



"Every Student, Every Day"

Memorandum

Date: November 19, 2018

To: Board of Directors of the Pendleton School District 16R

From: Michelle Jones, Director of Business Services

Subject: Policy KJ – Commercial Advertising. First Reading.

Background: Policy KJ Commercial Advertising, replaces Policy KI Commercial Advertising/Merchandise Sales, which was adopted July 12, 2010.

Proposal: In order to be in line with OSBA recommended policies, Policy KJ is a new PSD policy to replace Policy KI formally Commercial Advertising/Merchandise Sales. This policy reviews the general rules regarding district-sponsored commercial advertising.

Recommendation: Policy first reading. No recommendation at this time.

Motion: Policy first reading. No motion at this time.

Pendleton School District 16R

Code: **KJ**
Adopted:

Commercial Advertising

(May permit some commercial advertising as approved.)

The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means use by any person, company, business or corporation, for personal or private gain, of any district media, including but not limited to, school newspaper, yearbook or other printed material, flyer or circular; radio, television, video or any other electronic technology; or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct.

The superintendent may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);

4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be used for programs, services and/or activities designed to enhance student achievement, assist in the maintenance of existing district programs, services or activities and/or to provide scholarships for students who demonstrate financial need and merit as determined by the district.

All contracts considered for approval are subject to the competitive procurement requirements of Board policies DJ – District Purchasing, DJC – Bidding Requirements and the local contract review board's public contracting rules. Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

The superintendent will develop administrative regulations as needed for implementation of this policy.

END OF POLICY

Legal Reference(s):

ORS 279B.055
ORS 279C.335

ORS 332.107

ORS 339.880