

Dr. Martin Karp, Board Member

SUBJECT: AUTHORIZATION OF SUPERINTENDENT TO EXPLORE THE POSSIBILITY OF CREATING A PROGRAM OR POLICY THAT WOULD PERMIT PUBLIC SERVICE ANNOUNCEMENTS/ADVERTISING ON SCHOOL FACILITIES, SUCH AS SCHOOL GYMNASIUMS, STADIUMS, CAFETERIAS, CAFETORIUMS, AND PERIMETER FENCING

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

**LINK TO DISTRICT
STRATEGIC PLAN: GENERAL OPERATIONS**

Our District is expected to face enormous challenges in obtaining adequate funding of our schools. Finding additional sources of income for school and district operations is one way of supplementing our funds.

In the past few years, our Board has considered proposals that focused on whether to allow advertising in our schools, namely on school buses, as a means of generating additional or supplemental income for our schools. Board members Dr. Robert Ingram and Mr. Agustin Barrera submitted Agenda Items specifically addressing this matter.

Building upon these laudable past efforts to obtain additional funding for our schools, this Item is submitted to request that the Superintendent explore the possibility of creating a program that would allow public service announcements and/or advertising on designated school facilities. In the alternative, administration may decide that promulgating a Board Rule that would include criteria for this type of advertising may be a more pragmatic approach.

Copies of other South Florida school district polices on this subject are attached as examples that may be employed by our District or modified as may be necessary, should the Board approve such a measure. Revenues derived through such a program would be directed to support programs at those schools where the advertising has taken place.

**ACTION PROPOSED BY
DR. MARTIN KARP:**

That The School Board of Miami-Dade County, Florida, direct the Superintendent to establish a program or criteria allowing public service announcements and/or advertising on designated school facilities, or, in the alternative, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to promulgate a new Board Rule that would set forth the specifics of such a program or policy.

School Board Policy 2.13

ADVERTISING IN SCHOOLS OR ON SCHOOL PROPERTY

Schools are discouraged from using their facilities for advertising or otherwise promoting the interests of commercial, political, or other non-school agency, individual or organization except that advertising in facilities may be permitted when the benefits received outweigh the risk of exploitation of or by such advertisement or promotion. Schools are prohibited from using their facilities as forums for partisan political activity. The District prohibits advertisements which promote the use of drugs, alcohol and tobacco products.

The use of advertising materials within schools should be kept to a minimum and in compliance with the rules established by the school principal.

1. If it is the policy of the school to allow advertising, the school principal shall establish procedures by which advertisements may be displayed. Principals do retain the right to refuse advertising which is obscene or offends the morals and/or conscience of the school community.

In considering the appropriateness of advertising, principals shall adhere to the Code of Ethics for Public Officers and Employees. Principals are subject to the provisions of Chapter 112 which prohibits the misuse of a public position and limits the use of information which is not available to members of the general public and which is used for a person's personal gain or benefit or that of any other person or business entity.

In those instances when advertising is permitted, the school principal shall consider community input, local rules and regulations governing outdoor advertising.

School officials may cooperate with governmental agencies or charitable organizations in promoting activities in the general public's interest or in furthering the work of any nonprofit community-wide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school provided that school facilities are not used for partisan political activity.

3. A school may use film, videotape, or other educational materials bearing mention of the producing firm. The film, videotape or material shall be carefully evaluated by the school principal or the principal's designee for classroom use.
4. The Area Executive Director or principal may announce or authorize the announcement of any lecture or community activity of particular educational merit.
5. Demonstrations of educational materials and equipment shall be permitted only with the approval and through the arrangement of the school principal.
6. Advertisements may appear under these conditions:
 - a. On School District property, if deemed appropriate by the principal.
 - b. On billboards and vending machines located on School District property.
 - c. In school publications such as newsletters, newspapers, yearbooks, and graduation programs.
 - d. Through communication with business partnerships.
7. School District employees shall not give written or oral endorsement to any company representative for any periodical, book, or product which may be offered for sale to students, parents, or schools.
8. In situations which may involve the use of advertisements, such as on athletic fields, gyms, and auditoriums, the

acceptance of a gift may justify the display of the donor's name.

