

## **DISTRIBUTION / POSTING OF PROMOTIONAL MATERIALS**

Non-school promotional material is that material not under the control of the school which may be in a variety of mediums. Without exhaustion this may include but is not limited to pictures, flyers, items with a visual or printed message, electronic representations, and other visual and auditory representations.

Nonprofit organizations providing activities and instruction for school age students shall be permitted limited display or posting of promotional material for those activities at an individual school site within the guidelines indicated. Authorization shall be premised upon a written assurance and confirming material received by the distributing/posting school at least two (2) weeks prior to the instruction/activity that 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 material shall be provided to the District office at the same time as the assurance form to evidence compliance. District personnel shall not use the viewpoint expressed in the material as justification for disallowing the authorization.

### ***Manner of Display/Posting or Stacking***

The manner of communication elected by each school 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;

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

From a list of signed and dated assurance forms maintained in the District office, the Superintendent or the Superintendent's designee shall determine the items to be granted permission for posting/displaying or stacking during a prescribed time period, limited to the available space designated for such purposes.

Materials permitted for display/posting or stacking must be delivered to the approving school office by a person properly authorized to represent the entity providing the materials. The material shall not be larger than a standard eight and one-half by eleven inch (8 1/2" x 11") sheet of paper. Where stacking of materials for pick up is permitted, the quantity of materials stacked at the designated location shall not exceed one hundred (100) copies at any given time.

***Times and places for display/posting or stacking.*** Display/posting or stacking of non-school promotional materials is prohibited in any school location except the designated area or surface for such materials. Materials 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.

The display/posting and/or stacking location shall be available every day without regard to weather, to students who are in attendance. A description and a map of this location will be posted at the administrative office of each school and made available in the District administrative offices.

Any challenge to a denial to distribute/post promotional materials shall utilize a simplified Alternative Dispute Resolution process as referenced in A.R.S. 15-110(G), Rights of students at public educational institutions; limitations; definition, which stipulates that a student or a student's parent shall not initiate legal action to enforce this section unless the student or the student's parent has done the following:

- The student or the student's parent shall submit a complaint in writing with the specific facts of the alleged violation to the principal of the school. The principal shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within fifteen (15) days of receiving the written complaint.

- If the complaint is not resolved, the written complaint specifying the facts of the alleged violation may be submitted by the parent or student to the Superintendent or designated administrator, who shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within twenty-five (25) days of receiving the written complaint.

School District legal counsel shall be consulted at any time there is a substantive question or dilemma resulting from a request related to this policy. Challenges originating from a source alleging viewpoint-based denial of authorization shall be referred immediately.

*Adopted:* July 3, 2013

LEGAL REF.: A.R.S. 15-110  
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