

Existing policy adopted 5/20/14, recommend replacement with CABE's updated policy which follows.

Instruction

Controversial Issues

Controversial issues are those subjects about which there are significant differences of opinion based on differing values people bring to an issue; as a basic educational competency, students should develop abilities to deal with controversial issues.

Controversy is inherent in the democratic way of life, and study and discussion of controversial issues is essential to citizenship education in a free society. Students can become better informed individuals through examining evidence, facts, and differing viewpoints; by exercising freedom of thought and moral choice; and through making responsible decisions. Perpetuation of the fundamental principles of American society requires opportunities for students to read, to gather information, to speak, to hear alternative viewpoints, and to reach honest judgments according to individual abilities. Teachers shall help students identify and evaluate relevant information, learn the techniques of critical analysis, and make independent judgments. They must reinforce students' rights to present and support personal conclusions with those who have opposing points of view. Teachers should also develop student interest in objective reexamination of long-standing issues, and of newly significant issues, and promote vigorous exchanges of ideas. Although teachers have the right to express personal viewpoints and opinions, they do not have the right to indoctrinate students with their personal views.

(cf. 1312 Public Complaints)

(cf. 4118.21 Academic Freedom)

(cf. 5145.2 Freedom of Speech/Expression)

(cf. 6161 Equipment/Books/Materials: Provision/Selection)

Existing regulation approved 5/20/14, recommend replacement with CAFE's updated regulation which follows.

Instruction

Selection Controversial Issues

The following guidelines, while not all inclusive, should assist teachers in deciding whether or not a given controversial issue should be considered:

1. Is the controversial issue timely and is it significant? Some issues are quite transitory. They arise rather rapidly, create a great deal of excitement and almost as quickly disappear. The teacher should attempt to select those issues which have a bearing on long-range problems.
2. Is the controversial issue appropriate to the academic level and maturity of the students?
3. Does the student have access to materials which will provide significant bearing on the controversial issue being discussed?
4. Can the issue be adequately considered in the time available? It is sometimes better not to raise questions that cannot be properly explored than to create a situation of hasty, ill-informed discussion. Superficial treatment of important questions usually defeats the purpose of introducing them.
5. Is the controversial issue being discussed related to the course of study?
6. Some issues do not have a proper place in the classroom that seeks to educate all children with public funds. The teacher should use sound judgment and tact in selecting those controversial topics and will accomplish the objectives of teaching them rather than defeating those objectives. For example, the following should be avoided:
 - a. The rationale or values of any religious faith.
 - b. Subjects whose consideration would give serious offense to large segments of the community.
 - c. Subjects that will strongly divide a community and consideration of which may lead to misinterpretation and even partisan pressures. In cases of doubt, the teacher should seek guidance of more experienced colleagues, his/her immediate supervisor, or an administrator.
 - d. Young and immature minds should not be subjected to persuasive or vigorous argumentation or presentation by persons with a known and strong bias.
7. The teacher's responsibilities include the achievement of a scholarly competence, the teaching of controversy as controversy, opinion as opinion, to teach the truth, and to admit ignorance when the truth is not known.

Instruction

Selection Controversial Issues (continued)

In the study of controversial issues, indoctrination shall not be the purpose; rather, the purpose shall be to have the student see as fully as possible all sides of the question or issue.

8. The responsibility of maintaining and manifesting at all times a decent respect for dignity and worth of each individual as paramount.

(cf. 1220 - Citizens' Advisory Committees)

(cf. 1312 - Public Complaints)

(cf. 4118.21 - Academic Freedom)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6161 - Equipment, Books, Materials: Provision/Selection)

Legal Reference: *Keyishian v. Board of Regents* 395 U.S. 589, 603 (1967)

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9181)

Complaint on Handling of a Controversial Issue

This is the format we request a citizen to use to ensure smooth, expeditious consideration of a complaint on the handling of a controversial issue in the school program. We realize there is not enough space to respond adequately to these questions and would prefer that you use other sheets, following this format.

1. Please summarize the nature of the issue which gives rise to the complaint:

2. Do you know if the issue involved is a part of an accepted and approved curriculum?
Yes _____ No _____
3. Do you know if opposing points of view were also presented as it would pertain to this issue? Yes _____ No _____
4. Would you please specify your objection regarding the matter under consideration?
 - a. For example, if it is thought the controversial issue should not be in the curriculum at all, please give reasons and indicate what you feel might be the result of including this controversial issue in the curriculum:

 - b. For example, if it is thought the controversial issue should not be in the curriculum at this grade level and curriculum area, please indicate why and suggest another grade level and curriculum area:

 - c. For example, if it is thought the instructional methods were inappropriate, please explain:

 - d. For example, if it is thought the resource materials used were inappropriate, please explain:

 - e. What would you suggest in its place?

 - f. Other specific concerns:

Signed

Date

Enclosure: Policy and Regulation 6144 Controversial Issues in the Curriculum

Issues in Teaching Controversial Content/Dealing with Controversial Issues

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(Background Information for Policy Review Committee)

The mission statement of most school districts usually includes preparing students to be conscientious citizens of the nation and world. To achieve this goal, teachers of science, social studies and English routinely ask students to discuss important but controversial topics. Depending on the subject, such topics may include, but are not limited to, issues such as immigration policy, health care, the Second Amendment, taxation, religion, racism, climate change, evolution, drugs, and sexuality.

