



SCHOOLHOUSE COMMERCIALISM LEAVES POLICYMAKERS BEHIND

*Alex Molnar, Faith Boninger,
and Ken M. Libby*

University of Colorado Boulder

Joseph Fogarty

Corballa National School, County Sligo, Ireland

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National Education Policy Center

School of Education, University of Colorado Boulder

Boulder, CO 80309-0249

Telephone: (802) 383-0058

Email: NEPC@colorado.edu

<http://nepc.colorado.edu>

CERU COMMERCIALISM IN
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Publishing Director: **Alex Molnar**

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SCHOOLHOUSE COMMERCIALISM LEAVES POLICYMAKERS BEHIND

THE SIXTEENTH ANNUAL REPORT ON SCHOOLHOUSE
COMMERCIALIZING TRENDS: 2012-2013

*Alex Molnar, Faith Boninger
and Ken M. Libby
University of Colorado Boulder*

*Joseph Fogarty
Corballa National School, County Sligo, Ireland*

Executive Summary

Little state or federal legislation related to school commercialism was signed into law in 2012 or 2013.

Commercialism, a value system that promotes profit above all other concerns and that seeks to transform all relationships into commodities that can be exchanged for money, poses profound threats to the well-being of children and the civic purposes of public education. The relative lack of legislative or regulatory interest in school commercialism may, in part, be the result of fierce corporate opposition and because the education sector has shown little interest in restricting or banning commercial activities in schools.

Stakeholders at all levels tend to cast school participation in marketing programs as a constructive way to raise money and to conceptualize business as a valuable school partner that can “give back” funds to local communities, contribute to training the next generation of workers, and help schools and teachers function more effectively.

Thus, even though the evidence suggests that schools receive little net benefit from commercializing activities, corporate marketers continue to be granted widespread access to students using strategies such as appropriating school space for marketing messages; negotiating exclusive marketing agreements with schools and districts; creating or exploiting digital platforms that contain advertising and/or collect student data; offering fundraising promotions; sponsoring school programs and activities; offering incentives to buy products or services; and producing product- or brand-related supplementary education material.

While there has been little interest among legislators or educators, advocacy groups within the United States and internationally are increasingly aware of the threats that marketing programs pose to children, especially in the areas of nutrition and privacy.

Given the threats that marketing poses to the health and well-being of students and to the integrity of schools' educational programs, we call upon policymakers to ban commercializing activities in schools outright unless an independent, disinterested, publically funded, entity certifies that a proposed commercializing activity will cause no harm to children or otherwise undermine the quality of their education.

SCHOOLHOUSE COMMERCIALISM LEAVES POLICYMAKERS BEHIND

THE SIXTEENTH ANNUAL REPORT ON SCHOOLHOUSE COMMERCIALIZING TRENDS: 2012-2013

Introduction

There is a lot of money to be made from marketing to children.¹ Children make spending decisions about their own cash, they influence their parents' spending decisions—and they have their whole purchasing lives ahead of them. For these reasons, marketers have, over the years, done everything they can to create a “360-degree” marketing environment that engages with young people over and over, wherever they are and whatever they are doing: browsing cyberspace, watching television, engaging in an offline activity, or going to school.²

Since 1998, our reports have examined trends in schoolhouse commercialism in the context of general marketing trends. Definitions of commercialism typically point to it as a value system that privileges profit above every other concern. For example, the Oxford English Dictionary defines “commercialism” as “excessive adherence to financial return as a measure of worth.” James Twitchell similarly describes commercialism as consisting of two processes, “commodification,” or stripping an object of all other values except its value for sale to someone else, and “marketing,” the insertion of the object into a network of exchanges only some of which involve money.” The Center for the Study of Commercialism makes still more clear what is lost when commercialism displaces other values, characterizing it as “ubiquitous product marketing that leads to a preoccupation with individual consumption to the detriment of oneself and society.”³ We define commercialism as a value system that promotes profit above all other concerns and that seeks to transform all relationships into commodities that can be exchanged for money.

Whereas “marketing,” an integral element of commercialism, refers to any type of promotional activity intended to bring together a brand and its customers, “advertising,” a subset of marketing, consists of the creation and delivery of specific messages presented to potential customers via print or other media.⁴ We organize school commercialism into seven categories: (1) appropriation of space on school property, (2) exclusive agreements, (3) sponsored programs and activities, (4) digital marketing, (5) incentive programs, (6) sponsorship of supplementary educational materials, and (7) fundraising.⁵

All advertising promotes the values, stories, and morality of a consumer culture—regardless of the product being advertised or the apparent innocuousness of the ad.⁶ No matter where it appears, advertising to children is intended to shape how children see

themselves and how they think about such topics as their families, friendships, romantic relationships, and the world at large.⁷ No one particular advertisement or advertising campaign has this effect on its own, but each contributes to the framing the values of consumption and consumerism as the highest good.⁸

Over the past century, marketing and advertising have increasingly encroached on public space.⁹ It is no longer news, for example, that formerly ad-free places, such as parks and ball fields, are now named for sponsors and bear ads on nearly every inch of available space. So-called “native advertising,” “content advertising,” or “sponsored content,” integrates advertising into editorial space that was considered heretofore off limits. Whereas publishers once clearly demarcated advertising from other content in their offerings, print and on-line publishers now present material that looks just like their regular content but is, in fact, produced by advertisers.¹⁰

Schools, too, have been the focus of efforts to capture public spaces for advertising. And, trading on their role as gatekeepers, schools and districts have been very willing to provide marketers access to their students in exchange for the inducements advertisers offer, such as free materials and equipment, money, and the goodwill of the business community.

Regardless of how gullible or how savvy children may be about advertising in general, they are more susceptible to advertising in the school setting than in other environments¹¹ School advertisements are essentially “embedded” in a space that is, relatively speaking, uncluttered by advertising; this confers on the sanctioned marketing activities a legitimacy they would not have outside of schools. Children are susceptible to the tacit message that the products advertised are endorsed by their teachers and administrators.¹² Although they may not think about it explicitly, students are likely to simply assume that teachers and administrators put their interests first. Thus, even children who seem to be sophisticated “information processors” are less likely to discount commercial messages in an environment they trust than they might be in other, clearly commercial, settings.¹³

Given the vulnerability of children to the value system embedded in school commercializing activities, we surveyed the policy landscape to see where and how legislators might be intervening to offer some measure of protection from what has become the ever-more-pervasive presence of marketing in schools. As we report below, we found few legislative or regulatory responses to school commercialism.

Methodology

While our primary interest was assessing the legislative landscape relative to school commercialism, we also consulted a number of non-legislative information sources. We sought information on innovations in marketing, on how school policymakers described school marketing arrangements, and on the positions of various education and non-education policy organizations toward school commercialism.

Database Searches for Legislative Activity

We conducted searches for legislation using the Open States database (openstates.org).¹⁴ Search terms addressed commercialism in schools in general (e.g., “advertising in schools,” “marketing in schools,” and “commercialism in schools,”) and specific types of commercial activities in schools e.g., “fundraising in school,” “naming rights in school,” and “electronic marketing in school”)(see Appendices A and F for search terms).¹⁵

We found that in several cases, laws affecting advertising in schools were not designed to regulate advertising and marketing, but did so as a side effect of their primary purpose.¹⁶ Ultimately, even with limited search terms, our searches produced so many bills irrelevant to regulating commercialism in schools that to make the data manageable, we had to restrict our search still further. As a result, we focused only on bills introduced in calendar years 2012 and 2013 and on bills signed into law in the same years; further, we reviewed the full text only of bills signed into law.¹⁷ We did, however, make note of relevant legislation we encountered as we searched outside that time frame and in other places, and we cite them in our discussion as appropriate.

Because state law affects school commercialism more directly than federal law, our research focused primarily on state legislation. We do, however, include a brief review of recent federal legislation with implications for state and local policy.

Media Searches for Recent Developments

In addition to legislative searches, we reviewed selected websites (see Appendix B) and conducted Internet searches using the Google (www.google.com), Bing (www.bing.com), and Mention (www.mention.net) search engines (see Appendix C).¹⁸ Academic research on, and analysis of, the impact of marketing to children was reviewed.

E-mail news alerts from the following key organizations were used to help identify commercialism-related issues for follow-up Internet and/or academic research: Advertising Age (adage.com), Canadian Centre for Policy Alternatives (<http://www.policyalternatives.ca/>), Consortium for Media Literacy (<http://www.consortiumformedia literacy.org/>), Kidscreen (<http://kidscreen.com/>), Federal Communications Commission (FCC) (<http://www.fcc.gov/>), and MedPage Today (<http://www.medpagetoday.com/>).

Interviews

We conducted telephone interviews with policy experts at the following organizations: American Association of School Superintendents (AASA), American Legislative Exchange Council (ALEC), Campaign for Commercial-Free Childhood (CCFC), Center for Science in the Public Interest (CSPI), ChangeLab Solutions (National Policy & Legal Analysis Network to Prevent Childhood Obesity [NPLAN]), Education Commission of the States (ECS), National School Boards Association (NSBA), and StudentsFirst. Interviews

explored the organizations' positions on commercializing activities in schools, what the respondents knew about legislation regarding such activities, and where we might look further to find relevant legislation (See Appendix D).

Legislative Interest: Background

A 2004 report from the Government Accountability Office offers a baseline for state legislative interest in school commercialism prior to 2012 and 2013.¹⁹ The GAO found that 32 states had adopted some form of legislation relating to school commercialism and that then-existing legislation did little to restrict marketing in schools generally. Instead, bills were piecemeal rather than comprehensive, addressing only a narrow aspect of school commercialism, such as product sales (see Appendix E).

In our subsequent annual reports we found no evidence to suggest that the legislation documented by the GAO had effectively restricted marketing activity in the intervening years. Instead, over the last several years we documented numerous announcements of districts adopting advertising programs or establishing advertising policies—which often permitted specific kinds of marketing activity.

Our review of 2012-2013 legislative activity found very little legislation related to school commercialism (see Appendix F). Tennessee, which has allowed school bus advertising in some form since 1997, was the only state to pass legislation directly related to marketing or advertising in schools. Moreover, rather than restricting marketing, Tennessee's HB 2851, signed in April 2012, loosens its policy on school bus advertising by removing a limitation on the specifics of the advertisements' lettering.²⁰ In California, the state's school nutrition requirements allow districts and schools to set policy within certain specific limitations. California AB 626, signed in October 2013, makes a variety of changes to the state's school food requirements, among them a few minor adjustments to restrictions on the sale of food and drink items that do not meet the regular state nutrition requirements for what may be sold to students during the school day.²¹ The most significant of these with respect to commercialism is removal of the requirement that only students be allowed to sell food at elementary school fundraisers. Finally, as part of the abortion policy outlined in HB 2253, signed in April 2013, Kansas law now prohibits districts or schools from accepting any "course materials or instruction relating to human sexuality or sexually transmitted diseases" from an abortion services provider or any of its employees or volunteers.²²

Legislative/Policy Landscape: State Level

As noted above, what we have learned about legislation and school commercialism is not entirely captured in our review of legislation signed into law in 2012 and 2013. Here, we flesh out the picture a bit more by reviewing earlier legislation that permits or forbids specific kinds of marketing activities. We intend the review to provide some sense of legislative possibilities—and of the distance between what policymakers *might* choose to do and *are* choosing to do to in terms of protecting children from the threats of unbridled commercialism.

In general, legislators can take four basic approaches in framing statutory responses to commercialism. They can (1) permit any or all marketing activities, (2) prohibit and/or restrict outright all or certain types of marketing activity, (3) delegate to some other entity, such as a school board, the authority to determine which marketing activities, if any, will be permitted, and (4) require that school boards engage in specific processes for considering a marketing activity before it can be approved or implemented.²³

Pre-2012 legislation offers examples of each approach and provides a sense of how legislators are responding, when they respond at all, to increasing commercialism in schools.

Policy that Permits Commercializing Activities in Schools

Despite concerns school bus operators express about its potential safety implications, advertising on school buses has frequently been proposed—and implemented—in response to funding shortfalls.²⁴ In addition to Tennessee, the following states allow advertising on the inside or outside (or both) of school buses: Arizona, California, Colorado, Florida, Indiana, Michigan, Minnesota, New Jersey, New Mexico, Nevada, Pennsylvania, Rhode Island, Texas, Utah, and Wisconsin. California, Florida, Indiana, Kentucky, Missouri, New York, Rhode Island, Virginia, Washington, and West Virginia all considered bills to permit school bus advertising in 2012-2013.²⁵

Policy that Prohibits or Restricts Commercializing Activities in Schools

Legislation in New York and California tries to distinguish between “commercial activity” on the one hand and “sponsorship,” or indications by districts of “appreciation” for support, on the other. Both limit “commercial activity” in schools while allowing “sponsorship” (Unlike these states, we consider both to be commercial activity because both promote the values of commercialism and encourage the use of certain brands.). California’s Education Code 35182.2 allows districts to “sell advertising, products, or services on a nonexclusive basis,” and to “post public signs indicating the district’s appreciation for the support of a person or business for the district’s education program.”²⁶ New York State Regents Rule § 23.2 prohibits school districts from entering into contracts, agreements, or arrangements that provide for “commercial promotional activity on school premises.” However, this rule explicitly allows for commercial “sponsorship” of school activities. Such sponsorship allows a company to sponsor or underwrite an activity on school premises that “does not involve the commercial promotion of a particular product or service.”²⁷

Some legislation targets not particular kinds of activities, but particular kinds of products. For example, Maine legislation passed in 2007 prohibits brand-specific advertising on school grounds for foods of minimal nutritional value (FMNV).²⁸ While much advertising for FMNV was likely removed from schools as a result of this legislation, one 2012 study found that most Maine high schools still contained several cases of such advertising.²⁹ Enforcement is beyond the scope of this report, but we’ll note here that the impact of

legislation where it does exist is likely to be weakened if provision isn't made for enforcement.

There is evidence demonstrating that state-level restrictions have an impact. For example, a 2009 article compared New York, which has imposed the restrictions described above, with Pennsylvania, which is completely silent on school commercialism.³⁰ Using a definition of commercialism that, like ours, considers sponsorship a form of commercial activity, Brent and Lunden surveyed 307 New York districts and 197 Pennsylvania districts. They found that compared to the 97% of Pennsylvania districts that engaged in one or more commercial activities, only 75% percent of New York districts did so.³¹ This is a substantive difference—and yet, three out of four New York schools still engage in some form of school commercialism. It is evident that even in a state with restrictions, if those restrictions are relatively weak, school commercialism may remain rampant.

