FORUM FOR COMMUNICATION

The District may create a public forum of a place or channel of communication for use by the public at large for assembly and speech, for use by certain speakers, or for the discussion of certain subjects. *Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S. Ct. 948 (1983); Chiu v. Plano Indep. Sch. Dist., 260 F.3d 330 (5th Cir. 2001)*

The District is not required to allow persons to engage in every type of speech when the District establishes a limited public forum; the District may be justified in reserving its forum for certain groups or for the discussion of certain topics. The District shall not discriminate against speech on the basis of viewpoint, and any restriction must be reasonable in light of the purpose served by the forum. *Good News Club v. Milford Cent. Sch, 533 U.S. 98, 121 S. Ct. 2093 (2001); Lamb's Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384, 113 S. Ct. 2141 (1993)*

DISTRIBUTION OF NONSCHOOL PUBLICATIONS

Activities such as distributing literature, displaying signs, petitioning for change, and disseminating information concerning issues of public concern are protected by the First Amendment. *Schenck v. Pro-Choice Network, 519 U.S. 357, 117 S. Ct. 855 (1997) (recognizing leafletting and commenting on matters of public concern as protected speech); Boos v. Barry, 485 U.S. 312, 108 S. Ct. 1157 (1988) (recognizing public issue signs as protected speech); Meyer v. Grant, 486 U.S. 414, 108 S. Ct. 1886 (1988) (recognizing the solicitation of signatures for a petition drive as protected speech)*

If the District creates a forum for the distribution of nonschool literature, the District may impose time, place, and manner regulations and may reserve its facilities for their intended purposes, communicative or otherwise, as long as the regulation on speech is reasonable and not an effort to suppress expression merely because public officials oppose the speaker's view. *Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S. Ct. 948 (1983)*

The District may not require prior review before permitting nondisruptive distribution of written materials on matters of public concern at a parents-only school-sponsored meeting after school hours. *Chiu v. Plano Indep. Sch. Dist., 339 F.3d 273 (5th Cir. 2003)*

USE OF DISTRICT MAIL SYSTEM

Unless it has been opened to the public, by policy or practice, a school mail system is not a public forum. The District may create a limited public forum in its campus mailboxes. *Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 103 S. Ct. 948 (1983)*

[See CPAB for use of the District's internal mail system]