

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, services, programs or activities on school property, at school events, or through school publications and other 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 MESSAGES

The board of education prohibits advertising that (1) is vulgar, indecent or obscene; (2) contains libelous statements, personal attacks, or abusive language such as language defaming a person's character, race, religion, ethnic origin, sex (including pregnancy, childbirth, sexual orientation, and gender identity), family status, or disability; (3) causes or clearly threatens to cause a material and substantial disruption of a school activity; (4) encourages the commission of unlawful acts or the violation of lawful school rules or regulations; (5) is inappropriate considering the age of the students in the school; (6) includes information that is inaccurate, misleading or false; or (7) is for 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. School officials may allow for commercial advertisement space on stadium, athletic, or gymnasium billboards, banners, or signage or in school publications, such as yearbooks, school newspapers, newsletters, and event programs. Such space may be sold, for a reasonable fee or an in-kind contribution, to outside organizations or individuals for the purpose of advertising their products, services, programs or activities.
2. School officials may permit boards, displays or banners that acknowledge donations to or sponsors of a school or the school system.
3. School officials shall prohibit advertising through the school system employee and student e-mail system and the school system website.
4. Advertising in school publications or other school media, in school facilities and on school property shall be limited to an advertiser's (a) 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, services, programs, or activities in a value-neutral description.
5. School officials have discretion to determine whether to use commercially sponsored materials or materials containing commercial advertising in school instructional programs and activities.
6. 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.

E. PROTECTION OF STUDENT PRIVACY

Collection of student data by the school system for marketing purposes is governed by Section C of policy 4720, Surveys of Students.

No school system employees 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 system employee 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 marketing purposes. 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 products, services, programs, or activities pursuant to this policy and 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 shall decide whether to approve the advertising request and respond within 30 working days.

If the principal or superintendent's designee denies an advertising request the entity or individual seeking to advertise has five days to appeal the decision to the superintendent to review the decision made by the principal or the superintendent's designee within five working days. The superintendent shall make a decision within 10 working days of receiving the appeal. 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 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)

Adopted: April 10, 2014

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