Regulations Governing Distribution of Electronic Flyers through the Peachjar System

Adopted: [Month] 2020

Purpose

The purpose of the digital distribution of electronic flyers (eflyers) through the Peachjar system by Loudoun County Public Schools (LCPS) is to replace the prior practice of sending printed, paper flyers to parents and guardians in student backpacks. While the public, including students, may also access the flyers from an LCPS webpage or the LCPS mobile app, the sole purpose of electronic flyer distribution is to provide a means of communicating LCPS school flyers, flyers submitted by certain government organizations and flyers submitted by qualifying community groups to parents and guardians of LCPS students. Parents are automatically sent the eflyers for their school and the division-wide flyers.

LCPS does not intend to create any type of public forum for civil discourse or to expand the subject-matter categories or entities eligible to submit flyers beyond the past practice, which was narrow in scope and limited to sending home information from schools and qualifying community groups that was supportive of the LCPS K12 mission and designed to provide age-appropriate educational and youth development opportunities for students. “Youth development opportunities” is defined as activities and experiences that help youth develop social, ethical, emotional, physical, and cognitive competencies.

The restrictions on flyers stated below have been narrowly tailored to meet the stated purpose while being viewpoint neutral and reasonable. Flyers must be for the sole stated purpose of these regulations.

Prior Approval of Eflyers

LCPS, through the Public Information Office, must approve eflyers to be distributed or made available through the Peachjar system division-wide or to more than one school. School principals are authorized to approve eflyers to be distributed or made available through the Peachjar network to their school community in accordance with the criteria set forth in these regulations.

The content of eflyers submitted for distribution by qualified community groups (identified in items 4 through 9 under “Qualifying Organizations,” below) must be for the purpose of promoting K12-focused youth development opportunities to the parents and guardians of LCPS students.

Eflyers meeting the limited purpose of this eflyer-distribution program that do not contain prohibited subject matters and which are from the LCPS division, schools, school-sponsored curricular and non-curricular student organizations, and certain government organizations shall be approved. Community groups meeting the eligibility criteria below may also submit eflyers in compliance with these guidelines.
Qualifying Organizations

The following groups are eligible to distribute eflyers through the Peachjar system provided they otherwise meet the purpose of these regulations and do not contain prohibited subject matters:

1. LCPS and LCPS schools (including charter schools, school parent-teacher associations/organizations or booster clubs). Charter schools, parent teacher associations/organizations and booster clubs are considered as part of the school for the purposes of these regulations. Schools may promote commercial enterprises that offer direct financial benefit to a school, for example, through spirit nights or participation in after-school enrichment programs. The content of any flyer approved by a principal for parent-teacher associations/organizations that provides information about a commercial enterprise must reflect the nature of the enterprise’s relationship with the school (e.g., “XYZ, Inc., is a business partner of ABC Elementary School.”). These items must be included under the “Parent Groups” category when uploaded.

2. Curricular and non-curricular student clubs/activities sponsored by the school are also considered as part of the school for the purposes of these regulations.

3. Federal, Commonwealth of Virginia, and local governmental units within Loudoun County.

4. Youth athletic organizations that are registered with the Virginia State Corporation Commission or the IRS as a nonprofit.

5. Youth development nonprofit organizations with an office in Loudoun or Fairfax Counties that are registered or have filed an application for recognition as a nonprofit with the Virginia State Corporation Commission or the IRS, including the Boy Scouts of America, the Girl Scouts of America, Heritage Girls, Indian Scouts and other similar groups or faith-based nonprofit organizations.

6. Nonprofit cultural arts organizations offering youth-focused learning opportunities or performances.

7. Private nonprofit K12-focused educational organizations.

8. Nonprofit childcare providers.

9. Colleges and universities offering K12-focused educational opportunities.

The Public Information Office will verify that submitting organizations have valid nonprofit status prior to the distribution of any materials. Community organizations and government entities that approach principals with requests must be directed to the Public Information Office.

Prohibited Subject-Matter Categories

For this service to be attractive to the diverse LCPS parent/guardian and student community, these regulations are narrowly tailored to protect that community from disruptions, inequities or divisiveness. LCPS finds that issue-oriented flyers including political, religious and advocacy ads, for and against, can be and have been disruptive, inequitable and divisive to the LCPS parent/guardian and student
community and therefore we intend to preserve the tranquility of the PeachJar eflyer environment and LCPS for LCPS parents/guardians and students.

