

Multnomah Education Service District

Code: **KJA-AR**
Adopted: 10/12/94

Materials Distribution

Textbooks

MESD should avoid exploiting students, whether by advertising or otherwise promoting products or services, soliciting funds or information or securing participation in non-school related activities and functions. At the same time, MESD should inform and assist students to learn about programs, activities or information which may be of help or service to them. To attempt a fair balance the following general guidelines will apply:

1. Permission to post bulletins will be approved by the administrator if they announce a program or service for young people by a nonprofit local MESD. All others will require the specific annual approval of the Superintendent or designee;
2. The administrator will determine which materials may be distributed to students except that materials soliciting money or information may not be distributed without specific Board approval. Board approval is considered to be continuing (not for a single year only); however, periodic reviews will be affected;
3. No fund-raising activities in school will be sanctioned without specific Board approval;
4. Direct sales by outside vendors to students in school is prohibited. MESD offices may, however, provide lists of vendors carrying certain items or the office may carry and charge for miscellaneous items (e.g., pens, pencils, T-shirts) or permit student organizations to vend products on a controlled basis;
5. Announcements through the administration may be made for anything connected with charitable organizations that are operated on a nationwide basis;
6. Any organization except those noted above which is not directly responsible to or a part of the schools may not use MESD facilities for communications and announcement purposes.

This administrative regulation should not be construed as preventing a teacher from using instructional or informational materials even though the materials might include reference to a brand, a product or a service.

Where questions regarding appropriateness or interpretation occur, the matter will be referred to the Superintendent or designee.

Noncurricular Materials

Distribution of noncurricular materials by outside individuals or organizations will be allowed in MESD subject to the requirements that follow below unless the material is "unacceptable" as described below:

The following materials are unacceptable: (1) so-called "hate" literature that attacks ethnic, religious or any racial group; (2) literature that promotes hostility, disorder or violence; (3) literature that proselytizes a particular religious or political belief; (4) literature that is designed for commercial purposes -advertising a product or service for sale or rent; (5) literature that is libelous, invades the rights of others or inhibits the functioning of MESD or advocates interference with the rights of any individual or with the normal operation of MESD; (6) literature that favors or opposes any political candidate, any bond issue or any other question to be decided at an election; (7) literature that is obscene or pornographic as defined by prevailing community standards; (8) literature that contains information that is not factual; (9) literature that is inappropriate to the age or maturity of the intended reader.

Individuals or groups wishing to distribute materials must submit the material to the Superintendent or designee for approval a minimum of two business days before the proposed distribution. The Superintendent or designee will approve or disapprove the distribution on the basis of the material's acceptability (above) provided that the individual or group agrees to:

1. Distribute the materials at places within MESD as designated by the administration; except that in no event will the materials be distributed in any classroom being occupied by a regularly scheduled class;
2. Distribute the materials one-half hour before school and/or during regularly scheduled lunch period and/or 15 minutes after the close of school;
3. Remove from school premises or grounds all discarded items;
4. Not use students as the agents for distribution of the materials without the written consent of each student's parent or guardian. Emancipated or adult students need not obtain the consent of their parent or guardian;
5. Not in any way compel or coerce a student to accept any materials; on the other hand, no MESD official or student will interfere with the distribution of approved materials.

In the event the Superintendent or designee rejects a request for the materials distribution, the decision may be appealed to the Board.

This administrative regulation governs noncurricular materials, not supplementary instructional materials which are covered by policies. However, no teacher will distribute noncurricular materials to students except as they are approved for distribution and distributed as above.

The Superintendent or designee will present to any person or persons wishing to distribute noncurricular materials a copy of this administrative regulation.