

COMMERCIAL, PROMOTIONAL AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS

Generally

The Botetourt County School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the Board. For that reason, the Botetourt County School Board may enter into commercial, promotional and corporate sponsorship and partnership arrangements under certain conditions.

Definitions

An “educational partnership” is a mutually beneficial, co-operative relationship in which partners share values, objectives and/or human or financial resources to enhance learning for students.

An “educational sponsorship” is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services or other benefits in exchange for recognition of its products or entity for a specified period of time.

Authority to Enter into Agreements

On behalf of the School Board, principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed \$5,000 in value to the school.

On behalf of the School Board, the superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds \$5,000 in value.

The School Board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The School Board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the School Board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

Requirements

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.

- A statement that the School Board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.
- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the School Board and the partner or sponsor whose agreement has been terminated for a specified period of time.
- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and, if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the School Board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or School Board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or School Board must approve its identification as a partner or co-sponsor in all publicity materials.
- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or School Board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, School Board employee, School Board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances, school division policies and regulations, and all preexisting School Board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the sponsor or partner must certify

that all such persons have not been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation or physical or sexual abuse or rape of a child, or the solicitation of any such offense, or any crime of moral turpitude.

- A statement that if the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the individuals acting on behalf of the partner or sponsor may have been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, the individual's civil rights have been restored by the Governor.
- A statement that no partnership or sponsorship shall exploit any student or School Board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or School Board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or School Board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or School Board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the School Board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

Prohibitions

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or School Board policy;
- promotion of the use of drugs, alcohol, tobacco products, nicotine vapor products, or firearms;
- promotion of sexual, obscene or pornographic activities; or

- promotion of any image that is not in keeping with the established goals and purposes of the School Board.

Adopted: September 17, 2002

Revised: August 10, 2006

July 19, 2008

June 11, 2009

March 13, 2014

June 12, 2014

June 13, 2019

August 13, 2020

July 13, 2023

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-89.4, 22.1-296.1.

Cross Refs.: DJF Purchasing Procedures
DJG Vendor Relations
DO Non-Locally Funded Programs
IAA Textbook Selection, Adoption, and Purchase
IAB Supplementary Materials Selection and Adoption
IICB/IICC Community Resource Persons/School Volunteers
JFCB Sportsmanship, Ethics and Integrity
JHCF Student Wellness
JL Fund Raising and Solicitation
KA Goals for School-Community Relations
KH Public Gifts to the School
KLB Public Complaints about Learning Resources