CONTROVERSIAL ISSUES AND ACADEMIC FREEDOM

Bonneville Joint School District No. 93 (the "District") shall offer courses of study which afford learning experiences appropriate to the age, maturity, and academic achievement level of students. The instructional program shall respect the right of students to face issues, to have free access to information, to learn in environments that are free from prejudice or conscious bias, and to form, hold, and express their own opinions without personal prejudice or discrimination.

1. Definition of Controversial Issues

A. The Board of Trustees ("Board") recognizes the need for the teacher to have the freedom to discuss and teach subjects and issues which may be considered to be controversial.

B. Teaching controversial issues aims to help students critically examine multiple viewpoints, think independently, and develop respectful discourse skills.

C. For the purposes of this and other Board policies relevant to teaching controversial issues, the term "controversial issues" is defined as issues without a universally accepted viewpoint and that may reasonably create conflict with the firmly held beliefs, values or principles of students or their parents / guardians. Controversial issues include topics related to politics, religion, ethics, race, gender, sexuality, and environmental issues, and other moral or ethical considerations.

2. Special Consideration for Sex Education

A. In recognition of the fundamental rights and responsibilities of parents to make decisions regarding the upbringing and control of their children as well as the duty of the Idaho legislature to establish and maintain a uniform and thorough system of education, any instruction regarding human sexuality must follow the requirements stated in Board Policy 2320 Health and Human Sexuality Instruction.

3. Support of Academic Freedom and Inherent Responsibilities

A. 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 the free exchange of ideas and information.

B. The Board also believes that academic freedom carries with it a responsibility that is shaped by the basic ideals, goals and institutions of the local community. These standards are expressed via the goals and objectives of the adopted curriculum, by the adopted textbooks, by Board policy, and by the school's mission statement.

i. Teachers shall guide discussions and procedures with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, importance of fact, value of good judgment, and the virtue of respect for conflicting opinions.

ii. In the study or discussion of Controversial Issues or materials, however, the Board directs the teaching staff to consider the following:

a. relative age and maturity of students;

b. District philosophy of education;

c. community standards, morals and values;

d. the necessity for a balanced presentation; and

e. the necessity to seek prior administrative counsel and guidance in such matter;

f. the responsibility to notify parents / guardians of a planned discussion or learning activity regarding a Controversial Issue with sufficient time to provide them with the opportunity to request an alternative learning activity for their student, as provided for in Board Policy 2428 Parental Rights;

g. The Board recognizes that To encourage the free flow of information and enhance student creativity, unplanned Controversial Issues brought up by students in the classroom may be briefly discussed as long as the discussion is appropriate for the age and maturity of students and related to the approved learning outcomes of the course.

C. As an inherent responsibility to guarantee academic freedom to both students and teachers, the Board expects that:

i. all classroom studies will be objective, and impartial and based on Idaho Content Standards and learning objectives approved by the Board of Trustees;

ii. teachers will create and maintain an atmosphere of open-mindedness and tolerance, and that no one idea or viewpoint should necessarily prevail;

iii. teachers will not attempt, directly or indirectly, to limit or control students' judgment concerning any issue, but will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to their accuracy and interpretation;

iv. teachers will exercise professional judgment in determining the appropriateness of the issue to the curriculum and to the age and grade level of the students.

D. Teachers shall be free to choose supplemental materials to support and enhance the Board adopted instructional resources except in sex education instruction.

i. When purchasing supplemental curricular materials, teachers shall submit a request for approval as outlined in Board Policy 2540 Selection and Adoption of Curricular Materials.

ii. Teachers may select and use open-source supplemental curricular materials that facilitate and support student learning of approved content standards and learning objectives without approval of the Board provided that the use does not violate the copyright protections of those materials.

E. The school principal must approve all guest speakers who will address a Controversial Issue as outlined in Board Policy 2341 Speakers in the Classroom and at School Functions.

4. Parent Rights Related to Controversial Issues

A. Schools shall allow parents/guardians to withdraw their student from learning activities on topics regarding or pertaining to Controversial Issues by following the process established in Board Policy 2428 Parental Rights, Section 4 Objections to Learning Materials or Activities.

B. The teacher shall notify parents / guardians at least five (5) school days prior to teaching a Controversial Issue unless the controversial issue qualifies is included in the definition of Human Sexuality as defined in Board Policy 2320 Health and Human Sexuality Instruction, in which case, the teacher will notify parents / guardians at least two (2) weeks prior according to the requirements of that policy.

i. This will provide sufficient time for the parents/guardians to request to withdraw their child from the planned activity.

ii. Requests to withdraw students from learning activities are considered academic accommodations as defined in Board Policy 2428 Parental Rights. The school principal and teacher will follow the process specified in Policy 2428 when considering requests to withdraw students from learning activities and/or providing alternative learning activities or curricular materials.

iii. The teacher should have the principal review questionable materials prior to using them in classroom instruction.

5. Definitions

6. Legal References

A. Idaho Code § 33-6001 – Parental Rights in Education

7. Cross References

A. Policy 2428 – Parental Rights

B. Policy 2320 – Health and Human Sexuality Instruction

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09-10-2025

Cross Reference: Speakers in the Classroom and at School Functions #2341
Parental Rights #2428

Legal Reference: Idaho Code § 33-512
Governance of schools Idaho Code § 33-1611 Excusing Children from Instruction in Sex Education
Idaho Code § 33-6001 Parental Rights