

SALES AND SOLICITATIONS ON SCHOOL PROPERTY

Wauunakee Community School District

Policy 850

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~~(This sample policy prohibits sales, solicitations and promotions (including advertising) on school district property except as specifically authorized within the policy.)~~

Except as provided in this policy or by another Board policy, no person may sell or promote the sale of goods or services on school district property, including property to which the District controls access when such property is temporarily being used for District operations or for a District-sponsored purpose.

Further, pursuant to state law, it is unlawful at all times and without any exception for any District employee to receive for his/her personal benefit anything of value from any person other than the District to sell, promote the sale of or act as an agent or solicitor for the sale of any goods or services to any student while on District property or at a District-sponsored activity.

The following are authorized exceptions to the above-stated general prohibition against the sale of goods or services and against the promotion/solicitation of such sales:

1. When approved in advance by the relevant building principal, the Director of Business Services ~~Business Manager~~, or District Administrator, sales (or promotions of sales) of goods or services by students, student groups, employees, or others for a school-related or educational purpose.
2. District-approved fundraising activities and event concessions.
3. The sale of food and beverages through the District's school meal program.
4. ~~To the extent consistent with any applicable mandatory federal nutrition requirements, the District approved sale of food and beverages outside of the school meal program, including District approved vending arrangements.¹~~
5. Administratively-approved paid advertising for goods and services within any District-sponsored publication/media that regularly accepts and publishes paid advertisements as a means of financial support. All such advertising is subject to administratively-established standards intended to foster an educationally-appropriate, safe, and nondiscriminatory atmosphere. Such advertising shall never promote tobacco, alcohol, drugs, weapons, or gambling or include any material that is sexually-explicit or vulgar.
6. A person who, in advance, has made an appointment to meet with one or more District employees for the purpose of discussing the sale, or possible sale, of goods or services to the District.
 - a. All such persons, upon their arrival, shall check in with the main office of the building in which their meeting is scheduled and follow the District rules surrounding school visitors.
 - b. In addition, all third-party entities and individuals seeking to sell goods or services to the District are expected to obtain advance authorization from an administrator or

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¹ Your district does not participate in federal nutrition programs so this paragraph can be modified to delete the highlighted language if you wish.

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supervisory-level employee before contacting any non-administrative and non-supervisory employee with whom the seller has no pre-existing business relationship.

- c. In person, third-party solicitations for the sale of goods or services to the District that are not pursuant to an advance appointment or directly related to a pre-existing business relationship with the District are strongly discouraged. Such solicitations shall be directed solely to the main District Business Office, where the third party may or may not be approved to meet with any representative of the District.
7. Sales and the promotion of sales pursuant to a third-party's pre-approved facilities use agreement with the District, during the time that the third-party is using District facilities for the approved purpose.
8. When property that is neither owned nor leased by the District is temporarily being used for District operations or for a District-sponsored purpose, any sales or promotional authority that has been reserved by the owner or operator of such property.
9. In a manner authorized in advance by the relevant building principal (or by the primary supervisor of any District building/property that is not a school), an employee's incidental and occasional sale (or promotion of the sale of) of property, goods, or services to other District employees, provided that such activity does not interfere with District operations or with any employee's work-related responsibilities. As an example, a building principal may permit employees to place notices of items of personal property that are for sale on a bulletin board that is located in a staff lounge.
10. Any other sales or promotion activity that the District Administrator or an administrative-level designee has approved in advance. However, the administration shall not approve any such activity directed toward sales to students or their parents or guardians that lacks a clear school-related or educational purpose.
11. Any other sales or promotion activity that has been approved in advance by the School Board. All commercial advertising of goods and services on school property that is not otherwise addressed in this policy and for which there is no clear school-related or educational purpose requires the advance approval of the Board.

Legal References:

Wisconsin Statutes

[Section 118.12](#) [sale of goods and services at schools]

[Section 175.10](#) [sales to employees prohibited]

Federal Laws

[Healthy, Hunger-Free Kids Act of 2010](#) [school wellness policy requirements, including requirements related to food sold during the school day]

["Smart Snacks" Rule](#) [minimum nutrition standards for all foods sold outside of the school meal program during the school day]²

² The federal law references relate to federal nutrition programs – your district does not participate in these programs and the federal law references may be deleted if you wish.

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Cross References:

- WASB PRG 850 Sample Policy 1
- [374. Student Fundraising Activities](#)
- [524.1. Staff Conflicts of Interest](#)
- [672.4. Vendor Relations](#)
- [762. Vending Machines](#)
- [851. Advertising in the Schools](#)
- [851-Rule, Sales/Advertising - Exceptions](#)

Adoption Date: 2/14/83

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March 1994

December 1996

July 2002

August 2018

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