



UPDATED BOLD IS NEW

Book	Policy Manual
Section	100 Programs
Title	Title I - Comparability of Services
Code	150
Status	Review

Purpose

The equivalent distribution of district resources is one means the district shall use to ensure all students receive a quality education. This policy demonstrates the district's commitment to ensure that no discrimination occurs in the distribution of resources funded by state and local sources, regardless of the receipt of federal funds.

Authority

The Board directs that each district school receiving Title I funds must use state and local funds to provide services that, taken as a whole, are at least comparable to services in those schools in the district that do not receive Title I funds. [1].

If all schools in the district receive Title I funds, the Board directs that state and local funds shall be used to provide services that, taken as a whole, are substantially comparable in each school. [1].

The Board acknowledges that comparability may be measured on a grade-span by grade-span basis or a school-by-school basis.

Definition

For purposes of this policy, **grade span** is defined as a similar two-grade span difference or less. For example, a grade span of K-2 to K-4, not a grade span of K-2 to K-5.

Delegation of Responsibility.

If the district has more than one (1) building per grade span, the

{ } Superintendent

Federal Programs Coordinator

{ } Business Manager

shall complete a Detailed School Data Sheet.

Regardless of buildings per grade span, the

{ } Superintendent

Federal Programs Coordinator

{ } Business Manager

shall annually complete a Comparability Assurance Form to provide written assurance of equivalence among schools, including the provision of curriculum materials instructional supplies and teachers, administrators and other staff.

Guidelines

Method of Determination

NEW 

For purposes of determining Title I comparability, the district shall use a current year student to staff ratio calculation or a previous year per-pupil expenditure determination, whichever is more favorable to the district.

Allowable Exclusions

For the purposes of determining comparability, the district may exclude: [\[1\]](#)

1. State and local funds expended for language instruction education programs. [\[2\]](#)
2. Excess costs associated with providing services to students with disabilities. [\[3\]](#)[\[4\]](#)[\[5\]](#)
3. **Unpredictable** changes in enrollment or personnel assignments occurring after the beginning of the school year.
4. Other expenditures from supplemental state or local funds consistent with the intent of Title I.

Complaints

Complaints by individuals and organizations regarding implementation of equivalence between schools shall be processed in accordance with Board policy. [\[6\]](#)

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- | | |
|-------|-------------------|
| Legal | 1. 20 U.S.C. 6321 |
| | 2. Pol. 138 |
| | 3. Pol. 103.1 |
| | 4. Pol. 113 |
| | 5. Pol. 114 |
| | 6. Pol. 906 |



UPDATED

BOLD IS NEW

ATTACHMENT IS NEW

Book	Policy Manual
Section	200 Pupils
Title	Student Expression/Distribution and Posting of Materials
Code	220
Status	Review

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to distribute and post materials in areas designated for posting as a part of that expression. The Board also recognizes that **the** exercise of that right must be limited by the district's responsibility to maintain **a safe and** orderly school environment and to protect the rights of all members of the school community. [1].

This policy addresses student expression in general and distribution and posting of materials that are not part of district-sponsored activities. Materials sought to be distributed or posted as part of the curricular or extracurricular programs of the district shall be regulated as part of the school district's educational program.

Definitions

Reworked

Distribution means students **issuing** nonschool materials to others on school property or during school-sponsored events placing upon desks, **tables**, on or in lockers or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by this policy. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, **safety** and order on school property or at school functions threatens serious harm to the school or community encourages unlawful activity or interferes with another's rights is also covered by this policy.

Expression means verbal, written, **technological** or symbolic representation or communication.

Nonschool materials means any printed, **technological** or written materials meant for posting or general distribution that are not prepared as part of the curricular or **approved** extracurricular programs of the district. **This includes**, but **is** not limited to, fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.

Posting means publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers on district-sponsored or student websites through other district-owned technology and the like. **When email, text messaging or other technological delivery is used as a means of posting nonschool materials via use of school equipment or while on school**

property or at school functions, it shall be governed by this policy. Off-campus or after hours posting, including technological posting, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by this policy.

