

**Spearfish School District 40-2
4000 Personnel**

Board Policy

Code: 4910/1800

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DISTRIBUTION OF PROMOTIONAL MATERIALS

General Guidelines

Individuals, including students, may have the right to distribute, on school premises and at reasonable times and places, unofficial written material, petitions, buttons, badges or other insignia, except expression which, in the judgment of the building principal

- is obscene
- is libelous
- contains indecent, vulgar, profane or lewd language
- advertises any product or service not permitted to minors by law
- constitutes insulting or fighting words that may be considered harassment or injurious
- presents a clear and present likelihood that it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities.

Distribution on school premises of the aforementioned material to any student is prohibited.

Procedures

Anyone wishing to distribute unofficial written material must first submit for approval a copy of the material to the building principal or designee at least twenty-four hours in advance of desired distribution time, together with the following information:

- Name and phone number of the person submitting request
- Date(s) and time(s) of day of intended display or distribution
- Location where material will be displayed or distributed
- The grade(s) of students to whom the display or distribution is intended.

All such materials must also contain the following statement: *THE SPEARFISH SCHOOL DISTRICT NEITHER ENDORSES NOR SPONSORS THE ORGANIZATION OR ACTIVITY REPRESENTED IN THIS DOCUMENT. THE DISTRIBUTION OF THIS MATERIAL IS PROVIDED AS A COMMUNITY SERVICE.*

The Principal will render a decision on whether or not the material may be distributed as planned, and will include reasons for refusal if that is the decision. The decision may be appealed to the Superintendent of Schools, in writing, within twenty-four hours of receipt of the Principal's response. The Superintendent (or designee) will arrange a meeting for discussion of the issue and will render a decision within three days of the meeting. There is no further appeal of the Superintendent's decision.

Approved materials will be sent home with elementary students. At the Middle School and High School approved materials will be made available in the school office. No instructional time will be used to present information regarding non-school programs.

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Political Materials and Signs

With the exception of items being used for instructional purposes or school-related student campaigns, political materials shall not be distributed on school grounds. Political signs may not be posted on school property unless a school building is being used as a polling place, and then can be posted only for a period of time in compliance with State law.

Disciplinary Action

Distribution by any student of unofficial material that has not been approved by the school administration may result in immediate termination of the distribution, and students may be subject to disciplinary action including suspension and expulsion. Any other party violating this policy may be requested to leave school property immediately, and, if necessary, local law enforcement officials will be called.

Adopted	<u>May 12, 2008</u>
Reviewed	<u>January 10, 2011</u>
Reviewed	<u>January 9, 2012</u>
Reviewed	<u>December 2019</u>
Reviewed	<u>January 9, 2023</u>