

STUDENT DISTRIBUTION OF OUTSIDE MATERIAL

Students of the South Lyon Community Schools have the right to exercise their freedom of speech as protected by the First Amendment to the U.S. Constitution. Recognizing this right, as well as the special characteristics of the school environment, the Board adopts this policy to establish standards to regulate a student's distribution of outside material on District property. Permission to distribute outside material does not imply approval of the material's content by the District or its representatives.

Time, Place and Manner Restrictions

- A. Without regard to content, all student distribution of any outside material shall be limited to a time, place and manner which does not disrupt any school activity, impede the safe flow of traffic within school corridors and/or entranceways or create litter from indiscriminate discarding of the material.
- B. Building administrators shall draft proposed administrative guidelines for the time, place and manner regulation of those school properties for which they have direct oversight. Those administrative guidelines shall be approved by the Administration. Upon approval, the guidelines shall be annually distributed to the building's students.

Review Procedure

- A. Students seeking to distribute outside material on District property shall submit a copy of the material to the principal for review and written approval before distribution, together with a completed review form which requires the following information:
 - 1. Name(s) of person(s) responsible for the distribution of the material.
 - 2. Brief description of the material.
 - 3. Date(s), time(s), and locations of intended distribution, as permitted by the time, place and manner restrictions for the affected school property.

4. Grade level(s) of students to whom the distribution is intended.
- B. The publication must contain the name(s) of person(s) or group(s) (whose membership is recognized by the school) distributing the material.
 - C. The principal shall respond to the distribution request as soon as practicable but no later than two (2) school days after receipt by the principal. The basis for any denial shall be identified.
 - D. If the distribution request is denied, the student may either:
 1. Modify the material to conform to the standards identified in the basis for denial and resubmit the material to the principal; or
 2. Appeal the denial to the Assistant Superintendent/CITA.
 - E. As applicable, the principal shall respond to the resubmission or the Assistant Superintendent/CITA shall respond to the appeal no later than two (2) school days after receipt by the principal or Assistant Superintendent/CITA.
 - F. At every level of the review process, the student submitting the distribution request has the right to meet with the designated administrator and present the reasons, supported by relevant witnesses and documentation, as to why distribution of the material is appropriate.
 - G. Distribution of any outside material without prior administrative approval shall be subject to appropriate discipline under the Student Code of Conduct.
 - H. A form to facilitate the administrative review and appeal process shall be made available to students.

Content-Based Restrictions

Subject to reasonable time, place and manner restrictions, students may distribute outside materials on District property only after obtaining administrative approval as outlined in the "Review Procedure" section of this policy. Administrative approval for a student to distribute outside material on District property shall not be granted for material which is:

- A. Predicted to materially and substantially disrupt or interfere with the work or discipline of the school.
 - 1. For material to be considered disruptive, the likelihood of disruption must be reasonably forecast. Undifferentiated fear or apprehension of disturbance is not enough.
 - 2. Consideration must be given to the context of the distribution as well as the content of the material, including past experience in the school, current events influencing student attitudes or behavior or instances of actual or threatened disruption relating to the material at issue.
- B. Obscene to minors if the average person, applying contemporary adult community standards, would find that the material:
 - 1. Appeals to the prurient interest of minors of the age to whom distribution is requested;
 - 2. Depicts or describes sexual conduct, lewd behavior or excretory functions in a manner that is patently offensive to prevailing standards in the adult community concerning what is suitable for minors of the age to whom distribution is requested;
 - 3. Considered as a whole, lacks serious literary, artistic, political, educational and/or scientific value for minors of the age to whom distribution is requested.
- C. Defamatory, *i.e.*, containing an unprivileged and false statement of fact which injures an individual's or entity's reputation.
 - 1. Certain statements of fact about a public official, a public figure or a matter of public interest may be "privileged" unless the author either knew that the statement was false or published the statement with a reckless disregard for the truth.

2. A "public official" is a person who holds an elected or appointed public office and exercises a significant amount of governmental authority, while a "public figure" is a person who either has sought the public's attention or is well known because of personal achievements or actions.
3. For purposes of this policy, a SLCS student or parent/guardian shall not be considered a public official or public figure.
 - D. Indecent, vulgar or grossly offensive to a reasonable person.
 - E. Constitutes an invasion of the rights of others.

Definitions

Distribution means any circulation or dissemination of outside material to students in areas of the school which are generally frequented by students during normal school activity or immediately before or after such activity, by means of handing out or displaying the material, subject to the building's time, place, and manner restrictions.

Outside Material means written matter, which is not sponsored or officially endorsed by the District, and which is intended for general distribution, *e.g.*, newspapers, newsletters, leaflets or magazines.

School Day means a day in which school is in session for students.

Policy Dissemination

This policy and the building's time, place and manner restrictions shall be incorporated in all middle school and high school student handbooks. An age-appropriate summary of this policy shall be included in all elementary school student handbooks. The District's central administrative office and school building offices shall make copies of this policy available upon request.

Adopted January 21, 2008