
CONTROVERSIAL ISSUES

Free discussion of controversial issues--political, economic, social--shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timeliness of the question, the maturity and needs of the pupils and the purposes of the schools. Classroom discussions on controversial questions which arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer that should emerge from a discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

Any discussion of controversial issues in the classroom shall be conducted in an unprejudiced and dispassionate manner designed to foster a spirit of inquiry. Such discussion shall not:

- A. Disrupt the educational process;
- B. Fail to match the maturity level of the pupils;
- C. Be unrelated to the goals of the board and the appropriate curriculum guide;
- D. Present any one opinion as definitive.

If teachers wish to supplement the course guide with material that may be of a controversial nature, i.e., subject to interpretation as obscene, profane, doctrinaire or inappropriate, each in relation to the maturity level of the class, they should review the material with the Affirmative Action Officer first. **The Principal or CSA will then be informed of the nature of the material and in doubtful cases may present the matter for board consideration.**

In determining speakers to be invited for a class or schoolwide program, the teacher must consider whether:

- A. The speaker is controversial for any reason;
- B. The topic is controversial, or sensitive, or known to arouse strong community feelings;
- C. The proposed speaker would gain an advantage by having a "captive" audience.

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (*Garcetti v. Ceballos*).

Date:

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First Reading: June 26, 2008

Second Reading and Adoption: July 24, 2008

Legal References:**Other Reasons:**

N.J.S.A. 18A:36-34 requires prior written informed consent from parents/guardians before the district can administer any academic or nonacademic survey that would reveal student information on a list of forbidden topics.

It is advisable to have a policy stating board philosophy on dealing with controversial issues in the classroom.

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Pupil Protection Rights Amendment - 20 U.S.C. 1232h

Tenure Hearing of William Lee Johnson, Clearview Regional School District, 79 S.L.D. 267; 79 S.L.D. 273 aff'd with deletion of paragraph

Garcetti v. Ceballos 2006 U.S. LEXIS 4341(May 2006)

Possible

Cross References: 1312 Community complaints and inquiries
 5145 Rights
 6115 Ceremonies and observances
 6141.2 Recognition of religious beliefs and customs
 6145.3 Publications
 6161.1 Guidelines for evaluation and selection of instructional materials
 6161.2 Complaints regarding instructional materials

Key Words

Controversial Issues, Curriculum, Instructional Materials, Censorship