
The Center for Commercial-Free Public Education

A Citizens Guide to Adopting Commercial-Free School Board Policies In Your Community

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<http://www.asu.edu/educ/epsl/CERU/Articles/CERU-0403-203-OWI.doc>

The Goal: Making Every Public School District A Commercial-Free Zone

The Center for Commercial Free Public Education is a nonprofit public education advocacy organization that addresses the issue of commercialism in our public schools. The Center provides support to students, parents, teachers, school board members and other concerned citizens organizing across the U.S. to keep their schools commercial-free and community-controlled. By providing our constituents with the information and the skills that they need to have a voice in the running of their schools, we facilitate leadership development and democratic participation at the local level.

These guidelines are developed to help you push for policies at the local level that guarantee a commercial-free public school environment. Ideally, every school district in the country should adopt policies that assure positive public school- private sector relationships, and guard against commercial partnerships that require school districts to advertise as a condition for receiving funds, products, materials or equipment. The most positive strategy is to urge your school board to adopt noncommercial policies BEFORE marketing schemes gain a foothold in your district. However, if your school district does already allow in-school advertising targeted at children, you can have your local school board adopt policies to discontinue the current advertising practices and establish standards prohibiting commercialism in the future. To assist you with that work, the Center for Commercial-Free Public Education has developed a set of practical guidelines, the language of which has been taken largely from existing policies already adopted by local school boards.

These guidelines are being offered with the child advocate, educator, parent or citizen in mind. No community is immune from the pressures of advertisers who want to market their products and make profits from a captive audience of students. Some of you may have just become aware of commercialism in your district, some of you may have been fighting commercialism for a period of time, and some of you may want to prevent commercialism from entering into your district through preemptive policies. This document is designed for all of you to serve as one tool,

among several, in your pursuit of a commercial-free school district. For more detailed information, contact the Center for Commercial Free Public Education at 510-268-1100, or log on to our website: www.commercialfree.org

We wish you the best of luck in your efforts.

Andrew Hagelshaw, Executive Director

Namane Mohlabane, Board President

Sample School Board Policies and Procedures: *Introduction*

The Significance of Policies and How to Promote Them

Policies are the engines that fuel organizations, including public entities such as school districts. Many school district policies are cumulative, and evolve over the years. While federal and state law dictate policies that require compliance from every school district such as health, safety, student access and equal educational opportunity, individual school districts have vast latitude over many other policies. In total, policies are the legal framework constituting rules and regulations guiding the behavior and daily operation of the school system. These policies are open for public review by either calling the school district administration office or the superintendent's office. While many school districts won't permit you to take the "policy book" out of the office, they frequently provide copying facilities, at your cost, that allow you to reproduce the material you wish. But please be aware that districts vary in their procedures that allow citizen access to district policies.

A Few Tips to Enhance Your Use of the Guidelines:

- The Guidelines are not the panacea, but are intended to provide model language for your school board to adopt. You should tailor the language to your school district's needs and circumstances. School boards use different policy formats and legal language, so you may wish to get a copy of your school board's policies for further guidance.
- For the most part, the language proposed in the model policies has been taken from actual policies that school districts have passed. The Center has updated and modified some of the language to include the most recent of electronic as well as the print mediums.
- The policies are considered to be the minimum that a school district should pass. Don't be surprised if your school board members may resist these policies or try to reduce them through compromise. Also don't assume that school board members will be opposed. In addition, do not be surprised if commercial companies lobby against your efforts to adopt the policies. In your efforts to push for as strong a policy as possible, keep in mind that marketing ventures are not based on solid education, but on making profits from sales or promotions to young people.

Do not use the policies in a vacuum without preparing your case. To increase your effectiveness, we recommend the following first steps:

- There is strength in numbers. Begin to organize parents, PTAs and other civic organizations and people to your cause. Disseminate the issues, the nature of

