

Students and the educational program must be the focus of the school system. In order to maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, advertising for and promotion of commercial products and services are discouraged during the instructional day. School officials shall screen and approve the distribution and display of advertising materials and messages publicized through school media or displayed on school property and at school events.

A. APPLICABILITY OF POLICY

This policy is intended to govern requests to advertise products or services on school grounds or through school publications and electronic media by:

1. individuals;
2. non-profit organizations not otherwise permitted to distribute or display materials or messages by policy 5210, Distribution and Display of Non-School Material; and
3. for-profit organizations and businesses.

This policy also is intended to apply to the recognition of individual, non-profit, and for-profit sponsors of a school or the school system.

B. PROHIBITED ADVERTISEMENT AND PROMOTIONAL ACTIVITIES

The board of education prohibits advertising, commercial or promotional messages, and other items and materials that (1) are vulgar, indecent, or obscene; (2) contain libelous statements, personal attacks, or abusive language, such as language defaming a person's character, race, religion, ethnic origin, gender, family status, or disability; (3) cause or clearly threaten to cause a material and substantial disruption of a school activity; (4) encourage the commission of unlawful acts or the violation of lawful school regulations; (5) are inappropriate considering the age of the students in the school; (6) include information that is inaccurate, misleading, or false; or (7) advertise any product or service not permitted to minors by law.

C. SCHOOL FORUMS

Although permitting some advertising within the school system, the board does not intend to create a public forum or to open school facilities, including its electronic media, print publications, or school facilities, for unlimited access by outsiders and advertising by the general public.

D. REGULATIONS GOVERNING ADVERTISING IN THE SCHOOLS

The superintendent shall develop regulations governing advertising in the schools subject to section B above and in accordance with the following guidelines.

1. Advertising is permitted in school publications, such as yearbooks, school newspapers, newsletters, and event programs. School officials may permit the publication of commercial advertisements for a reasonable fee or an in-kind contribution that advertises or promotes an outside organization's products, programs, or services.
2. School officials may sell, for a reasonable fee or an in-kind contribution, commercial advertisement space on stadium, athletic, and/or gymnasium billboards, banners, or signage for advertisements or promotions of an outside organization's products, services, programs, or activities.
3. School officials may permit boards, displays, or banners that acknowledge donations or sponsors of a school or the school system.
4. School officials shall prohibit advertising through the school system employee and student e-mail system and the school system website.
5. Advertising in school publications, in school media, in school facilities, and on school property will be limited to an advertiser's (a) name, brand name, and/or trade name; (b) logo; (c) location or place of business and contact information; (d) slogans that identify the advertiser but do not promote it; and (e) products, programs, or services in a value-neutral description.
6. School officials have discretion to determine whether to use commercially sponsored materials or materials containing commercial advertising in school instructional programs and activities.
7. Collection of student data for marketing purposes is governed by section B of policy 4720, Surveys of Students.
8. School officials may accept donations of equipment and supplies that contain advertising messages. However, such donations must comply with the requirements of policy 8220, Gifts and Bequests.
9. The board reserves the right to review and amend or cancel, at any time, any contract or other agreement between a school or the school system and any individual, school organization or school-related group, non-profit organization, for-profit organization, or business regarding any advertisement, promotion, or sponsorship on school property, at school events, or through school publications and electronic media. All such contracts and other agreements shall clearly state the board's right to review and amend or cancel the contract or other agreement.

10. No advertisement, promotion, or sponsorship permitted pursuant to this policy shall be considered as an endorsement or approval of any purpose, program, activity, product, or service promoted or offered by any individual, organization, or business, nor as an endorsement or approval of the individual, organization, or business itself.

E. PROTECTION OF STUDENT PRIVACY

Neither the school system nor the school administrators at any school will require students to provide marketing information to vendors either through the provision of personal information or through marketing surveys. In addition, neither the school system nor any school administrator will enter into any contract for products or services, including electronic media services, in which students are asked to reveal personal information for collection by the providers of such services. For the purposes of this section, personal information includes, but is not limited to, the student's name, telephone number, e-mail address, and home address.

F. PROCESS TO REQUEST TO ADVERTISE

Any entity or individual interested in advertising or promoting products and services pursuant to this policy or school system regulations must submit a request to the principal (for advertising specific to an individual school) or to the superintendent's designee (for system-wide advertising). The principal or superintendent's designee may approve advertising that complies with board policies and regulations and respond within 30 working days.

If the principal or superintendent's designee denies a request for approval to advertise a product or service, the entity seeking to advertise may submit a request for the superintendent to review the decision made by the principal or the superintendent's designee within five working days. The superintendent shall review the request and make a decision within 10 working days of receiving the request for review. As needed, the superintendent shall consult with the board attorney concerning a request to advertise.

Any request denied by the superintendent may be appealed to the board of education if the right to an appeal is mandated by G.S. 115C-45(c). A decision as to whether an appeal is mandated by G.S. 115C-45(c) will be made in consultation with the board attorney. If an appeal is not mandated by G.S. 115C-45(c), the board, in its sole discretion, may decide whether or not to review the superintendent's decision.

Legal References: G.S. 115C-36, -45(c), -98

Cross References: Surveys of Students (policy 4720), Distribution and Display of Non-School Material (policy 5210), Gifts and Bequests (policy 8220)

Adopted: July 13, 2015