Policy that Delegates Authority to School Boards or Other Entities

Florida, North Carolina, and Wisconsin have comprehensive legislation that delegates authority for developing advertising policies to school boards, including policies related to the distribution and posting of promotional materials and literature.³² Such an approach aligns with the desire of local communities to manage their own schools. However, an implication of letting school boards develop advertising policy is that it may make the boards vulnerable to costly lawsuits when they turn away a litigation-minded advertiser.³³ In a potentially precedent-setting case, when the Massachusetts Bay Transportation Authority's advertising policy was challenged in 1993, a federal court ruled that the policy was unconstitutional. The judge in that case explained that a transit service "cannot open its transit car door to public service advertising and hang only its favorite posters."³⁴

A case from Palm Beach County, Florida, brings this point back to school districts. The owner of a local business, "Happy/Fun Tutoring," was reaping about 12 clients per month from the signs he had hung at three high schools until the district made him remove the signs, claiming that his employment history—as an actor in and producer of pornography—violated its advertising policy. He sued the school board in May 2013, for violating his civil rights and preventing him from earning a living.³⁵ As of March 2014, the case was still pending.³⁶ Sabrina Adler, of ChangeLab Solutions, points out that schools' unique educational mission provides districts with more leeway than transportation authorities have with respect to potential first amendment challenges to their rules limiting certain types of advertising. Importantly, however, and perhaps at issue in the Happy/Fun case, districts must apply their rules consistently and fairly, and be "content neutral."³⁷

Policy that Requires a Process for Considering a Commercializing Activity

California's education code, discussed above, specifies strict rules for districts interested in entering into contracts that would provide for the sale or advertising of "carbonated beverages or non-nutritious beverages" or "non-nutritious food" within the district, or that would provide for the provision of electronic services or products, such as Channel One,

that require the dissemination of advertising to students.³⁸ Districts are required to hold public hearings before they can enter into such food- or electronic-related contracts. Additionally, with respect to electronic advertising, the district must provide notice to parents of the impending advertising, allow parents to opt their children out of the program or service, and demonstrate both that the product or service in question is integral to students' education and that the district cannot afford to provide it without the contract that provides for advertising.³⁹

Legislative/Policy Landscape: National Level

As we noted above, national legislation has comparatively little impact on local school policies. Still, federal interest in agriculture and school lunch programs has generated some policy with implications for schools. U.S. national policy specifically addresses the promotion of local agriculture and governs the sale of food in schools, either as the school lunch or as competitive foods sold outside the school lunch program.⁴⁰ The same is true of the federal government's interest in student privacy, which is addressed in the Protection of Pupil Rights Amendment (PPRA).⁴¹

Congress passed legislation in 2010 designating the month of October as time when schools are encouraged to raise awareness of "farm to school" activities that connect them to local farms, and to use local produce in school meals.⁴² Among the sponsors of National Farm to School month are the companies Organic Valley and Applegate Organic and Natural Meats.⁴³ In this case, federal policy effectively opens the school door to marketing.

An evident interest in nutrition led to national school meal standards, effective Fall 2012.⁴⁴ In June 2013, the U.S. Department of Agriculture (USDA) finalized rules for competitive food in schools, effective Fall 2014.⁴⁵ Together, these rules limit the calories, salt, and sugar content of foods available to children in schools, either via the school meal or via "à la carte" sales in school cafeterias or other venues, including vending machines, school stores, and snack bars. However, while these measures may have improved nutritional values in food and beverage products sold in schools, they also reinforced commercialism as a normal element in the school environment. A product's presence in a school setting effectively advertises it and helps channel it into students' hands. This is recognized by the USDA in its rule proposed in February 2014, designed to strengthen school wellness policies by requiring schools to implement policies for food and beverages marketing consistent with the competitive food nutrition standards to be implemented in the coming school year.⁴⁶ The proposed rule does, however, allow schools to continue to advertise food products low in nutrition after school hours, and to continue to advertise products that meet the nutrition standards, such as diet sodas, all day. It does not require removal of advertising on "durable equipment," such as scoreboards, nor does it address the use of sponsored educational materials.⁴⁷

In terms of student privacy, legislators again chose not to prohibit commercial activity, but instead to restrict it in some ways. The Protection of Pupil Rights Amendment (PPRA), originally enacted in 1978, addresses the gathering, particularly for marketing purposes, of

protected classes of student information.⁴⁸ Districts must notify parents of any activities involving collection, disclosure, or use of personal information obtained from students for marketing purposes and allow parents both the opportunity to inspect any data collection instruments and to opt their children out of any survey of protected information.⁴⁹ That is: districts are still allowed to engage in gathering student information for marketing purposes; they simply have to tell parents they are doing it and allow parents who are aware of privacy concerns to remove their children's information from the school's reach.

Congress will vote on a different type of bill in 2014: HR 2831 and a similar Senate bill propose to deny tax deduction "for marketing directed at children to promote the consumption of food of poor nutritional quality."⁵⁰ Regardless of whether the bill becomes law, HR 2831's explicit inclusion of in-school marketing in its definition of marketing is significant recognition of this practice by the federal government.

Little Legislative or Policy Activity Intended to Ban or Regulate School Commercialism

There appear to be several reasons why there has been so little legislative or regulatory activity aimed at banning or sharply restricting commercializing activities in schools.

Industry Opposition is Fierce

The advertising and food and beverage industries oppose policy that would limit their behavior, and 2012-2013 saw them react strongly toward any perceived regulatory threat. Food and beverage industry groups spent over \$175 million lobbying between January 2009 and May 2012, much of it fighting the voluntary guidelines for food marketing to children that the Interagency Working Group was mandated at that time to deliver to Congress.⁵¹ In 2006-2008, when there was no specific threat to their industry on the horizon, these groups spent \$83 million.⁵² In addition, the industry (mostly the American Beverage Association) spent \$3.9 million in the fall of 2012 to defeat two "soda tax" initiatives on local ballots in Richmond and El Monte, CA. Proponents of the bills (mostly California Center for Public Health Advocacy) spent \$66,546.⁵³

At the same time, industry expanded the following self-regulatory activities. Beverage companies have focused their efforts on reducing the calorie count of the beverages sold in schools, in conjunction with the American Beverage Association and Alliance for a Healthier Generation.⁵⁴ Both in schools and outside them, the Children's Food and Beverage Advertising Initiative (CFBAI) self-regulates advertising to children. The initiative has grown to 17 member corporations, and on December 31, 2013 implemented the category-specific, uniform nutrition criteria that it issued in July 2011. By establishing advertising standards for whole categories of products, these criteria improve on prior criteria that varied from company to company.⁵⁵ Such moves seem intended—and effective—in heading off external regulation.

The CFBAI reported “excellent” compliance on the part of member companies that pledged not to advertise branded foods and beverages in elementary schools.⁵⁶ However, the CFBAI makes no commitment regarding middle or high schools, and its restrictions in elementary schools do not include such activities as fundraising programs, provision of sponsored educational materials, sponsorship of incentive programs and other programs and activities, sponsored public service announcements, and sponsored gifts to adults on school campuses that children may see. Further, any sponsored items or programs may acknowledge the sponsor.⁵⁷ In a September 2013 speech, Michelle Obama both praised and challenged the food and media industries, asking representatives “to do even more and move even faster to market responsibly to our kids.”⁵⁸

The Education Sector Seems Unconcerned

Our media search and interviews with leaders of organizations concerned with education policy indicate that schoolhouse commercialism is not a priority issue for many individuals and organizations.⁵⁹ Some, such as StudentsFirst and the National School Boards Association, have never had any policy regarding commercialism.⁶⁰ Other organizations had been interested in commercialism at one time, but abandoned their positions as other issues have taken priority and as fundraising has become more of a concern. The National PTA, for example, had adopted in 1990 a strongly worded resolution that explicitly called for federal regulation or legislation to eliminate certain types of commercial programs—particularly electronic marketing programs.⁶¹ However, that resolution has since been archived.⁶²

Similarly, the American Association of School Superintendents (AASA) had adopted an anti-commercialism position in the early 1990s, but let it lapse. According to Bruce Hunter, who speaks regularly to superintendents around the country in his position as Associate Executive Director for Advocacy, Policy and Communication at AASA, commercialism no longer comes up among his constituents as an issue. He said, “... although there’s talk about field houses and stadiums and scoreboards from commercial interests...it’s never on the agenda that they want to discuss. It’s not controversial at all. Or if it is, if people don’t like it, they’re not talking about it.”⁶³ The Education Commission of the States (ECS) had commercialism “on its radar” in the 1990s, but also shifted its attention.⁶⁴

Education associations in Ireland have paid more attention to school commercializing activities than have their American counterparts. In 2007, the Irish Primary Principals Network (IPPN) called for a “National Code of Practice to protect children in school from the dangers of product marketing.” They distinguished pithily between education and business: “Education is about enabling children to be critical and discerning thinkers. Business is about making money.”⁶⁵ The IPPN supports criteria offered by the Irish National Teachers’ Organization (INTO) that call for schools to be free from commercial presentations aimed at children and their families, “proof-of-purchase incentive schemes,” sponsored educational materials, and “unsolicited commercial schemes.”⁶⁶

Passing Legislation Is Difficult and Expensive

Legislation or policy to eliminate or restrict commercializing activities in schools is difficult to pass: it requires extended effort, ample funds, and the ability to convince legislators and other stakeholders that the issue is even worth addressing. It also requires the ability to conduct the difficult political campaign necessary to get a law passed.⁶⁷ Maine, with its 2007 legislation banning advertising of foods of minimal value in schools, provides an interesting example.⁶⁸ A public health activist who was involved in promoting that state's legislation noted that although that particular bill was relatively easy to pass because it focused on non-nutritious foods at a time when obesity was on the rise, it was still considerably weaker when it finally passed than it was when it was originally proposed.⁶⁹

Josh Golin, associate director of the Campaign for Commercial-Free Childhood, has organized grass-roots opposition to legislative proposals for school-bus advertising. He noted that with respect to legislation, "It's easier to play defense than offense."⁷⁰ Not only does "offense" require sustained effort, but it also requires a lot of money to compete with the big-money interests opposed to anti-commercialism efforts.⁷¹

It's Assumed That Marketing Benefits Schools

Schools need money, and many people seem to assume that schools can make money from marketing—or at least that they can avoid spending money on items that corporations are willing to donate.⁷² Stakeholders at all levels continue to present participation in commercializing programs in school as an innovative way to raise money for struggling districts, casting business in the role of valuable education partner that can "give back" funds to local communities, contribute to training the next generation of workers, and help schools and teachers function more effectively.⁷³ In an interview, Eric Lerum, VP of National Policy at the education reform organization StudentsFirst, noted that policymakers are reluctant to adopt anything that cuts into potential revenue streams. And although research indicates that marketing arrangements bring little, if any, money into schools, the perception that they do, and the subsequent reluctance to interfere with commercial opportunities, persist.⁷⁴ Interestingly, Brent and Lunden reported in 2009 that although the school district administrators they interviewed reported only modest income from exclusive agreements in their schools (less than \$10 per student per year, consistent with other similar research⁷⁵), they also reported that they would still use exclusive agreements if they had more money at their disposal.⁷⁶ Brent and Lunden suggested that part of the reason for their stance may be that "districts use exclusive agreements to signal their 'dogged' pursuit of nontax revenues, generating goodwill that can be accessed at budget time."⁷⁷

Identifying and Assessing Threats Posed by Advertising in Schools

In contrast to popular perceptions that commercial partnerships provide a benign way for schools to both raise money and demonstrate their engagement with the business

community, our reports over the last several years have explored their potential toll. Our analyses suggest that there are specific, serious threats to children associated with corporate commercializing activities at school. By “threat,” we mean that these activities introduce the possibility of harm to students.⁷⁸ Our 2010 and 2011 reports examined potential psychological and educational threats; the 2012 report explored health threats, particularly those associated with the marketing in schools of foods low in nutritional content and the consequent risks associated with obesity.

While our analyses of threats is detailed in those earlier reports, we summarize and review our framework here in order to make clear why we believe there is a critical need for policymakers at all levels to begin paying more attention to the issue of school commercialism. After reading this review, readers new to our framework may find it useful to refer to our earlier, more detailed reports on each of these areas.

Types of Threats

Marketing threatens harm to students in one or more of the following ways.

Psychological Threats

Research suggests that advertising poses a threat to children’s psychological health.⁷⁹ Children exposed to advertising suffer: displacement of values and activities other than those consistent with materialism; heightened insecurity about themselves and their place in the social world; and distorted gender socialization.⁸⁰ Advertising not only persuades children to want and buy more, but it also promotes the idea that they can and should derive identity, fulfillment, self-expression, and confidence through what they buy.⁸¹ As psychologist Allen Kanner points out,

The more that people believe they need an endless array of material goods to be happy . . . the more time that is devoted to consuming—from making money, to worrying about making money, to shopping, to thinking about consuming, either through exposure to advertising or fantasizing about new purchases—the less time is devoted to activities that satisfy non-material needs—family and friends, creative and artistic endeavors, spiritual practices, etc.⁸²

In other words, by displacing children’s self-directed, unstructured and creative play, consumer-oriented activity distorts children’s development. Materialistic values encouraged by consumer culture have been found to be associated with higher rates of anxiety, depression, psychological distress, chronic physical symptoms, and lower self-esteem.⁸³ In teenagers, higher materialistic values also correlate with increased smoking, drinking, drug use, weapon carrying, vandalism and truancy.⁸⁴

Especially for teenagers, advertising exploits psychological vulnerabilities—in particular, teens’ reduced ability to control impulsive behaviors and to resist immediate gratification—and increases their susceptibility to peer influence and image advertising.⁸⁵ Advertising creates or amplifies adolescents’ insecurities in order to sell them products

they can use to remedy their hypothetical inadequacies. Again, in addition to promoting a particular product, every advertisement reinforces the central tenet of consumer culture: that consumption leads to happiness and satisfaction. This latent message is especially effective because it is invisible and assumed, and therefore seldom questioned.⁸⁶

Health Threats

Although other health threats do exist, the most significant health threat associated with advertising in school has to do with the preponderance of advertising for food products, and the potential relationship of this advertising to obesity and illness, particularly diabetes, which has become much more prevalent in children.⁸⁷ Food and beverage products are by far the most advertised class of product in schools, with a heavy orientation toward foods of little or no nutritional value. In other words, the foods advertised tend to provide little nutrition but lots of calories—the types of foods implicated in the rapid increase in childhood obesity and diabetes. In the United States, childhood obesity has tripled in the past 30 years, with the percentage of obese six- to eleven-year olds increasing from 7% in 1980 to nearly 20% in 2008, and the percentage of obese twelve- to nineteen-year-olds increasing from 5% to 18% in that same period.⁸⁸ Statistics are similar outside the U.S.. A 2011 Irish study of 3,482 6-year-old children found 27% of them to be either overweight or obese.⁸⁹

Pediatric studies warn of the significant additional medical threats obesity poses for children's health.⁹⁰ These include higher cholesterol levels and blood pressure, coronary plaque formation, several types of cancer, bone and joint problems, sleep apnea, gout, gallstones, and a shorter life expectancy.⁹¹ Although there is no direct evidence tying any specific advertising campaigns to obesity,⁹² or any specific type of food to obesity, a collection of studies makes a strong case that advertising influences children's food preferences and eating behavior.⁹³ So also do the huge sums of industry money spent on advertising and lobbying to prevent any possible restriction on marketing to children.⁹⁴ Research finds that food advertising influences which foods children prefer (both immediately and over time), what they ask their parents to buy, and even how much they eat in a sitting.⁹⁵

Foods of minimal nutritional value,⁹⁶ and foods high in fat, sugar, and/or salt, may be safely eaten in small quantities. Advertising, however, is designed to convince its targets to like and want more of the product being advertised, meaning that advertising for these kinds of foods is designed to convince children to like and want more and more of foods that are unhealthy when consumed to excess. In doing so, such advertising influences children's eating habits in a direction that contributes to obesity and poor health.⁹⁷ For this reason, the Centers for Disease Control and Prevention (CDC) examine the extent and nature of food and beverage advertising in schools.⁹⁸ The CDC's recent School Health Policies and Practices Study (SHPPS), released in August 2013, reported an overall decrease in the percentage of districts allowing soft drink companies to advertise in schools. At the same time, almost half the districts nationwide allow corporations to

distribute products in schools that promote “junk food, fast food restaurants, or soft drinks to students.”⁹⁹

A 2014 national study of food marketing in schools found that most elementary, middle, and high school students in the U.S. “attend schools where they are exposed to commercial efforts aimed at obtaining food or beverage sales or developing brand recognition and loyalty for future sales.” In addition, researchers found that exposure to food marketing increased significantly with grade level, and that exposure to the most common forms of food marketing (food coupons in elementary schools and exclusive beverage contracts in middle and high schools) was more likely for students attending schools with mid or low student body socioeconomic status.¹⁰⁰

Education Threats

Advertising in schools also poses a threat to students’ education.¹⁰¹ It can undermine curricular messages, as when a McTeacher night or junk food advertising weakens the message of nutrition lessons.¹⁰² It often displaces educational activities, as when students in Ireland go on a class trip to Tayto Park, an amusement park owned and operated by Tayto, the country’s leading potato chip maker.¹⁰³ And finally, it is designed to persuade children to adopt sponsoring corporations’ brands and worldviews, concurrently dissuading them from developing critical thinking skills. For example, when a school adopts Shell’s *Energize Your Future* curriculum, the materials address the importance of developing many energy sources; in addition, however, they cast Shell as a leader in alternative technologies. Because the corporate-developed curriculum may echo what children learn about energy in their regular curriculum, the materials may appear to offer straightforward, factual information, rather than a self-interested perspective promoting a specific attitude and brand.¹⁰⁴ They are also designed to be transmitted by a trusted source of information—the teacher—and thereby to influence students’ attitudes about both energy—and the corporation. Such materials preclude any critical thinking about energy industries because the public relations aspect of the materials is obscured by their context and format.

