

**SOLICITATION, ADVERTISEMENT, AND
PROMOTIONAL ACTIVITIES**

**Admin. Reg. E-__
December, 2016**

- I. Introduction.** In order to maintain an educational environment conducive to learning and to minimize intrusions upon instructional time, employees of and students enrolled in the Beaufort County School District (“BCSD”) shall not be involved in the promotion or advertisement of any commercial or nonprofit agency, organization, or activity during the instructional day, except as approved by the Superintendent or his/her designee in accordance with the criteria and provisions below.
- II. Purposes.** The BCSD recognizes concerns for the welfare of students from their entry on a school bus or school property until they return to their bus stop or leave school property. BCSD students and staff are not to be distracted from learning or the exercise of their job duties by the presence on campus of unauthorized individuals who are engaged in promotions or advertising in contravention of this Administrative Regulation. Because public schools exist for the educational benefit of students, any and all revenues generated through commercial advertising on school campuses shall be used to help defray the cost of extracurricular and interscholastic participation for students.
- III. Definitions.** For purposes of this Administrative Regulation, the following terms shall have the following expressed meanings:
- A. Advertisement Activities - The publication or communication of information about a commercial or nonprofit organization's products, services, programs, or activities to teachers, other employees, and/or students and/or their parents for the purpose of inducing teachers, employees and/or students and/or their parents to purchase its products, use its services or attend its programs or activities.
 - B. Promotional Activities - Any activity in the school designed or intended to further the growth, business, good name, and/or reputation of a commercial or nonprofit organization. The term promotional activity includes but is not necessarily limited to the distribution of gifts to employees, students, and/or parents bearing the organization's name, logo or symbol, the distribution of discount coupons or the advertisement of a discount program for products or services to employees, students and/or parents, or the sponsorship of educational programs or activities in the name of an organization.
 - C. Commercial Activity – Any advertisement or promotional activity designed or intended to market, sell, or inform students, parents, and/or employees about an advertiser’s products, services, and/or programs as an inducement for the student, parent, and/or employee to purchase or use the product or service.
 - D. Political Activity – Oral, written or symbolic speech on a legitimate matter or public concern as distinguished from commercial activity to advertise or promote a product or service.

- E. Religious Activity – Oral, written, or graphic speech designed or intended to evangelize or persuade the listener to adhere to a religious belief or to attend a religious worship program or activity as distinguished from commercial activity to advertise or promote a primarily secular service or activity offered by a religious institution or organization, such as youth sports, childcare, tutorial programs, or youth service organizations.

IV. Prohibited Advertisement and Promotional Activities.

- A. The BCSD possesses a substantial and/or compelling interest in prohibiting the following types or categories of advertising, promotional, and/or commercial activities on BCSD property and within the BCSD. The BCSD will not permit advertisements, promotions, and commercial activities to be constructed or displayed on BCSD property or within the BCSD. The District will not permit advertisements to be constructed or displayed if it describes, suggests, promotes or is commonly identified with any product, service, activity or advocacy of a political or partisan issue or statement, which is incompatible with the BCSD educational philosophy or the community at large, including but not limited to the following products, services or activities:
1. Lewd, vulgar, indecent, profane, and/or obscene products and/or services;
 2. Inaccurate, misleading, or false commercial products and/or services;
 3. Products which are unlawful and/or the purchase and/or use of such is prohibited by minors, including but not limited to:
 - a. Alcohol, beer, wine, and/or liquor products;
 - b. Tobacco products;
 - c. Illegal drugs/narcotics and/or drug paraphernalia;
 - d. Dating and escort services;
 - e. Gang activities;
 - f. Gambling or gambling aids;
 - g. Birth control products or related information; and
 - h. Products with explicit sexual content or sexual overtones.
- B. The BCSD shall not permit advertisements to be constructed or displayed if the name of the advertiser, promoter, solicitor, and/or contributor and/or any other information as used in the advertisement, promotion or solicitation is or may reasonably be construed to be:

1. Libelous;
 2. Vulgar;
 3. Obscene;
 4. Racially offensive;
 5. Factually inaccurate;
 6. Inappropriate for minors;
 7. Inappropriate for the age of the students served by the school;
 8. Incompatible with the BCSD educational philosophy or the community at large; or
 9. Is in violation of any state or federal policies, regulations, laws or statutes.
- C. The Superintendent or his/her designee reserve the right to reject any advertisement, promotion, or solicitation. Proposed advertisements, promotions, and/or solicitations in variance of this provision shall be approved in advance by the Superintendent or his/her designee before construction or display. The failure to follow this provision shall not be deemed to waive the rights of the BCSD to enforce this Administrative Regulation.
- D. Religious organizations may advertise and promote their secular programs and activities, such as child care, youth sports, and youth clubs in the same manner as other similar programs and activities. However, religious organizations may not use any of the limited public fora and nonpublic for a set forth in this Administrative Regulation to advertise or promote religious activities.

