

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. This policy does not apply to persons or organizations permitted to use district facilities in accordance with Policy 902.

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 district 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 district 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 non-district persons be present on district property; 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;
 4. The proposed method of distribution; and
 5. The following disclaimer statement must be on each item to be distributed:
"This event, class, activity, or matter is neither sponsored nor endorsed by Edina Public Schools, ISD #273, and this information was not produced or printed at the district's expense."
- 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 the 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 district, district administration, 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 may be 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 (8th Cir. 2007)

Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)

Cross References:

Policy 512 (School-Sponsored Student Publications and Activities)

Policy 902 (Use of School District Facilities and Equipment)

Policy 905 (Advertising)

Policy

adopted: 07/19/10

revised: 04/24/14

revised: 07/19/21

revised: 04/13/26

INDEPENDENT SCHOOL DISTRICT NO. 273

Edina, Minnesota