

South Burlington Schools
Promotional, Advertising and Solicitation Guidelines

Dated: 5/31/16

These Promotional, Advertising, and Solicitation guidelines are established to protect the integrity of school curricula, to prevent activity that might be harmful to the welfare of students, and when these interests can be adequately protected, to create a uniform approach to selling or providing promotional displays on school property, school venues, and school grounds, or for the solicitation of products and services to District employees and students.

All agreements to permit a promotional activity, which utilizes the District's resources, shall be accepted and acknowledged in writing by the appropriate representative(s) of the District.

Whenever the District accepts an agreement for a promotional activity, a written agreement will be entered between the District and the promoter, subject to ultimate acceptance by the District. The District shall retain the right to final approval for all sponsorship, promotions, and advertising with regard to color, size, location, presentation, logo, etc. The agreement will set out the terms of the District's acceptance, including the duration, pricing, and conditions of the promotion or advertising. No term that is not included in the agreement will bind the District.

The Superintendent or designee shall be responsible for developing and maintaining the criteria and procedure for seeking approval to disseminate information or solicit. Solicitations for funding educational programs, benefiting the District, may be allowed if such fundraising activities are in accordance with the stated expectations.

I. Definitions:

Promotional Activity (Fundraisers) means efforts to deliver a message intended to encourage the sale, lease, or use of particular products or services, or of a class of products or services, or familiarity with the identity of a seller, provider, or broker of goods or services.

Constituent Entities means organizations that exist as part of the District, such as individual schools, departments, parent/teacher organizations, and recognized student activities and organizations that are related to the School District, such as the South Burlington Schools Foundation.

Protected Class means an identified group of individuals who are protected by law or School District policy from discrimination by virtue of such status including: race, religion, creed, color, national origin, marital status, sex, sexual orientation, gender identity, age, political affiliation, ancestry, place of birth or disability.

- II. Selling Promotional Advertising to External Sources:** Promotional Advertising may be sold by the District for a set fee with adjustments made from time to time as recommended and approved by the Superintendent/designee. Fees will be established during the spring of each year and the fee structure made effective for the upcoming year. Promotional advertising:

1. May be sold to a business or company for services provided the District in lieu of payment.
2. May be sold to businesses, companies, corporations, foundations, organizations or individual businesses as registered in the State of Vermont and the USA.
3. May not include wording that is directly or indirectly linked to drugs, alcohol, or in any manner that contradicts the mission of the District.
4. May not reference drugs, alcohol, violence, or tobacco directly or indirectly through a company, business, or corporation.
5. May not reference or imply a reference to race, religion, gender identity, sex, sexual orientation, political affiliation, ethnicity, or national origin.
6. May be removed or changed by the District should a message or subtext be implicitly or explicitly implied or that the District feels is inappropriate.
7. May not use product names or company/corporate names, unless approved by the Superintendent or designee, providing the name does not include reference to drugs, alcohol, or tobacco.
8. May not be displayed/worn on uniforms/team warm-ups at any time.
9. May not be in conflict with any provisions of school regulations or law.

The District and specific building representatives have the right to not sell promotional advertising or not allow a promotional display of a banner, program advertisement, or the like, to any organization or individual for any reason if the District feels that the representation is counter to the mission and programs of the District.

Acceptable Promotional/Advertising Locations: Promotional advertising may be displayed at the following locations:

1. Athletic Fields: Perimeter fencing, bleachers/stadium seating, press box, and scoreboards;
2. Gymnasium;
3. Buildings affiliated with athletic event venue (track shed, storage shed, concession building, and team rooms);
4. On a temporary basis, performance/studio spaces in connection with a public performance or exhibition sponsored or underwritten by an outside entity or individual;
5. Printed materials for an athletic or co-curricular event: banners, tickets, programs, event paraphernalia such as toss out programs, give-away items, and event contests.
6. In public announcements at athletic and co-curricular activities;
7. In school publications whose intended audience is students, such as yearbooks, student handbooks, student assignment books, directories, brochures, and newsletters, so long as approved student organizations solicit or accept the advertising and benefit from the resulting revenue;
8. On District and school websites (but not on pages delivering educational content) with links to business websites.

