HOUSE BILL NO. 796

INTRODUCED BY R. KOOPMAN

A BILL FOR AN ACT ENTITLED: "AN ACT SUPPORTING OBJECTIVITY IN SCIENCE EDUCATION BY ALLOWING LOCAL SCHOOL DISTRICTS TO ADOPT A SCIENCE CURRICULUM THAT INCLUDES ALTERNATIVE THEORIES OF ORIGIN, THAT OFFERS AN ACCURATE PRESENTATION OF THE COMPETING INTERPRETATIONS OF SCIENTIFIC DATA, AND THAT ENCOURAGES OPEN QUESTIONING AND DISCUSSION AMONG STUDENTS."

WHEREAS, it is the role of public education to foster the pursuit of knowledge free from prejudice and partiality; and

WHEREAS, especially in the area of science, knowledge can only be arrived at through a process of open inquiry and discovery in an atmosphere of tolerance and neutrality; and

WHEREAS, science education should help students identify how theories are modified in light of new data; and

WHEREAS, a vigorous ongoing debate exists within the scientific community over questions concerning the origin of life, the age of the earth, the proper interpretation of the fossil record, and the origins of species and of humans; and

WHEREAS, compelling scientific evidence exists in support of diverse scientific conclusions and competing theories; and

WHEREAS, in Edwards v. Aguillard, 482 U.S. 578 (1987), the United States Supreme Court stated that, "We do not imply that a legislature could never require that scientific critiques of prevailing scientific theories be taught"; and

WHEREAS, it is not the proper function of state education officials to discourage intellectual freedom and the objective examination of scientific data, but rather to encourage it; and

WHEREAS, the Montana content and performance standards for science state, in part, that "Science is an inquiry process used to investigate natural phenomena, resulting in the formation of theories verified by directed observations" and that "Scientific theories are challengeable and changeable" and also provide that upon graduation, students should be able to "give examples of scientific innovation challenging commonly held perceptions"; and

WHEREAS, to the greatest degree possible, curriculum content should be determined by local school boards, reflecting the will of their communities and the educational values and desires of local parents.

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

NEW SECTION. **Section 1. Science curriculum -- trustee latitude.** (1) The board of trustees of a school district may adopt a science curriculum that includes references to both the scientific strengths and weaknesses of majority scientific theories of origin and earth history that are relevant to the subject matter being presented, that aid the students in understanding the state of the scientific debate over origin issues, and that promote respect for differences.

(2) If trustees adopt a science curriculum that includes competing interpretations of scientific data, the trustees may direct the science teachers in the district to:

(a) inform their students in the normal course of study that:

(i) issues related to the majority theories of origin are matters of scientific controversy;

(ii) the school district will not hinder any student in arriving at conclusions based upon a scientific evaluation of the evidence; and

(b) present the issue of origins in a fair and accurate manner so as to include the majority view within the scientific community along with scientific reasons for dissent from the majority view.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 7, part 1, and the provisions of Title 20, chapter 7, part 1, apply to [section 1].

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