

## DISTRIBUTION OF MATERIALS BY SCHOOL-SPONSORED OR GOVERNMENTAL ORGANIZATIONS

The Albemarle County School Board (“School Board”) authorizes ~~its school~~the Albemarle County Public Schools (“ACPS”) to distribute or display communications from school-sponsored or governmental organizations that promote youth programs, activities or events that aim to improve the health, education or welfare of students. Promotional materials from these organizations may take the form of notices, announcements, brochures, or flyers. Materials from school-sponsored organizations approved for distribution must clearly indicate their source and include the following statement, “The materials and the activity described herein, are not sponsored or endorsed by Albemarle County Public Schools.”

School-sponsored organizations include, but are not limited to, parent groups, booster clubs, school employee organizations, and other organizations and clubs directly sponsored by or affiliated with the School Division and its schoolsACPS.

Governmental organizations include Albemarle County or other local, state, or federal government agencies.

Materials from nonprofit community organizations approved for distribution must clearly indicate their source and must include the following statement: “These materials and the activity described herein, are not sponsored or endorsed by the Albemarle County ~~BLANK~~-School Board.”

The Superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

Neither students nor staff shall be required to convey or deliver any material which publicly endorses or supports groups or organizations involved in a commercial endeavor for profit or political campaigns, including, but not limited to material that: (1) advocates the election or defeat of any candidate; (2) advocates the passage or defeat of any referendum question; or (3) advocates the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly, or Congress.

This policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

The Superintendent is authorized to adopt administrative procedures as necessary on an ongoing basis to implement this policy.

Adopted: July 1, 1993

Amended: December 14, 1998; August 8, 2002; September 28, 2006; June 28, 2007; April 10, 2014; August 14, 2014; January 28, 2016; December 15, 2019

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Legal Refs: U.S. Constitution amend. I.

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-79.5, 22.1-131, 22.1-279.6 and 22.1-293 (B-D)

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> Cir. 2006)

## ADMINISTRATIVE PROCEDURES FOR DISTRIBUTION OR DISPLAY OF MATERIALS FROM SCHOOL-SPONSORED OR GOVERNMENTAL ORGANIZATIONS IN SCHOOLS

So that communications of school-sponsored or governmental organizations are distributed or displayed fairly and without creating an excessive burden on the ~~Division~~ [ACPS](#) and its staff, the ~~Division~~ [ACPS](#) and school-sponsored organizations will adhere to the following procedures:

1. School-sponsored or governmental organizations are encouraged to review these procedures and, if necessary, discuss with the Superintendent/Designee or the school principal, the application of the procedures to contemplated communications before the organization produces its communications. The organization should also review with the Superintendent/Designee or school principal the lead-time necessary for each school to review and distribute the communications.
2. Distribution of communications of school-sponsored or governmental organizations will occur by inclusion of the communication among the school materials that are given to students to read or deliver to their parents/guardian weekly or at other intervals. Display of communications will occur by placing the materials in a location designated by the ~~Division or its schools~~ [ACPS](#) for students and parents/guardians to obtain such materials.
3. School-sponsored or governmental organizations are not authorized to ~~directly~~ distribute communications ~~directly~~ to students or parents/guardians on school grounds without approval of the school principal.
4. School-sponsored or governmental organizations are responsible for the cost of printing and bundling all communications.
5. The ~~Division and its schools~~ [ACPS](#) may restrict distribution of communications of school-sponsored or governmental organizations to specific times of the school year or to postpone distribution of communications of school-sponsored organizations due to shortage of available staff or other ~~Division or school~~ [ACPS](#) priorities. These organizations assume the risk that schools will not distribute time-sensitive communications on or before a desired date.
6. Communications must prominently display a telephone number for the school-sponsored or governmental organization, rather than the school, so that parents or guardians who wish additional information can obtain information directly from the organization. Likewise, communications that include a registration form must prominently display the mailing address of the school-sponsored organization so that the parent/guardian ~~will~~ [can](#) mail the form directly to the organization.

7. The ~~Division and its schools~~ACPS will not distribute or display communications from any organization that, in the judgment of the Superintendent or designee, would:

- Endorse or encourage any violation of the Standards of Student Conduct.
- Cause the ~~Division~~ACPS to violate state or federal laws or its policies.
- Promote illegal activity for minors.
- Promote illegal discrimination on the basis of protected classes as outlined in Albemarle County School Board Policies GB, *Equal Employment Opportunity* and JB, *Equal Educational Opportunities*.
- Contain words, symbols, or images that would be regarded as lewd, obscene, pornographic or vulgar if communicated by a student on school grounds.
- Defame a person or organization.
- Threaten serious disruption of or material interference with a school or school-sponsored activity.
- Endorse or encourage the use of alcohol, tobacco product, nicotine vapor products, or any illegal substance or action.

8. Communications from school- sponsored or governmental organizations will not include promotional or other materials of non-school- sponsored organizations, unless the promotional or other materials are an integral part of an activity of the school-sponsored or governmental organization.

9. School-sponsored or governmental organizations are encouraged to distribute or display versions of promotional materials in the languages spoken by the families of students who attend the school.

10. School-sponsored or governmental organizations are encouraged to offer scholarships or subsidized fees to low income families if fees are required for participation of students or their parents/guardians.