

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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<b>Related Entries:</b>	CNA, CNA-RA, CND, CND-RA, CNE, FFA, FFA-RA, GCA-RA, JFA-RA, JPG, JPG-RA, KBA-RB, KEA, KEA-RA, KLA, KLA-RA
<b>Responsible Office:</b>	School Support and Improvement Chief Operating Officer
<b>Related Source:</b>	Community Use of Public Facilities <i>Facility Use License Agreement</i>

## Advertising

### I. PURPOSE

To publish criteria for advertising and recognition of sponsors throughout Montgomery County Public Schools (MCPS)

### II. BACKGROUND

MCPS seeks to establish guidelines regarding student exposure to commercial messages in order to protect the integrity of the learning environment and the school climate.

Further, the advertisement of any product, service, activity, program, or organization does not constitute an endorsement by MCPS or the Montgomery County Board of Education (Board).

This regulation is intended solely to govern advertising and the recognition of sponsors to raise revenue or defray costs as of the effective date of this regulation and expressly does not create a public forum for public expression. MCPS reserves the right to reject or discontinue any advertising or sponsors that do not comply, or cease to comply, with the requirements of this regulation.

### III. DEFINITIONS

*Advertising* is the payment in cash, in-kind services, or material goods by a non-MCPS entity in exchange for recognition by MCPS or the promotion of a product or service.

### IV. PROCEDURES

A. Limitations on Time, Place, and Manner

1. Advertising signage must be temporary and removed after an agreed upon time period, not to exceed one school year, except as specified below.
2. Advertising is permitted as follows:
  - a) Advertising may be placed in outdoor athletic facilities and concession stands.
  - b) Advertising may be placed on the interior of the school building in school cafeterias, multipurpose rooms, gymnasiums, and auditoriums.
  - c) Advertising may be placed in event programs, yearbooks, school newspapers, or other student publications.
  - d) Placement of temporary signs or advertisements by those using MCPS property through the Office of Community Use of Public Facilities (CUPF) must be consistent with the CUPF *Facility Use License Agreement*.
3. Advertising is permitted only in locations listed in IV.A.2 above. Advertising is specifically prohibited on the sign with the school name in the front of the school building.
4. Advertising is not permitted on apparel students may be required to wear as part of curricular or extracurricular activities.
  - a) The use in MCPS schools of instructional materials, equipment, or apparel bearing the name or logo of the publisher or manufacturer shall not be construed as advertising under this regulation.
  - b) MCPS will not enter into any agreement to advise students to buy particular brand name products or services in exchange for remuneration.
5. Advertising is not permitted on MCPS web pages. However, high schools may utilize third-party vendors' websites that provide services such as hosting school newspapers or communicating athletic schedules and statistics, and these third-party sites may include advertising.
  - a) Such third-party vendors shall be required to place the following disclaimer on the page: "This web page contains links to one or more pages that are outside the MCPS network. MCPS does not control the content or relevancy of these pages."

- b) Schools must comply with terms of use agreements of third-party websites, which typically require users to be at least 13 years of age.
- c) Additionally, schools are encouraged to select vendors who are responsive to the need for advertising content to be age appropriate for high school students.

B. Content Criteria

1. Distribution of political campaign materials must be consistent with MCPS Regulation KEA-RA, *Participation in Political Campaigns and Distribution of Campaign Materials*.
2. Advertising may be disapproved if the content or activity—
  - a) is inconsistent with or in violation of the law or Board policies and/or MCPS regulations;
  - b) poses a potential threat to the health and/or safety of students;
  - c) might reasonably be perceived to advocate student drug, alcohol, or tobacco use; violence; sexual activity; illegal discrimination; or other illegal activities;
  - d) contains language that is obscene, libelous, slanderous, or profane;
  - e) causes or might reasonably be predicted to cause substantial disruption of, or material interference with, school activities; or
  - f) is not age appropriate as determined by the principal/designee or superintendent of schools, as appropriate.
3. Advertising Agreements with partners, sponsors, or advertisers must be approved by the principal or designee. A principal's decision to approve or disapprove a proposal to place advertising in their school takes into consideration the content criteria described in this regulation and the degree to which the agreement is beneficial to the school's purposes.
4. Advertising agreements should be limited to a reasonable period of time, not to exceed one school year, unless the superintendent of schools provides written approval for a longer period, which in no case shall exceed 5 school years. Board approval is required to place advertising in a school or on school grounds for a period longer than 5 school years.

- a. The superintendent's decision to approve or disapprove a proposal to place advertising in a school or on school grounds for a period longer than one school year takes into consideration the content criteria described in this regulation and the degree to which the agreement is beneficial to the mission of MCPS and whether the agreement would foster or exacerbate inequity among schools.
  5. Any proposal to name a portion of a school facility, pursuant to an advertising agreement or otherwise, is subject to Board Policy FFA, *Naming School Facilities*, and MCPS Regulation FFA-RA, *Naming School Facilities*, which prohibit naming a portion of a school facility for financial gain, unless expressly approved by the Board.
  6. In addition, advertising proposals also may be subject to other requirements as appropriate, such as Board Policy CNE, *Facility Improvements That Are Not Funded with Montgomery County Revenues*, Board Policy CND, *School-Related Fund-Raising*, and MCPS Regulation CND-RA, *School-Related Fund-Raising*.
- C. Bricks/Tiles
- Schools may sell bricks, tiles, or other structural elements that contain messages or graphics. Such messages are limited to those in honor/celebration/or memory of school mascots, current or past students, staff, or school volunteers.
- D. Accountability
- Monies collected for advertising are to be deposited in the school's Independent Activities Fund and managed according to MCPS financial procedures.
- E. Appeals
- Decisions of the principal or administrator in charge to allow or disallow advertising may be appealed consistent with MCPS Regulation KLA-RA, *Responding to Inquiries and Complaints from the Public*.

*Regulation History:* New regulation, October 7, 2013; revised June 27, 2016.