

By: Senator(s) Jackson (15th)

To: Education

SENATE BILL NO. 2286

1 AN ACT TO AUTHORIZE AND DIRECT THE STATE BOARD OF EDUCATION
2 TO ISSUE RULES AND REGULATIONS ASSURING ACADEMIC FREEDOM BY
3 REQUIRING THE TEACHING AND PRESENTATION OF SCIENTIFIC CREATIONISM
4 IN PUBLIC SCHOOLS IF THE THEORY OF EVOLUTION IS TAUGHT; TO
5 ESTABLISH GUIDELINES FOR CURRICULA THEREFOR; AND FOR RELATED
6 PURPOSES.

7 WHEREAS, it appears that most, if not all, state-supported
8 educational institutions require students to take courses in which
9 naturalistic concepts of evolution are taught as scientific
10 explanations of origins of the universe, life and man; and

11 WHEREAS, evolution is not demonstrable as scientific fact or
12 testable as a scientific hypothesis and, therefore, must be
13 accepted philosophically by faith; and

14 WHEREAS, there is another concept of origins - namely, that
15 of special creation of the universe, life and man by an omnipotent
16 personal Creator - which is at least as satisfactory a scientific
17 explanation of origins as is evolution and is accepted as such by
18 a large number of scientists and other well-informed people; and

19 WHEREAS, many citizens of this state believe in the special
20 creation concept of origins and are convinced that exclusive
21 indoctrination of their children in the evolutionary concept is
22 inimical to their religious faith and to their moral and civic
23 teachings, as well as to scientific objectivity, academic freedom
24 and civil rights; and

25 WHEREAS, even a number of citizens who are not opposed to the
26 evolution concept at least favor a balanced treatment of these two
27 (2) alternative views or origins in the schools, thus allowing
28 students to consider all of the evidences favoring each concept
29 before deciding which to believe; and

30 WHEREAS, the United States Supreme Court has ruled that the
31 state may not establish a religion of secularism in the sense of
32 affirmatively opposing religion, stating that the First Amendment
33 to the U.S. Constitution forbids alike the preference of a
34 religious doctrine or the prohibition of a theory which is deemed
35 antagonistic to a particular dogma; NOW THEREFORE,

36 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

37 **SECTION 1.** As used in this act:

38 (a) "Theory of evolution" shall mean the belief that
39 present processes, acting essentially as at present, suffice to
40 explain the past history of the cosmos, including its assumed
41 evolutionary development from primeval chaos into its present
42 form. The origin and development of the elements, the galaxy, the
43 solar system, of life, of all the species of plants and animals,
44 the origin of man, and the origin of all things are included in
45 this cosmology. Matter or energy, or both, in some form are
46 assumed to be eternal, so that there has never been any real
47 creation of anything ex nihilo, as used in this definition.

48 (b) "Scientific creationism" shall mean the belief,
49 based upon scientific principles, that there was a time in the
50 past when all matter, energy and life, and their processes and
51 relationships, were created ex nihilo and fixed by creative and
52 intelligent design.

53 **SECTION 2.** Public schools within this state shall give
54 balanced treatment to the theory of scientific creationism and the
55 theory of evolution. Balanced treatment of these two (2) theories
56 shall be given (a) in classroom lectures taken as a whole for each
57 course, (b) in textbook materials taken as a whole for each
58 course, (c) in library materials taken as a whole for any field of
59 the sciences on humanities, and (d) in other educational programs,
60 to the extent that such lectures, textbooks, library materials or
61 educational programs deal in any way with the subject of the
62 origin of man, life, the earth or the universe.

63 **SECTION 3.** Treatment of either the theory of evolution or
64 the theory of scientific creationism shall be limited to
65 scientific evidence for each theory and inferences from such
66 scientific evidence and shall not include religious instruction.

67 **SECTION 4.** Public schools within the state, or their
68 personnel, shall not discriminate, by reducing a grade or by
69 singling out and criticizing publicly, against any student who
70 demonstrates a satisfactory understanding of both the theory of
71 evolution and the theory of scientific creationism and who also
72 accepts or rejects either theory in whole or in part.

73 **SECTION 5.** This act does not require a permit or instruction
74 in any religious doctrine or materials. This act does not require
75 any instruction in the subject of origins, but requires
76 instruction in scientific theories of both evolution and
77 scientific creationism if public schools choose to teach either.
78 This act does not require each individual textbook or library book
79 to give balanced treatment to the theories of evolution and
80 scientific creationism, and it does not require any school books
81 to be discarded. This act does not require each individual
82 classroom lecture in a course to give such balanced treatment, but
83 simply requires the lectures as a whole to give balanced
84 treatment; it permits one (1) unit to present the theory of
85 evolution and another unit to present the theory of scientific
86 creationism. This act does not affect university level
87 instruction but applies only to public secondary and elementary
88 schools.

89 **SECTION 6.** The State Board of Education is hereby authorized
90 and directed to promulgate rules and regulations which provide
91 that in all public elementary and secondary schools a balanced
92 treatment of evolution and scientific creationism is included in
93 all courses, textbooks and library materials dealing in any manner
94 with the subject of origins, such treatment to be limited to the
95 scientific rather than religious aspects of the two (2) concepts.

96 The board shall establish curricula guidelines for public schools
97 consistent with the provisions of this act.

98 **SECTION 7.** This act shall take effect and be in force from
99 and after July 1, 2005.