As the Irish Primary Principals Network (IPPN) noted, the fundamental purposes of education—to empower—and of advertising—to persuade—are inherently at odds.¹⁰⁵ Advertising programs do not promote a school environment that would encourage students to ask questions, to think about their thought processes, and thus to develop habits of mind that would enable them to transfer any critical thinking skills they learn in class to other, unrelated, situations.¹⁰⁶ Although some commercial programs in schools may be designed to address national standards for basic skills, or may encourage analytic thinking about contemporary issues such as energy policy, sponsors’ interest is in selling their products or cultivating students’ favorable attitude toward their brands and worldviews. Their interest is not to promote the development of critical thinking and the habits of mind associated with it, which might lead students to question the stories the sponsors tell about their brands.¹⁰⁷ For this reason, sponsored messages avoid touching on anything that might lead to thinking inconsistent with the intended message.

Assessing How Potent a Threat Is

Although our analysis leads us to the conclusion that advertising does not belong in schools at all, we know that some policymakers in schools and districts feel they have no choice but to take advantage of partnerships promising financial benefits.¹⁰⁸ In such cases, stakeholders can at least work to minimize the threats posed to students by various marketing strategies. It may be that some advertising programs are less likely than others to harm students in the ways we have outlined.

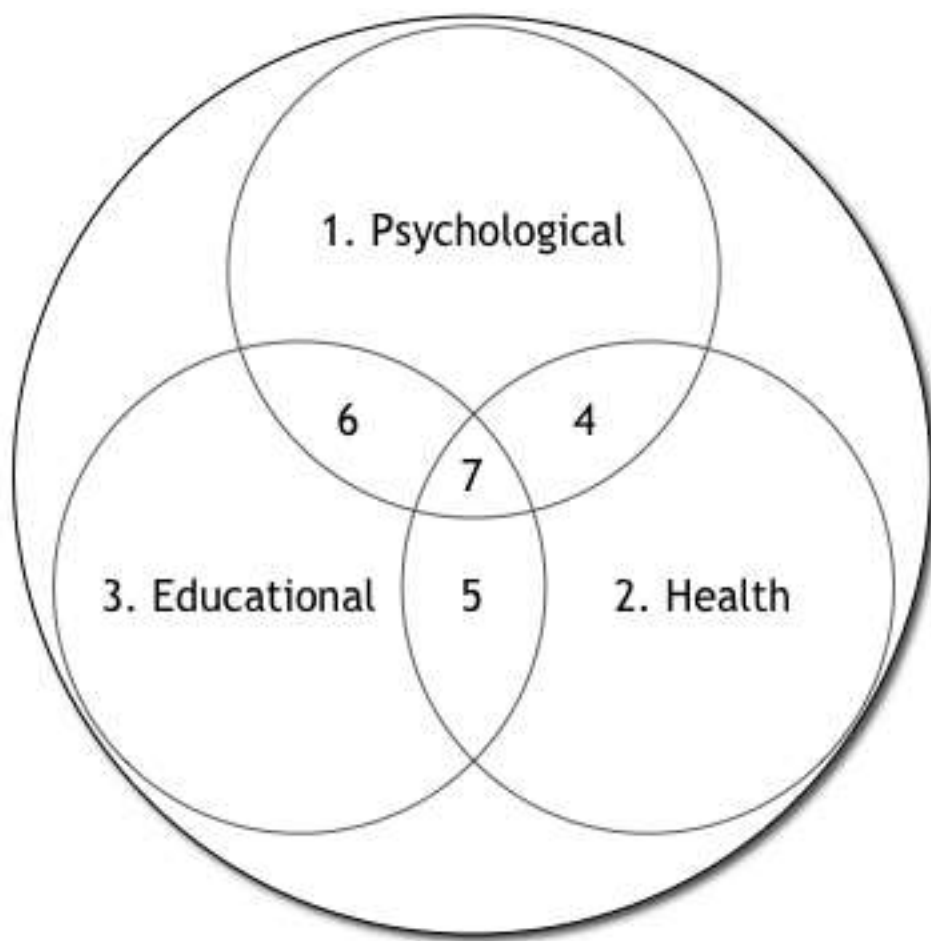


Figure 1. The Interaction of Psychological, Health, and Educational Threats

A Framework for Assessing the Relative Magnitude of a Threat

In our 2011-2012 report, we presented a graphic (Figure 1) that considered various types of commercializing activities in the context of potential psychological, health, and education threats. Although the categories we outlined above provide a way of understanding the nature of threats, they do not necessarily shed light on the degree of threat any one program may pose. One way to estimate the degree of threat any initiative poses is to consider its breadth: does it threaten children in only one way, or in several ways?

Different kinds of threats can and do exist simultaneously, and they can interact to affect children in multiple ways. We conceptualize their interaction as illustrated in the Venn diagram in Figure 1: a given type of threat may exist on its own (1, 2, or 3 in the graphic), or it may exist in combination with another type of threat (4, 5, or 6 in the graphic) or with both other types of threat (7 in the graphic). And although the graphic representation may suggest equal and tidy relationships among these types of potential threat, in reality the nature and degree of the threats will vary by student characteristics (age, for example), advertisement, and context.

An example of a program that may threaten children in only one way is the state of Utah's Earth Day poster contest entitled "Where Would WE Be Without Oil, Gas & Mining?" The stated intention of the program, sponsored by the Society for Petroleum Engineers and Utah's Department of Natural Resources, is to encourage children to elaborate on the positive, but not any negative, aspects of mining.¹⁰⁹ Hence, the program poses an education threat (a "3" in our graphic): it biases students' science education by consciously restricting information to one side of a contentious scientific issue. It does not, however, appear to pose any psychological or health threats.

At the other extreme, a single program may raise all three possible threats and be classified as "7," according to our graphic. The BizTown simulation centers that the non-profit organization Junior Achievement (JA) has opened for children in more than 20 cities around the United States offer such an example.¹¹⁰ In September 2013, JA of Georgia's "Chick-Fil-A Foundation Discovery Center," funded by Chick-Fil-A and other sponsors, opened in Atlanta, Georgia.¹¹¹ The Discovery Center consists of a Biztown and connecting Financial Park. Annually, 30,000 middle schoolers are expected to take school trips there, where they will "work" for one of the sponsor companies and "shop" in the Biztown shop for products provided by other sponsor companies. In total, the Atlanta model city incorporates 18 brands. As one JA appeal to potential sponsor companies puts it, Biztown

. . . introduces students to the free enterprise system through active participation in a simulated town filled with citizens who buy, sell, consume and create products and/or services. Your help in providing select products and services can create a wide variety of positive opportunities for your company, your employers and even your business partners.¹¹²

Biztown presents an educational threat in several ways. The Atlanta children's time both during the trip and in their four-week preparation for it in school are diverted to a pursuit that benefits the sponsors' interest, which here is indoctrinating them into the consumer system and introducing them to brands that (the companies hope) they will develop a fond memory for and want to do business with later.¹¹³ In other words, it contributes to the development of the consumer worldview that emphasizes material rather than nonmaterial pursuits, and to the psychological threat associated with such a worldview.¹¹⁴ And although its sponsored curriculum is aligned with the Georgia Performance Standards and to the new Common Core Standards, the primary goal of Biztown is to serve the interests of the sponsors. It is designed to teach children the message that the sponsors want to convey,

not to think critically about anything related to any of the sponsor companies or about the validity of the economic system that supports those sponsors. Who exactly the sponsors are at any time in any Biztown determines to what extent health threats are implicated. They are implicated in Atlanta: some of the 30,000 children who visit Atlanta's Biztown each year will work for the simulated Chick-Fil-A, and all the children will be exposed to it. Although not all of Chick-Fil-A's offerings are high in fat, sugar, and/or salt, many are, and are unhealthy when consumed to excess. To the extent that their Biztown experience encourages children to develop favorable attitudes toward these products, it contradicts school nutrition lessons that advise children to eat them little, if at all.

Complexities in Assessing the Magnitude of a Threat

A marketing program that poses multiple types of threat may—or may not—be more potent than a marketing program that poses only a single type of threat. There are other factors to consider. For example, certain features of the school setting are likely to increase the effectiveness, and concurrently the threat, of individual promotions and programs. For instance, we and others have pointed out that students are likely to assume that their school and teachers approve of the products advertised, which enhances the credibility of commercial messages.¹¹⁵ To the extent that children perceive the school as an authoritative or credible source of information, they would be more likely to “take its word” for products it seems to endorse. The same is true with respect to teachers: the more credible teachers are as a source of information, the more credibility students are likely to assign to ads linked to their teachers. This may be especially true when teachers appear to think highly enough of a product or message to put it in the classroom, or to include it in a lesson or course materials. In recognition of the power of classroom advertising, some districts forbid it.¹¹⁶

Another consideration is how likely it is that students will be exposed to a given advertisement. For example, an ad for CFE Federal Credit Union on a high school gym floor in an Orange County, FL, public school poses a greater threat to students than the same ad located in a district employee parking structure.¹¹⁷ Again, the fact that students are most likely to be exposed to an ad where they spend the most time makes ads in classrooms particularly problematic.

Exclusive beverage agreements maximize the likelihood of student exposure to the brand: these contracts not only eliminate any advertising by the competition (or purchase of them at school), but they also create a situation in which students can be exposed to the brand many times a day (at lunch, between classes, at a ball game), in many locations throughout the school.¹¹⁸ As exposure multiplies, so does inherent magnitude of threat.

Ironically, the magnitude of a threat can be increased when students are unaware that what they are encountering is promotion rather than instruction, as when certain types of advertising are embedded in course materials, tests, and so on. Utah's pro-mining programming discussed earlier, for instance, exemplifies how students may participate in an advertising program—and be influenced by it—without ever noticing. Engaged in an

activity that presents a one-sided, positive view of the mining industries, as intended by Utah state law, students are likely to take the lesson at face value.¹¹⁹

Combining many of the possible features of school-based advertising, we can imagine features that would make a promotion especially effective, and therefore especially threatening: students would encounter the commercial message repeatedly; authorities—parents, teachers, and school officials—would engage in promoting it to students; and, students would be drawn into a self-relevant activity (competing for a prize, for example). A real-world example that comes close to this “ideal” description is Channel One’s “Parent Connection” program. That program delivers daily Channel One News broadcasts shown in the classroom directly to parents’ mobile phones, so that parents can amplify the impact of the broadcast their children already see in school by encouraging further discussion of it at home. Many of Channel One’s segments are effectively advertisements, although they are not labeled as such; often, for example, they are interviews that promote new TV shows and movies.¹²⁰ Another “ideal” example is the successful Box Tops for Education program, in which teachers and parents are encouraged to engage the children in activities to collect more and more Box Tops (and thereby be exposed to and purchase more and more Box Top-affiliated products).^{121, 122}

To illustrate the practical application of this framework of analyzing threats, we apply it below to characterize some typical approaches to commercialism in schools.

In the Absence of Legislation or Regulation: Marketing and Advertising to Children in Schools—2012-2013

As we have in each year’s report, we catalogue commercializing activities in schools during the last calendar year. Following is an inventory of recent events in each of the seven categories of school commercializing activities we have identified: (1) appropriation of space on school property, (2) exclusive agreements, (3) sponsored programs and activities, (4) digital marketing, (5) incentive programs, (6) sponsorship of supplementary educational materials, and (7) fundraising.¹²³ None of these are new. In fact, companies have used some of these methods for so long that the National Education Association already was warning about them in 1929.¹²⁴

However, we do see some new variations on several of them in 2012-2013. Not surprisingly, given the consistent reduction in funding to schools and the general advances of digital strategies more generally (particularly as the collection, use, and sale of student information have become more prominent), the current twists on commercial activities in schools tend to cluster mostly around fundraising and digital strategies. Traditionally, the points of entry into schools have been teachers and administrators. Sponsored educational materials are often sent directly to teachers, marketed to them as no-cost opportunities to make their classes more engaging to students; administrators at the school or district level are often enticed into signing exclusive contracts. In addition to these, we are now seeing corporations directly funding schools and districts.

The examples below continue to raise important implications regarding advertising and marketing in schools. It is not quite as simple as one New Jersey administrator put it when he asked rhetorically, “If you can sell a little space and bring in discretionary money for student programs, why not?”¹²⁵ We believe all advertising poses some threat to children—but also that not all threats are equal. At the same time, it is also not as simple as saying that if a school takes in advertising, it necessarily presents a serious threat to children’s education. To help make that point as well as to offer a practical example of how the framework offered above might help assess the magnitude of a threat, we offer an estimate of the magnitude of the threat posed by the commercializing activities we describe.

Appropriation of Space and Exclusive Agreements

In appropriation of space agreements, schools receive money in exchange for allowing corporations to place their names, logos, or advertising messages in school space, such as on scoreboards, rooftops, bulletin boards, walls, textbooks, or school buses. When districts establish advertising policies, these policies typically specify advertising that is disallowed on school campuses (usually features of the ad such as sexual, political, religious, criminal, violent or profane undertones or depictions, and/or the products to be advertised (such as alcohol, tobacco, or illegal drugs)¹²⁶ Such policies are sometimes mandated by state law, as they are in New Jersey for districts that decide to engage in school bus advertising.¹²⁷ They also counter stakeholder concerns about potentially offensive ads showing up in school.

In many cases, appropriation of space agreements are “exclusive agreements” that give a specific corporation the exclusive right to sell and promote their goods or services in the school or district. In return, the school or district may receive contracted services for free or for a reduced price, or may receive a percentage of the resulting income.

A number of companies now specialize in inventorying space in schools and brokering school-marketer deals. One such broker, currently active in New Jersey and Pennsylvania, is Advantage3. This corporation evaluates its clients’ assets (e.g., school entrances, band rooms, and football fields) and contracts with them to provide advertising, usually for an up-front fee plus 35% of the profits.¹²⁸ In Medford Township (NJ) Public Schools, for example, Advantage3 offers ads in libraries, gyms, and classrooms, and naming rights to various school locations.¹²⁹ Medford Township was also the first school district to sign up with the company to place ads on its school buses, after NJ passed legislation to approve such advertising.¹³⁰

A significant factor in terms of assessing the magnitude of the threat posed by signs and naming rights inside schools and buses is that such signs appear prominently and repeatedly, directly in front of children. Ads on the outsides of school buses are visible to children before they board every school day. Whether these ads pose psychological or health threats, and whether they displace curricular messages (an educational threat) depends on the product advertised. A sign for a local tutoring service, would, for instance, pose none of those threats, whereas a sign for a fast-food restaurant (possible in some districts) would pose both health and educational threats. For these reasons we classify

exclusive agreements that bring in assorted advertising as “1-7” according to our graphic. The magnitude of threat they pose varies based on features of the product (for example, is what’s being promoted “really-bad-for-you-with-no-redeeming-quality-junk-food” or a local restaurant that offers some less-healthy options?). It also matters where signs appear (in the school entranceway students see every day, or on a gym floor that many students see only once a week?).

To the dismay of districts trying to make some money, signs in schools and buses may not be as lucrative as districts expect when they start to try to sell them. In Scottsdale, AZ, for instance, where the district decided to stop paying commission to a marketing company and sell its own ads instead, it made somewhere under \$25,000 in academic year 2012-2013.¹³¹ On the one hand, that is almost \$25,000 that the district would not have had without bus advertising at all, but on the other, it may not be enough of a profit to validate the time and effort of district personnel diverted to advertising sales, not to mention the threats posed to children.

