

Distribution/Posting of Noncurricular Materials

Approval

Any group, organization, corporation, individual, club, society or association (hereafter referred to as “person” or “persons”) that wishes to distribute any printed non-curricular material in any public school in the district must submit the material to the superintendent for approval a minimum of 48 hours prior to the proposed distribution. The superintendent or designee will approve distribution subject to the regulations which follow unless it is determined that the material is “unacceptable” as defined in the accompanying policy. The superintendent or designee will explain in writing the reasons the material was determined “unacceptable” under Board policy.

Appeal

Any person or persons that are denied approval for distribution of printed non-curricular materials will have the right to appeal the decision to the Board of Education. The appeal will be prosecuted as follows:

1. Within 10 days after the superintendent’s or designee’s action, written notice must be served by the aggrieved party or parties on the superintendent requesting a hearing before the Board.
2. The superintendent will schedule the hearing on the agenda of the next regularly scheduled meeting of the Board which generally will be held within 30 days of the filing of a request for a hearing.
3. The aggrieved party or parties must attend the meeting. The superintendent will have the burden of establishing to the Board’s satisfaction by clear and convincing evidence that the materials which are sought to be distributed are “unacceptable” as defined in policy. The aggrieved party will be allowed to defend distribution of the material.
4. The Board will issue a decision in writing within five working days following the hearing. The Board’s decision to support or reject the superintendent’s action will be final.

Distribution of materials may be allowed by Category A and B; groups by Methods 1 and/or 2.

At the K-8 grade level, material may be distributed by Method 1 if the sponsoring agency is Category A. Category B agencies shall use Method 2.

At the 9-12 grade level, materials may be distributed by Method 2 if the sponsoring agency meets the criteria of Category A or Category B.

At all levels, the building administrator shall determine whether the material may not be distributed because it is "unacceptable."

Regulations

1. Place

Distribution of printed noncurricular materials must be made at places within the school or on school grounds as designated by the principal except that in no event may such materials be distributed in any classroom of any building then being occupied by a regularly-scheduled class.

2. Time

Distribution may be made one-half hour before school and/or during regularly scheduled lunch periods and/or 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.

3. Littering

All distributed items discarded in school or on school grounds must be removed by the persons distributing such materials.

4. Distributors

Students may not be used as the agents for distribution of such materials without the written consent of the student's parent or guardian.

5. Manner

No student may in any way be compelled or coerced to accept any materials being distributed by any person distributing such materials or by any school official. In the alternative, no school official or student may interfere with the distribution of approved materials.

Violation of any of these regulations will be sufficient cause for denial of the privilege to distribute materials at future dates, subject to the right of appeal as stated above.

Methods of distribution

Method 1 - School distribution to each child (This may include distribution through electronic means including school/district social media sites,. Web sites, and paper or electronic newsletters)

1. Permission must be received from the building administrator
2. Material must be divided into classroom groups if distributed via hard copy or acceptable electronic format for distributions electronically.
3. School may ask distribution agency to place materials in teachers' boxes
4. Building administrator will determine when, during the day, the materials will be given to students

Method 2 - Announcement of activity and placement of brochures

1. Permission must be received from the building administrator
2. An announcement will be made to the school as a whole saying that the materials are available for students to pick up at a designated place in the school
3. The school shall choose a designated place to put materials
4. This method shall also be used when a group wishes to personally hand out materials to students.

Categories of agencies or groups distributing materials

Category A

Non profit organizations which meet the following criteria:

1. Emphasize educational and/or athletic opportunities for students
2. Governmental entities, 501-C (3) organizations and/or organizations that supplement the existing school sports program

The following are examples of Category A but is not meant to be all-inclusive: city recreation departments, 4-H, scouting programs, Youth Zone, "Pee-Wee" sports organizations, CMC, Bookcliff and Glenwood Arts Councils, PTAC's, and booster clubs.

Category B

Profit businesses, fundraising activities for non-profit organizations or non-profit organizations which do not meet the criteria for Category A, which meet the following criteria:

1. Emphasize educational and/or athletic opportunities for students.

The following list will serve as examples of Category B but is not meant to be all-inclusive: sports camps, Sunlight Mountain Resort, Lion's Club.

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Garfield School District No. Re-2, Rifle, Colorado