AN ACT

To amend Title 17 of the Louisiana Revised Statutes of 1950 by adding thereto a new Chapter, to be designated as Chapter 30, comprised of R.S. 17:3701 through R.S. 17:3706, relative to balanced treatment of creation-science and evolution-science in public schools, to require such balanced treatment; to protect academic freedom by providing student choice; to ensure freedom of religious exercise; to guarantee freedom of belief and speech; to prevent establishment of religion; to prohibit religious instruction concerning origins; to bar discrimination on the basis of creationist or evolutionist belief; to provide definitions and clarifications; to declare the legislative purpose and legislative findings of fact, and otherwise to provide with respect thereto.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 30 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of Sections 3701 through 3706, is hereby enacted to read as follows:

CHAPTER 30. BALANCED TREATMENT FOR CREATION-SCIENCE AND EVOLUTION-SCIENCE IN PUBLIC SCHOOL INSTRUCTION

§3701. Short title

This Chapter shall be known as the "Balanced Treatment for Creation-Science and Evolution-Science Act."

§3702. Purpose

This Chapter is enacted for the purposes of protecting academic
freedom for the differing values and beliefs of students ensuring
neutrality toward the diverse religious convictions of students
ensuring freedom of religious exercise for students and their
parents, guaranteeing freedom of belief and speech for students,
preventing establishment of theologically liberal, humanist,
nontheist, or atheist religions, preventing discrimination against
students on the basis of their personal beliefs concerning creation
and evolution, and assisting students in their search for truth.

§3703. Findings of fact

The Louisiana Legislature finds that:

(1) The subject of the origin of the universe, earth, life,
and man is treated within many public school courses, such as
biology, life science, anthropology, sociology, and often also
in physics, chemistry, world history, philosophy, and social
studies.

(2) Only evolution-science is presented to students in
virtually all of those courses that discuss the subject of
origins. Public schools generally censor creation-science and
evidence contrary to evolution.

(3) Evolution-science is not an unquestionable fact of
science, because evolution cannot be experimentally observed,
fully verified, or logically falsified, and because evolution-
science is not accepted by some scientists.

(4) Evolution-science is contrary to the religious convictions
or moral values or philosophical beliefs of many students and
parents, including individuals of many different religious
faiths and with diverse moral values and philosophical beliefs.

(5) Public school presentation of only evolution-science
without any alternative model of origins abridges protections
of freedom of religious exercise and of freedom of belief and
speech guaranteed by the United States Constitution for students
and parents because it undermines their religious convictions
and moral or philosophical values, compels their unconscionable
professions of belief, and hinders religious training and moral
training by parents.
(6) Public school presentation of only evolution-science furthermore abridges the prohibition against establishment of religion contained in the United States Constitution because it produces hostility toward many theistic religions and brings preference to theological liberalism, humanism, nontheistic religions, and atheism, in that these religious faiths generally include a religious belief in evolution.

(7) Public school instruction in only evolution-science also violates the principle of academic freedom because it denies students a choice between scientific models and instead indoctrinates them in evolution-science alone.

(8) Presentation of only one model rather than alternative scientific models of origins is not required by any compelling interest of the state, and exemption of such students from a course or class presenting only evolution-science does not provide an adequate remedy because of teacher influence and student pressure to remain in that course or class.

(9) Attendance of those students who are at public schools is compelled by law, and school taxes from their parents and other citizens are mandated by law.

(10) Creation-science is an alternative scientific model of origins and can be presented from a strictly scientific standpoint without inclusion of any religious doctrine just as evolution-science can, because there are scientists who conclude that scientific data best support creation-science and because scientific evidence and inferences have been presented for creation-science.

(11) Public school presentation of both evolution-science and creation-science would not violate the constitutional prohibition against establishment of religion, because it would involve presentation of the scientific evidences and related inferences for each model rather than any religious instruction.