V. Solicitation on School Property.

- A. No person, firm, corporation, or business shall enter upon BCSD property for the purpose of selling, trading, or bartering merchandise of any kind to a student, employee, school club, or student organization, nor shall any of the above enter upon school property for the purpose of soliciting money from a student, employee, school club, or student organization for any purpose. The following exceptions may be permitted when approved by the Principal unless additional approval is required in the provisions below:
1. Fundraisers as permitted in BCSD Administrative Regulation SS-33, Student Fundraising Activities;
 2. Political Solicitations in Schools as permitted in BCSD Administrative Regulation E-12; or

3. Vendors as permitted in BCSD Administrative Regulation OS-14, Sales Calls and Demonstrations.

B. Charitable Solicitations of Employees.

1. Systemwide Campaigns. The Superintendent, in his/her sole discretion may authorize, a non-profit, educational, cultural, recreational, health, or social service organization to conduct a systemwide solicitation of school employees to raise funds to provide programs or services to benefit the education, health, or welfare of students enrolled in the BCSD.
2. Local or Community-Based Campaigns.
 - a. The Superintendent may authorize, in his/her sole discretion, a nonprofit educational, cultural, recreational, health, or social service organization to conduct a solicitation from employees at several schools serving a particular community or geographic area of the county to raise funds for a program of service benefitting the education, health or welfare of BCSD students in that area.
 - b. A Principal may authorize, in his/her discretion, a non-profit educational, cultural, recreational, health, or social service organization to conduct a solicitation from school employees within a particular school to raise funds for a program or service benefitting the education, health or welfare of public BCSD students in that school.

VI. Limited Public Fora for Permitted Advertising and Promotional Activities; Least Intrusive and Burdensome and Most Appropriate Forum. Advertising and promotional activities may be limited by the BCSD to any one or more of the following limited public fora within the BCSD:

A. All Schools.

1. Unsolicited materials and/or products provided for distribution to students.
 - a. For-Profit Companies, Private Entities, Non-Profit Entities, and Other Organizations.
 - i. May not be distributed directly to BCSD students.
 - ii. If approved by the BCSD Director of Communications, or his/her designee, may be distributed to schools and placed on display in school offices or lobbies at the discretion of the Principal.
 - b. Public Government Agencies. May be distributed directly to students if approved by the BCSD Director of Communications, or his/her designee.
 - c. School Support Organizations and Partners in Education. Material provided by

school support organizations, as defined in BCSD Administrative Regulation OS-26, Use of School Facilities, and/or Partners in Education may be distributed directly to students, upon approval by the Principal.

2. Solicitations by Students. In activities sponsored by a school and in which students are to sell items or solicit advertisements, contributions, pledges, or orders, a school may, at the discretion of the Principal, unless additional approval is required in the provisions below, allow the following advertisements in exchange for contributions to support local school extracurricular and/or educational activities, provided all advertising requirements, regulations, restrictions and prohibitions are followed:

- a. Advertisement in programs for school extracurricular activities;
- b. Advertisement in school newspapers, annuals; and/or yearbooks;
- c. Advertisement on school web sites; and
- d. Advertisement on school marquee signs.

B. Web Sites. The BCSD and individual school web sites may contain advertisements for commercial businesses or fund-raising organizations and shall meet any specifications determined by the BCSD Director of Communications or his/her designee.

C. Display Advertisements. Revenue generated through display advertisements shall be used to help defray the cost of participation for student athletes and their parents, as well as for other approved educational purposes.

1. Display advertisements include, but are not limited to:

- a. Advertisements in areas of public assembly, such as athletic fields and gymnasiums;
- b. Advertisements on school marquee signs; and
- c. Advertisements inside a school, with the exception of athletic facilities. These advertisements shall be easily removable and shall only be displayed after school hours.

