

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. Superintendent and/or designee 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.

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, sexual orientation, gender identity, 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, and event programs. The superintendent and/or designee 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. The superintendent and/or designee 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. The superintendent and/or designee may permit boards, displays or banners that acknowledge donations or sponsors of a school or the school system.
4. The superintendent and/or designee may allow advertising through the school system e-mail for promotional incentives for employees only. Advertising through the school system's student e-mail system and the school system website shall be prohibited.
5. Fund-raising and incentive efforts involving advertising by the school PTAs/PTOs or booster clubs solely for the benefit of the schools may be conducted with prior approval of the school principal. Activities involving advertising shall not infringe upon instructional time.
6. Advertising in school publications, in school media, in school facilities and on school property shall 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.
7. The superintendent and/or designee has discretion to determine whether to use commercially sponsored materials or materials containing commercial advertising in school instructional programs and activities.
8. Collection of student data for marketing purposes is governed by Section B of policy 4720, Surveys of Students.
9. The superintendent and/or designee 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.

E. PROTECTION OF STUDENT PRIVACY

Neither the school system nor the school administrators at any school shall 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 shall 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 and/or superintendent's designee may approve advertising that complies with board policies and regulations and respond within 30 working days.

If the principal and/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) shall 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: 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)

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