

Policy Code: 5210 Distribution of Non-School Material

Students and the educational program must be the focus of the schools. Therefore, the principal must carefully screen and approve the distribution of any non-school material on school property.

A. DISTRIBUTION BY STUDENTS

Students wishing to distribute on campus any publication, leaflet, or other written material which is not school sponsored must submit the material to the principal for review prior to distribution. The principal may prohibit distribution if the material contains speech that is prohibited as specified in section C.1, below. The principal must decide whether or not to allow the publication to be distributed within five school days of its submission for review. The material must be distributed at reasonable times and places as designated by the principal.

B. DISTRIBUTION BY NON-STUDENTS

Except as provided in this policy, non-students will not be permitted to distribute publications on school grounds during the school day or at school activities if the materials are unrelated to instruction, to a school-sponsored activity or to an activity of a school-related group. Materials directly related to instruction, the subject of a school-sponsored activity or an activity of a school-related group may be distributed with the prior approval of the principal pursuant to the standards in section C.1, below.

C. DISTRIBUTION STANDARDS FOR STUDENTS AND NON-STUDENTS

The principal will apply the following standards in approving and distributing all non-school material on school property:

1. The principal must review the materials. While materials will not be screened for viewpoint, the principal will prohibit the distribution of any material that substantially disrupts the educational environment or for which the subject matter conveyed (1) is vulgar, indecent or obscene; (2) contains libelous statements, personal attacks or abusive language such as language defaming a person's character, race, religion, ethnic origin, gender, family status, or disability; (3) causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function, or other school activity; (4) encourages the commission of unlawful acts or the violation of lawful school regulations; or (5) advertises any product or service not permitted to minors by law.
2. The distribution of non-school material will not interfere with instructional time.
3. Materials distributed by students or non-students must be clearly identified, through the method of distribution or otherwise, as non-school materials that are neither endorsed nor necessarily reflective of the views of the school or school district.
4. **Political** campaign materials for candidates may not be distributed to students or employees (including through employee mailboxes, and e-mail) or made available on school grounds during school time, excluding sporting events and fundraisers. This provision does not prohibit a teacher from using **political** literature or campaign material for instructional purposes. However, any teacher using materials for such instructional purposes shall not use his/her position to promote a particular party or candidate and shall ensure that material concerning **political** candidates for a specific office must include all viable candidates of parties recognized by the county board of elections.

5. Political campaign signs will not be displayed on school property.

D. DEFINITIONS

The following terms used in this policy will be defined as follows:

1. Obscene – Any speech or work which the average person, applying contemporary community standards (as opposed to “national standards”) would find, taken as a whole, appeals to prurient interest, or which depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law, and which, taken as a whole, lacks serious literary, artistic, political or scientific value.
2. Libelous statement – False and unprivileged statements about a specific individual which injure that person’s reputation in the community.
3. Substantial disruption – Any conduct which for any reason including inappropriateness of time, place or type of behavior, significantly interferes with school functions, classroom instruction or with the rights of other students or personnel. Examples of substantially disruptive conduct include, but are not limited to, demonstrations, destruction of property, injury to person, shouting or boisterous conduct, related activities and anything that significantly distracts students from instruction or the school district or school personnel from carrying out educational responsibilities.

Nothing in this policy will be construed to create an open forum that would allow non-school groups or persons access to school property for the purpose of distributing materials

Legal References: [U.S. Const. amend. I](#); [G.S. 115C-36, -47](#)

Cross References: Collections and Solicitations (policy 5220)

Adopted: May 8, 2007

RUTHERFORD COUNTY SCHOOLS - BOARD OF EDUCATION

Policy Code: 5240 Advertising in the Schools

The board of education is committed to providing an educational environment with minimal disruptions and distractions for students. Except as provided in this policy, the board prohibits any advertising, marketing, promotion and sponsorship of non-school related products, activities, services or programs (hereinafter “advertising or promotion activities”) during the instructional day and at school activities.

A. APPLICABILITY OF POLICY

This policy applies to any activity designed to encourage students, parents or employees to purchase or participate in products, services, programs or activities of non-school related entities, including commercial and non-profit entities. Examples of prohibited activities include, but are not limited to, announcements, fliers, banners, posters, presentations, product give-aways, and posting of slogans and logos.

