TITLE: District Sponsorship and Solicitation Guide

NUMBER: BUL-6876.0

ISSUER: Alma Peña-Sanchez, Chief of Staff

Office of the Superintendent

V. Luis Buendia, Controller

Accounting and Disbursements Division

DATE: July 17, 2017

PURPOSE: The purpose of this bulletin is to state the policy and to describe the general process

and procedure to follow when soliciting potential sponsors, evaluating offers of

ROUTING

Local District

Assistants

Principals

Superintendents & Administrators

Financial Managers School Administrative

sponsorships, and accepting sponsorships.

MAJOR This is a new bulletin that replaces the Sponsorship Guidelines dated May 24, 2011. **CHANGES:**

In addition, this bulletin formalizes the sponsorship agreement review and approval

process.

BACKGROUND: The District is often approached by outside entities (individuals, businesses, and

others) who offer to sponsor events or activities in the form of financial support, material goods, free training, or other resources, such as labor or facilities, in exchange for agreed acknowledgment (i.e., sponsor recognition). Schools and offices

may also solicit sponsorships.

The entity may also seek to do business with the District in his or her professional or business capacity. This can be a person or entity currently under contract with the

District or one who seeks to do business with the District.

Specifically, an outside entity may seek to gain a commercial or other advantage and believes that if it provides a donation or sponsorship, it will have a better chance of doing so. The District must avoid such transactions and also avoid any appearance of

impropriety in the acceptance of donations or sponsorships.

While many of these potential sponsors volunteer their resources to support and further public education, our role as a public agency is dedicated to serving students. We must avoid recognizing activities that could be perceived as advertising or as

commercializing the school environment, District property, and resources.

I. **Board Rule**

Detailed below is the LAUSD Board of Education Board Rule 1251, which was amended on December 14, 2010. The intent of the amended Board Rule is to permit the recognition of LAUSD sponsors through signage, branding or other media. It is not the intent to allow for the sale of products or services or the promotion or endorsement of products, services or companies.

1251. SPONSORSHIP AND ADVERTISING ACTIVITIES ON SCHOOL PREMISES

A. Sponsorship and Advertising

Except as otherwise provided by Board Rule, the following activities on Los Angeles Unified School District shall be as follows:

- 1. The advertising, or sale to students or employees of articles shall be prohibited.
- 2. Permanent advertising shall be permitted only with approval by the Superintendent or his/her designee.
- 3. Sponsorship recognition through temporary signage that does not include a "call to action" as described in 1251 (1) shall be allowed when there is clear benefit to the school District, has a clear sunset date, has minimal impact on school operations or classroom activities, and is not located within the classroom.
- 4. Permanent sponsor recognition shall be permitted only with approval by the Superintendent or his/her designee.

B. Approved Activities

The Board of Education may sanction (See Board Rule 1255, et seq.) any worthy enterprise on District premises, particularly enterprises of an educational nature. Said sanction shall be evidenced by written permission from the Superintendent of Schools, Deputy Superintendent, or other designated representative of the Superintendent.

Additionally, recognized unions and associations have the right to meet with employees before and after hours of service or during duty-free lunch periods and can sell merchandise to their members during regular meetings, with the same rights extended to authorized parent and community groups with respect to their membership at their meetings. Site administrators will coordinate the use of facilities for meetings so that such activities can be arranged in a manner which does not expose non-participants to solicitations or sales activities permitted by this Rule and which does not open school premises generally to other vendors or commercial activities.

Additional guidelines on sponsorship approval can be found on Section V of this bulletin.

GUIDELINES: I. DEFINING SPONSORSHIP

Sponsorship is the negotiated provision of funds, goods or services by an organization to schools and central office units in exchange for recognition, publicity or other benefits. The sponsoring organization may be a business, community-based organization, non-profit, a higher education institution, or even a trade group. Sponsorship may take the form of financial support and/or provision of material goods, training, or other resources, such as labor or facilities, in exchange for agreed acknowledgment (i.e., sponsor recognition), and may be between one or more schools and/or central office units and one or more organizations.

II. DISTINGUISHING SPONSORSHIP FROM OTHER CONTRIBUTIONS

It is important to distinguish the difference between sponsorships, donations, grants, and advertising to properly account each contribution.

