

DISTRIBUTION OF WRITTEN MATERIAL BY STUDENTS IN SCHOOL FACILITIES

Definitions as used in this regulation:

Distribution -- The circulation of written material by handing out copies, selling or offering copies for sale and accepting donations for copies.

Written Material – Includes, but is not limited to leaflets, magazines, books, brochures, flyers, petitions, newspapers, buttons, badges or other insignia, computer software and any medium of expression whether oral or visual.

Minors -- Persons under the age of 18.

Public school students have a constitutional right to distribute written materials in school facilities, subject to reasonable regulation by school authorities of the time, place, and manner of distribution and subject to certain restrictions concerning the content of the materials.

This regulation provides procedures for students to distribute written materials and at the same time informs them of the conditions which the Board deems essential to prevent interference with the mission to provide educational services for all students.

Time and Place of Distribution

Students may distribute written material at any entrance or exit to a school building for a period not to exceed 30 minutes prior to the start of the earliest instructional class and not to exceed 30 minutes after the end of the last instructional class. Students may distribute written material at an entrance or exit to a school cafeteria when lunch is being served. Students may distribute written material before and after regular school hours at the entrances and exits to school gymnasiums, school stadiums, school auditoriums or other school facilities when those facilities are in use. Students will not distribute written material on school premises or in facilities except as stated above.

Manner of Distribution

Students shall not distribute written material in a manner disrupting a school activity or impeding the flow of traffic within hallways or entryways. No person will be compelled to accept any written material. A person declining to accept written material will not be threatened, treated with disrespect (verbally or by gesture) or impeded in any manner.

Clean-up

Students who distribute written material will be responsible for removing discarded and leftover material from the school facility grounds before the students leave the school premises after distributing the material.

Content

The distribution of written material shall not be restricted or denied solely because of political, religious or philosophical content of the material. However, students must realize rights go hand-in-hand with responsibilities and that they have a responsibility to refrain from distribution of written material that is:

Obscene to Minors – Material taken as a whole lacks serious literary, artistic, political or scientific value for minors and when an average person, applying contemporary community standards, would find the written material, taken as a whole, appeals to an obsessive interest in sex by minors of the age to whom distribution is directed.

Libelous -- False and unprivileged statement about a specific individual tending to harm the individual's reputation.

Vulgar, Lewd or Indecent -- Material an average person would deem improper for presentation to minors because of sexual connotations or profane language.

A Display or Promotion of Unlawful Products or Services -- Material advertising or advocating the use of products or services prohibited by law from being sold or provided to minors.

Group Defamation -- Material degrading, defaming or disparaging a group or a member of a group on the basis of race, religious affiliation, ethnic or national origin, gender identity, gender expression, gender preference, or disability. This includes racial and religious epithets, "slurs," insults and abuse.

Disruptive of School Operations -- Material on the basis of past experience or based on specific instances of actual or threatened disruptions relating to the written material in question, is likely to cause a material and substantial disruption of proper and orderly operation of school activities or school discipline.

Students will have the right, but are not required, to submit written materials to the school principal in advance of distribution. If the principal concludes that the submitted written material falls within one or more of the categories of prohibited materials described above, the principal shall notify the students in writing stating the reasons within 24 hours (excluding nonschool days) of the principal's receipt of the material. Students may elect to distribute written material disapproved by the principal, but they should understand such distribution may subject them to disciplinary action as provided herein and the principal may elect to take action to halt distribution of the material.

Violation of Regulation

Students violating this regulation will be subject to disciplinary action, including out-of-school suspension. If a student is suspended out of school for violation of this regulation, or if distribution of written material is halted by the principal, the student may appeal the decision in accordance with the District student suspension procedures currently in effect.

Miscellaneous

This regulation does not apply to official school publications distributed at school by students, such as yearbooks or student newspapers published as a part of the school curricula. All schools shall provide a notice on school bulletin boards and in material

generally distributed to students and parents/guardians stating that by permitting the on-campus distribution by students of written materials pursuant to this policy and regulation, the school, the District and the Board are not approving, endorsing, supporting or advocating the content of any written material distributed by students.

A copy of this policy and regulation will be posted conspicuously in each school building. Any student shall be entitled to a free copy of this policy and regulation upon request.