

**905 ADVERTISING**

***[Note: Charter schools should carefully consider whether they wish to allow advertising in charter school facilities or publications. Once advertisements are accepted, First Amendment rights may limit the charter school’s ability to reject specific advertisements or to regulate the content of advertisements.]***

**I. PURPOSE**

The purpose of this policy is to provide guidelines for the advertising or promoting of products or services to students and parents in the charter school.

**II. GENERAL STATEMENT OF POLICY**

The charter school’s policy is that the name, facilities, staff, students, or any part of the charter school shall not be used for advertising or promoting the interests of a commercial or nonprofit agency or organization except as set forth below.

**III. ADVERTISING GUIDELINES**

- A. Charter school publications, including publications such as programs and calendars, may accept and publish paid advertising provided they receive advance approval from the appropriate administrator. In no instance shall publications accept advertising or advertising images for alcohol, tobacco, drugs, drug paraphernalia, weapons, or obscene, pornographic, or illegal materials. Advertisements may be rejected by the charter school if determined to be inconsistent with the educational objectives of the charter school or inappropriate for inclusion in the publication. For example, advertisements may be rejected if determined to be false, misleading, or deceptive, or if they relate to an illegal activity or antisocial behavior. The faculty advisor is responsible for screening all such advertising for appropriateness, including compliance with the charter school policy prohibiting sexual, racial, and religious harassment.
- B. The charter school board may approve advertising in charter school facilities or on charter school property. Any approval will state precisely where such advertising may be placed. The restrictions listed in Section A. above will apply. Advertising will not be allowed outside the specific area approved by the charter school board. Specific advertising must be approved by the executive director or designee. In no instance will an advertising device be erected or maintained within 100 feet of a school that is visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles.
- C. Donations that include or carry advertisements must be approved by the charter school board.
- D. The charter school may acknowledge a donation it has received from an organization by displaying a “donated by,” “sponsored in part by,” or a similar by-line with the organization’s name and/or symbol on the item. Examples include activity programs or yearbooks.

- E. Nonprofit entities and organizations may be allowed to use the charter school name, students, or facilities for purposes of advertising or promotion if the purpose is determined to be educationally related and prior approval is obtained from the charter school board. Advertising will be limited to the specific event or purpose approved by the charter school board.
- F. Contracts for computers or related equipment or services that require advertising to be disseminated to students will not be entered into or permitted unless done pursuant to and in accordance with state law.
- G. The inclusion of advertisements in charter school publications, in charter school facilities, or on charter school property does not constitute approval and/or endorsement of any product, service, organization, or activity. Approved advertisements will not imply or declare such approval or endorsement.

#### **IV. ACCOUNTING**

Advertising revenues must be accounted for and reported in compliance with UFARS. A periodic report shall be made to the school board by the executive director regarding the scope and amount of such revenues.

**Legal References:** Minn. Stat. Ch. 124E (Charter Schools)  
Minn. Stat. § 173.08 (Excluded Road Advertising Devices)

**Cross References:** MSBA/MASA Model Policy 421 (Gifts to Employees and Charter School Board Members)  
MSBA/MASA Model Policy 702 (Accounting)