




STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

January 10, 2012

TO: The Honorable Wesley Lo, Chairperson
Committee on Finance and Infrastructure
Board of Education

FROM:  Kathryn S. Matayoshi, Superintendent

SUBJECT: Proposed Amendment of Board of Education Policy No. 6340 – Commercialism

1. RECOMMENDATION

It is recommended that the Board of Education approve the amendment of Board Policy no. 6340 to allow advertising in schools under certain conditions:

The proposed amendments would allow advertising on building walls and other public areas of schools and libraries, but not in classrooms and teaching areas. Advertising content must be consistent with the mission of public schools and libraries and promote positive behavior, educational activities, health and wellness, co-curricular activities, physical activities, and athletic events.

For example, a company might want to put up a sign saying "Study hard," or "Congratulations, graduates" along with its logo.

The proposed amendments would require all advertising messages, sponsors, and placement of ads to be approved by the superintendent, state librarian or their designee, and would result in the distribution of advertising revenue to all schools on a per-student basis or to support the services of the public libraries.

If the proposed amendments are adopted, the Department will develop procedures and more detailed guidelines for schools to follow.

2. RECOMMENDED EFFECTIVE DATE: upon adoption by the Board.

3. DISCUSSION

a. Background

- The policy was initially adopted by the Board on November 11, 2001 in response to a desire by the Board, recognizing the positive contribution to public education from business involvement in the school system, to provide guidelines for business involvement with schools including curriculum materials, allowable use of corporate logos, and advertising.
- The policy was revised on December 12, 2007.

- In March 2011, at the recommendation of the then Board chair, the Board's Committee on Administrative Services, recognizing the reductions in funds available to schools because of the downturn in the economy, recommended, by a vote of 7-1, amending the policy further to allow school community councils and principals to seek additional funding from businesses advertising in schools, and provided that the revenue received from advertising be used for instructional programs and services of the public schools and public libraries.
- In the turnover of the Board, this matter languished. The next step following Board committee approval of amendments to a Board policy is to consult and confer on the proposed amendments with the three exclusive bargaining agents for Department employees.
- The proposed amendments were initiated by the previous Board chair, not by the Department, and the Department was not consulted on the proposed amendments. However, subsequent to the vote of the Committee on Administrative Services, the Department has reviewed the proposed amendments and recommends that they be approved.
- Because the Department did not previously comment on the proposed amendments, because some would view the proposed amendments as controversial, and because the proposed amendments had not been forwarded to the unions for consult-and-confer, the Department is bringing the proposed amendments back to the "new" Board for its review, discussion, and disposal.
- When proposed revisions to the policy were submitted to the Board's Committee on Finance and Infrastructure, the Committee referred it back to the Department on November 1, 2011 for further revision. The current proposal incorporates most of the concerns expressed by Committee members at that meeting.

b. Arguments in support of the recommendation

Students will benefit if dollars raised through advertising are used to provide instructional and other supports to students and schools. There is already an abundance of corporate names and logos on campuses on reams of paper, computers, pencils, vehicles, etc. and on clothing and footwear worn by students and adults alike.

Messages and advertisements could generate interest in corporate partnerships with schools to promote curricular needs such as the need to be healthy, tips to stop bullying, and messages that promote college and career readiness in schools.

c. Arguments against the recommendation

Advertising influences the spending of students and parents. Students are exposed to advertising outside of school and should not be subjected to it at school.

KSM:RGM:ck

Attachments

c: The Honorable Donald G. Horner, Chairperson, Board of Education
Office of Fiscal Services

COMMERCIALISM

POLICY

[The Board of Education believes that corporate] Corporate involvement in the public school and library systems can [be] make a positive [and welcome] contribution to public education and library services. Business-education and business-library partnerships based on sound principles can contribute to 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 school, [district] Department of Education, or 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, including websites of individual schools, school classes, and individual school employees, if the intended users of the websites are students or parents of students, [is] are prohibited, except for [approved]:

- a. Public school or public library fundraisers [or] and activities[; and] that are approved by the Complex Area Superintendent or the State Librarian, respectively;
- b. Advertising whose content and placement is approved by the Superintendent or designee, or the State Librarian, as appropriate; 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/or 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 disrupt students or library patrons;
 - (v) Classrooms and other 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 and illegal materials is prohibited;
 - (ix) Advertising shall not convey any religious or political messages;
 - (x) Advertising shall not present demeaning or derogatory portrayals of groups or individuals;
 - (xi) Advertisers may not collect data from students or employees of the Department of Education or the Hawaii State Public Library System.
 - (xii) Advertising shall conform to state laws, rules, and regulations, and county ordinances'
 - (xiii) Revenue from advertising in the public schools shall be distributed to all schools using the weighted student formula for the current year to support the schools' educational programs; revenue from advertising in the public libraries shall be used to support the services of the public libraries.
 - (xiv) Advertising venues are limited to non-instructional audio and visual media, non-instructional school-managed and library-managed websites, non-instructional school and library publications, public school gymnasiums, auditoriums, and athletic facilities, and locations of the Hawaii State Public Library System.

(8) Corporate logos are permissible for sponsor recognition.

Approved: 11/01; Revised: 12/07 and xx/xx

COMMERCIALISM

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- (5) Selling or providing access to a captive audience classrooms or 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 and providing access to advertising on public school or public library property, including websites of individual schools, school classes, and individual school employees, if the intended users of the websites are students or parents of students, are prohibited, except for:

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