



IMPLEMENTATION OF BOARD POLICY 3.30.035-P DISTRIBUTION OF INFORMATION TO AND/OR FOR STUDENTS BY NON-SCHOOL GROUPS

Board Policy 3.30.035-P sets forth the criteria and conditions pursuant to which information from non-school groups can be distributed to and/or for students during the school day. This Administrative Directive sets forth the procedures the District shall follow in implementing that Board Policy.

I. Definitions

For the purposes of Board Policy 3.30.035-P and this Administrative Directive, the following terms are defined as:

- (1) Limited public forum means a public venue that has been opened for a limited purpose, such as use for certain subjects and by classes of speakers. Restrictions on speech in a limited public forum are permissible if they are viewpoint-neutral and reasonable in light of the purpose of the forum.
- (2) Service learning groups means groups who provide service-learning opportunities for students that are curriculum-related and are invited by the principal or designee to participate in activities designed to communicate their curriculum-related opportunities to students.
- (3) Armed Forces includes the United States Military Branches of Army, Air Force, Navy, Marines, and Coast Guard. Military Recruiter means a representative of one of the Armed Forces whose job is to secure enlistment of persons into the Armed Forces.
- (4) School hours means hours that students are in class, at lunch or recess or any other non-instructional time during the school day, or waiting on school grounds for transportation before or after school.

II. Establishment of Limited Public Forums

As directed by the Board, the following limited forums are established:

- (1) Community information display area (CIDA). The CIDA is an area in the school where there is a designated table and/or bulletin board on which materials may be placed.



- (2) Distribution directly to students during school hours by school staff or approved volunteers.
- (3) Display tables at school-sponsored events designed primarily for adults to attend that occur during non-school hours (examples: Back-to-School-Night, Open House)
- (4) Electronic Display Area (EDA). The EDA is an electronic website established by the District for the purpose of providing contact information and/or an electronic link for non-school groups providing events, activities, and/or services for youth as defined in Sections III and V of this Administrative Directive. The EDA will be designed and implemented as resources become available.

III. Non-school groups eligible to use the limited public forums

As directed by the Board, the following categories of non-school groups may use the limited forums established in Section II:

- (1) Non-profit groups serving youth that provide educational, athletic or training services or opportunities for students before or after school hours. Examples: Little League, Pop Warner Football, Boy Scouts, Girl Scouts.
- (2) Non-profit groups serving youth that exist solely to support Portland Public Schools (PPS) and are directly tied to the District's pursuit of its educational mission. These groups are limited to the Portland Schools Foundation, individual school foundations, individual parent teacher groups (affiliated with the Portland Council), and individual booster clubs (affiliated and recognized by individual schools).
- (3) Qualified for-profit groups serving youth that provide educational, athletic, training or childcare services, classes, or service learning opportunities only for students at the individual school site and meet the criteria set forth in Section IV. Examples: M.U.S.E., Meyer Math Classes.
- (4) Qualified for-profit groups serving youth that have established a contractual relationship with Portland Public Schools to provide educational, athletic, training or childcare services, classes, or service learning opportunities only for students at the individual school site and



meet the criteria set forth in Section IV. Examples: Vermont Hills Day Care, YMCA Day Care.

- (5) Public bodies serving youth. This includes any agency or arm of the State, a city, a county, a school district, an education service district, or a special district listed in ORS 198.010 offering services or programs to youth. Examples: county (Sun Schools, library), city (Portland Parks and Recreation).
- (6) Non-profit groups serving as City of Portland recognized neighborhood associations in neighborhoods of schools in the Portland Public School District.

IV. For-Profit Group Requirements

For-profit groups must comply with the following requirements in order to establish themselves as a qualified for-profit organization with the right to distribute materials under the conditions set forth in Board Policy 3.30.035-P and this Administrative Directive:

- (1) Materials distributed by these groups must be directly related to the services provided at the individual school.
- (2) The classes and/or services must complement, enhance and support existing curriculum at the school in the determination of the principal or designee.
- (3) The classes and/or services must be offered to only students of Portland Public Schools and not the general public.
- (4) The classes and/or services must be offered at the school where the information is to be distributed, and not at an outside location or another school. The classes must be offered during non-school hours.
- (5) The classes and/or services must be offered to groups of PPS students rather than individual lessons or one-on-one opportunities.
- (6) The classes or services cannot advocate, promote, favor or oppose a candidate for elected office or a ballot measure; neither may the classes or services advocate religion or a particular religious teaching or otherwise be primarily proselytizing in nature.



V. **Permitted Distribution of Materials**

The limitations for distribution by non-school groups are given below. The group may request which forum of those permitted they would like to use.

