

## **LAGUNA BEACH UNIFIED SCHOOL DISTRICT**

### **ADVERTISING AND PROMOTION**

#### **BP 1325**

#### Community Relations

1. 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

2. 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:
  - a. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
  - b. Distribution of promotional materials of a commercial nature to students or parents/guardians
  - c. Paid advertisements on school property, including, but not limited to, advertisements on billboards and scoreboards
  - d. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media
  - e. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product
3. Prior to the distribution, posting, or publishing of any non-school 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.
4. Authorized materials may be posted to the Community Page of the District website, if provided in a timely fashion to the Superintendent's Office.

5. All materials to be distributed shall bear the name and contact information of the sponsoring entity.
6. 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

7. The Superintendent, principal, or designee shall not accept for distribution any materials or advertisements that:
  - a. Are lewd, obscene, libelous, or slanderous
  - b. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
  - c. 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
  - d. Discriminate against, attack, or denigrate any group on account of any unlawful consideration
  - e. 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
  - f. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
  - g. Distribute unsolicited merchandise for which an ensuing payment is requested
8. 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.
9. 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:

U.S. Constitution, Amendment 1, Freedom of speech and expression

California Constitution, Article 1, Section 2 Free Speech Rights

Education Code section 7050-7058, 35160, 35160.1, 35172, 38130-38138

Business and Professions Code 25664

Date Policy Adopted By the Board: January 24, 2017