

<p style="text-align: center;">TUCSON UNIFIED SCHOOL DISTRICT</p> <p style="text-align: center;">GOVERNING BOARD REGULATION</p>	<p>REGULATION TITLE:</p> <p>Advertising in Schools</p>
	<p>REGULATION CODE: KHB-R</p>

Overview

Policy KHB has been adopted to allow advertising throughout the Tucson Unified School District (TUSD). This regulation serves as a guide to implementing the policy. This policy applies to commercial activity such as advertisements, sponsorships, or acknowledgments through media that includes, but is not limited to, broadcast, internet, print, closed-circuit, billboard, sponsorship of academic and sports programs and other major District campaigns, programs and activities, marketing activities, including marketing through electronic media and the District computer network, rights to use the District or individual school name and logo and exclusive rights agreements between the District and private entities. This policy applies to all schools, all school programs, and all Governing Board programs.

Acceptance and posting of advertisements, sponsorships, or acknowledgments does not imply that the District endorses any particular product, service, or technique. Nor does it reflect the opinion of the District regarding any such product, service, or technique. The District does not control the content of outside websites and does not sponsor or endorse any messages, products or services contained on such websites. All advertisements must include the following disclaimer either in print or in a script for radio or video advertisements:

Tucson Unified School District neither endorses nor sponsors the organization or activity represented in this material

Definitions

1. Advertisement: For the purposes of this policy, “advertisement” means the electronic or non-electronic, display of names, acronyms, monikers, insignias, logos, illustrations, holographs, designs and/or images of corporate, partnership, individual or other lawful sponsors, as well as electronic or non-electronic displays of product and/or service-oriented promotional messages, mottos, slogans, illustrations, photographs, holographs, designs and/or images principally designed to facilitate a commercial transaction.
2. Promotional Material: This policy shall not apply to the distribution of promotional material which is defined as written material that is intended solely to notify students and their parents of an opportunity for students to participate in an after-school, inter-session or weekend program, activity or event that is directed specifically to students and promotes the health, education, or welfare of students. Promotional

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material may take the form of notices, announcements, brochures, and fliers. Promotional material does not include material that: 1) Promotes a program, activity or event that would conflict with a student’s enrollment and attendance in Tucson Unified schools or 2) Promotes a program, activity, or event primarily for parents or other adults.

3. Outside organization: Outside organization means any nonprofit or tax-exempt organization other than a school-related organization as defined in [Board Policy KHC](#).
4. Student organizations: Student organizations recognized under Policy KHB are defined in Policy JJA, Student Organizations, Clubs and Student Government.
5. Sponsorship: For the purposes of this policy, a sponsorship is the provision of goods, money, or services by a commercial partner without promotion of that party or its goods or services being the principal purpose. See *also* DJ – Purchasing Policy Ethics.
6. Acknowledgement: An acknowledgment is the display of the name or logo or product lines of a non-District party on a web page in recognition of goods or services or financial support provided by that party.

A. Advertising Approval Process

In addition to those restrictions and guidelines contained in Section B. *Advertising Content Restrictions*, the Superintendent or the designee(s) shall prepare content restrictions and guidelines which shall be consulted for every advertising and sponsorship opportunity proposal.

Using the approved advertising application form (Letter of Intent) found in KHB-E, requests for advertising will be presented to the Superintendent or Superintendent’s designee(s). To facilitate this process, the advertisement or sponsorship, including its graphic design, must be submitted to the Superintendent or designee(s) in sufficient detail to determine the content and general appearance. Proposals submitted to school clubs and student organizations must also be prepared using the same form and submitted to the Superintendent or designee(s).

The Superintendent shall designate the authority to approve athletic field/facility, and school-related advertising and sponsorship proposals to the specific school principal.

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Proposals must be approved consistent with the guidelines and content restrictions both contained within this regulation and adopted in the future. The Superintendent shall designate the authority to approve all other advertising or sponsorship proposals to the Communications and Media Relations Department. The Superintendent shall retain both the authority to approve any advertisements and sponsorships as well as the authority to designate to new committees or individuals.

After due consideration and deliberation, the Superintendent or designee(s) will either approve or decline the requested advertisement or sponsorship. The Superintendent or designee(s) has the discretion to decline specific advertisements and sponsorships.

No advertising or sponsorship shall be allowed before an agreement is executed in writing. The amount of revenue charged and/or in-kind benefits to be received, and the terms of the written agreements, shall be determined by the Superintendent or designee(s) and may be added as an exhibit to this regulation.

Previous school marquee acknowledgment agreements made under [District Policy FFC](#) will be governed by their current contractual terms, until the contracts are renewed, at which point the new contract will be governed by the approval procedures and content restrictions and guidelines herein. New donations to sponsor marquee signs and any acknowledgments that result must follow the approval procedures and abide by content restrictions and guidelines delineated herein.

Use of social media icons and technology logos for the purpose of linking to District social media accounts or webservices will not be subject to the approval procedures or content restrictions and guidelines delineated herein.

The District may use all unsold advertising space at its sole discretion, including, but not limited to, promotion of district or school-sponsored events and activities.

