

Community Relations

Distribution of Materials by Students (Use of Students)

Printed materials may be distributed to parents by students as inexpensive means of mass communications. At the same time this procedure can prove objectionable to parents and the school district if overdone.

To provide the most effective use of this technique without exploitation of staff or students, the Superintendent or his/her designee may approve such distribution providing:

1. The materials relate to the school, community, local recreational or civic activities.
2. The materials do not relate to any religious belief or activity, or promote private gain, or political position.
3. The materials do not promote any political party or candidate.

All requests from groups or individuals to have students distribute materials to people in the community, with the exception of requests from school-connected organizations like parent-teacher organizations or Board appointed citizens' ad hoc advisory committees, will be referred to the office of the Superintendent to determine whether the requests comply with overall school purposes and policy.

Use of Students

The Board prohibits the use of students during normal school hours in activities which are not part of the normal educational and planned curriculum process. Permission for use of students in activities of a non-educational nature must be obtained from the Superintendent or his/her designee who will ensure that the student's rights in terms of voluntary activities are maintained and that students are not exploited either knowingly or unknowingly.

The Superintendent or his/her designee shall interpret this policy strictly. In case of differences regarding the decision, the decision of the Superintendent will be final in order that the best interests of the students will be served.

Budget/Referendum Materials

Information concerning a budget or referendum, specifying only the time, date, location, and question or proposal may be disseminated through the students. This information may not contain statements, or be written in a manner which may advocate a position on the budget or on a referendum question.

Legal Reference: Connecticut General Statutes
9-369b Explanatory text relating to local questions.

Policy adopted: June 26, 2006

EAST HAMPTON PUBLIC SCHOOLS
East Hampton, Connecticut

Community Relations

Distribution of Materials by Students (Use of Students)

I. Guidelines

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

1. is obscene to minors;
2. is libelous;
3. contains indecent, vulgar, profane or lewd language;
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, defamation of character or of a person's race, religion, gender, disability, age or ethnic origin);
6. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (1) through (4) to any student is prohibited. Distribution on school premises of material in categories (5) and (6) to a substantial number of students is prohibited.

II. Procedures

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building Principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and, if a student, the homeroom number;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Within twenty-four hours of submission, the Principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this regulation. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either the school, the administration, the Board or the individual reviewing the material submitted.

Community Relations

Distribution of Materials by Students (Use of Students) (continued)

II. Procedures (continued)

If the person submitting the request does not receive a response within twenty-four hours of submission, the person will contact the building Principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the Principal, the person may submit a written request for appeal to the Superintendent. If the person does not receive a response within three school days of submitting the appeal, the person will contact the Superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

At every level of the process, the person submitting the request will have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

Permission to distribute material does not imply approval of its contents by either the District, the Board, the administration or the individual reviewing the material submitted.

III. Time, Place and Manner of Distribution

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or otherwise disrupts school activities. The distribution of unofficial material is limited to a reasonable time, place and manner as follows:

1. The material will be distributed from a table set up for the purpose in a location designated by the Principal, which location will not block the safe flow of traffic or block the corridors or entrance ways, but which will give reasonable access to students.
2. The material will be distributed either before and/or after the regular instructional day.
3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

Community Relations

Distribution of Materials by Students (Use of Students) (continued)

IV. Definitions

The following definitions apply to the following terms used in this policy:

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 of the age to whom distribution is requested;
 - (b) The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
 - (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 eighteen.
3. **“Material and substantial disruption”** of a normal school activity is defined as follows:
 - (a) Where the normal school activity is an educational program of the District for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 - (b) Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), “material and substantial disruption” is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

Community Relations

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IV. Definitions (continued)

4. **“School activities”** means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.
5. **“Unofficial”** written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.
6. **“Libelous”** is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.
7. **“Distribution”** means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

V. Disciplinary Action

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

VI. Notice of Policy to Students

A copy of this regulation will be published in student handbooks and posted conspicuously in school buildings.

Community Relations

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Additional material to consider:

1. Student Participation

No student shall be forced to participate in the distribution of any non-school materials in the schools.

2. Political Campaign Materials

Subject to the approval of the Superintendent, each building principal shall establish rules and regulations governing the distribution of political campaign materials in the school building during election campaigns in order to afford opportunity for all viewpoints to be considered. No student shall be forced to participate in the distribution or receipt of any political materials.

3. Special Interest Materials

No mailing lists of students or employees of the District shall be given to individuals, organizations or vendors for the purpose of distributing materials without the written approval of the appropriate records custodian.

4. Advertising in the Schools

Advertising in the student publications may promote products by brand name except that commercial ads promoting the sales of any controlled substance or drug paraphernalia are prohibited.

5. Relations with Political Organizations

Political candidates or political parties shall be prohibited from promoting candidates or political party activities in school buildings during school hours except as they might be invited to speak, either as part of a class project or as part of the instructional program, as provided in the policy on controversial speakers.

Such organizations may use school facilities according to Board policy.

The circulation of petitions is not permissible when done during an employee's or student's assigned working hours.