

Paisley School District 11

Code: **KI/KJ**
Adopted: 2/16/05
Orig. Code(s): KI/KJ

Public Solicitation/Advertising in the Schools

The Board recognizes that business and cultural organizations make available for public use much information which is of great value in advancing student education. Much of this information is not available through other sources.

The objectives of this policy are to:

1. Provide for the use in the school of information material from private sources which tends to strengthen the curriculum and benefit the students;
2. Protect both students and their families from exploitation by commercial, organizational and cultural interests.

The facilities, the staff or the students of the district shall not be used in any manner to advertise or promote commercial, cultural, organizational or other nonschool interests except that the district may:

1. Utilize films and other instructional aids furnished by private sources when the advertising content is reasonable in the judgment of the superintendent;
2. Cooperate through announcements and distribution of program material with nonprofit community organizations that supplement the school program when such cooperation will not interfere with the school program;
3. Permit participation on a student option basis in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
4. Release promotional material for nonschool athletic and cultural events only through appropriate school departments;
5. Accept, but not actively solicit, limited advertising on extracurricular activity schedules and programs at the discretion of the superintendent;
6. Permit other exceptions when, in the judgment of the superintendent, students of the district will benefit. The superintendent may, at his/her option, refer specific cases to the Board for decision.

Students and staff are to be protected from intrusions by announcements, posters, bulletins and communications of any kind from individuals and organizations not directly connected with the school.

The solicitation and sale of travel services to students may be permitted with approval of the superintendent 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 sale of services to students by any person or group that sells, provides, furnishes, contracts for, arranges or advertises travel services.

Sellers of travel services must meet the following district criteria:

1. Belong to an association of sellers of travel certified by the director of the Department of Consumer and Business Services;
2. Provide proof of errors and omissions insurance;
3. Provide proof of a client trust account or performance bond;
4. Submit references;
5. Include in all information provided to students and parents that drug, alcohol and tobacco use will be prohibited;
6. Include in all information provided to students and parents a statement that the activity is a nonschool-sponsored event;
7. Other.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are disallowed. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student, as required by the No Child Left Behind Act of 2001 (NCLBA). Any district survey containing any "covered survey items"¹ as defined by NCLBA, may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

¹Covered survey items under the NCLBA include one or more of the following items: political affiliations or beliefs of the student or the student's family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years old or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as otherwise provided by NCLBA and/or the provisions of Board policy JOB - Personally Identifiable Information.

The district will not participate in any fund-raising drive which is not consistent with Board 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)

Cross Reference(s):

GBI - Gifts and Solicitations