

Distribution/Posting of Promotional Materials

Approval

Any group, organization, corporation, individual, club, society or association (hereafter referred to as “person” or “persons”) that wishes to distribute any printed noncurricular material in any public school in the Eagle County School District must submit the material to the superintendent or designee for approval a minimum of 48 hours prior to the proposed distribution. The District’s Communications Coordinator will approve distribution subject to the regulations which follow unless he/she determines that the material is “unacceptable” as defined in the accompanying policy. The Communications Coordinator will explain in writing the reasons he/she determined the material was “unacceptable” under administrative policy.

Materials from a pre-approved list of community providers of educational and youth services may be distributed to schools without the Communications Coordinator’s approval of each item and on each distribution.

The Communications Coordinator at his/her discretion will require that the promotional materials contain an appropriate stamped or printed disclaimer which clearly indicates that the materials are not sponsored or endorsed by the District or school.

Appeal

Any person or persons who are denied approval for distribution of printed noncurricular materials will have the right to appeal the decision to the Superintendent or designee. The appeal process will be as follows:

1. Within 10 days after Communications Coordinator action, written notice must be served by the aggrieved party or parties on the Superintendent requesting a hearing before the Superintendent or designee.
2. The Superintendent or designee will schedule the hearing within 30 days of the filing of a request for a hearing.
3. The aggrieved party or parties must attend the meeting. The Communications Coordinator will have the burden of establishing to the Superintendent or designee’s satisfaction by clear and convincing evidence that the materials which are sought to be distributed are “unacceptable” as defined in policy. The aggrieved party will be allowed to defend distribution of the material.

The Superintendent or designee will issue a decision in writing within five working days following the hearing. The Superintendent or designee’s decision to support or reject the Communications Coordinator action will be final.

1. Place

Distribution of printed noncurricular materials must be made at places within a high school

or middle school or on the grounds of these schools as designated by the principal except that in no event may such materials be distributed in any classroom of any building then being occupied by a regularly-scheduled class. Materials may be distributed to students in elementary classrooms if they have been counted and labeled for each classroom.

In the interest of student safety, distribution of printed noncurricular materials by a nonstudent may not occur inside any elementary or middle school building or on the playgrounds of such schools. Distribution may be made only at such places on school grounds as designated by the school principal. Distribution must not interfere with the orderly loading or discharge of school buses.

2. Time

Distribution in high schools may be made one-half hour before school and/or during regularly scheduled lunch periods and/or 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.

Distribution at elementary and middle schools may be made one-half hour before and 15 minutes after the close of school or may be delivered to the school.

3. Littering

All distributed items discarded in school or on school grounds must be removed by the persons distributing such materials.

Distributors

Students may not be used as the agents for distribution of such materials without the written consent of the student's parent or guardian.

4. Manner

No student may in any way be compelled or coerced to accept any materials being distributed by any person distributing such materials or by any school official. In the alternative, no school official or student may interfere with the distribution of approved materials.

Violation of any of these regulations will be sufficient cause for denial of the privilege to distribute materials at future dates, subject to the right of appeal as stated above.