A <u>donation</u> is a charitable gift of funds, goods or services given by a donor. Donations are gifts given without return consideration or "quid pro quo." A donation is a charitable act given to a cause or population, often fulfilling a need. It is appropriate for a donor to receive acknowledgement, but not appropriate to expect or ask for economic benefit or special consideration.

Sponsorship is a business transaction where financial consideration is given to an entity in *return for a measurable benefit*, such as event participation or signage. Donation is a gift given to an organization with *no expectation of a measurable benefit* to the donor.

For example, Wonder Elementary School wants to hold an event in order to raise funds to improve the school playground by adding a swing set. Principal Kim contacts businesses and asks if they would be interested in sponsoring the fundraising event by providing food and drinks to sell. Principal Kim will then express his appreciation and recognize the sponsor by thanking them for their investment either through signage, verbal recognition at an event or other comparable media (see Part VI, Sponsor Recognition and Signage Guidelines), as agreed. On the other hand, if a business gifted the school a swing set for the playground without expectation or agreement for public recognition, then this would be considered a donation.

<u>Grant</u> is also a form of contribution such as cash, services, and goods that can be a benefit for an organization. However, grants are funds that usually require an application process or proposal, such as "grant writing," in order to be given the funds and/or goods and services.

Advertising may be defined as any message or other material that is broadcasted,

published, displayed or distributed and promotes or markets the business product, service or facility. This can include the following: statements of quality or comparison to similar products or services; price information or other indications of savings or value associated with a product/service; or an endorsement or an encouragement to purchase, sell or use the sponsor's products/services.

For example, Bright Ones Elementary School wants to host a welcome back event for their school community. Principal Jones contacts the local businesses and asks if they would be interested in sponsoring the event by providing funds, food and drinks, or other needed resources. Principal Jones will then express her appreciation and recognize the sponsor by thanking them for their investment either through signage, verbal recognition at an event or other comparable media, as agreed. On the other hand, if Principal Jones distributes coupons, discounts, endorsements, or compares the sponsors to their competitors at the sponsored activity or event, this would be considered advertising.

As indicated on Board Rule 1251, the District does not allow advertising, and if approached by an organization, schools and offices should ask instead if they would sponsor a school or office activity or event. Businesses or entities should contact their tax preparer if they are unsure on the potential tax benefits of their contribution. District staff should adhere to the guiding principles contained within this bulletin, and to the best of their ability, ensure sponsorships are handled appropriately and ethically.

III. REVIEW POLICY STATEMENT

The following policies should be reviewed when seeking sponsorship:

- The #1 priority is always student achievement sponsorship activities should never distract or detract from student success.
- **No classroom intrusion** sponsor activities including branding and signage will not be allowed in the classroom at any time.
- Participation in sponsor activities shall not be mandatory acceptance of
 a sponsor's products or service must not be made a condition for student or
 staff participation in the sponsored activity or program. For example, schools
 or central offices must neither insist that students wear clothing carrying the
 sponsor's name or brand, nor require students to participate in the sponsored
 activity.
- Protecting the integrity of the LAUSD brand is integral to success LAUSD is seen as a large and attractive market for sponsors, and it is beneficial to be associated with the LAUSD name. Activities must never compromise the high integrity of this organization as an instructional institution that serves children. The activities of the sponsor must be consistent with the District's mission, programs, purposes and standards and

must not be incompatible with or reflect negatively on the District, its mission or its policies. The activities of the sponsor must not constitute any real or apparent conflict of interest, and must not be in conflict with any provisions of federal, state or local laws and regulations.

- Staff cannot individually benefit as a result of sponsorship Staff must not take, or seek to take, improper advantage of their position in order to obtain personal benefits from sponsors or sponsorships. All benefits of a sponsorship must go to school(s) or central office unit(s).
- Sponsorship is not an endorsement by LAUSD of a product, service or business – The acceptance of resources from a sponsor, and the recognition of the sponsor are not an indication of LAUSD endorsement of such product, service or business. Additionally, acceptance does not have bearing on any future LAUSD contract.

An *endorsement* means any advertising message (including verbal statements, demonstrations, or depictions of the name, signature, likeness or other identifying personal characteristics of an individual or the name or seal of an organization) that consumers are likely to believe reflects the opinions, beliefs, findings, or experiences of LAUSD, even if the views expressed by LAUSD are identical to those of the sponsoring advertiser. The party whose opinions, beliefs, findings, or experience the message appears to reflect will be called the endorser and may be an individual, group, or institution.

