

Adopted: February 9, 2006  
Affirmed/Revised: November 19, 2009  
February 28, 2013  
November 13, 2014

Policy Number: 904

EASTERN CARVER COUNTY SCHOOLS  
INDEPENDENT SCHOOL DISTRICT 112  
DISTRIBUTION OF MATERIALS POLICY

## I. PURPOSE

The purpose of this policy is to provide guidelines to Eastern Carver County Schools' employees, businesses, and non-profit community groups regarding the way in which information relative to activities, events, and opportunities may be publicized and/or distributed to students, parents, and staff.

## II. GENERAL STATEMENT OF POLICY

The school board, through the superintendent, is responsible for determining the type of materials that may be distributed to students, employees, and school patrons on school grounds, in school buildings and through district-managed electronic media; and for determining the means, time and location under which approved distribution may occur. The school board reserves the right to deny permission for distribution or posting of materials that are not consistent with the best interests of students, employees, families, and parents. Approval does not imply endorsement or support on behalf of school and district administration, staff, or students.

## III. MATERIALS DISTRIBUTION

### A. Distribution of Product Information for For-Profit Organizations

Eastern Carver County Schools does not allow for-profit business fliers and materials to be distributed on school grounds or made available for pick up by students in school.. Paid advertisements are established under Eastern Carver County Schools Policy 905 – Advertising.

### B. Distribution of Flyers through Electronic Media

The Eastern Carver County School Board recognizes that many local community organizations provide Eastern Carver County Schools' students quality learning opportunities outside of the regular school day. It shall be the policy of the school board to allow the posting and transmission of information about these opportunities on the District's electronic media from groups who meet the following criteria.

1. Groups posting information must be:
  - a. Local, non-profit organizations with an official 501(c)3 designation or similar non-profit status;
  - b. Offering activities/events/classes which contribute to the positive academic, social, or physical development of our students;
  - c. Offering activities/events locally within District 112 boundaries.

2. Eastern Carver County Schools may post or transmit flyers with sponsorship of a non-profit activity/event by a for-profit business if the activity/event meets the above criteria. Eastern Carver County Schools will not allow students, employees, patrons, or electronic media to be used as a captive audience for proprietary interests.
3. Organizations seeking to distribute information to Pre-K-12 students through electronic media must submit flyers electronically for approval to the appropriate administrator or designee and must follow the guidelines as established each year and posted on the website.

C. Distribution of Political Materials

1. Political materials may not be distributed to Eastern Carver County Schools' students or staff on school property during the school day, during work hours or at school activities. Examples of school activities include but are not limited to school assemblies, dances, concerts, plays, athletic events and staff activities including training, curriculum development, parent-teacher conferences, etc.
2. The school district may use school property in the course of apprising staff, families, district residents and property owners of facts pertinent to an election, bond issue or referendum.

D. Distribution of Student Employment Opportunities

Eastern Carver County Schools will not distribute fliers with employment opportunities for students. Fliers can be made available for pick up by students at a spot designated by the school administration.

*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)  
*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)  
*Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8<sup>th</sup> Cir. 2011)

*Cross References:* District 112 Policy #640 (Participation in Political and Governmental Activities by District 112 Personnel)  
 Policy #905 (Advertising)