Authority

Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, school work, discipline, **safety** and order on school property or at school functions threatens serious harm to the school or community encourages unlawful activity or interferes with another's rights. [1].

Student expression that occurs on school property or at school-sponsored events is fully governed by this policy. In addition, off-campus or after hours expression is governed by this policy if the student expression involved constitutes unprotected expression as stated in this policy and provided the off-campus or after hours expression does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, **safety** and order on school property or at school functions threatens serious harm to the school or community encourages unlawful activity or interferes with another's rights. [1][2][3].

The Board requires that distribution and posting of nonschool materials **shall** occur only at the places and during the times set forth in written **procedures**. Such procedures shall be written to permit the **safe and** orderly operation of schools, while recognizing the rights of students to engage in protected expression. [1][4].

Unprotected Student Expression

The Board reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, discipline, **safety** and order on school property or at school functions. **While the following list is not intended to be exhaustive, such expression shall not be protected if it:**

1. **Violates federal, state or local laws, Board policy or district rules or procedures.**
2. **Is libelous, defamatory, obscene, lewd, vulgar or profane.**[3].
3. **Advocates** the use or **advertises** the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, **such as tobacco/nicotine, alcohol or illegal drugs.**
4. **Incites** violence, **advocates** use of force **or threatens serious harm to the school or community.**
5. **Is** likely to or **does** materially or substantially interfere with the educational process, **such as** school activities, school work, discipline, **safety** and order on school property or at school functions.
6. **Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs.**
7. **Violates** written school district **procedures** on time, place and manner for posting and distribution of otherwise protected expression.

Spontaneous student expression which is otherwise protected speech is not prohibited by this section.

Discipline for Engaging in Unprotected Expression

The Board reserves the right to prohibit the posting or distribution of nonschool materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Board reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a material and substantial disruption of the school program must be established.

Distribution of Nonschool Materials

The Board requires that students who wish to distribute or post nonschool materials on school property shall submit them **at least** one (1) school day in advance of planned distribution or posting to the building principal or designee, who shall forward a copy to the Superintendent. [1]

If the nonschool materials contain unprotected expression as stated in this policy, the building principal or designee shall notify the students that they may not post or distribute the materials because the materials constitute a violation of Board policy.

If notice is not given during the period between submission and the time for the planned distribution or posting, students may proceed with the planned distribution or posting, provided they comply with written **procedures** on time, place and manner of posting or distribution of nonschool materials.

Students who post or distribute nonschool materials in compliance with this provision may still be ordered to desist such distribution if the materials are later found to be unprotected expression under this policy.

Students who distribute printed materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Posting of Nonschool Materials

If a school building has an area where individuals are allowed to post nonschool materials, students may post such items as well, if the materials do not constitute unprotected expression and the items are submitted for prior review in the same manner as if the students were going to distribute them.

Such materials shall be officially dated, and the district may remove the materials within ten (10) days of the posting or other reasonable time as stated in the **procedures** relating to posting.

Review of Student Expression

School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student-initiated religious expression is permissible and shall not be prohibited except as to time, place and manner of distribution, or if the expression involved violates some other part of this policy, e.g., because it is independently determined to be unprotected expression under the standards and definitions of this policy.

The review for unprotected expression shall be reasonable and not calculated to delay distribution.

Appeal of the reviewer's decision may be made to the Superintendent and then to the Board, in accordance with Board policy and district **procedures**. [5]

Delegation of Responsibility

The Superintendent shall assist the building principal in determining the designation of the places and times nonschool materials may be distributed in each school building. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit distribution of nonschool materials to noninstructional times.

