

Regulation 3280.45
Instructional Services
Office of PreK-12
Curriculum and Instruction
Effective 11-25-15

INSTRUCTION

Standard Instructional Program

Controversial Issues

This regulation supersedes Regulation 3280.34.

I. PURPOSE

~~To provide guidelines for school-based and non-school-based administrators, teachers and students in dealing with controversial issues in ways that develop critical thinking skills and reflect sensitivity to the emotions often engendered by such issues.~~ To support relevant and inclusive learning experiences by clarifying the roles and expectations of students, teachers, school-based and central office administrators, and division leadership when engaging controversial issues.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

~~Reference to Regulation 4426 has been added for additional guidance and other references have been updated.~~ This regulation has been subject to significant changes and should be reviewed in its entirety.

III. PHILOSOPHY

The preparation for effective citizenship includes ~~the study of~~ engagement with issues that are controversial. Likewise, the FCPS Portrait of a Graduate articulates a vision for student success that includes skills such as acknowledging and understanding diverse perspectives and cultures when considering local, national, and world issues; analyzing and constructing arguments and positions to ensure examination of a full range of viewpoints; and respecting divergent thinking to engage others in thoughtful discussion. Engagement with issues that are controversial provides the opportunities needed to develop these skills.

~~The study of~~ Learning experiences related to controversial issues shall create an take place in an inclusive, culturally responsive, and safe atmosphere in which teachers practice impartiality and objectivity, and students are encouraged to think critically, construct their own understanding, and question information and perspectives presented

in resources, including those presented by the teacher. This policy applies to learning experiences planned in advance and/or those that arise during instruction in response to student interest. ~~which knowledge can be freely imparted and the critical thinking of students can be developed through research and classroom discussion, within the guidelines of the Program of Studies.~~

IV. DEFINITION

- A. Controversial issues are questions pertaining to the past, present, or future for which credible sources of information lead to multiple interpretations or solutions. These interpretations or solutions may reflect differing viewpoints and/or inconclusive evidence. Criteria to evaluate credibility of sources include currency, relevancy, comprehensiveness, origin (including author's credentials), perspective and bias, use of evidence to support claims, and confirmation from other sources.
- B. Affirming a student's identity in the classroom (e.g. race, gender, sexual identity) is not a controversial issue, nor is the mention or representation of diverse identities in texts or materials considered to be instructional about that identity. Posting symbols that express support for students in traditionally marginalized groups is not considered controversial. Any messages or displays are subject to Regulations 1425, 3005, 3007, 3011, and 4426, as appropriate.

V. ROLE OF THE STUDENT

The role of the student is to engage responsibly as a learner and member of the classroom and school community.

When engaging controversial issues in the classroom, students should have opportunities to develop the skills essential for student success and effective citizenship as expressed in the FCPS Portrait of a Graduate, including the following skills:

- A. To think independently by evaluating evidence and perspectives, checking for assumptions and biases, and questioning information and perspectives presented in resources, including those presented by the teacher.
- B. To hear and learn about different points of view, and engage respectfully with peers and teachers in accordance with the SR&R.

VI. ROLE OF THE TEACHER

The role of the teacher is to provide instruction and to facilitate relevant and inclusive learning experiences that reflect the FCPS Learning Model and One Fairfax Policy's guidance to promote "a responsive, caring, and inclusive culture where all feel valued, supported, and hopeful."

Teachers should use the following guidelines in ~~dealing with controversial issues in the instructional program:~~ **making decisions:**

- A. ~~Address controversial issues as impartially and objectively as possible. Do not let personal biases intrude or allow personal beliefs to interfere with professional judgment.~~

Reflect on personal biases related to the controversial issue or topic, and identify strategies that will enable the teacher to practice objectivity and impartiality.

- B. ~~Handle controversial issues in a manner relevant to the content of the course and appropriate to the knowledge and maturity of the students.~~ Prioritize students' independent thinking in instructional design by:
1. Taking on the role of facilitator.
 2. Encouraging students to think critically, evaluate evidence and perspectives, check for assumptions and bias, and question information and perspectives presented in resources, including those presented by the teacher.
 3. Avoiding the expectation that students reach an agreement about the controversial topic.
- C. ~~When there is doubt about the impact of a controversial issue in planned instruction, inform the principal about the situation and provide a brief outline of the instructional strategies that will be used to ensure objectivity, fairness, accuracy, and relevance to Program of Studies objectives.~~ In accordance to the FCPS Nondiscrimination Policy, foster a learning environment free from racism, antisemitism, homophobia, xenophobia, and other forms of hate and discrimination by:
1. Establishing classroom expectations and procedures for engaging in discussions of controversial issues.
 2. Responding to incidents of harm, including interactions among students during the learning experience.
 3. Documenting and reporting incidents of harm.
- D. ~~Encourage critical thinking by offering multiple perspectives of the issue(s) under discussion, gathering information and evidence, considering implications and consequences of varying viewpoints, checking for assumptions, and using questions to guide ideas and clarify thinking.~~ When making instructional decisions about framing the controversial topic, evaluate the appropriateness of perspectives, resources, and instructional modes through the lens of the FCPS Learning Model and the One Fairfax policy. When planning a learning experience about a controversial topic in advance, seek guidance and support from instructional leaders to ensure alignment.
- E. When a controversial issue arises during class (i.e. based on student interest), determine whether or not additional teacher and/or class preparation is necessary in order to facilitate learning in an inclusive, culturally responsive, and safe atmosphere in which students are encouraged to think critically, construct their own understanding, and question information and perspectives presented in resources.
- F. ~~Do not expect or require that students reach an agreement.~~ Handle controversial issues in a manner relevant to the content of the course and appropriate to the knowledge and maturity of the students.

