

**KHC ©  
DISTRIBUTION / POSTING OF  
PROMOTIONAL MATERIALS**

Non-school promotional materials may be disseminated or directed to District students or their parents or guardians only as permitted by this policy. No one has a right to display or post non-school promotional materials at the District, its schools, or any of its facilities. Access is granted herein, subject to the following conditions and restrictions, only to the extent that such access may prove to be of a benefit to the District or its students. 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.

At the District's discretion, nonprofit organizations providing activities and instruction for school age students shall be permitted limited display or posting of promotional material for those activities within the guidelines indicated. Display or posting will not be permitted for non-school promotional material that: 1) would conflict with students' enrollment and attendance in the Deer Valley Unified School District's schools, 2) would include non-District offered school instruction, or other programming or activities which the Deer Valley Unified School District also provides, 3) would occur at a site where such programming or activities are offered or promoted at any time, or 4) that the Superintendent or the Superintendent's designee finds disruptive to good order of District schools or operations.

Authorization shall be premised upon a written assurance 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 reference or be related to political figures, candidates, ballot measures, elections, or political or controversial social issues. Materials that refer to, or advocate for or against, a religious affiliation, figure, or event shall not be authorized. Materials that refer to or advocate for or against public policy issues shall not be authorized.
- 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;
- Cover all costs associated with display/posting of promotional material;
- 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 through the flyer application process.

Non-school promotional materials will not include promotional or other materials of any for-profit organization, unless the promotional or other materials are an integral part of an activity of the non-profit organization.

### ***Manner of Display/Posting***

The manner of communication shall be through digital upload and posting on the eflyer website, mobile app, and parent eflyer emails. Display/posting or stacking of physical non-school promotional materials is prohibited in any school location.

### ***Flyer Application Process***

Nonprofit organizations will create an online account to establish their nonprofit eligibility in order to display/post flyers. Once an organization is approved, the nonprofit organization will complete an online application form and upload pdf documents/flyer for approval for each flyer they wish to display/post. A Communications & Community Engagement staff designee will approve flyers which meet the guidelines outlined in this policy for display/posting on the eflyer website, mobile app, and parent emails.

Parents will be able to opt-out of emails containing flyers.

Deer Valley Unified School District neither endorses nor sponsors the organizations or activities promoted in such materials. The administration of the Deer Valley Unified School District shall apply this policy in good faith and in a non-discriminatory manner, but always in the best interests of the District's students, good order, and the District's education mission, as determined by the Superintendent or the Superintendent's designee, without appeal. If the District refuses to distribute or display material because it is deemed to be nonconforming, the outside organization will be given an opportunity to make necessary revisions and/or deletions and resubmit the material for approval. An organization that believes that this policy has been applied improperly may request review by the Superintendent or designated administrator. The Superintendent or designated administrator shall determine, in his or her sole judgment, whether material submitted for distribution or display is conforming promotional material and whether this policy, including the guidelines, have been applied properly. The decision of the Superintendent or designated administrator is final.

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: XXXX XX, 2016

#### 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