- **Prohibited Sponsors** The District will not seek sponsorship from corporations that market, sell or produce products that may be harmful to children including, but not limited to, tobacco, alcohol, firearms, gambling, or high-fat and high-calorie foods and drinks. This includes prohibition of sponsorship events hosted and promoted by restaurants mentioned in Board Resolution 077-16/17). See Attachment D for a detailed list of disapproved and disallowed sponsorship categories.
- **Equity** Sponsorship must promote equity among all students. Sponsors shall be encouraged to support a variety of schools to ensure equity in access and opportunities.

IV. SOLICITATION

District schools and offices may desire to seek solicitations of sponsorships for appropriate purposes and activities for which District funds are not available. In order to maintain the integrity of this process, schools and offices should utilize a District third-party vendor to solicit sponsorships. A centralized solicitation process ensures the appropriate motivation for sponsorship and avoids any appearance of impropriety. The District currently has a contract with Belma Johnson Productions to solicit District-wide sponsorships, among other things. Additional third-party vendors may be available in the future.

The District shall not solicit a sponsorship from any person or entity who is currently seeking to do business with the District under an Invitation for Bid, Request for Proposal, or other procurement solicitation. This prohibition extends to vendors or contractors who, to the best knowledge of the District employee, are seeking to obtain or extend a contract or do other business or are reasonably likely to seek a contract or do other business with the District within the 12 month period following the solicitation.

The Procurement Services Division maintains a list of bench contracts and master service agreements in their website, which also contains information concerning current and upcoming solicitations, available at:

https://psd.lausd.net/procurement_solicitations_achieve.asp

Except as otherwise provided in this bulletin, all solicitations of sponsorships must be made consistent with the policies outlined in Section III of this bulletin, and be made in a transparent manner.

If a third-party vendor for solicitation is not used, schools and central offices shall have the authority to negotiate and enter into sponsorship agreements that are less than \$25,000 in value and for a term of one year or less. Additionally, these low-value sponsorship agreements shall not have a scope that impacts the entire District, but rather only the interested school or office. Agreements that exceed that dollar amount and/or term need the approval of the Local District Superintendent for schools or the Superintendent or designee for central offices. See Attachment A for a sample of an agreement form.

Sponsorship agreements should only be negotiated with organizations whose public image, products and services are consistent with the values, educational purpose, goals and specific policies of individual schools and the District.

The educational rationale for the activity to be sponsored should be foremost in the discussions and specified in the sponsorship agreement. Any sponsorship agreement must not compromise the professional standard and ethics of staff, limit or direct academic debate in the classroom, or influence the curriculum or other school programs.

It is important to enter any sponsor relationship with a clear understanding of:

- ✓ The tremendous value to an organization of being associated with LAUSD and providing access to our students and parents,
- ✓ Your fundraising goal,
- ✓ The time and resources you are willing (or not willing) and able to commit to the relationship and sponsor activities,
- ✓ Clear appropriate sponsor opportunities such as events and afterschool programs,

and

✓ Your list of appropriate sponsor recognition activities.

V. ACCEPTANCE OF SPONSORSHIPS

You must follow the procedures and policies outlined below when entering into sponsorship agreement and accepting any sponsorship:

- A. Monitor adherence to guidelines and principles within this bulletin.
- B. Maintain accurate copies of all sponsorship agreements, which must be signed by the sponsor and site administrator. Additional review by the committee (which must be sent to Procurement Services Division-Contract Administration Branch), signature and approval from Local District Superintendent (for schools) and Superintendent (for offices), and Board of Education approval must be obtained if the sponsorship is valued at \$25,000 and above and/or more than one year term (see Attachment B sample sponsorship agreement or other agreement documents prepared by the District's third-party vendor). Site administrator must provide a copy of the sponsorship agreement to Accounting and Disbursements Division for inclusion in a Board Report for Board approval/ratification. The Board approval/ratification step, however, will not delay the crediting of the funds to the applicable sponsorship account.
- C. Ensure that sponsorship income and expenditure are handled appropriately. When monetary sponsorships are received, the administrator must obtain appropriate signatures as required in the "Request to Process a Sponsorship" form and submit the funds, payable to "Los Angeles Unified School District," to Cash Receipts Unit, along with Attachment C Request to Process a Sponsorship and, if the amount of the sponsorship is \$25,000 or more, a copy of the sponsorship agreement. Cash will be deposited and placed in the following account:

K-12 Schools	010-0000	1110-1000-13270
Special Education Schools	010-6500	5750-2700-13273
Adult Education Schools	110-0000	4110-1000-13274
ROP/ROC/Skills Centers	010-0000	6000-1000-13275
Early Childhood Education Centers	120-0000	0001-2700-13276
Offices	010-0000	0000-7200-13277

- D. Be responsible for maintaining a relationship with the sponsor and providing oversight to the sponsor's activities.
- E. If utilizing the District's third-party vendor to solicit sponsorships, refer to Procurement Services Division's Standard Operating Procedure on Sponsorship Opportunity Review and Acceptance. Contact your Local District Buyer (school) or the Procurement Services Division Customer

Support unit ((562) 654-9009) (office).

F. The administrator should provide the donor with an acknowledgement of the sponsorship (Attachment D – sample letter).

VI. SPONSOR RECOGNITION AND SIGNAGE GUIDELINES

The extent of sponsor acknowledgment should reflect the level of sponsorship. Sponsor acknowledgement should also be in a form consistent with the standards and values of individual schools and the District. The public nature of the school district should not be infringed or impaired by sponsorship activities.

The District should adhere to the following:

- Signage size and placement shall be determined by the District, not the sponsor.
- Temporary signage for sponsor recognition shall be removed after a sponsorship agreement sunsets.
- All permanent signage shall be approved by the Superintendent or designee.

See Attachment E for examples of appropriate and inappropriate sponsor recognition.

ATTACHMENTS: Attachment A – Disapproved and Disallowed Sponsorship Categories

Attachment B – Sample of Sponsorship Agreement Attachment C – Request to Process a Sponsorship

Attachment D – Sample Thank You Letter

Attachment E – Examples of Appropriate/Inappropriate Sponsor Recognition

RELATED **RESOURCES:**

LAUSD Board of Education Board Rule 1251 amended December 14, 2010

BUL-5895.1 dated February 10, 2016 – Policy Bulletin which provides guidance on

receiving and accounting for donations

Ethical Partnerships & Solicitations – guiding principle issued by LAUSD Ethics

Office

BUL-6292.1 – Guidelines for Sales and Service of Non-School Meal Program

Food/Beverages on School Campus

ASSISTANCE:

For assistance or further information, please contact the following offices:

- Controller's Office 213-241-7889
- Procurement Services Division 213-241-3087
- Ethics Office 213-241-3330
- Office of the General Counsel 213-241-6601
- Food Services Division 213-241-6419

Office of the Superintendent Accounting and Disbursements Division

DISAPPROVED AND DISALLOWED SPONSORSHIP CATEGORIES

As a guiding principle, solicitations should only be made if they would not create in the minds of reasonable, objective, fair-minded observers a perception that there would be improper influence or advantage provided to our sponsors.

The following <u>product categories</u> are disapproved and disallowed under all circumstances:

- Tobacco products and accessories such as, but not limited to, cigarettes, e-cigarettes, vape, cigars, chewing tobacco, pipes, pipe tobacco, rolling papers, and all other smoking accessories
- Liquor and all other alcoholic beverages and products
- Firearms and all other forms of weaponry
- Foods and beverages prohibited for sale in public schools in California or inconsistent with the District's Healthy Beverage and Healthy Snack policies
 (A listing of approved foods and beverages may be accessed at http://cafe-la.lausd.net/.
 Additional guidelines on sales and service of non-school meal program on school campus
 - Additional guidelines on sales and service of non-school meal program on school campus can be found on BUL-6292.1)
- Gambling and related activities, products and services such as, but not limited to casinos, horse race tracks and off-track betting parlors, but not including simple games and accessories such as, but not limited to, playing cards
- Blood-sports and related activities, products and services such as, but not limited to, ultimate fighting, professional boxing/pugilism, professional wrestling, professional martial arts and animal fights, but not including Olympic, amateur and scholastic boxing, wrestling and martial arts
- Radio, broadcast television, cable television and other news, information and entertainment
 programs and services rated for viewing by audiences over fourteen years of age, mature
 audiences ("MA") and other adult classifications by appropriate industry rating
 associations
- Motion pictures rated to exclude children, audiences under fourteen years of age, restricted ("R"), to exclude viewers under eighteen years of age ("NC-17," "X") and other adult classifications by appropriate industry ratings associations
- Theatrical productions that are not age appropriate for primary, elementary, middle, intermediate, junior high or high school student populations
- Publications such as, but not limited to, newspapers, book and magazines not age appropriate for primary, elementary, middle intermediate, junior high or high school student populations
- Music in forms such as, but not limited to, compact discs, cassette tapes, and vinyl disk records that are not age appropriate for primary, elementary, middle intermediate, junior high or high school student populations such as, but not limited to, music that displays parental warning notices by appropriate ratings associations
- Condoms, prophylactics and other birth control devices
- Pornographic and adult video, audio, computer software and other media products
- Pornographic and other adult-oriented apparel and products
- Plagiaristic term paper and research paper products
- Cheat sheet or crib sheet/notes for academic tests

Office of the Superintendent Accounting and Disbursements Division

The following sponsor categories are disapproved and disallowed:

- Tobacco and related product manufacturers, distributors and special interest groups
- Alcoholic beverage/product manufacturers, distributors and special interest groups
- Firearm and all other weapon manufacturers, distributors and special interest groups
- Gambling casinos, horse facing tracks, off-track betting parlors and special interest groups, but not including simple game and accessory manufacturers such as, but not limited to, playing cards
- Blood-sport and related activity promoters, organizations and special interest groups, but not including Olympic, amateur and scholastic boxing, wrestling and martial arts organizations and special interest groups
- Condom, prophylactic and other birth control device and product manufacturers, distributors and special interest groups
- Plagiaristic term paper and research paper product and crib notes product manufacturers, publishers, distributors and special interest groups
- Pornography and other adult video, audio, computer software, other media product dry goods, apparel and other product manufacturers, publishers, distributors and special interest groups
- Political candidate(s) or organizations
- Special interest groups that promote the legalization of controlled substances
- Special interest groups or secret societies that promote violence, racism, bigotry, religious or ethnic intolerance, sexism or other forms of antisocial behavior or rhetoric
- Religious or sectarian organizations

The following service categories are disapproved and disallowed:

- Political, including community or non-profit service advertisements that may include depictions or references to elected officials or candidates for elected offices
- Pornographic and other adult telephone calling and/or other party line, online computer services and other such services
- Special interest services promoting the legalization of controlled substances
- Religious or sectarian related services

LOS ANGELES UNIFIED SCHOOL DISTRICT Office of the Superintendent

Accounting and Disbursements Division

BUL-6876.0 July 17, 2017

ATTACHMENT B

SAMPLE OF SPONSORSHIP AGREEMENT

***Note: If a third-party vendor for solicitation is not used, schools and central offices shall have the authority to negotiate and enter into sponsorship agreements for under \$25,000 in value and for one year term. Herewith is a sample sponsorship agreement. Schools and central offices utilizing the District's third-party vendor for solicitation should contact Procurement

The individual(s) above acknowledges and approves the sponsorship agreement to be consistent with District sponsorship policies.

Office of the Superintendent Accounting and Disbursements Division

BUL-6876.0 July 17, 2017

ATTACHMENT C

REQUEST TO PROCESS A SPONSORSHIP		
School/Office:	Cost Center	
Contact Person Telephone		
SPONSOR INFORMATION		
Name of Individual/Group/Company Telephone		
	rotephone	
FORM OF SPONSORSHIP: Check/Cash	Materials/Goods/Services	
AMOUNT/VALUE \$ ACCOUNTING LINE		
SPONSORSHIP CHECKLIST:		
 Was the sponsorship sought by the school School/Office Third Party- 		
2. Does the school/office acknowledge the coadvertising, or other type of contribution?	ontribution as a sponsorship, and <u>not</u> as a donation, grant, Yes No	
3. Is there a sponsorship agreement on file?	☐ Yes ☐ No	
4. Do the sponsor and school/office agree to	the terms of the sponsorship?	
school/office must provide for th	ars)?dgement, undertaking, and/or activities which the e sponsor?	
	ble products, service and sponsor categories outlined in this	
Please retain copies of all documentation, including levidence that the sponsorship has been spent in accordance.	etters from sponsors, related to the contribution at the site as dance with the sponsor's intent.	
The following approval(s) must b	e obtained in order to deposit sponsorship funds.	
Sponsorship agreement valued under \$25,000	Sponsorship agreement valued at \$25,000 and above	
Site Administrator Name:	Committee Review Initials:	
Site Administrator Title:	Local District Superintendent/ Superintendent Name:	
Site Administrator Signature:	Local District Superintendent/ Superintendent Signature:	
Date:	Date:	
Note: Cash Receipts Unit will not process the sponsorsh	ip if "no" is marked or if any of the questions above are left unanswered.	
Cash Receipts Unit: Signature Date Check/Cash Deposited		

