

CONTROVERSIAL ISSUES IN SCHOOLS – PROCEDURES

Implementation document for Controversial Issues in Schools policy

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1 Introduction

Schools provide curriculum based learning and teaching programs, activities and events to achieve a wide range of learning outcomes which include values, attitudes and ethics. Schools are required to acknowledge the diverse views held by parents and the community about what is suitable for study at school.

Students and teachers face changing and complex societal situations. Particular topics covered in learning and teaching programs may be impacted on by events outside the school and become controversial in nature. Controversial issues are not static and are impacted by changing attitudes, world events and social values.

It is important for all staff to develop practices in accordance with the department's policies and procedures.

Schools play an important role in supporting students. This includes doing what they reasonably can to protect students from foreseeable risk of harm arising from school related activities. [School Communities Working Together Guidelines](#) and [School Communities Working Together e-learning awareness module](#) provide support to schools in preventing and managing anti-social and extremist behaviour that may occur in the context of the study of controversial issues in schools.

1.1 What are controversial issues?

Controversial issues may be questions, subjects, topics or problems which create a difference of opinion, causing contention and debate within the school or the community. Controversial issues will differ across schools and communities.

Controversial issues may arise in the content delivered and views expressed by or the actions of teachers, external providers or visiting speakers in school or on excursions. Teaching approaches to controversial issues need to be sensitive, objective and balanced. They should ensure that a range of views on a subject are taken into account in designing suitable learning programs.

Welcome to country and/or the acknowledgement of traditional owners is not considered a controversial issue.

Schools are not places to proselytise, that is, to convert students who are not already members of a particular belief system to become members of that belief system.

Schools should not be used to advance political platforms or for recruiting into partisan groups organised upon restricted party lines.

2 Management of controversial issues

Schools are places where students are preparing for informed and reasoned involvement in community life by the study of social issues. Appropriate management allows the study of controversial issues to provide valuable and significant learning experiences.

The study of controversial issues will be consistent with curriculum objectives and is not intended to advance the interest of any particular group, political or otherwise.

Material inconsistent with the values of public education or the school's purpose and goals or that advances the interest of any particular group, political or otherwise, must not be distributed to students.

2.1 Curriculum

The management of controversial issues and material during the delivery of curriculum, school programs and activities, events and presentations includes:

- teachers, staff members or volunteers consulting with the school principal
- informing parents of the proposed content, including materials to be used
- providing parents the opportunity to either consent to or withdraw their child from the presentation, event, program or activity
- retention of all returned consent or withdrawal forms in accordance with section 6 of these procedures.

Appendix 1 has sample clauses for schools to use to gain parents' permission for their child to attend or to withdraw their child from the event, presentation, program or activity.

When communicating with parents or carers who do not speak or understand English well, the use of translated documents and/or onsite or telephone interpreters is encouraged.

Teachers are in a privileged position to influence students. A teacher's personal view should not impact on teaching a subject. Sharing their knowledge or view may be necessary to assist students to form their own views or to answer a query from students relevant to the discussion. In such situations the information given should be balanced and presented as one opinion to be considered critically along with any others. Teachers are required to ensure that all views and evidence are presented impartially in all discussions of controversial issues.

2.2 Excursions

Controversial issues may arise during or following an excursion depending on the content delivered, views expressed, or by the actions of teachers, external providers or speakers addressing the students.

If controversial issues are likely to be addressed on an excursion, content should be clearly set out in an excursion consent form.

2.3 Student organised activities

Activities formally organised by students, including lunch time groups addressing political, philosophical, religious or other controversial issues, are acceptable within schools but must adhere to the principles set out in the [Controversial Issues in Schools policy](#) and these procedures. This includes parental consent for students to attend any student organised activity that may include controversial issues. Refer to section 3 of these procedures.

Formally organised student activities need to be supervised by a teacher. **If the activity does not adhere to the [Controversial Issues in Schools policy](#) and these procedures, section 4 of these procedures applies.**

2.4 Visitors and external providers

The principal has discretion to engage visiting speakers, external providers or use material initiated outside the school, within the context of the [Controversial Issues in Schools policy](#) and these procedures.

Religious Education and Ethics providers conducting activities outside the specific activities listed in the [Religious Education policy](#) and [Special Education in Ethics policy](#) are subject to the provisions of this policy and procedures.

Visitors include speakers and officials. External providers include any person, organisation or group offering services or resources to support the delivery of curriculum, events, presentations, school programs and activities, excursions and school extra-curricular activities.

