

ORGANIZATION, PHILOSOPHY, AND GOALS

Local School Organization and Administration

Distribution of Fliers or Other Informational Materials, Nonprofit Organizations' Access, and Procedures for Contests and Competitions

This regulation supersedes Regulation 1367.1.

I. PURPOSE

To establish guidelines for posting and distributing fliers or other informational materials from nonschool-associated groups or individuals in elementary and secondary schools, to establish guidelines for the use of school newsletters and Back-to-School Nights by such entities, and to verify procedures for contests and competitions.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

The office of responsibility has been changed from the Office of the Superintendent to the Department of Communications and Community Outreach.

III. GUIDELINES APPLICABLE TO ALL DISTRIBUTIONS

Schools are not open or limited public forums and are accessible to nonprofit organizations only as described in this regulation. Any access that is provided will be on a nondiscriminatory basis and will not be based on the viewpoint of the eligible nonprofit organization; however, all materials and information distributed within the schools shall relate to the schools' primary function: the education of students. These guidelines apply to all distributions of materials, paper and electronic.

IV. COMMUNITY ORGANIZATION ACCESS

- A. School principals shall offer at least one of the following options to nonprofit organizations that want to make their materials available to students and parents (subject to section II. above):
 1. Posting at a designated bulletin board or other location.
 2. Maintenance of fliers in the school's community resource center or notebook.
 3. For elementary school distribution, by take-home folder.
 4. Whatever option(s) the principal selects shall be made available to all eligible nonprofit organizations on a nondiscriminatory basis.

- B. In addition to selecting one or more of the options under section III.A., elementary school principals shall designate at least one date at the beginning of the school year when they will send materials of nonprofit organizations to students' homes.
- C. Representatives of nonprofit organizations shall not be permitted in school buildings or on school grounds during school hours to distribute materials.
- D. During nonschool hours, nonprofit organizations and other members of the public may have access to school buildings only as allowed by this and other regulations. They may have access to school grounds (outside buildings) and may distribute materials without first obtaining the approval of the principal as to the material's content; however, the principal may control access to school grounds and limit the time, place, and manner of distribution of materials on school grounds as necessary to protect safety and order. In no circumstances will individuals or organizations be permitted to gain access to school grounds or distribute materials in violation of law, policy, or regulation, nor will they be permitted to leave materials on cars or otherwise litter school grounds.

V. BACK-TO-SCHOOL AND COMMUNITY NIGHTS

- A. Elementary schools must either sponsor a community night for nonprofit organizations or open their Back-to-School Nights to nonprofit organizations once each school year.
- B. Nonprofit organizations that staff tables at Back-to-School Night may not participate in the school's program of speakers or classroom activities on those nights. This prohibition does not extend to ceremonial or incidental activities such as flag ceremonies.
- C. Nonprofit organizations may distribute materials from their tables but not elsewhere at Back-to-School Nights and community nights. Schools, school organizations (such as school clubs, community coalitions, PTAs, and booster clubs) may distribute materials on those nights in whatever manner the principal deems appropriate.

VI. STUDENT DISTRIBUTION OF FLIERS

- A. Students may distribute materials as provided in this regulation and the current versions of Regulations 2601 and 2612. Principals may impose reasonable time, place, and manner restrictions on such distribution.
- B. Elementary school students may not make mass distributions of nonschool materials in school buildings or on school grounds during school hours, including bus arrival and departure times.

VII. ELIGIBILITY REQUIREMENTS AND SUBMISSION PROCEDURES

- A. All nonprofit organizations are eligible to submit fliers and other materials in

accordance with these guidelines. Charitable solicitations, partisan political organizations, and commercial or profit-making enterprises are excluded, with the exception of school-business partnerships and events, jointly sponsored government-business activities, certain contests and competitions (see section IX.), and distributions on school grounds during nonschool hours (see section III.). With the exception of materials relating to school-business partnerships and events, jointly sponsored government-business activities, events on school grounds during nonschool hours, or contests, the materials may not contain names or logos of profit-making organizations.