- commercialism in the school, the policies you wish adopted, reasons for your concerns, what you have asked school district officials to do, and their response.
- Collect facts and information about the state of commercialism in your school district. Questions to ask: what is the nature of the commercialism that you have? How many schools and children are involved? What products are being targeted to children, and are these products in conflict with your school's educational or nutritional programs (such as the marketing of candy, snack food, or soda drinks.) Have parents been notified about the commercial endeavors, and what is the company gaining by partnering with your school district?
 - Check to determine if your school district has entered into any contractual arrangements with a commercial enterprise. If it has, examine the provisions of the contract. School contracts are public documents and open for public review.
 - You can work individually as a parent or concerned citizen to create a commercial-free zone in your district. After you have gathered the facts, talk personally to your school principal, superintendent and school board members about your commercial concerns. You could also form a committee of parent or civic leaders to discuss the need for sound commercial policies. If possible, you would like to get the policies passed through cooperation and working in collaboration with your school district. Try not to threaten educators and board members, but reasonably discuss your concerns. Remember, you have points of view that may not have come to their attention before.
 - As you organize conversations with local policymakers, have a well defined list of what it is that you want, including the adoption of the policies, and stick to your convictions. Also, develop a list of talking points and arguments for your position. There may be a time to compromise, but don't tip your hat until it is absolutely necessary. Ask each policymaker for their response, and keep written records of your meeting, people contacted, dates and positions of various policymakers. In addition, be sure to write a thank-you letter, and follow-up to any questions that you may be asked.

If reason does not work, and your school district officials choose not to respond, you need to increase the pressure. The following could be your next steps:

- Research your school district's current policies on commercialism. Some school districts may have no policies, some may have policies that need strengthening and some school boards may have policies that officially allow commercialism. You can use the guidelines to "amend" current policies that need strengthening, or you may wish to alter language as appropriate.
- Educating the public about the issues is essential. Schedule an appointment with editors or writers from your newspaper. Contact or call your TV stations and other local media, and put out a press release. Don't worry that no one will pay attention. The media is always interested in citizens who raise important issues in their school district!
- Get on the agenda of your school board meeting and make a presentation. Some school districts require advance notice of participation, while others devote special time at every school board meeting to hear public concerns. In many cases, you need to call the school board in advance to get on the agenda. As you make your presentation, try to use visuals; perhaps an example of an offensive contract provision, a color copy of an ad that was in

- an educational material, or a taping of a commercial (if it does not violate copyright laws). Visuals help people better grasp the nature of the commercial activity.
- o Never forget to discuss the positive impact that a meaningful public-private relationship can have on the district's educational system. Emphasize that your campaign is not anti-business, or anti-public schools, but anti-commercialism.
 - o Don't give up. For every position, there usually is a counter position or opposition. Be prepared to deal with delaying tactics, indifference, discrediting of your arguments and school officials who plead that 'This is the only way they can add more money to the budget.' All of this can be countered and remember, there are many other advocates around the nation that are tackling the same issues. High standards for public schools means that neither the school nor the educational program is improved through marketing products.

Sample School Board Policies and Procedures: *Sources and Principles*

Sources

This document was produced by the Center for Commercial-Free Public Education. Some of the material is original, but much of it was compiled from existing public documents. The Principles section is taken almost entirely from the Milwaukee Principles for Corporate Involvement in the Schools, developed at a meeting hosted by the School of Education, University of Milwaukee-Wisconsin. Significant portions of the Policies section were taken from commercialism policies that currently exist in five North American school districts: Berkeley (CA) Unified School District, Buffalo-Hanover-Montrose (MN) Independent School District #877, Central Okanagan-Kelowna (British Columbia) School District #23, Pennridge (PA) School District, and San Francisco (CA) Unified School District.

Principles

School-business relationships based on sound principles and community input can contribute to high quality education. However, compulsory attendance confers on educators an obligation to protect the welfare of their students and the integrity of the learning environment. Therefore, when working together, schools and businesses must ensure that educational values are not distorted in the process. Positive school-business relationships should be ethical and structured in accordance with the following principles:

1. Corporate involvement shall not require students to observe, listen to, or read commercial advertising.
2. Selling or providing access to a captive audience in the classroom for commercial purposes is a violation of the public trust.
3. Since school personnel, property and time are publicly funded, selling or providing access to advertising on school property outside the classroom involves ethical and legal issues that must be addressed.
4. Corporate involvement must support the goals and objectives of the schools. Curriculum and instruction are within the purview of educators, with the involvement of the community.

5. Programs of corporate involvement must be structured to meet identified educational needs, not commercial motives, and must be evaluated for educational effectiveness by the school district on an ongoing basis.
6. Schools and educators should hold sponsored and donated materials to the same standards used for the selection and purchase of curriculum materials.
7. Corporate involvement programs should not limit the discretion of schools and teachers in the use of sponsored materials.
8. Sponsor recognition and corporate logos should be for identification rather than commercial purposes.
9. Any attempt to establish programs of corporate involvement must involve full public disclosure and provide ample opportunity for community input in the initial stages of negotiation, well before a deal is finalized.

