

## Commercial Advertising/Merchandise Sales

All activities authorized within these regulations shall conform to the general principles for Advertising and Commercial Activities contained in Board policy KI/KJ.

### 1. **Specific Limitations on District and School-Based Advertising**

- a. **Students Shall Not be Required to View Advertising.** Students shall not be required to observe, listen to, or read commercial advertising in the school-building except as follows:
  - (1) Advertising is permitted in connection with courses of study which have specific lessons related to advertising. It will be up to each school to decide whether the lessons related to advertising are appropriate.
  - (2) Advertising is permitted in yearbooks, school newspapers, activity schedules/calendars, and event programs.
  - (3) Advertising is permitted in such supplementary classroom and library materials as newspapers, magazines, television, the internet, and similar public media where they are used in a class such as current events, or where they serve as an appropriate research tool.
  - (4) Advertising is permitted in connection with district-sponsored or sanctioned activities, including Foundation fund-raising, PTAs, PTOs, Community School programs, and approved ASB programs.
  - (5) Information from outside unaffiliated entities concerning educational activities or opportunities of interest to students and others in the school community, such as flyers and brochures regarding such things as sports camps, music lessons, higher education, and tutors, shall be permitted provided that the Director of Educational Programs or designee reviews and approves the material in advance.
- b. **Advertising to Staff Shall be Limited.** Direct advertising from district-recognized bargaining associations, district-paid benefit providers, and as noted in 1.a. above is permitted. All other advertising is prohibited except as provided for below.
- c. **Limits on Promotional Information in Curriculum Materials.** Neither the district nor any school shall purchase or use any sponsored educational materials without obtaining prior approval from the superintendent or his designee.
- d. **Advertising Permitted on Scoreboards, Readerboards, or in Stadium or District Athletic Fields.** Advertising is permitted on scoreboards and readerboards or similar media, or as links from lower-tier school site web pages, or in the district stadium or district athletic fields, provided prior approval has been granted by the superintendent or his designee. Other than scoreboards and readerboards, and Board-approved naming, advertising shall be easily removable and temporary in nature. The district will use its best efforts to ensure that no advertising is permitted on or in the school buses operated by the district's contract transportation provider, other than the contract transportation provider's name.

- e. **Students Shall Not be Required to Advertise.** No business relationship shall be permitted which requires students to advertise a product, service, company, or industry. This prohibition on student advertising includes athletic uniforms and equipment, although uniforms and equipment may display the name or logo of the uniform and equipment manufacturer or supplier. Specific limitations on the use of logos are set forth in Section 2.
- f. **Limits on Collecting Personal Information.** Neither the district nor any school shall require students to complete surveys to provide marketing information to vendors, or distribute to vendors any personal information of students, including, but not limited to, names, addresses, and telephone numbers, except as may be required by law. In addition, neither the district nor any school shall enter into any contract for products or services, including electronic media services, where personal information will be collected from the students by the providers of the services in question. Personal information includes, but is not limited to, the student's name, telephone number, and home address.
- g. **Advertising Shall be Age Appropriate.** Within each district elementary school, advertising shall be age appropriate and limited to the approved forms of advertising as summarized in 1.a. above. Vending machine access shall also be more restricted at the elementary level as compared to the secondary schools and shall be in conformance with the district's wellness policies and practices.

## 2. **Logos and Sponsorship**

- a. **Logos for Identification Only.** All company logos appearing on district property, including logos on materials, supplies, or equipment purchased, rented, or leased by or donated to the district, shall be primarily for product or sponsor identification purposes only. Logos for sponsor identification purposes shall not be permitted on district property, materials, supplies, or equipment for the purpose of advertising to students unless prior approval has been granted by the superintendent or his designee. The principal or his designee shall be the primary decision makers in the schools regarding whether a sponsor identification logo is for identification or advertising purposes. In determining whether the logo is for identification or advertising, the following criteria should be used: the size and location of the logo, the attention drawn to the logo compared with the intended use of the material, and the age of the students who will view it.
- b. **Sponsor Recognition.** It is appropriate that business sponsors and donors receive recognition for their support. Such recognition can be in the form of the business name or a logo for identification purposes on the product or materials provided, on temporary banners and signs in the facility where a sponsored activity is occurring or will shortly be occurring, or a written acknowledgment in an appropriate school publication, including periodic digital communication with parents. Sponsors can advertise affiliation with school or the district in connection with a sponsorship with the express written consent of the superintendent or his designee. As a matter of practice, the district does not endorse persons, services, products or businesses. In unique cases, such as certain tournaments, the business name can attach to a district program or event. In such cases, the superintendent's prior approval will be required. Business recognition in the form of naming opportunities is governed by separate Board guidelines.

