



## APPLICATION TO DISTRIBUTE FLYERS/MATERIALS

Community flyers/materials (*other than government agencies*) must have prior approval by the Superintendent or designee for distribution to our schools. It will be your responsibility to deliver the flyer/material, bundled in appropriate quantities (see below for distribution instructions), with a copy of this signed approved application to each school.

### **APPLICATION INSTRUCTIONS:**

1. Review Board Policy 1325 (see pg. 2) to see if your flyer(s)/material(s) fall within the policy guidelines
  - ie "All informational materials...shall contain a disclaimer that it is *not a program of the Buckeye Union School District.*"
2. Complete this Application to Distribute Flyers/Materials
3. Attach the flyer(s) to the application and return it to the Superintendent's office:
  - Kellee Sellwood, Superintendent Secretary - [ksellwood@buckeyeusd.org](mailto:ksellwood@buckeyeusd.org)
4. Please allow a minimum of three (3) working days to obtain approval/denial via email
5. Once/If approved, see distribution instructions below

Organization Name: \_\_\_\_\_ Non-Profit:  Yes  No

Address: \_\_\_\_\_ IF Non-Profit, Tax ID #: \_\_\_\_\_

Contact Person & Title: \_\_\_\_\_

Person Making Request: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Date of Request: \_\_\_\_\_ Planned Distribution Date: \_\_\_\_\_

Brief Description of Flyer: \_\_\_\_\_

School(s) and quantity you wish to distribute the flyers/materials:

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> <b>Buckeye School (K-5)</b><br>30 flyers | <input type="checkbox"/> <b>Blue Oak (K-5)</b><br>50 flyers       | <input type="checkbox"/> <b>William Brooks (K-5)</b><br>75-100 flyers | <input type="checkbox"/> <b>Camerado Springs (6-8)</b><br>100 flyers |
| <input type="checkbox"/> <b>Oak Meadow (K-5)</b><br>75-100 flyers | <input type="checkbox"/> <b>Rolling Hills (6-8)</b><br>100 flyers | <input type="checkbox"/> <b>Silva Valley (K-5)</b><br>100 flyers      | <input type="checkbox"/> <b>Valley View CM (K-8)</b><br>100 flyers   |

**DISTRIBUTION INSTRUCTIONS:** Upon approval, a copy of the application *with approval signature* must be on the top of the flyers/materials to be distributed and delivered to school offices by the requesting entity. Required as part of the approval is that flyers/materials are counted and bundled according to the above numbers for each school.

----- DISTRICT OFFICE USE ONLY -----

<input type="checkbox"/> <b>APPROVED</b>  By: _____ Date: _____  <b>Comments and/or subject to the following conditions:</b> _____ _____ _____	<input type="checkbox"/> <b>DENIED</b>  By: _____ Date: _____  <input type="checkbox"/> Does not meet the criteria of Board Policy 1325 <input type="checkbox"/> Not related to youth activities <input type="checkbox"/> The District does not promote/solicit business for private entities <input type="checkbox"/> This is a school specific fundraising activity. PTO/PTA/PTC's at local schools are in charge of fundraising efforts. Please contact the school PTO/PTA/PTC directly.
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**Public Information Materials**

To cooperate in publicizing community services, special events and public meetings of interest to students and parents/guardians, and to allow for the raising of funds which directly benefit District schools consistent with curricular and extracurricular objectives established by the District, the Superintendent or designee may approve the distribution of printed materials prepared by service organizations, **or nonprofit groups within the boundaries of Buckeye Union School District which extend the community's cultural, recreational, artistic or educational opportunities.**

Materials prepared by governmental agencies may be approved by the school site principal.

Materials to be distributed shall not include any which:

1. Are obscene, libelous, or slanderous, or which incite students to commit unlawful acts, violate school rules, or disrupt the school's orderly operation. (Education Code 48907)
2. Attack or denigrate any group on account of sexual orientation, sexual preference, gender, race, color, national origin, ancestry, religion, sex, age, ethnicity, gender, socio-economic status, or mental or physical disability or sexual harassment.

All informational materials to be distributed shall bear the name, contact location, and telephone number of the sponsoring group, and shall contain a **disclaimer that it is not a program of the Buckeye Union School District.**

Approved materials may be disseminated:

1. by students on a voluntary basis
2. from a central location announced in the Newsletter
3. electronically via the website

All surveys or questionnaires requiring student or parent/guardian response must be first approved by the Assistant Superintendent or designee.

**Advertising**

Solicitation of students for commercial purposes on school premises is prohibited unless specifically approved by the Superintendent or designee.

Advertising of commercial products or services will not be distributed in district schools.

District schools shall not distribute unsolicited merchandise for which an ensuing payment is requested.  
(cf. 1321 - Solicitation of Funds from and by Students)

School-sponsored or district-sponsored publications, announcements, radio and television programs may accept paid advertising and promotional material except that which:

1. Is obscene, libelous, or slanderous, or which incites students to commit unlawful acts, violate school rules, or disrupt the school's orderly operation.
2. Attacks or denigrates any group on account of sexual orientation, gender, ethnic group identification, race, color, ancestry, religion, socio-economic status, or mental or physical disability.
3. Promotes the use or sale of materials or services which are illegal or inconsistent with school objectives. Ads for tobacco, intoxicants, and x-rated movies or products shall not be used.
4. Violates district contracts or federal broadcast licenses.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

## Legal Reference:

## EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

48907 Student exercise of free expression

## BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

## U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

## COURT CASES

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298