For donations or gifts in excess of Ten Thousand Dollars (\$10,000.00), acknowledgments or advertisements of the donation or gift must be made in accordance with District guidelines established by the Superintendent.

STATUTORY AUTHORITY: Section 230.22(2), Florida Statutes

LAWS IMPLEMENTED: Section 230.22(5), Florida Statutes

HISTORY: 2/18/72; 9/3/97

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The use of advertising materials within schools shall be kept to a minimum and must be in compliance with the rules established and approved by the Board.

Facilities owned or leased by the School Board shall not be used for advertising or otherwise promoting the interests of any commercial, religious, political or other non-district agency or organization except as permitted through Board approved agreements, School Board policies or State Statutes.

Nothing in this policy shall be construed to prohibit the recognition of school/educational programs related contributions, such as instructional materials or student awards, by business/corporations, nor to prohibit the use of such contributions bearing the identification of businesses which are sponsoring the contribution. However, no such awards/contributions may be made without the approval of the superintendent after a recommendation by the Superintendent's Screening Committee.

AUTHORITY: F.S. 230.22 (1) (2)
POLICY ADOPTED: 2/5/74 ; 2/18/87;

AMENDED POLICY APPROVED: 9/15/98

RULES:**1. SPONSORSHIP/ ADVERTISING:**

- a. Schools and departments may give recognition to businesses and other community groups providing assistance or financial support for academic/enrichment programs. This recognition may include, but is not limited to, temporary signage at school events and on school facilities, such as, gymnasiums, stadiums, and other athletic facilities, cafeterias/cafetoriums, and perimeter fencing, in accordance with applicable municipal/county government codes and zoning.
- b. Such signage must be designed in such a way as to represent and be consistent with the philosophy of the Board and the standards of the community, and must be non-political or sectarian in nature.
- c. Schools may work with local sponsors or advertisers directly or with the assistance of support organizations established for the purpose of raising funds to support the school's programs. Supporting organizations are defined as school allied groups such as parent organizations, boosters, the Broward Education Foundation and other school/educational program support organizations.
- d. School Based:
 1. If a principal chooses to pursue sponsorship opportunities directly, the following guidelines apply:
 - A. Temporary signage must adhere to all municipal/county government zoning ordinances and School Board policies;
 - B. Temporary signage must not obstruct sight of school facilities or interfere with school activities;
 - C.
 1. All appropriate School Board bookkeeping procedures will be followed; School Board Policy 3411 requires that all moneys collected or disbursed by school personnel or by students within a school, in connection with the school program, for the benefit of that school, a class, club, department, employee, or student, shall be recorded in school's Internal funds. All funds generated from a profit-making business operating on a continuous basis on school grounds, must be deposited in the school's Internal funds. All of the aforementioned funds shall be administered and accounted for in accordance with existing laws, Florida State Board of Education Administration Rules and School Board Policies.

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2. A separate Trusts account titled Advertising must be used within the Internal funds of the school to account for all school-based administered advertising activities.
 - A. Principals will use standard Board-approved contracts as provided in the Principals' Handbook.
 - B. Principals shall make school-based decisions on the appropriateness of all advertising, subject to review/oversight by the Area Director, Area Superintendent, Deputy Superintendent of School Operations, and/or Superintendent of Schools, as appropriate.

