

Toronto District School Board

Policy P [number]

Title: **ADVERTISING AND DISTRIBUTION OF MATERIALS**

Adopted: [date of approval of the policy]

Effectuated: [date when the policy came into effect]

Revised: [date when the policy was amended]

Reviewed: [date when the policy was reviewed]

Authorization: Board of Trustees

1. RATIONALE

The Advertising and Distribution of Materials Policy (the "Policy") supports the implementation of the legislative requirement under Ontario Regulation 298, section 24 of the *Education Act* which governs advertisements and announcements in a school, on school property, or to pupils of these schools.

2. OBJECTIVE

To establish parameters related to advertising on Board property including distribution of advertising materials to students, parents/guardians and staff.

3. 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. The terms "advertise" and "advertisement" have corresponding meanings.

Advertising Tools means methods for advertising delivery, including website posting, display of materials, social media marketing, newspaper, radio or television announcements, public speaking, distribution of flyers, booklets, promotional products (i.e., magnets, t-shirts, calendars, etc.), as well as event sponsorships, among other means.

Approved Vendors and Service Providers are external entities selected, vetted and approved through TDSB's central procurement process. The procurement process is carried out by the TDSB Purchasing department or Business Development

department in accordance with applicable TDSB policies, including the Purchasing Policy (P017).

Board is Toronto District School Board which is also referred to as “TDSB”.

Board Property means all schools, administrative and non-administrative Board buildings or lands, Board-owned vehicles and machinery, as well as websites, email accounts or social media platforms, owned, occupied or licensed by the Board. Board-sanctioned conferences and events, whether in-person or virtual, is also considered Board Property.

Central Agreements are formal contractual arrangements, established between the TDSB and external entities defining the terms for the delivery of education related programs, goods or services.

Central Pre-Approval means review and approval coordinated by a central department of TDSB. The central pre-approval process involves: a) review and approval of vendors/service providers/partners who wish to participate in partnerships or provide goods or services to TDSB, and b) review and approval of materials suitable for distribution to TDSB schools by ensuring compliance and alignment with the terms and conditions as set out in a formal agreement with TDSB.

Distribution of Materials means dissemination of information from external organizations (including via school councils) to staff, students, parents/guardians and the broader school community through TDSB’s distribution system.

Distribution System refers to TDSB’s distribution system where information is circulated from central TDSB departments to TDSB 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. TDSB’s distribution system referred to herein does not include school and school council websites, indoor or outdoor signage and mobile applications used in classrooms.

Educational Programming Partnership Agreement is a document defining the terms for educational programming or services implemented by external agencies at TDSB’s sites during instructional time that enhance curriculum, uniquely contribute to TDSB’s strategic directions, and help students expand their learning opportunities.

Educational Programming Partner refers to an external provider or agency under a TDSB Education Partnership Agreement, in accordance with the Educational Programming Partnerships Policy (P024) and procedures.

Permit Holder refers to the individual, community group or organization named in the permit that maintains responsibility for ensuring that all permit users comply with the rules and regulations governing the use of TDSB's facilities, including TDSB's Community Use of Board Facilities (Permits) Policy (P011) and permit rules and regulations related to advertising such as that a facility permit does not include permission to advertise and/or display banners on Board Property.

Public Health, Safety and Essential Notices are informational messages shared by government organizations or agencies (e.g., Ontario Ministry of Education, City of Toronto, Toronto Police Service, Toronto Public Health, etc.), TDSB (e.g., Director, TDSB's departments, and Board approved information).

School Councils are governed by the regulations outlined in the *Education Act* including Ontario Regulation 612/00 and 613/00. The purpose of a school council is through the active participation of parents, to improve pupil achievement and enhance the accountability of the education system to parents.

Sponsorship is an agreement between TDSB/School and an association or company by which the sponsor provides financial or resource support for which they may receive recognition and/or advertisement.

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4. RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy. Within the Director's Office, the responsibility for the day-to-day management and coordination of the Policy is assigned to the Associate Director, Business Operations and Service Excellence.

5. APPLICATION AND SCOPE

This Policy applies to all TDSB employees and Trustees.

The Policy also covers students, parents/guardians, volunteers, the Board's school councils and their members, community advisory committees and their members, TDSB educational programming partners, approved vendors and service providers, contractors, and TDSB visitors.