This policy does not prohibit the following activities:

- school fundraising activities by students, employees or parent organizations;
- advertisements in school publications such as yearbooks, programs and student newspapers (see below);
- logos or slogans on scoreboards pursuant to a contract approved by the board or superintendent, as authorized;
- boards or banners that are for recognition of donations or sponsorships for a school or the school district; or
- advertisements on school-athletic fields (see below).

B. EXCEPTIONS TO PROHIBITION AGAINST ADVERTISING AND PROMOTION

The superintendent may approve non-school groups or individuals to engage in advertising or promotion activities during the instructional day or at school activities only if the following conditions are met:

- any youth-related products, services or activities advertised or promoted must provide educational, health, safety, cultural, social, or career-related opportunities or information to students;
- any youth-related products, services or activities advertised or promoted must be age appropriate;
- the advertising or promotion activities must be conducted in a manner that does not conflict with the educational mission of the school district;
- students and employees must not be exploited by any advertised or promoted activity;
- assemblies or other meetings of students or staff shall not be called for the purpose of advertising or promoting activities;
- the school or school district must not be obligated in any way to the business or organizations involved in the activities; and
- any materials displayed or distributed must be consistent with the standards of policy [5210](#),

Distribution of Non-School Material.

C. ADVERTISEMENT IN SCHOOL PUBLICATIONS OR ON ATHLETIC FIELDS

This policy is not intended to restrict or prohibit the sale of advertisements by the individual schools in school publications or on athletic fields. However, the board does not intend, by permitting some advertising, to open its school facilities, including school publications or athletic fields, for unlimited access and advertising by the general public. The principal has the authority to approve the placement of advertisements in school publications, pursuant to the following standards:

1. School publications or athletic field advertisements shall not contain material that:
 - is vulgar, indecent or obscene;
 - contains libelous statements, personal attacks or language defaming a person's character, race, religion, ethnic origin, gender, family status or disability;
 - causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function or other school activity;
 - encourages the commission of unlawful acts or the violation of lawful school regulations;
 - promotes or opposes controversial issues or matters;
 - is not age appropriate;
 - encourages actions that endanger the health or safety of students;
 - advertises any product or service not permitted to minors by law;
 - promotes or opposes any ►political◄ candidate or ballot proposition; or
 - contains grammatical or typographical errors.
2. Advertisements in school publications or on athletic fields by non-school related groups or entities will only include limited identifying and contact information of the group.
3. Yearbook advertisements may include individual messages to students, subject to approval by the principal.
4. The board of education reserves to itself the right to cancel any advertisement in its publication that it deems inappropriate or inconsistent with the interests of the school district or its students.
5. The board of education will not discriminate on the basis of viewpoint.

D. ADVERTISEMENT IN ELECTRONIC MEDIA

The board recognizes that some electronic equipment or software may include advertisement. As approved by the superintendent, the school district or individual schools may purchase or accept through donations electronic equipment or software that contains advertising, provided such advertising is consistent with the provisions of sections B and C.1 above.

E. PROTECTION OF STUDENT PRIVACY

Except as provided in section B of policy [4720](#), Surveys of Students, neither the school district nor any individual school shall require students to provide marketing information to vendors either through the provision or personal information or through marketing surveys. In addition, neither the school district

nor any school shall enter into any contract for products or services, including electronic media services, where personal information will be collected from students by the providers of such services, unless for the purposes provided in policy [4720](#), section B. For the purposes of this section, personal information includes, but is not limited to, the student's name, telephone number, email address and home address.

F. PROCESS TO REQUEST TO ADVERTISE

Any entity or individual interested in advertising or promoting pursuant to this policy must submit a request to the principal. The principal will review the request and make a recommendation to the superintendent or his/her designee within 5 working days of receiving the request. The superintendent or designee will review the request and make a decision within 10 working days of receiving the principal's recommendation. As appropriate, the superintendent or designee will consult the board attorney concerning a request to advertise.

Any request denied by the superintendent may be appealed to the board of education. The board will review the request at its next regularly scheduled meeting.

Legal References: [115C-36](#), [-98](#)

Cross References: Technology in the Educational Program (policy [3220](#)), Surveys of Students (policy [4720](#)), Gifts and Bequests (policy [8220](#))

Adopted: January 9, 2007

RUTHERFORD COUNTY SCHOOLS - BOARD OF EDUCATION
