

### **Distribution and Posting of Non-Curricular Material in School**

This regulation is not applicable to student distribution of non-curricular material. Bismarck Public Schools has established a separate policy governing this matter.

The District promotes partnerships with community groups and businesses. The District would like to take advantage of free community presentations and/or distribute materials offered by such organizations before, during, and after school. However, there are simply too many requests to handle. In the spirit of protecting teaching and learning time, the following criteria will be used in responding to requests:

#### **Criteria for Evaluating Material Distribution**

1. **Content evaluation:** Material will be judged on its educational merits, usefulness to students, parents and staff, and appropriateness in the school setting. Requests by state agencies (e.g., DPI) and other political subdivisions (e.g., Parks and Recreation) shall be approved, and nonprofit groups dedicated to students and parents will be given priority.

Any material containing the following automatically shall not be approved for dissemination:

- a. Attacks on ethnicity, race, religion, or other class protected by law.
  - b. Promotes violence, terrorism, or other illegal activities, including, but not limited to, tobacco, drug, and/or alcohol use by minors.
  - c. Is obscene or pornographic as defined by community standards.
  - d. Is reasonably forecasted to materially or substantially disrupt the educational environment.
  - e. Poses a direct threat to the physical safety of the school population.
  - f. Infringes on the rights of others, such as, but not limited to, material that is libelous or invades an individual's privacy.
  - g. The request requires staff and/or students to collect money, keep records, judge or grade projects.
2. **Requested place of distribution:** The Community Relations Office may take into account a requestor's desired distribution location and time. However, non-curricular material shall only be distributed in a location(s), manner, and time designated by the building principal. At a minimum, non-curricular material shall not be distributed in a manner that violates state, federal, or controlling case law or substantially disrupts the educational process or environment. All time, place, and manner restrictions shall be reasonable and applied neutrally. Teacher classrooms or other instructional areas will be closed to the posting or dissemination of third party materials. However, in addition to bulletin boards designated by the principal for most third party materials, the principal may approve additional bulletin boards located outside of some classroom areas to display materials unique to their programs. Examples include music, physical education, career education,

and counseling/social work. Materials for these bulletin boards must also be approved by the Community Relations Office.

3. **Denial of requests:** The Community Relations Office shall document reasons for denying a non-curricular material distribution. If the approved material is unacceptable to a principal/administrator, they will send an explanation with the material back to the Community Relations Office. All unapproved material will be returned to the organization with an explanation from the Community Relations Office.
4. **Approval of requests:** When the District approves material for dissemination under this regulation, an administrator, Human Resources Director, or the Community Relations Office will ensure that the approved material, prior to dissemination, contains a disclaimer stating that the District does not sponsor the activities, views, or events promoted in the material. This disclaimer shall be affixed in a prominent location on the material. This disclaimer is not required on material from other state agencies (e.g., DPI) and other political subdivisions (e.g., Parks and Recreation).

### **Request Procedures**

1. Material will be submitted at least three school days before the proposed distribution date to Bismarck Public Schools, c/o Community Relations Office, 806 North Washington Street, Bismarck, ND 58501, (701) 323-4091, Fax: (701) 323-4001. The Community Relations Director will review these requests. Requests from for-profit groups or materials containing a significant amount of advertising will be reviewed by the Superintendent. Preference will be given to free activities for students and parents. Surveys, contests, promotions, fundraisers, and giveaways will also be reviewed by the appropriate assistant superintendent. Requests to distribute material to staff will also be reviewed by the Human Resources Manager. The Superintendent will handle all appeals.
2. Once approved by the Community Relations Office, posters printed at the expense of the third party will be sent to each school/building to be posted for an amount of time predetermined by the school. One or two posters per building is sufficient. If the party did not print a disclaimer on the poster, the posters will be stamped with a disclaimer and the party will initial it. Groups should refrain from personally delivering their materials to each school.
3. **Other Communications Methods:** Third-party information printed or sent through email, school newsletters, websites, social media, etc. must also be approved and/or include the disclaimer.

### **Exemptions**

1. **Vendors:** Building principals/superintendents are authorized to develop a list of vendors approved to sell items directly to students and staff on school property. These vendors are exempt from all material distribution requirements in this regulation. Examples include PTO or booster groups, photographers chosen to take official student/staff

pictures, Scholastic Books, Jostens, etc. Vendors must be selected judiciously, taking into account the extent to which their merchandise will benefit district programming and services. Vendors representing organizations or selling merchandise that conflicts with or violates the District's mission or policies shall not be approved to sell items to students and staff on school property.

2. Public Assistance: Counselors/social workers/case managers who distribute information and items to needy families about housing/shelter, medical assistance, food/clothing, community counseling services, etc. are exempt from needing approval or the disclaimer to distribute such printed or electronic information.
3. Speakers and Materials: Presentations by third parties must be educational, not promotional, in nature (see GBBA). Speaker materials sent home with students must be approved by the Community Relations Office and the disclaimer added.
4. Job Fair, Job Shadow, and Internships Materials: Companies working with District career counselors and other staff to provide job fairs, job shadow experiences, and internships may distribute information about their businesses without the required approval or disclaimer.
5. Staff Mailboxes: To ensure items related to school business are not missed or lost, materials and communications sent through the district's mailbox delivery system and email system shall have an educational purpose or be related to job duties. Materials may be placed in staff mailboxes without a disclaimer indicating that they are non-school sponsored. Before disseminating such materials to students, staff are required to check with their building principal to determine if the material is school sponsored or non-school sponsored. The Community Relations Office must approve all non-school sponsored material prior to distributing it to students in accordance with the procedures contained in this regulation. The district shall enforce statutes prohibiting political activities while staff are on duty and prohibiting use of district property for political purposes.

### Distribution Procedures

1. Distribution will be handled in the following manner:
  - a. Material to be distributed to **students/parents** by outside groups:  
The Community Relations staff will produce a monthly flier to be emailed to K-8 parents every other Friday during the school year. A copy of the production schedule is available. The Community Relations Office will establish and collect a fee for items included in the *Friday Flier*.
  - b. Material to be distributed to **District employees** by outside groups:  
The Community Relations staff will produce a weekly newsletter to be distributed to all staff most Fridays during the school year. A copy of the production schedule is available. There will be no charge for putting an item in the existing employee

newsletter, the *intercom*. A group can also request that material be posted in staff lounges.

In most cases, requests to distribute material in a manner not in keeping with the above mentioned procedure will be denied.

2. Requirements for presentations to students:

With the exception of speakers approved by the school principal, most groups will not be allowed access to students during the school day. However, the Superintendent may exempt groups from this policy and allow access to students at school if the group(s):

- Have a state or national affiliation/oversight.
- Have a long-standing history of service to youth and longitudinal studies to support the positive effect of the program.
- Offer a variety of year-round programs/activities, educational as well as recreational.
- Open to all students; if not free, then through scholarships.
- Provide multiple-year programs with developmentally-appropriate skill progression.
- Have a life skills component.
- Promote volunteerism, community service, and service learning.
- Have policies/procedures for screening and training adult volunteers.

The principal will determine the time, place, and manner of such presentations:

- a. Up to 15 minutes at the end of the school day (large schools may need to split grades on different days).
- b. Organizations will need to be well prepared to make short presentations and have enough personnel to adequately present to sizable groups.
- c. All relevant students will attend the presentations.
- d. Groups must schedule and make arrangements with the building principal well in advance.