

**Policy**

DISTRIBUTION OF MATERIALS BY STUDENTS AND STAFF

Material being sent home with students should relate to school matters or student-related community activities. Except when it pertains to the individual student, all such material must be approved in advance by the superintendent/designee.

There is no district obligation to distribute or post any community group materials. But if a forum is opened up to any category of group (e.g., non-profit, non-partisan, community groups), the superintendent will not discriminate against speech or materials on the basis of the viewpoint or religious content.

The determination of the superintendent will be viewpoint-neutral in order to provide equal access to "limited public forums" including bulletin boards for notices, tables at back-to-school nights, or hand-outs to students.

Students shall not be used to distribute partisan materials or partisan information pertaining to a school or general election, budget or bond issue, or negotiations. Students shall not be exploited for the benefit of any individual, group, or profit-making organization.

No staff member may distribute any materials on school property without prior approval of the superintendent. Materials will clearly indicate their source. Non-school-related materials will be plainly labeled, including an express disclaimer that the activity is "not a school-sponsored activity." Flyers and parental permission slips will be subject to the same review and standards.

No student may distribute any materials on school property without prior approval of the superintendent. Students who edit, publish, post or distribute printed, handwritten or duplicated material among fellow students or staff within the school are responsible for the content of such publications. Libel, obscenity, profanity, personal attacks and encouragement of the violation of laws are prohibited, as is conduct that interrupts school activities or infringes on the rights of others.

All surveys, questionnaires or other similar items requiring student or parent/guardian response shall be reviewed and approved by the superintendent prior to distribution. The superintendent shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in state and federal law.

Adopted: March 27, 2001, December 16, 2003  
Revised: January 24, 2006  
NJSBA Review/Update: September 2019  
Readopted:

Key Words

Distribution of Materials, Research

**Legal References:** N.J.S.A. 18A:36-34 Written approval required prior to acquisition of certain survey information from students  
N.J.S.A. 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election; prohibited  
N.J.S.A. 19:34-6 Prohibited actions in polling place on election day, exception for simulated voting  
N.J.S.A. 19:34-15 Electioneering within or about polling place; disorderly persons offense

DISTRIBUTION OF MATERIALS BY  
PUPILS AND STAFF (continued)

34 CFR 98.1 - Student Protection Rights Amendment

Child Evangelism Fellowship of New Jersey vs. Stafford Township School District, No. 03-1101 (October 2004)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

**Possible**

<b><u>Cross References:</u></b>	*1100	Communicating with the public
	1315	Distribution of materials to students and staff
	*1322	Contests for students
	*1330	Use of School Facilities
	4135.16/4235.16	Work stoppages/strikes
	*5136	Fund-raising activities
	*6142.10	Technology
	*6145.3	Publications
	6162.5	Research

\*Indicates policy is included in the Critical Policy Reference Manual.