Teachers have an obligation to maintain a respectful environment where all student voices can be heard, which may mean teaching civil discourse and establishing protocols for discussion. Further, whether prepared for the challenge or not every educator is met with unexpected moments or conversations at times. Controversial issues cover a vast array of topics and are characterized by having a political, social, emotional, or personal dimension, layers of complexity, divergence of opinion and potential to be triggered by small local or major global events.

An article posted on the NEA website stated, “Sometimes it can be hard to avoid uncomfortable details about current events or stay away from the lurid details of wars throughout history. However, it’s important to keep the classroom a safe haven for your students, as well as build and keep their trust and respect, both in and out of the classroom.”

Generally speaking, an issue which tends to create polarized viewpoints may be considered controversial. Controversial topics usually center on values and beliefs often considered private rather than public. Therefore, those ideas which either confirm or question deeply held values will become controversial. They are usually items of social significance and have national and international implications. However, issues which do not extend beyond local concerns can also be equally significant and controversial.

School districts are recommended to implement policies which can assist staff in dealing with controversial issues. Students are motivated to learn and apply decision-making and problem-solving skills when discussing topics of importance to them. Research indicates that discussing controversial issues at all grade levels will counteract the apathy that has characterized persons of voting age. When approached correctly, the introduction of controversial issues can help students develop into citizens who will be more likely to deal intelligently and decisively with such issues.

Research points to the benefits of high-quality discussion of controversial issues. The benefits include a growth in toleration for the viewpoints of others, interest in politics and knowledge about the issues students investigate.

The discussion involving controversial issues has historically been tricky for teachers. This is due to the fact that the open exchange of ideas is a hallmark of democratic classrooms; students and their parents hold strong views on a range of subjects and lastly, there isn’t enough time in the school day or space in the curriculum, to debate every issue.

Issues in Teaching Controversial Content/Dealing with Controversial Issues

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In the current climate, curricular content has become more challenging because some cable news pundits, talk-show hosts and politicians are spreading some scientifically dubious claims and falsehoods which are amplified on social media. Educators have to contend with students and community members who sincerely believe information that isn't factual. Wayne Journal from the University of North Carolina/Greensboro, stated, "When teachers attempt to broach contested issues in their classroom, they often find themselves having to address poor information, prejudices, or beliefs that cannot be objectively evaluated."

Young people often seek opportunities to discuss issues. This needs to be done within a supportive structure where questions can be asked and views expressed. Such discussion can be used to explore values, enhance communication skills, build understanding and learn that life is complex, with no easy answers to some of the issues.

Teachers have always had the responsibility to create in their classrooms an atmosphere in which reason and inquiry gain over ignorance and hyperbole. In order to accomplish such a feat, they need guidelines that explain why they can entertain some arguments and not others. Teachers have to be able to justify which topics can be discussed in the classroom and not be accused of being politically partisan of indoctrinating students.

An approach is to distinguish between "open" and "settled issues." Open issues include those in which more than one rational or reasonable position can be taken. In such situations, all reasonable and rational positions deserve a fair hearing. Settled issues are those in which only one rational and reasonable position exists. In such situations, debate should be avoided and students be provided with the settled position. However, not all topics are always such clear-cut.

The Supreme Court and lower courts tend to uphold the rights of teachers and of students to engage in controversial topics both in curricular and extracurricular activities. The courts usually leave to the schools, issues pertaining to the curriculum. However, the courts will intervene when necessary to protect the legal rights of parents and students. Curriculum-related lawsuits usually result from disputes over content. While courts usually defer to schools, a board's curricular discretion, either to require content or to censor it, is limited.

Curriculum Decisions

Following is a listing of what schools are and are not permitted to do, based upon judicial decisions over time pertaining to controversial issues in the curriculum.

Schools may:

1. Require students to learn controversial content, even if such content may offend the ideological or religious sensibilities of some in the community.
2. Teach about religion.
3. Require values or character education. The fact that some secular values parallel religious tenets does not taint a program as establishing religion.
4. Hold or require activities based on cultural traditions or fantasy, as long as they do not border on religious ritual.
5. Teach about religious holidays.
6. Include religious music in a school music group's repertoire.

Issues in Teaching Controversial Content/Dealing with Controversial Issues

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7. Restrict content based on legitimate pedagogical grounds. These include age appropriateness, professional acceptance, consistency with general educational objectives, or currency.
8. Require a teacher to teach content he/she finds objectionable.
9. Discipline a teacher for violating curricular guidelines or common sense propriety. Academic freedom does not permit a teacher to show an R-rated movie to young students or be in violation of district policy.

Schools may not:

1. Make arbitrary curriculum decisions without rational reasons. A decision must be rationally related to a legitimate governmental purpose.
2. Ban academic content solely because it's controversial or offensive to the religious or family values of some community members. Courts have held that students have certain legal rights to receive information, even if controversial.
3. Engage in religious instruction. Promoting or denigrating religion is unconstitutional.
4. Fail to address abuses of discretion by teachers.
5. Teach religion in the guise of other subjects.
6. Hold activities, that border on religious practice.
7. Hold religious celebrations.

A school district should consider a policy which includes an "opt-out" procedure for students to be excused from certain classes. Such a policy is not required, but it can help ease controversies. Legally, an opt-out makes it more likely that a court will reject a challenge to an assignment.

Textbooks and Instructional Materials

The rules for making textbook decisions are similar to those for curricular decisions.

