

## ADVERTISING AND COMMERCIAL ACTIVITIES

This policy provides guidance for the appropriate and inappropriate use of advertising or promotion of commercial products or services to the students and parents in the school.

"Advertising" comes in many different categories and forums and is defined as an oral, written or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos or tags for product or service identification purposes are not considered advertising.

The Board may permit paid commercial advertising in District facilities or on District property in the following categories or forums in accordance with the parameters set forth herein:

### **A. Product Sales:**

1. product sales benefiting a district, school or student activity (e.g., the sale of beverages or food within schools);
2. exclusive agreements between the District and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the schools (e.g. pouring rights contracts with soda companies);
3. fundraising activities (e.g., short term sales of gift wrap, cookies, candy, etc.) to benefit a specific student population, club or activity where the school receives a share of the profits.

### **B. Direct Advertising/Appropriation of Space:**

1. signage and billboards in schools and school facilities;
2. corporate logos or brand names on school equipment (e.g., marquees, message boards or score boards);
3. ads, corporate logos, or brand names on book covers, student assignment books, or posters;
4. ads in school publications (newspapers and yearbooks and event programs);
5. media-based electronic advertising (e.g., Internet or web-based sponsorship);
6. free samples (e.g., or food or personal hygiene products).

### **C. Indirect Advertising:**

1. corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants or gifts;
2. the Board approves the use of instructional materials developed by commercial organizations such as films and videos only if the education value of the materials outweighs their commercial nature.

The films or materials shall be carefully evaluated by the principal for classroom use to determine whether the films or materials contain undesirable propaganda and to determine whether the materials are in compliance with the guidelines as set forth above.

It is further the policy of the Board that its name, students, staff members and District facilities shall not be used for promoting the interests of any non-school agency or organization, public or private, without the approval of the Board or its designee.

Any commercial advertising shall be structured in accordance with the General Advertising Guidelines set forth below.

### **General Advertising Guidelines**

The following guidelines shall be followed with respect to any form of advertising on school grounds:

- A. When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the District's educational standards and goals.
- B. Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.
- C. The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.
- D. No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X or R rated movies, or gambling aids.
- E. No advertisement shall be permitted that conveys the impression of the District's endorsement of any religious message, political candidate, or ballot initiative.
- F. No advertisement may contain libelous material.
- G. No advertisement may create a disruption in the school environment or inhibit the functioning of any school.
- H. No advertisement shall be false, misleading or deceptive.
- I. Each advertisement must be reviewed, in advance, for age appropriateness.
- J. Advertisements may be rejected by the District if determined to be inconsistent with the educational objectives of the District, inappropriate, or inconsistent with the guidelines set forth in this policy.
- K. All corporate support or activity must be consistent with the Board's policies prohibiting discrimination on the basis of age, sex, race, religion, citizenship status, national origin, political affiliation, genetic information, ancestry, creed, color, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability or handicap or any other reason prohibited by state or federal law. Advertising must be age-appropriate.

- L. Students shall not be required to advertise a product, service, company or industry.
- M. The District Administrator is responsible for screening all advertising.
- N. The District Administrator may require that samples of advertising be made available for inspection.
- O. The inclusion of advertisements in District publications, in District Facilities, or on District property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.
- P. Final discretion regarding whether to advertise and the content and value of the materials will be with the Board.

### **Written Contract for Placement**

All advertising agreements between the District and an outside entity shall be in writing, shall specify all relevant terms, and must be approved by the Board prior to placement of advertisements.

The contracts shall contain at a minimum the following clauses:

- A. District authority over content and placement of advertisement
- B. authority of District administration to view and approve all materials prior to actual placement
- C. specific provisions regarding financial terms, timing of payment, hold harmless clause in the event of lawsuit against advertiser that requires removal of advertisement prior to expiration of contract
- D. warranty regarding intellectual property and indemnification against alleged violations of trademark or copyright protections by third parties

The District Administrator shall negotiate all such agreements with the advertiser.

The District Administrator shall prepare administrative guidelines addressing the criteria for Commercial Messages and the process by which advertising shall be accomplished.

### **Accounting**

Advertising revenues must be properly reported and accounted.

**APPROVED:**     June 19, 2017  
                         **SEPTEMBER 16, 2019**