The building principal may determine disciplinary action for students who distribute or post nonschool materials in violation of this policy and **district procedures**, or who continue the manifestation of unprotected expression after a person in authority orders that they desist. Disciplinary actions shall be included in the disciplinary Code of Student Conduct. [6]

This Board policy and any **procedures** written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

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Legal

1. 22 PA Code 12.9
2. 24 P.S. 511
3. 22 PA Code 12.2
4. 24 P.S. 510
5. Pol. 219
6. Pol. 218

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220. ATTACHMENT

STUDENT EXPRESSION/DISTRIBUTION AND POSTING OF MATERIALS

Students have the responsibility to act in accordance with Board Policy 220. Student Expression/Distribution and Posting of Materials (Policy 220), to obey laws governing libel and obscenity, and to be aware of the full meaning of their expression.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

These procedures address the distribution and posting of nonschool materials that are not part of the curricular or extracurricular program of the district. Materials sought to be distributed or posted as part of the curricular or extracurricular program of the district will be regulated as part of the district's educational program and are not subject to the time, place and manner provisions set forth herein.

Students may distribute and/or post nonschool materials, provided that the form of expression and/or the use of public school facilities and equipment is/are in accordance with Policy 220, these procedures and the school dress code, if applicable.

The district has no responsibility to assist students in or to provide facilities for the distribution or posting of nonschool materials.

Definitions

Distribution means students issuing nonschool materials to others on school property or during school-sponsored events; placing upon desks, tables, on or in lockers; or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by Policy 220 and these procedures. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by Policy 220 and these procedures.

Expression means verbal, written, technological or symbolic representation or communication.

Nonschool materials means any printed, technological or written materials meant for posting or general distribution that are not prepared as part of the curricular or approved extracurricular program of the district. This includes, but is not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.

Posting means publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; on district-sponsored or student websites; through other district-owned technology and the like. When email, text messaging or other technological delivery is used as a means of posting nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by Policy 220 and these

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POSTING OF MATERIALS - Pg. 2

procedures. Off-campus or after hours posting, including technological posting, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by Policy 220 and these procedures.

Unprotected Student Expression means expressions that are not protected by the right of free expression because such expressions violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, discipline, safety and order on school property or at school functions. While the following list is not intended to be exhaustive, such expression shall not be protected if it:

1. Violates federal, state or local laws, Board policy or district rules or procedures.
2. Is libelous, defamatory, obscene, lewd, vulgar or profane.
3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/nicotine, alcohol or illegal drugs.
4. Incites violence, advocates use of force or threatens serious harm to the school or community.
5. Is likely to or does materially or substantially interfere with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions.
6. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs.
7. Violates written district procedures on time, place and manner for posting and distribution of otherwise protected expression.

Spontaneous student expression which is otherwise protected speech is not prohibited by this section.

Distribution of Nonschool Materials

The distribution by students of all nonschool materials will be governed by the following procedures:

1. All nonschool materials, together with a copy of the plan of distribution, must be submitted to the building principal, who will forward such information to the Superintendent or designee for approval, no later than twenty-four (24) hours prior to the planned distribution. The plan of distribution will set forth in detail the desired time, place and manner of distribution, as well as those who will be distributing the materials.

STUDENT EXPRESSION/DISTRIBUTION AND
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2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to distribute such material on school property must provide in writing his/her name, address, telephone number and organization, if any. This information will be filed in the building principal's office.
3. The Superintendent or designee will review the material, determine if it constitutes unprotected expression, and inform the building principal or designee of his/her decision. The building principal or designee will notify the student(s) planning to distribute nonschool material of the decision to grant or deny permission to distribute the material as planned. If the decision is to not permit the distribution, the building principal or designee will specify the reasons for the decision and will specify the changes in the content of the material or in the plan of distribution which must be made, if any, in order to secure such permission. If the student(s) desiring to distribute such material make(s) such changes in a manner satisfactory to the Superintendent or designee prior to the planned distribution, the building principal or designee may then grant permission to distribute.
4. Any materials that have not been approved for distribution will not be distributed on school property, at school-sponsored functions or on school-provided vehicles.

Time -

If permission is granted, students may only distribute approved nonschool materials at the following times:

- { } _____ minutes before the official start of school;
- { } during regularly scheduled lunch periods;
- { } _____ minutes after the official end of school;
- { } at school-sponsored activities;
- { } _____(Other).

