



## **1115.1: ADVERTISING**

The District may use educational materials bearing identification of the persons, firms, corporations or other business associations responsible for producing the educational materials provided such materials are used solely because of a bona fide educational value.

Commercial advertising and advertisements for the purpose of this Rule is defined to be commercial promotion, acknowledgments, recognition of persons, firms, corporations or other business associations or other commercial organizations for promotion of products or services.

All commercial advertisements must comply with the District's policies and rules.

The acknowledgments, recognition or advertising shall not interfere with nor disrupt the operation of the schools, use of school facilities, school activities or the educational process.

### **I. Standards**

1. The District does not by this rule create or establish an open or public forum and reserves the sole and absolute right to determine the acceptable content of any and all such commercial advertising or advertisements within the District.
2. The content of any commercial advertising must meet with prior approval from the Superintendent or designee. Any commercial advertising that is associated with, connected to, or requires a "special project" as that term is defined in District Rule 3614.1 must be pre-approved by the Superintendent (or designee).
3. The commercial advertisements shall not contain statements or commercial messages which the District determines, in its sole discretion, is contrary to educational values, is vulgar, obscene, defamatory, discriminatory, religious, political or ideological or which relates to a controversial topic or viewpoint.

4. Commercial advertising or advertisements shall not relate to a product or service, which the District determines, in its sole discretion, to be inappropriate or illegal for minors, or violates any provisions of this rule.

5. No commercial message may relate to a product or service that the District determines, in its sole discretion, to be educationally controversial or promotes the indoctrination of ideological, political, religious, or social beliefs.

## **II. Venues or Locations**

A. Commercial advertisements, with the exception of district-owned athletic facilities are not permitted on the interior or exterior of the District's property including buildings or facilities. District-owned athletic facilities where advertising is permitted include the Buell Stadium, football fields, baseball fields, soccer fields, softball fields, tennis courts, gymnasiums and swimming pools.

B. Commercial advertising may be permitted in district-wide publications or district-sponsored projects.

C. Commercial advertising may be permitted in school related publications, newspapers, yearbooks, newsletters, activity programs and school event programs.

## **III. Procedures**

A. Schools shall advise their Partners for Education of all advertising opportunities and may grant a priority to the Partners for Education for such opportunities. Additional commercial advertising opportunities may be offered to Partners for Education as part of the Partners for Education Program with the approval of the Superintendent's designee.

B. The following shall apply to contracts for commercial advertising within Millard Public Schools or on property produced for the district such as clothing, or on all digital and print publications of the district. All advertising contracts shall be on district-approved contract forms and such contracts shall identify the District as the contracting party and shall not identify the particular school or building as the contracting party.

1. Building principals without approval of the Superintendent (or designee) may enter into contracts on behalf of the District for commercial advertising for the building or facility under the principal's authority and responsibility if the contract does not require a payment exceeding \$1,000.00, unless the advertisement or contract is associated with, connected to, or requires a "special project" as that term is defined in District Rule 3614.1. All contracts and advertisements that are associated with, connected to, or require a "special project" must be signed by the Superintendent (or designee).

2. Subject to the prior approval of the Superintendent (or designee), building principals may enter into contracts on behalf of the District for commercial advertising for the building or facility under the principal's authority and responsibility if the contract requires payment exceeding \$1,000.00 unless the advertisement or contract is associated with, connected to, or requires a "special project" as that term is defined in District Rule 3614.1. All contracts and advertisements that are associated with, connected to, or require a "special project" must be signed by the Superintendent (or designee).

3. Any contract providing for any payment exceeding \$10,000.00 shall be subject to the approval of the Board of Education.

4. Any contract which may only be economically feasible if for an extended term such as contracts for gymnasium floors or other similar facilities shall be subject to the approval of the Board of Education.

5. When a payment or donation is made in kind, a fair and reasonable value of the donation or payment in kind shall be considered the amount of the payment received.

C. All revenue received from commercial advertising or institutional support for which recognition is granted shall be reported to the Superintendent (or designee) and deposited into the District activities accounts and distributed as directed by the Superintendent (or designee).

**Date of Adoption**

February 17, 1975

**Date of Revision**

January 7, 2002

May 3, 2010

September 16, 2013

June 1, 2020

## **Related Policies and Rules**

[1115: Advertising](#)

[1306: Political Activity](#)

[1306.1: Political Activity](#)

[1325.1: Community Contests for Students](#)

[3235: Gifts, Donations, and Grants](#)

[3235.1: Gifts, Donations, and Grants](#)

[3614: Construction Planning - Special Projects](#)

[3614.1: Construction Planning - Special Projects](#)

[4145: Political Activities: Public Office](#)

[4145.1: Political Activities - Public Office](#)

[5510.1: Freedom of Expression](#)

[6240: Taught Curriculum - Controversial Issues](#)

[6240.1: Taught Curriculum - Controversial Issues](#)