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3 **INSTRUCTION**

2330

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6 Controversial Issues and Academic Freedom

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8 Controversial issues include matters characterized by significant differences of opinion, usually generated  
9 from differing and underlying values, beliefs, and interests, which produce significant social tension.  
10 Controversy arising from such differences is inherent in a pluralistic society. An important function of  
11 public education is to provide students with an understanding of how controversial issues are dealt with in  
12 a democracy. This includes the opportunity to learn about the issues, problems, and concerns of  
13 contemporary society; to form opinions; and to participate in discussion of these issues and expressions of  
14 opinion in the classroom.

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16 Teachers must adhere to the following guidelines when teaching about controversial issues and act in  
17 conformance with state law and other district policies.

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- 20 • Instruction must follow approved curriculum and be appropriate for students. Instruction  
21 that involves controversial issues and/or materials must be within the district content  
22 standards and curriculum. The overriding educational purpose of teaching about  
23 controversial issues or using controversial materials must be student achievement in the  
24 academic subjects and students' civic development, rather than reaching conclusions as to  
25 the correctness of any particular point of view. The instruction must reflect due  
26 consideration of the maturity of the students, the values of the community, sound  
27 professional judgment, and coordination with the administration.
  - 28 • Guidelines on present controversial issues. Where controversial issues are taught,  
29 teachers should make materials available to students concerning the various aspects of the  
30 issues. Teachers may express their own viewpoints and opinions; however, they must be  
31 professionally ethical, explain their reasons clearly, be open to challenge, and present  
32 each side of an issue impartially. When teaching about controversial issues, teachers  
33 must work cooperatively with their principal and other administrators.
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35 • Use of learning resources. Teachers may not use learning resources that are not approved  
36 by the district and that are controversial because of the manner or context in which they  
37 discuss controversial issues. Examples of such material include, but are not limited to,  
38 those that depict explicit sexual conduct, graphic violence, profanities, drug use, or other  
39 socially undesirable behaviors, or materials that are likely to divide the community along  
40 racial, ethnic, or religious lines. If a teacher has a question as to whether a resource is  
41 controversial, he or she should contact the principal.
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43 • Discipline for inappropriately teaching controversial issues. In matters relating to  
44 controversial issues and learning materials, the Superintendent and Board of Education  
45 will exercise final authority in deciding whether discussion of a controversial issue  
46 follows established professional ethics, content standards, and curriculum and is  
47 appropriate for students. If the Superintendent and/or board believe that a teacher is not  
48 following the above guidelines, appropriate penalties and discipline will result, up to and  
49 including termination of a teacher's employment.
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The District will offer courses of study which will afford learning experiences appropriate to levels of student understanding. The instructional program respects the right of students to face issues, to have free access to information, to study under teachers in situations free from prejudice, and to form, hold, and express their own opinions without personal prejudice or discrimination.

Teachers will guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize various points of view, importance of fact, value of good judgment, and the virtue of respect for conflicting opinions.

The Board encourages and supports the concept of academic freedom, recognizing it as a necessary condition to aid in maintaining an environment conducive to learning and to the free exchange of ideas and information.

In a study or discussion of controversial issues or materials, however, the Board directs teaching staff to take into account the following criteria:

- 1. Relative maturity of students;
- 2. District philosophy of education;
- 3. Community standards, morals, and values;
- 4. Necessity for a balanced presentation; and
- 5. Necessity to seek administrative counsel and guidance in such matters.

Legal Reference: Article X, Sec. 8, Montana Constitution - School district trustees  
§ 20-3-324(16) and (17), MCA Powers and duties

Policy History:  
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