

Policy

CONTROVERSIAL ISSUES

The Mount Laurel Township School District Board of Education believes that the consideration of controversial issues has a legitimate place in the instructional program of the schools. For purposes of this policy, a controversial issue is a topic likely to arouse both support and opposition in the community.

When controversial issues have not been specified in the curriculum guide shall approved by the principal in advance.

The board recognizes that some deviation from the assigned curriculum guide is necessary in the free exchange of the classroom. 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 principal or his or her designee 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, principal 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).

Adopted: April 30 1997
Revised: May 24, 2004
NJSBA Review/Update: June 2013
Readopted: January 28, 2014

Key Words

CONTROVERSIAL ISSUES (continued)

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 pupils
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.