

ADVERTISING IN SCHOOLS

FILE: KHB

TITLE: Advertising in Schools

POLICY:

Facilities owned or leased by The School Board of Orange County, Florida ("School Board Facilities") shall not be used for advertising or otherwise promoting the interests of any commercial, religious, political or other non-district agency or organization. For purposes of this policy, "Advertising" shall mean 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. The following are exceptions:

- (1) A principal may cooperate with other governmental agencies in promoting activities in the general public's interest or may cooperate in furthering the work of any nonprofit organization or communitywide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school.
- (2) A principal may authorize the placement of the brand name or logo of a third party that donates or gifts an item of equipment (such as a scoreboard or an auditorium light board) on that item of equipment to recognize the donor; provided such donation is not in excess of \$25,000.00. For donations or gifts by a third party in excess of \$25,000.00, acknowledgement or advertisements of the donation, gift or third party shall require the written approval of the superintendent or his/her designee.
- (3) To raise revenue for support of interscholastic athletics, performing arts and other programs and activities at the middle and high school level, special programs and activities at the elementary level, and other Orange County Public Schools ("OCPS") programs, the sale of display advertising on School Board Facilities to third parties is permitted subject to the following procedure:
 - (a) All third parties wishing to install display advertising on School Board Facilities that is affixed to a permanent structure on a School Board Facility ("Third Party Advertisers"), shall enter into a written agreement with The School Board of Orange County, Florida ("Board") to secure the advertisement rights, facility naming rights, install and maintain the displays and address all other necessary terms, as determined by the school board ("Display Advertising Agreement"), and such Display Advertising Agreement shall be negotiated by the OCPS Public Relations Department and the OCPS Legal Services Department.
 - (b) All Display Advertising Agreements shall be for a minimum term of five (5) years.
 - (c) Compensation to the OCPS may be based on a set fee, commission, percentage, or other financial arrangement in the best interest of OCPS. All net compensation received by OCPS pursuant to this policy, shall be distributed as follows: 75% to the school

where such advertisement is located and 25% to the OCPS general fund. Notwithstanding the foregoing, for purposes of this Policy in-kind services or the value of merchandise received by a school as part of a Display Advertising Agreement shall not be included in the net compensation distribution.

- (d) OCPS shall incur no cost for permitting, installation, maintenance or removal of any display advertisement on School Board Facilities. All such costs for permitting, installation, maintenance or removal of display advertisement may be included in the compensation received by OCPS.
 - (e) All display advertisement shall comply with applicable ordinances, rules, regulations and standards promulgated by the OCPS Facilities Department. The Third Party Advertisers shall submit all plans and material specifications for permanent structural improvements to the OCPS Facilities Planning and Construction Section for review and approval prior to installation, and if necessary, to all applicable local jurisdictions.
 - (f) Only licensed professionals approved by the OCPS Facilities Department will be permitted to oversee the planning, designing and construction modifications.
 - (g) All Display Advertising Agreements for a term of over one (1) year or that exceeds \$25,000.00 in revenue shall require the approval of the Board; provided, however the superintendent's Executive Cabinet shall review the Display Advertising Agreement prior to Board approval.
- (4) Non-district educational materials, films and videos may be distributed as follows:
- (a) The primary aim of the materials shall be to fulfill a legitimate purpose of the school curriculum or a legitimate school need. The material must not violate the ideals of the school system.
 - (b) The advertising feature should be secondary and comprise no more than 25 percent of the materials, films and videos. Films and videos may be used that bear only simple mention of the producing firm at the open or close of the film or video.
 - (c) All such materials, films and videos shall be approved in advance by the principal for use in the school and classroom.
- (5) Demonstrations of educational materials and equipment shall be permitted only with the approval and arrangement by the principal or work location supervisor.
- (6) Commercial presentations made to school faculties shall be permitted only after duty hours and with the written approval and arrangement by the principal or work location supervisor. No employee shall be required to attend any such meeting.

The following guidelines shall be followed with respect to any form of advertising on school grounds:

- (1) All commercial or corporate involvement should be consistent with the Board's educational standards and goals.
- (2) 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, movies rated stronger than PG-13, or gambling aids.
- (3) No advertisement shall promote any specific religion or religious, ethnic or racial group and shall be non-proselytizing; provided, however, religious groups leasing School Board Facilities shall be permitted to advertise the dates and times such groups hold events at School Board Facilities.
- (4) Advertisements containing a campaign or other political message supporting or opposing a political candidate for public office, a political platform, or a political issue, are prohibited. Consistent with this prohibition, no organization or political candidate may sponsor an advertisement (including public service announcement) if the name of that organization or candidate indicates, reflects, or in any way suggests its political message or candidacy.
- (5) No advertisement may contain libelous material.
- (6) No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.
- (7) No advertisement shall include content from which State law permits students or parents to "opt out" if that content were to be presented in a classroom curriculum context, or on school campus.
- (8) No advertisement shall be false, misleading or deceptive.
- (9) Each advertisement must be reviewed in advance for age appropriateness. The superintendent or his/her designee shall screen all advertising and may prohibit the same in his/her discretion.
- (10) Advertisements may be rejected if determined to be inconsistent with the educational objectives of OCPS, if inappropriate, or if inconsistent with the guidelines set forth in this policy.
- (11) The superintendent or his/her designee may require that samples of advertising be made available for inspection.
- (12) The inclusion of advertisements in OCPS publications, in School District Facilities, or on other Board property does not constitute or imply

approval and/or endorsement of any product, service, organization, or activity.

SPECIFIC AUTHORITY:

Section 1001.41, Florida Statutes

ADOPTED: 08/23/94

REVISED 04/23/13