Schools may:

1. Require assignment of materials even if some parents object to some of the ideas in them.
2. Forbid use of textbooks or materials in class because of vulgarity or graphic treatment of sexual matters, even where material has great literary value.
3. Rely on motion picture ratings to determine the appropriateness of films for students.
4. Use religious materials in class to teach about religion and culture.

Schools may not:

1. Remove instructional materials from the curriculum based solely on religious and ideological beliefs of parents/guardians and community members.

The Every Student Succeeds Act (ESSA) requires districts receiving federal funds to adopt a local policy giving a parent the right to inspect any instructional material, regardless of format, used as part of the educational curriculum. Parents must be notified, at least annually at the beginning of the school year, of the existence of the policy. Policy #6162.51, "Surveys of Students (Student Privacy)" addresses this issue.

Library Materials

Courts usually apply a stricter standard of review to decisions to restrict student access to library materials than to classroom materials. The rights of students to receive information cannot be infringed just because ideas are controversial or may be distasteful to some.

Issues in Teaching Controversial Content/Dealing with Controversial Issues

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A school board, however, can exclude materials from the library if they are not “educationally suitable” or are “pervasively vulgar.” It is recommended that boards establish a standard procedure to handle challenges to library materials.

Source: Based upon an article written by Thomas Hutton, NSBA Staff Attorney, appearing in *Inside School Law*, Winter 2003 edition.

Policy Implications

More than ever, young people are exposed to violent and traumatic confrontations at home and abroad through newspapers, television, and social media. Children bring these incidents and their reactions to them, to school. Educators need to prepare for the reverberations of these intensely charged events inside classrooms and schools. Classroom life is shaped by external forces in schools and society. Ongoing tensions among different racial, socioeconomic and religious groups that play out in schools will likely be heightened by the chaotic sociopolitical climate.

These volatile times call for helping teachers learn how to promote constructive discussions of charged issues within their classes. Whether planned or not these issues will get raised, if not by teachers, then by students. Students feel compelled to discuss such issues in order to try to make sense of them. There are many resources available to assist educators in facilitating discussion of difficult and controversial issues.

As mentioned previously, boards of education are required by ESSA to adopt a policy pertaining to parental inspection of curriculum materials.

The policies listed below relate to the information contained in this discussion of controversial issues.

1. Policy #1312 - “Public Complaints”
2. Policy #4118.21 - “Academic Freedom”
3. Policy #6144 - “Controversial Issues”
4. Policy #6144.1 - “Exemption from Instruction”
5. Policy #6144.3 - “Controversial Speakers”
6. Policy #6160 - “Educational Resources and Material”
7. Policy #6161 - “Equipment, Books and Materials”
8. Policy #6161.1 - “Evaluation/Selection of Instructional Materials”
9. Policy #6177 - “Use of Commercially Produced Video Recordings”

There are many existing samples of policy #6144, “Controversial Issues.” Due to the fact that, while still appropriate, they are dated, some new versions have been developed which are considered more in concert with the current educational and societal climate and follow for your consideration.

Please note that in some of the samples, options are provided requiring local determination regarding inclusion in the policy.

January 2022

Instruction

Controversial Issues

Introductory Statement

The Board of Education (Board) recognizes that the District's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

Alternate Introductory Statements:

The Board of Education (Board) believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.

Contemporary society is characterized by differences of opinion arising from conflicts of values and belief, which become controversial issues within the community. It is the responsibility of public education, in a pluralistic, democratic society to provide for the treatment of controversial issues in a setting that allows free expression of opinion, promotes rational thought, and provides adequate learning resources.

The Board of Education (Board) accepts training for effective citizenship as one of the major purposes of education. This includes, in part, recognizing that many important areas of study involve issues on which differing positions are held by individuals or groups.

The public schools of the United States have the responsibility to educate students to be informed, conscientious citizens, capable of self-direction and critical thinking. In training young people to become effective citizens in our democracy, students must be given the opportunity to develop the ability to gain information about public issues, to evaluate facts, and to express themselves through discussion, writing, and the ballot.

The Board of Education (Board) recognizes the role of public education in preparing students for effective citizenship. Consequently, the instructional program to achieve this purpose must appropriately emphasize cultural heritage, critical thinking, and the rights, privileges, and responsibilities of living in a pluralistic society. The Board also recognizes that as students prepare for active engagement in participatory democracy, they often encounter issues that may be considered controversial. The Board encourages the examination of controversial issues related to the Board approved curriculum in an impartial and objective manner. The examination of controversial issues should occur in inclusive and supportive learning environments that encourage respect for multiple perspectives. The Board also encourages community support of the teaching of controversial issues in the classroom in order to promote the development of civic efficacy, student engagement, and critical thinking among District students.

Instruction

Controversial Issues (continued)

Definitions

A “**controversial topic or material**” involves a topic or material that is part of the District’s curriculum or media collection about which an individual and/or group urge the District to alter the use of said topic or material in the schools. It may deal with a topic for which society has not found a solution, and it is of sufficient significance that all proposed ways of dealing with it arouses a contrary response, or it may involve a material that contains language or treatment of topics that are objectionable to the citizen challenging the material.

OR

Controversial issues: Significant academic, social, political, and ideological matters about which there exists opposing viewpoints and/or multiple perspectives.

OR

Definition of a Controversial Issue: An issue is controversial when the question is debatable and when some of its proposed solutions conflict with the intellectual or emotional commitments of citizens to cherished interests, beliefs, or group loyalties.

