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FISCAL IMPACT REPORT

ORIGINAL DATE 1/29/2007

SPONSOR Williams LAST UPDATED _____ HM HJM 14

SHORT TITLE Objective Teaching of Biological Origins SB _____

ANALYST Aguilar

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
NFI			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SJM 9
Relates to SB 371, HB 506

SOURCES OF INFORMATION

LFC Files

Responses Received From
Public Education Department (PED)

SUMMARY

Synopsis of House Joint Memorial

House Joint Memorial 14 raises concerns with the current teaching of evolutionary theory in public schools. The joint memorial finds that most parents favor allowing teachers to discuss the strengths and weaknesses of evolutionary theory when biological origins are taught. The memorial takes issue with state law because it does not expressly protect a teacher's right to objectively present scientific critiques of evolutionary theory nor does it assure parents that their children will be objectively informed in this area. It concludes that students' rights are not adequately protected in this area.

The memorial resolves that the Public Education Department (PED) be requested to ensure that teachers have the right and freedom to objectively inform students of any scientific information that is relevant to both the strengths and weaknesses of a theory of biological origins.

The memorial further resolves that the PED be requested to ensure that teachers not be reassigned, terminated, disciplined or otherwise discriminated against for objectively informing students of scientific

House Joint Memorial 14 – Page 2

information relevant to both the strengths and weaknesses of a theory of biological origins.

The memorial also resolves that the PED be requested to ensure students are encouraged to critically analyze scientific information and allowed the right and freedom to reach their own conclusions about biological origins; the PED is also requested to ensure that no student is penalized for adopting a particular position on biological origins.

SIGNIFICANT ISSUES

The Public Education Department notes that the memorial appears to seek the PED to compel school districts to permit classroom teachers to teach outside of district-approved and adopted textbooks on the topic of biological origin of life. However, compelling or permitting the teaching of religion as science implicates the Establishment Clause of the First Amendment and would result in litigation against the department under any number of legal theories.

PED further notes that the memorial could be read as requiring the PED to adopt statewide rules, require the adoption of certain textbooks or change curriculum standards consistent with this memorial on the issue of biological origins.

PA/nt