Visitors and external providers are in a privileged position to influence students at school and on excursions. They must avoid distortion of discussions, and acknowledge and uphold the right of students and parents to hold a different viewpoint.

Visitors and external providers are not permitted to attempt to proselytise particular beliefs.

Visitors and external providers addressing students on controversial issues during school hours should do so only in circumstances where the issues form part of a school program or activity and are supervised by a teacher.

Visitors and external providers must be made aware of the [Controversial Issues in Schools policy](#) and procedures by principals providing them with a copy of, or a link to the policy and procedures and explaining the content. They must agree in writing to adhere to the Controversial Issues in Schools policy, procedures and any related school-based practices. If visiting speakers or external providers will not agree to adhere to this policy they should not be engaged by the school. Schools may use the acknowledgement clause in Appendix 2 in a written agreement with the visiting speaker or external provider.

An adequate number of the school's teaching staff must be present to supervise all activities and presentations by visitors and external providers involving students, including lunch time groups. Such presentations should be planned so as to leave ample time for questions and comments by students.

As students are involved in these presentations, external organisations are discouraged from recording presentations.

2.5 Official visitors

Official visitors are welcome however these visits may be controversial. Principals should ensure the Director, Public Schools NSW is notified as soon as practical before any proposed official visit including but not limited to those outlined below.

2.5.1 Local Members of Parliament (State and Federal)

Local Members take an active interest in schools within their electorates, which includes visits. Local Members, whether in Government or Opposition, should be warmly welcomed at schools within their electorates. All arrangements should be made between the principal and the Local Member's office.

2.5.2 Other Members of Parliament (State and Federal)

Other Members of Parliament may request to visit a school or a principal may invite a Member of Parliament to their school. Arrangements are to be made through the Minister's office for visits to schools by Members of State or Federal Parliament other than local members (or local candidates for political office). If a Member of Parliament approaches a school and initiates a visit, they are to be asked to make contact with the office of the Minister for Education.

2.5.3 Flag presentations

Federal and State Members of Parliament traditionally visit schools on behalf of the Government to present Australian and State flags. These visits are welcome provided they are at the invitation of the principal.

2.5.4 Speech and presentation events

Speech and presentation events are organised by the school to celebrate the achievements of students. Members of Parliament may be invited without the requirement to inform the Minister's Office.

2.6 Distributing material

All materials to be referenced or distributed to students that include controversial issues are to be reviewed and approved by the principal in advance. Approval for excursions and the participation or engagement of visitors or external providers to the school is subject to the review of the materials to be used.

The principal may delegate the task of reviewing the material to an appropriate member of the teaching staff and make a judgment on the basis of the teacher's feedback. This responsibility cannot be delegated to people from outside the school, including the publishers of material for use in the school or on school excursions.

The principal cannot delegate the task of approving materials for distribution. Any material considered inappropriate must not be shown or distributed to students. Any proposed presentation or activity may go ahead without the inappropriate material or may be cancelled.

Contemporary political publications or industrial notices containing material of a political nature are not permitted to be distributed to students at school. Distribution of material makes the school a 'publisher' and therefore answerable for the views expressed. Principals should consider this before approving the distribution of any material to students.

2.7 Media materials

Media material includes audio-visual materials, articles, websites or other mass communication materials.

The presentation of media material, particularly material classified as age restricted, can be contentious. Material classified as R 18+ is not to be shown to school students under any circumstances. Material classified as M and M 15+ may be shown to some students in some circumstances.

Media material to be used in school, school programs and activities or on excursions are to be previewed by teachers or the principal prior to the event.

3 Parent information/consent

It is essential that principals maintain communication with parents and carers on teaching and learning programs, visiting speakers, external providers and other school activities, including student organised activities, in which controversial issues may be addressed. Parents and carers need to be advised of the specific details of school activities, programs or events addressing controversial issues and the relevance to the curriculum and school programs and activities.

Where advice is appropriate, it must be given prior to the occasion so parents and carers can provide consent or withdraw their child from a particular session(s) on controversial issues. The parental right to withdraw their child must be respected. Appendix 1 has a sample consent form.

Alternative learning must be provided to children who have been withdrawn from a particular session.

The principal makes the decision to use opt-out or opt-in consent forms in obtaining consent from parents. Factors to consider when using opt-out consent forms include the link to the curriculum and school programs, learning objectives and outcomes and the number of students participating.

