

# EPHRATA AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: COMMERCIAL ACTIVITIES

ADOPTED: June 15, 2009

REVISED: March 20, 2017

913.1. COMMERCIAL ACTIVITIES	
1. Purpose	The Board recognizes that public schools provide a potential market for commercial activities. Therefore, it is important the district protect students and parents/guardians from exploitation, ensure that commercial activities do not interfere with the educational program, and fulfill all legal requirements. All commercial activities must be approved in accordance with this policy.
2. Definition	Commercial activities include advertisements, sponsorships, exclusive rights, contracts, and other activities involving the payment of money or other economic benefit to or for the benefit of the district or district activities, in exchange for recognition or other benefit to the provider.
3. Delegation of Responsibility	<p>The Superintendent or designee shall be responsible for developing and implementing administrative regulations governing commercial activities in the district, which shall comply with all applicable laws.</p> <p>All commercial activities must be approved by the Superintendent or designee in accordance with Board policy and administrative regulations, and where required by law by the Board.</p>
4. Guidelines	<p>The district reserves the right to prohibit or decline commercial activities which are not protected by the right of free expression, are not consistent with Board policy or otherwise deemed inconsistent with the best interests of the district. Commercial activities that shall be deemed unacceptable under policy include, but are not limited to, expressions which:</p> <ol style="list-style-type: none"> <li>1. Are libelous, defamatory, obscene, lewd, vulgar, or profane.</li> <li>2. Violate federal, state or local laws.</li> <li>3. Violate Board policy or district administrative regulations.</li> <li>4. Advocate the use or advertise the availability of any substance or material that may reasonably be believed to constitute a direct and substantial danger to the health or welfare of students, such as tobacco, alcohol or illegal drugs.</li> </ol>

5. Incite violence.
6. Advocate use of force or urge violation of federal, state or municipal law, Board policy or district administrative regulations.
7. Interfere with or advocate interference with the rights of any individual or the orderly operation of the schools and their programs.

The district shall not provide personally identifiable data about a student to the sponsor of a commercial activity, nor shall any student be required to provide personally identifiable data to the sponsor of a commercial activity, without the consent of a student's parent/guardian, unless approved by the Superintendent or designee, and only in accordance with applicable state and federal laws governing student privacy rights.

References:

Board Policy – 113.4, 216, 913