

<b>Distribution of Written Materials by Students</b>	<b>F.30</b>
<i>Adopted: July 23, 2013 Revised: September 8, 2015</i>	

Introduction

Current judicial decisions hold that public school students have a constitutional right to distribute written materials in school facilities, subject to reasonable regulation by school authorities of the time, place, and manner of distribution and subject to certain restrictions concerning the content of the material.

The purpose of this policy is to provide for the exercise of this right by district students and at the same time to inform students of the conditions that the Hilldale Public Schools Board of Education deems essential to prevent interference with the mission of this district to provide educational services for all students.

Policy

*Time and Place of Distribution.* Students may distribute written materials at any entrance or exit to a school building for a period of not to exceed thirty (30) minutes prior to the commencement of the earliest class and not to exceed thirty (30) minutes after the end of the last instructional class. Students may distribute written materials at an entrance or exit to a school cafeteria when lunch is being served in the cafeteria. Students may distribute written materials before and after regular school hours at the entrances and exits to school gymnasiums, school stadiums, school auditoriums or other school facilities when those facilities are being used. Students will not distribute written materials in or on school grounds or facilities except as stated above.

*Manner of Distribution.* Students shall not distribute written materials in a manner that disrupts a school activity or impedes the flow of traffic within hallways or entranceways to the school. No person will be compelled to accept any written material. A person who declines to accept written material will not be threatened, treated with disrespect (verbally or by gesture) or impeded in any manner.

*Clean-up.* Students who distribute written materials will be responsible for removing discarded and leftover materials from the school facility and grounds before the students leave the school premises after distributing the material.

*Content.* The distribution of written material shall not be restricted or denied solely because of the political, religious or philosophical content of the material. However, students must realize that rights go hand-in-hand with responsibilities and that students have a responsibility to refrain from the distribution of written material that is:

1. Obscene to Minors, meaning (a) material which, taken as a whole, lacks serious literary, artistic, political or scientific value for minors and, (b) when an average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to an obsessive interest in sex by minors of the age to whom distribution is directed.

2. Libelous, meaning a false and unprivileged statement about a specific individual that tends to harm the individual's reputation.
3. Vulgar, Lewd or Indecent, meaning material that, taken as a whole, an average person would deem improper for presentation to minors because of sexual connotations or profane language.
4. A Display or Promotion of Unlawful Products or Services, meaning material that advertises or advocates the use of products or services prohibited by law from being sold or provided to minors.
5. Group Defamation, meaning material that disparages a group or a member of a group on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information . This includes racial and religious epithets, "slurs", insults and abuse.
6. Disruptive of School Operations, meaning material that, on the basis of past experience or based on specific instances of actual or threatened disruptions relating to the written material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

Students will have the right, but are not required, to submit written materials to the school principal in advance of distribution. If the school principal concludes that the submitted written material falls within one or more of the categories of prohibited materials described above, the principal shall notify the students in writing stating the reasons within twenty-four (24) hours (excluding nonschool days) of the principal's receipt of the material. Students may elect to distribute written material disapproved by the principal, but students should understand that such distribution may subject them to disciplinary action as provided herein and that the principal may elect to take action to halt distribution of the material.

*Violation of Policy.* Students who violate this policy will be subject to disciplinary action, including suspension out of school.

#### Certain Definitions

"Distribution" means the circulation of written material by handing out copies, selling or offering copies for sale and accepting donations for copies.

"Written Material" includes but is not limited to, leaflets, magazines, books, brochures, flyers, petitions, newspapers, buttons, badges or other insignia.

"Minors" means persons under the age of eighteen (18).

If a student is suspended for violation of this policy or if distribution of a publication is halted by a principal, the student may appeal the decision in accordance with the district student suspension procedures currently in effect.

*Miscellaneous.* This policy does not apply to official school publications, such as yearbooks or student newspapers published as a part of the school curricula. All schools within the district shall provide a notice on school bulletin boards and in material distributed generally to students and parents stating that by permitting the on-campus distribution of written materials by students under this policy, the school, the district and the Board of Education are not approving any written material distributed by students or endorsing, supporting or advocating the content of the material. A copy of this policy will be posted conspicuously in each school building. Any student shall be entitled to a free copy of this policy upon request.