

CONTROVERSIAL ISSUES AND EXEMPTION FROM REQUIRED INSTRUCTION

The curriculum of the school unit is designed to reflect the learning expectations for all students in all content areas of the system of Learning Results, as well as other statutory and regulatory requirements and content areas specified by the Board.

A controversial issue is defined as an issue which is of community or personal concern, may have opposing viewpoints, and be objectionable enough to arouse strong reaction.

The consideration of controversial issues shall have a legitimate place in the work of the public schools. Sooner or later young people must meet and face such issues. It is important that they have experience with such issues under circumstances that promote consideration of all pertinent factors.

Recognizing that the consideration of controversial issues has a legitimate place in the public school curriculum, it is the policy of M.S.A.D. #59 that the following principles be recognized and preserved:

Principles:

- a. All discussion of a controversial issue is to be conducted in an atmosphere of respect and appreciation of all sides of the issues. Teachers/staff must be fully aware of their responsibility to have all viewpoints presented. All sides of the issue shall be presented within five (5) school days, if not all during the same class session. In case of a segment having to be postponed, the issue must be completely presented within ten (10) days.
- b. The handling of a controversial issue in classes should be free from the assumption that there is only one correct opinion. Ideas should emerge from discussion and not from authoritative instruction. Indoctrination is not the purpose; rather the purpose is to have students see as fully as possible all sides of the issue, and begin to develop their own techniques for the consideration of controversial issues.
- c. A controversial issue is to be handled in an appropriate setting by a teacher/staff prepared for the responsibility. The decision as to whether a controversial issue shall become a matter for study is based on the maturity and needs of the students, and the direct relationship to and appropriateness of, the issue to the course of study.
- d. In addition to the planned discussion of controversial issues from time to time an issue arises unexpectedly. In such cases the teachers/staff have the responsibility of discerning its controversial nature and handling it in accordance with this policy statement.
- e. Teachers/staff who feel that outside resources would be effective in reinforcing controversial issues must have (formal) approval from the building principal and he/she from the superintendent before any arrangements can be made. An outline of the class discussion will be presented to the building principal, as well as a copy of the letter to parents/guardians addressing the controversial issue. This outline will include: unit of study, alignment with Learning Results, name and organization of guest speakers {if appropriate}, and anticipated date{s} unit will be addressed in class.
- f. If a decision is made that a controversial issue is a matter of study, parent(s)/legal guardian are to be notified by first class mail or by a parent(s)/guardian information letter {sent home with students and signed by parent(s)/legal guardian} at least fifteen (15) school days before presentations in classes. This

mailing shall state the material to be studied and the process to be used. Also, materials and the names of guest speakers and an outline of their presentation are to be contained in this mailing. Parents are also to be informed in this mailing of their rights as identified in “g” and “Exemption from Required Instruction” of this policy.

g. Parent(s)/legal guardian may have the opportunity to review the materials utilized as part of the curriculum. This may be done by contacting either the teacher/staff or principal or by serving on an appropriate advisory committee or department.

h. Teachers/staff should be constantly mindful of their position of considerable influence in the classroom setting. In light of this, restraint and careful judgement must be exercised in stating personal opinions to which students might ascribe more weight than is intended, that might distort or destroy the objectivity of their viewpoint, or that might be interpreted as prejudiced, slanderous or self-serving.

EXEMPTION FROM REQUIRED INSTRUCTION

The Board acknowledges that from time to time individual students may be exposed to some ideas and materials with which they or their parent(s)/legal guardian disagree. Students and their parent(s)/legal guardian cannot be required to adopt ideas with which they disagree, but such disagreement alone is not a sufficient basis to exempt a student from the prescribed curriculum. The wishes of one student's parent(s)/guardians to restrict his/her student's participation in a class discussion will not infringe on another parent's/guardian's rights to permit his/her student to participate in such discussion. Exemptions from the required curriculum should be minimized because they can detract from the overall instruction provided to the class as a whole and the educational objectives sought to be achieved by the curriculum.

Requests for exemption from instruction must be made in writing to the building Principal .

In considering how to accommodate requests for exemption, factors that the Principal shall consider include:

1. The alignment of the curriculum with the system of Learning Results;
1. Whether the course of instruction is required by state law or Board policy;
1. The educational importance of the material or instruction from which exemption is requested;
1. Evidence regarding the sincerity of the belief on which the request is based;
1. The effect of exemption or accommodation on the local assessment system; and
1. any Other factors that bear upon the particular request.

The following Guidelines shall be used for Exemptions:

a. Should the parent(s)/guardian opt to remove their student from participation from one lesson of a unit, it will be the responsibility of the student, with prior written consent of the parent(s)/guardian, to properly absent himself/herself from a particular class discussion. Such students will report to the office for an alternative assignment.

b. Should the parent(s)/guardian opt to remove their student from an entire unit of study, the parent(s)/guardian will instruct the unit at home or will present for approval, by the teacher/staff and principal, an alternative unit and assessment to be completed at home. This unit will be completed in the same time frame as the classroom unit and will be submitted to the teacher/staff for a replacement grade. An alternative location and assignment for the student. While at school during the unit of study will be determined by the principal.

Legal Reference: 20-A MRSA § 6209
LD 1536, Chap. 51 Resolves
Chap. 127 and 131 (Me. Dept. of Ed. Rules)
Chap. 131 (Me. Dept. of Ed. Rules)

Cross-Reference: ADF - School District commitment to Learning Results
IJJ - Instructional and Library Material Selection

To replace the following policies:

IMB	Controversial Issues
IMBB	Exemption from Required Instruction
IMB-R	Controversial Issues in the Classroom

Policy Adopted: 4/88
Policy Revised: 3/95
Policy Reviewed: 1/06
Policy Revised: 8/08