According to Justin Davis, Chief Operating Officer at the marketing company Advantage3, selling exclusive agreements to sponsors for bus advertising and signage at schools has been “tougher than the industry expected.”¹³² He could recall only a couple of deals that he considered notable. Although local businesses are now starting to be more interested in signage at schools than they previously had been, he said, regional and national businesses have not.¹³³ And although he found districts to be extremely interested in “monetizing their assets,” businesses were really only interested, if at all, in high-traffic areas where parents would see their signs. Such locations are those associated with sports events or possibly a school entryway. Davis noted that he hadn’t “come across anyone who wants signage specific to kids.”¹³⁴

One “high traffic area” may be school websites, particularly at back-to-school time in August and September, when parents are soft marks, ready to click through from an ad on the school website directly to make a purchase on a corporation’s e-commerce site.¹³⁵ (We attend to digital marketing below, but this strategy equates to appropriation of school space, and so we take it up here.) For large corporations with tight advertising budgets, digital advertising is a comfortable, “traditional ad buy” that can allow them to track “click-throughs” to measure effectiveness.¹³⁶ In August, 2013, Advantage3 and Education Funding Partners (EFP) announced a partnership in which Advantage 3 markets EFP’s website advertising program, “WebConnect,” to districts in the Northeast.¹³⁷

WebConnect, and the business model adopted by these two companies, raises a distinction between local businesses’ and national corporations’ involvement in schools. Whereas local businesses are likely to have more connection to local communities, the larger pockets of the Fortune 500 companies involved in WebConnect may potentially bring in more money to schools. To the extent that students are exposed to WebConnect advertising, it would bring more advertising and more branding of children as the companies contract with districts “in bulk” around the United States. If students are exposed less to WebConnect than they are to signage on their school campuses, on the other hand, the WebConnect ads would be less threatening to them. Where WebConnect

ads fall in our schema of threats depends, as for other appropriation of space and exclusive agreement, on the nature of the product advertised; therefore we classify it as potentially “1-7.”

A more low-tech, but also more common, type of exclusive agreement is soda contracts. The Centers for Disease Control (CDC) report that between 2006 and 2012, the percentage of districts that allow schools to sell soft drinks decreased from 80.4% to 60.3%. Of these districts, those with exclusive agreements decreased from 54.9% to 41.2%.¹³⁸ This is consistent with 2012 findings by the Federal Trade Commission (FTC) that showed lower advertising spending in schools by food companies in 2009 than in 2006.¹³⁹ About 93% of the \$149 million spent by food companies for advertising in schools in 2009 was for the marketing to teens of carbonated beverages (\$82.3 million) and juice and other non-carbonated beverages (\$55.9 million).¹⁴⁰ It is likely, therefore, that the overall reduction in spending can be primarily accounted for by a reduction in soft drink marketing, including marketing via exclusive agreements.¹⁴¹ In general, spending for non-digital advertising was down for the whole industry in 2009, as advertisers shifted their spending to less expensive digital marketing.¹⁴²

Soft drink contracts are different from bus or website ads that students may or may not see, because when a company has “pouring rights” (at the school store, in vending machines, and so on), students see branded items, including cans and bottles, vending machines, scoreboards, and coolers, in school all the time. They are also different because the presence of soft drinks in schools promotes a product that students are explicitly taught in their classes to consume sparingly (a health threat). This both contradicts their curriculum and encourages them to suspend the critical faculties they are supposed to be developing in school (educational threats). Pouring rights contracts thus score a “5” according to our graphic. Self-regulation by the beverage industry has reduced the caloric content of drinks sold directly in schools, but brands’ presence in school promotes not only the low-calorie drinks sold there but also the brands’ higher-calorie flagship products not sold there.¹⁴³ A 2014 study in *JAMA Pediatrics* found that 49.5% of middle school students and 69.8% of high school students in the United States attend schools with pouring rights contracts.¹⁴⁴

Sponsorship of School Programs, Activities—and Entire Schools

Corporations subsidize school programs and one-time events in return for the right to associate their names with those activities. Such sponsorship has always, and continues, to provide corporations with ideal opportunities to create positive images for their brands. In 2012, for example, Verizon’s “Innovative App Challenge” involved 471 teams of students in developing concepts for a mobile app.¹⁴⁵ Of the 471 teams, ten received a \$10,000 grant to their schools to further STEM (Science, Technology, Engineering, and Math) education. Students on the winning teams also received a (Samsung) tablet computer and training (by the MIT Media Lab) to develop their concept into an app. In another example, Monsanto awarded its “Monsanto Hawai’i Science Education Fund” grants in June 2013, just a few weeks after Hawaiians took to the streets to protest that company’s activity in their

state.¹⁴⁶ Thirteen schools received \$12,000 each to support robotics programs, renewable energy projects, and equipment and supplies purchases for science classes.¹⁴⁷

Perhaps most notable, and certainly a significant extension of these efforts, is for corporations to sponsor entire academic programs—and schools. *Advertising Age* reports that “corporations and academics are commingling more and more,” allowing corporations to influence more than just brand image.¹⁴⁸ General Motors, GlaxoSmithKline, Hearst, Verizon, Yahoo, Independence Blue Cross and IBM are among corporations funding research and curriculum at universities across the U.S., including Michigan State, Yale, and New York University. At NYU, “corporate-data executives” work alongside faculty as “Scientists in Residence.” The school gives its “corporate partners” priority in providing data for a culminating academic project in a new “capstone” course offered in fall 2013.¹⁴⁹

This type of partnership occurs at the high school level as well. In 2011, City University of New York (CUNY) and IBM opened P-Tech, a six-year high school in NYC from which students graduate with an associate’s degree that theoretically makes them eligible for a job at IBM. In 2012, Chicago Public Schools opened five such high school/college hybrids, with IBM, Cisco, Microsoft, Motorola Solutions, and Verizon as sponsors.¹⁵⁰ The sponsors helped “develop curricula focusing on science, technology, and math, plan to provide summer internships, recruit mentors and guarantee graduates a ‘first in line’ job interview if they want to go directly into the workforce.” According to U.S. News and World Report, the Chicago and New York City schools are variations on the “early college high school” idea originally started by Jobs for the Future and the Bill & Melinda Gates Foundation.¹⁵¹

President Obama lauded P-Tech in his 2013 State of the Union address.¹⁵² According to Stanley S. Litow, IBM VP of corporate citizenship and corporate affairs and president of the IBM International Foundation, IBM’s involvement in focusing students’ education through the associate’s degree on the skills required for a high-tech career enables the company to create the kind of graduates it would want to employ.¹⁵³ The executive director of the NYC Media Lab (a collaborative project of the New York City Economic Development Corporation, NYU, and Columbia University, funded by Hearst, Verizon, HBO and Time Warner Cable) put it slightly differently when he said, “You have to have some sort of farm system where you grow these people.”¹⁵⁴

Sponsorship of schools, their programs, and activities presents an educational threat, as it encourages students to view the world through the sponsor’s worldview. Hawaiian schools receiving money from Monsanto would be unlikely, in their science or other courses, to challenge that corporation’s production of genetically-modified organisms (GMO products) or its growing dominance of agriculture and business in the state, thereby enabling their students’ development of positive attitudes toward the company. Similarly, IBM’s sponsorship of P-Tech is intentionally designed to “grow” students into adult workers with the interests, education, and attitudes that suit the company. In the particular cases explored here, the arrangements all pose an education threat to students (“3” in our graphic), although an argument can be made that GMO products present a health threat (“2”) as well.¹⁵⁵

Digital Marketing, Incentive Programs, and Sponsored Educational Materials

Digital marketing weaves in and around other forms of marketing, both inside and outside of schools.¹⁵⁶ Implemented via computers, videogame consoles, handheld game players, and cellular telephones, digital strategies are ever more pervasive, and are considered to be the future of advertising.¹⁵⁷ While some forms are new, digital advertising also takes the form of more traditional advertising. For example, incentive programs, which offer rewards such as money, goods, or services to students, schools, or districts in exchange for members of the school community engaging in specified activities, may involve online activity. Or, sponsored educational materials may be made available online in addition to, or instead of, traditional paper formats.

In 2013, Microsoft rolled all three of these marketing strategies together in its new search engine package created especially for schools and their students, “Bing for Schools.” Bing for Schools removes all advertisements from results, automatically filters adult content, and offers lessons in “digital literacy,” in which students learn to search in the Bing environment.¹⁵⁸ It is adopted at the district level, with no fee, and is based in the idea that parents prefer a controlled-content, advertising-free web environment for their children. This being the case, advertising is mostly directed to parents: they are asked to try Bing themselves, and are offered opportunity to sign up for “Bing Rewards” (an incentive program) and assign their reward points to their school, which can use them to buy Microsoft tablet computers.

Although Bing for Schools’ “hook” is that it eschews advertising, it still exemplifies school commercialism several times over. It is digital marketing (of Bing and Microsoft, if not of other brands). It offers an incentive program to raise funds for the registered schools and to encourage greater use of its service at home, and it offers sponsored educational materials that accustom students to its product. Moreover, every time the brand name “Bing” comes up next to the search box, it appropriates space on computers at school and at home. Bing’s marketing strategy is a variation on that used by Google (and earlier by Apple) when it offers its suite of products to schools for free: students who get used to Bing in school may very well become customers for life. The marketing model creates a mutually reinforcing environment between school and home: the district and school’s adoption of the product influences parents to adopt it too, and so children are “branded” in both the school and home environment.

However, when we analyze the magnitude of the threat posed by Bing for Schools, we note that its removal of other advertising content does reduce its potential harm to children compared to competing ad-supported search engines, such as Google or the standard version of Bing.¹⁵⁹ Any branded search presents an educational threat; in the case of Bing for Schools, for example, it displaces the regular curriculum when teachers use the lessons it provides to promote use of the product as well as digital literacy. Still: depending on what is advertised, ad-supported searches can also expose children to health or psychological ads. For example, ads likely to appear on students’ screens when they use regular search engines are often for soda or fast food, or for personal care products or clothing that reinforce gender stereotypes and hypersexuality.¹⁶⁰ The former present a

health threat (“2” in our graphic) and the latter a psychological threat (“1” in our graphic). Bing for Schools, without advertising, promotes neither of these at school, although it does at home if parents are influenced by the school program to adopt the standard Bing search engine there.

In general, education technology is big business. In 2011-2012, for example, educational software and digital content sold into the pre-K-12 market accounted for \$7.97 billion in company revenues (compared to \$7.76 billion reported in 2010-2011).¹⁶¹ “Instructional support and assessments,” according to *Education Week*, is a dramatically growing segment of the market, having increased more than 30 percent year over year.¹⁶² Such products include, as an example, the Lightsail tablet-based literacy program that won awards at the Software & Information Industry Association's Business Education Forum in December 2013.¹⁶³

To implement LightSail, other instructional support technology, or even the free Google Connected Classrooms Virtual Field Trips, schools must purchase computers of some kind.¹⁶⁴ Tablet “1:1 programs,” in which the school provides each student with a digital tablet to use at school and home, are proliferating, and although some of these programs are implemented thoughtfully, not all are.¹⁶⁵ Notwithstanding any advantages these programs may provide, by increasing children’s computer and Internet use they expose children to more digital advertising than the children would be exposed to otherwise, and they reduce parental control over children’s use of technology. They also accustom children to the school-purchased technology, increasing the likelihood that the children will choose those brands of technology over their competitors in the future.¹⁶⁶ This presents an educational threat (“2”). Depending on how much additional advertising students become exposed to as a result of their increased computer use, and what kind of advertising it is, the nature of the threat opens up to 1-7, according to our graphic.

STEM Education and Digital Marketing

Overlapping with, but different from, the push to get children using tablets in school is the participation of technology companies in school programs designed to encourage STEM (Science, Technology, Engineering, and Mathematics) education. Although this endeavor is not new to 2012-2013, it is an important part of the developing landscape of how technology companies increase their exposure to children via schools. The various activities funded by corporations provide students with technological exposure and training, but do so, as described above, in ways that present an educational threat (“3”) by encouraging students to adopt the sponsor’s worldview.

According to the U.S. Department of Education, the United States’ position as a global leader is threatened by American students’ relatively low expertise and interest in the STEM subjects that could lead them to jobs as computer systems analysts, systems software developers, medical scientists, and biomedical engineers.¹⁶⁷ President Obama, with his “Educate to Innovate” campaign instituted in 2009, has been eager to engage corporate involvement and funding for STEM programs.¹⁶⁸ A high-profile participant in the

campaign is Intel, which committed to a “ten-year, \$200 million cash and in-kind campaign to support teaching in math and science” and to support the branded “Intel Science Search” and the Intel Science Fair.¹⁶⁹ According to the President’s Press Secretary, the latter reaches 600,000 students per year.¹⁷⁰

In addition to the 6-year specialty high schools discussed earlier, schools are addressing what a *Scientific American* article referred to as the “national hand-wringing over the slipping state of STEM...education in the U.S”¹⁷¹ with magnet programs such as the Center for Research in Engineering, Science and Technology (CREST) program offered by Paradise Valley High School in Arizona. One of the CREST program’s goals upon inception was to integrate local corporations in its activities. As of 2011, its second year of operation, the program had developed relationships with Honeywell Inc., Intel, Robertson Fuel Systems, and Salt River Project (a local energy company).¹⁷²

Fundraising

For the past 30 years the trend has been for schools to form “partnerships” with businesses to help with fundraising. Now, with schools further stressed as a result of the most recent recession, budget reductions by state legislatures, and increased expenditures associated with the adoption of the Common Core state standards, the demand for “partnerships” is greater than ever.¹⁷³ Fundraising programs include door-to-door sales, affinity marketing campaigns, and contests.

Fundraising contests, in particular, engage large numbers of contestants relatively inexpensively for the corporate sponsor. Verizon’s “Innovative App Challenge,” mentioned earlier in the context of sponsorship of school activities, is a case in point: for the total of \$100,000 in prize money donated by the company (\$10,000 to each winning school), students in 471 schools were engaged in the program.¹⁷⁴ Contests that get students to solicit popular votes (usually via Facebook) reach even more people. In the past several years, Kohl’s and Twentieth Century Fox Entertainment ran successful contests of this sort.¹⁷⁵ Although the “Glee’ – Give a Note” contest, sponsored by Twentieth Century Fox Entertainment and conducted with the National Association for Music Education, ran in 2011, it provides an especially strong example of a successful contest.¹⁷⁶ For this contest, students created and submitted videos about why their school deserved a grant.¹⁷⁷ Just as an example, at the end of the video submitted by Thomas R. Proctor High School of Utica, NY, students asked for help in a dozen different languages.¹⁷⁸ In October 2011, the eligible entries were posted on www.GleeGiveANote.com and put up for public vote for one month. During this time, students conducted massive grass roots efforts to win votes for their schools, reaching out to their families, friends and communities to get the vote out. Word quickly spread through Facebook, Twitter and local newsletters. In the end, the student targets of this marketing campaign themselves raised over one million votes to help choose the finalists.¹⁷⁹ The cost to the sponsors was \$1 million (the maximum award for a given school was \$50,000), which was funded from purchases of *Glee: The Complete Second Season* video, released two days after the contest was announced.¹⁸⁰ Fundraising contests vary in whether they add a psychological or health threat; but contests that actively involve

students in fundraising and divert and engage them in sponsor-approved activity – as do those described above -- clearly present an educational threat (“3” in our graphic).

Opposition to Commercialism

School commercialism does have opponents. Opponents of school commercialism have employed a variety of strategies to create public awareness and promote more restrictive policies. In 2012-2013, opposition focused primarily on school-bus advertising, Channel One, nutrition, digital advertising and privacy.