Place -

{ } Distribution of approved nonschool materials on school property will be permitted only in locations that allow for the normal flow of traffic within the school and its exterior doors, including on sidewalks located on school property paralleling school driveways. Building entrance walkways and building lobbies will not be utilized for such distribution.

{ } Distribution of approved nonschool materials will be permitted in the following locations:

_____.

{ } Nonschool materials may not be distributed during any regularly scheduled class unless specifically authorized by the Superintendent or designee.

STUDENT EXPRESSION/DISTRIBUTION AND
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Manner -

{ } Materials approved to be distributed may be required to display the appropriate district disclaimer, as directed by the building principal or designee.

{ } All nonschool materials must bear the district disclaimer.

DISCLAIMER: THE _____ SCHOOL DISTRICT IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT, SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE DISTRICT'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

Any student who distributes materials will be responsible for cleaning any litter that results from such distribution, including any discarded pamphlets, fliers or other documents.

No student will harass or otherwise interfere with the distribution of approved nonschool material by student(s), nor may a student in any way compel or coerce a student to accept any materials.

Posting of Nonschool Materials

The posting of all nonschool materials will be governed by the following procedures:

1. All requests to post nonschool materials must be submitted to the building principal, who will forward such information to the Superintendent or designee for approval, no later than twenty-four (24) hours prior to the planned posting.
2. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval. The person wishing to post such material must provide in writing his/her name, address, telephone number and organization, if any. This information will be filed in the building principal's office.
3. The Superintendent or designee will review the material, determine if it constitutes unprotected expression, and inform the building principal or designee of his/her decision. The building principal or designee will notify the student(s) planning to post nonschool material of the decision to grant or deny permission to post the material as planned. If the decision is to not permit the posting, the building principal or designee will specify the reasons for the decision and will specify the changes in the content of the material, if any, in order to secure such permission. If the student(s) desiring to post such material make(s) such changes in a manner satisfactory to the Superintendent or designee prior to the planned posting, the building principal or designee may then grant permission to post.
4. Any materials that have not been approved for posting will not be posted on school property.

STUDENT EXPRESSION/DISTRIBUTION AND
POSTING OF MATERIALS - Pg. 5

5. All approved materials will be posted in an area designated by the building principal for students to post nonschool materials.
6. All material approved to be posted will contain the date it was first posted.
7. All materials approved to be posted must be removed after _____ school days to assure full access to the bulletin boards.
8. No student will remove or otherwise interfere with the posting of approved nonschool material by student(s).
9. { } Approved postings may be required to display the appropriate district disclaimer, as directed by the building principal or designee.

{ } All nonschool materials must bear the district disclaimer.

DISCLAIMER: THE _____ SCHOOL DISTRICT IS NOT RESPONSIBLE FOR, AND DOES NOT ENDORSE, ANY STATEMENT, SENTIMENT OR OPINION PUBLISHED OR EXPRESSED IN THIS DOCUMENT. THIS DOCUMENT IS NOT PART OF, AND HAS NOT BEEN DISTRIBUTED AS PART OF, THE DISTRICT'S CURRICULAR OR EXTRACURRICULAR PROGRAMS.

Disciplinary Consequences

Any student who violates any provision of Policy 220 or these procedures will be subject to disciplinary action, which may include suspension and/or expulsion from school.

Student Handbook

A copy of this procedure will be published in student handbooks.

Legal

1. Pol. 229
2. Pol. 702
3. Pol. 122
4. Pol. 123
5. Pol. 150
6. Pol. 113.4
7. Pol. 216
8. Pol. 324
9. 20 U.S.C. 1232g
10. 22 PA Code 15.9
11. 34 CFR 99.3
12. 7 CFR 210.11
13. Pol. 246
14. Pol. 103.1
15. Pol. 113
- 24 P.S. 216
- 24 P.S. 1603-C
- 34 CFR Part 99
- 7 CFR Part 210