

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 chief school administrator/designee. Students shall be permitted to carry home publications that are directly related to education and/or not for profit or community sponsored activities ("community" is defined as the West Morris Regional District; including Chester Borough, Chester, Mendham Borough, Mendham Township, and Washington Township). All such materials must be approved by the chief school administrator or the chief school administrator's 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 (i.e., non-profit, non-partisan, community groups), the chief school administrator will not discriminate against speech or materials on the basis of its viewpoint or religious content.

The determination of the chief school administrator 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 chief school administrator or designee. 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.

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

Publications from the following sources may be sent home with students when requested:

- A. Board of Education and Administration;
- B. Chester Borough and Chester Recreation;
- C. Educational Foundation of the Chesters;
- D. Municipal Government (that do not state political issues);
- E. PTO;
- F. Scouts;
- G. Community Service Clubs/Organizations;
- H. West Morris Regional High School District.

When non-school sponsored information is sent home via students, the publication should indicate such with

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a statement "Not A School Sponsored Activity". If the chief school administrator deems a publication does not fall within the parameters of this policy, the request for distribution through students will be denied. If the organization wishes to appeal that denial, such an appeal must be put in writing to the Chester Board of Education for review at its next regularly scheduled meeting.

Adopted: November 21, 2000
 Revised: May 11, 2004; April 18, 2005
 NJSBA Review/Update: August 2008, August 2016, September 2018
 Readopted: April 27, 2009, September 17, 2018, August 16, 2021, January 2024

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

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

Cross References: *1100 Communicating with the public
 1315 Distribution of materials to students and staff
 *1322 Contests for students
 *1330 Use of School Facilities
 4135.16 Work stoppages/strikes
 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.