OR

Controversial issues are defined as those problems, subjects or questions about which there are major differences of opinion, for which there are no easy answers, and discussion of which generally created strong feelings among people.

Curriculum: The prescribed elements of programs and courses which state clearly and specifically what students are to know and be able to do, how well they will be able to do it, and how they will meet the learning objectives and by what means they will be assessed. Sensitive and controversial issue topics are components of the curriculum.

Belief Statement

The Board believes the intelligent discussion of vital current public issues, often containing the element of controversy, is an important part of the education of youth for effective citizenship in our country. The democratic process itself is the resolving of controversy in an orderly fashion. Every American student has the right and responsibility to examine pertinent issues without prejudice. Only through an appreciation of all sides of a given issue can the student gain the wisdom to choose intelligently between proposed alternatives.

Controversial issues provide stimulation to learning by creating intellectual excitement and therefore are an important part of the classroom environment. Free inquiry in a democratic society requires that controversial issues arising in the classroom be handled as a regular aspect of instruction and learning in such a way as to not inhibit the dignity, the personality, or the intellectual integrity of either teachers or students.

Instruction

Controversial Issues

Belief Statement (continued)

The Board expects administrators and teachers to exercise professional judgment when deciding whether or not a particular issue is suitable for study or discussion. They shall consult with the Superintendent or his/her designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

Guidelines

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
3. In the classroom, teachers act on behalf of the District and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or his/her designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.
4. Students shall be assured of their right to form and express an opinion without jeopardizing their grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.
5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.
6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.
7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.
8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the Superintendent or designee shall notify him/her of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

Instruction

Controversial Issues

Guidelines (continued)

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, parents/guardians shall be notified prior to instruction that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction will be offered an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues may communicate directly with the teacher or Principal and/or use appropriate district complaint procedures.

Responsibilities

Students

Student responsibilities begin with a willingness to examine objectively one's own point of view and to make a concerted effort to understand the reasons for differing points of view. Such willingness is basic to working effectively with others on issues of common concern but with divergent possible solutions. Responsibilities relating to this basic premise are further emphasized in the recognition that honest people may differ without malice, without the disruption of emotional outburst, and without impugning the character or integrity of those who have differing opinions.

Alternate language to consider:

1. To research, study and discuss significant issues and to reach judgments and express opinions without jeopardizing his/her relationship with classmates or teachers.
2. To learn in an open classroom and school climate so that they feel free to examine any aspect of a controversial issue.
3. To study with competent instruction in an impartial atmosphere and have access to relevant material.
4. To conduct research in an atmosphere free from bias and prejudice.
5. To be protected against indoctrination, whether it be political, social, economic, religious, or other.
6. To assure that when controversial issues are being discussed in the classroom, every effort is being made to present various viewpoints fairly, impartially and discreetly.

Instruction

Controversial Issues

Responsibilities (continued)

Teachers

The effectiveness of the educational program in achieving the objectives set forth in this policy statement is primarily dependent upon the classroom teachers. In this regard, the specific responsibilities of the teacher are:

1. To determine the appropriateness of the issue with respect to the curriculum, course objectives, and the knowledge, maturity, and the ability of the students.
2. To advise the Principal regarding the planned study of a controversial issue and to consult with him/her concerning the appropriateness of the proposal.
3. To make provisions for suitable instructional materials and adequate time to give reasonably thorough coverage of the topic, and otherwise to present the issues after adequate planning and preparation.
4. To be sensitive to feeling in the community and judicious in treatment of the controversial issue.
5. To maintain an active concern for the rights and feelings of individuals, including the right to privacy.
6. To demonstrate by teaching style and instructional demeanor a commitment to the methods of objective inquiry in group activities.
7. To project in the most positive way their personal and professional adherence to practice which reflect respect for the dignity of the individual.
8. To ensure a balanced presentation through the careful selection of materials, guest speakers, and other instructional resources.
9. To label their opinion as such when it is expressed as a personal point of view.
10. To teach students those skills required for the analysis of complex issues and to provide a classroom environment in which students feel comfortable developing and expressing their own points of view.

Alternate language to consider:

1. To be free to conduct reasonable study and discussion of controversial issues without fear of reprisal.
2. To maintain a high degree of impartiality.
3. To treat controversial issues objectively and to present alternate and/or divergent positions and opinions.

Instruction

Controversial Issues

Responsibilities

Teachers (continued)

4. To determine the degree and extent of consideration given to a specific controversial issue based upon knowledge, intellectual maturity, and competence of the students in the class.
5. To ensure that an accurate, factual and balanced presentation of material is readily available for the student.
6. To be assured, if the need ever arises, that parents will be directed and encouraged by the Board and administration to take their questions and comments directly to the teacher concerned.
7. To ensure that a student's view of an issue is not suppressed as long as the expression of that view can be made in a reasonable manner.

Teachers, who in the performance of their teaching duties, are engaged in the study or discussion of such controversial issues shall be defended by the Board and District from unjust or unfair criticism or legal actions.

The Board's position on this matter applies to the regular curriculum of the schools and to extra-curricular activities before and after school, within the school building or outside of the school, whenever school or school-sponsored or sanctioned groups are involved. The Board reserves the right to exercise significant discretion in determining the content of school curriculum within the limitations provided by law.

