

**Policy**

CONTROVERSIAL ISSUES

The West Long Branch School District provides opportunities for the study of controversial issues.

The presentation and discussion of controversial issues in the classroom must be on an informative basis. Teachers must guard against giving their personal opinions on sectarian or political questions or any other controversial issues until the students have had the opportunity to:

- A. Find, collect, and assemble factual materials on the subject;
- B. Interpret the data without prejudice;
- C. Reconsider assumptions and claims;
- D. Reach their own conclusions.

By refraining from expressing personal views before and during the period of research and study, the teacher encourages the students to search after truth and to think for themselves. The development of an ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled, and weighed and relationships seen before drawing inferences or conclusions is among the most valuable outcomes of a free educational system.

Students are guaranteed the right to:

- A. Study any controversial issue which has political, economic, or social significance and concerning which (at his/her level) he/she should begin to have an opinion;
- B. Have free access to all relevant information, including the material that circulates freely in the community;
- C. Study under competent instruction in an atmosphere free from bias and prejudice;
- D. Form and express his/her own opinions on controversial issues without thereby jeopardizing his/her relations with the teacher or the school. Any such discussion shall:
  - 1. Promote the board's adopted curriculum;
  - 2. Match the maturity level of the students;
  - 3. Present various opinions for student consideration.

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 school principal and chief school administrator first. The chief school administrator may present the matter for board consideration.

The building principal shall have the authority to limit or suspend discussion of controversial issues pending a review of the issue/materials. Instructional materials not previously approved must be reviewed by the principal before being introduced into the classroom.

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

- A. The speaker is controversial for any reason;

CONTROVERSIAL ISSUES (continued)

- 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).

Adopted: January 18, 1994  
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Key Words

Controversial Issues, Curriculum, Instructional Materials, Censorship

**Legal References:** 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)

Student 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

\*Indicates policy is included in the Critical Policy Reference Manual.