

ADVERTISING AND PROMOTION

The Governing Board establishes this policy to ensure effective and consistent standards for advertisements and promotions by non-school groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

Limited Public Forum

The Board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy, approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
2. Distribution of promotional materials of a commercial nature to students or parents/guardians
3. Paid advertisements on school property, including, but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media
5. 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

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.

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

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

The Superintendent, principal, or designee shall not accept for distribution, or allow on school property, any materials or advertisements that:

1. Are lewd, obscene, libelous, or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
3. 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
4. Contain prayer or proselytizing language
5. Position the district on any side of a controversial issue
6. Discriminate against, attack, or denigrate any group on account of any unlawful consideration
7. 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, and movies or products unsuitable for children
8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)
9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee may also 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.

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.

Listed below are the Guidelines for Approval of Media Commercial Shoots or Social Media Videos on Campus. These guidelines are as follows:

1. Pre-Approval Process

- All requests for commercial shoots or social media videos must be submitted to the school administration or designated representative **at least 15 business days** prior to the proposed shoot date.
- A detailed proposal outlining the purpose, content, and scope of the media project must accompany the request. This proposal should include:
 - A description of the content being filmed.
 - Intended use of the media (e.g., advertising, commercial use, social media promotion).
 - A list of equipment to be used during the shoot.
 - Names of all individuals (crew members, talent, etc.) involved in the filming process.
- The administration will evaluate the request based on its alignment with the school's educational mission, community values, and overall appropriateness.

2. Restrictions and Limitations

- **Time and Location:** Filming is restricted to pre-approved times and locations to avoid disruption to school operations, educational activities, or after-school programs. Filming in classrooms during instructional time is prohibited unless it directly supports the educational objectives and is pre-approved.
- **Content Approval:** Content must not promote products, services, or ideas that conflict with the school's values, including but not limited to:
 - Political endorsements.
 - Alcohol, tobacco, and other substance-related content.
 - Content that could be considered offensive, inappropriate, or discriminatory.
- **Student Involvement:** Any use of students in commercial shoots or social media videos must be voluntary and in compliance with FERPA (Family Educational Rights and Privacy Act) guidelines. Written parental consent must be obtained prior to any student's appearance in the content.

3. Privacy and Security

- No video or images may be taken in areas where students or staff have a reasonable expectation of privacy (e.g., restrooms, locker rooms, etc.).
- Filming should not involve identifiable images of students without explicit parental or guardian permission.
- Social media posts or video content must not disclose private or sensitive information related to the school, its staff, or its students.

4. Impact on School Operations

- Media shoots must not interfere with the normal operations of the school, including the disruption of classes, events, or other scheduled activities.
- Shoots involving large equipment, additional lighting, or sound amplification must be reviewed to ensure they do not pose safety hazards or create excessive noise or visual distractions.

5. Liability and Insurance

- All external production companies or individuals involved in the commercial shoot must provide proof of liability insurance covering the duration of the shoot.
- Any damage caused to school property during the production must be repaired or compensated for by the production company.

6. Ethical and Legal Compliance

- All filming activities must comply with local, state, and federal laws regarding intellectual property, copyright, and trademark protection.
- The school reserves the right to review, request edits, or deny the release of any media content that it deems inappropriate or harmful to the school's reputation.

7. Review and Post-Approval

- Final footage must be reviewed by the school administration or its designee prior to release to ensure it adheres to the approved content plan.
- The school retains the right to withdraw approval for media projects if the final product differs significantly from the pre-approved content or violates any of these guidelines.

8. Social Media Considerations

- Content intended for social media platforms must comply with platform-specific guidelines and terms of service.
- The school reserves the right to request removal or edits of any content published on social media that violates these guidelines or misrepresents the school in any way.
- Influencers or content creators must clearly disclose sponsorships or affiliations with brands in any promotional material shot on school property.

9. School's Discretion

- The school administration has the sole discretion to deny or revoke approval for any media-related activities that it deems disruptive, inappropriate, or in conflict with the educational objectives or policies of the school.

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Bus. Code 25664

Description

[Advertisements encouraging minors to drink](#)

CA Constitution Article 1, Section 2

[Freedom of speech and expression](#)

Ed. Code 35160

[Authority of governing boards](#)

Ed. Code 35160.1

[Broad authority of school districts](#)

Ed. Code 35172

[Promotional activities](#)

Ed. Code 38130-38139

[Civic Center Act](#)

Ed. Code 49430-49434

[The Pupil Nutrition, Health, and Achievement Act of 2001](#)

Ed. Code 49431.9

[Prohibition of advertisement of non-nutritious foods](#)

Ed. Code 7050-7058

[Political activities of school officers and employees](#)

Federal

Description

42 USC 1751-1769j

School Lunch Program

42 USC 1773

School Breakfast Program

U.S. Constitution, First Amendment

[Free exercise, free speech, and establishment clauses](#)

Management Resources

Description

Court Case

Yeo v. Town of Lexington (1997) 131 F.3d 241

Court Case

Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 450

Court Case

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

Court Case

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

Court Case

Hills v. Scottsdale Unified School District (2003) 329 F.3d 1044

Court Case

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

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[CSBA](#)

ADOPTED: 11/13/2024