

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Second Reading of Policy GKDA (LOCAL): Non-School Use of School Facilities –

Distribution of Non-School Literature _____

SUBMITTED BY: _____ Gloria Rendon _____ **OF:** _____ Asst. to the Superintendent _____

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: _____ April 22, 2009 _____

RECOMMENDATION:

It is recommended that the Board of Trustees approve Second Reading of Policy GKDA (LOCAL): Non-School Use of School Facilities – Distribution of Non-School Literature

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE:

PROPOSED POLICY

DISTRIBUTION OF NONSCHOOL LITERATURE PERMITTED	<p>Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District employee or by persons or groups not associated with the District, except in accordance with this policy.</p> <p>The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed on any District premises.</p> <p>[See CPAB regarding use of the District's internal mail system and FNAA regarding distribution of nonschool literature by students]</p>
LIMITATIONS ON CONTENT	<p>Nonschool literature shall not be distributed on District property if:</p> <ol style="list-style-type: none">1. The materials are obscene, vulgar, or otherwise inappropriate for the age and maturity of the audience.2. The materials endorse actions endangering the health or safety of students.3. The materials promote illegal use of drugs, alcohol, or other controlled substances.4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.5. The materials contain defamatory statements about public figures or others.6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.
PRIOR REVIEW	<p>0.All nonschool literature intended for distribution on school campuses or other District premises under this policy shall be submitted to the principal for prior review in accordance with the following:</p>

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

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(LOCAL)

	<ol style="list-style-type: none">1. Materials shall include the name of the person or organization sponsoring the distribution.2. Using the standards found in this policy at LIMITATIONS ON CONTENT, the principal shall approve or reject submitted materials within two school days of the time the materials were received.
EXCEPTIONS TO PRIOR REVIEW	<p>0. Prior review shall not be required for distribution of nonschool literature in the following circumstances:</p> <ol style="list-style-type: none">1. Distribution of materials by an attendee to other attendees at a school-sponsored meeting intended for adults and held after school hours;2. Distribution of materials by an attendee to other attendees at a community group meeting held in accordance with GKD(LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL); or3. Distribution for electioneering purposes during the time a school facility is being used as a polling place in accordance with state law [see BBB]. <p>0. All nonschool literature distributed under these exceptions shall be removed from District property immediately following the event at which the materials were distributed.</p> <p>Even when prior review is not required, all other provisions of this policy shall apply.</p>
TIME, PLACE, AND MANNER RESTRICTIONS	<p>Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed to students or others at the principal's campus.</p> <p>The Superintendent or designee shall designate times, locations, and means for distribution of nonschool literature at District facilities other than school campuses, in accordance with this policy.</p>
VIOLATIONS OF POLICY	<p>Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials and/or suspension of use of District facilities. Appropriate law enforcement officials may be called if a person refuses to comply with this policy or fails to leave the premises when asked. [See GKA]</p>
APPEALS	<p>Decisions made by the administration in accordance with this policy may be appealed in accordance with the appropriate District complaint policy. [See DGBA or GF]</p>