

BOARD OF EDUCATION  
**POLICY 10010**  
**DISTRIBUTION AND DISPLAY OF**  
**MATERIALS AND ANNOUNCEMENTS**

Effective: July 1, 2007

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**I. Policy Statement**

The Board of Education of Howard County recognizes that collaboration with the broader community is critical in the achievement of the school system's mission and goals. Therefore, as a service to the community, the Board allows distribution of information to and through students. The Board also recognizes the responsibility of the school system to provide a learning environment free from disruption. In this regard, it is the intent of the Board of Education to designate appropriate materials for display and distribution and to maintain a limited nonpublic forum. Approval to disseminate or display materials in one or more Howard County public schools does not imply Board or school system endorsement of the organization or the information it disseminates. It is the Board's intention that the use of school time, personnel and resources to accommodate this service be kept to a minimum.

**II. Purpose**

The purpose of this policy is to inform the public and staff about criteria for posting or distributing informational materials and announcements in schools, including but not limited to, information sent home to or through students; information on community display tables, racks or bulletin boards; and information made available at back-to-school nights, open houses or other school-related activities.

**III. Definitions**

- A. Distribution – The delivery to another student or students on school property of one or more copies of a publication when the distributor has or has had in his/her possession more than one copy of the publication or the posting of a copy of the publication in one or more locations within the school or on school property. "Distribution" also includes dissemination/communication through a school's publication address system or via a school telecast.
- B. Limited nonpublic forum – Public property which is not by tradition or designation a forum for public communication.
- C. School-related Activity – Any school system activity, whether held on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or in which the student does not

directly participate but represents the school or student body simply by being there (e.g., spectator at a school event).

- D. School-sponsored – Taking place with the knowledge and approval of school-based administration and including the promotion, leadership, and/or participation of school employees. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.
- E. School Property – Any property owned or leased by the Howard County Public School System. The concept of property shall extend to school activities such as field trips, use of parks and recreation facilities, proms at hotels, etc. This means that when a facility is scheduled by the school system for student use, it will be considered an extension of school property.

#### **IV. Standards**

- A. Public agencies or non-profit service organizations may request permission to distribute free printed material (e.g., announcements or flyers) on a countywide or regional basis through the school system's Public Information Office. Such material must bear the sponsoring organization's name.
- B. The principal/designee will permit Howard County Public School System (HCPSS) students to disseminate materials and announcements which are not associated with school-related activities, providing the materials or announcements comply with established procedures.
- C. Violations of this policy and the associated procedures are subject to the following consequences:
  - 1. Confiscation of the material.
  - 2. Criminal prosecution of non-students for trespass.
  - 3. Disciplinary action against students.

#### **V. Compliance**

- A. The Public Information Office shall ensure that all community organizations approved to disseminate information in schools comply with this policy and related procedures.

- B. The principal/designee shall ensure that HCPSS students who disseminate materials and announcements that are not associated with school-related activities, comply with this policy and related procedures.
- C. Elementary and middle school principals shall ensure that parents are notified annually of their right not to receive materials from community organizations approved for distribution in schools.

**VI. Delegation of Authority**

The Superintendent is authorized to develop procedures for the implementation of this policy.

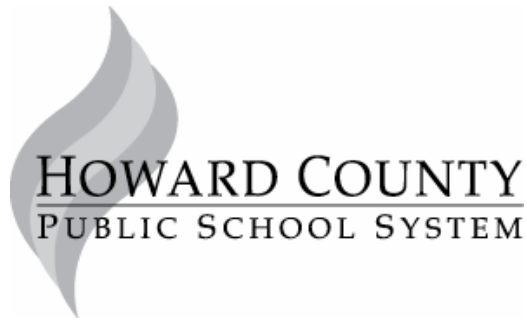
**VII. References**

- A. Legal  
The Annotated Code of Maryland, Education Article, Section 4-205  
Child Evangelism Fellowship of Md. v. Montgomery County Public Schools, 373  
F.3d 589 (4th Cir. 2004)
- B. Other Board Policies  
Policy 4010 Donations  
Policy 4020 Fund Raising  
Policy 10000 Parent, Family, and Community Involvement

ADOPTED: October 9, 1973

AMENDED: December 13, 1990  
June 28, 2007

EFFECTIVE: July 1, 2007



**POLICY 10010-PR**  
IMPLEMENTATION PROCEDURES  
**DISTRIBUTION AND DISPLAY OF**  
**MATERIALS AND ANNOUNCEMENTS**

Effective: July 1, 2007

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**I. Approval to Distribute Information Originating from the Community**

**A. Requirements for Approval**

1. Announcements, flyers, and other materials from community organizations, groups, or agencies may not be disseminated to or through students without prior written approval in accordance with these procedures.
2. The dissemination of announcements, flyers or other materials from approved organizations shall be approved provided that such dissemination is in accordance with this policy and procedures, except that the HCPSS retains the right to deny such dissemination if the content could reasonably be predicted to cause material disruption.

