

State Should Not Censor Sexuality Classes

Friday my freshman college biology class viewed slides to learn how genes and chromosomes affect sexual development. Each slide showed the chromosome pattern as well as a full frontal nude photo of a youngster: a normal XY male, a normal XX female, and the variations of XO, XXXY, etc. Through classroom questions and reasoning, my students soon figured out that maleness is due to the presence of a Y chromosome. Otherwise a person develops as a female. For 30 years I have used similar classic textbook illustrations in teaching biology. Concepts learned from reasoning using such cases last far longer than meaningless memorization. But for the first time Friday, I asked a new question: "If I showed these photos on a downtown street, would that be obscene?"

"Probably yes," they concurred.

"So we have been inspecting them for ten minutes," I replied. "Aren't they obscene or pornographic here too?" I asked.

"Oh, no!" they chorused in both voices and shaking heads. And they had plenty of good reasons for why the classroom context makes all the difference. I am proud of my class that realized what might be obscene in the community can be completely appropriate in a professional educational setting.

Sadly, if a Kansas Senate Bill 263 amendment becomes law, I may no longer be able to use those slides in my undergraduate college classes—it would be a close call. It would even be unwise to show a NOVA program about gender identity that was broadcast on public television. The amendment threatens loss of departmental funding to any state college unit that uses "obscene" material, and the KSA 21-4301 definition of obscene is based on "an average person applying contemporary community standards..." What arouses "prurient interest" on the streetcorner does not arouse sexual interest in my classroom. This confusion of standards, plus the high stakes penalty will serve to intimidate teachers who, playing it safe, will shortchange sexuality topics.

Pre-med and nursing programs use such videos to prepare students who will eventually move to actual patient examination, palpation, and care techniques; for them, sexuality cannot be ignored. University psychology and sociology classes likewise use videos to illustrate behaviors and attitudes that students may not understand—heterosexual, homosexual, and otherwise. Virtually all of the supposedly obscene topics can be a bonafide object of academic study. Handled professionally at the university level and in an academic context, such videos are neither obscene nor pornographic. Ironically, KSA 21-4301 specifically "defends against prosecution for obscenity" for materials used by "public, private or parochial school, college or university" and when used as part of "an approved course or program of instruction at such school." That is why this amendment erects a new financial penalty and only refers to the KSA for a definition of obscenity.

The real problem with the proposed law is that it eliminates the need for responsibility.

A student has responsibilities. University attendance is not compulsory, and there is a choice of which public university or private college to attend. A university is not operating "in place of the parent." The student is now a young man or woman expected to begin thinking and making decisions on his or her own. A student who enrolls in a human sexuality course should not be surprised to hear about sexuality, talk about sexuality, and see videos illustrating various expressions of sexuality. For the student who finds such class content too "mature," the university offers a procedure for dropping a class.

The professor has responsibility for academic integrity. The knowledge must be accurate, the teaching meaningful and effective, the evaluation fair. A teacher should care about his or her students and respect their diversity of beliefs. And the department and university has a responsibility to ensure that these are the faculty they have in the classroom. Universities also have procedures for evaluating teaching, not offering tenure, and dismissing for incompetence.

We cannot afford to produce shy doctors and squeamish nurses. Nor can we afford to have a future populace that is ignorant about their sexuality and intolerant of biology and behaviors they do not understand. If all parties act responsibly, the hundreds of biology, sociology, psychology, pre-medical and health professors across Kansas will not have to censor themselves next year. And I can keep using my chromosomes-and-anatomy slides.

Possible audio script for after a favorable decision.

In 1971, I attended a sex education workshop. I was the sole male biology teacher amidst over a hundred women Home Ec teachers. And we watched a “porno film.” They did not have videotape in those days. It actually was a film, an 8 millimeter film, brought to class by a Terre Haute vice detective—shoulder holster and all.

He ran the projector for the short black-and-white film and I really don’t remember the “action” at all. I do remember the classroom discussion afterward. We had already learned the percentages of youngsters who viewed such films, but only now did we realize the impact that might have. We observed that the actors involved were not at all “average” in anatomy or endurance; how viewers might find themselves feeling inadequate compared to the silicon enhancement or time lapsed photography. And we talked about the lack of love and romance, the promotion of sex-without- commitment. Two of the home ec teachers were Catholic nuns who excused themselves from viewing the film, and their discussion of how viewing this might constitute a violation of their vows of celibacy was very thought-provoking.

That was a valid and important college-level lesson 30 years ago. Today, there are more such videotapes available, cheaper and more accessible to youth than ever before. And Kansas has a sex ed mandate that began in 1987 and expires in 2005. Therefore viewing such a video would be a legitimate practice in training teachers for sex education at the undergraduate level.

But it would have been impossible if the amendment to Kansas Senate Bill 263 had survived. That amendment threatened loss of departmental funding to any state college unit that uses “obscene” videos, and refers to a Kansas statute definition of obscene based on “an average person applying contemporary community standards...” Without doubt, that 1970s stag film was both obscene and pornographic, appealing to “prurient interests” on a public standard. But it is not obscene and pornographic in the educational context.

And this problem applies across many disciplines. Pre-med and nursing programs use videos to prepare students who will eventually move to actual patient examination, palpation, and care techniques; for them, sexuality cannot be ignored. University psychology and sociology classes use videos to illustrate behaviors and attitudes that students may not understand—heterosexual, homosexual, and otherwise. Virtually all of the material defined as obscene can be a bonafide object of academic study at a university. Handled professionally at the university level and in an academic context, such videos are neither obscene nor pornographic.

The Kansas statute 21-4301 recognizes this difference and specifically “defends against prosecution for obscenity” for materials used by schools and universities, and when used in “an approved course or program of instruction at such school.” This new amendment threatened us

because it used the community standard definition of obscenity but ignored the educational exemption.

This close call on academic censorship emphasizes the ongoing need for responsibility.

A student has responsibilities. Along with their parents, they choose which public university or private college to attend. The university student is now a young man or woman expected to begin thinking and making decisions on his or her own. A student who enrolls in a human sexuality course should not be surprised to hear about sexuality, talk about sexuality, and see videos illustrating various expressions of sexuality. For any student who finds such class content too “mature,” the university offers a procedure for dropping the class.

Does “anything go” in the classroom? Of course not. The professor has a responsibility for maintaining academic integrity. The knowledge must be accurate, the teaching meaningful and effective, the evaluation fair. A teacher should care about the students. Respect their diversity of beliefs. And the university has a responsibility to ensure that these are the faculty they have in the classroom. Universities also have procedures for evaluating teaching, not offering tenure, and dismissing for incompetence.

Finally the Legislature has responsibilities. Kansas cannot afford to produce shy doctors and squeamish nurses. Nor can Kansas afford to have a future populace that is ignorant about their sexuality and intolerant of biology and behaviors they do not understand. By the Legislature leaving responsibilities where they belong, hundreds of biology, sociology, psychology, pre-med and health professors across Kansas will not have to censor themselves next year.

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