TYPES OF GROUPS

REQUIREMENTS and EXEMPTIONS

Non-profits, Section III (1)

Examples: Boy Scouts, Girls Scouts, Pop Warner Football

All materials must contain their non-discrimination statement; materials must receive district pre-approval; may distribute in CIDA and directly to students; no access to students during school hours; at principal's discretion may have access to parents at after-school events intended primarily for parent attendance with no attempts to recruit or entice students attending with their parents; no electronic distribution at individual schools; District EDA permitted with non-discrimination statement

Non-Profits Sole Purpose Exist for School, Section III (2)

PTA/PTO, school booster club, individual school foundation, Portland Schools Foundation

All materials must contain their non-discrimination statement; materials exempt from district pre-approval, if no other materials from a non-profit or qualified for-profit mentioned in their publications; at principal's discretion may have access to students and families at after-school events; at principal's discretion may have access to students during school hours; may distribute a newsletter by electronic distribution at school site if part of the individual school's electronic newsletter distribution and if no qualified for-profit or other non-profit mentioned in materials; may distribute in CIDA and directly to students; District EDA permitted with non-discrimination statement

Qualified For-Profits, Section III (3)

Examples: M.U.S.E., Meyer Math Classes

Materials must contain their non-discrimination statement; materials must receive district pre-approval; may distribute in CIDA and directly to students; no access to students during school hours; at principal's discretion may have access to parents at after-school events intended primarily for parent attendance with no attempts to recruit or entice students attending with their parents; materials are for programs, classes, or services solely at the school site and only for that school's students; no electronic distribution at individual schools; District EDA permitted with non-discrimination statement

Qualified For-Profits District Contract, Section III (4)

All materials must contain their non-discrimination



Examples: Vermont Hills Day Care, YMCA Day Care

statement; may distribute in CIDA and directly to students; materials are exempt from district pre-approval, except when desiring to distribute materials unrelated to the services established by the contractual relationship; at principal's discretion may have access to parents at after-school events primarily intended for adults with no attempts to recruit or entice students attending with their parents; materials are for programs, classes, or services solely at the school site and only for that school's students; electronic distribution at principal's discretion in school's newsletter only; District EDA permitted with non-discrimination statement

Public Bodies Serving Youth, Section III (5)

Examples: Public libraries, Parks and Recreation, Sun Schools

Materials exempt from district pre-approval, if no qualified for-profit or non-profit mentioned in materials; at principal's discretion may have access to students and families at after-school events; may distribute in CIDA and directly to students; at principal's discretion may have access to students during school hours for distributing information if participating as a service learning group or presenting curriculum-related material; electronic distribution at principal's discretion in school's newsletter only; District EDA permitted

Service Learning Groups, Section I (2)

Examples: SMART, Friends of Trees

All materials must contain their non-discrimination statement; may distribute in CIDA and directly to students; at principal's discretion may have access to students and families at after-school events; at principal's invitation may have access to students during school hours when presenting curriculum-related materials; electronic distribution at principal's discretion in school's newsletter only if related to the service learning topic; District EDA permitted with non-discrimination statement

Military or College, Section I (3)

No District EDA permitted; no electronic distribution; may have access to students during school hours for recruiting or distributing information; (Board Policy 6.20.043-P & Administrative Directive 6.20.041-AD)

Non-profits Neighborhood Associations, Section III (6)

Examples: Humboldt Neighborhood Association, Bridlemile Neighborhood Association

All materials must contain their non-discrimination statement; only articles regarding association's regular meeting may be placed in school newsletters (space permitting) and may only contain date, time, location, contact person and contact information; all other materials must receive district pre-approval with same restrictions as nonprofits mentioned in Section III (1)



VI. Distribution Approval Process

- (1) Non-profit groups serving youth and qualified for-profit groups serving youth without a district contractual relationship shall submit their materials to the Office of Student, Family and School Support at the Blanchard Educational Service Center, and have them approved for distribution before using any of the limited forums at the school.
- (2) Once the materials have been approved, the distributing group must send a sample of the materials approved for distribution to each requested school site along with the Distribution of Materials Request Form showing approval by the District.
- (3) Groups that have a contractual relationship with the District to provide services to students and want to distribute materials about services that are not related to the contracted services must follow the distribution of materials approval process. (For instance, if the YMCA provides before and after school care at a site, but wishes to distribute information about a weekend basketball program, the YMCA must follow the distribution of information approval process before distributing information about the basketball program.)

VII. Non-Discrimination Policy Requirement

- (1) Inclusion in the EDA: Upon the establishment of the EDA, all non-profit groups and all qualified for-profit groups wishing to distribute materials to and/or for students must include their non-discrimination policy on their electronic materials for distribution at the District website, as well as on any group's website linked from the District EDA.
- (2) All other established limited public forums: Beginning July 1, 2006, all non-profit groups and all qualified for-profit groups wishing to distribute materials to and/or for students must include their non-discrimination policy on their materials for distribution.