Administration

The building Principal shall have the following responsibilities:

1. To consult with the teachers concerning the appropriateness of the proposed content and methods of teaching about controversial issues.
2. To maintain a general atmosphere conducive to dealing with controversial issues.
3. To support and protect teachers from undue and unjustified criticism that might arise from dealing with controversial issues in the classroom.
4. To ensure that the instructional program is not exploited by special interest groups or pressure tactics. (This does not preclude the utilization of guest speakers to present different points of view as long as the prior approval of the Principal is secured.)

Instruction

Controversial Issues

Responsibilities (continued)

Parents/Guardians

Parents/guardians of students in the District are responsible:

1. To recognize that it is the responsibility of the school to present controversial issues appropriate to the curriculum.
2. To refrain from attempts to suppress the teaching about controversial issues, assuming that the guidelines of responsibility and appropriateness have been followed.
3. To inform the teacher, Principal, and other appropriate personnel when they have information that indicates controversial issues are being dealt with in an inappropriate manner.

(cf. 0521.1 – Anti Racism)

(cf. 0521.2 – Commitment to Religious Neutrality)

(cf. 0523 – Equity and Diversity)

(cf. 1312 – Public Complaints)

(cf. 4118.21 - Academic Freedom)

(cf. 5131.911 – Bullying/Safe School Climate)

(cf. 5145.2 – Freedom of Speech/Expression)

(cf. 6141 – Curriculum Design/Development/Revision)

(cf. 6141.2 – Recognition of Religious Beliefs and Customs)

(cf. 6142 – Basic Instructional Program)

(cf. 6142.1 – Family Life and Sex Education)

(cf. 6142.10 – Health Education)

(cf. 6144.1 – Exemption from Instruction)

(cf. 6144.3 – Controversial Speakers)

(cf. 6145.5 – Organizations/Associations-Equal Access)

(cf. 6160 – Educational Resources and Material)

(cf. 6161 – Equipment, Books and Materials)

(cf. 6161.1 – Evaluation/Selection of Instructional Materials)

(cf. 6162.51 – Student Privacy/Surveys of Materials/Inspection of Materials)

(cf. 6177 – Use of Commercially Produced Video Recordings)

Instruction

Controversial Issues

Legal Reference: Connecticut General Statutes

31-51q Liability of employer for discipline or discharge of employee on account of employee's exercise of certain constitutional rights.

Academic Freedom Policy (adopted by Connecticut State Board of Education, 9/9/81)

Keyishian v. Board of Regents 395 U.S. 589, 603 (1967)

Garcetti v. Ceballos, (2006) 547 U.S. 410

Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)

Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Policy adopted:

cps 1/22

Another version of this policy.

Instruction

Controversial Issues (and Materials)

I. Purpose

A “controversial topic or material” involves a topic or material that is part of the District’s curriculum or media collection about which an individual and/or group urge the District to alter the use of said topic or material in the schools. It may deal with a topic for which society has not found a solution, and it is of sufficient significance that all proposed ways of dealing with it arouses a contrary response, or it may involve a material that contains language or treatment of topics that are objectionable to the citizen challenging the material.

II. General Statement of Policy

The policy of the _____ School District (District) is as follows:

1. The District has a responsibility to include, in various curriculum areas and at all grade levels, content dealing with critical topics and using materials, some of which will be controversial or raise objections within the community.
2. Development of rational thinking and preparation for citizenship are the primary reasons for including the study of controversial topics or use of controversial materials in the curriculum.
3. The District, as an educational institution and as individual classroom teachers have a responsibility to give the student:
 - a. An opportunity to study controversial topics or read controversial materials which have political, economic or social significance about which they will begin to have an opinion.
 - b. Access to all relevant information, including the materials that circulate freely in the community.
 - c. Competent instruction balancing the various points-of-view in an atmosphere free from bias and prejudice.
 - d. The right to form and express their own opinions on controversial topics or materials without jeopardizing their relations with teachers or the schools.
 - e. Deliberate effort shall be made by the teacher to achieve balance over time in the viewpoints to which students are exposed.

III. Guidelines

Guidelines for the selection of controversial topics or materials to be studied in the classroom:

1. The topic or material should contribute toward helping students develop techniques for examining other controversial topics or materials.
2. The topic or material should be suitable for students of the maturity and background represented in the respective class.

Instruction

Controversial Issues (and Materials)

III. Guidelines (continued)

3. The topic or material should be related to the standards and course content and help achieve those standards and course objectives.
4. The topic or material should be of continuing significance.
5. Exceptions to the above expectations may be granted by the building Principal on a case-by-case basis.

(cf. 0521.1 – Anti Racism)
(cf. 0521.2 – Commitment to Religious Neutrality)
(cf. 0523 – Equity and Diversity)
(cf. 1312 – Public Complaints)
(cf. 4118.21 – Academic Freedom)
(cf. 5131.911 – Bullying/Safe School Climate)
(cf. 5145.2 – Freedom of Speech/Expression)
(cf. 6141 – Curriculum Design/Development/Revision)
(cf. 6141.2 – Recognition of Religious Beliefs and Customs)
(cf. 6142 – Basic Instructional Program)
(cf. 6142.1 – Family Life and Sex Education)
(cf. 6142.10 – Health Education)
(cf. 6144.1 – Exemption from Instruction)
(cf. 6144.3 – Controversial Speakers)
(cf. 6145.5 – Organizations/Associations-Equal Access)
(cf. 6160 – Educational Resources and Material)
(cf. 6161 – Equipment, Books and Materials)
(cf. 6161.1 – Evaluation/Selection of Instructional Materials)
(cf. 6162.51 – Student Privacy/Surveys of Materials/Inspection of Materials)
(cf. 6177 – Use of Commercially Produced Video Recordings)

Legal Reference: Connecticut General Statutes
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Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Policy adopted:
cps 1/22

Another version of this policy.

