 15, 2017, each superintendent  
8 shall notify each district administrator, including a school  
9 principal, and district teacher of the provisions of this Act.

10          SECTION 4. This Act applies beginning with the 2017-2018  
11 school year.

12          SECTION 5. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2017.