

SOLICITING AND ADVERTISING

The New Hanover County Board of Education designates all of its property and modes of communication as non-public forums, except to the extent a limited public forum may be created by this or another policy of the Board.

Except as may be allowed by [Policy 6420 Political Activities On School Property Or Using School System Modes of Communication](#), [Policy 9415 Distribution of Non-School Material to Students](#), or [Policy 8540 Distribution of Materials by Students](#), no person, agent, representative, or salesperson shall solicit or attempt to sell or explain any article of property or proposition to any teacher or student of any New Hanover County School System, or to any other person, on the school grounds or during the school day, without having first secured the written permission and consent of the Superintendent or designee. The Superintendent or designee may establish limited public forums, specifying the time, place, manner and subject matter of any allowed solicitations or advertisements. Any such restrictions shall be viewpoint neutral.

The Superintendent or designee may establish non-public or limited public forums, in accordance with the guidelines set forth below specifying the time, place, manner and subject matter of any allowed solicitations or advertisements. Any such restrictions shall be viewpoint neutral.

Pursuant to this Policy, the Superintendent or designee may allow solicitations and advertisements on designated portions of school system grounds or using designated school system modes of communications, which involve the offering or sale of products or services which are legal and available in New Hanover County, subject to the following guidelines:

- No political or religious items, including anti-religious items shall be allowed;
- No items that are lewd, vulgar, indecent, obscene, profane, pornographic, which depict nudity, or are false, misleading, or inaccurate shall be allowed;
- No items that advocate or glorify illegal activity shall be allowed;
- No items that are inconsistent with the educational mission of the New Hanover County School System shall be allowed;
- No items which are not age appropriate for all New Hanover County Schools students who are expected to be exposed to them shall be allowed;
- No items of a sexual nature, including but not limited to, dating and escort services, birth control, sexual performance and abortion shall be allowed;
- No items advocating the use of alcohol, tobacco or drugs (legal or illegal) shall be allowed;
- No items advocating or depicting violence or which are likely to incite violence shall be allowed;

- No items which have a significant risk of a disruption to the learning environment shall be allowed;
- No items which involve or depict any person or group associated with or which advocate illegal activities, including gangs, shall be allowed;
- No items advocating the use of weapons shall be allowed;
- No items whose predominant purpose is to convey a message rather than to offer a product of service shall be allowed; and
- No items from groups or individuals whose past or present conduct or reputation may reflect negatively on New Hanover County Schools shall be allowed.

The Superintendent or designee may revoke access to any area of school system property or mode of communication from which was previously made available for advertising or solicitation pursuant to this Policy at any time. Also, the Superintendent or designee may revoke any rights granted under this Policy if the known circumstances under which they were granted change and in such case an appropriate refund may be made of any fee collected.

The Superintendent or designee shall establish a fee schedule for advertisements or solicitations allowed by the Superintendent under this Policy. Such fee schedule shall not be discriminatory based on viewpoint. The Superintendent or designee may waive any established fees for non-profit, governmental and charitable organizations or organizations which provide substantial financial or in-kind support to the school system, such as booster clubs or parent support organizations. Any decision on such waiver shall not be discriminatory based on viewpoint.

Nothing in this Policy shall be construed to prohibit a licensed professional such as a social worker, counselor, nurse, psychologist or other health care professional from providing information directly to students which is required by law or the applicable ethical guidelines of such person's profession.

The Superintendent or designee may establish procedures consistent with this Policy for the implementation of this Policy.

Any person may appeal the denial of an activity under this Policy pursuant to the procedures set forth in [Policy 9415 Distribution of Non-School Material to Students](#), except that if the decision to deny the activity was not made by a principal, the initial appeal shall be to the Superintendent or designee.

LEGAL REF: NCGS § 14-238

CROSS REFS: [Policy 6420 Political Activities On School Property Or Using School System Modes of Communication](#)

Policy 8540 Distribution of Materials by Students

Policy 9415 Distribution of Non-School Material to Students

Approved: 11/21/72

Revised: 10/02/90, 11/04/97, 8/03/10, 6/7/11