School Bus Advertising and Channel One

For the past several years, the Campaign for Commercial-Free Childhood (CCFC) has focused on school bus advertising and Channel One. The organization maintains a “School Bus Ad Action Center” that provides information on active bills to permit advertising on buses along with information for visitors about how to contact their legislators about the issue.¹⁸¹ It has also organized grass-roots efforts in several states.¹⁸² CCFC has also continued to pay attention to the activities of Channel One after others who had been concerned about it (such as the National PTA and the American Association of School Administrators [AASA]) lost interest. Channel One has not disappeared. It still reaches 5.5 million students daily, and it has expanded its reach to include elementary school students. Moreover, in June 2012, it announced a collaboration with its partners Promethean and the National PTA to create a “Parent Connection” program to deliver daily Channel One News broadcasts shown in the classroom directly to parents’ mobile phones.¹⁸³ In July 2012, CCFC called on state education departments to study Channel One—particularly for its hypersexualizing content—and to encourage school districts to stop using it until their reviews of it were complete.¹⁸⁴

Marketing Bearing on Nutrition

The Center for Science in the Public Interest (CSPI) has been especially active—both by itself and also as an organizing center for the many groups that are concerned about nutrition. Together with the Berkeley Media Studies Group and Children Now, CSPI spearheaded the Food Marketing Workgroup (FMW) in 2007.¹⁸⁵ This group (with members acting both collaboratively and individually) addresses food policy with respect to children. Its activities include lobbying at the federal level in support of nutrition-related policy and research, encouraging industry self-regulation, and providing resources for advocates, parents, and other stakeholders to use at the local and state levels, including model policy.

Many nutrition and public policy activists have for some time been interested in addressing food marketing in schools, but their attention has often focused on food sales and nutrition education. One reason for the focus on sales is that food sales have the most immediate impact on child nutrition.¹⁸⁶ Another is that the importance of these types of

bills is more intuitive for parents and other stakeholders, whereas the impact of marketing, with its long-term influence and general ubiquity, tends to garner less immediate concern and advocacy.¹⁸⁷ For these reasons, more people tend to rally around initiatives regarding food sales. This is true for public health activists as well: those whose primary interest is marketing get behind food sales initiatives because food sales are so related to food marketing (although activists primarily interested in school food sales less often show interest in more general marketing initiatives).¹⁸⁸

Advocates' efforts have had effect: National school meal standards went into effect in Fall 2012¹⁸⁹; and, in June 2013 the U.S. Department of Agriculture finalized rules for competitive food in schools that will go into effect in Fall 2014.¹⁹⁰ Together, these rules limit the calories, salt, and sugar content of foods available to children in schools, either via the school meal or via à la carte sales in school cafeterias or other venues, including vending machines, school stores, snack bars, and fundraisers.

Because simply offering a food for sale means displaying the product name or the product itself, foods sales in school constitute advertising to students. For instance, a cafeteria may serve a featured Campbell's soup out of a branded tureen and hang a poster advertising it as an à la carte option.¹⁹¹ However, it's possible that new restrictions may affect students' purchase behavior outside of school as well because in limiting what can be sold, advertising—which has been pervasive—is also limited. For example, the 2012 School Nutrition Dietary Assessment Study reports that 82% of elementary schools, 95% of middle schools, and 90% of high schools had à la carte offerings available at lunch.¹⁹² Vending machines are also widely available in high schools (85%) and middle schools (67%) (if less visible in elementary schools, at 13%).¹⁹³ Vending machines are especially effective advertising because they serve as billboards with big, colorful branding on three sides, and dispense smaller, mobile advertisements to be dispersed around the school campus in the form of cans, bottles, and other packaging. Because some branded products are excluded from restrictions (Diet Coke, for example), some of these types of brand promotion will still be in place.¹⁹⁴ Nevertheless, exclusions are still likely to mean at least some decrease in product and brand advertising in schools.

Now that the rules about food sales are set, advocates are turning their attention to marketing and advertising directly. Voices for Healthy Kids, a joint project of the American Heart Association (AHA) and the Robert Wood Johnson Foundation (RWJF), launched in 2013. It will pursue local and state-level “policy-change strategies” in six areas, one of which is “protecting children from unhealthy food and beverage marketing.”¹⁹⁵ According to Kate Klimczak, Nutrition Policy Associate with the Center for Science in the Public Interest (CSPI), marketing of food in schools is a priority for those working on the food marketing area of the Voices project.¹⁹⁶

ChangeLab Solutions' National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN), another project of the Robert Wood Johnson Foundation, produces policy materials designed to support interventions to reduce childhood obesity. NPLAN lawyers have articulated policy options for states and districts that would survive First Amendment challenges by corporations (found to have “personhood” by the Supreme

Court). Specifically, policy needs to be “content-neutral”; NPLAN advises that states and districts can ban marketing altogether, can ban all food and beverage marketing, or can ban the marketing of foods and beverages that may not be sold on campus.¹⁹⁷ Because of schools’ educational mission, the First Amendment leaves leeway for the government to regulate the types of commercial messages that are allowed on school grounds, and states or districts prohibiting the sale of certain types of foods and beverages would be consistent if they prohibited the marketing of those foods on school grounds as well.¹⁹⁸ To minimize the chance of running into First Amendment problems, NPLAN’s model statute explicitly outlines what will and will not be permitted in school, and offers strong justifications to support the policy (for example, that the policies promote good health habits among students and support the curriculum).¹⁹⁹

Advocates hope that research to be conducted in 2014 will provide them with information needed to lay the groundwork for how to target their efforts.²⁰⁰ The 2014 School Health Policies and Practices Study (SHPPS), to be conducted by the Centers for Disease Control at the school and classroom level, will contain some questions on food marketing in schools.²⁰¹

Especially given the lack of awareness in the general population of food marketing’s impact on children’s food choices and attitudes, a primary goal of advocates in 2013 is to mobilize parents to awareness and action.²⁰² Yale’s Rudd Center launched its “Rudd ‘Roots Parents’” website in June 2013 as a resource for parent advocates.²⁰³ Here and in its advocacy with PTA and other parent groups, the Rudd Center is trying to help parents understand the impact of food advertising and marketing in schools on what their children eat, and to provide them with the tools they need to help create a healthier food environment.²⁰⁴ With a similar educational agenda but different approach, in September 2013 Corporate Accountability International and Food Mythbusters promoted and released a short film to explain the effect of advertising.²⁰⁵ Salud America!, a project funded by the Robert Wood Johnson Foundation that focuses on the impact of marketing on Latino youth, addresses parents and other stakeholders with a variety of media including video, infographics, and policy statements.²⁰⁶

Marketing that Bears on Digital Marketing and Privacy

Our 2011-2012 report on commercializing activities in schools detailed the leading role that food corporations have taken in marketing their products digitally to children.²⁰⁷ In a youth culture that is always “connected,” marketers can continuously deliver advertising to and collect data from children and adolescents. Jeff Chester, of the Center for Digital Democracy, laments this “360 degree” targeting but at the same time points to privacy policy as one area in which the marketing onslaught can be at least partially addressed.²⁰⁸ In December 2012, the Federal Trade Commission announced updated rules under the Children’s Online Privacy Protection Act (COPPA), which apply to children under the age of 13.²⁰⁹ Among the rule changes are several expanded definitions that close loopholes that previously allowed third parties to collect personal information from children via “plug-ins.” Also significant is an expanded definition of “personal information,” which now

includes location (such as street address and city) available from mobile devices, photos, videos, audio recordings, screen- or user- names, and persistent identifiers (such as “cookies” and other hidden software).

Commercialization of Student Data

Notwithstanding the positive development of the FTC’s rule changes, marketers continue to target children via their computers and mobile devices. In the education world, in particular, this targeting was eclipsed in 2012-2013 by the privacy controversy generated by corporate access to student educational data. inBloom, a non-profit organization funded by the Bill & Melinda Gates Foundation and the Carnegie Corporation of New York, was created to provide “vendor-neutral data service.” Student data to be made available comes from a variety of software systems; its collection was purportedly intended “to make it easier for teachers, parents and students to get a coherent picture of student progress, give them more options to be involved and informed, and make learning more engaging for students.”²¹⁰ Several states and districts initially signed up to participate in inBloom’s data collection effort, including Colorado, Delaware, Georgia, Illinois, Kentucky, North Carolina, Massachusetts, Louisiana, and New York. Concerned stakeholders, however, have questioned: the motives of inBloom, its funders and partners (particularly NewsCorp, a subsidiary of which built part of the inBloom software infrastructure); the security of the system; and, the potential violations of privacy associated with the massive collection and maintenance over time of personally identifiable student data.²¹¹

The organization’s responses to these concerns have been only mildly reassuring. It claims that neither funders nor partners have access to student data and that vendors will be allowed to access student records through inBloom only if the relevant state or district allows it.²¹² With respect to data storage and disclosure, it asserts that its Data Store “provides the privacy and security functionality required by” the Family Educational Rights and Privacy Act (FERPA, which was weakened in 2011); that in addition, each state and district is responsible for the security of its own students’ data; and that, according to FERPA, districts may disclose personally identifiable student information if they want to.²¹³ inBloom does not provide an option to “opt-out”; parents who want to opt out are referred back to their school district.²¹⁴

The development and initial adoption of inBloom demonstrated the intersection of corporate-friendly education reform with commercializing activities in schools. As Diane Ravitch noted, school districts under financial pressure may very well decide to sell access to student data to vendors willing to pay for it.²¹⁵ On the other side, districts will need the technology offered by additional vendors to comply with the testing requirements of the Common Core State Standards and of legislation that requires them to offer online learning and testing. Such legislation is, in 2013, being encouraged across the U.S. by such organizations such as ALEC, the Business Roundtable, the Chamber of Commerce, and a variety of corporate-oriented foundations.²¹⁶ In March 2013, the *Atlanta Business Chronicle* reported that 21 education technology companies had already announced plans to develop applications to work with inBloom.²¹⁷

Particularly disturbing or encouraging, depending on one's perspective, is that decisions about whether to sign on with inBloom, along with the policy that will encourage districts to use its services, are made at the state level. Once a state has opted in, opting out becomes extremely difficult. For this reason, advocacy groups such as Campaign for Commercial-Free Childhood, Class Size Matters, NYC Public School Parents, and a slew of progressive education bloggers (including, Carol Burris, Jason France, Susan Ohanian, and Diane Ravitch, among others) oppose the mass adoption of inBloom and rallied parents and others to protest it.²¹⁸ As of February 2014, only New York state remained in the program, but had postponed implementation.²¹⁹ Several New York state school districts had already removed themselves from their state's participation by opting out of the federal Race to the Top program.²²⁰

With or without inBloom, however, the protection of student data will remain an issue for advocacy and policy.²²¹ A January 2014 survey found that 86 percent of adult respondents agreed that "...oversight is necessary to ensure [children's] private information is not exploited for commercial purposes and stays out of the hands of the wrong people."²²² A December 2013 report that examined district contracts with third-party data-cloud-providing services found that although 95% of districts now rely on cloud-services providers for such purposes as data mining for student performance, support for classroom activities, student guidance, data hosting, and so on, "fewer than 25% of the agreements specify the purpose for disclosures of student information, fewer than 7% of the contracts restrict the sale or marketing of student information by vendors, and many agreements allow vendors to change the terms." Many also allow vendors to retain student data into perpetuity.²²³ The lead author of the report warns that districts currently do not have the expertise to ensure that the contracts they sign with vendors adequately protect student privacy; moreover, in the absence of formal policy, conditions will be dictated instead by technological choices (such as whether to include a field for social security number) in the hands of private companies—whose interests are to promote profits and avoid liability, not to protect student privacy.²²⁴

Policy Recommendation

Anti-school commercialism advocacy appears to be meeting with some successes, most notably in the areas of nutrition; on-line privacy; and the consolidation and sharing of student data via inBloom. Nutrition advocates' plans for 2014, in particular, are promising, and suggest greater attention to schools as a locus of marketing to children.²²⁵ Despite an apparent increase in the scope and impact of recent anti-school commercialism advocacy, much work remains to be done. Commercial activities in schools continue to extend their reach, and the threats they pose to children's well-being remain as serious, if not more serious, than they have ever been.

In our 2011-2012 report we recommended that policymakers prohibit advertising in schools unless an independent, disinterested entity can clearly demonstrate that a proposed commercializing activity will cause no harm to children or otherwise undermine the quality of their education. We stand by that recommendation.

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The National Conference of State Legislatures (NCSL) database (<http://www.ncsl.org/>) uses pre-selected categories that did not allow us to search specifically for commercialism-related legislation, making it unsearchable for what we were looking for. The Legiscan (www.legiscan.org) database allowed us to create search terms relevant to our research and to search for all bills introduced, but not to limit our search to bills that were eventually signed into law. This became important as we saw that searches for all bills introduced included bills that died in committee, bills that did not pass, and bills that contained our search words but were not actually relevant to school commercialism – sometimes so many (thousands) that we could only reasonably examine a

small subset of them. These “fatal flaws” led us to eliminate these two databases.

It may be possible to systematically search for relevant legislation using supplemental programming techniques that comb through and sort bills after combining data from multiple databases and legislation. However, this would not be the online, inexpensive, easily replicable search we sought.

Although the Open States database allowed us to limit our search to bills that were signed into law, it did have a few drawbacks that complicated the search and therefore the results obtained. First, because we were searching for key words, sometimes it returned bills that contained the specified words but did not address school commercialism in any form.

Second, Open States’ output is uneven by state: its search goes back different lengths of time for different states. For example, it scans Illinois bills as far back as 2003, but Missouri bills only to 2012. The simple fix for this problem, to limit the search for all states to bills introduced beginning in 2012, was not supported by the program. Because of the large numbers of bills introduced (for example, containing the words “sponsor” and “school” but in ways other than what we were looking for in terms of corporate-sponsored school programs, activities, or educational materials) compared to the smaller numbers of bills signed into law, these limitations falsely especially inflate the number bills introduced. For this reason, we focus here on the bills that were signed into law, which we were able to examine more closely because they came back in fewer numbers.

Third, we were dismayed to find that the same searches done on different days yielded different numbers of bills. To examine the implications of that potentially distressing phenomenon, we searched for all our search terms for five days to see what kind of variation we would get. The variation turned out to be immaterial, as it happened typically in cases of very large numbers of bills introduced and did not occur for the culled set of most relevant search terms we eventually settled on.

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Molnar, A, Boninger, F., Harris, M.D., Libby, K.M., & Fogarty, J. (2013). Promoting Consumption at School: Health Threats Associated with Schoolhouse Commercialism—The Fifteenth Annual Report on Schoolhouse Commercializing Trends: 2011-2012. Boulder, CO: National Education Policy Center. Retrieved August 13, 2013, from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2012>.

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Kansas HB 2253 (2013). Abortion; prohibiting funding for abortion services; amending late-term abortion and woman's-right-to-know statutes. Retrieved January 28, 2014, from <http://openstates.org/ks/bills/2013-2014/HB2253/documents/KSD00007615/>.

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- National Association of State Directors of Pupil Transportation Devices (2011, March 4). Position paper: Advertising on School Buses. Retrieved October 23, 2013, from <http://www.nasdpts.org/Documents/Paper-AdvertisingOnSB-3-11.pdf>.
- 25 Campaign for a Commercial Free Childhood (n.d.). 2012 School Bus Ad Action Center. Author. Retrieved March 7, 2014, from <http://www.commercialfreechildhood.org/action/2012-school-bus-ad-action-center>;
- Campaign for a Commercial Free Childhood (n.d.). 2013 School Bus Ad Action Center. Author. Retrieved March 7, 2014, from <http://www.commercialfreechildhood.org/action/2013schoolbusads>.
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ChangeLab Solutions (n.d.). District Policy Restricting Food and Beverage Advertising on School Grounds. Author. Retrieved January 28, 2014, from <http://changelabsolutions.org/publications/district-policy-school-food-ads>;

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- Wilson, D. & Roberts, J. (2012, April 27). Special Report: How Washington went soft on childhood obesity.

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- Bahramy, S. (2013, March 12). Personal communication (e-mail, with Faith Boninger).
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This document is not currently found on the National PTA website. It is included in the archive of the Center for Commercial Free Public Education, housed at the online library Ibiblio.org. Retrieved July 31, 2013, from <http://www.ibiblio.org/commercialfree/action/resolution.html/>.

