

ARTICLE XIII

ADVERTISEMENTS

91300. ADVERTISEMENTS ON CAMPUS AND/OR ON COLLEGE WEBSITES. The college president may designate sections of registration materials, areas and/or structures on the campus and/or space in college websites or TV or radio stations for the placement of advertisements, commercial or noncommercial. The college president shall not designate any Free Speech Area, as defined in Rule 9902 (relating to the opening of limited public forums on District campuses), for the placement of advertising, but this shall not be construed as a prohibition against the use of advertisements in a Free Speech Area by individuals or groups during their use of the Area.

Adopted 12-02-98
Amended 01-27-99
Amended 12-03-03

91300.10 Advertisement Defined. For the purposes of this Article, an advertisement shall include all printed matter included in designated sections of registration materials, or placed on or distributed at any area and/or structure on campus which is designed for placement of such matter pursuant to Board Rule 91300. An advertisement shall also include corporate logos/names and any other third-party marketing instrument posted on college websites.

Adopted 12-02-98
Amended 12-03-03

91300.11 Disclaimer. Each college president who has designated space in college registration materials, areas, structures and/or websites or TV or radio stations for advertising shall be responsible for ensuring that each designated space contains appropriate disclaimer language to indicate that such advertisement or advertiser is not affiliated and/or endorsed by the District or college.

Adopted 12-03-03

91301. TIME, PLACE AND MANNER RULES GOVERNING ADVERTISEMENTS. The college president shall promulgate rules governing the time, place and manner of advertisements on and/or related to the campus. In addition, no advertisement shall be allowed on the campus concerning any subject matter prohibited by Board Rule 91301.12, which relates to the subject matter of advertisements.

Adopted 12-02-98
Amended 12-03-03

91301.10 Additional Rules. The college president or his/her designee shall promulgate additional rules governing use, cost, duration, and other matters necessary to regulate advertisements on and/or related to the campus. Such rules shall not conflict with any provisions of this Article.

Adopted 12-02-98
Amended 12-03-03

91301.11 Free Speech. No rule or policy shall be promulgated or enforced under this Article which discriminates against the viewpoint or opinion of individuals or groups seeking to advertise on campus and/or a college website or TV or radio station, or of the advertisements they seek to place on campus and/or on a college website or TV or radio station. This Board Rule is subject to the limitations set forth in Board Rule 91301.12.

Adopted 12-02-98
Amended 12-03-03

91301.12 Subject Matter of Advertisements.

a. Any advertisement which discusses or concerns the following subject matter shall not be distributed and/or placed on any campus:

1) Soliciting or urging a particular vote on any election, initiative, or ballot item;

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- 2) Assistance in the application process or form preparation for state or federal Financial Aid;
- 3) Promotion of the manufacturing or consumption of alcoholic beverages;
- 4) Promotion of the manufacturing or use of tobacco products;
- 5) Promotion of firearms and lethal weapons; and/or
- 6) Promotion of illegal substances, as set forth in Board Rule 9803.19.

- b. The college president or his/her designee may restrict additional subject matter which the college has a substantial interest in regulating, so long as such restriction is consistent with Board Rule 91301.11, relating to viewpoint discrimination.
- c. Nothing in this Board Rule or in this Article shall be construed to disallow or prevent the acceptance of a donation of any structure or tangible thing which has the donor's name or title printed on or affixed to said structure or tangible thing.

Adopted 12-02-98

91301.13 Advertising Agreements. All advertisements placed on campus and/or on college websites or TV or radio stations shall be placed pursuant to a written contract. No contract shall permit an advertising duration of greater than six months, although a contract may permit advertising at more than one location on a campus and/or on a college website or TV or radio station. All advertising contracts shall contain a clause in which the advertiser guarantees that nothing in the advertisements to be placed on campus and/or on a college website or

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TV or radio station will be libelous, obscene, misleading, fraudulent, or designed to promote illegal activities, and that the failure of the advertiser to adhere to said guarantee shall constitute a breach of contract by the advertiser. The advertiser shall also agree to indemnify, defend, and hold harmless the District and its employees from any and all liability which may be incurred as a result of the content or placement of the advertisements.

Adopted 12-02-98

Amended 12-03-03

91302. ADVERTISEMENTS IN STUDENT-OPERATED CAMPUS PUBLICATIONS. This Article shall not apply to advertisements placed in District-sponsored, student-operated publications.

Adopted 12-02-98

Amended 01-27-99

91303. REGISTRATION MATERIALS. The college president may permit the use of advertising on or in one or more types of class registration materials, including but not limited to college catalogs, course schedules, and mail-in registration envelopes. The advertisements appearing in registration materials must be consistent with the Board Rules set forth in this Article.

Adopted 12-02-98

91303.10 Rules. The college president shall promulgate rules governing the use of advertising on or in registration materials, if the president has decided to permit such advertising. Any such rules shall not be inconsistent with the Board Rules set forth in this Article.

Adopted 12-02-98

91303.11 Advertising in Officials Forms. No advertisement shall be permitted to be printed or written on any college or District form which must be submitted to the college or District by a student or prospective student in the course of registering for, adding, or dropping a course. This rule shall not restrict in any manner the placing of advertisements on the envelopes in which such forms are mailed or submitted to the college.

Adopted 12-02-98