

Policy

BOARD OF EDUCATION
HORTONVILLE AREA SCHOOL DISTRICT

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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 student 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.

Implementation:

The Board may permit paid commercial advertising in School District facilities or on School 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 business with the exclusive right to sell or promote their products or services in the schools (e.g. pouring rights contracts with soda companies);
3. fund-raising 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. ads in school publications (newspapers and yearbooks and event programs).

It is further the policy of the Board that its name, students, staff members and District facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit or other 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.

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- B. The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.
- C. 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.
- D. No advertisement shall promote any specific religion or religious, ethnic or racial group, political candidate or ballot issue and shall be non-proselytizing.
- E. No advertisement may contain libelous material.
- F. No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.
- G. No advertisement shall be false, misleading or deceptive.
- H. Each advertisement must be reviewed in advance for age appropriateness.
- I. Advertisements may be rejected by the School District if determined to be inconsistent with the educational objectives of the School District, inappropriate, or inconsistent with the guidelines set forth in this policy.
- J. All corporate support or activity must be age-appropriate and must be consistent with the Board's policies not to discriminate on the basis of race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sexual orientation, sex (including gender status, change of sex, or gender identity), or physical, mental, emotional, or learning disability (Protected Classes) in any of its student program and activities.
- K. Students shall not be required to advertise a product, service, company or industry.
- L. Advertising will not be permitted on the outside or the inside of school buses.
- M. The District Administrator or designee is responsible for screening all advertising.
- N. The District Administrator or designee may require that samples of advertising be made available for inspection.
- O. The inclusion of advertisements in School District publications, in School District facilities, or on School 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.
- Q. If an establishment's liquor license has been suspended, they will be ineligible to advertise in school/district publications for five (5) years.

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 or Designee prior to placement of advertisements.

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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, and
- 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.

Recommended guidelines for placing advertisements on the following are:

- A. Scoreboards (Outside)
 1. The school district allows advertising on outdoor scoreboards on athletic fields if they meet the established signage requirement:
 - a. Each scoreboard will contain a set number of advertising spaces
 - b. Advertisements on the signs must conform to the District's advertising policy and signs must be approved by the Designee.
 - c. Signs are to be furnished / paid for by the advertiser and are put up by the school maintenance department

During that period, the Activities Directors and the advertiser shall meet every three (3) years to discuss the "appearance and maintenance" of said scoreboard. The school district shall be responsible for the condition of the signs.

- B. Athletic Field Fences
 1. The school district allows advertising on fences on athletic fields if they meet the established signage requirement.
 - a. Advertisements on the signs must conform to the District's advertising policy and signs must be approved by the Designee.
 - b. Signs are to be furnished by the advertiser and are to be put up and removed by the school maintenance department.
 - c. Advertising for the fences are sold during the spring and fall sports seasons at a set rate. No signs are sold for the winter season or will be placed in the gymnasiums.

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- C. Athletic Programs
 - 1. The school district allows advertising in District athletic / activities programs if they meet the established requirements:
 - a. The District sells advertising space in the programs based on the size of the advertisement and the frequency of the ads (whole year vs. seasonal vs. one issue).
 - b. Advertisements must conform to the District's advertising policy and signs must be approved by the Designee.

Advertising revenues must be properly reported and accounted for by the Business Office as per any administrative guidelines, policies, Generally Accepted Accounting Principles, and DPI Audit Guide requirements.

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