If a parent or carer calls the school to provide or deny consent to the particular activity, a written record of the call (including, date, time, caller, recipient and consent) must be kept accordance with section 6 of these procedures.

4 Where breaches of this policy occur

If a supervising staff member considers that an activity or presentation is inappropriate, contains inappropriate material or differs from the content reviewed and accepted, the staff member may:

- request the presenter to move on immediately to another topic
- if any questions or comments are made by students on inappropriate issues, state that the matters will be dealt with in a more appropriate forum
- halt the presentation or activity if necessary
- explain to the students why the presentation has been halted.

The decision of any staff member is final.

The staff member then reports the incident to the principal.

Principals report incidents related to controversial issues occurring in their schools to the Director, Public Schools NSW, consistent with the department's [Incident Reporting policy](#) (staff only).

The principal may inform parents of the incident and action taken by staff.

5 Prohibited organisations

Proscribed terrorist organisations are not permitted access to school students or facilities. A list of these organisations can be found on the [Australian National Security](#) website.

If the suitability and background of proposed presenters, visitors, external providers or special interest groups cannot be determined or there are safety concerns the principal should contact the Director of Safety and Security. A confidential background check can then be carried out to assist principals in their decision making.

6 Administration

6.1 Retention and disposal of records

Records related to controversial issues listed below must be retained and disposed of according to the requirements set out by [Functional Retention and Disposal Authority FA387](#) (staff only).

6.1.1 Advice to parents/consent/withdraw consent

Retain advice to parents and completed consent or opt-out forms to withdraw a student from an activity for minimum of 2 years after the activity, and then destroy. (See FA387 3.0.16)

6.1.2 Excursion forms

Retain completed excursion forms for minimum of 2 years after the excursion, and then destroy. (See FA387 3.0.16)

6.1.3 Document with the acknowledgment clause

Retain documents with completed acknowledgement clause in Appendix 2 as a record relating to visitors to the school for a minimum of 5 years, and then destroy. (See FA387 3.0.15)

6.1.4 Incident reports

Retain reports of breaches of this policy as a record relating to school management for a minimum of 25 years after action completed, and then destroy. A copy is to be sent to the Executive Director, Public Schools NSW via the Director, Public Schools NSW. (See FA387 2.0.4)

7 Further information

Director, School Policy and Information Management, 9244 5070

Appendix 1 – Sample consent form

Sample clauses for determining parental consent for a student’s participation in activities that may address controversial issues

Provide details of the activity

On <insert date>, an/a <event | excursion | presentation | class> will be held on the following topic <insert topic> which relates to:

the <insert KLA name> key learning area (for activities with curriculum relevance)

OR

the school’s <insert name> program/activity (for extra-curricular or student organised activities)

and will address the following content/issues:

- <insert content or issue>
- <insert content or issue>.

The <event | excursion | presentation | class> will be given by <insert name the teacher | visitor | external provider>.

Choose opt-out clause or opt-in clause

Opt-out clause: for use in advice to parents to withdraw consent

If you **do not** consent to your child attending the <event | excursion | presentation | class> please sign and return this form or call <insert name and phone number>.

I _____ (name of parent/carer) **do not consent** to _____ (student name) of class _____ (class) attending the <event | excursion | presentation | class> to be given on <insert date>.

OR

Opt-in clause: for use in advice to parents to provide consent

If you consent to your child attending the <event | excursion | presentation | class> please sign and return this form or call <insert name and phone number>.

I _____ (name of parent/carer) **give permission** for _____ (student name) of class _____ (class) to attend the <event | excursion | presentation | class> to be given on <insert date>.

Include space for signature and information about the Telephone Interpreter Service

Parent/carer signature

Contact number

Date

If you are having trouble understanding this document, please ring the Telephone Interpreter Service on 131 450 and ask them to contact the school for you.

This service is free of charge to you.

Appendix 2 – Acknowledgement clause

Acknowledgement clause to be used (see section 2.4)

I, <insert full name> of <insert company name and ABN> acknowledge that I have read and agree to abide by the contents of the *Controversial Issues in Schools* policy and procedures.

I have been provided with a copy of or a link to the *Controversial Issues in Schools* policy and procedures located at education.nsw.gov.au/policy-library/policies/controversial-issues-in-schools.

I understand that any request to record part or all of a presentation must be discussed with the principal.

Signature

Date

Contact telephone number