B. Advertising Content Restrictions

It is the intent of this policy to preserve all advertisable District property as a nonpublic forum and to control the content of advertising and sponsorships consistent with the guidelines set forth in this policy and related District policies, and consistent with applicable law. Unless otherwise prohibited by law nothing herein shall be construed to prevent the District or a District school from the sale of advertising space in accordance with A.R.S. §[15-342 \(27\)](#), subject to the following conditions:

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1. All advertisements will be respectful of all people, and not discriminate on the basis of race, color, gender, national origin, ethnicity, age, sexual orientation, gender identity/expression, religion, marital status, socioeconomic status, cultural background, familial status, or physical or linguistic characteristics. See AC-R – Discrimination Complaint Procedure Regulation.
2. All advertisements will be age appropriate.
3. All advertisements will not promote any substance that is illegal for minors such as alcohol, tobacco and drugs or gambling.
4. All advertisements will comply with the state sex education policy of abstinence.
5. All advertisements shall meet high standards for appearance.
6. All advertisements must be impermanent and cause no destruction of school property upon removal.
7. All advertisements will be consistent with the positive values Tucson Unified promotes for its students. See ACC- *Commitment to Diversity, Inclusion, and Equity*.

Additionally, the following restrictions will be in place when reviewing ad copy. The advertisements WILL NOT:

1. Be obscene or pornographic as defined by prevailing community standards.
2. Be slanderous or include language that is obscene vulgar, profane, or scatological.
3. Contain material harmful to minors as defined in Title 13, Chapter 35, Arizona Revised Statutes.
4. Discriminate, demean, harass, or ridicule any person or group of persons on the basis of ethnicity, race, religion, gender, sexual orientation, or gender identity/expression. See Policy AC – Non-Discrimination.
5. Inhibit the functioning of the school and/or school district.
6. Override the school/school district identity.

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7. Promote a charter school or private school.
8. Promote, favor, or oppose the candidacy of any candidate for election, adoption of any bond/budget issues, any federal, state, or local ballot issue, any ballot question or matter that is or may be at issue in a public election, or any public question submitted at any general, county, municipal or school election. *See also* A.R.S. 15-311 and GBI - District and Staff Participation in Political Activities.
9. Promote hostility, disorder, or violence.
10. Promote the use of drugs, alcohol, tobacco, vaping, e-cigarette, firearms, or certain products that create community concerns.
11. Promote any religious or political organization. This does not prohibit any facility rental agreement where a religious organization is permitted to place signage in accordance with that agreement.
12. Use any District or school logo without prior approval.
13. Use District resources for direct marketing to District employees, students, or their families unless approved in writing by the Superintendent or the Superintendent's designee.

This list is not all-inclusive. Acknowledgment and Sponsorships (except for the situations laid out in section II of this policy) are subject to the same standards and values elaborated above and any others determined by the Superintendent and their designee(s).

The Superintendent or their designee(s), shall have the right to refuse advertising that would otherwise be inappropriate for discipline and good order, and for competitive, pedagogical, or other lawful reasons. The Superintendent and designee(s) shall exercise such discretion consistent with the United States and Arizona Constitutions.

C. Advertising Revenues

All revenues raised through the approved sale of advertising opportunities will be deposited in accordance with District policy, regulation, and guidelines. Per the USFR, the District Operating Guide (D.A.W.G.), and A.R.S. § 15-342(27)(c), Tucson Unified

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may use advertising revenue for any district purpose and the monies are not subject to reversion.

Every reasonable effort shall be made to maximize the revenue and in-kind benefits resulting from advertising agreements. Use of the revenue and in-kind benefits from advertising shall follow all District policies, regulations, and guidelines. Advertisement on the District's website or on websites maintained by the District, including, but not limited to, school websites, will be controlled by the District and all revenue will remain at the District level.

Revenue from the sale of advertisable spaces or sponsorships will be distributed as follows: Ten percent (10%) shall be retained for administrative costs incurred by central services in managing funds and advertising content as described in this Regulation, and ninety percent (90%) shall be distributed to the site that generated the rental revenue. Student organizations (as defined under Policy JJA) will retain one hundred percent (100%) of all revenues raised from the sale of advertisements or sponsorships.

D. School Bus Advertisements

Process

Advertisements for school buses will follow the same process and be held to the same standards as other advertisements as outlined in sections A and B above.

Restrictions

In addition to the established content restrictions and guidelines, advertising approved by the Superintendent or designee(s) for the exterior of school buses may appear only on the sides of the bus in the following areas:

- The signs shall be below the seat level rub rail and not extend above the bottom of the side windows.
- The signs shall be at least three (3) inches from any required lettering, lamp, wheel well or reflector behind the service door or stop signal arm.
- The signs shall not extend from the body of the bus so as to allow a handhold or present a danger to pedestrians.

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- The signs shall not interfere with the operation of any door or window.
- The signs shall not be placed on any emergency doors.

The inclusion of advertisements on school district buses does not constitute approval and/or endorsement of any product, service, organization, or activity. Approved advertising will not imply or declare such approval or endorsement.

ADOPTED: February 10, 2022

Reference:

- [AC – Non-Discrimination](#)
- [AC-R – Discrimination Complaint Procedure Regulation](#)
- [ACC- Commitment to Diversity, Inclusion, and Equity](#)
- [DJ – Purchasing Policy Ethics](#)
- [FFC – School Marquee Signs](#)
- [GBI - District and Staff Participation in Political Activities](#)
- [JJA - Student Organizations, Clubs and Student Government](#)
- [KHB – Advertising in Schools](#)
- [KHC – Distribution/Display of Promotional Materials](#)