

## **Distribution/Posting of Noncurricular Materials**

The purpose of this policy is to define the parameters applicable to the distribution or posting of noncurricular materials on district property in a manner that does not disrupt the district's educational programs nor interfere with the district's mission. Requests from the public to distribute or post noncurricular materials in the district's schools or buildings or on district property may be permitted in accordance with this policy and accompanying regulation.

Noncurricular materials deemed "unacceptable" by the district shall not be approved for posting or distribution. The following shall be considered "unacceptable" material:

- Material that promotes or favorably portrays unlawful conduct or conduct that violates Board or district policy, including but not limited to the Board's policies prohibiting unlawful discrimination, harassment and bullying.
- Material that is injurious to, or encourages conduct that threatens disruption of school operations or endangers the health or safety of staff and/or students.
- Material designed for commercial purposes—advertising a product or service for sale or rent—unless the material itself has educational value that makes the commercial message a secondary consideration.
- Material that is libelous, invades the rights of others or inhibits the functioning of the school or district, or advocates interference with the rights of any individual or with the normal operation of the school or district.
- Material which in any way promotes, favors or opposes the candidacy of any candidate for election, or the adoption of any bond issues proposal, or any public question submitted at any general, municipal or school election. The prohibition shall not apply on any election day or special election when the school is being used as a polling place.
- Material that is obscene, vulgar or patently offensive as defined by prevailing community standards throughout the district.
- Material that is inconsistent with or unrelated to the district's mission and educational values.

This policy governs noncurricular material and is not intended and shall not be interpreted to prevent or limit distribution of materials by district staff that are intended to supplement and enrich district curriculum in accordance with Board policy. District staff who wish to distribute noncurricular materials shall comply with this policy and accompanying regulation.

The superintendent or designee shall present to any person or persons wishing to distribute or post noncurricular materials a copy of this policy and the accompanying regulation.

Adopted: August 27, 2014

Revised and recoded by the Board: July 17, 2019

LEGAL REF.: C.R.S. 22-32-110 (1)(r) (*Board's authority to exclude objectionable materials*)

CROSS REFS.:

*Board policies:*

EL-9, Treatment of Students, Parents and Community

EL-11, School Safety

*Administrative policies:*

IMB, Teaching about Controversial Issues and Use of Controversial Materials

JICEA, School-Related Student Publications (School Publications Code)

JICEC\*, Student Distribution of Noncurricular Materials

## **Distribution/Posting of Noncurricular Materials**

### **Approval**

Any group, organization, corporation, individual, club, society or association (hereinafter referred to as "person" or "persons") that wishes to distribute or post any noncurricular material in any district school or building or on district property shall submit the material to the superintendent for approval a minimum of 48 hours prior to the proposed distribution or posting. The superintendent or designee may approve distribution or posting in accordance with this regulation and accompanying policy unless it is determined that the material is "unacceptable" as defined in the accompanying policy.

### **Appeal**

Any person or persons that are denied approval for distribution or posting of noncurricular materials may appeal the decision as follows:

1. Within 10 days after the superintendent's or designee's decision, written notice shall be served by the aggrieved party or parties on the superintendent, requesting a hearing before the Board.
2. The superintendent shall schedule the hearing on the agenda of the next regularly scheduled Board meeting which generally will be held within 30 days of the filing of a request for a hearing.

After providing the aggrieved party or parties an opportunity to be heard, the Board shall render a decision which shall be final.

### **Regulations**

#### **1. Place**

Distribution or posting of noncurricular materials shall be made at places within the school or on school grounds as designated by the school principal except that in no event shall such materials be distributed in any classroom of any school building

#### **2. Time**

Distribution or posting shall 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 or posted items discarded on school or district property shall be removed by the persons distributing such materials.

4. Distributors

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

5. Manner

No student shall 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 shall interfere with the distribution of approved materials.

Violation of these regulations or accompanying policy shall be sufficient cause for denial of the privilege to distribute or post materials at future dates, subject to the ability to appeal as provided above.

Approved: August 27, 2014

Revised and recoded by the superintendent: July 17, 2019