Instruction

Controversial Issues

Introduction

Open, constructive dialogue about issues of public concern is a hallmark of lifelong learning and responsible citizenship. This includes the discussion of controversial social, political, and economic topics and policies.

The Board of Education (Board) believes in the following principles, honoring teachers' academic freedom as well as students' individual identities:

1. The District shall create a safe, inclusive learning environment where students are able to participate freely in academic dialogue as speakers and listeners. The school environment shall be used to provide balanced information and ideas on issues of opinion so that student may formulate their own positions and opinions.
2. Schools and classrooms are an environment where students must feel physically and emotionally safe. The District aspires to create a climate in which students consistently feel a sense of belonging and membership. Therefore, the schools must be a place free from a discourse that is intentionally harmful toward others or expresses hatred, bigotry, bias, or otherwise is reasonably intentionally hurtful to others.

It is the duty of the educational community to model for our students the ideals of acceptance of diversity and respect for civil discourse. It is incumbent upon educators to establish an emotionally safe environment for students to explore new ideas. It is our role to teach varied ideologies and political perspectives; engage students in critical thinking; and facilitate students' discovery of their own ideals and thoughts, all while modeling respectful dialogue and authentic inquiry.

At times, due to the nature of public discourse, educators may be reluctant to engage in discussion of controversial topics in an effort to avoid the perception of bias or judgment. Teachers must be keenly aware of their position of influence and that the classroom is not a forum to promote a particular political vantage point. As partners in our students' education, we shall aspire to promote healthy, authentic dialogue in our classrooms and corridors.

Definition of a Controversial Issue

An idea, viewpoint or topic can be considered controversial if, "a number of people disagree about statements and assertions made in connection with the proposition. Issues that deeply divide a society, that generate conflicting explanations and solutions based on alternative value systems, are considered controversial." The scope of issues that might be considered controversial is quite broad. The content of these issues may vary from local problems to issues international in scale.

Instruction

Controversial Issues (continued)

Engagement of Students in Learning About and Discussing Controversial Issues

The inclusion of controversial topics in the curriculum helps to:

- Develop students' critical thinking skills;
- Improve interpersonal skills, and
- Prepare students for their roles as contributors to a pluralistic democracy.

The productive treatment of controversial subjects demands a classroom climate conducive to the free expression of ideas. This should include the opportunity to hear a wide range of views, student freedom to express ideas, and teacher willingness to discuss ideas. Additional considerations include the following:

A. Selection of Issues

Topics of classroom discussion should, first and foremost, always be driven to the District curriculum. In selecting discussion issues, teachers should also consider their students' interest, experience, and expertise regarding the issue; the relevance of issues to their students' lives; their students' maturity level; and the significance of the issue to society.

B. Preparation of Students for Discussion

Teachers should invest time to train their students in discussion techniques. Teachers and students cooperatively determine guidelines for interaction, and both realize that to establish a rhythm and flow of discussions will take practice and patience.

Ensuring that students are adequately prepared to handle an issue in a discussion format requires that teachers provide informational resources and that students have an opportunity to acquire background knowledge prior to the discussion. Background information may be provided through readings, lectures, films, guest speakers, or field trips.

C. Establishment of an Open Discussion Climate

The creation of an intellectually safe environment for student participation is one of the most important elements of successful discussions. Teachers should model appropriate discussion behaviors by carefully listening to and respecting students' contributions. Teachers should tolerate widely divergent views and encourage the expression of them in order to establish a non-threatening arena for the exposition of ideas. Students must understand that they may not interrupt each other's comments and that they may disagree without being disagreeable.

Instruction

Controversial Issues

Engagement of Students in Learning About and Discussing Controversial Issues (continued)

D. Maintenance of Focus and Direction

District teachers should work to provide the necessary structure for constructive discussions. An agenda for the discussion might include defining the problem, summarizing and analyzing evidence, suggesting possible solutions, hypothesizing consequences of solutions, and relating the issue to the personal experience of the students.

E. Intellectual Balance, Encouraging Equal Participation

A primary role of the teacher in facilitating the learning of curriculum and moderating classroom discussions is to ensure that students are exposed to the full range of perspectives on any issue considered. Teachers should actively solicit a wide array of opinions about discussed issues, and expose students to a fair hearing of competing points of view. If important viewpoints on a given issue are not expressed, they may be elicited through careful questioning; or they may be provided by asking students to role-play someone who would present that perspective. To achieve a level of balanced participation it is often necessary to actively draw reticent students into the discussion and to limit the contributions of more outspoken students. The establishment of a participation system is generally helpful in addressing this problem.

