

MONONA GROVE SCHOOL DISTRICT

Board Policy 448

Student Distribution of Nonschool Materials

This Policy establishes guidelines for student distribution of nonschool materials on the premises of the Monona Grove School District. The Board of Education has established the guidelines below to ensure that, when students wish to distribute materials on school premises, the distribution is appropriate in light of the educational mission of the schools and is conducted in a manner that does not disrupt the educational process. The guidelines set forth in this Policy are to be interpreted and applied in accordance with the rights of students under the First Amendment to the United States Constitution and any other applicable legal requirements.

I. Permission Required for Student Distribution of Nonschool Material

Students who wish to distribute nonschool materials on School District premises must first obtain permission from the Building Principal or designee, in accordance with the guidelines of this Policy.

II. Procedures for Distribution of Nonschool Material

- A. Students who wish to distribute nonschool material must submit a written request and a copy of the material to the Building Principal or designee at least two (2) school days in advance of the time for distribution. The request must contain the name and phone number of the student submitting the request, the date(s) and time(s) of the proposed distribution(s) and the location(s) at which the student wishes to distribute the materials.
- B. The Building Principal or designee shall review all requests for student distribution of nonschool material based upon the principles set forth below. If the Building Principal or designee denies or limits a student's request to distribute nonschool material, the student may appeal the denial or limitation to the District Administrator by filing a written request for review at the District Administrator's office within five (5) school days from the date of the denial or limitation.

III. Principles Governing Distribution of Nonschool Materials

A. Prohibited Nonschool Material

The Building Principal or designee shall deny a request for distribution of the following materials:

1. Material that contains obscene, profane or pornographic subject matter, determined by reference to the material's intended recipients;
2. Material that impinges upon the rights of students or staff or that encourages actions which endanger the health or safety of others;
3. Material that invades the privacy of others;
4. Material that incites or encourages illegal behavior;
5. Material that is primarily devoted to the advertisement of commercial products or services, when such products or services are not offered in connection with fundraising or other activities by a nonprofit organization; and
6. Material that presents a reasonable probability that its distribution to students will substantially disrupt or materially interfere with the proper and orderly operation or discipline of the school or school sponsored activities.

B. Time, Place and Manner of Distribution

The Building Principal or designee may establish uniform and reasonable time, place and manner restrictions for the student distribution of nonschool material, taking into account the ages of pupils and the physical layout of school premises. Time, place and manner restrictions shall be designed to promote the orderly distribution of material while preventing disruptions of, or interference with, the school curriculum, the orderly ingress and egress from the school, the safe and efficient movement of persons on school premises and the orderly operation of the school. Nothing in this Policy shall be deemed to restrict the Building Principal or designee from establishing reasonable time, place and manner restrictions on a case-by-case basis so long as such restrictions are nondiscriminatory and based upon the considerations noted above, among other relevant and legal considerations.

C. Reservation of Authority

Notwithstanding the standards set forth above, the Board of Education reserves its authority and the authority of its Superintendent, Building Principals and designees to prohibit or place restrictions upon student distribution of nonschool materials on school premises based upon pedagogical and educational concerns associated with a proposed distribution of nonschool materials.

D. Nondiscrimination and Nonendorsement

In administering this Policy, School District officials, employees and agents shall not discriminate between nonschool materials proposed for distribution on the basis that materials contain a viewpoint which represents a favored, or disfavored, viewpoint. Permission to distribute nonschool material is not an endorsement of an activity, person, organization or the subject matter of the material by the School District or any of its officials, agents or employees.

LEGAL REFERENCES:

CROSS REFERENCES: Board Policy 851

BOARD APPROVAL: September 14, 2005