

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED: November 15, 2001 **FILE SECTOR:** STUDENTS
DATE REVISED: May 15, 2008 **POLICY TITLE:** STUDENT DISTRIBUTION OF
DATE REVISED: December 18, 2014 **NON-SCHOOL MATERIALS**

This policy establishes guidelines for student distribution of non-school materials on the premises of the Medford Area Public School District. The board of education has established the guidelines below to ensure that, when students wish to distribute materials on school premises, the distribution is consistent with the educational mission of the schools and is conducted in a manner that does not disrupt the educational process. The guidelines set forth in this policy are to be interpreted and applied in accordance with the rights of students under the First Amendment to the United States Constitution and other applicable legal requirements.

Permission for Student Distribution of Non-school Material

Students who wish to distribute non-school materials on school district premises must first obtain permission from the building principal or designee, in accordance with the guidelines of this policy.

Procedures for Student Distribution of Non-school Material

- A. Students who wish to distribute non-school material must submit a written request and a copy of the material to the building principal or designee at least 24 hours in advance of the time of distribution. The request must contain the name and phone number of the student submitting the request, the date(s) and time(s) of the proposed distribution(s) and the location(s) at which the student wishes to distribute the materials.
- B. The building principal or designee shall review all requests for student distribution of non-school material based upon the principles set forth below. If the building principal or designee denies or limits a student's request to distribute non-school material, the student may appeal the denial or limitation to the district administrator by filing a written request for review at the district administrator's office within five (5) school days from the date of the decision. If the district administrator or designee denies or limits a request to distribute material, the individual or entity may appeal the denial or limitation to the board of education by filing a written request for review by the board of education at the district administrator's office within five (5) school days from the date of the decision. The Board of Education's decision is final.

Governance of Student Distribution of Non-school Materials

A. Prohibited Non-school Material

The building principal or designee shall deny a request for distribution of the following materials:

1. Material that contains obscene, profane or pornographic subject matter;

2. Material that infringes upon the rights of other students or that encourages actions which endanger the health or safety of others;
3. Material that invades the privacy of others;
4. Material that incites or encourages illegal behavior;
5. Material that is primarily devoted to the advertisement of commercial products or services, when such products or services are not offered in connection with fund-raising or other activities by a nonprofit organization; and
6. Material that presents a reasonable probability that its distribution to students will substantially disrupt or materially interfere with the proper and orderly operation or discipline of the school or school sponsored activities.

B. Time, Place, and Manner of Distribution

The building principal or designee may establish uniform and reasonable time, place and manner restrictions for the student distribution of non-school material, taking into account the ages of students and the physical layout of school premises. Time, place, and manner restrictions shall be designed to promote the orderly distribution of material while preventing disruptions of, or interference with, the school curriculum, the orderly ingress and egress from the school, the safe and efficient movement of persons on school premises and the orderly operation of the school. Nothing in this policy shall be deemed to restrict the building principal or designee from establishing reasonable time, place, and manner restrictions on a case-by-case basis so long as such restrictions are nondiscriminatory and based upon the considerations noted above.

C. Reservation of Authority

Notwithstanding the standards set forth above, the board of education reserves the authority of its district administrator, building principals, and designees to prohibit or place restrictions upon student distribution of non-school materials on school premises based upon pedagogical and educational concerns associated with a proposed distribution of non-school materials.

D. Non-discrimination and Non-endorsement

In administering this policy, school district officials, employees, and agents shall not discriminate between non-school materials proposed for distribution on the basis that materials contain a viewpoint which represents a favored, or disfavored, viewpoint.

Permission to distribute non-school material is not an endorsement of an activity, person, organization or the subject matter of the material by the school district or any of its officials, agents, or employees.

CROSS REFERENCE: IGDA, JB, JFC, JFCN, JGE, & JFI

**LEGAL REFERENCE: Sec. 118.13, Wis. Stats, Department of Public Instruction (PI 9),
Wis. Admin. Code, Title IX of the Education Amendments, Section
504 of the Rehabilitation Act of 1973**