

Policy

DISTRIBUTION OF MATERIALS BY STUDENTS AND STAFF

Material being sent home with students should relate to school matters or student-related community activities. Except when it pertains to the individual student, all such material must be approved in advance by the superintendent/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 superintendent will not discriminate against speech or materials on the basis of its viewpoint or religious content.

The determination of the superintendent 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.

Students shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Students 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 superintendent. 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 student or parent/guardian response shall be reviewed and approved by the superintendent prior to distribution. The superintendent shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in state and federal law.

Distributions of Materials by Non-School Sources

The superintendent shall approve the distribution of supplementary printed materials from commercial, political, religious, or other non-school sources. The superintendent shall approve all materials prior to distribution and use within the school for instructional purposes. Approval shall only be given when the materials support the educational program, supplements and enriches text and reference book materials utilized by the classroom teacher, and complies with board policies. Materials that are or may be perceived as discriminatory shall not be approved or distributed.

Advertising materials of a commercial, political or religious nature shall not be displayed or distributed in the school or on the school grounds. Pupils may not be used as agents for distributing such materials within the school or on school grounds. Any such materials will only be distributed through the school after approval of the Superintendent and acknowledgement by the board.

Adopted: September 24, 2007
Adopted: March 26, 2008
NJSBA Review/Update: June 2014
Readopted: October 27, 2014

Key Words

DISTRIBUTION OF MATERIALS BY STUDENTS AND STAFF (continued)

Distribution of Materials, Research

- 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 - Student 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 students and staff
 - *1322 Contests for students
 - *1330 Use of School Facilities
 - 4135.16/4235.16 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.