The National PTA states on its website that its current Position Statement on Education Emphasis “was written to update and combine resolutions and position statements concerning ‘Education Emphasis.’” “Commercial Exploitation of Students in School” is included in a list of “original resolutions and position statements” to be “archived in the Historical Records as reference on this issue.” See:

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Ironically, given the earlier position, among the National PTA’s sponsors is the interactive education company Promethean, which partners with Channel One. In June 2012, Channel One, Promethean, and the National PTA announced a collaboration to create the “Parent Connection” program, which delivers daily Channel One News broadcasts shown in the classroom directly to parents’ mobile phones. The stated goal of the program is to encourage at-home discussion of the broadcast.

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Molnar, A., Boninger, F., Wilkinson, G., Fogarty, J., & Geary, S. (2010). *Effectively embedded: Schools and the machinery of modern marketing – The thirteenth annual report on schoolhouse commercializing trends: 2009-2010*. Boulder, CO: National Education Policy Center. Retrieved February 12, 2014, from
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85 For simplicity's sake we include "adolescents" in with "children," but adolescents are even more susceptible than younger children to the psychological harms caused by advertising because of the sensitivities associated with their developmental stage. Self-regulation guidelines for advertisers have only very recently begun to recognize adolescents' susceptibility; and up until now adolescents have been grouped with adults. For research on adolescents, see:

Food Marketing Workgroup (2011, July). Re: Interagency Working Group on Food Marketed to Children: General Comments and Proposed Marketing Definitions: FTC Project No. P094513 (Comment on Marketing Definitions)(10-13). Retrieved September 9, 2011, from <http://www.ftc.gov/os/comments/foodmarketedchildren/07843-80010.pdf/>;

Montgomery, K.C. & Chester, J. (2009). Interactive food and beverage marketing: Targeting adolescents in the digital age. *Journal of Adolescent Health*, 45, S18-S29;

Giedd J.N. (2008). The teen brain: Insights from neuroimaging. *Journal of Adolescent Health*, 42, 335-43. Retrieved October 15, 2010, from [http://download.journals.elsevierhealth.com/pdfs/journals/1054-139X/PIIS1054139X0800075X.pdf?refuid=S1054-139X\(09\)00149-9&refissn=1054-139X&mis=.pdf/](http://download.journals.elsevierhealth.com/pdfs/journals/1054-139X/PIIS1054139X0800075X.pdf?refuid=S1054-139X(09)00149-9&refissn=1054-139X&mis=.pdf/);

Pechmann, C., Levine, L., Loughlin S., & Leslie, F. (2005). Impulsive and selfconscious: Adolescents' vulnerability to advertising and promotion. *Journal of Public Policy Marketing*, 24, 202-21;

Steinberg, L. (2008). A social neuroscience perspective on adolescent risktaking. *Development Review*, 28, 78-106.

86 Cultural observers long have noted that propaganda is most effective when it goes unnoticed:

"This is the secret of propaganda: those who are to be persuaded by it should be completely immersed in the ideas of the propaganda, without ever noticing that they are being immersed in it." Attributed to Nazi propagandist Joseph Goebbels, cited in, among many other places,

Pratkanis, Anthony and Elliot Aronson (2001). *Age of Propaganda: The Everyday Use and Abuse of Persuasion*. New York: Holt Paperbacks (87);

"Individuals are controlled through the power of the norm and this power is effective because it is relatively invisible. In modern society, the behaviour of individuals is regulated not through overt repression, but through a set of standards and values associated with normality which are set into play by a network of ostensibly

beneficent and scientific forms of knowledge.”

McNay, L. (1994). *Foucault: A critical introduction*. Cambridge: Polity (94-95);

“So the images, the values, the ideas of advertising are lodged inside us because that’s the way all culture works. To not be influenced by advertising would be to live outside of culture. No human being lives outside of culture.”

Jhally, S. (1997). *Advertising and the end of the world*. Media Education Foundation. Retrieved January 3, 2013, from http://www.mediaed.org/assets/products/101/transcript_101.pdf/.

The “third person effect” refers to the phenomenon that people tend to think that advertising and other such communications influence others more than themselves. See:

Davison, W. Philips (1996). The third-person effect revisited. *International Journal of Public Opinion Research*, 8 (2), 113 – 119. Retrieved September 28, 2010, from <http://ijpor.oxfordjournals.org.ezproxy1.lib.asu.edu/content/8/2/113.full.pdf+html>;

Shavitt, S., Lowrey, P., & Haefner, J. (1998, July 1). Public attitudes toward advertising: More favorable than you might think. *Journal of Advertising Research*, 38, 7-22;

Advertisement Journal (n.d.). School bus advertisements in Jordan. Author. Retrieved September 26, 2012, from <http://www.advertisementjournal.com/2012/09/school-bus-advertisements-in-jordan/>.

Other research shows that people are often unaware of the factors that influence their thoughts and attitudes:

Nisbett, R.E. and Wilson, T.D. (1977). The halo effect: Evidence for unconscious alteration of judgments. *Journal of Personality and Social Psychology*, 35, 250-256. Retrieved March 31, 2010, from <http://osil.psy.ua.edu/672readings/T6-SocCog2/haloeffect.pdf/>;

Wilson, T.D., & Bar-Anan, Y. (2008). The unseen mind. *Science*, 321, 1046–1047. Retrieved June 23, 2010, from <http://www.sciencemag.org.ezproxy1.lib.asu.edu/cgi/reprint/321/5892/1046.pdf/>.

87 Centers for Disease Control and Prevention (2012, April 3). Children and Diabetes – More Information. Author. Retrieved August 30, 2013, from <http://www.cdc.gov/diabetes/projects/cda2.htm>.

Institute of Medicine. (2006). *Food marketing to children and youth: Threat or opportunity?* Washington, DC: The National Academies Press. Retrieved January 31, 2013, from <http://www.nap.edu/books/0309097134/html>.

88 Centers for Disease Control and Prevention (2011, September 15). Childhood obesity facts. Author. Retrieved April 30, 2011, from <http://www.cdc.gov/healthyouth/obesity/facts.htm/>.

Notably, data published in 2012 suggest the first decreases in childhood obesity in decades – in several U.S. cities that have had obesity reduction policies in place for a number of years.

Tavernise, S. (2012, December 10). Obesity in young is seen as falling in several cities. *The New York Times*. Retrieved February 14, 2013, from <http://www.nytimes.com/2012/12/11/health/childhood-obesity-drops-in-new-york-and-philadelphia.html/>.

89 Evans, D.S., Glacken, M., & Goggin D. (2011, May). Childhood obesity: the extent of the problem among 6-year-old Irish national school children. *Child: Care, Health, and Development*, 37(3), 352-359. Retrieved April 22, 2012, from <http://www.ichn.ie/uploads/Evan's%20%20Glacken%20Obesity%20in%206yr%20olds.pdf/>.

- 90 Committee on Communications, American Academy of Pediatrics (2006). Children, adolescents, and advertising. *Pediatrics*. Retrieved January 31, 2013, from <http://pediatrics.aappublications.org/content/118/6/2563.full.pdf+html/>;
- Glickman, D., Parker, L., Sim, L.J., Del Valle Cook, H., & Miller, E.A. (Eds.) (2012, May). *Accelerating progress in obesity prevention: Solving the weight of the nation*. Washington, DC: Institute of Medicine of the National Academies. Retrieved January 30, 2013, from http://books.nap.edu/openbook.php?record_id=13275/;
- Tompson, T., Benz, J., Agiesta, J., Brewer, K.H., Bye, L, Reimer, R., & Junius, D. (2013, January). Obesity in the United States: Public Perceptions. *Associated Press* and NORC Center for Public Affairs Research. Retrieved January 30, 2013, from <http://www.apnorc.org/projects/Pages/Obesity-in-the-United-States.aspx/>.
- 91 Centers for Disease Control and Prevention (2012). Child obesity facts. Atlanta, GA: Author. Retrieved February 5, 2013, from <http://www.cdc.gov/healthyyouth/obesity/facts.htm/>;
- Fontaine K.R, Redden C.T, Wang C, Westfall A.O, & Allison D.B. (2003). Years of life lost due to obesity. *Journal of the American Medical Association*, 289, 187-193. Retrieved April 30, 2012, from <http://www.permanente.net/homepage/kaiser/pdf/19391.pdf>;
- Koebnick, C., Smith, N., Black, M.H., Porter, A.H., Richie, B.A., Hudson, S., Gililand, D., Jacobsen, S.J., & Longstreth, G.F. (2012). Pediatric obesity and gallstone disease. *Journal of Pediatric Gastroenterology and Nutrition*, 55(3), 328-333;
- Musemeche, C. (2012, April 25). Childhood Obesity Leads to Unnecessary Surgeries. *The New York Times*. Retrieved February 11, 2013, from <http://parenting.blogs.nytimes.com/2012/04/25/childhood-obesity-leads-to-unnecessary-surgeries/>;
- Huge rise in gout cases (2012, October 6). *Nursingtimes.net*. Retrieved March 7, 2013, from <http://www.nursingtimes.net/nursing-practice/clinical-zones/rheumatology/huge-rise-in-gout-cases/5050304.article/>;
- Stanford Hospital and Clinics (2013). Health effects of obesity. Stanford, CA: Author. Retrieved February 5, 2013, from <http://stanfordhospital.org/clinicsmedServices/COE/surgicalServices/generalSurgery/bariatricsurgery/obesity/effects.html/>;
- Sturm R, Wells K.B. (2001). Does obesity contribute as much to morbidity as poverty or smoking? *Public Health*, 115:229-235. Retrieved April 30, 2012, from <http://www.rand.org/pubs/reprints/RP952.html/>.
- 92 Washington Legal Foundation (2011, September 25). Five questions for . . . CFBAI's Elaine Kolish on self regulation of advertising. *The Legal Pulse*. Retrieved February 12, 2013, from <http://wlflegalpulse.com/2011/09/15/five-questions-for-cfbais-elaine-kolish-on-self-regulation-of-advertising/>.
- 93 Committee on Communications (2006). Children, adolescents, and advertising. *Pediatrics*, 118(6), 2563-2569. Retrieved January 31, 2013, from <http://pediatrics.aappublications.org/content/118/6/2563.full.pdf+html/>;
- Harris, J.L., Brownell, K.D., & Bargh, J.A. (2009). The Food Marketing Defense Model: Integrating psychological research to protect youth and inform public policy. *Social Issues and Policy Review*, 3(9), 211-271. Retrieved January 31, 2013, from <http://yaleruddcenter.org/resources/upload/docs/what/advertising/FoodMarketingDefenseModelSIPR12.09.pdf/>;

Hastings, G., McDermott, L., Angus, K., Stead, M., & Thomson, S. (2006). *The extent, nature and effects of food promotion to children: A review of the evidence*. Geneva: World Health Organization. Retrieved January 31, 2013, from http://www.who.int/dietphysicalactivity/publications/Hastings_paper_marketing.pdf/;

Institute of Medicine. (2006). *Food marketing to children and youth: Threat or opportunity?* Washington, DC: The National Academies Press. Retrieved January 31, 2013, from <http://www.nap.edu/books/0309097134/html/>.

94 Federal Trade Commission (2012, December). *A review of food marketing to children and adolescents: Follow-up report* (p. ES-1). Washington, DC: Author. Retrieved December 21, 2012, from <http://www.ftc.gov/os/2012/12/121221foodmarketingreport.pdf>;

Wilson, D. & Rogers, J. (2012, April 27). Special Report: How Washington went soft on childhood obesity. *Reuters*. Retrieved January 29, 2013, from <http://www.reuters.com/article/2012/04/27/us-usa-foodlobby-idUSBRE83QoED20120427/>.

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Harris, J.L., Bargh, J.A., & Brownell (2009). Priming effects of television food advertising on eating behavior. *Health Psychology*, 28(4), 404–413. Retrieved January 31, 2013, from http://www.yale.edu/acmelab/articles/Harris_Bargh_Brownell_Health_Psych.pdf/;

Hastings, G., McDermott, L., Angus, K., Stead, M., & Thomson, S. (2006). *The extent, nature and effects of food promotion to children: A review of the evidence*. Geneva: World Health Organization. Retrieved January 31, 2013, from http://www.who.int/dietphysicalactivity/publications/Hastings_paper_marketing.pdf;

Institute of Medicine. (2006). *Food marketing to children and youth: Threat or opportunity?* Washington, DC: The National Academies Press. Retrieved January 31, 2013, from <http://www.nap.edu/books/0309097134/html/>.

96 “Foods of Minimal Nutritional Value” are specific categories of foods defined by the U.S. Department of Agriculture as providing minimal nutritional value. These categories are specific to regulations regarding the National School Lunch Program and the School Breakfast Program, and so occasionally, what qualifies as FMNV seems incongruous in the context of the debate surrounding obesity. Diet sodas, which provide no nutritional value and no calories, are classified along with high-calorie sugared sodas as FMNV, which makes sense according to the original definition and primary use of the term. Schools that participate in the National School Lunch and Breakfast Programs must prohibit the sale of FMNV in food service areas during the designated meal periods.

Department of Agriculture. (2013, July 26). School Meals: Foods of Minimal Nutritional Value. Alexandria, VA: Food and Nutrition Service. Retrieved October 25, 2013, from <http://www.fns.usda.gov/cnd/menu/fmnv.htm>.

97 Moss, Michael (2013). *Salt Fat Sugar: How the Food Giants Hooked Us*. New York: Random House.

98 Centers for Disease Control and Prevention (2013, August). School Health Policies and Practices Study (SHPPS) (88). Retrieved September 9, 2013, from <http://www.cdc.gov/HealthyYouth/shpps/index.htm>.

See also:

Institute of Medicine (2006). *Food Marketing to Children and Youth: Threat or Opportunity?* Washington, DC:

Author. Retrieved September 9, 2013, from <http://www.iom.edu/Reports/2005/Food-Marketing-to-Children-and-Youth-Threat-or-Opportunity.aspx>.

99 Centers for Disease Control and Prevention (2013, August). School Health Policies and Practices Study (SHPPS) (88). Retrieved September 9, 2013, from <http://www.cdc.gov/HealthyYouth/shpps/index.htm>.

100 Terry-McElrath, Y., Turner, L., Sandoval, A., Johnston, L.D., & Chaloupka, F.J. (2014, January). *JAMA Pediatrics*. Retrieved January 20, 2014, from <http://archpedi.jamanetwork.com/article.aspx?articleid=1812294>.

101 Kanner, A.D. (2008, November). Now, Class, A Word from Our Sponsors. . . Boston, MA: Campaign for Commercial Free Childhood. Retrieved January 29, 2013, from http://commercialfreechildhood.org/sites/default/files/kanner_nowclassaword.pdf/;

Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011>.

102 Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011/>.

See also:

Centers for Disease Control and Prevention (2013, August). School Health Policies and Practices Study (SHPPS) (88). Retrieved September 9, 2013, from <http://www.cdc.gov/HealthyYouth/shpps/index.htm>.

The CDC defines “junk foods” as “foods or beverages that have low nutrient density, that is, they provide calories primarily through fats or added sugars and have minimal amounts of vitamins and minerals” (p.78).

103 Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011/>

Tayto Crisps (2010). Tayto Tours School Brochure. Retrieved October 11, 2011, from http://www.taytocrisps.ie/wp-content/themes/tayto/assets/files/TP_School_Brochure.pdf/.

104 Shell Oil Company (n.d.). Educators. Retrieved February 4, 2013, from <http://www.shell.us/environment-society/education/teacher.html/>

Shell Oil Company (2006). Teacher’s guide: Energizing your future with Shell Retrieved February 4, 2013, from <http://so3.static-shell.com/content/dam/shell/static/usa/downloads/education/poster-intro.pdf>;

Shell Oil Company (2006). Energizing your future with Shell (classroom poster). Retrieved February 4, 2013, from <http://so3.static-shell.com/content/dam/shell/static/usa/downloads/education/poster-final.pdf/>;

Shell is not the only energy interests attempting to influence children in schools. Climate Science Watch, a sponsored project of the Government Accountability Project, cites BP, Chevron, ConocoPhillips, Halliburton, and Pacific Gas and Electric as funders of energy education programs in schools. The American Coal Foundation also sponsors programs in coal-producing states.