Unacceptable Advertising/Promotional Locations: Promotional advertising *may not* be displayed at the following locations:

1. Exterior of school or building
2. School signs
3. Parking areas
4. Exterior of school fencing other than school signs for security, except for fencing related to an athletic venue.
5. No team uniforms or warm up clothing

Discontinued Promotional Activity: Unless otherwise agreed, in writing, by the Superintendent, the District shall retain the right to discontinue any promotional activity whenever it is determined that the activity:

1. Is inconsistent with the District Ends Policy,
2. Has been abandoned, replaced, or substantially changed,
3. Is determined to be inappropriate,
4. Is no longer accurate, or,
5. Has expired.

III. Solicitations and Advertising in Schools by Non-School Groups: Any person representing a group not affiliated with the District (i.e.: United Way, American Heart Association, March of Dimes, canned food drive, and clothing drive) who wishes to provide information to employees and/or students about activities/events or to raise money must provide a written request for their project/activity and receive approval prior to any activity. Even though the drive may have been approved in the past, such endeavors are to be cleared with the Superintendent/designee prior to a new campaign. A copy of the flyer or material they wish to distribute must be provided and a decision provided to the organization if they will be allowed to proceed. The Superintendent reserves the right to deny any request or application that is not directly related to the instructional program or inconsistent with the District's mission.

For District-wide solicitations or advertising, a written request must be submitted to the Superintendent prior to the commencement of any information dissemination or fundraising activity. Approval from the Superintendent is required.

For school-based solicitations or advertising, a written request must be submitted to the Principal/designee prior to the commencement of any information dissemination or fundraising activity. Approval from the Principal is required.

Distribution of informational materials not related directly to the instructional program may be approved if there are no costs associated for staff, students, and families and the program will be of a benefit to students and/or staff, as deemed so by the Principal.

The Superintendent/designee, at his/her discretion, may allow notification of other beneficial community activities and opportunities for students and staff that may require

fees (after approval of the application). Copies of posters or flyers may be placed in designated areas.

Any third party wishing to sell items within the schools to the SB staff or students (i.e.: maple syrup) must get pre-approval from the Principal/designee.

Organizations that are recognized as educational partners, as determined by the Principal/designee, (i.e.: the South Burlington Recreation Department) will be allowed to distribute flyers to classrooms and post information on bulletin boards and/or leave information in lobbies without a formal application. Such postings shall be at the discretion of the Principal/designee.

Information that is considered a public service (i.e. information on voting from City Hall) may also be distributed.

IV. Promotional Activities: the process by which the District and/or its constituent entities accepts money or other compensation from permitting a promotional activity that utilizes the District's reputation, personnel, facilities, or other resources is as follows:

1. Individuals who are associated with the District may never accept personal compensation for permitting promotional activities that utilize the District's reputation, personnel, facilities, or other resources.
2. The display of promotional symbols that are incidental to the use of books, supplies, programs, furniture, equipment, and similar items bearing usual and customary trade names, trademarks, and trade dress is permitted.
3. Faculty and Administrators may display promotional materials in School District space for which they are responsible, so long as such displays are for bona fide pedagogical purposes, are reasonably appropriate from an educational perspective, and neither the responsible educator, nor the District, is compensated for, or benefited by, the display, except as provided by paragraph 4, below.
4. The District may permit commercial entities to sponsor educational programs within the District in exchange for the right to display promotional materials within the school buildings and/or to publicly identify the District as a recipient of support for a particular program, if the Superintendent finds:
 - a. The educational benefit of the sponsored program is such that the District would operate the sponsored program even without sponsorship, if it had the financial capacity to do so;
 - b. The sponsor is a reputable entity and the District's reputation is not likely to be damaged by association with the sponsor.
 - c. Any goods or services provided by the sponsor are of sufficient quality that they would be eligible for purchase by the District at the usual and customary price, if sponsorship were not offered.

