Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3308 Distribution of Printed Material and Advertising in School

District facilities may be used to advertise or distribute printed information for commercial or promotional purposes ("Advertisement") in accordance with this Policy. An approved Advertisement does not reflect the District's approval or endorsement of any product, organization, service, or issue referenced in the Advertisement. An Advertisement does not include public recognition or commemoration of District or student organization donors and sponsors.

A. General Restrictions on Advertisements

1. No Advertisement may:

    - violate law or Policy or urge a violation of law or Policy;
    - lie or mislead;
    - advocate the use, or advertise the availability, of tobacco (including e-cigarettes), alcohol, cannabis/marihuana, illegal drugs, or related paraphernalia;
    - contain a statement or image that describes or displays profanity, pornography, sexual activity, nudity, violence, serious injuries, or corpses;
    - incite violence or advocate the unlawful use of force;
    - invade a person's privacy;
    - violate a trademark, copyright, patent, or other intellectual property right;
    - include material inappropriate for the maturity level of the students exposed to the Advertisement; or
    - create a likelihood of a material and substantial disruption.

2. The District may regulate Advertisement content within legally permitted parameters.

3. The District may determine the size, location, and times of display of all Advertisements.

B. Student Group Advertisements

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1. A student group is 1 or more students participating in District-sponsored curricular or extracurricular activities supervised by District personnel, such as an athletic team, student council, academic team, or student club.

2. A student group may use District facilities for that group's Advertisements with the prior approval of the applicable building principal or designee.

3. A non-student group Advertisement that appears within materials produced or distributed by a student group (e.g., yearbooks, student newspapers, and athletics or student club publications) is considered a non-student group Advertisement.

C. Non-Student Group Advertisements

1. A non-student group Advertisement is any Advertisement that is not considered a student group Advertisement or District speech.

2. A non-student group Advertisement must:

- include a statement explaining that the group is not affiliated with, or endorsed by, the District;
- receive prior approval from the Board or Superintendent or designee; and
- be subject to a written contract with the District describing each party's obligations and rights.

3. A non-student group Advertisement may not reference a political candidate or ballot question.

4. A non-student group Advertisement, if approved, is intended to generate revenue and does not create a forum for speech or expression.

D. School Bus Advertisements

1. An Advertisement may not appear on the exterior of a school bus.

2. The District may allow an Advertisement in a school bus interior to the extent consistent with MDE's "Advertising Inside School Buses" guidelines: https://www.michigan.gov/documents/mde/Advertising_Inside_School_Buses_325476_7.pdf. A school bus Advertisement is otherwise subject to the same restrictions and approval procedures as other Advertisements.

E. District Speech

An Advertisement does not include material used to promote, inform, or collect funds for a product or service the District uses or authorizes in the performance of its educational operations, regardless of whether the product or service is provided by a non-student group. That material is considered the District's speech. Examples include, but are not limited to, material distributed by District

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vendors whose products or services the District uses or encourages students or staff to use.

Legal authority: MCL 257.1833

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