

INDEPENDENT SCHOOL DISTRICT 719
PRIOR LAKE - SAVAGE AREA SCHOOLS**904 DISTRIBUTION OF INFORMATION ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONS AND EMPLOYEES****I. PURPOSE**

The intent of this policy is to avoid using students, employees and school patrons as a captive audience, to avoid disruption of the learning environment, and to ensure that the school district, its employees, and students are not burdened or offended by information provided.

II. DEFINITIONS

- A. Partnership is defined as a mutually beneficial arrangement that can be a single event or a continued relationship over a period of time.
- B. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in staff mailboxes.
- C. "Materials" includes all materials and objects intended by nonschool persons or nonschool organizations for distribution. Examples of nonschool-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects.
- D. "Nonschool person" means any person who is not currently enrolled as a student, any person who is not employed by the school district, or an employee acting outside of the scope of the designated role.

III. GENERAL STATEMENT OF POLICY

Non-school agencies or persons shall not be permitted access to students, employees, staff, school visitors, school buildings, or school sites for the purpose of distributing literature and materials, posting signs, use of electronic sign boards, soliciting donations, promoting products/private interests or recruiting volunteers.

The Superintendent of Schools or designee is urged to interpret this policy strictly. Exceptions may be made when, in their judgment, the best interests of the students will be served. In case of differences of opinion, the decision of the Superintendent of Schools will be final.

The school district retains the right to permit access for its own programs as well as individual schools or school groups. Partnerships may be promoted for the duration of the event or partnership.

The district shall not incur any costs associated with providing public information identified by statute to businesses or organizations or for any materials produced or distributed within the district by another organization.

Materials or information produced by or on behalf of employees that are not part of the school's official curricular or co-curricular programs may not be distributed to students, parents/legal guardians, or other employees.

IV. PROCEDURES

- A. Any nonschool person wishing to distribute materials must first email a copy of the materials to the Director of Community Education Services at least five business days in advance of desired distribution time for approval.
- B. The administration will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether nonschool persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed of the reasons for the denial or limitation.
- C. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

Legal References:

U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Doe v. South Iron R-1 School District, 498 F.3d 878 (8th Cir. 2007)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
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)
Roark v. South Iron R-1 School Dist., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied 565 U.S. 1036, 132 S.Ct. 592 (2011)

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An Equal Opportunity School District