Merchantville Board of Education
130 South Centre Street
Merchantville, NJ 08109

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Controversial Issues

The school 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 pupils 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 pupils 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. 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 chief school administrator first. In doubtful cases, the chief school administrator may present the matter for board consideration.

In determining speakers to be invited for a class or school-wide program, the chief school administrator 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).

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)

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

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

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