- d. The level of sponsorship support for the program justifies any commercial benefit obtained by the sponsor, and,
 - e. The requirements of paragraph 5, below, are met.
5. Except as provided by paragraph 4 above, the Superintendent/designee shall determine whether to accept sponsorships, promotions, or advertising in exchange for compensation to the District or any of its constituent entities. The District representatives shall not accept any sponsorship, promotion, or advertising if it would:
- a. Be inconsistent with the District's Ends Policy;
 - b. Encourage the use of tobacco, alcohol, or illegal drugs;
 - c. Encourage gambling, obscenity, violence, or illegal activity;
 - d. Contain any derogatory reference to any protected class or to members of any protected class, or,
 - e. Tend to promote any religious or political candidate or organization.

If the foregoing criteria do not preclude involvement in a promotional activity, the Superintendent/designee shall consider whether the compensation offered is adequate given the market value of the promotional opportunity in question and the burden to the District of such involvement.

- V. **Solicitations and Advertising in Schools by School Groups:** It is recognized that grade level teams, classrooms, the Parent-Teacher Association, or other school groups may, from time to time, want to raise funds to enhance the educational experience of the students.

Acceptance of funds shall be in accordance with the school's practice and policy on donations, gifts, grants, and bequests as outlined in these procedures. The Superintendent/designee retains the right to accept or refuse any donations, gifts, grants, or bequests.

1. All fundraising activities, *involving a school group*, must receive prior approval from the Principal/designee. The Principal will inform the Business Office of approved and unapproved fundraising activities.
2. Approval by the Principal/designee to fundraise for the school's benefit does not imply a right to use the school name or indicate association or affiliation with the school. The use of the school name must be specifically approved by the Superintendent.
3. It shall be the responsibility of the Principal/designee to prudently manage the accounting of these funds and demonstrate to the Business Office how such funds shall be held.

4. The Superintendent reserves their right to review the Principal's requirements for approval and make any necessary adjustments.

Approved Student Fund Raising Activities: Some student activities may necessitate the need for funds above and beyond those provided. Because the parameters of all conceivable fundraising activities would be impossible to identify, the Principal/designee is to be consulted prior to the implementation of any such activities.

Raffles may be conducted with the approval of the Principal/designee. Outside organizations will not be permitted to use students to sell tickets or solicit funds in any manner, except for those organizations which are jointly school-sponsored or for school-approved, parent-teacher activities. Advertising or publicity, on school premises, for events other than school-sponsored or school approved, parent-teacher activities will not be permitted without the permission of the building principal. The Principal may allow publicity if the activity is deemed of educational value or special interest to the student body.

Guidelines: the following guidelines shall govern **all** fundraising projects:

1. Fundraising activities should be related to the curriculum and/or the stated objectives of a school club or organization.
2. During the school day, instructional time devoted to fundraising should have a direct educational benefit to students.
3. Insofar as possible, monies raised are to be used for the direct benefit of the greatest number of students who are currently enrolled in a school club or organization.
4. Fundraising activities for outside charities must be integrated into the curriculum, appropriate to the stated objectives of school club or organization, or a part of a school's plan for involvement in service learning.
5. When considering a fundraising project for grades 6-12, the following criteria should be considered:
 - a. Safety of students involved.
 - b. The variety of fundraising activities could include raffles, services, auctions, and product sales.
 - c. Quality of workmanship and the reputation of the manufacturer should be thoroughly considered in the case of product sales.
 - d. A reasonable mark-up over the cost for each product sold.
6. Guidelines for collecting funds:
 - a. The safety of our students is of paramount concern, following are guidelines for door to door solicitations with restrictions.

