

MINNETONKA PUBLIC SCHOOLS

Policy #907: DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NON-SCHOOL ORGANIZATIONS AND PERSONS

I. POLICY STATEMENT

The purpose of this policy is to provide guidelines to School District employees regarding the way in which materials relative to activities, events, and opportunities may be publicized and/or distributed by students and schools in the District. The School Board, through the Superintendent, is responsible for determining the type of handbills, posters, and/or other materials which may be distributed to students, employees, and school patrons on school grounds and in school buildings and for determining the conditions under which approved distribution may occur.

II. GENERAL STATEMENT OF POLICY

In order to be publicized through the schools, all activities, events, materials and opportunities must relate directly to students. The School Board reserves the right to deny permission for the posting or distribution of materials that are not consistent with the best interests of students, families and parents.

III. DEFINITIONS

- A. The following definitions of groups and organizations with distribution guidelines have been developed:
 1. School-related Activities
 - a. Each school will distribute materials to students to take home that relate to the school's activities, activities sponsored by student and parent organizations of the specific school the student attends, and student, parent and community activities coordinated/sponsored by the School District, including Minnetonka Community Education and Services.
 - b. Materials that relate to school activities and to activities sponsored by student and parent organizations other than the school the student attends will be distributed to students subject to the distribution provision in A.3 below.

2. Public Agencies or Organizations

These groups are defined as those that are tax supported. Examples include city activities, elections, public hearings, and police/fire department information. Informational materials from these organizations will be distributed no more than once weekly.

3. Community Organizations – (Civic/Charitable/Student)

These organizations are defined as organizations not operating for pecuniary profit. Printed materials from these organizations will be distributed no more than once weekly.

a. Elementary School Distribution:

When a community organization receives approval to distribute materials, the approved community organization will make available one supervised volunteer, at building request, to assist the school in organizing and distributing materials to children. If the community organization cannot provide a volunteer, upon request, the printed materials from the organization will be available to interested students and adults in a designated public information area at each school. An announcement may be made to the students notifying them of the availability of the materials.

b. Secondary School Distribution:

When a community organization receives approval, the printed materials from the organization will be available to interested students and adults in a designated public information area at each school. An announcement may be made to the students notifying them of the availability of the materials.

4. Fraternal Organizations

These organizations are defined as organizations operating for the benefit of a specific group within the community. Limited posters from these groups will be permitted when these organizations are sponsoring scholarship programs of direct benefit to students. Announcements of scholarship programs of direct benefit to students may also be made.

5. Churches

These organizations are defined as religious organizations operating for the benefit of a specific group within the community. Limited posters from these groups will be permitted when events serve a general community purpose, and do not conflict with the principles of separation of church and state.

6. Commercial Organizations/Individuals

These are defined as profit-making businesses or individuals not affiliated with an organization that is defined herein, and that they provide opportunities or events that generate financial support to schools and/or the School District. Prior approval of any commercial/individual partnership that generates donations to our schools must be approved in advance by the superintendent/ designee. Materials from such approved commercial organizations/individuals may contain advertising. Any advertising must be inconspicuous, and the commercial purpose of the organization/business shall not be dominant in any materials that are approved for posting or sent home with students. Printed materials from non-approved commercial organizations/individuals will not be accepted for posting in the School District or sent home with students.

- B. Organizations requesting approval for distribution of materials must do so through the office of the Superintendent, or designee. Upon approval, it shall be the responsibility of the organization to supply all materials to the designated sites. Approved organizations will add a statement to their flyer/brochure stating, "No School District funds were used to produce or copy this flyer/brochure."

Legal References: U.S. Constitution, First Amendment.
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988).
Cornelius v. NAACP Legal Defense and Educational Fund, Inc., 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985).
Perry Education Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983).

Cross References: MSBA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA Model Policy 512 (School Sponsored Student Publications)
Policy #524: Electronic Technologies Acceptable Use Policy
Policy #525: Web Site and Intranet Policy
Policy #603: Instructional Material Review and Selection
C-6: Controversial Issues and the School Program

Approved: November 18, 2004