



Boulder Valley School District

File: KJA

Adopted: June 11, 1987

Associated Regulation: KJA-R

DISTRIBUTION/POSTING OF NONCURRICULAR MATERIAL

The concept of individual rights and freedom is inseparably joined with, and inevitably restricted by, the necessity for respect of the rights of others and responsibility to the entire community. Learning can take place only when there is an appropriate balance between such rights and responsibilities. In the schools, it is the legal duty of school authorities both to protect individual rights and to maintain such control and discipline as is necessary to ensure order. This policy and the regulation instituted to implement it are intended to foster the spirit of free inquiry and expression within a framework of orderly and responsible behavior.

It is the intent of the School District to afford vigilant protection of the constitutional rights of all members of the school community and, equally, to prescribe and control conduct within the school consistent with the safeguards of the Constitution. In accordance with this philosophy, distribution or posting of printed noncurricular materials in the public schools shall be allowed subject to the procedures, regulations, and limitations stated herein and the accompanying rule.

No noncurricular material will be approved for posting or distribution where the building principal, or designee, has a factual basis for believing that (1) the material will substantially disrupt or materially interfere with school activities, the educational process, or the operation of the school; (2) the material is libelous, or tends to be injurious to the reputation of any person and is false, misleading, or unreasonably critical; (3) the material proselytizes a particular religious belief; (4) the material is injurious to, or encourages conduct which endangers the health or safety of other students; (5) the material is patently offensive, vulgar, or obscene and is inappropriate for the school environment, as judged by the standards of the school community; or (6) the material encourages or threatens disruption of school operations or disregard for the authority of teachers or administrators.

The decision of the principal, or designee, to approve noncurricular material for distribution or posting will be based solely on the criteria described in this policy, and not on the principal's agreement or disagreement with the content expressed therein.

Any person or persons wishing to distribute or post noncurricular materials will be given a copy of this policy and the accompanying regulation.

The forum recognized by the Board of Education in this policy for the distribution and posting of printed noncurricular materials is a limited one, consistent with the purpose of the policy to recognize this form of expression in a manner that is consonant with the orderly operation of the schools. Accordingly, distribution or posting of noncurricular materials shall be limited to those places within the school or on school grounds specifically designated by the building principal, or designee. In no event shall such materials be distributed or posted in any classroom of any school building then being occupied by a regularly scheduled class.

The time, place, and manner of distribution or posting of noncurricular material that has been approved for distribution may be reasonably regulated by the building principal, or designee, provided such regulations:

- (a) are uniformly applied to all forms of materials;
- (b) do not prohibit distribution or posting at times or places, either inside or outside the school building, for which no factual basis exists to conclude that any interference with school activities would occur;
- (c) are specific as to times and places where distribution is prohibited; and
- (d) do not inhibit any person's right to accept or reject any literature distributed in accordance with the rules.

Any time, place, and manner regulation imposed by a building principal may be appealed pursuant to the appeal procedure set forth in the accompanying regulation.

End of File: KJA