

Policy 6144: Controversial Issues

Status: ADOPTED

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CONTROVERSIAL ISSUES

The Governing Board recognizes that the district's educational program may 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. The Board expects administrators, teachers and staff to exercise professional judgment when deciding whether a particular issue is suitable for study or discussion.

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

1. The topic along with related issues are aligned with specific instructional goals and are appropriate for the level of maturity of the students.
2. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.
3. 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.
4. In the classroom, teachers and staff 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 or staff member may not advocate their personal opinion or viewpoint.
5. Students shall be assured of their right to form and express an opinion without being subject to negative consequences, discrimination, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.
6. Instruction, discussion, and debate based on factual information, credible resources, and primary sources shall 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.

9. If a guest speaker is invited to make a presentation related to a controversial issue, the administrator or designated staff shall notify the speaker 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 or staff member shall ensure that students also receive information on opposing viewpoints.

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 may 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 site administrator and/or use appropriate district complaint procedures.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Ed. Code 220	Prohibition of discrimination
Ed. Code 48950	Speech and other communication
Ed. Code 51240	Excuse from instruction due to religious beliefs
Ed. Code 51500	Prohibited instruction or activity
Ed. Code 51510	Prohibited study or supplemental materials
Ed. Code 51511	Religious matters properly included in courses of study
Ed. Code 51513	Personal beliefs
Ed. Code 51530	Advocacy or teaching of communism
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 60040	Selection of instructional materials
Ed. Code 60044	Prohibited instructional materials
Ed. Code 60045	Criteria for instructional materials
Management Resources	Description
Court Decision	Garcetti v. Ceballos, (2006) 547 U.S. 410
Court Decision	Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1325	Advertising And Promotion
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5137	Positive School Climate
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs

6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6145.5	<u>Student Organizations And Equal Access</u>
6145.5	<u>Student Organizations And Equal Access</u>
6163.1	<u>Library Media Centers</u>