- B. Fliers and other community materials must be related to the schools' educational mission, be directed to students, not be harmful to children, be age-appropriate, and not be violations of the current versions of Regulations 2601 or 2612.
- C. Community organizations should submit their materials in advance, in accordance with any format or procedure determined by the principal, unless the distribution of materials is limited to school grounds during nonschool hours (see section III.). The principal may require that nonprofit organizations provide volunteers to help the school post or distribute materials.
- D. To ensure that schools remain neutral, do not appear to approve or disapprove any particular religious or political viewpoint, and do not sponsor or endorse the classes or activities sponsored by any community organization, all nonschool and nongovernmental materials made available through the schools shall include the following disclaimer:

These materials are neither sponsored nor endorsed by the Fairfax County School Board, the Superintendent, or this school.

The same disclaimer shall be posted at the school location where such materials are available.

- E. School principals are responsible for determining whether materials from nonschool-related organizations satisfy the requirements of this regulation.

VIII. EXCEPTIONS TO GUIDELINES

- A. Materials prepared and/or sponsored by an individual school, a school system official, an instructional staff member, the School Board, or another government agency may be carried home by students in accordance with the current version of Policy 1365 and are not subject to these guidelines.
- B. Information about school organizations (such as school clubs, community coalitions, PTAs, and booster clubs) may be carried home by students as long as:
 - 1. School organization sponsorship is clearly identified.
 - 2. A nonschool telephone number is provided so that responsible

individuals may respond to questions.

Principals shall work cooperatively with PTA representatives in distributing information to parents.

IX. NEWSLETTERS

- A. School newsletters will not include announcements of events or activities sponsored by nonschool-related organizations or individuals. Newsletters may announce events or activities sponsored by the school; school organizations such as school clubs, community coalitions, PTAs and booster clubs; and governmental agencies.
- B. PTA newsletters are the responsibility of the sponsoring PTA, and their content is not covered by this regulation. PTA newsletters may be sent home with students as described in section VII. Newsletters prepared jointly by the school and the PTA shall be regarded as school newsletters and shall comply with this regulation.
- C. School newsletters may accept paid advertising from community organizations or others at the discretion of the principal. Paid advertising shall be age appropriate, not harmful to children, nonpolitical, and consistent with the current versions of Policy 1365 and Regulations 2601, 2612, and 3280.
- D. Students shall not be asked or required to convey or deliver any materials (including PTA newsletters) that advocate the election or defeat of any candidate for elective office, that advocate the passage or defeat of any referendum question, or that advocate the passage or defeat of any matter pending before the Fairfax County School Board, the Fairfax County Board of Supervisors, the Virginia General Assembly, or the Congress of the United States.

X. NONSCHOOL-SPONSORED CONTESTS AND COMPETITIONS

Contests and competitions must be curriculum related. The curriculum specialist shall receive the request for approval or denial and respond in writing to the Office of High School Instruction and K-12 Curriculum Services.

Information regarding contests or competitions for students should be submitted to the Office of High School Instruction and K-12 Curriculum Services by the second week in the month before calendar distribution for inclusion in the community calendar.

Charitable organizations wanting to sponsor contests or competitions shall observe the following criteria:

- A. The contest or competition must be directly related to curricula taught in the designated subject area according to the Program of Studies.

- B. Any material given to students should not contain advertising or requests for contributions for the charitable organization.
- C. If the contest or competition is approved, any student who submits an entry should receive recognition of the entry.
- D. Contests at the elementary level school should recognize all students for their attempts through certificates of participation.
- E. Neither specific students nor winning entries may be used for advertising purposes to elicit contributions.
- F. Fairfax County Public Schools does not endorse any charitable organizations; neither its name nor the names of the Fairfax County School Board or individual schools may be used to elicit contributions by means of the contest or competition.

See also the current versions of:

- Policy 1365, Distribution of Materials
- Policy 1375, Charity Drives
- Policy 1800, Guidelines for Conduct of School Board and Other Election Campaigns
- Policy 3829, Contests and Awards
- Regulation 2601, Student Responsibilities and Right Booklet
- Regulation 2612, Regulations and Procedures Governing Freedom of Expression by Students
- Regulation 3280, Controversial Issues
- Regulation 4426, School and Employee Political Activities
- Regulation 8420, Community Use of School Facilities
- Regulation 8422, Community Use of School Facilities as Polling Places