

1 Students and the educational program must be the focus of the school system. In order to
2 maintain an educational environment conducive to learning and to minimize intrusions upon
3 instructional time, the Transylvania County Board of Education (the “board”) discourages
4 advertising for and promotion of commercial products and services ~~are discouraged~~ during the
5 instructional day. School officials shall screen and approve the distribution and display of
6 advertising materials and messages publicized through school media or displayed on school
7 property and at school events.

8 9 **A. APPLICABILITY OF POLICY**

10
11 This policy is intended to govern requests to advertise products or services on school
12 grounds or through school publications and electronic media by:

- 13
14 1. individuals;
- 15
16 2. non-profit organizations not otherwise permitted to distribute or display materials
17 or messages by policy 5210, Distribution and Display of Non-School Material;
18 and
- 19
20 3. for-profit organizations and businesses.

21 22 **B. PROHIBITED ADVERTISEMENT AND PROMOTIONAL ACTIVITIES**

23
24 The board prohibits advertising, commercial or promotional messages, and other items
25 and materials that (1) are vulgar, indecent, or obscene; (2) contain libelous statements,
26 personal attacks, or abusive language such as language defaming a person’s character,
27 race, religion, ethnic origin, gender, family status, or disability; (3) cause or clearly
28 threaten to cause a material and substantial disruption of a school activity; (4) encourage
29 the commission of unlawful acts or the violation of lawful school regulations; (5) are
30 inappropriate considering the age of the students in the school; (6) include information
31 that is inaccurate, misleading, or false; or (7) advertise any product or service not
32 permitted to minors by law.

33 34 **C. SCHOOL FORUMS**

35
36 Although permitting some advertising within the school system, the board does not
37 intend to create a public forum or to open school facilities, including its electronic media,
38 print publications, or school facilities, for unlimited access by outsiders and advertising
39 by the general public.

40 41 **D. REGULATIONS GOVERNING ADVERTISING IN THE SCHOOLS**

42
43 The superintendent shall develop regulations governing advertising in the schools subject
44 to Section B, above, and in accordance with the following guidelines.

- 45
- 46 1. Advertising is permitted in school publications such as yearbooks, school
- 47 newspapers, newsletters, and event programs. School officials may permit the
- 48 publication of commercial advertisements for a reasonable fee or an in-kind
- 49 contribution that advertises or promotes an outside organization’s products,
- 50 programs, or services.
- 51
- 52 2. School officials may sell, for a reasonable fee or an in-kind contribution,
- 53 commercial advertisement space on stadium, athletic, and/or gymnasium
- 54 billboards, banners, or signage for advertisements or promotions of an outside
- 55 organization’s products, services, programs, or activities.
- 56
- 57 3. School officials may permit boards, displays, or banners that acknowledge
- 58 donations or sponsors of a school or the school system.
- 59
- 60 4. School officials shall prohibit advertising through the school system employee
- 61 and student e-mail system and the school system website.
- 62
- 63 5. Advertising in school publications, in school media, in school facilities, and on
- 64 school property will be limited to an advertiser’s (a) name, brand name, and/or
- 65 trade name; (b) logo; (c) location or place of business and contact information; (d)
- 66 slogans that identify the advertiser but do not promote it; and (e) products,
- 67 programs, or services in a value-neutral description.
- 68
- 69 6. School officials have discretion to determine whether to use commercially
- 70 sponsored materials or materials containing commercial advertising in school
- 71 instructional programs and activities.
- 72
- 73 7. Collection of student data for marketing purposes is governed by Section B of
- 74 policy 4720, Surveys of Students.
- 75
- 76 8. School officials may accept donations of equipment and supplies that contain
- 77 advertising messages. However, such donations must comply with the
- 78 requirements of policy 8220, Gifts and Bequests.
- 79

E. PROTECTION OF STUDENT PRIVACY

80

81

82 Neither the school system nor the school administrators at any school will require

83 students to provide marketing information to vendors either through the provision of

84 personal information or through marketing surveys. In addition, neither the school

85 system nor any school administrator will enter into any contract for products or services,

86 including electronic media services, in which students are asked to reveal personal

87 information for collection by the providers of such services. For the purposes of this

88 section, personal information includes, but is not limited to, the student's name, telephone
89 number, e-mail address, and home address.

90

91 **F. PROCESS TO REQUEST TO ADVERTISE**

92

93 Any entity or individual interested in advertising or promoting products and services
94 pursuant to this policy or school system regulations must submit a request to the principal
95 (for advertising specific to an individual school) or to the superintendent's designee (for
96 system-wide advertising). The principal or superintendent's designee may approve
97 advertising that complies with board policies and regulations and respond within 30
98 working days.

99

100 If the principal or superintendent's designee denies a request for approval to advertise a
101 product or service, the entity seeking to advertise may submit a request for the
102 superintendent to review the decision made by the principal or the superintendent's
103 designee within five working days. The superintendent shall review the request and
104 make a decision within 10 working days of receiving the request for review. As needed,
105 the superintendent shall consult with the board attorney concerning a request to advertise.

106

107 Any request denied by the superintendent may be appealed to the board if the right to an
108 appeal is mandated by G.S. 115C-45(c). A decision as to whether an appeal is mandated
109 by G.S. 115C-45(c) will be made in consultation with the board attorney. If an appeal is
110 not mandated by G.S. 115C-45(c), the board, in its sole discretion, may decide whether or
111 not to review the superintendent's decision.

112

113 Legal References: G.S. 115C-36, -45(c), -98

114

115 Cross References: Surveys of Students (policy 4720), Distribution and Display of Non-School
116 Material (policy 5210), Gifts and Bequests (policy 8220)

117

118 Adopted:

119