

## PUBLIC DISTRIBUTION OF NON-SCHOOL MATERIALS

The District schools are not a forum for the public to communicate with students or employees. In general, except when invited as part of a school-sponsored function, non-school individuals and groups shall not be permitted on school premises to distribute materials or to otherwise communicate with students and/or employees.

The Superintendent may authorize dissemination of information submitted by youth programs and activities, subject to the following conditions:

- A. Community organizations include but may not be limited to municipal recreation departments, local youth athletic programs, Girl Scouts and Boy Scouts, and similar nonprofit or not for profit organizations providing services to school-aged youth that are age-appropriate and that do not impair the mission and goals of the schools.
- B. The materials shall be submitted to the Superintendent for his/her review.
- C. The Superintendent shall retain the discretion to decline to disseminate any information he/she deems inappropriate in light of this policy. In the case of a disputed determination, the Superintendent's decision shall be final.
- D. If dissemination of the material is approved by the Superintendent, the material may be disseminated in any manner the Principal deems appropriate.
- E. Materials distributed on school premises shall not include expression that:
  - 1. Is obscene to minors;
  - 2. Is libelous;
  - 3. Is pervasively indecent or vulgar, if distributed in the high school or middle school or contains any indecent or vulgar language, if distributed in the elementary schools;
  - 4. Advertises any product or service not permitted to minors by law;
  - 5. Constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence or harassment based on race, religion, ethnic origin, disability, gender or sexual orientation);
  - 6. Presents a clear and present likelihood that it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, or will cause or promote

the commission of unlawful acts or violation of Board policies and/or school rules;

7. May be regarded, due to the content or format, as sponsored or endorsed by the school (the school may require disclaimers); and/or
8. Is deemed inappropriate to the age and emotional maturity of students.

F. For purposes of this policy, the following definitions apply:

1. **Obscene to minors** is defined as:

- a) The average person, applying contemporary community standards would find that the written material, taken as a whole appeals to the prurient interest of minors;
- b) The material depicts or describes sexual conduct in a manner that is patently offensive to prevailing standards in the adult community; and/or
- c) The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

2. **Minor** means any person under the age of 18.

3. **Libel** is a false statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.

4. **Distribution** means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying materials in areas of the school which are generally frequented by students or employees (including parking lots).

5. **Materials** include any form of communication including but not limited to writing, printing, recorded tape, film, video, any digital medium, and amplified voice. For purposes of this policy, "materials" include tangible objects bearing no verbal communication or messages that are nonetheless distributed for the purpose of communication or expression.

**Adopted: March 26 2013**