

## Community Relations

### Distribution or Display of Materials on School District Property

#### I. Purpose

This policy provides guidelines for the distribution of non-district materials appropriate to the school setting on school district property that does not disrupt educational programming nor interfere with the educational or other district objectives.

#### II. General Statement of Policy

The school district recognizes that non-profit, non-school community organizations may provide valuable information to students and their families. Access to students and their families must be balanced with the district's need to protect the best interests of the students and to use public resources to provide educational services.

#### III. Guidelines for Distribution of Materials

- A. The school district reserves the right to deny permission for the posting or distribution of materials that are not consistent with the best interest of students. The district may permit, within the provisions of this policy, non-profit, non-school community organizations to distribute at its discretion materials appropriate to the school setting.
- B. Requests for distribution of materials will be reviewed by the district administration on a case-by-case basis; however, distribution of the following materials is always prohibited:
  - 1. Materials obscene to minors;
  - 2. Libelous materials;
  - 3. Materials pervasively indecent or vulgar or containing any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to whom the materials are intended;
  - 4. Materials advertising any product or service not permitted to minors by law;
  - 5. Materials advocating violence or other illegal conduct;
  - 6. Materials constituting 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, religious or ethnic origin); and

7. Materials that present 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, or will cause the commission of unlawful acts or the violation of lawful district policies or school rules.
- C. Permission for non-profit, non-school community organizations to distribute materials on district property is a privilege and not a right. In making decisions regarding permission for distribution, the administration will consider factors including, but not limited to the following:
1. Whether the material relates to the educational mission of the district;
  2. The extent to which the distribution is likely to cause disruption of or interference with the district's educational objectives, discipline or school activities;
  3. Whether the materials can be distributed from the office or other location so as to minimize disruption;
  4. The quantity or size of materials to be distributed;
  5. Whether distribution would require assignment of district employees, use of district equipment or other resources;
  6. Whether distribution would require that nondistrict persons be present on the school grounds; or
  7. Whether the materials are a solicitation for goods or services not requested by potential recipients.

#### IV. Time, Place and Manner of Distribution

If permission is granted pursuant to this policy for the distribution of any materials, the time, place and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

#### V. Procedures for Requesting Distribution

- A. A non-profit, non-school community organizations wanting to distribute materials must first submit for approval a copy of the materials to the building administration at least two weeks in advance of desired distribution time, together with the following information:
1. Name and phone number of the person submitting the request;
  2. Date(s) and time(s) of the requested distribution;
  3. If material is intended for students, the grade(s) of students to whom the distribution is intended; and

4. The proposed method of distribution.
  - B. The superintendent or designee will review the request and render a decision. If approved, the building administration will assign a location and method of distribution and will inform the persons submitting the request whether non-profit, non-school organizations may be present to distribute the materials.
  - C. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

#### VI. Violation of Policy

Any party violating this policy or distributing materials without permission will be directed to leave the district property immediately and, if necessary, the police maybe called.

#### Legal References:

U. S. Const., amend. I

*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)

*Cornelius v. NAACP Legal Defense and Educational Fund, Inc.*, 473 U.S. 788 (1985)

*Perry Education Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, (1983)

*Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8th Cir. 2011)

*Doe v. South Iron R-1 School District*, 498 F.3d 878 (8<sup>th</sup> Cir. 2007)

*Bystrom v. Fridley High School*, 822 F.2d 747 (8<sup>th</sup> Cir. 1987)

#### Cross References:

Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)

Policy 512 (School-Sponsored Student Publications and Activities)

Policy

adopted: 7/19/10

revised: 4/24/14

revised: 7/19/21

INDEPENDENT SCHOOL DISTRICT 273

Edina, Minnesota

## Appendix I

### DISTRIBUTION OF MATERIALS BY CANDIDATES FOR ELECTIVE OFFICE

The district has adopted these guidelines regarding campaigning at or around district/school events and audiences. Please follow these guidelines and ensure your volunteers do the same.

The district may permit, within the provisions of Policy 904, candidates for elective office to distribute, at a reasonable time, place, and manner, materials and objects appropriate to the district setting. Requests must be made in accordance with Policy 904, which can be found on the district's website.

#### Kuhlman Field

- When requests are approved, candidates may set up tables outside of Kuhlman Field at a location approved by the district.
- Literature can be handed out from these tables to people demonstrating an interest in the campaign, as shown by their approach to a table.
- Campaigning or handing out literature inside the stadium is not permitted.
- Signs may be set out on the tables. No signs or other materials may be attached to fences or other district property.
- While campaigning, candidates and their volunteers should remain in their designated area.
- Placing leaflets on vehicles is prohibited.
- Please pick up all literature when leaving so the district will not incur the cost of cleanup.

#### School Events

- When requests are approved, candidates may distribute literature outside district buildings as approved by the district.
- Placing leaflets on vehicles is prohibited.
- The district requests that literature distribution and political contact are clearly perceived as optional and not disruptive of walking/automobile traffic.

#### On-site Group Presentations

- The district does not arrange candidate presentations.
- Candidates may contact independent parent organizations or other organizations directly to arrange presentations.
- Each organization has its own guidelines regarding these presentations.

The district appreciates your cooperation in abiding by these guidelines. Please feel free to contact the superintendent with any specific questions or concerns. Thank you for your interest in serving the community.

Established: 8/15/11  
Revised: 7/19/21