VIII. Direct Access to Students

- (1) No groups other than the military, colleges, those providing service learning opportunities, or job recruiters may have direct access to students for the purpose of recruiting or distributing promotional information during school hours. This access will be strictly controlled by the principal and



- counseling departments [See Board Policy 6.20.043-P & Administrative Directive 6.20.041-AD].
- (2) The only non-school groups that may address students during the school day at principal's discretion are:
 - (a) Non-profit groups serving youth that exist solely to support Portland Public Schools and are directly tied to the District's pursuit of its educational mission. These are limited to the Portland Schools Foundation, individual school foundations, individual parent teacher groups (affiliated with the Portland Council), and individual booster clubs (affiliated and recognized by individual schools).
 - (b) Military groups in accordance with Board Policy 6.20.043-P & Administrative Directive 6.20.041-AD.
 - (c) College representatives in accordance with Administrative Directive 6.20.041-AD.

IX. Notice to Families

- (1) At the beginning of each semester or trimester, each school shall inform students and families (either in the school newsletter or some other fashion) that students will be receiving information from non-profit or qualified for-profit groups. In that notice, each school may inform families of when they can expect to receive such information.
 - (a) When the EDA is established, the notice will explain the EDA and include suggested physical locations where parents may have access to the internet to view the EDA.
 - (b) Each school notice shall include the following statement:

The groups providing this information are not endorsed or sponsored by Portland Public Schools. District policy prohibits discrimination on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex, and sexual orientation. BP 1.80.020. Not all outside groups comply with the District's non-discrimination policy. Families are strongly encouraged to review all materials closely."
 - (c) Electronic sample letters of this notice will be available for principals.



- (2) Each school shall clearly post in the CIDA the following notice supplied by the District in English and its translation into Chinese, Russian, Spanish, and Vietnamese.

"The materials in this area are available to students and their families. The groups providing information are not endorsed or sponsored by Portland Public Schools. District policy prohibits discrimination on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex, and sexual orientation. BP 1.80.020. Not all outside groups comply with the Board's non-discrimination policy. Families are strongly encouraged to review materials closely."

X. **Limitations on Distribution of Material**

- (1) The materials distributed by non-profit and qualified for-profit groups under Board Policy 3.30.035-P and this Administrative Directive must pertain to the opportunities available for students and cannot be solely general information about the group.
- (2) No group, including non-profit and qualified for-profit groups, shall be permitted to distribute commercial or fundraising materials, even if it appears to benefit students. This restriction does not apply to entities that exist solely to support Portland Public Schools and are directly tied to the District's pursuit of its educational mission, such as the Portland Schools Foundation, individual school foundations, parent teacher groups, and booster clubs.
- (3) For-profits that do not meet the requirements of a qualified for-profit (see Sections III and IV) may not distribute materials in any forum established by Portland Public Schools.
- (4) Groups whose primary purpose is to provide basic and/or comprehensive education to K-12 students during the school day shall not be permitted to distribute recruiting information under Board Policy 3.30.035-P and this Administrative Directive. Examples: private, charter, and other K-12 non-district schools.
- (5) There shall be no distribution of information that:
 - (a) Is libelous
 - (b) Is obscene
 - (c) Advocates or promotes illegal actions



- (d) Is likely to cause substantial disruption of or material interference with discipline or the education of students in the school in which the material is posted or distributed
 - (e) Promotes, favors or opposes a candidate for elected office or a ballot measure
 - (f) Advocates religion or a particular religious teaching through proselytization
- (6) Students shall not be required to take home or read any non-school related literature.
- (7) Only those groups mentioned in Section III (2) and (4) may request that their paper materials be included in opening day packets, however, they are to be included only at the principal's discretion.

XI. Distribution to District Staff

Board Policy 3.30.035-P and this Administrative Directive do not apply to the distribution of material to students by staff that is related to the curriculum or to counseling responsibilities. Examples include, but are not limited to: Saturday Academy, Crisis Center groups, counseling resources, college catalogues, and OMSI catalogues.

XII. Electronic Distribution

Distribution by non-school groups by electronic means is not permitted at individual school sites unless specified in Section V (Permitted Distribution of Materials) of this Administrative Directive.

XIII. Delivery of Materials to School Sites

- (1) It is the responsibility of groups wishing distribution of approved materials to the school sites to deliver the material to those sites.
- (2) District mail services cannot be used for distributing materials to the schools by any for-profit group, non-profit group, public body, college or university.



XIV. Penalties for Violation of Board Policy and/or Administrative Directive

If any group violates the terms of Board Policy 3.30.035-P or this administrative directive, penalties may be imposed by the Superintendent or designee after discussions with the General Counsel.

XV. Distribution of District Materials

Materials considered to be the business of the district that are distributed to families by schools or district offices are exempt from this administrative directive.

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