Sample School Board Policies and Procedures: *Regarding Corporate Advertising and Sponsorship in Public Schools*

Within the context of the stated principles, our school district adopts the following policies:

1. General Points Regarding School Function and Commercialism

1.1 All public-private sector partnerships entered into by this school district shall be, in the judgment of the school board, to be age appropriate and in the best interest of students.

1.2 If the economic benefit from any partnership exceeds \$2,500 to the school or the district, the agreement must be set forth in a written agreement signed and approved by the school board at a public meeting, where the community is given adequate notice and has every opportunity to provide input and feedback.

1.3 All public-private sector partnerships must be consistent with all labor contracts, competitive bid requirements and all applicable Federal, State and District laws, rules and regulations.

1.4 If a public-private sector partnership requires a contract, said contract will not require a length longer than five years, or provide for automatic renewals or extensions, nor shall it subject the district to payment during periods beyond the length of the contract or in excess of the prorated benefit in the event of early termination.

1.5 No public-private sector partnership shall provide direct financial gain to district employees, students, parents or school board members.

1.6 Parents and community members should be informed of any new public-private sector partnerships via letter and public pronouncements in newspapers, school newsletters, school websites, etc.

2. Logo Advertising on School Grounds

2.1 All company logos appearing on district property, including non-cash donations provided by sponsors, shall be for identification purposes only.

2.2 Logos will not be permitted on facilities or informational equipment such as a scoreboard.

2.3 Logos will not be permitted for display in school hallways or classrooms for the purposes of advertising to students. This includes banners or signs that carry "educational messages" that also prominently display company logos.

2.4 Logos will not be permitted on the outside or the inside of school busses.

2.5 Public signs indicating the district's appreciation of an enterprise's support for education shall be permitted, if approved by the school board.

2.6 No district students will be required to wear the logo of any manufacturer for any school activity.

3. Advertising in Electronic Media

3.1 Except for courses of study which have specific lessons related to advertising, the students of this district shall not be required to observe, listen to or read commercial advertising in the classroom.

3.2 The school district shall not enter into any contract to obtain electronic equipment or software, that will obligate the district to expose students to advertising directed at young people during school time or at home while completing school assignments.

3.3 The school district shall not enter into any contract to obtain electronic equipment or software, that will obligate the school to post information about school procedures or events on electronic media that contain advertising directed at students.

3.4 The school district will not enter into any contract for electronic media services, where personal information will be collected from the students by the providers of the services in question. Personal information includes, but is not limited to, the student's name, telephone number and home address.

4. Exclusive Vending Agreements

4.1 The district will enter into no agreements with vendors to provide exclusive district-wide access to student customers for soft drinks or snack foods purchased by students in school.

4.2 No students will be used as agents for any district wide vendors in an exclusive arrangement to sell products or services to the community at large.

4.3 When the school district asks students to purchase required educational supplies, it will remain neutral and will not enter into any agreement to advise students to buy particular brand name products or products from a particular school supply merchant.

4.4 The district will not enter into any agreement with a company that asks students to carry a card used for school identification and/or to gain access to student services, when that card can also be used to gain access to private services provided by the company.

5. Sponsored Educational Materials and Advertising in Curriculum

5.1 The school district will purchase no curriculum materials that contain identifiable brand names in the content of the curriculum.

5.2 The school district will purchase no curriculum materials that contain promotional information about a company that is irrelevant to the lesson being taught in the content of the curriculum.

5.3 Teachers in the district will not use identifiable brand names or logos in their instruction unless they are found to be necessary to the lesson being taught.

5.4 Sponsored Educational Materials, whether purchased by the district or provided free of charge by the sponsor, will not be used by teachers unless the district, including teachers and parents, has reviewed them and found them to meet the following standards:

- **Accuracy:** Statements are consistent with established fact or with prevailing expert opinion
- **Objectivity:** Points of view are fairly represented. If the subject is controversial, arguments are balanced. Any sponsor bias is clearly stated and references to differing views are made.
- **Completeness:** The materials contain all relevant information and do not deceive or mislead by omission.
- **Language:** Materials are both interesting and readable.
- **Non-discrimination:** The text and illustrations are free of any content that could be considered derogatory toward a particular ethnic group, race or sex.
- **Diverse Representation:** The materials reflect the gender diversity and racial diversity of the students that will be using them.
- **Non-commercial:** The name and logo of the sponsor is used only to identify the source of the materials.