F. Guiding Principles

Above all, the District objective is to allow students to figure out their views about, and stance on issues themselves. The Board believes effectively and responsibly addressing controversial issues in the educational process provides a unique opportunity to partner with families. To that end, the Board pledges its commitment to these guiding principles:

- We aim to create a safe, inclusive learning environment where students are able to participate freely in academic dialogue as speakers and listeners.
- Schools and classrooms are an environment where students feel physically and emotionally safe. We aspire to create a climate where students consistently feel a sense of belonging and membership.
- We respect the inquisitiveness of learners as well as the family and community belief systems which they bring to school.
- The US Constitution is the law of the land and a cornerstone of our curriculum. We aim to present relevant features of the US Constitution in timely and meaningful contexts. In the spirit of the Constitution, we underscore that all students, regardless of their opinion or conviction, warrant respect.
- We are open and available to help students with any confusion they may experience in the process of political debate, whether that be with educators or their peers. Students should feel free to seek out the support of a guidance counselor, teacher, or administrator if they feel the need to discuss any issue.

Instruction

Controversial Issues (continued)

(cf. 0521.1 – Anti Racism)
(cf. 0521.2 – Commitment to Religious Neutrality)
(cf. 0523 – Equity and Diversity)
(cf. 1312 – Public Complaints)
(cf. 4118.21 – Academic Freedom)
(cf. 5131.911 – Bullying/Safe School Climate)
(cf. 5145.2 – Freedom of Speech/Expression)
(cf. 6141 – Curriculum Design/Development/Revision)
(cf. 6141.2 – Recognition of Religious Beliefs and Customs)
(cf. 6142 – Basic Instructional Program)
(cf. 6142.1 – Family Life and Sex Education)
(cf. 6142.10 – Health Education)
(cf. 6144.1 – Exemption from Instruction)
(cf. 6144.3 – Controversial Speakers)
(cf. 6145.5 – Organizations/Associations-Equal Access)
(cf. 6160 – Educational Resources and Material)
(cf. 6161 – Equipment, Books and Materials)
(cf. 6161.1 – Evaluation/Selection of Instructional Materials)
(cf. 6162.51 – Student Privacy/Surveys of Materials/Inspection of Materials)
(cf. 6177 – Use of Commercially Produced Video Recordings)

Legal Reference: Connecticut General Statutes
 31-51q Liability of employer for discipline or discharge of employee on
 account of employee's exercise of certain constitutional rights.
 Academic Freedom Policy (adopted by Connecticut State Board of
 Education, 9/9/81)
 Keyishian v. Board of Regents 395 U.S. 589, 603 (1967)
 Garcetti v. Ceballos, (2006) 547 U.S. 410
 Johnson v. Poway Unified School District, (2011) 658 F.3d 954 (9th Cir.)
 Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d
 477 (7th Cir.)

Policy adopted:
cps 1/22

Another version of this policy.

Instruction

Teaching about Controversial Issues/Controversial Speakers

An important goal of the _____ School District is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and dispassionate approaches to the analysis of contemporary social and political issues. To insure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the Board of Education (Board) establishes the following guidelines for discussion of controversial issues in the schools.

Teacher-Planned Classroom Discussions

1. Controversial issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the Board for inclusion in the curriculum.
2. The teachers' right to introduce controversial issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.
3. The approach to discussion of these issues in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.
4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom.
5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).
6. In all cases teachers must obtain from the Principal permission to invite visitors for classroom presentations. Permission must be requested at least 48 hours before the scheduled time of presentation.

Student-Initiated Forums on Controversial Issues

Student groups may request permission to conduct forums on controversial issues in the schools. The Principal may grant such requests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class.
2. Adequate advance planning must be conducted for each forum. A request to hold a forum must be received by the Principal at least three weeks before the scheduled date of presentation. For each request the Principal will appoint, after consultation with the requesting student group, an adult advisory group consisting of at least two parents/guardians and two faculty members.

Instruction

Teaching about Controversial Issues/Controversial Speakers

Student-Initiated Forums on Controversial Issues (continued)

3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forum.

Requests from Groups or Individuals Outside the Schools

No permission will be granted non-school groups or individuals to make presentations on controversial issues in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the Board's policy on community use of school facilities.

No permission will be granted outsiders for distribution of literature on controversial issues to students in general or to class groups.

A Principal may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The Principal will determine the appropriate bulletin board for such notices.

- (cf. 0521.1 – Anti Racism)
- (cf. 0521.2 – Commitment to Religious Neutrality)
- (cf. 0523 – Equity and Diversity)
- (cf. 1312 – Public Complaints)
- (cf. 4118.21 – Academic Freedom)
- (cf. 5131.911 – Bullying/Safe School Climate)
- (cf. 5145.2 – Freedom of Speech/Expression)
- (cf. 6141 – Curriculum Design/Development/Revision)
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- (cf. 6142 – Basic Instructional Program)
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- (cf. 6144.1 – Exemption from Instruction)
- (cf. 6144.3 – Controversial Speakers)
- (cf. 6145.5 – Organizations/Associations-Equal Access)
- (cf. 6160 – Educational Resources and Material)
- (cf. 6161 – Equipment, Books and Materials)
- (cf. 6161.1 – Evaluation/Selection of Instructional Materials)
- (cf. 6162.51 – Student Privacy/Surveys of Materials/Inspection of Materials)
- (cf. 6177 – Use of Commercially Produced Video Recordings)

Instruction

Teaching about Controversial Issues/Controversial Speakers

Legal Reference: Connecticut General Statutes

31-51q Liability of employer for discipline or discharge of employee on account of employee's exercise of certain constitutional rights.

