

**DECISION MAKING POINTS: ADVERTISING AND DISTRIBUTION OF MATERIALS
POLICY (APPROVED BY BOARD OF TRUSTEES ON MAY 22, 2019)****Definitions:**

- *Advertising* means any public notice, representation, or activity, including promotional and marketing activities, that is intended to attract attention to a commercial or non-commercial product or service, the brand name of the product or service, the name of the premises where the product or service is available, or the name under which the holder of the product or service carries on business.
- *Advertising Tools* can be delivered through various methods, including website posting, display of materials, social media marketing, newspaper, radio or television advertising, public speaking, distribution of flyers, booklets, promotional products (i.e. magnets, t-shirts or calendars, etc.), as well as event sponsorships, among other means. The terms "advertise" and "advertisement" have corresponding meanings.
- *Approved Vendors* are external entities selected and approved through a central procurement process.
- *Board Property* means all schools administrative and non-administrative Board-operated buildings or lands owned or occupied by the Board, including schools as defined by the *Education Act*. Board-owned vehicles and machinery are also considered Board property (*based on York DSB definition*).
- *Central agreements* are formal contractual agreements established between the TDSB and external entities for the delivery of education related programs, goods or services.
- *Distribution of Materials* means dissemination of information from external organizations to staff, students, parents/guardians and the broader school community through TDSB's distribution system.
- *Distribution System* refers to the TDSB's distribution system where information is circulated from central TDSB departments to local schools and may include physical (e.g. handouts, bulletin board, inclusion in a newsletter or making the materials available in the school office) or electronic (e.g., e-bulletin board) methods. Materials may be referred to the Principal and/or school council for final review and approval. The TDSB's distribution system referred to herein does not include school and school council websites, indoor or outdoor signage and apps used in classrooms.
- *Education related programs* are programs, goods or services provided by external agencies that support student engagement, well-being, parent engagement and achievement through the provision of services or programs that

enhance curriculum and help students expand their learning opportunities. These arrangements shall not be interpreted as forming legal partnerships under the Partnership Act or any Canadian jurisprudence.

- *Education Partnership Agreement*: A partnership agreement is a document defining the terms for educational programming or services implemented by external agencies at TDSB sites.
- *Public Health, Safety and Essential Notices* are informational messages shared by other levels of government or agencies (e.g. Ministry of Education, City of Toronto, Toronto Police, Toronto Public Health, etc.), the TDSB (e.g. Board departments, Board approved information, free and discounted tickets supporting students/family activities) or as approved by the Director of Education.

Provision 1: Application and Scope of the Policy

This Policy applies to all TDSB employees and Trustees.

The Policy also covers students, parents/guardians, volunteers, the Board's school councils, community advisory committees and their members, contractors, and Board visitors.

Permit holders are not permitted to advertise in schools as per the Permit Holder's Agreement.

School council advertising activities are governed by this Policy and must conform to the school council's mandate of improving pupil achievement and enhancing the accountability of the public education system through the active participation of parents, in accordance with Ontario Regulation 612/00.

Provision 2: Mission & Values

Advertisement materials must be consistent with the Board's Mission and Values and will not be in contravention of any Board policy.

The Board will not allow any advertising activities or distribution of materials on Board property, including in its schools or through Board communication mechanisms that are political or religious in nature, promote hatred, violence, prejudice, discrimination or bias against any groups or individuals.

Provision 3: Allowable Scope of Advertising

Option B (Board Approved Option, May 22, 2019):

Advertising on Board property will not be permitted, with the exception of public health or safety notices and advertising of education-related programs, goods and services by:

- (1) Board's partners, approved vendors or service providers (for-profit or non-profit) that have entered into formal agreement with the TDSB after completion of the required vetting process;
- (2) vendors (for-profit or non-profit) approved through the central procurement process; or
- (3) other levels of government and agencies (e.g., Ministry of Education, City of Toronto, Toronto Police Service) or as approved by the Director of Education.

All advertising must comply with applicable laws and the policies and procedures of the TDSB. Advertising permitted from these groups as listed above will be restricted in cases where a particular religion or set of beliefs is being promoted or the advertising is political in nature, except for instances as identified in the TDSB's Election Activities and Use of Board Resources Procedure (PR533), when the information informs or educates, raises awareness of issues in the community and/or facilitates community discussion.

The school principal may choose to not distribute any non-essential materials based on the fit and appropriateness for their school and community.

Provision 4: Limited Commercial and Restriction on Propaganda related Materials

The TDSB as an educational institution must not become a vehicle for circulation of materials intended primarily for commercial gain, or for propaganda materials which are inflammatory in nature or intent.

Provision 5: Canada's Anti-Spam Legislation (CASL) Compliance

The TDSB will ensure that any advertisement materials distributed electronically comply with Canada's Anti-Spam Legislation (CASL), including the consent to receive commercial information.

Provision 6: Accessibility Compliance

Providers of advertisement materials are responsible for ensuring that their materials (whether in electronic or hardcopy format) are in compliance with the

Accessibility for Ontarians with Disabilities Act (AODA). Non-compliant materials will not be accepted and/or distributed by the TDSB.

Provision 7: Cost Recovery Model (Minimum) for Distributing Vendor Materials

All centrally approved advertising materials from external vendors and or partners may be distributed by the TDSB to individual schools for a fee as determined by the Board. The fee, at a minimum, will cover the TDSB's costs related to the distribution of materials.

Provision 8: School Food and Beverage Policy Compliance

All information and materials related to food and beverage that are distributed must comply with the guidelines as outlined in the Ministry of Education's Policy/Program Memorandum No. 150, "School Food and Beverage Policy."

Provision 9: Reducing Paper and Minimizing the TDSB's Environmental Footprint

The TDSB and its local schools will make an effort to reduce paper consumption and minimize its overall environmental footprint. Methods may include double-sided printing and photocopying, sibling lists, notices on half-sheets of paper, use of e-mail notices or online newsletters, use of projectors, chalk/whiteboards, Smart Boards and paper limits.

Provision 10: Opting Out of Materials Distributed

The TDSB's schools through the school principal, student councils, parent/guardians may request to opt out from receiving advertising and certain materials circulated through the TDSB's distribution system such as promotional materials from approved vendors/partners.

Local schools are permitted to establish signage in their schools with messaging such as 'no soliciting' or 'no flyers.' Information such as Public Health, Safety and Essential Notices must always be provided to schools.