

ADVERTISING POLICY (Rules and Regulations)**DELEGATION OF AUTHORITY; LIMITATIONS AND RESTRICTIONS**

The West Springfield School Committee hereby delegates to the Superintendent of Schools the authority and responsibility of negotiating contracts on behalf of the West Springfield School Committee for the posting of commercial messages or advertisements in school facilities or on school property, provided, however, that the Superintendent shall have no authority to permit anything that is prohibited by this policy, its related guidelines and ordinances by the Town of West Springfield, and that all tentative contracts are subject to the final approval and signature of the West Springfield School Committee. Commercial messages or advertisements may be authorized and accepted only under the following conditions:

1. Commercial messages or advertisements shall not be accepted for placement directly upon or within any school facilities or school property except as is specifically designated for the placement thereof.
2. Currently designated facilities for the placement of commercial messages and advertisements are as follows:
 - a) along the fencing at Clark field (excluding the fencing along the eastern perimeter of the field).
 - b) at such other locations as deemed appropriate by vote of the West Springfield School Committee.
3. Examples of commercial messages or advertisements that contain any of the following characteristics, but not limited to, or that in the sole discretion and judgment of the Superintendent of Schools as the authorized representative of the West Springfield School Committee or its legal counsel may be prohibited and may not be accepted for placement on school facilities or upon school property, are as follows:
 - a) promotion of or reference to the sale or consumption of alcoholic or cereal malt beverages in name, likeness or implication or the promotion of establishments that are licensed for and primarily sell alcoholic or cereal malt beverages, including bars; provided, however, that restaurants or other food service establishments and hotels or other places of lodging may be authorized when the commercial message or advertisement promotes only the food service or lodging (example: a restaurant or other food service establishment may not use in its advertising text the words "bar", "pub" or "tavern" or other similar words denoting the sale of alcoholic beverages, even if such word is part of the name of the establishment.);
 - b) promotion of or reference to the sale or consumption of tobacco products or depiction of the use of tobacco products in any manner;
 - c) commentary, advocacy or promotion of issues, candidates, campaigns, or organization of social, political, religious, or rhetorical nature;
 - d) promotion of or reference to gambling, pari-mutual betting, lotteries, or games of chance whether by name, likeness or implication or promotion of or reference to providing such services or activities of a related or similar nature;
 - e) depiction in any form of nudity or semi-nudity, profanity, obscenity or lewdness or characterization that suggest, depict or promote any such element, or promotion of or reference to any sexually-oriented products; activities or materials such as massage parlors, escort services or establishments featuring X-rated or pornographic movies, contraceptive products or hygiene products of an intimate personal nature or advertising that is unlawful, or contains explicit messages or graphic representations pertaining to sexual contact or contain offensive levels of sexual overtone, innuendo or double entendre;
 - f) promotion in any form of or reference to illegal drugs, illegal drug use or illegal drug materials; or characterizations that suggest or depict the promotion or glorification of any such products, activities or materials;
 - g) promotion of or reference to the use or sale of firearms, explosives or other weapons; or the depiction, suggestion or glorification of violence or acts of a violent nature;

- h) use of words, foul or offensive language, representations or descriptive material of any kind having more than one meaning or connotation, one of which would otherwise be prohibited under this policy;
 - i) inclusion of materials, depictions, promotions or offerings that are the type prohibited by or by their nature would violate any postal restrictions or regulations or any federal, state or local law, rule or regulation;
 - j) advertisements that describe or depict criminal activity in any way;
 - k) inclusion of any claims that in the judgment of the authorized representative of the West Springfield School Committee or its legal counsel constitutes false, exaggerated or misleading claims or that contains offensive or otherwise improper comparisons with other products or their makers; and
 - l) advertisements by political candidates for public office advertisements concerning ballot issues.
4. To protect the integrity of the school facilities or the school property under ownership and control of the West Springfield Public Schools, and to ensure a proper measure of uniformity, durability and quality, the West Springfield School Committee shall establish specifications for the types of permitted advertising surfaces and physical materials, and may reject advertising surfaces and materials that do not conform with those specifications or that are not otherwise deemed to be suitable. The advertiser is responsible for the procurement, printing and cost of the advertising medium.
 5. Prior to any acceptance or placement of commercial messages or advertisements upon any school facilities or the school property under the ownership and control by the West Springfield Public Schools, the specifications of the same, including all advertising copy or content and all materials by which such advertising shall be displayed, must be submitted to the West Springfield School Committee for approval.
 6. Any approval for the erection and display of commercial messages or advertising shall be made in writing as part of a written placement agreement, that shall at a minimum contain references to and the advertiser's commitment and agreement to abide by this policy. The term and rate of compensation shall be pursuant to the West Springfield School Committee's then current approved advertisement terms and rates.

EXEMPTIONS AND EXCEPTIONS

Nothing in this policy shall be interpreted to neither prohibit nor require authorization for any of the following:

1. Merchant or government identification, logos or trademarks appearing upon property acquired, installed or used in the construction or renovation of any of the facilities.
2. Public service announcement or announcements of events directly related to services of the West Springfield Public Schools.
3. Product or vendor identifications in relation to authorizing merchandising or vending operations conducted upon or about the school facilities or the school property under ownership and control by the West Springfield Public Schools.

NOTE: The West Springfield School Committee reserves the right to amend this policy from time to time and no advertising contract entered into under any existing version of this policy shall serve to restrict or prevent the West Springfield School Committee from making any such subsequent amendments.

Source: Palmer School District

Reviewed & submitted by Attorney Duperé: April 24, 2013

Read, reviewed and revised: February 13, 2018 [Policy Subcommittee]

Approved: February 13, 2018 [School Committee]