

# San Lorenzo Unified School District

## Board Policy

### Community Relations

#### Advertising And Promotion

BP 1325

The Governing Board recognizes that private industry is an important segment of the local community and that the district should seek the involvement and support of representatives from private industry. The participation of private industry in the schools can add to the district's commitment to prepare students for entry into the business community.

School-community relations can be characterized as a partnership in which community members, educators, and other school personnel perform their respective roles cooperatively in view of the best interests of the schools and, most importantly, the students. The major emphasis in such partnerships is in the utilization of human resources. Activities appropriate to these partnerships include career education, incentive and recognition programs, classroom assistance and tutoring, technical education, recreation activities, staff development, drug/alcohol/tobacco prevention programs, and other support activities.

The Governing Board also recognizes that certain non-profit organizations are also an important segment of the local community and that a cooperative partnership in this area is in the best interests of our schools and students. The Superintendent or his designee shall develop rules and regulations relating to the distribution of materials from private industry and non-profit organizations.

The Governing Board establishes this policy to ensure effective and consistent implementation of its directions related to advertisements and promotions by non-school groups in school-sponsored publications, web sites, and social media and on school facilities. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

#### Limited Public Forum

The Board desires to promote positive relationships between district schools and the community in order to enhance community support and involvement in the schools. The Superintendent or designee may approve:

1. Distribution of noncommercial/ non-profit materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
2. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media

Prior to the distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or

advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any non-school group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

#### Criteria for Approval

The Superintendent, principal, or designee shall not accept for distribution any materials or advertisements that:

1. Are lewd, obscene, libelous, or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
4. Proselytize or position the district on any side of a controversial issue
5. Discriminate against, attack, or denigrate any group on account of any unlawful consideration
6. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, non-nutritious foods and beverages, and movies or products unsuitable for children
7. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
8. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the

materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

Legal Reference:

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

COURT CASES

Hills v. Scottsdale Unified School District 48, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

CSBA PUBLICATIONS

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards,

Policy Brief, March 2006

WEB SITES

CSBA: <http://www.csba.org>

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