### 3. **School-Business Partnerships**

**School-Business Partnerships Allowed in Limited Circumstances.** School-business partnerships are allowed within the secondary schools and certain special education programs. They must be approved by the principal or director of special education and conform to the following:

- a. All school-business partnership agreements and relationships must be consistent with school district policy, core values, regulations, and standard practices.
- b. The principal of each school will have primary oversight responsibility for any school-business partnership agreement or relationships including assessment and evaluation.
- c. Formal school-business agreements should include role and responsibility expectations, as well as accountability measures and guidelines for both school district students and employees and business employees.

### 4. **Financial Gain**

- a. **Fair Value Determination.** Reasonable efforts shall be undertaken, commensurate with the expected value to be derived by the school or district, to ensure the school or district will receive fair market value compensation, either in cash or in-kind goods or services or a combination thereof, for a proposed sponsorship or advertising contract. Additional requirements apply as follows:
  - (1) For proposed contracts where the value to be received by the school or district is expected to exceed \$5,000, the school shall retain documentation recording how fair market value was confirmed. Ideally, these records will include how it was confirmed, who was confirmed, etc.
  - (2) For proposed contracts where the value to be received by the school or district is expected to exceed \$15,000, this value confirmation shall be reviewed and approved by the director of finance.
  - (3) Consideration may be given for long-standing traditions and vendor relationships, but not to the significant detriment of the school's or district's financial gain.
- b. **Limits on Private Inurement.** Advertising and sponsorship shall not permit direct financial to district employees, students, parents, or Board members.
- c. **Donations.** Fair value determinations, and these regulations in general, do not apply to donations received by the district or a school.

### 5. **Allocation**

- a. **Standard Tracking Procedures.** Resources from advertising and sponsorships shall be tracked through standard accounting procedures.
- b. **Site-Specific Guidelines.** Nominal school-specific advertising and sponsorship resources derived from the general student body or public at large may be deposited to the discretionary or general account of the school's ASB accounts. Substantial school-specific advertising and sponsorship resources derived from the general student body or public at large shall be allocated on an equitable basis among the school's major cocurricular activities under site specific guidelines established by the principal and approved by the school's parent advisory

committee. These site-specific guidelines shall conform to district policies and regulations and will have the following additional minimum provisions:

- (1) Consideration shall be given to existing available resources (e.g., district funds, ASB funds, specific booster club funds, etc.).
- (2) The resources should enhance or supplement student opportunities or enhance parent club efforts to generate resources in support of student activities.

## 6. **Authority and Contract Terms**

- a. **Authority.** Nonadministrative staff do not have the authority to bind the district to contracts, informal or otherwise. The district shall have the authority to decline any form of advertising, sponsorship, or partnership.
- b. **Sufficiency Review.** Any proposed commercial agreement or contract, either written or unwritten, for advertising, sponsorships, or business partnerships, shall have its terms reviewed by the director of finance, if the proposed agreement or contract has a value of \$5,000 or more, or has more than nominal amounts of any of the following:
  - (1) Grants exclusive rights, except for short-term (one month or less), event-specific agreements or contracts;
  - (2) Increases financial risk to the district or increases risk of injury to persons or property;
  - (3) Increases expectations or obligations of performance on the part of the district beyond the district's normal functions and programs;
  - (4) Binds the district for a period of more than one year, or has renewal provisions where the practical effect may be to bind the district for more than one year; or
  - (5) Has unusual, nonstandard, or unique terms, conditions, provisions, or attributes.
- c. **Incorporation by Reference.** These regulations and related principles shall be incorporated by reference into all school-business partnerships, sponsorships, and advertising agreements, whether formal or informal.
- d. **Required Distribution.** Contracts shall not require the distribution of free products or vendor related advertising and promotional materials or events.