(12) Most citizens, whatever their religious beliefs about origins, favor balanced treatment in public schools of alternative scientific models of origins for better guiding students in their
search for knowledge, and they favor a neutral approach toward
subjects affecting the religious and moral and philosophical
convictions of students.
§3704. Definitions
As used in this Chapter, unless otherwise clearly indicated,
these terms have the following meanings:
(1) "Creation-science" means the scientific evidences for
creation and inferences from those scientific evidences. Creation-
science includes the scientific evidences and related inferences
that indicate: (a) sudden creation of the universe, energy,
and life from nothing; (b) the insufficiency of mutation and natural
selection in bringing about development of all living kinds from
a single organism; (c) changes only within fixed limits or
originally created kinds of plants and animals; (d) separate
ancestry for man and apes; (e) explanation of the earth's geology
by catastrophism, including the occurrence of a worldwide flood; and,
(f) a relatively recent inception of the earth and living kinds.
(2) "Evolution-science" means the scientific evidences
for evolution and inferences from those scientific evidences.
Evolution-science includes the scientific evidences and related
inferences that indicate: (a) emergence by naturalistic processes
of the universe from disordered matter and emergence of life
from nonlife; (b) the sufficiency of mutation and natural selection
in bringing about development of present living kinds from simple
earlier kinds; (c) emergence by mutation and natural selection
or present living kinds from simple earlier kinds; (d) emergence
of man from a common ancestor with apes; (e) explanation
of the geology of the earth and the evolutionary sequence
by uniformitarianism; and, (f) an inception several billion years
ago of the earth and somewhat later of life.
(3) "Public schools" mean public secondary and elementary
schools.
§3705. Requirement for balanced treatment; prohibition
against religious instruction; requirement for
nondiscrimination

A. Commencing with the 1982-1983 school year, public schools
within this state shall give balanced treatment to creation-
science and to evolution-science. Balanced treatment of these
two models shall be given in classroom lectures taken as a whole
for each course, in textbook materials taken as a whole for each
course, in library materials taken as a whole for the sciences
and taken as a whole for the humanities, and in other educational
programs in public schools, to the extent that such lectures,
textbooks, library materials, or educational programs deal in any
way with the subject of the origin of man, life, the earth, or
the universe.

B. Treatment of either evolution-science or creation-science
shall be limited to scientific evidences for each model and inferences
from those scientific evidences, and shall not include any religious
instruction or references to religious writings.

C. Public schools within this state and their personnel shall
not discriminate by reducing a grade of a student or by singling
out and publicly criticizing any student who demonstrates a
satisfactory understanding of both evolution-science or creation-
science and who accepts or rejects either model in whole or part.

§3706. Clarifications

This Chapter does not require or permit instruction in any
religious doctrine or materials. This Chapter does not require
any instruction in the subject of origins, but simply requires
instruction in both scientific models (of evolution-science and
creation-science) if public schools choose to teach either. This
Chapter does not require each individual textbook or library book to
give balanced treatment to the models of evolution-science and
creation-science; it does not require any school books to be
discarded. This Chapter does not require each individual classroom
lecture in a course to give such balanced treatment, but simply
requires the lectures as a whole to give balanced treatment; it
permits some lectures to present evolution-science and other
lectures to present creation-science.

Section 2. If any provision or item of this Act or the application
thereof is held invalid, such invalidity shall not affect other provisions,
items, or applications of this Act which can be given effect without the
invalid provisions, items, or applications, and to this end the provisions
of this Act are hereby declared severable.

Section 3. All laws or parts of laws in conflict herewith are hereby
repealed.

DIGEST

The following digest was prepared by Diane Burkbart
of the Senate staff. It constitutes no part of the bill.

Keith Act SB No. 86

Requires, commencing with the 1982-1983 school year, balanced treatment of
creation-science and evolutionary-science in all modes of instruction taken as
a whole, used in public elementary and secondary classrooms to present infor-
mation on the subject of the origins of the universe, earth, and life forms.
Provides legislative purposes, findings of fact, definitions, and clarifications.
(Adds R.S. 17:3701-17:3706)