

## Community Relations

### Distribution of Materials by Students (Use of Students)

The building administrator has the responsibility to review and approve or disapprove printed and electronic material proposed for distribution to students to take home or to be e-mailed or posted on a website if the material pertains only to that single site. The Superintendent shall designate a district-level staff member to review and approve or disapprove printed and electronic material proposed for distribution to students to take home if the material is intended for more than one (1) site.

Printed and electronic material distributed to students to take home or to be e-mailed or posted shall involve only activities or opportunities provided or sponsored by a non-profit/not-for-profit entity, organization, or governmental agency. The name of the non-profit/not-for-profit organization or governmental agency must be specifically defined and clearly printed on the material for distribution along with the organization's or agency's telephone number for inquiries. In addition, the words "Not for Profit" must be clearly stated on the material for distribution. All material to be taken home by students or e-mailed or posted shall extend the curriculum of the Montville Public Schools or broaden the cultural life of students.

The reproduction of approved material(s) is the responsibility of the sponsoring group.

Commercial material, advertisements, or material generated by an individual that is not sponsored by a non-profit/not-for-profit entity, organization, or governmental agency shall not be distributed via the students or e-mail or websites.

Legal Reference:       Connecticut General Statutes  
                              9-369b Explanatory text relating to local questions

Policy adopted:       September 19, 2019

MONTVILLE PUBLIC SCHOOLS  
Montville, Connecticut

## **Community Relations**

### **Distribution of Materials by Students (Use of Students)**

#### **I. Guidelines**

Individuals, including students, may have the right to distribute on school premises, at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which:

1. is obscene to minors;
2. is libelous;
3. contains indecent, vulgar, profane or lewd language;
4. advertises any product or service not permitted to minors by law;
5. constitutes 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, religion, gender, disability, age or ethnic origin);
6. presents 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 school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

Distribution on school premises of material in categories (1) through (4) to any student is prohibited. Distribution on school premises of material in categories (5) and (6) is prohibited.

#### **II. Procedures**

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building Principal at least twenty-four hours in advance of desired distribution time, together with the following information:

1. Name and phone number of the person submitting request and, if a student, the homeroom number;
2. Date(s) and time(s) of day of intended display or distribution;
3. Location where material will be displayed or distributed;
4. The grade(s) of students to whom the display or distribution is intended.

Within twenty-four hours of submission, the Principal will render a decision whether the material violates the guidelines in subsection I or the time, place and manner restrictions in subsection III of this regulation. In the event that permission to distribute the material is denied, the person submitting the request should be informed in writing of the reasons for the denial. Permission to distribute material does not imply approval of its contents by either the school, the administration, the Board or the individual reviewing the material submitted.

## **Community Relations**

### **Distribution of Materials by Students (Use of Students) (continued)**

#### **II. Procedures (continued)**

If the person submitting the request does not receive a response within twenty-four hours of submission, the person will contact the building Principal's office to verify that the lack of response was not due to an inability to locate the person. If the person has made this verification and there is no response to the request, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

If the person is dissatisfied with the decision of the Principal, the person may submit a written request for appeal to the Superintendent. If the person does not receive a response within three school days of submitting the appeal, the person will contact the Superintendent to verify that the lack of response is not due to an inability to locate the person. If the person has made this verification and there is no response to the appeal, the material may be distributed in accordance with the time, place and manner provisions in subsection III.

At every level of the process, the person submitting the request will have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution of the written material is appropriate.

#### **III. Time, Place and Manner of Distribution**

The distribution of written material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school or otherwise disrupts school activities. The distribution of unofficial material is limited to a reasonable time, place and manner as follows:

1. The material will be distributed from a table set up for the purpose in a location designated by the Principal, which location will not block the safe flow of traffic or block the corridors or entrance ways, but which will give reasonable access to students.
2. The material will be distributed either before and/or after the regular instructional day.
3. No written material may be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.

## Community Relations

### Distribution of Materials by Students (Use of Students) (continued)

#### IV. Definitions

The following definitions apply to the following terms used in this policy:

1. **“Obscene to minors”** is defined as:
  - (a) The average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  - (b) The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
  - (c) The material, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.
2. **“Minor”** means any person under the age of eighteen.
3. **“Material and substantial disruption”** of a normal school activity is defined as follows:
  - (a) Where the normal school activity is an educational program of the District for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
  - (b) Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods), “material and substantial disruption” is defined as student rioting, unlawful seizures of property, widespread shouting or boisterous demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecasted including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

## Community Relations

### Distribution of Materials by Students (Use of Students) (continued)

#### IV. Definitions (continued)

4. **“School activities”** means any activity of students sponsored by the school and includes, by way of example but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and in-school lunch periods.
5. **“Unofficial”** written material includes all written material except school newspapers, literary magazines, yearbooks, and other publications funded and/or sponsored or authorized by the school. Examples include leaflets, brochures, flyers, petitions, placards and underground newspapers, whether written by students or others.
6. **“Libelous”** is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.
7. **“Distribution”** means circulation or dissemination of written material by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying written material in areas of the school which are generally frequented by students.

#### V. Disciplinary Action

Distribution by any student of unofficial written material prohibited in subsection I or in violation of subsection III may be halted, and students may be subject to discipline including suspension and expulsion. Any other party violating this policy may be requested to leave the school property immediately and, if necessary, local law enforcement officials will be called.

#### VI. Notice of Policy to Students

A copy of this regulation will be published in student handbooks and posted conspicuously in school buildings.

## Community Relations

### Distribution of Materials by Students (Use of Students) (continued)

#### Additional material to consider:

**1. Student Participation**

No student shall be forced to participate in the distribution of any non-school materials in the schools.

**2. Special Interest Materials**

No mailing lists of students or employees of the District shall be given to individuals, organizations or vendors for the purpose of distributing materials without the written approval of the appropriate records custodian.

**3. Advertising in the Schools**

Advertising in the student publications may promote products by brand name except that commercial ads promoting the sales of any controlled substance or drug paraphernalia are prohibited.

**4. Relations with Political Organizations**

Political candidates or political parties shall be prohibited from promoting candidates or political party activities in school buildings during school hours except as they might be invited to speak, either as part of a class project or as part of the instructional program, as provided in the policy on controversial speakers.

Such organizations may use school facilities according to Board policy.

**5. Petitions**

The circulation of petitions is not permissible when done during an employees' or students' assigned working hours.