



# BUCKEYE UNION SCHOOL DISTRICT

## APPLICATION TO DISTRIBUTE FLYERS/MATERIALS

Community flyers/materials (other than government agencies) must have prior approval by the Superintendent for distribution to our schools. **PLEASE ALLOW A MINIMUM OF THREE (3) WORKING DAYS TO OBTAIN APPROVAL.** It will be your responsibility to deliver the flyers, bundled in appropriate quantities (see below), **with a copy of this approval form to each school.** Flyers may also be posted in the office and notice of such in the school newsletters.

Please complete the information below and attach a copy of the flyer you wish to distribute:

Organization: \_\_\_\_\_ Non-Profit: Yes No (circle one)  
 Non-Profit Tax D#: \_\_\_\_\_

Address: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Fax No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

School(s) do you wish to distribute the flyers/materials:

All Sites   
  Blue Oak   
  Brooks   
  Buckeye   
  Camerado  
 Oak Meadow   
  Rolling Hills   
  Silva Valley   
  Valley View Charter

Distribution date: \_\_\_\_\_ Description of Flyer: \_\_\_\_\_

Signature of Person Making Request: \_\_\_\_\_

Printed Name of Person Making Request: \_\_\_\_\_

\*\*Required as part of the approval is that flyers will be counted out and bundled according to the following numbers:

Blue Oak (K-5)	Brooks (K-5)	Buckeye (K-5)	Oak Meadow (K-5)	Silva Valley (K-5)	Valley View (K-6)	Camerado (6-8)	Rolling Hills (6-8)
50 flyers	75-100 flyers	30 flyers	75-100 flyers	100 flyers	100 flyers	100 flyers	100 flyers

<p style="text-align: center;"><input type="checkbox"/> <b>APPROVED</b></p> <p>By: _____ Date: _____</p> <p>Comments and/or subject to the following conditions:</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p style="text-align: center;"><input type="checkbox"/> <b>DENIED</b></p> <p>By: _____ Date: _____</p> <p><input type="checkbox"/> Not related to youth activities</p> <p><input type="checkbox"/> Does not meet the criteria of Board Policy 1325</p> <p><input type="checkbox"/> The District does not promote/solicit business for private entities</p> <p><input type="checkbox"/> This is a fundraising activity. PTC's at local schools are in charge of fundraising. Please contact the school directly.</p>
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## Directions to Distribute Flyers/Materials

- Review Board Policy 1325 to see if your flyer/materials fall within the policy guidelines
- Complete the Application to Distribute Flyers/Materials
- Attach your flyer to the application and return to the Superintendent's office
- If your flyer is approved, **please attach a copy of the approval** with each set of flyers distributed to a site as indicated on the application
- Thank you, and if you have any questions, please contact Coleen Schwiertert at 916.985.2183 ext. 1012 / fax 916.934.0920 or [cschwiertert@buckeyeusd.org](mailto:cschwiertert@buckeyeusd.org)

**Advertising and Promotion**

Public Information Materials

To cooperate in publicizing community services, special events and public meetings of interest to students and parents/guardians, and to allow for the raising of funds which directly benefit District schools consistent with curricular and extracurricular objectives established by the District, the Superintendent or designee may approve the distribution of printed materials prepared by service organizations, or nonprofit groups *within the boundaries of Buckeye Union School District* which extend the community's cultural, recreational, artistic or educational opportunities.

Materials prepared by governmental agencies may be approved by the school site principal.

Materials to be distributed shall not include any which:

1. Are obscene, libelous, or slanderous, or which incite students to commit unlawful acts, violate school rules, or disrupt the school's orderly operation. (Education Code 48907)
2. Attack or denigrate any group on account of sexual orientation, sexual preference, gender, race, color, national origin, ancestry, religion, sex, age, ethnicity, gender, socio-economic status, or mental or physical disability or sexual harassment.

All informational materials to be distributed shall bear the name, contact location, and telephone number of the sponsoring group, and shall contain a disclaimer that it is not a program of the Buckeye Union School District.

Approved materials may be disseminated:

1. by students on a voluntary basis
2. from a central location announced in the Newsletter
3. electronically via the website

All surveys or questionnaires requiring student or parent/guardian response must be first approved by the Assistant Superintendent or designee.

Advertising

Solicitation of students for commercial purposes on school premises is prohibited unless specifically approved by the Superintendent or designee.

Advertising of commercial products or services will not be distributed in district schools.

District schools shall not distribute unsolicited merchandise for which an ensuing payment is requested.

(cf. 1321 - Solicitation of Funds from and by Students)

School-sponsored or district-sponsored publications, announcements, radio and television programs may accept paid advertising and promotional material except that which:

1. Is obscene, libelous, or slanderous, or which incites students to commit unlawful acts, violate school rules, or disrupt the school's orderly operation.
2. Attacks or denigrates any group on account of sexual orientation, gender, ethnic group identification, race, color, ancestry, religion, socio-economic status, or mental or physical disability.
3. Promotes the use or sale of materials or services which are illegal or inconsistent with school
4. Violates district contracts or federal broadcast licenses.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

Legal Reference:

**EDUCATION CODE**

7050-7058 Political activities of school officers and employees  
35160 Authority of governing boards  
35160.1 Broad authority of school districts  
35172 Promotional activities  
38130-38138 Civic Center Act  
48907 Student exercise of free expression

**BUSINESS AND PROFESSIONS CODE**

25664 Advertisements encouraging minors to drink

**U.S. CONSTITUTION**

Amendment 1, Freedom of speech and expression

**COURT CASES**

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958  
Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623  
Henry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856  
Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350  
Lehman v. Shaker Heights, (1974) 418 U.S. 298

**BP 1325  
October 21, 2015**

**BUCKEYE UNION SCHOOL DISTRICT Adopted:  
El Dorado Hills, California**