

BUSINESS AFFILIATIONS

The Centennial School Board recognizes the benefit of entering into affiliations with businesses, agencies or individuals that enhance the educational experiences for students.

The Superintendent is responsible for the implementation of this policy.

Policy: 6.7

Adopted: 06/12/07

..... 01/13/09

ADMINISTRATIVE PROCEDURES REGARDING BUSINESS AFFILIATIONS

Purpose

The Board acknowledges that commercialism in schools takes on many forms ranging from advertising, selling products for fundraisers and participating in business/education partnerships. The School Board of Directors further recognizes that involving elements of commercialism with the educational program may be beneficial to students. As a result, the policy of the Board shall be to permit selected commercial advertisements, activities or sponsorships when there is a specific benefit to the students and/or the District's educational program.

Authority

The Board recognizes that schools are a non-public forum and as such need to protect students from exploitation of a captive audience, and avoid any distractions, which could impede the educational mission. Except for instruction related to advertising, students shall not be required to listen to, read, or be subjected to commercial advertising in the classroom or in school-provided materials in curriculum-related activities, except as provided by this policy.

Affiliations

The Board seeks and encourages participatory arrangements between the School District and area businesses. An affiliation may take many forms, including outright sponsorship of specific program or purchases, personnel exchange, volunteering, speakers, advisory committees, etc. The Superintendent shall assure that the goals of each specific affiliation are mutually developed and agreeable to both parties. If a particular business wishes to formally sponsor the financial part or all of a specific activity, school officials shall maintain control and management of the activity. Schools may cooperate with non-profit organizations or government agencies in promoting activities in the general public interest, which are nonpartisan and nonsectarian and which promote the educational program of the schools and the best interest of the students.

The Board of School Directors encourages affiliates to help support district programs and services. An affiliate may be acknowledged in School District publications. No sales of products or services should be a condition of affiliations.

I. Definitions

- A. Advertisement - Any payment of money or other economic benefit to a school or to the District that requires visual, audio, or video placement of a name, slogan, or product message on a school district property or publication.
 1. The term advertisement does not include traditional fundraising activities such as jump-a-thons, magazine sales, or food sales; nor does it apply to outright gifts to which no quid-pro-quo is attached.
 2. Allowable advertisements are defined as follows:
 - a. Paid advertisements in student publications or other District publications.
 - b. An advertisement, not to exceed 25% of the total content, supporting the District or one of its schools or an organization approved by the Superintendent or the Board of School Directors.

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- c. The display of product names on vending machines that have been placed in the school for the use of students, staff, and the public at secondary schools and other District facilities.
 - d. Paid advertisements/signs on stadium athletic field that meet the municipality's sign code.
 - e. Business, corporation and/or agency name on a school building or part thereof, auditorium, gymnasium, media center, multi-purpose room, fitness center, science laboratory, technology laboratory, technology education laboratory, and/or other designated areas of property owned by the school district.
 - f. Cable channel – Selling ads to business partners
- B. Commercial Activities - The sale and/or distribution of products and/or services, sample programs and demonstrations.
- C. Contract(s) - Any payment of a premium or provision of some economic benefit to a school or to the District.
- D. Memorandum of Understanding – A document representing a Business's desire to partner with the District.
- E. Affiliations - Joint ventures with the School District for the purpose of fiscal support of or economic benefit to a school and/or to the District in exchange for recognition. Allowable partnerships are defined as follows:
- 1. Educational material, programs, uniforms, equipment and/or activities
 - 2. Extracurricular programs, uniforms, equipment and/or activities
 - 3. Facility enhancements, educational and other areas and/or property
- F. Purchase of Goods and Services – Purchase of services or goods by the District for a product or service required by the District.
- G. District Authorized Personnel – The District Superintendent or his/her designee, i.e. not a Board member, is authorized to engage in contract negotiations with businesses on behalf of the District.

II. Guidelines

- A. In order to ensure that affiliations do not interfere with educational programs or students, parents or staff, all affiliations shall be in the best interest of students as determined and approved by the Superintendent or the School Board.
- B. The District shall provide no personally identifiable data about any student for any commercial purposes.
- C. Students shall not be required to complete any survey or questionnaire that is designed to provide marketing information.

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III. Approvals

- A. Under those circumstances where this policy states that approval is required from the Superintendent or the Board, if the value of the advertising or other business affiliation is \$10,000 or less, the Superintendent may approve the contract or affiliation except the Superintendent shall notify, in writing, the Board of School Directors of his/her intention to approve such an affiliation or contract, and if no objection to his/her intended action is received by the next scheduled public meeting of the Board of School Directors, then the Superintendent may proceed to approve the contract, affiliation or the like. If an objection is received from any Board Member, then the matter must be approved by the Board of School Directors. If the value of the contract or affiliation exceeds \$10,000, then approval must be granted by the Board of School Directors.

The Superintendent shall provide a description of the benefits that the affiliation will provide and the potential impact on students and the school environment. Under those circumstances where a proposed contract, affiliation or the like has no economic value, then the Superintendent shall be authorized to approve such contracts or affiliations subject to the notification requirements as set forth previously in this subsection.

- B. The District shall have no legal relationship with a proposed advertiser or partner, other than to permit advertisement or sponsorship to proceed even if such action is pursuant to a contract.