6. Student Marketing Surveys and Protection of Student Privacy

6.1 Students shall not be required under any circumstances to fill out surveys to provide marketing information about their interests and preferences for particular vendors, businesses, and products.

6.2 A list of students names and/or addresses and telephone numbers may not be released by the district for purpose of advertising brand name products to students. Similarly, participation in any venture that provides any vendor with the information necessary to generate a list is prohibited.

Sample School Board Policies and Procedures: *Glossary*

Advertising:

Advertising is the oral, written or graphic statement made by the seller in any manner in connection with the solicitation of business which calls for the public's attention to arouse a desire to buy or patronize in exchange for financial payment. This includes the visible promotion of product logos for other than identification purposes.

Advertising is not the sale, to the district, the schools or other site based councils, for market value, of goods and services, found by the district to be educationally and nutritionally sound, which have brand names, trademarks, logos or tags for product or service identification purposes. These shall be governed by the purchasing or procurement policies of the district.

Sponsorship:

Sponsorship is an agreement between a school district, an individual school, or a site based or parent based group with an individual group, company or community-based organization in which the sponsor provides financial or resource support in exchange for recognition.

Partnership:

A partnership is an agreement between a school or school district and a private entity, wherein the basis and the terms of the relationship are set by the school district, and agreed upon by the private entity, or reached mutually. Frequently a partnership is less formal than a contractual relationship. The school or school district should not be required by the partnership to sell products to students, expose students to advertisements during school time, or place advertising on school property. Partnerships should be of a non-exclusive nature, and should not adversely affect or distract from the instructional mission of the school.

Exclusivity:

An exclusive arrangement to sell or vend an item in schools is one where a school or a school district signs a contract to make one product available to students, and such contract specifically forbids the sale of a competitor's product in the same school or school district.

Sponsored Materials:

Sponsored Materials, or Sponsored Educational Materials, are educational materials and programs developed and/or funded by commercial enterprises, trade organizations, or nonprofit organizations with significant corporate backing. These materials are intended for use or distribution at school, and can be intended for use as either primary or supplemental curriculum.

Electronic Media:

Electronic Media is any type of instruction that happens during school time, or any program shown during school time that requires the use of electronic equipment, such as televisions, video equipment, computers, movie projectors, etc.

Public Disclosure:

Public Disclosure is the attempt to inform parents and community members of any and all considerations by a school or school district to enter into a corporate contract BEFORE the contract is fully negotiated and signed. The public should be informed of the terms of any possible contract. Full public disclosure is the use of all available

means to inform the public, including: postings in local newspapers, sending home parental notification, putting aside agenda points for discussions at public school board meetings, and allowing full public input at said meetings before adoption of the contract. See extended definition in Appendix A.

Sample School Board Policies and Procedures: *Appendix A*

Parent and Community Disclosure of Commercial Agreements

- When a school district, either the board of education and/or the administration, intends to enter into a relationship with a company or corporation, that would obligate the school district or individual school (s) to market products on school premises or property, compel students to watch advertising, or uses the school district's agency in any way for commercial purposes or as a byproduct of receiving services, money, or other remuneration from said company or corporation, the school district must notify parents and the community that such an arrangement is being considered.
- Such notification shall include disclosure of the parties involved, the duration of the partnership or contract, a financial and funding prospectus of the company or corporation, and when the board of education or school administration intends to make a decision about said contract.
- The notification shall be made public through the local newspaper (s), PTAs and other parent organizations and through the district's official newsletter or medium to the community, if such an avenue exists.
- Such notification shall be made 60 days or more before the board of education or administration intends to make a decision on such a partnership or contract. Parents and other community shall be given an opportunity to comment on and/or ask questions about the respective relationship in writing and/or in person at board meeting (s) or other public meetings where school district matters are publicly discussed. Such parent and community responses shall be part of the public record.
- If a commercial contract is approved where children are compelled to watch advertising as a condition of receiving instruction, or where a school district would allow a company to integrate products or advertising in instructional material required of children to use and/or purchase, the parents shall be notified of such an arrangement and the parent shall be allowed to opt out their child from using or being exposed to that material.