



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First Reading of Policy GKB (LOCAL): Community Relations – Advertising and Fund

Raising in the Schools

SUBMITTED BY: Juan Cruz **OF:** School Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: May 21, 2014

RECOMMENDATION:

It is recommended that the Board of Trustees approve First Reading of Policy GKG (LOCAL): Community Relations – Advertising and Fund Raising in the Schools.

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

COMMUNITY RELATIONS
ADVERTISING AND FUND RAISING IN THE SCHOOLS

GKB
(LOCAL)

PROMOTIONAL
ACTIVITIES

School facilities shall not be used to advertise, promote, sell tickets, or collect funds for any nonschool-related purpose without prior approval of the Superintendent or designee. Nonschool-related organizations may use school facilities only in accordance with GKD.

ADVERTISING

Advertising shall be accepted solely for the purpose of covering the cost of providing materials and equipment, not for the purpose of establishing a forum for communication. The District retains final editorial authority to accept or reject submitted advertisements in a manner consistent with the First Amendment. [See FMA regarding school-sponsored publications]

ADVERTISING
REVENUE

Revenues earned from school advertising will be deposited into a campus activity fund or district program account used to support authorized school activities.

ADVERTISING
GUIDELINES

Advertising subject matter, form, size, wording, illustration and typography will be subject to the approval of the Superintendent or designee. The Superintendent or designee will have the right to reject or omit any advertisement that, at his or her sole discretion, is considered unsuitable for any reason or contrary to the policies of the District as follows:

1. **All advertisements must be submitted to the Superintendent or designee in accordance with administrative regulations.**
2. **Using the standards found in this regulation, the Superintendent or designee will approve or reject the submitted advertisement within ten school days of the time the advertisement was received.**
3. **Only advertisements for commercial businesses and nonprofit entities, whose primary purpose is serving children, will be considered.**
4. **An advertisement will not be approved if:**
 - a. **The advertisement is obscene or vulgar.**
 - b. **The advertisement endorses actions endangering the health or safety of the public.**
 - c. **The advertisement promotes use of alcohol, cigarettes or other tobacco products, illegal drugs, or other controlled substances.**
 - d. **The advertisement would violate the intellectual property rights, privacy rights, or other rights of another person.**

- e. The advertisement contains defamatory statements about public figures or others.
- f. The advertisement advocates imminent lawless or disruptive action and is likely to incite or produce such action.
- g. The advertisement scurrilously attacks ethnic, religious, or racial groups or contains content aimed at creating hostility and violence and would materially and substantially interfere with the rights of others.
- h. There is reasonable cause to believe that the advertisement would result in material and substantial interference with the rights of others.
- i. The advertisement is political, including advertising for or against political candidates, or for or against political propositions and/or referendums.
- j. The advertisement promotes food products that are at variance with national school nutritional standards as set forth in regulations implementing the Healthy, Hunger-Free Kids Act of 2010, or other appropriate nutritional guidelines.
- k. The advertisement is for adult entertainment or sexually oriented businesses of any sort.

Visitors, parents, or patrons of the District may not have campaign materials on District premises and may not wear clothing or badges supporting a political candidate or political position while visiting a campus or department. Campaign stickers are allowed on vehicles of visitors to a District campus or department, but the District will not allow vehicles onto its premises that display signs that are not glued to a window of a vehicle onto District premises.

[See GKB(LOCAL)]

APPEALS

In the event there is a question concerning the appropriateness of any advertising intended for dissemination by the District, the Superintendent or designee, using the above-listed standards, will have final approval authority in such matter.

CONTRACTUAL AGREEMENT

The Superintendent or designee will develop, implement, and execute a general contract agreement template for advertisers, which will include pricing that may be subject to change. All individual contracts are subject to review and approval by the District's Legal Services Counsel.

DEFAULT OF
CONTRACT

The District reserves the right to unilaterally terminate an advertisement contract at any time upon default by the advertiser in paying advertising invoices submitted by the District, or if the advertiser uses unapproved advertisements.

VENDORS/SALESMAN

All vendors/salesman shall be required to clear through the Department of Procurement before visiting any United ISD campuses. Any salesperson on campus must have a letter of authorization, a contract, etc., indicating that they have received approval from the Department of Procurement.

Any representative offering annuities or similar insurance/benefit programs from employees shall be required to clear through the Director of Risk Management.

FLYERS

In general, the District shall not approve distribution of flyers advertising or promoting non-school related events or products. Questions regarding such distribution should be directed to the Assistant Superintendent of administration or director in charge of the area related to the request (i.e. swim teams, Director of Athletics; curriculum, Associate Superintendent of Curriculum and Instruction).

COUPONS AND
PASSES

The decision to distribute coupons or passes to employees and students shall be entirely to the judgment and discretion of the principal.