

BOARD OF EDUCATION  
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64

COMMITTEE-OF-THE-WHOLE on POLICY

MONDAY, January 11, 2010  
6:30 P.M. – 7:30 P.M.

HENDEE EDUCATIONAL SERVICE CENTER  
164 S. PROSPECT AVENUE

**AGENDA**

1. CALL TO ORDER AND ROLL CALL
2. DISCUSSION RELATED TO POLICY 8:25
3. ADJOURNMENT

SP:mw

### **Advertising and Distributing Materials in Schools Provided by Non-District Organizations and Related Entities**

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent.

Certain non-District organizations of parents and organization(s) of teachers shall be allowed to use certain District means of communicating information to parents of elementary school children attending the schools within the District. The District recognizes that parent organizations, booster clubs, and certain non-profit organizations are invaluable resources to the District's schools and that the District's teachers organizations may be involved in the promotion and communication of student or school-related programs and activities. Furthermore, certain governmental agencies may best provide information to parents of the District's students that further the best interests of students' health, safety and well-being.

Therefore, the Board authorizes the following categories of groups, organizations or entities to distribute certain information to parents of elementary school children attending the schools as described within this policy:

- parent organizations and booster clubs recognized by the School Board in accordance with Board Policy 8:90;
- any organization of teachers recognized by the School Board whose official membership is comprised of a majority of the professional certificated personnel of the District and whose membership includes certified teachers in all of the District's schools;
- not-for-profit organizations that acquire and develop resources to fund grants to benefit the students who attend the District's schools and who provide financial gifts to the District totaling more than \$20,000 annually, such as the Elementary Learning Foundation; and
- governmental agencies/departments within the county, state or federal government.

The categories of groups described above may distribute materials which are:

- materials or information directly related to students' school or recreational programs or activities;
- materials or information directly related to school programs or activities where the programs or activities are authorized under the general policies of the Board of Education; or
- materials or information directly related to a fund-raising event of the organization for the purposes of raising funds for the benefit of the schools and/or student-related programs or activities.

All material or information must also have the sponsoring organization's name prominently displayed. Any information included in the Take Homes will be posted on the web.

Information which meets the above criteria may only be distributed in accordance with reasonable procedures developed by the Superintendent which includes distribution of information on a regular basis through a student take-home packet and/or the provision of a link on the District's Website to the materials in electronic form.

The non-District groups, organizations or entities described above, consistent with administrative procedures, may also be allowed to display posters or flyers in designated areas reserved for them to display informational materials in the District's schools.

The non-District groups, organizations or entities described above, consistent with administrative procedures, may also be provided with a link on the District's Website to the official Website of the group, organization, or entity.

### **Commercial Companies and Political Candidates or Parties**

Commercial companies are prohibited from advertising in schools, on school grounds, or on school or District websites, except that the Superintendent may approve commercial activities related to fund-raising events of the above described categories of groups, organizations, and/or entities for the purposes of raising funds for the benefit of the schools and/or student-related programs or activities. No Board approval is needed for commercial material related to graduation, class pictures, or class rings. No part of the School

District, including facilities, the name, the staff, and the students, shall be used for advertising or promoting the interests of any commercial company except as authorized by and consistent with administrative procedures and approved by the Board.

Political candidates or organizations are prohibited from advertising in schools, on school grounds, or on school or District Websites. Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

LEGAL REF.:	<u>Child Evangelism Fellowship of Maryland, Inc. v. Montgomery Cty. Pubic Schools</u> , 457 F.3d 376 (4th Cir. 2006)
	<u>Berger v. Rensselear Central School Corp.</u> , 982 F.2nd 1160 (7th Cir. 1993), <i>cert. denied</i> , 113 S.Ct.2344 (1993).
	<u>DiLoreto v. Downey Unified School Dist.</u> , 196 F.3rd958 (9th cir.1999).
	<u>Hodges v. Wauconda Community Unit School Dist. No. 18</u> , 9F.3rd 5 (7th Cif. 1993).
	<u>Lamb's Chapel v. Center Moriches Union Free School Dist.</u> , 113 S.Ct. 2141 (1993).
CROSS REF.:	<u>Sherman v. Community Consolidated School Dist. 21</u> , 8 F.3d 1160 (7th Cir. 1993), <i>cert. denied</i> , 114S.Ct.2109 (1994).
	8:90 (Parent Organizations and Booster Clubs), 7:325 (Student Fund-Raising Activities), 7:330 (Student Use of Buildings - Equal Access)
ADOPTED:	October 27, 1997
REVISED:	May 27, 2003
	December 11, 2006