

**Policy**

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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 superintendent/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 (e.g., non-profit, non-partisan, community groups), the superintendent will not discriminate against speech or materials on the basis of the viewpoint or religious content.

The determination of the superintendent 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 superintendent. 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 superintendent prior to distribution. The superintendent shall solicit written permission from parents/guardians before students participate in surveys or research that requests personal information as set out in state and federal law.

NJSBA Review/Update: April 2023  
Adopted: August 24, 2023

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

DISTRIBUTION OF MATERIALS BY  
STUDENTS AND STAFF (continued)

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**

<b><u>Cross References:</u></b>	*1100	Communicating with the public
	1315	Distribution of materials to students and staff
	*1322	Contests for students
	*1330	Use of School Facilities
	4135.16/4235.16	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.