CEDAR, Inc. (2011). CEDAR, Inc: Coal Education Development and Resource. Retrieved February 4, 2013, from <http://www.cedarinc.org/>;

Climate Science Watch (2010, December 23). Corporate funding in public education – is anyone watching? Author. Retrieved February 4, 2013, from <http://www.climate-science-watch.org/2010/12/23/corporate-funding-in-public-education-is-anyone-watching/>;

National Energy Education Development Project (n.d.). Sponsors. Retrieved October 28, 2011, from <http://www.need.org/Sponsors-Partners/>.

105 Irish Primary Principals Network (2007, December). Vol 42. Commercialism in Schools: Saying No to Free Computers. *Leadership+ : The Professional Voice of Primary Principals*, 42, 1.

106 For a review, see:

Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011/>.

Halpern (1998), points out (p. 453) that the transfer and use of critical thinking skills to a variety of real-world situations is facilitated by the creation of elaborated cognitive structures associated with those skills. Although she does not focus on the classroom and school environments as a source of developing those elaborated cognitive structures, she emphasizes that any program to teach thinking should draw questions and scenarios from the real-world contexts of the workplace and “in the exercise of citizenship” (p. 453). To the extent that students get practice extending the thinking skills they learn in class to the “real-life” contexts they face out of class, they may be more likely to recognize when other real-life situations emerge that warrant the application of their skills.

Halpern, D.F. (1998, April). Teaching critical thinking for transfer across domains: Dispositions, skills, structure training, and metacognitive monitoring. *American Psychologist*, 53(4), 449-455.

See also:

Rogoff, B. & Lave, J. (Eds.) (1984). *Everyday cognition: Its development in social context*. Cambridge, MA: Harvard University Press.;

Perkins, D.N. & Grotzer, T. (1997). Teaching intelligence. *American Psychologist*, 52(10), 1125-1133.

For examples of school environments that actively encourages critical thinking, see:

Weinstock, M., Assor, A., & Broide, G. (2009). Schools as promoters of moral judgment: The essential role of teachers' encouragement of critical thinking. *Social Psychology in Education*, 12, 137-151.

Finnish National Board of Education and Consumer Agency (2004). *Cooperation between schools and businesses including marketing and sponsorship* (p.3). Helsinki, Finland: Author. Retrieved October 25, 2013, from <http://www.kuluttajavirasto.fi/File/0999b19f-4db7-4f40-8034-102969be9337/Cooperation+between+schools+and+businesses+including+marketing+and+sponsorship.pdf>.

107 Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011/>;

Jhally, S. (1997). *Advertising and the end of the world*. Media Education Foundation. Retrieved January 3, 2013, from http://www.mediaed.org/assets/products/101/transcript_101.pdf/;

Kanner, A.D. (2008, November). Now, Class, A Word from Our Sponsors. . . Boston, MA: Campaign for Commercial Free Childhood. Retrieved January 29, 2013, from http://commercialfreechildhood.org/sites/default/files/kanner_nowclassaword.pdf.

108 Davis, J. (2013, August 19). Personal communication (telephone, with Faith Boninger).

Hunter, B. (2013, May 15). Personal communication (telephone, with Faith Boninger).

109 Division of Oil, Gas, and Mining, Utah Department of Natural Resources (2013). Earth Day Poster Contest Sponsored by Society of Petroleum Engineers, Entry Instructions for Principals & Teachers. Author. Retrieved August 28, 2013, from http://fs.ogm.utah.gov/PUB/DOGM/Earth_Day/EarthDayPosterContest-OfficialRules2013.pdf.

See also:

Utah HB 25 (2011). Mineral and Petroleum Literacy. Retrieved January 28, 2014, from <http://openstates.org/ut/bills/2011/HB25/documents/UTD00009746/>.

110 Saporta, M. (2012, April 20). JA and Chick-fil-A plan finance park, BizTown. *Atlanta Business Chronicle*. Retrieved January 17, 2013, from <http://www.bizjournals.com/atlanta/print-edition/2012/04/20/ja-and-chick-fil-a-plan-finance-park.html/>;

Young, C. (2013, January 10). Junior Achievement, Chick-fil-A launch discovery center. *NeighborNewspapers.com*. Retrieved January 17, 2013, from http://neighbornewspapers.com/view/full_story/21371700/article-Junior-Achievement--Chick-fil-A-launch-discovery-center.

111 Chick-fil-A (2013, September 6). Junior Achievement Chick-fil-A Foundation Discovery Center Grand Opening. Retrieved October 11, 2013, from <http://www.youtube.com/watch?v=RT4RAkeNAjs>;

Junior Achievement of Georgia (2008-2013). Junior Achievement's Chick-fil-A Foundation Discovery Center. Retrieved July 25, 2013, from <http://www.georgia.ja.org/programs/DiscoveryCenter.php>;

Saporta, M. (2012, April 20). JA and Chick-fil-A plan Finance Park, BizTown. *Atlanta Business Chronicle*. Retrieved January 17, 2013, from <http://www.bizjournals.com/atlanta/print-edition/2012/04/20/ja-and-chick-fil-a-plan-finance-park.html/>;

Young, C. (2013, January 10). Junior Achievement, Chick-fil-A launch discovery center. *NeighborNewspapers.com*. Retrieved January 17, 2013, from http://neighbornewspapers.com/view/full_story/21371700/article-Junior-Achievement--Chick-fil-A-launch-discovery-center.

112 Junior Achievement of Arizona, Inc. (2012). JA Biztown Shop. Author. Retrieved January 15, 2013, from <http://www.jaaz.org/support/biztown-shop/>

113 The experience may backfire: one Biztown participant from Arizona reflected on her experience as a fourth-grader: “They made it sound so cool, but then it was just one big advertisement. And I got a lousy job. Hannah and I cut work and played with her bouncy ball.”

114 Kasser, T. (2002). *The High Price of Materialism*. Cambridge, MA: MIT Press.

See also:

Jhally, S. & Barr, W. (n.d.). *Advertising, cultural criticism, and pedagogy: An interview with Sut Jhally (conducted by William O’Barr)*. Retrieved November 23, 2010, from <http://www.sutjhally.com/articles/advertisingcultural/>.

115 Molnar, A, Boninger, F., Harris, M.D., Libby, K.M., & Fogarty, J. (2013). Promoting Consumption at School: Health Threats Associated with Schoolhouse Commercialism—The Fifteenth Annual Report on Schoolhouse Commercializing Trends: 2011-2012. Boulder, CO: National Education Policy Center. Retrieved August 13, 2013, from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2012>.

116 North Penn School District (2012). North Penn School District School Board Policy: 2603(a): Administration: Advertising. Author. Retrieved January 16, 2013, from http://www.npenn.org/cms/lib/PA09000087/Centricity/Domain/26/Board_Policies/2000_Administration/2603%20-%20Advertising.pdf.

117 Orange County Public Schools (n.d.). Floor Decals, Gymnasium. Author. Retrieved July 26, 2013, from <https://www.ocps.net/es/cr/Advertisements/sports,%202013%20gym%20floor%20decals.pdf>.

Orange County Public Schools (n.d.). Garage Advertising, Downtown Orlando. Author. Retrieved July 26, 2013, from <https://www.ocps.net/es/cr/Advertisements/billboards,%20445%20W%20Amelia%20Parking%20Garage%2013-2014.pdf>.

118 Kuhn, B. (2013, January 15). Personal communication with Faith Boninger (telephone).

Polacsek, M., O’Roarke, K., O’Brien, L., Blum, J.W., & Donahue, S. (2012, March-April). Examining compliance with a statewide law banning junk food and beverage marketing in Maine schools. *Public Health Reports*, 127, 216-223. Retrieved January 28, 2013, from <http://www.une.edu/news/2012/upload/PHRarticle-Marketing-Polacsek.pdf>.

119 Lach, E. (2010, December 1) Utah GOpPer Defends His Efforts To Teach Kids To Love Mining. *Talking Points Memo*. Retrieved August 28, 2013, from http://tpmmuckraker.talkingpointsmemo.com/2010/12/utah_goper_want_make_sure_kids_learn_to_love_mni.php.

120 Campaign for Commercial-Free Childhood (2012, July 30). CCFC Asks States to Study Channel One News; Letter Outlines Concerns, Urges Review of Controversial In-School Advertiser. Author. Retrieved August 30, 2013, from <http://www.commercialfreechildhood.org/ccfc-asks-states-study-channel-one-news-letter-outlines-concerns-urges-review-controversial-school>.

National PTA (n.d.). *Sponsors and Partners*. Retrieved August 1, 2013, from <http://pta.org/about/content.cfm?ItemNumber=3019&navItemNumber=555>.

Promethean (2012, June 26). Promethean and Channel One News Announce The Parent Connection. Author.

Retrieved August 1, 2013, from
<http://www1.prometheanworld.com/dutch/server.php?show=ConWebDoc.18432>.

121 General Mills (2013). All about Box Tops. Retrieved January 7, 2014, from
<http://www.boxtops4education.com/all-about-boxtops>.

Molnar, A, Boninger, F., Harris, M.D., Libby, K.M., & Fogarty, J. (2013). Promoting Consumption at School: Health Threats Associated with Schoolhouse Commercialism—The Fifteenth Annual Report on Schoolhouse Commercializing Trends: 2011-2012 (pp. 14-15). Boulder, CO: National Education Policy Center. Retrieved August 13, 2013, from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2012>.

122 Each eligible Box Top can be redeemed by a participating school for ten cents, for a maximum of \$20,000 in a year. The program offers additional sweepstakes and promotions.

General Mills (n.d.). Official Rules. Retrieved February 12, 2014, from
<http://www.boxtops4education.com/official-rules>.

123 Molnar, A, Boninger, F., Harris, M.D., Libby, K.M., & Fogarty, J. (2013). *Promoting Consumption at School: Health Threats Associated with Schoolhouse Commercialism—The Fifteenth Annual Report on Schoolhouse Commercializing Trends: 2011-2012*. Boulder, CO: National Education Policy Center. Retrieved August 13, 2013, from <http://nepc.colorado.edu/publication/schoolhouse-commercialism-2012>;

Molnar, A., Boninger, F., & Fogarty, J. (2011). *The Educational Cost of Schoolhouse Commercialism--The Fourteenth Annual Report on Schoolhouse Commercializing Trends: 2010-2011*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012 from
<http://nepc.colorado.edu/publication/schoolhouse-commercialism-2011/>;

Molnar, A., Boninger, F., Wilkinson, G., Fogarty, J., & Geary, S. (2010). Effectively Embedded: Schools and The Machinery Of Modern Marketing – The Thirteenth Annual Report on Schoolhouse Commercializing Trends: 2009-2010. Boulder, CO: National Education Policy Center. Retrieved January 29, 2014, from
<http://nepc.colorado.edu/publication/Schoolhouse-commercialism-2010>;

Molnar, A., Boninger, F., Wilkinson, G., and Fogarty, J. (2009). *Click: The Twelfth Annual Report on Schoolhouse Commercialism Trends: 2008-2009*. Boulder and Tempe: Education and the Public Interest Center & Commercialism in Education Research Unit. Retrieved August 28, 2013, from
<http://nepc.colorado.edu/publication/schoolhouse-commercialism-2009>;

Molnar, A., Boninger, F., Wilkinson, G., and Fogarty, J. (2008). *At Sea in a Marketing-Saturated World: The Eleventh Annual Report on Schoolhouse Commercialism Trends: 2007-2008*. Boulder and Tempe: Education and the Public Interest Center & Commercialism in Education Research Unit. Retrieved January 29, 2014, from
<http://nepc.colorado.edu/publication/Schoolhouse-commercialism-2008>;

Molnar, A., and Boninger, F. (2007). *Adrift: Schools in a Total Marketing Environment. The Tenth Annual Report on Schoolhouse Commercialism Trends: 2006-2007*. Tempe, AZ: Commercialism in Education Research Unit. Retrieved January 29, 2014, from
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1. The decentralized nature of curriculum development and approval processes in the U.S. meant that each school and school district is forced to depend on its own, often limited, resources for evaluating the accuracy, fairness, and educational value of each sponsored material or program offered to them.
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(Full disclosure: Alex Molnar and Faith Boninger are individual members of the Food Marketing Workgroup.)

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Appendices

Appendix A
Initial Search Terms: Legislative Databases

Appendix B
Websites Associated with Relevant Topics

Appendix C
Search Terms: Internet Searches

Appendix D
Interview Documentation and Protocol

Appendix E
State Laws and Regulations as of May 2004

Appendix F
Bills Addressing School Commercialism Introduced and Signed in 2012-2013

Appendix A

Initial Search Terms: Legislative Databases

Creating useful search terms for our legislative search proved difficult. The challenge was to find terms that yielded relevant bills without also yielding an overwhelming number of irrelevant bills. We created a final list of search terms after using trial searches to refine our initial list. The final list of search terms appears in Appendix F; below is the initial set of terms.

advertising and school

“advertising in school”

commercialism and school

“commercialism in school”

“commercial activity” and school

“commercial activity in school”

“commercial activities” and school

“commercial activities in school”

marketing and schools

“marketing in school”

“naming rights” and school

“naming rights in school”

school and stadium

schoolbus and advertising

schoolbus and marketing

“school bus” and advertising

“school bus” and marketing

“digital advertising” and school

“digital advertising in school”

“digital marketing” and school

“digital marketing in school”
“electronic advertising” and school
“electronic advertising in school”
“electronic marketing” and school
“electronic marketing in school”
“exclusive agreement” and school
“exclusive agreement in school”
fundraising and school
“fundraising in school”
“school fundraising”
“education materials” and sponsor
“educational materials” and sponsor
“school sponsor”
“school sponsorship”
sponsor and school
“sponsor in school”
sponsorship and school
“sponsorship in school”
“school sponsor” and fundraising
sponsor and school and fundraising
“competitive food” and school
“competitive food in school”
“snack food” and school
“snack food in school”
obesity and school
“obesity in school”

Appendix B Relevant Websites

The following websites associated with advertising and marketing, health care and nutrition, government policy, education, and academic research were regularly reviewed for material relevant to this report.

Source	Website
*Advertising Age	http://www.adage.com
American Advertising Federation	http://www.aaf.org/
American Association of Advertising Agencies	http://www2.aaa.org/Portal/Pages/default.aspx
American Beverage Association	http://www.ameribev.org/ http://www.ameribev.org/blog/
Association of National Advertisers:	http://www.ana.net/
Center for Science in the Public Interest	http://www.cspinet.org/
Consumers International	http://consumersinternational.org/
Food Marketing Workgroup	http://www.foodmarketing.org/
Consortium for Media Literacy	http://www.consortiumformedia literacy.org
Federal Communications Commission	http://www.fcc.gov/
Federal Trade Commission	http://www.ftc.gov
Institute of Medicine	http://www.iom.edu/Reports.aspx
Interactive Food and Beverage Marketing—Montgomery & Chester	http://www.digitalads.org/
Kidscreen	http://www.kidscreen.com
British Psychological Society Research Digest Blog	http://www.bps.org.uk/publications/rd/rd_home.cfm
Campaign for Commercial Free Childhood	http://www.commercialfreechildhood.org/
Canadian Centre for Policy Alternatives	http://www.policyalternatives.ca/
Commercial Alert	http://www.commercialalert.org/
Empowered by Play	http://www.empoweredbyplay.org/
*Journal of Consumer Research	http://www.press.uchicago.edu/ucpl/journals/journal/jcr.html/
Medpage Today	http://www.medpagetoday.com
Product Placement News	http://productplacement.biz/
Youth Markets Alert	http://www.epmcom.com/

*Subscription required for access online

Appendix C

Search Terms: Internet

The following search terms were used to search the Internet for articles and notices relevant to school commercialism.

