



Book	Policy Manual
Section	900 Community
Title	Advertising and Other Commercial Activity on School Property*
Code	913.1
Status	Active
Adopted	August 24, 1994
Last Revised	December 14, 2015

Purpose

Advertisements and other commercial activities represent a potential source of revenue for district programs and activities. The District recognizes, however, that care must be taken to ensure that advertisements and other commercial activities do not interfere with the District's educational programs and do not otherwise exploit its students. Accordingly, no advertisements or other commercial activities shall be permitted on District property or in connection with District publications or activities unless such advertisements or commercial activities meet the requirements and standards set forth below.

Advertisements accepted for publication, placement or promotion in publications or other media distributed, produced or published by booster organizations or other groups granted permission to use District facilities shall not be subject to the approval process outlined in this policy; provided, however, that any such group that is granted permission to utilize district facilities and/or distribute publications containing advertisements on District property shall be required to comply with the content guidelines and restrictions set forth below as a condition of such use and/or permission.[1]

Definitions

Advertisement - any payment of money or other economic benefit that is provided in exchange for or in consideration of the oral, electronic or written placement on District property or in other District media of a name, slogan, brand, trademark, logo or other message:

- promoting a product or service; or

- identifying an individual's or business entity's support or sponsorship of one or more District activities or programs.

Media in which advertisements may appear include fences, billboards, posters, product displays, oral announcements, flags, scoreboards, written or electronic publications, clothing, book bags, school supplies, web pages, e-mails, television and/or radio broadcasts, and other audiovisual materials.

The term **advertisement** does not include traditional fundraising activities such as walk-a-thons, magazine sales or food sales, nor does it apply to gifts or donations made and accepted pursuant to Board Policy No. 702. The term advertisement also does not include incidental advertisements that may appear in connection with students' use of approved websites or other approved Internet services.[2]

Exclusive Rights Contracts - any payment of money or the provision of some economic benefit to the District for the right to be a sole provider of a service or product or to have the exclusive right to advertise on designated district property and/or sponsor designated district programs or activities. This term includes limited exclusive rights contracts where more than one (1) provider may supply the same or similar service or product.

Guidelines

No advertisement, as defined above, shall be permitted on District property or in District publications or media unless the advertisement:

1. Has been approved in advance by the Superintendent or his/her designee;
2. Meets all requirements set forth in this Policy 913.1; and
3. Complies with all other Board policies and District rules and regulations.

Advertisements which meet the foregoing requirements may only be accepted for appearance or placement in or on one or more of the following media:

1. Student or district-sponsored publications.
2. Instructional aids furnished by private sources, provided that the advertisement is reasonable, nonintrusive and not inherent to the content.
3. Signage and/or other promotional materials displayed on athletic fields and facilities, provided that all applicable municipal and/or building code requirements are met.
4. Spectator programs distributed or made available in connection with extracurricular activities.
5. Product names appearing on vending machines and/or other products and services purchased by the District pursuant to contracts approved by the Board of Directors.

6. Public address or similar announcements made during District events, activities or programs.
7. Oral or written acknowledgements of support and/or sponsorship of District programs or activities made during or appearing on television or radio broadcasts.
8. Signage or placards on District facilities.

Advertising Procedure

All persons and organizations requesting placement of an advertisement on District property or in District media must submit a written application on forms proscribed by the Administration. The application must include a description of the location or publication requested, an accurate color representation of the advertisement with size and materials indicated, a copy of the text of any written or oral statements or other "ad copy" that will be included in the advertisement and, if applicable, the period of time during which the advertising will be displayed. All applications must be approved by the Superintendent or his/her designee. Applications may be approved or denied in the sole discretion of the Superintendent or his/her designee. The denial of an application shall not be subject to review by the Board.

Construction and Maintenance of Advertising on District Property

The District shall not be responsible for the construction, maintenance or repair of any signs, posters or other advertising materials or media approved for display on District property, including but not limited to repair or maintenance necessitated by acts of vandalism. Except for advertisements displayed on the High School Stadium Scoreboard, advertisers shall be responsible for the storage, installation and/or reinstallation of periodic or seasonal advertisements.

Advertisements that are not maintained to standards acceptable by the District must be repaired or removed upon notification by the District to the advertising organization. If the advertisement is not removed by the advertising organization within the time period designated by the District, the advertisement will be removed by District at the expense of the advertising organization.

Exclusive Rights Contracts

The Board of Directors may, from time to time, consider the approval of an exclusive rights contract if it determines, in its sole discretion, that the contract will result in benefit to the District and its programs, and is not otherwise inconsistent with the District's mission, policies, and goals. The Board's consideration of such benefit may include but is not limited to the impact on students, as well as the amount of funds that will be generated and other alternative sources of funding that may be available.

Exclusive rights contracts shall not include provisions that would allow marketing activities, including advertising, to take place in District classrooms, hallways, vehicles, buses or lunchrooms, except that vending machines may display product names.

Restrictions

The District shall not accept or permit any advertisement, sponsorship or other commercial activity which specifically:

1. Promotes the sale of tobacco, alcohol, or illegal drugs.
2. Promotes the sale or use of firearms or other weapons.
3. Contains vulgar or offensive, obscene or sexually explicit language.
4. Advocates the violation of law or District policy.
5. Promotes or incites hostility, disorder or violence.
6. Disparages any person, group or organization.
7. Contains libelous or potentially libelous statements.
8. Contains content that is associated with a company or individual whose actions are otherwise in violation of law.
9. Contains content or promotes a product or service that is inappropriate in a public school setting or is otherwise inconsistent with the mission and obligations of the District.

No agreement for an advertisement, sponsorship or other commercial activity shall require that the District's programs and services be delivered in a specific manner or otherwise specify or direct how District funds may be spent or allocated.

The District and Administration shall ensure that all requirements relating to the disclosure of student information, as provided under the Protection of Pupil Rights Act (PPRA) and its amendments, the Family Educational Rights and Privacy Act (FERPA), and Board policy, are followed in connection with any advertisement, sponsorship or other commercial activities approved on District property under this policy.[\[3\]](#)[\[4\]](#)[\[5\]](#)

The following advertisements may, at the discretion of the Superintendent or his/her designee, be published in District fliers or newsletters (written or electronic) with charge, subject to compliance with all other requirements of this policy:

1. School-site based events, programs or activities conducted by District-recognized PTO or booster groups.
2. Contracted programs and services approved by the Board of Directors.
3. Programs and events pertaining to student health and safety distributed by police, fire, health and other governmental agencies.

Legal

1. Pol. 707
2. Pol. 702
3. 20 U.S.C. 1232g
4. 20 U.S.C. 1232h
5. Pol. 216