Academic Freedom Policy Connecticut State Board of Education, 9/9/81)

Keyishian v. Board of Regents 395 U.S. 589, 603 (1967)

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Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Policy adopted:
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*An administrative regulation to consider as replacement for existing regulation approved
5/20/14.*

Instruction

Controversial Issues

Purposes of the Study of Controversial Issues

The study of an issue should provide opportunities for students to develop techniques of examining any controversial issue and should strengthen or change their individual commitment to viewpoints reached through independent, systematic research.

Investigation of significant issues should strengthen the student's ability and will to study any complex life situation. It should enable him/her to recognize the necessity for, and the value of, differing viewpoints and to appreciate the role of controversy as an instrument of progress.

The study of such issues shall have as its purpose the development of the following skills and attitudes:

1. The desire and ability to study relevant problems and to make intelligent choices from alternatives.
2. The desire and ability to use rational methods in considering significant issues.
3. The willingness to recognize that differing viewpoints are valuable and normal.
4. The recognition that reasonable compromise is often an important part of the democratic decision-making process.
5. The skill of analyzing and evaluating sources of information, recognizing propaganda, half-truths, and bias.

Periodically, the building administrator should discuss the teaching of controversial issues with staff members.

If a teacher is in doubt regarding the appropriateness of discussing certain controversial issues in the classroom or regarding the ability to handle such issues, the teacher should confer with the Principal. If the matter cannot be resolved to the satisfaction of the Principal, the matter may be referred to the appropriate district administrator.

No out-of-school group or individual has the right to present arguments for or against any issue under study directly to the students or to the class. The teacher may invite representatives of different viewpoints to appear before the class and discuss opinions, after obtaining approval of the Principal.

Whenever, in the minds of individual citizens or community groups, there is disapproval of the materials of instruction or the procedures employed by teachers or students in choosing, presenting, or carrying out the study of controversial issues, the matter should be presented to the local school administrator. If a hearing before the Board is desirable, procedures are to be followed in accordance with district policy.

Instruction

Controversial Issues (continued)

Responsibilities of Teachers: The study of controversial issues should always be based on the foundation of positive instruction leading to a belief in the ideals and processes of American democracy and to the understanding of ideas and methods which are contrary to American democracy. Proposed solutions should be tested in the light of democratic ideals, concern for the worth of the individual and for the common welfare and recognition of fair play and emphasis on peaceful, constitutional methods of achieving progress.

Knowing the policy of the district and making full use this knowledge and of an understanding of the students, the school, and, the community, the teacher should:

1. Be thoroughly informed on the subject under discussion before presenting an issue.
2. Deal with controversial topics as impartially and objectively a possible.
3. Handle all such topics in a manner suited to the range of knowledge, maturity, and competence of students.
4. Instruct in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
5. Choose suitable and useful instructional materials.
6. Stimulate students to make use of a wide variety of materials and experiences, both in and out of the classroom.
7. Be able to explain their significance by pointing out possible missing arguments, interpretations, and points of view.
8. Provide experiences in recognizing and evaluating the consequences of alternatives.
9. Promote, in all possible ways, student interest in and appreciation of rational methods of considering issues and arriving at decisions.
10. Direct class discussion to cover all points of view.
11. Distinguish between teaching and advocating, and refrain from using classroom teacher influence to promote partisan or sectarian viewpoints.

No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school.

Classroom Techniques for Handling Controversial Issues: The handling of controversial issues in the classroom requires skills which are basic to the solving of all problems. When consideration of a controversial issue is looked upon as problem-solving, it is possible to break down the process into a number of steps.

Instruction

Controversial Issues (continued)

Rights of Students: For public schools, policy on controversial issues is defined in terms of the rights of students. The student has four basic rights to be recognized:

1. The right to study any controversial issue which has/political, economic, or social significance and concerning which, at the student's age/and maturity level, the student should begin to have an opinion.
2. The right to have free access to all relevant information, including the materials that circulate freely in the community.
3. The right to study under competent instruction in an atmosphere free from bias or prejudice.
4. The right to form and express individual opinions on controversial issues without jeopardizing relations with teachers or others.

The Selection of Issues: In general, the decision as to whether a controversial issue should become a matter of school study should be based upon the following criteria:

1. It must contribute significantly to the objectives of the curriculum.
2. Subject areas of content material shall be taught in accordance with the requirements of state statutes.
3. The issue must be within the range of students' interests, experience, maturity, culture, and competence.
4. The issue must have a meaningful relationship to the matters of concern to students at the time it is studied.
5. There must be adequate time to justify its presentation.
6. The issue must be one which the teacher feels competent to handle.
7. The issue must involve alternate points of view which can be understood and defined by students. Indoctrination must not be the purpose. The purpose is to have the student see as fully as possible all sides of an issue.
8. The issue must be one about which information is present and available so alternatives can be discussed and evaluated on a factual and reasonable basis.
9. The issue must be one which the community as a whole would not find objectionable.
10. The issue must involve the emotions of the students sufficiently to interest them, but not to such an extent that they are unable to study it rationally.
11. The issue must provide opportunity for critical thinking for the development and the understanding of conflicting points of view, at the same time that it aligns to the prescribed course of study, state standards and not prohibited by law.

Instruction

Controversial Issues (continued)

When a guest speaker is invited to make a presentation related to a controversial issue, the Board requires that he/she be notified of the Board's policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

When required by law or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and parent/guardian consent shall be obtained for student participation. Students whose parents/guardians decline such instruction are to be offered the option to participate in an alternative activity of similar value. A student or parent/guardian with concerns regarding instruction about controversial issues shall be directed to appropriate District complaint procedures.