6. POLICY

- 6.1 Advertising materials must be consistent with the Board's Mission, Values and Goals Policy (P002) and will not be in contravention of any legislative act, regulation, Board policy or procedure.
- 6.2 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 is politically partisan in nature, or that promotes a particular religion, fosters or promotes hatred, violence, prejudice, discrimination or bias against any groups or individuals.
- 6.3 The Board will not advertise services directly competing with TDSB regular school programming, programming operating outside of school operating hours, or third-party service providers (i.e., driver training course/providers, homecare services, casting calls, tutoring services, etc.). Exceptions may include community-based childcare services (e.g., licensed child care providers) and after-hour childcare programming if the school principal is of the opinion that the school community faces a shortage and/or could benefit from the program(s).
 - 6.4 School council advertising activities are governed by this Policy and must conform to the school's mandate of improving pupil achievement and enhancing the accountability of the education system through active participation of parents, in accordance with Ontario Regulation 612/00 under the *Education Act*.
 - 6.5 Advertising on Board property will not be permitted, with the exception of Public Health, Safety and Essential Notices (as defined in section 3 above) as well as advertising of education-related programs, goods and services provided by:
 - a. Approved vendors, service providers, or TDSB educational programming partners that have entered into a central, documented, contractual arrangement with TDSB, after completion of the required central pre-approval and/or central procurement process;
 - b. TDSB school councils, charitable and non-profit organizations who choose to print and distribute their own materials directly to a single school at no fee for distribution, after completion of the required central pre-approval process;
 - c. Other levels of government and agencies (e.g., Ontario Ministry of Education, City of Toronto, Toronto Police Service); or,
 - d. As approved by the Director of Education.
 - 6.6 All materials will be reviewed for pre-approval by the TDSB's Business Development department to ensure that they are suitable for distribution to TDSB schools and comply with the terms and conditions of applicable formal agreement(s) with TDSB. The process for reviewing materials may be expedited to accommodate timelines or for smaller requests (e.g., single flyer or single school distribution) as well as materials incoming from existing Board-approved vendors or educational partners. The review process is in place to ensure alignment with the Board's Mission, Values and Goals Policy (P002), and Multi-Year Strategic Plan such as to create a culture for student

- and staff well-being and provide equity of access to learning opportunities for all students.
- 6.7 In accordance with the Community Use of Board Facilities (Permits) Policy (P011) and Permit Holder's Agreement, permit holders are not permitted to advertise in schools and/or on Board property.
- 6.8 All election activities are governed by TDSB's Election Activities and Use of Board Resources Procedure (PR533). All mass distributions from Trustees, such as newsletters or flyers are governed by the Trustee Constituency Communications Policy (P018).
- 6.9 The school principal may choose to not distribute any advertising materials, and/or pre-approved materials and non-essential notices (see definition of Public Health, Safety and Essential Notices) based on the fit and appropriateness for their school and community, taking into account the principles of equity as outlined in the TDSB Equity Policy (P037) and the potential impact of distribution of materials on the resources of the school. The school principal will consult with the school council periodically to review the volume and types of distribution of material requests and potential impacts of advertising materials on the school and community.
- 6.10 The school principals, in consultation with their school councils and parent/guardians, may submit a request to TDSB's Business Development department to opt out from receiving advertising materials circulated through TDSB's distribution system.
- 6.11 While TDSB schools are permitted to establish signage including messaging such as 'no soliciting' or 'no flyers,' information such as Public Health, Safety and Essential Notices must always be provided to schools.
- 6.12 Providers of advertising materials will ensure that any advertising materials distributed electronically comply with Canada's Anti-Spam Legislation (CASL), including the consent to receive commercial information.
- 6.13 Providers of advertising 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) and TDSB's Accessibility Policy (P069). Document integrity will be maintained by TDSB's Distribution Centre when making hard copies from electronic source files.
- 6.14 Advertising materials from approved external vendors, service providers, TDSB educational programming partners or school councils will be distributed by TDSB's Distribution Centres to individual schools for a fee as determined by the Board. The TDSB will establish a sliding scale fee structure including a waiving of fees based on equity considerations such as whether the

organization is for-profit, not-for-profit or charitable status. The fee, at a minimum, will cover TDSB's costs related to the distribution of materials, with the exception as outlined in Section 6.15.

- 6.15 TDSB school councils, charitable and non-profit organizations may choose to print and distribute their own materials, once approved by the TDSB's Business Development department, directly to a single school at no fee for distribution.
- 6.16 All information and materials related to food and beverage that are distributed by TDSB must comply with the guidelines as outlined in the Ministry of Education's Policy/Program Memorandum (PPM) No. 150, "School Food and Beverage Policy."
- 6.17 TDSB and its local schools will make an effort to reduce use of paper and minimize its overall environmental footprint. Schools/Departments may use various methods 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/or enforcing paper limits, where applicable, in accordance with the Environment Policy (P028).
- 6.18 Central pre-approval by the Business Development department is required for the use of the TDSB's logo or wordmarks in conjunction with other commercial logos.

7. SPECIFIC DIRECTIVES

The Director of Education is authorized to issue operational procedures to implement this Policy.

8. EVALUATION

This Policy will be reviewed, at a minimum, every four years.

9. APPENDICES

- Not applicable.

10. REFERENCE DOCUMENTS

Legislation

- *Accessibility for Ontarians with Disabilities Act*
- Canada's Anti-Spam Legislation
- *Education Act*
- Ontario Regulation 298, section 24 under the *Education Act*

Policies

- Accessibility Policy (P069)
- Community Use of Board Facilities (P011)
- Educational Programming Partnerships (P024)
- Equity Policy (P037)
- Mission, Values and Goals Policy (P002)
- Purchasing Policy (P017)
- The Environment Policy (P028)
- Trustee Constituency Communications Policy (P018)

Procedures

- Advertising (PR507)
- Election Activities and Use of Board Resources (PR533)

Other Documents:

- Ministry of Education Policy/Program Memorandum (PPM) No. 150, "School Food and Beverage Policy."