

BUSINESS SPONSORSHIPS, ADVERTISING AGREEMENTS AND EXCLUSIVITY CONTRACTS

- 1.0 **General.** The District’s mission can be advanced by revenues raised through certain commercial ventures, including commercial advertising, business sponsorships, and exclusivity contracts. The purpose of any such venture is to raise revenue for the District in a manner consistent with its mission and core values. Thus, the District reserves the right to enter into the commercial ventures of its choosing and to negotiate the terms of such ventures, including the content of any advertising appearing on District facilities, in District publications, or otherwise associated with the District. The District shall not enter into any venture in which the District determines that the product advertised, or the content of the advertising for the product, is unsuitable for a preschool-12 audience, or that the product or advertising is in any way inconsistent with the District’s mission, core values, or obligations.
- 2.0 **Definitions.**
 - 2.1 “Business Sponsorships” and “Exclusivity Contracts” include agreements by business entities and providers of professional services in which the entity/provider pays a fee or contributes an economic benefit to the District (e.g., free or discounted goods or services to the District, its parents, students, or community members; revenue sharing with the District based upon sales volume; in-kind services; etc.) in exchange for recognition as a program, school, or District sponsor or supporter; and/or in exchange for a commitment by the District to purchase all of the specified goods or services from the entity/provider for a specified period of time; and/or in exchange for a District commitment to exclude competitors from advertising or promoting comparable goods/services to those provided by the entity/provider. Examples include but are not limited to contracts designating a specific beverage provider as the exclusive beverage supplier to District schools, stadiums, and offices.
 - 2.2 Commercial Advertising Agreements shall include contracts for print, web-based, video, and other messaging from business entities and providers of professional services which do not include terms regarding sponsorship, exclusive purchase, exclusion of competitor advertising or other terms constituting a business sponsorship or exclusivity contract.
- 3.0 **Permitted and Restricted Marketing Activities.**
 - 3.1 Appropriate opportunities for these marketing activities include but are not limited to:
 - 3.1.1 Placing fixed signage and banners on District property;
 - 3.1.2 Advertising in District publications;
 - 3.1.3 Naming of District facilities or portions thereof (see Code 7500);
 - 3.1.4 Sponsoring of programs and athletic teams;
 - 3.1.5 Supporting District and regional level activities at state tournaments; and
 - 3.1.6 Advertising on District vehicles and athletic/activities uniforms.
 - 3.2 Restricted marketing includes but is not limited to that which promotes:
 - 3.2.1 Possession, use or sale of alcoholic beverages, tobacco products, harmful or prescription drugs, firearms or contraceptives;
 - 3.2.2 Bars, taverns and cocktail lounges or other establishments that serve alcoholic beverages;
 - 3.2.3 Exotic dance clubs;
 - 3.2.4 Political issues;

- 3.2.5 900 call-ins for personal services, bettering services, scouting services;
 - 3.2.6 Pari-mutuels, excluding the Colorado Lottery;
 - 3.2.7 Medical marijuana dispensaries;
 - 3.2.8 Any other business, product, service or ideal that is deemed incompatible with the educational mission of the District and its schools.
- 3.3 Combination businesses such as drug stores, grocery stores, department stores, hardware stores, hotels and restaurants which dispense alcoholic beverages, tobacco products, prescription drugs, firearms and contraceptives may be acceptable as sponsors provided no part of the advertising messages for these establishments refer to the dispensing of such products; or to a bar, tavern, cocktail lounge or other facility dispensing such products.
- 4.0 **Procedures.**
- 4.1 All business sponsorships and exclusivity contracts shall be developed and controlled through the Purchasing. Building administrators shall not negotiate or execute business sponsorship or exclusivity contracts absent written approval from the Purchasing Department.
 - 4.2 All vendors submitting proposals for business sponsorships or exclusivity contracts must be qualified to conduct business with the District by submitting a sponsorship application to the Purchasing Department and having such application approved.
 - 4.3 Legal counsel shall review business sponsorships and exclusivity contracts, or shall be consulted by the Purchasing Department, for such contracts involving revenues in excess of \$50,000 or when the authorized designee seeks legal counsel as to particular contract terms.
 - 4.4 All business sponsorships and exclusivity contracts shall require Chief Financial Officer's approval. The Chief Financial Officer shall notify the Superintendent (or designee) of all agreements that exceed \$50,000 or 5 years in duration.