Principals and Public Information Office staff will not approve any materials which:

- use LCPS division or school logos or graphics (except for LCPS school flyers);
- are ads for commercial enterprises, products or services (except school eflyers distributed to promote joint initiatives with supporting businesses);
- are copyrighted other than by the author of the material submitted;
- are false, misleading or deceptive;
- are obscene, pornographic, libelous or defamatory;
- are reasonably likely to cause substantial disruption of or material interference with school instruction or activities, the operation of the school, the school division or the School Board as a whole;
- promote or oppose any religion or no religion (student-led religious non-curricular clubs shall be provided access to the digital eflyer platform on the same basis as all other student non-curricular clubs/activities, and faith-based community groups meeting these regulations remain eligible for the eflyer distribution program);
- endorse or encourage any violation of the Student Rights and Responsibilities Handbook, advocate the commission of a criminal act, promote the unlawful possession of weapons, promote illegal gambling, or encourage the violation of any law or School Board policy;
- are for or against any candidate, measure, or political/advocacy or ballot issue, including the display of a candidate’s or candidate’s opponent’s image, likeness, logo, badge, emblem or the ballot issue, number, title, subject, logo or related graphics.

The Public Information Office will document the approval of each eflyer approved for distribution to multiple schools and maintain a record of the approval for 90 days.

Principals must use these regulations to approve or deny any materials sought to be distributed or made available by parent-teacher associations/organizations or booster clubs that directly relate to an individual school. The content of any eflyer approved by a principal for parent-teacher associations/organizations that provides information about a commercial enterprise must reflect the nature of the enterprise’s relationship with the school (e.g., “XYZ, Inc., is a business partner of ABC Elementary School.”). Any school-sponsored activity to be shared with an audience beyond the sponsoring school must be submitted to the Public Information Office for approval and distribution.

Materials submitted for distribution by non-LCPS organizations must clearly indicate their source and must include the following statement: “This activity is not sponsored or endorsed by Loudoun County Public Schools” on each page of the materials. Materials that do not include this disclaimer in the body of the text contained on the eflyer will not be distributed.

Legal Refs.:

Cross Ref: Policy 2510 School-Community Communications and Community Involvement
Eflyer Approval Checklist

LCPS PIO will document approval of each eflyer distributed at the division level, including the information below. The documentation will be maintained for 90 days.

This form is to be used in conjunction with Regulation 2510, Regulation Governing Distribution of Electronic Flyers through the Peachjar System, which contains additional, important information.

**Flyer title**

**Submitting Organization:** (Name/Location)

**501(c)(3)/VSCC Non-profit Status Verified:** Yes/No (Time/Date/Source)

**Category of Qualification** (check all that apply) (see Regulations for full description):

- [ ] LCPS department or school
- [ ] LCPS-school parent-teacher association/organization or booster club
- [ ] LCPS-school-sponsored student club/activity
- [ ] Federal, Virginia or Loudoun governmental unit
- [ ] Nonprofit youth development organization in Loudoun or Fairfax
- [ ] Nonprofit youth athletic organizations
- [ ] Nonprofit cultural arts organizations
- [ ] Private nonprofit K12 educational organizations
- [ ] Nonprofit childcare provider
- [ ] College or university offering K12 educational opportunity

**Complies with all content prohibitions** (see list below): Yes/No

Materials which meet any of the criteria below are prohibited:

- [ ] use LCPS division or school logos or graphics;
- [ ] are ads for commercial enterprise, product or service (except PTA/PTO flyers distributed to promote joint initiatives);
- [ ] are copyrighted other than by the author of the material submitted;
- [ ] are false, misleading or deceptive;
- [ ] are obscene, pornographic, libelous or defamatory;
- [ ] are reasonably likely to cause substantial disruption of or material interference with school instruction or activities, the operation of the school, the school division or the School Board as a whole;
- [ ] contain language that is intimidating, demeaning, harassing or threatening;
- [ ] promote or oppose religion or no religion (student-led religious non-curricular clubs shall be provided access to the digital eflyer platform on the same basis as all other student non-curricular clubs/activities, and faith-based community groups meeting these regulations remain eligible for the program);
- [ ] endorse or encourage any violation of the Student Rights and Responsibilities Handbook, advocate the commission of a criminal act or promote the unlawful possession of weapons, promote illegal gambling, or encourage the violation of any law or School Board policies;
are for or against any candidate, measure, or political/advocacy or ballot issue, including the display of a candidate’s or candidate’s opponent’s image, likeness, logo, badge, emblem or the ballot issue, number, title, subject, logo or related graphics.

Disclaimer on each page (see guidelines for required text): Yes/No

Reviewer (initials)

Date: