COMMERCIALISM

POLICY

[~~The Board of Education believes that corporate~~] Corporate involvement in the public school and public library systems can be a positive [~~and welcome~~] contribution to public education and public library services. Business-education and business-library partnerships, based on sound principles, can contribute to a high quality education and library services[~~.~~] and provide tangible benefits to public schools and public libraries.

[~~However, in~~] In the case of the public schools, compulsory attendance confers an obligation to protect the welfare of all students [~~as well as~~] and the integrity of the learning environment. [~~And in~~] In the case of the public libraries, it is important to maintain the unaligned, democratic nature of [~~publicly funded~~] publicly-funded institutions. When considering corporate opportunities, schools[~~, districts,~~] and libraries shall focus on their educational mission and engage in [~~decision-making~~] decision making practices that facilitate, in the case of schools, student attainment of the Hawaii Content and Performance Standards, and in the case of libraries, the open and unbiased provision of services and access to information.

Positive business-education and business-library partnerships[~~, in order to be ethical,~~] should be structured in accordance with the following principles:

(1) Corporate involvement shall support the educational mission, goals, and objectives of the public schools and public libraries;

(2) Programs of corporate involvement shall be structured to meet an educational or instructional need that is identified by the public school[~~, district,~~] or public library system, and not [~~a~~] by commercial motive, and shall be evaluated for effectiveness by the Department of Education or the Hawaii State Public Library System, as appropriate;

(3) [~~Schools, educators,~~] Public school and public library staff shall hold sponsored [~~or~~] and donated materials to the same standards that are used for the selection and purchase of curriculum [~~or~~] and library materials;

(4) Corporate programs and materials shall be used at the discretion of the public schools [~~or~~] and public libraries; provided that the programs and materials are consistent with the mission and educational goals of the public schools and public libraries;

(5) Selling or providing access to a captive audience in [~~the classroom~~] classrooms or [~~library~~] libraries for commercial purposes is prohibited;

(6) Corporate involvement shall not require students or library patrons to observe, listen to, or read commercial advertising;

(7) Selling [~~or~~] and providing [~~free~~] access to advertising on public school or public library property [~~is~~] are prohibited, except for [~~approved~~]:

a. Public school or public library fundraisers [~~or~~] and activities[~~; and~~] that are approved by the principal of each school, through its school community council, or the State Librarian;

b. Advertising that is approved by the principal of each school, through its school community council, or the State Librarian; provided that:

(i) Advertising shall be consistent with the mission and educational goals of the public schools and public libraries;

(ii) Advertising shall promote positive behavior, educational activities, health and wellness, co-curricular activities, physical activities, and athletic events;

(iii) Products and services that are advertised shall be age-appropriate to students;

(iv) Advertising shall not negatively affect the instructional day of students and the operations of the public schools and public libraries, and shall not result in undue disruption to students and library patrons;

(v) Classrooms and teaching areas shall be free of advertising during the instructional day;

(vi) Students shall not be subjected to advertising while pursuing required assignments or accessing educational resources;

(vii) Advertising on textbooks, book covers, and instructional materials is prohibited;

(viii) Advertising of alcohol and tobacco products is prohibited;

(ix) Advertising of illegal materials is prohibited;

(x) Advertising shall not convey any religious or political messages;

(xi) Advertising shall not present demeaning or derogatory portrayals of groups or individuals;

(xii) Advertising in the public schools and public libraries shall be temporary;

(xiii) Advertisers shall be prohibited from collecting data from students, and employees of the Department of Education and Hawaii State Public Library System;

(xiv) Advertising shall not be situated to be so conspicuous to the general public's viewing plane;

(xv) Revenue received from advertising shall be used to support the instructional programs and services of the public schools and public libraries; and

(xvi) Employees and students of the Department of Education and Hawaii State Public Libraries System are prohibited from appearing in advertisements under this policy.

Advertising venues may include non-instructional audio and visual media, non-instructional school-managed and library-managed web site pages, non-instructional school and library publications, and non-instructional school rooms, facilities, and locations of the Department of Education, and rooms, facilities, and locations of the Hawaii State Public Library System.

~~The Board of Education may consider the approval of an exclusive rights contract if the contract will result in substantial benefit to a public school, a complex area, the Department of Education, a public library, or the Hawaii State Public Library System, and the contract is not inconsistent with this policy. Revenue raised from any exclusive rights contract shall be prorated to participating libraries, and participating schools or complex areas based on student enrollment, as of the effective date of the contract. All advertising contracts shall contain a "revoke at any time" clause without penalty to the public school, complex area, Department of Education, public library, or Hawaii State Public Library System.~~

The term of each contract shall not exceed five years, shall not provide for automatic renewals or extensions, and shall not subject any school, complex area, the Department of Education, public library, or the Hawaii State Public Library System to payment during periods beyond the length of the contract or in excess of the prorated benefit in the event of early termination. ~~If the economic benefit from any partnership exceeds $ _____ to a public school, a complex area, the Department of Education, a public library, or the Hawaii State Public Library System, the agreement shall be approved by the Board of Education.~~

No public-private sector partnership shall provide direct financial gain to any employee, student, or parent of the Department of Education, school community council member, or employee of the Hawaii State Public Library System.

The Department of Education and the Hawaii State Public Library System shall develop guidelines ~~to ensure that non-discriminatory procedures are followed in granting advertising selling permission~~ in accordance with all relevant county, state and federal laws in implementing this section.

(8) Corporate logos are permissible for sponsor recognition.

Approved: 11/01
Revised: 12/07
Amended: _____

Proposed Amendments
to Board Policy 6340,
"Commercialism Policy," as
Presented to the Committee
on Administrative Services
March 14, 2011