- e. Community Based (Boosters/Support Organizations): If a support organization, as defined above, coordinates a sponsorship/advertising activity/program on behalf of the school, the following guidelines apply:
 1. Funds collected by community support organizations e.g.; PTA/PTO, Boosters, etc., must be maintained by those organizations according to established procedures;
 2. Temporary signage adheres to all municipal/county government zoning ordinances and School Board policies;
 3. Temporary signage does not obstruct sight of school facilities or interfere with school activities, as determined by the principal;
 4. Principals shall make school-based decisions on the appropriateness of all advertising, subject to review/oversight by the Area Director, Area Superintendent, Deputy Superintendent of School Operations, and/or Superintendent of Schools, as appropriate.
 5. Any community/support organization intending to obtain sponsorship/advertising contracts must have the prior approval of the principal before proceeding, with the final contract being subject to Principal approval as well;
 6. Funds provided to schools by these community/support organizations are to be considered a donation, and must be accompanied by a letter from the contributor stating the intended uses of such funds (e.g.; either for a specific purpose or as determined by the principal).

- f. District-Based: If a District department/program chooses to pursue sponsor opportunities directly, the following guidelines apply:
 1. Temporary signage must adhere to all municipal/county government zoning ordinances and School Board policies;
 2. Temporary signage does not obstruct sight of school board facilities or interfere with district activities;
 3.
 - A. All outside organizations obtaining advertising contracts should require Principal approval before proceeding.
 - B. Any money given to schools by these organizations should be considered a donation, and accompanied by a letter stating that the uses of moneys (either for a specific purpose or as determined by the principal).
 - C. Funds raised through the use of District equipment or facilities, should be used to support student activities such as state and national athletic and academic competitions,
 - D. Funds raised through specific District events may be designated for specific use.
 4. If another organization, a business, non-profit agency or foundation is involved in the fund raising or sponsorship program, the department/program will follow all accounting and purchasing procedures as appropriate.

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5. Department directors shall make departmental decisions on the appropriateness of advertising subject to review/oversight by the appropriate Associate Superintendent, Deputy Superintendent, and/or Superintendent of Schools, as appropriate.

2. **CURRICULUM MATERIALS:**

- a. For purposes of this policy, the Superintendent/ designee is authorized to define a "curriculum related program." For purposes of this rule, a student behavioral modification program, may, with the approval of the Superintendent/ designee, be considered a "curriculum-related program."
- b. Schools may not be used as agencies for the distribution of advertising materials which are not associated with curriculum related programs. Materials from outside of school sources should not be distributed to homes through students without the approval of the Superintendent/ designee.
- c. Teachers shall not accept any articles or materials containing more than a minimum of advertising or promotional copy for supplementary use in the classroom.
- d. Materials of a sectarian nature shall not be accepted.
- e. Other free materials may, however, be accepted for classroom and school purposes under conditions which meet all of the following criteria:
 1. The initiative for securing the materials should come from the school. In other words, the materials should be the type that teachers seek, not materials that are thrust upon them to promote the interests of an outside agency.
 2. The material should fulfill a legitimate purpose for the school curriculum.
 3. The selfish or private purpose of the sponsor should not be prominent or dominant in the material.
 4. Any curriculum related program(s) initiated by the Educational Programs, Student Support and Human Resource Development Department, which contains advertising material from the program sponsor must have the prior approval of the Deputy Superintendent, Educational Programs, Student Support and Human Resource Development.
 5. Any curriculum related program(s) not initiated by the Educational Programs, Student Support and Human Resource Development Department which may contain advertising material from the program sponsor must be submitted for consideration to the Superintendent's Screening Committee.
 6. The advertising feature of the material should not be blatant.
 7. Materials should not be used which violate recognized ideals of the school system or society.
 8. Schools may use films of educational materials which contain the minimum amount of commercial advertising.
 9. Contributions and awards associated with a school which has a Partners In Education Program shall be submitted for approval to the Superintendent's designee, not later than September of the school year in which the program is to be in effect. Businesses/corporations which become partners after September shall submit their plans for contributions and awards not later than thirty calendar days after officially becoming a Partner. Once approved, said programs may be repeated during the school year without additional approval from the Superintendent's designee.

AUTHORITY: F.S. 230.22 (1) (2)
 RULES ADOPTED: 2/12/79; 2/5/74; 2/18/87;

RULES AMENDED: 9/15/98