



Board of Director's Policy Development and Community Relations 900 Series

Policy # 900.04

Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

Summary: No material shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without prior approval from the Executive Director's office.

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Executive Director, advertise events pertinent to students' interests or involvement. All advertisements must (1) be student-oriented (2) prominently display the sponsoring organization's name and (3) be approved in advance by the Executive Director or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

Commercial Companies and Political Candidates or Parties

Commercial companies may purchase space for their advertisements in or on: (1) athletic events, (2) theater, or music programs, (3) student projects, media yearbooks, (4) scoreboards, or (5) other appropriate locations. The advertisements must be consistent with this policy and its implementing procedures and be appropriate for display in school context. Prior authorization is needed from the Executive Director or designee for any advertisements.

No individual or entity may advertise or promote its interests by using the names or pictures of the School District, any District school or facility, staff members or students except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

LEGAL REF.:

Berger v. Rensselaer Central School Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).

DiLoreto v. Downey Unified School Dist., 196 F.3d 958 (9th Cir. 1999).

Hedges v. Wauconda Community Unit School Dist., No. 118, 9 F.3d 5 1295(7th Cir. 1993).

Lamb's Chapel v. Center Moriches Union Free School Dist., 508 U.S.384 (1993). Sherman v. Community Consolidated School Dist. 21, 8 F.3d 1160 (7th Cir. 1993),

cert. denied, 8F.3d 1160(1994).

Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 565 U.S. 1036(2011).

Adopted: November 2016