- No solicitation permitted by K-5 grade students unless accompanied by a parent/guardian for District sanctioned events, such as PTO sponsored activity.
 - Solicitation by 6-8 grade students is limited to: 1) during daylight hours and 2) must use a “buddy-system.” It is strongly encouraged that a parent/guardian accompany the student.
 - Students in high school are strongly encouraged to use a “buddy-system” and limit times to daylight hours whenever conducting door to door solicitations.
- b. It is strongly encouraged to limit solicitations to family, friends, relatives, and friends of family.
 - c. Students are asked not to solicit teachers/staff directly. The Advisor for the group may inform the staff, at their prospective school, with instructions on how staff can support the fundraiser if they desire.
7. Fundraising for physical items such as equipment, vehicles, or buildings:
While fundraising for equipment, vehicles, or buildings may appear to benefit the District, often times there is no associated funding plan for the upkeep or maintenance costs of these items. Subsequently, the cost of maintaining such items requires unplanned funding allocation from the district budget. Therefore, the committee will require that any affiliated group who fundraises for the benefit of the District have prior approval by the Superintendent/designee to ensure that the long-range interests of the District are represented and that fundraising is consistent with the District Ends Policy.
8. Fundraising activities that involve External Third parties
Fundraising activities sponsored by third parties often capitalize on the reputation of the District and students groups, yielding a minimum return for the District, while benefiting the third party company. Therefore, any group who wishes to affiliate with the District to fundraiser for the benefit of the District must have prior approval of the Superintendent/designee to ensure that the long-range interests of the District are represented and that fundraising is consistent with the District Ends Policy.

VI. Solicitations and Advertising in Schools by South Burlington School District Staff:

1. Any SB District staff member who wishes to fundraise, advertise, or promote a cause within the schools, including soliciting students, fellow staff and/or parents, must receive pre-approval by the building Principal/designee. If the Principal/designee has any questions or concerns regarding the promotion, advertisement, or fundraiser they should confer with the Business Manager prior to giving approval.

VII. Donations, Gifts, Grants, and Bequests: The District will encourage and accept donations, gifts, non-school initiated grants, or bequests made to the SBSD when it

advances the District's Ends. These gifts may be accepted only in accordance with the procedures developed by the Superintendent.

1. Before accepting any gift, the Superintendent/designee shall determine whether:
 - a. Acceptance of the gift will advance the District's Ends and whether any cost, expense, liability, or condition attached to the gift outweighs its benefit.
 - b. Acceptance of the donation, gift, non-school initiated grant, or bequest is not in conflict with provisions of public law or school policies.
 - c. Acceptance of the donation, gift, non-school initiated grant, or bequest does not require or imply the endorsement of any business, political view, or commercial product.
 - d. Acceptance of the donation, gift, non-school initiated grant, or bequest requires commitment of District funds. If so, the Superintendent would work with the Board to determine if it is appropriate and/or acceptable to use additional funds in order to accept the donation, gift, grant, or bequest that is offered.
 - e. Acceptance of the donation, gift, non-school initiated grant, or bequest is judged by the Superintendent/designee to be in the best interests of providing quality education for the students of the District.
 - f. Further, grants or bequests provided to the district may be accompanied by restrictions that may or may not benefit the District or may outweigh the benefit in the long-run.
2. No gifts shall be accepted by implication; all acceptances shall be by the express act of the responsible District representative. The Superintendent/designee shall be the District representative to determine whether to accept gifts having a face value of \$25,000 or less. The Superintendent shall be the District representative to determine whether to accept gifts having a face value in excess of \$25,000.
3. The Superintendent/designee has the authority to delegate the acceptance of donations, gifts, non-school initiated grants, or bequests made to the School District with a value greater than \$50.00 and up to \$1,000.
 - a. Donations, gifts, non-school initiated grants, or bequests made to the School District with a value less than \$50.00 may be accepted by any employee of the school.
4. The Superintendent may waive any or all of the above criteria should it be deemed necessary and appropriate.
5. The Superintendent and its designees reserve the right to decline any donation, gift, non-school initiated grant, or bequest which, in the opinion of the Superintendent, places or carries either a restriction or an obligation that is considered to be inappropriate or not in the best interest of the District.
6. All donation, gifts, non-school initiated grants, or bequests to the school or the District shall become the property of the School District.

7. Public Solicitations for Commercial or Political Purposes: Materials which are purely commercial in nature or serve as political promotions and do not advance the District's Ends are not permitted to be distributed within the school setting, unless special approval has been granted by the Superintendent. Further, the District discourages and restricts the solicitation of students and staff on school premises for commercial and/or political purposes. Students shall not be asked or encouraged to promote or distribute flyers or announcements with a commercial message or sponsorship. Educational materials prepared by industry or business may be made available to parents only when reviewed and approved by the Superintendent.