IV. Contract(s) or Memorandum(s) of Understanding

- A. All partnerships shall be formalized in a written contract or Memorandum of Understanding with terms and duration which are acceptable to and approved by the Superintendent or the Board of School Directors in conformance with Section III.
- B. The creation and negotiation of a contract or Memorandum of Understanding with a potential business partner can only be performed by the Superintendent or his/her designee, i.e. not a Board member, or such person assigned and approved by the Board of School Directors.
- C. Any person representing the District who is taking part in business negotiation contracts must certify, under appropriate penalties, that they are not participating by way of any financial reward coming to them as a result of representing the District in any business negotiation. (Addendum A).
- D. A District employee may be granted permission to assist in negotiations by the Superintendent or his/her designee.
- E. All such contracts or Memorandums of Understanding must be issued in conformance with purchasing procedures established by law and the Board of School Directors' policy

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- F. Contract(s) or Memorandums of Understanding shall not include provisions that would allow marketing activities, including advertising, to take place in District classrooms. Designated areas will only be available at the approval of the Superintendent or the Board of School Directors.
 - G. The Superintendent or the Board of School Directors shall consider the approval of a contract or Memorandum of Understanding if it will result in substantial benefit to the District, its schools and their respective students, and is not inconsistent with the District's mission, policies and goals.
- V. Advertisements
- A. Promotion, display, or sale of commercial products or advertisements promoting corporate interests shall be permitted only when such promotion will generate revenue or provide some other benefit for the District.
 - B. This regulation does not apply to the incidental display of names of product or corporate names on school equipment or supplies, or to food products sold in cafeterias and vending machines or at District events.
 - C. Any exclusive use of food products shall be regulated by the District contract with the food service provider or by some other District agreement with a vendor, business, or corporation.
 - D. With the approval of the Superintendent, coupons for goods and services provided by local businesses may be used as rewards or incentives for an educational program, but wholesale distribution of such coupons is not permitted.
 - E. Students shall not be used to solicit door-to-door sales in the community for such products.
 - F. Commercial advertisements are permitted in student publications, programs, and the like. Students are permitted to solicit such advertisements from local businesses.
 - G. No commercial advertisements or sale or display of products shall be used which are not appropriate for student use or consistent with District policy. Examples of inappropriate use would be advertisements for but not limited to alcohol or tobacco products, body piercing, tattoo parlor.
 - H. Posters or other materials designed to promote use of a product shall not be permitted in classrooms or school offices. Limited use of commercial posters is permitted in the cafeteria and halls if such use is part of a District agreement with a vendor, business, or corporation.
 - I. Limited use of posters and other materials which are not part of a District agreement with a vendor may also be permitted in cafeteria and halls if their primary purpose is to promote a clearly defined educational goal and if the use of a corporate name or logo is incidental. Examples of such goals might be prevention of substance abuse or encouraging students to read. The principal shall determine the poster's educational value and how much use is permissible.

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- J. No educational materials published by a corporate interest shall be used in instruction unless they are part of the approved Course of Study, even when such materials are free.
 - K. Criteria for Approval of Advertising.
Centennial facilities, vehicles and other property may carry advertising under the following circumstances:
 - 1. Written proposals and sample copy must be provided to the District Superintendent who will share them with the Board, along with a recommendation for approval or disapproval.
 - 2. Advertising must be non-controversial, non-political, non-religious, dignified and professionally done.
 - 3. Fees either may be sent by the Board, or the District may solicit proposals for advertising with prospective advertisers bidding on specific advertising projects. Fees must be paid to the District.
 - 4. Advertising proposals, copy, contracted requirements and timeframes for display must be approved by the Superintendent or the School Board.
- VI. Fund Raising

Solicitation of money by students and school related groups should be in accordance with 6.0 Community and Policy 6.1 Community/School Fund Raising. The Board does not permit the involvement of students in any door to door solicitation.

CERTIFICATION

I, _____, employed by the Centennial School District as a _____, have received approval from the Superintendent and/or his/her designee, not a Board member, to participate in negotiations with potential business affiliation partners pursuant to the provisions of Policy 6.7 (Business Affiliations). In furtherance of that designation, I acknowledge having reviewed the provisions of Policy 6.7, and I understand that no agreements can be effectuated between the School District and a potential business affiliate without that agreement having been approved by the District Superintendent or the Board of School Directors depending upon the value of that contract. I further acknowledge that neither I, nor a member of my immediate family, which would include a spouse, parent, child, or sibling, may benefit in any respect from the contract, either directly or indirectly, that I may be negotiating on behalf of the School District with a potential business affiliate. For the purpose of this certification, benefit would include, but not be limited to, financial rewards, gifts or gratuities, tickets to sporting events, or any other item of value which would inure to my benefit or the benefit of my immediate family.

I further acknowledge by signing this Certification that if I should violate the provisions of this Certification that I may be disciplined to the point where my employment may be terminated notwithstanding any other rights I may have to my continued employment pursuant to the School Code or the policies and procedures of the School District including any Collective Bargaining Agreements. I also acknowledge that if I have falsely executed this Certification and have benefited, or my immediate family has benefited, from my involvement in negotiating any contracts, I may be subject to criminal penalties. I have executed this certification on the _____ day of _____, 20 .

WITNESS:

