MERCHANTVILLE BOARD OF EDUCATION 130 South Centre Street Merchantville, New Jersey 08109	File Code: 1140 Proposed: 8/24/99 Adopted: 11/30/99 Revised: 10/27/09 Reviewed: 03/18/2024

Distribution of Material by Pupils and Staff

Material being sent home with pupils should relate to school matters or pupil-related community activities. Except when it pertains to the individual pupil, all such material must be approved in advance by the chief school administrator/designee.

There is no district obligation to distribute or post any community group materials. But if a forum is opened up to any category of group (i.e., non-profit, non-partisan, community groups), the chief school administrator will not discriminate against speech or materials on the basis of its viewpoint or religious content.

The determination of the chief school administrator will be viewpoint-neutral in order to provide equal access to "limited public forums" including bulletin boards for notices, tables at back-to-school nights, or hand-outs to students.

Pupils shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the chief school administrator. Materials will clearly indicate their source. Non-school-related materials will be plainly labeled, including an express disclaimer that the activity is "not a school-sponsored activity." Flyers and parental permission slips will be subject to the same review and standards.

All surveys, questionnaires or other similar items requiring pupil or parent/guardian response shall be reviewed and approved by the chief school administrator prior to distribution. The chief school administrator shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in federal law.

Legal References:

N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students

N.J.S.A. 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election; prohibited

N.J.S.A. 19:34-6 Prohibited actions in polling place on election day, exception for simulated voting

N.J.S.A. 19:34-15 Electioneering within or about polling place; disorderly persons offense

34 CFR 98.1 - Pupil Protection Rights Amendment

Child Evangelism Fellowship of New Jersey. vs. Stafford Township School District, No. 03-1101 (October 2004)

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

Possible Cross References:

*1100	Communicating with the public
1315	Distribution of materials to pupils and staff
*1322	Contests for pupils
*1330	Use of School Facilities
4135.16	Work stoppages/strikes
4235.16	Work stoppages/strikes

*5136	Fund-raising activities
*6142.10	Technology
*6145.3	Publications
6162.5	Research

* Indicates policy is included in the Critical Policy Reference Manual.

NJSBA Date: 05/06