- G. ~~Be sensitive to students with feelings and emotions surrounding a controversial issue,~~ Consider and be responsive toward students' emotions and developmental level, and contact school counselors, if appropriate.
- H. When an unanticipated problem arises from a discussion of a controversial issue, consult with the principal or designee for appropriate follow-up including documentation and reporting.

VII. ROLE OF THE SCHOOL BASED ADMINISTRATOR

The role of the school-based administrator is to provide teachers with support and accountability for engaging controversial issues in an inclusive, culturally responsive, and safe atmosphere in which teachers practice impartiality and objectivity, and students are encouraged to think critically, construct their own understanding, and question information and perspectives presented in resources.

School-based administrators should use the following guidelines in making decisions:

- A. Take reasonable steps to prepare staff to plan and deliver instruction on controversial issues in accordance with division professional learning, policy and regulations
- B. Provide teachers with appropriate support for preparation and facilitation of meaningful learning about controversial issues by providing:
 1. Sufficient time to plan instruction.
 2. Guidance and accountability for instructional alignment with the FCPS Learning Model and the One Fairfax policy.
 3. Opportunities for school-based, division, and/or external professional learning about facilitating discussions of controversial issues, culturally responsive teaching, student-led learning, responding to instances of harm, and social emotional learning.
 4. Support and guidance for communication with families.
- C. Ensure staff accountability for instructional alignment with the FCPS Learning Model and the One Fairfax policy by:
 1. Communicating expectations about student-centered learning and culturally responsive teaching.
 2. Communicating expectations about responding to incidents of harm to include reporting, documentation and resolution.
 3. Addressing teacher and student actions and behaviors that may cause or contribute to harm.

- D. Align administrative decisions and instructional leadership with the FCPS Learning Model and the One Fairfax policy.

VIII. ROLE OF CENTRAL OFFICE ADMINISTRATOR

The role of a central office administrator is to support school staff with resources aligned to the curriculum, FCPS Learning Model, and One Fairfax that support the facilitation of learning experiences related to controversial issues. Central office administrators are responsible for the following:

- A. Recommend and/or provide instructional resources aligned to the controversial issue
- B. Provide coaching and consulting to school based staff on working with the particular issue
- C. Facilitate professional learning about Culturally Responsive practices and pedagogies
- D. Contribute to development of messaging and communication.

IX. ROLE OF DIVISION LEADERSHIP

The role of division leadership is to uphold the tenets of the policy and regulation, and support administrators with:

- A. Reinforcing learning environment expectations stated in the policy.
- B. Engaging with school leaders in responding to family and community in relation to particular learning experiences.
- C. Representing FCPS in related media inquiries.

X. FAMILY INQUIRIES AND RIGHTS RELATED TO CONTROVERSIAL ISSUES

Fairfax County Public Schools provides an [Annual Notice of Survey, Records, Curriculum, Privacy, and Related Rights and Opt-Out Forms](#) to keep families informed of their rights related to their child's education. Procedures to resolve concerns can be found on the FCPS public website at [Student Rights and Responsibilities: Steps to Resolve Concerns](#).

XI. SPEAKERS ON CONTROVERSIAL ISSUES

- A. All invitations to guest speakers on controversial issues must be approved by the principal. The teacher, student, or student group desiring to invite a guest speaker must outline for the principal the following:
 - 1. The expected contribution of the speaker to Program of Studies objectives.
 - 2. Plans for preliminary and follow-up discussions and activities designed to help students put the speaker's view into context and perspective.

3. Provisions for fair treatment of the views of the speaker and of differing opinions.
4. The intended audience.
 - A. Teachers should consult with the principal as to the advisability of informing parents about the controversial speaker.
 - B. Students from other classes who have not been involved in preparatory activities should not attend the presentation. Any exception needs the principal's approval.
 - C. When a guest speaker is scheduled for a presentation other than in a regular class setting, the principal will determine the appropriateness of the proposed forum for that presentation.
 - D. Candidates for political office or their representatives may be scheduled as guest speakers in keeping with the above guidelines, and the candidate(s) opponent should be provided an opportunity to speak as well.

XII. DISTRIBUTION AND DISPLAY OF LITERATURE ABOUT CONTROVERSIAL ISSUES

- A. The principal shall determine the appropriate time, place, and manner for distribution and/or display of materials about controversial issues, including political literature. The current version of Regulation 1367 governs the distribution of fliers and other informational materials.
- B. Paid political advertisements may be placed in a school newspaper subject to approval of the principal **or designee**.
- C. Materials proposing specific violent tactics and/or disruption of government activities, including public education, are not allowed. Expression of student opinion may not be used to present material that is obscene or slanderous, to defame character, or to advocate violation of federal, state, and local laws or official school policies, rules, and regulations.

See also the current versions of:

Regulation 1367, Distribution of Fliers or Other Informational Materials, Nonprofits Organizations' Access, and Procedures for Contests and Competitions
Regulation 1370, Local School Organization and Administration Fund Raising
Regulation 3005, Program and Supplemental Instructional Print Materials Identification, Evaluation, and Approval
Policy 3203, Health Instruction
Regulation 3204, Family Life Instruction Regulation 4426, Schools and Employee Political Activities
Regulation 1450, Nondiscrimination
Regulation 2601, Students' Rights and Responsibilities

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