“Advertising and education” (both with and without quotation marks)

“Advertising and schools” (both with and without quotation marks)

“Commercialism and education” (both with and without quotation marks)

“Commercialism and schools” (both with and without quotation marks)

“Marketing and schools” (both with and without quotation marks)

“School bus and commercialism” (both with and without quotation marks)

“School bus and marketing” (both with and without quotation marks)

Commercial activities

Competitive foods

Digital advertising

Digital marketing

Electronic marketing

Marketing and education

Naming rights

School advertising

“School bus” advertising

School bus and advertisement

School commercialism

School obesity

School stadium

Snack foods

Appendix D Interviews

Table D-1. Policy expert interviews

Name	Organization	Date of Interview	Type of Interview; Interviewer	Organization Website
Sabrina Adler	ChangeLab Solutions	11.20.2013	Phone; Faith Boninger	http://changelabsolutions.org/
Patte Barth	National School Boards Association	4.23.13	Phone; Faith Boninger	http://www.nsba.org/
Jennifer Eder and Kate Klimczak	Center for Science in the Public Interest	8.14.13	Phone; Faith Boninger	http://www.cspinet.org/
Dottie Gray	National School Boards Association	4.18.14	Phone; Faith Boninger	http://www.nsba.org/
Josh Golin	Campaign for Commercial-Free Childhood	5.9.13	Phone; Faith Boninger	http://www.commercialfreechildhood.org/
Bruce Hunter	American Association of School Superintendents	5.15.13	Phone; Faith Boninger	http://www.aasa.org/
Eric Lerum	StudentsFirst	4.26.13	Phone; Faith Boninger	http://www.studentsfirst.org/
Lindsay Russell	American Legislative Exchange Council	9.18.13	Email, to Faith Boninger	http://www.alec.org/
Jennifer Dounay Zinth and Kathy Christie	Education Commission of the States	5.1.13	Phone; Ken M. Libby	http://www.ecs.org/

Interview Protocol

Interviewer name: _____

Date: _____ **Time started:** _____ **Time ended:** _____

Organization: _____

Hello, my name is _____. I'm working with the National Educational Policy Center at the University of Colorado Boulder on a research project on organizations' positions about corporate activity in schools, particularly advertising and marketing to children in schools. We're at the beginning of this project and are, at this point, trying to get a general understanding of the issues involved. Today I'd like to take about 20 minutes to ask several preliminary questions we have developed. Is this a convenient time or may we schedule another time to talk?

Let me first make sure I have your details straight:

Your full name is?

What is your position in your organization?

Now I'd like to ask you some questions about advertising and marketing in schools.

1. Does your organization have a position that touches in some way on the topic of corporate advertising and marketing in schools?

(If yes, ask:)

Briefly, what is the position—is it available in writing on the web?

Do you have any model legislation on this issue?

Where may I find the model legislation?

(If no, move to question 2.)

2. Are you aware of any state or local legislation on corporate advertising and marketing in schools?

(If yes, ask:)

Where may I find the information?

Who would you recommend that I talk to in order to learn more about this legislation, its background, and whether it is still in effect?

(If no, go directly to question 3.)

3. Are you aware of any legislation on this issue that was proposed and not passed?

(If yes, ask:)

Where may I find this information?

Who would you recommend that I talk to in order to learn more about this legislation?

What is their name? _____

Organization? _____

Position? _____

Contact information? _____

(If no, go direction to question 4.)

4. Why do you think there isn't any (or is so little – depending on their answers to above questions) legislation about marketing and advertising in schools?

5. What other organizations would you recommend I talk to in order to learn more about policy related to advertising and marketing in schools, and how advertising and marketing are addressed at all, at any level?

Organization? _____

Contact person? _____

Position? _____

Contact information? _____

6. What other organizations do you know of that have taken a position on issues associated with marketing and advertising in schools?

Organization? _____

Contact person? _____

Position? _____

Contact information? _____

7. Is your organization at all supported by corporate funds?

(If yes:)

What form does that funding take? (for example, sponsor conferences, etc.)

(If no, go directly to closing, below.)

I really appreciate you taking the time to talk to me, and your thoughtful responses to my questions. As I said, we're at the beginning of this project. If I have any follow-up questions as we progress, may I contact you again?

What is your phone number?

E-mail address?

Thank you again. Take care.

Appendix E

State Laws and Regulations as of May 2004

State statutory and regulatory provisions relating to commercial activities as of May 2004. Italicized entries reflect policy that addresses product sales.¹

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
AL		<i>Prohibits requiring students participate in school fundraising.</i>		
AK		Prohibits students from participating in survey or questionnaire without parental consent.		
AZ	Permits advertising on school buses under restrictions.			
AR		1. Prohibits vending machines in elementary schools; 2. Prohibits students from participating in survey or questionnaire without parental consent.		
CA		1. <i>Restricts individual food items sold at elementary schools to those complying with fat, sugar content restrictions;</i> 2. <i>Restricts beverages sold at middle, junior high schools during school day to water, milk, fruit-based drinks, electrolyte replacement beverages meeting restrictions;</i>		Prohibits schools from contracting for electronic products or services disseminating advertising to students unless notice requirements followed.

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
[CA]		<p>3. Restricts beverages sold at elementary schools during school day to water, milk, 100% fruit juice, unsweetened fruit-based drinks containing at least 50% fruit juice; Restricts school boards, schools from contracting for carbonated beverages, non-nutritious foods;</p> <p>4. Prohibits teachers, dentists, optometrists from soliciting students on school grounds;</p> <p>5. Prohibits advertising of tobacco products on any outdoor billboard within 1,000 feet of any public (or private) school;</p> <p>6. Prohibits states, local boards from adopting basic instructional materials providing unnecessary exposure to brand names, products or company logos.</p>		
CO		<p>1. Prohibits operation of competitive food service beginning half hour before, ending half hour after school breakfast, lunch period;</p>	<p>Student editors determine advertising content of school-sponsored publications.</p>	

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
[CO]		2. Prohibits student participation in any survey without written parental consent.		
CT		<i>Prohibits selling coffee, soft drinks, tea, candy half hour before, during, after lunch or breakfast.</i>		
FL	1. Permits school boards to establish fundraising policies; 2. Permits school boards to establish policies regarding advertising.	<i>Foods of minimal nutritional value can only be sold in secondary schools for 1 hour after lunch.</i>		
GA		Prohibits selling foods of minimal nutritional value in elementary schools until after lunch, in other schools during mealtime in dining, serving, kitchen areas.		
HI	Permits schools to have vending machines, concessions if operated by blind or individuals with visual handicaps;	<i>Prohibits selling cigarettes from lunch wagon engaging in any sales activity within 1,000 feet of elementary or secondary school grounds.</i>		
IL		1. Prohibits disclosure of student's name, address, tel. no., Social Security no., email address, other personal identifying information to business or financial institution issuing credit or debit cards;		1. Prohibits solicitation of students by certain private businesses or vocational schools unless approved by superintendent;

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
[IL]		<i>2. Elementary schools in National School Lunch Program prohibited from selling competitive food during breakfast, lunch periods.</i>		2. Prohibits certain private businesses or vocational schools from advertising for student enrollees unless approved by superintendent.
IN				Prohibits disclosure of list of students enrolled in public school to commercial entity where governing body has adopted policy prohibiting disclosure for commercial purposes; identifies categories or classes of commercial entities to which list may not be disclosed.
KS	Permits student editors to determine advertising content in student publications.			
KY		<i>Prohibits selling any food outside National School Breakfast or Lunch program until half hour after lunch period.</i>		
LA	Permits donor decals on school buses acknowledging donations of cellular telephone service.	<i>Prohibits sale of competitive foods until last 10 minutes of each lunch & in food service areas;</i>		
ME	<i>Permits school districts to fundraise for their benefit.</i>			

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
MD	Permits advertising on school bus shelters under restrictions.			
MA		<i>Prohibits outdoor advertising of cigarettes within 1,000-foot radius of any school.</i>		Requires school committee establish travel policy addressing expectations for fundraising by students.
MN	1.School board may contract with advertisers or others to sell naming rights, advertising rights to school facilities; 2. Permits advertising on school buses under restrictions.	Prohibits school boards from contracting for computer or related equipment requiring advertising disseminated to students unless parents given opportunity to opt child out of exposure to advertising.		
MS	Permits commercial advertising on protective textbook covers.	Prohibits selling any food item for 1 hour before school meal.	Requires school boards to include disclosure statement advising what portion of proceeds from board-authorized fundraising (eg: school pictures, cap, gown rentals, etc.) for which board receives commission, rebate, or fee, shall be contributed to school activity fund.	
NV	Permits advertising on, in school buses.			
NH	Permits advertising on school bus shelters.	Prohibits advertising on school bus exterior except for manufacturer's logo.		

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
NJ	Permits advertising on school bus stop shelters subject to governmental approval.	<i>Prohibits selling foods of minimal nutritional value before end of last school lunch period.</i>		
NM	Permits commercial advertising inside, on sides of school buses.	Prohibits sale or use of personally identifiable information for marketing unless parent consents in writing for legitimate educational purposes.		
NY		<ol style="list-style-type: none"> 1. Generally prohibits selling soft drinks, candy during school day until last scheduled meal period. 2. Generally prohibits commercial promotional activities on school premises except where commercial entity sponsors school activity which does not involve promoting sponsor's product or service. 		
NC	Permits school boards adopt instructional materials containing commercial advertising so long as materials relate to academic curricula.	<ol style="list-style-type: none"> 1. Prohibits individual ("a la carte") sale of foods of minimum nutritional value, limits sale of individual food items until after established lunch hour has ended; 2. Requires local school boards assure students not regularly required to observe, listen to, read commercial advertising. 		

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
ND				Requires school boards approve fundraising involving students.
RI		Prohibits school officials from soliciting any pupil in any public school, generally prohibits sale of commercial goods or services in schools, requires school committee issue rules related to fundraising activities.		Prohibits distribution to students of commercial materials unless approved by local school committee.
TN	Permits commercial advertising on school buses, in accordance with policy established by local school board.			Requires districts develop policy setting forth rights of parents, students, guidelines for teachers, principals with respect to administration of surveys, analyses, evaluations of students
TX	1. Permits commercially sponsored high school athletic programs; 2. Permits advertising on exterior of school bus, provided it does not distract from effectiveness of required safety warning equipment.			
VA	Permits school boards to contract for telephone service or credit card that, without endorsement, bear name of school board, provides portion of revenues to public school fund.	<i>All foods sold in school from 6:00 a.m. until after breakfast period must be of sound nutritional value.</i>		Requires each school board develop policy on commercial, promotional, corporate partnerships, sponsorships involving public schools.

State	Policy Permitting Commercializing Activities in Schools	Policy Restricting Commercializing Activities in Schools	Policy Neither Permitting nor Restricting Commercializing Activities in Schools	Policy Delegating Authority to School Boards or Other Entities, or Requires Process
WV		Prohibits sale of candy, soft drinks, chewing gum, flavored ice bars during school day, except county boards may permit sale of soft drinks in high schools except during breakfast, lunch periods.		
WI	School board may adopt written resolutions governing sale, promotion of goods, services on school district property, with restrictions. ²			

¹ All information in this table was drawn from the 2004 Government Accountability Office (GAO) analysis of state legislature Web sites. Information from this analysis was reorganized into the categories in this table.

Government Accountability Office (GAO) (2004). *Commercial activities in schools: Use of student data is limited and additional dissemination of guidance could help districts develop policies* (GAO-04-810), pp. 22-31. Retrieved January 14, 2014, from <http://www.gao.gov/assets/250/243777.pdf>.

² This legislation was not included in the GAO's compilation of laws governing school commercialism, although it was in place before May 2004. Original text can be found at <http://statutes.laws.com/wisconsin/118/118.12>.

Appendix F

Bills Addressing School Commercialism Introduced and Signed in 2012-2013

Search Term	Number of Bills Introduced in 2012-2013	Number of Bills Signed into Law in 2012-2013	Number of Signed Bills Relevant to School Commercialism	Bill Detail
General Terms				
<i>“advertising in school”</i>	10	1	1	<u>TN HB 2851 (2012):</u> Permits commercialism: removes a limitation on the lettering of advertisements on school buses
<i>“advertising in schools”</i>	0	0	0	-
<i>“commercialism in school”</i>	0	0	0	-
<i>“commercialism in schools”</i>	1	0	0	-
<i>“commercial activity in school”</i>	0	0	0	-
<i>“commercial activity in schools”</i>	0	0	0	-
<i>“commercial activities in school”</i>	0	0	0	-
<i>“commercial activities in schools”</i>	0	0	0	-
<i>“marketing in school”</i>	0	0	0	-
<i>“marketing in schools”</i>	0	0	0	-
Terms Addressing Appropriation of Space				
<i>“naming rights in school”</i>	0	0	0	-
<i>“advertising on school buses”</i>	12	1	1	<u>TN HB 2851 (2012):</u> Permits commercialism: removes a limitation on the lettering of advertisements on school buses

Search Term	Number of Bills Introduced in 2012-2013	Number of Bills Signed into Law in 2012-2013	Number of Signed Bills Relevant to School Commercialism	Bill Detail
<i>"advertising on schoolbuses"</i>	1	0	0	
<i>"marketing on school buses"</i>	0	0	0	
<i>"marketing on schoolbuses"</i>	0	0	0	-
Terms Addressing Digital Advertising				
<i>"digital advertising in school"</i>	0	0	0	-
<i>"digital advertising in schools"</i>	0	0	0	-
<i>"digital marketing in school"</i>	0	0	0	-
<i>"digital marketing in schools"</i>	0	0	0	-
<i>"electronic advertising in school"</i>	0	0	0	-
<i>"electronic advertising in schools"</i>	0	0	0	-
<i>"electronic marketing in school"</i>	0	0	0	-
<i>"electronic marketing in schools"</i>	0	0	0	-
Terms Addressing Exclusive Agreements				
<i>"exclusive agreement in school"</i>	0	0	0	-
<i>"exclusive agreement in schools"</i>	0	0	0	-
Terms Addressing Fundraising				
<i>"fundraising in school"</i>	2	0	0	-
<i>"fundraising in schools"</i>	0	0	0	-

Search Term	Number of Bills Introduced in 2012-2013	Number of Bills Signed into Law in 2012-2013	Number of Signed Bills Relevant to School Commercialism	Bill Detail
<i>“school fundraising”</i>	8	1	1	<u>CA AB 626 (2013):</u> Adjusts nutrition allowances, primarily making them stricter. Makes small changes in hours drinks not meeting state nutrition requirements may be sold in schools. Allows people other than students to sell permitted food products at fundraisers.
Terms Addressing Sponsored Activities, Projects, And Educational Materials				
<i>“education materials” and sponsor</i>	18	9	1	<u>KS HB 2253 (2013):</u> Restricts commercialism: Prohibits entities that provide abortions from providing educational materials to schools
<i>“educational materials” and sponsor</i>	110	41	0	-
<i>“school sponsor”</i>	33	12	0	-
<i>“school sponsorship”</i>	22	4	0	-
<i>“sponsor in school”</i>	25	6	0	-
<i>“sponsor in schools”</i>	27	8	0	-
<i>“sponsorship in school”</i>	3	0	0	-
<i>“sponsorship in schools”</i>	0	0	0	-

Search Term	Number of Bills Introduced in 2012-2013	Number of Bills Signed into Law in 2012-2013	Number of Signed Bills Relevant to School Commercialism	Bill Detail
Terms Addressing Nutrition in School				
<i>“competitive food” and school</i>	12	2	1	CA AB 626 (2013) : Adjusts nutrition allowances, primarily making them stricter. Makes small changes in hours drinks not meeting state nutrition requirements may be sold in schools. Allows people other than students to sell permitted food products at fundraisers.
<i>“competitive food in school”</i>	0	0	0	-
<i>“competitive food in schools”</i>	0	0	0	-

Bills were accessed from the OpenStates database.