

Commercial Advertising/Merchandise Sales

It is the intent of the Board to protect the teaching and learning environment from advertising, merchandise sales and the promotion of products and services by commercial, cultural, organizational or other nonschool interests in district schools. Schools are not the appropriate forums to be used to advertise, promote or disseminate materials for commercial, profit-oriented businesses. Consequently, the district prohibits employees or other persons acting on behalf of the district to enter into any contract or agreement for:

1. Exclusive advertising of any product or service through district programs, services or activities to any person, business or corporation;
2. Any product or service that requires the dissemination of advertising materials to staff, students, parents or others, or that allows any person, business or corporation to gather or obtain information from students for market research or other nonschool purposes;
3. Endorsement of a product or service or which implies district endorsement;
4. Naming rights to district property in exchange for goods, services or monetary considerations.

“Commercial advertising,” as used in this policy means the use by any person, company, business or corporation, for personal or private gain, of any district media including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular; radio, television, video or any other electronic technology; or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Contracts entered into prior to the implementation date of this policy will not be renewed.

This prohibition includes the solicitation and sale of travel services to students by any person or group that sells, provides, furnishes, contracts for, arranges or advertises travel services on district property, at activities under the jurisdiction of the district and at interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association). This includes the sale of services to students.

Only when advertising, promotional materials or merchandise sales are for noncommercial purposes may they be posted, distributed, used or sold in or by the schools. The superintendent or designee will evaluate and approve or disapprove all requests from district staff and nonschool interests.

The superintendent may, at his/her option, refer specific requests to the Board for action.

The superintendent will develop administrative regulations as needed for the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 279C.335](#)

[ORS 332.107](#)

[ORS 332.593](#)

[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP. 239 (1989)