LOS ANGELES UNIFIED SCHOOL DISTRICT Office of the Superintendent Accounting and Disbursements Division

BUL-6876.0 ATTACHMENT D July 17, 2017

SAMPLE THANK YOU LETTER

Date

Address

Salutation

On behalf of the [school/office name] community, I want to thank you for your support. Your [contribution/time you gave/ resources you provided] for [insert activity/program] was a tremendous help and will go a long way to helping our students and creating the learning environment and community support need.

We want you to remain our partner and look forward to working with you again. Please know that your investment and time is important to us.

The Los Angeles Unified School District, as a political sub-division of the State of California, is a tax-exempt organization under the US Government code 170(c)(1). Donations to such an organization are not taxable. For your information, the following are the District's federal and state ID numbers:

State: 800-9074-9 Federal: 95-6001908

Thank you again for your generosity.

Sincerely,

[principal/administrator's name]

ETHICS PROCLAIMER: Please note that being a LAUSD sponsor is a strictly voluntary opportunity that enables community partners to support LAUSD schools and programs. Being a sponsor should not be construed to have any bearing whatsoever on any current or future business with LAUSD.

Office of the Superintendent Accounting and Disbursements Division

BUL-6876.0 ATTACHMENT E July 17, 2017

EXAMPLES OF APPROPRIATE/INAPPROPRIATE SPONSOR RECOGNITION

Examples of Appropriate Sponsor Recognition include:

- Placement of a plaque or notice in a school or office acknowledging the support of a company which provided the resource;
- Attendance by the sponsor at school or departmental functions such as concerts, dinners or presentation nights and an opportunity for the sponsor to make an address or present awards at such functions:
- Public display of signs acknowledging the sponsorship at relevant school or departmental functions;
- Acknowledgment of the sponsorship in one or more of the school's or department's bulletins or newsletters; and/or
- Sponsor's logo or name on athletic equipment (shall be coordinated with the Interscholastic Athletics Office).

Signage, such as banners are allowed as long as they are not advertising, but rather are sponsor recognition and have a clear purpose and a sunset date. Regarding values, as a point of reference, a billboard on a major thoroughfare or freeway may cost a business \$5,000 to as much as \$20,000 or \$30,000 a month. Many times schools accept \$250 or \$500 from a sponsor and recognize them with an outward facing banner on the school periphery for the school year. This may undermine a school's ability to recognize other sponsors, or ensure a meaningful investment by the sponsor. While a sponsorship banner is indeed different from an advertising billboard, the school also provides the sponsor value by association with the school community and school brand and this should be reflected in the investment.

Production of a banner or other materials recognizing sponsors should not present a financial burden to schools. If a sponsor produces the banner, ensure prior to production that the design and language used meets the sponsorship guidelines and is not advertising.

Examples of inappropriate signage include, but are not limited to, a description of services or products, business contact information, and advertising language such as coupons, special offers, or slogans:

Jill's Jewelry

"the best gems in town!"
310-555-4444 123 Sunshine Lane
jillsjewelry@emailme.com

Captain Can

For all your marketing and printing needs!
Mention this banner for 25% off captiancan@emailme.com

Samples of appropriate signage which do not include advertising information and only serve to recognize and thank the sponsor:

Thank you -

Jill's Jewelry

For your support!

Bright One's Elementary School

Bright One's Elementary School

Thanks
Our Back to School Night Supporters!

Captain Can
and
Jill's Jewelry