

Advertising and Promotional Activities on School Property

I. Statement of Policy

To enhance community support and involvement in the schools and to expand revenue sources for the purpose of maintaining and enhancing educational programs, the Board of Education authorizes the use of agreements for commercial advertising on school property and the related distribution of promotional materials on school property, subject to the terms and conditions of this policy. Any advertising, marketing, promotion and/or sponsorship that does not comply with the terms and conditions of this policy shall not be permitted on school property.

The Board of Education maintains the authority to deny, at any time, any advertisement or promotion on school property that it determines to be inconsistent with its mission, not compliant with the terms and conditions of this policy, contrary to law or inconsistent with the educational purposes of the Berlin Public Schools.

The approval of promotional materials or advertisements does not imply an endorsement of any organization, product or service by the Board of Education or the Berlin Public Schools.

II. Applicability of Policy

This policy is intended to govern commercial advertising and the use of promotional materials on school property by individuals, non-profit organizations, and for-profit organizations and businesses. The following types of advertising and promotional opportunities are governed by this policy:

1. Promotional materials distributed to students and/or parents/guardians on school property;
2. Products and materials donated by commercial entities for educational purposes and which bear the name and/or logo and/or other promotional material regarding the donating entity; and
3. Paid commercial advertising on school property.

III. Definitions

For the purposes of this policy:

1. “Advertising” shall mean the paid placement of commercial materials, information, images (including but not limited to logos) by individuals, non-profit organizations, and for-profit organizations and businesses.

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2. “Promotional materials” shall mean materials which include information, images (including but not limited to logos), statements or messages which promote a product, organization or institution and which are associated with a donation by individuals, non-profit organizations, and for-profit organizations and businesses.
3. “School property” shall include, but not be limited to, real property used for school purposes, school district vehicles, the school district’s electronic communication media, and electronic or print materials published or used by the school district.
4. “School officials” shall include the superintendent of schools, assistant superintendent, business manager, Pupil Personnel Services administrators, human resources director, and school principals.

IV. Prohibitions

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 or discriminating against an individual on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability (including pregnancy), gender identity or expression, veteran status, or any other basis prohibited by state or federal law; (3) cause or threaten to cause a material and substantial disruption of a school activity; (4) encourage the commission of unlawful acts or the violation of school rules and/or Board Policy; (5) are inappropriate considering the age of the students in the school; (6) include information that is inaccurate, misleading or false; (7) declare or imply an endorsement by the Board of Education or the Berlin Public Schools; (8) advertise any product or service not permitted to minors by law; (9) promote or oppose any political candidate or ballot proposition; (10) are inconsistent with the Board of Education’s mission; (11) are contrary to law; or (12) are inconsistent with any policy, rule or regulation of any regulatory authority governing any educational program of the Berlin Public Schools.

V. Limited Public Forum

Although permitting some commercial advertising and commercial promotion within the school system, this policy shall not establish a public forum or open school property and/or facilities, including its electronic media, print publications, or school facilities, for unlimited access by outsiders or advertising by the general public.

VI. Regulations

The superintendent of schools shall develop regulations governing advertising and the use of promotional materials in the schools in accordance with this policy and consistent with the following guidelines:

1. Advertising consistent with this policy shall be permitted in school-specific publications (e.g., yearbooks, school newspapers, newsletters) and in accordance with school-specific events or programs. School officials may authorize the publication, for a reasonable fee or an in-kind contribution, of such advertising or promotional materials.

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2. The superintendent of schools may authorize the sale, for a reasonable fee or an in-kind contribution, of space on fixed school property such as stadium, athletic and/or gymnasium billboards, banners, or signage for advertising purposes. Any sales of advertising on fixed school property shall be conducted in a manner determined by the Superintendent of Schools to be in the best interests of the school district.
3. The superintendent of schools may authorize boards, displays, banners, or other media that acknowledge donations or sponsors of a district-wide program or initiative.
4. School officials shall prohibit advertising through the school system employee and student e-mail system.
5. 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.
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 or targeted advertising purposes is prohibited.
8. School officials may accept donations of equipment and supplies that contain advertising messages, provided that such donations must comply with all applicable Board of Education policies.
9. The use of the district's name, or the name of any school or facility, or any logo associated with the district or a school by a third party requires the express written permission of the superintendent of schools.
10. Assemblies or other meetings of students or employees shall not be organized for the purpose of advertising or promotional activities.

VII. Student Privacy

The Berlin Public Schools shall comply, at all times, with federal and Connecticut law and Board of Education policies regarding student privacy and the confidentiality of student records and information when implementing this policy.

Legal References: Conn. Gen. Stat. §10-220.