

3023.2 - COMMERCIAL ACTIVITIES POLICY

Purpose

The Upper St. Clair School District (“District”) recognizes that public schools provide a potential market for appropriate commercial activities. Approval of proposed commercial activities will depend on whether it will result in substantial benefit to the District, its schools and their respective students, and is consistent with the District’s mission, policies, and goals. The District has the exclusive discretion to determine whether to pursue, accept or decline an opportunity to engage in appropriate commercial activities. The factors to be considered by the District include, but are not limited to:

- The extent to which a commercial opportunity limits or restrains the District’s discretion or its ability to pursue other opportunities;
- The duration of the arrangement or agreement and the District’s ability/discretion to terminate the arrangement/agreement;
- The extent to which the commercial opportunity imposes any obligation on the District, either presently or in the future, financial or otherwise and whether the opportunity is subject to conditions acceptable to the District;
- The extent to which the commercial opportunity constitutes a conflict of interest or creates the appearance of or potential for a conflict of interest; and
- The extent to which the commercial opportunity affects the appearance of District property or disrupts the operation of the District.

Definitions

Advertisement – any payment of money or other benefit to the District that requires visual, audio, voice, data, electronic, online, and/or video placement of a name, slogan or product message on a District property or official District publication.

Sponsorship – any payment of money or other benefit to the District in exchange for recognition.

Exclusive Rights Contracts – any payment of a premium or provision of some benefit to the District for the right to be a sole provider of a service, advertisement, or product. This term includes limited exclusive rights contracts where more than one (1) provider may supply the same or similar service, advertisement or product.

Purchase of Goods and Services – purchase of services or goods by the District for a product or service required by the District.

Guidelines

Advertisements - Advertisements, as defined by this policy, should comply with the following categories:

- Advertisements are subject to approval by the Superintendent or his/her designee.
- Advertising in connection with instructional materials furnished by private sources must be reasonable, nonintrusive, and noninherent to the content. Such instructional materials must be used in a manner that is consistent with the District's policies and practices related to curriculum and instruction, controversial issues, and the use of District property.
- All signs must have District approval. External signs additionally must meet the municipality's sign code.

Advertising Procedure – Procedures for advertising will be in accordance with regulations developed by the Superintendent or his/her designee.

Exclusive Rights Contracts - The Board may, from time to time, consider the approval of an exclusive rights contract if it will result in substantial benefit to the District, its schools and their respective students, and is consistent with the District's mission, policies, and goals. Any exclusive rights contract requires Board approval.

Prohibited Commercial Activities - No commercial activity as defined or allowed by this policy shall be associated in any way with the sale of tobacco, alcohol, illegal drugs, or weapons; contain vulgar or plainly offensive, obscene, or sexually explicit language; advocate the violation of law or District policy; advance any religious or political organization; promote, favor, or oppose a candidate for elected office or a ballot measure; or be associated with any company or individual whose actions are otherwise in violation of law.

Any commercial activity allowed by this policy shall be respectful of all people without regard to their disability, race, color, gender, national origin, ethnicity, sexual orientation, age, religion, marital status, socioeconomic status, cultural background, familial status, physical characteristics, or linguistic characteristics.

The District shall provide no personally identifiable data about a student, except as permitted by law. Likewise, no student, in order to participate in a school program or school-sponsored activity, shall be required to provide personally identifiable data to the sponsor of a commercial activity, except as permitted by law.

Students shall not be required to complete any survey or questionnaire that is designed to provide marketing information to a vendor or business about their interests and preferences for a particular vendor, business, or product.

ADOPTED: May 23, 2011