2. Display advertisements shall be limited to an advertiser's:

- a. Name, brand name, or trade name;
- b. Logo;
- c. Location or place of business and contact information;

- d. Slogans which identify but do not promote the advertiser; and
 - e. Products, programs, or services in a value neutral description.
3. The BCSD and its schools shall not enter into an exclusive advertising arrangement, other than those included in a sales contract executed by the BCSD.
 4. Advertisements placed on BCSD property shall become the property of the BCSD and may be removed by the BCSD at any time and for any reason, in the sole discretion of the BCSD.
 5. A school Principal may limit the number and location of advertisements which may be displayed at his/her school. Issues regarding the number and/or location of advertisements at a particular school site will be resolved by the Principal.

D. Electronic Video Scoreboards and Marquees. In addition to any BCSD and/or local government building requirements, including those set forth in BCSD Administrative Regulation OS-25, Modification or Construction of Facilities, the following guidelines apply to electronic video scoreboards and marquees:

1. The size, design and location of electronic video scoreboards must be approved by the Superintendent or his/her designee;
2. Advertisements displayed on static signs around the electronic video scoreboard must meet all requirements set forth in BCSD Administrative Regulations; and
3. Video advertisements displayed on the electronic video scoreboards must meet all requirements set forth in BCSD Administrative Regulations.

VII. Intent.

- A. Other than as set forth expressly herein, this Administrative Regulation does not create, nor is it intended to create, a public or limited public forum.
- B. Inasmuch as BCSD outdoor fields and spaces are utilized, in part, as educational spaces and/or classrooms during the school day, any outdoor advertisements located thereon must be in compliance with this Administrative Regulation.
- C. Nothing herein shall be interpreted or implemented so as to open BCSD facilities for indiscriminate use by the general public.
- D. Advertising on BCSD property, including programs for extracurricular activities, school newspapers, annuals, or yearbooks, in display ads, on school web sites, or marquee signs, whether in exchange for monetary or nonmonetary compensation or consideration, does not constitute an endorsement of any business or service by the BCSD. No warranties or guarantees are implied. Neither the BCSD, the BCSD Board

of Education, nor their employees are responsible for any harm or loss that may result from interaction with any and all advertisers.

VIII. Donations of Property for the Purpose of Advertisement.

- A. For donations of \$1,000.00 or more, refer to BCSD Administrative Regulation OS-7, Donations, and Administrative Regulation OS-28, Naming of School Facilities.
- B. The BCSD may, but is not required to, accept gifts/donations of equipment or improvements to school property.
- C. If approved by the Superintendent or his/her designee, gifts/donations for the purposes of advertisement may display the name of the donor. If the name of the donor is displayed on the property or improvements, the name of the donor must be compatible with the requirements of this Administrative Regulation.

Adopted:

Revised:

DRAFT

**Beaufort County School District
APPLICATION FOR OUTDOOR ADVERTISING**

Date

All outdoor advertising must adhere to Beaufort County School District Administrative Rule
Outdoor signs are limited in size to 8' x 8¹ or less. No three dimensional signs will be approved.
The advertising copy, site and display requirements shall be only in one of the following formats:

[NAME OF CONTRIBUTOR] SUPPORTS
[SCHOOL NAME] HIGH SCHOOL
[NAME OF CONTRIBUTOR] SUPPORTS [SCHOOL
NAME] [SCHOOL GROUP/TEAM NAME]
GO [SCHOOL GROUP/TEAM NAME]!
COURTESY OF [NAME OF
CONTRIBUTOR]

The name of the contributor may include the contributor's address, e-mail address and telephone number at the option of the contributor. If, in the opinion of both the District Athletic office and the principal, the contributor's legal name does not adequately identify the contributor to the community, the District Athletic Director and the principal may include the product or service the contributor provides, but only to the extent necessary to adequately identify the contributor to the community.

Format to be used for this sign is:

All advertisements placed on school property shall become the property of the School District and may be removed by the School District at any time. The principal or the District Athletic Director reserve the right to accept or reject any advertisement copy and may limit the number and location of advertisements which may be displayed at each school.

This is to verify that I have read and agree to abide by Administrative Rule.

Approved by Principal Date

Approved by Athletic Office Date

Reference: Beaufort County School District Administrative Rule

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