

KHC DISTRIBUTION / POSTING OF PROMOTIONAL MATERIALS

As a community service, the Governing Board authorizes its schools to distribute or disseminate promotional material of nonprofit organizations that provide activities and instruction for school age children. The Board does not authorize the distribution or dissemination of any material that would promote a program, activity or event that would conflict with students' enrollment and attendance in the District's schools.

The District and its schools may restrict distribution of promotional materials of organizations to specific times or dates, or to postpone distribution of such materials due to shortage of available staff or other District or school priorities. Organizations assume the risk that schools will not distribute time-sensitive promotional material on or before a desired date.

Nonschool promotional material soliciting for or promoting participation in commercial offerings or other materials of any for-profit organization, will not be allowed on school property during school sessions, unless that material provides financial benefit to the educational program as determined by the Board.

The organization's promotional material shall not:

- Cause the District to violate state or federal laws.
- Promote illegal discrimination on the basis of gender, race, religion, national origin or ethnicity, or disability.
- Promote illegal activity for minors.
- Defame a person or organization.
- Threaten serious disruption of a school or school-sponsored activity.

As required by federal law, the District will not deny an outside organization the opportunity to distribute or display promotional material because the offered program, activity or event will be provided from a religious, philosophical or political perspective.

Limited Public Forum

The District operates its schools as nonpublic forums. This policy is intended to create a limited public forum for the distribution or display of promotional materials of outside nonprofit organizations, subject to the terms and conditions set forth in this policy and any regulations adopted by the Superintendent to implement this policy. The Governing Board may redefine or close the limited public forum at any time.

Dispute Resolution

The administration of the District and its schools shall apply this policy in good faith and in a nondiscriminatory manner. If the District refuses to distribute or disseminate material because it is deemed to be nonconforming, the organization will be given an opportunity to make necessary revisions and/or deletions and resubmit the material for approval. An organization that believes that this regulation has been applied improperly may request review by the Superintendent or the Superintendent's designee. The Superintendent or the Superintendent's designee shall determine, in his or her sole judgment, whether material submitted for distribution or display is conforming promotional material and whether this policy, including the guidelines, have been applied properly.

Any challenged to a denial to distribute or post materials issued to a student or the student's parents shall follow the provisions of A.R.S. Section [15-110\(G\)](#), which include that the student or the student's parents may not initiate any legal action unless the student or the student's parents have filed a complaint and allowed an investigation to ensue as per that statute.

Manner of Displaying/Posting

The manner of communication shall be through digital upload and posting on the eflyer website, mobile app, and parent eflyer e-mails. Display/posting or stacking of physical non-school promotional materials is prohibited in any school location.

Flyer Application Process

Nonprofit organizations will create an online account to establish their nonprofit eligibility in order to display/post flyers. Once an organization is approved, the nonprofit organization will complete an online application form and upload pdf documents/flyer for approval for each flyer they wish to display/post. A Communications & Community Engagement staff designee will approve flyers which meet the guidelines outlined in this policy for display/posting on the eflyer website, mobile app, and parent e-mails.

Parents will be able to opt-out of e-mails containing flyers.

Cave Creek Unified School District neither endorses nor sponsors the organizations or activities promoted in such materials. The administration of the Cave Creek Unified School District shall apply this policy in good faith and in a non-discriminatory manner, but always in the best interests of the District's students, good order, and the District's education mission, as determined by the Superintendent or the Superintendent's designee, without appeal. If the District refuses to distribute or display material because it is deemed to be non-conforming, the outside organization will be given an opportunity to make necessary revisions and/or deletions and resubmit the material for approval. An organization that believes that this policy has been applied improperly may request review by the Superintendent or designated administrator.

Regulations

The Superintendent may adopt regulations as necessary to implement this policy.

Adopted: October 10, 2016

LEGAL REF.:

A.R.S.

[15-110](#)

20 U.S.C. 9134, The Children's Internet Protection Act

47 U.S.C. 254, Communications Act of 1934 (The Children's Internet Protection Act)

CROSS REF.:

[KD](#) - Public Information and Communications