**B. Approved Organizations**

1. An organization is approved to submit announcements, flyers, or other materials in Howard County public schools to be disseminated to or through students if the organization is:
  - a. A tax-supported agency of the federal, state, or local government; or
  - b. A non-profit organization as documented by a letter from the U.S. Internal Revenue Service; or
  - c. Distributing materials as part of approved fund raising activities in the Howard County Public School System; or
  - d. A local, state, and national Parent Teacher Association (PTA) or Parent Teacher Organization (PTO), or a recognized booster club affiliated with any school in the HCPSS.
2. Non-profit organizations must submit proof of non-profit status in the form of a letter from the United States Internal Revenue Service to the Public Information Office.
3. The Public Information Office will send an updated list of approved organizations to schools twice each month throughout the school year.

4. The procedures governing the dissemination of announcements, flyers, and other materials will be provided to the organization at the time that it is approved.

C. Dissemination by PTAs, PTOs, and Booster Clubs

Organizations approved under section I.B.1.d. of these procedures must submit announcements, flyers, or other materials to the principal for approval in accordance with section I.A. of these procedures.

D. Dissemination by Other Approved Organizations

Approved organizations other than PTAs, PTOs, or recognized booster clubs must submit announcements, flyers, or other materials to the Public Information Office for approval in accordance with section I.A of these procedures.

1. Copies of announcements, flyers, or other materials must be submitted to the Public Information Office at least two weeks in advance of the intended dissemination date.
2. Announcements to be published in individual school newsletters are limited to the name of the event or activity, the date(s) and time(s) of the event or activity, the name of the sponsoring organization, and a contact number or email address. The Public Information Office will send an updated list of approved announcements to schools twice each month throughout the school year. Approved announcements are disseminated on a space and time available basis.
3. Flyers and other printed materials must be properly packaged and labeled per instructions from the Public Information Office. Multiple copies of flyers must be delivered to the schools by the organization. Schools will disseminate the information to parents via Friday folders, student backpacks or other methods as determined by the school and in accordance with Section 6 of these procedures. The same dissemination process must be used for all approved information from community organizations, groups or agencies.

E. Right to Not Receive Information

Parents will be given the option of not receiving information from certain approved organizations using the following process:

1. Elementary and middle school principals will contact parents of their students annually regarding the distribution of information from community

organizations, groups and agencies. New families will be given this option at the time of registration.

2. Parents who exercise this option will continue to receive information from the school system; their local school; the school's PTA and booster clubs; and local, state, and federal government agencies only. They will not receive information from any other community organizations, groups or agencies.
- F. Students will not be pressured or coerced to take or respond to announcements, flyers or other materials.

## **II. Distribution of Non School-Sponsored Materials or Announcements by Students**

- A. HCPSS students who wish to disseminate on school property materials or announcements which are not school-sponsored must obtain prior permission from the principal/designee.
1. Three (3) copies of the materials or announcements must be given to the principal/designee three (3) school days prior to the requested distribution date.
  2. The materials or announcements must bear the name of the sponsoring organization or individual(s) and may not be sold on school property.
  3. A decision regarding distribution of the information will be rendered by the principal/designee within the three (3) school days.
  4. To aid in the decision, the principal may solicit input from a representative group of faculty, parents, students or other stakeholders.
  5. Materials or announcements distributed in schools must not include content that:
    - a. Is libelous or obscene
    - b. Might reasonably lead school authorities to forecast material and substantial disruption of or interference with school activities
    - c. Would clearly endanger the health or safety of students or staff.
  6. If the principal/designee approves the material or announcement for dissemination, the principal/designee shall notify the student(s) who submitted the information that it may be distributed and establish a time, place, and manner for distribution.

7. If, in the opinion of the principal/designee, the information contains any of the above-mentioned types of material, he/she shall notify the student(s) who submitted the material or announcement that it may not be distributed on school property, citing in writing the reasons for the decision.
8. The principal/designee's decision concerning distribution shall be attached to each of the three copies of the materials or announcements. One copy will be returned to the student who submitted the material. The second copy will be sent to the appropriate Administrative Director. The third copy will be retained by the principal/designee.
9. Failure of the principal/designee to act within the prescribed time will be viewed as approval.

B. Appeal Procedures

1. A request for reconsideration of a decision made by the principal/designee related to the distribution of materials or announcements may be made to the local school grievance committee, which may give its recommendation to the appropriate Administrative Director.
2. Any appeal of a principal/designee's denial of a request to distribute information shall be made to the Administrative Director within five (5) school days of the denial. The Administrative Director's decision shall be forwarded to the appellant in writing within two (2) school days after receipt of the appeal.
3. Any appeal following the Administrative Director's denial of a request to distribute information shall be made to the Superintendent of Schools within five (5) school days of the denial. The decision of the Superintendent of Schools shall be forwarded to the appellant within two (2) school days.
4. Further right of appeal is governed by Section 4-205 of the Education Article of The Annotated Code of Maryland.

ADOPTED: December 13, 1990

REVISED: May 14, 1992

July 14, 2005

July 13, 2006

June 28, 2007

EFFECTIVE: July 1, 2007