K-2300 KHC
DISTRIBUTION / POSTING OF PROMOTIONAL MATERIALS

In furtherance of its educational mission, the Governing Board authorizes its schools to distribute or display promotional material from non-school related organizations intended solely to notify students and their parents of an opportunity for the student to participate in a program, activity or event occurring during non-school hours designed to improve the health, education or welfare of students.

As a community service, the Governing Board authorizes its schools to distribute or display promotional material from school-related organizations designed to inform students or their parents of activities, events or programs that are of concern to the school-related organization and that may be of interest to students and their parents.

Definitions

Promotional material means written material in the form of notices, brochures, announcements, and flyers. Promotional material soliciting for or promoting participation in commercial offerings will not be distributed or displayed on school property unless its purpose is to further a school activity, such as graduation, class pictures or class rings, or is for approved equipment, naming conventions and legal advertisement that provide financial benefit to the educational program as determined by the Governing Board or Superintendent.

Non-School related organization means any non-profit or tax-exempt organization, other than school-related organizations.

School-related organization means a District-sponsored organization or parent-teacher organization whose activities support and promote the educational mission

of the District, as determined by the Governing Board, or a government agency. Such organizations may include parent organizations, booster clubs, school employee organizations, District community schools programs, and other organizations and clubs affiliated with the District and its schools.

The District and its schools will not distribute or display promotional material that, in the judgment of the Superintendent or the Superintendent's designee, would:

- Cause the District to violate state or federal laws;
- Promote illegal discrimination on the basis of gender, race, religion, national origin or ethnicity, or disability;
- Promote illegal activity for minors;
- Defame a person or organization;
- Contain words, symbols or images that would be regarded as lewd, obscene, vulgar or plainly offensive if communicated by a student on school grounds;
- Threaten serious disruption of a school or school-sponsored activity.

In regard to any non-school related organization, the District will not deny any non-school related organization the opportunity to distribute or display promotional material solely because the offered program, activity or event will be provided from a religious, philosophical or political perspective.

The District and its schools may restrict distribution of promotion material of organizations to specific times or dates, or postpone distribution of such materials due to shortage of available staff or other District or school priorities. Organizations assume the risk that distribution of time-sensitive promotional material will not occur on or before a desired date.

Guidelines for Distribution/ Posting

So that promotional materials of outside organizations are distributed or displayed fairly and without creating an excessive burden on the District and its staff, the District and organizations will adhere to the following guidelines:

- Organizations are encouraged to review these guidelines and, if necessary, discuss with the District office administration or the school principal, the application of the guidelines to contemplated promotional materials before the organization produces its material. The organization should also review the lead time necessary to review, approve and distribute or display the material. As a general rule, the District will require at least two (2) weeks to process requests to distribute or display material.

- Distribution or display of promotional material will occur by placing the material in a location designated by the District or its schools for student and parents to obtain such material.

- The District and schools will not mail promotional material to parents. Organizations are not authorized to directly distribute promotional material to students or parents on school grounds.

- Organizations are responsible for the cost of printing and bundling all promotional material.

- Organizations are encouraged to distribute or display versions of promotional material in the languages spoken by the families of students who attend school.

- Organizations are encouraged to offer scholarships or subsidized fees to low income families if fees are required for participation of students.

Approval shall be premised upon confirming promotional material and the application assuring the organization will:

- Agree that any charges for the instruction/activities will be based on and not exceed the cost of providing the instruction/activities;

- Not use fighting words, obscenities, defamatory speech or encourage disruption of the educational environment;

- Not provide representations or visuals that are inappropriate as described in The Children's Internet Protection Act;

- Label all material with the name of the organization;

- Display the name, address and telephone number of the local representative for the organization prominently on the promotional material; and

- Have an authorized representative of the organization sign the written assurances.

The promotional literature must contain the following disclaimer, prominently displayed or affixed to the material:

> *The J.O. Combs Unified School District neither endorses nor sponsors the organization or activity represented in this material. The distribution or display of this material is provided as a community service.*

A sample of the promotional information and the application, KHC-E, shall be provided to the District office to evidence compliance.

Manner of display/posting or stacking.

The manner of communication shall be either:

- display of a representative item (posting on a bulletin board like structure);

or

- stacking flyers or representative materials on a flat surface or wall rack;

located in an area on the school campus generally accessible to students. Display/posting or stacking will be on a space-available basis.

Non-school related promotional material approved for display/posting or stacking must be delivered electronically to the District office or by hard copy by a person properly authorized to represent the entity providing the materials. The material

shall be confined to one (1) sheet of paper not larger than a standard eight and one-half by eleven inch (8 1/2" x 11") sheet of paper, unless District administration determines that the size or length of the promotional material will not create an unreasonable distribution burden. Where stacking of material for pick up is permitted, the quantity of material stacked at the designated location shall not exceed one hundred (100) copies at any given time.

Times and places for display/posting or stacking. Non-school related promotional material is prohibited from display/posting or stacking in any school location except the designated area or surface for such materials. Material shall be removed on a date certain not more than one (1) month after it has been posted/stacked or five (5) days after the activity begins, whichever is earlier. Electronic versions of non-school promotional material may, at the discretion of the Superintendent, be posted on the District's website under these same time limitations.

Dispute Resolution

The District and its schools shall apply this policy in good faith and in a non-discriminatory manner. If the District refuses to distribute or display material because it is deemed to be non-conforming, the organization will be given an opportunity to make necessary revisions and/or deletions and resubmit the material for approval. An organization that believes this policy has been applied improperly may request a meeting with the Superintendent or the Superintendent's designee to review the matter. The Superintendent or the Superintendent's designee shall determine, in his or her sole judgment, whether material submitted for distribution or display is a conforming communication and whether this policy, including the guidelines, have been applied properly.

Limited Public Forum

The District operates its schools as nonpublic forums. This policy is intended to create a limited public forum for the distribution or display of promotional material, subject to the terms and conditions set forth in this policy and any

regulations adopted by the Superintendent to implement this policy. The Governing Board may redefine or close the limited public forum at any time.

Adopted: April 6, 2011

LEGAL REF.: 20 U.S.C. 9134, The Children's Internet Protection Act
47 U.S.C. 254, Communications Act of 1934 (The Children's Internet Protection Act)

CROSS REF.: KD - Public Information and Communications