

16 NCAC 06D .0105 USE OF SCHOOL DAY

(a) Local boards of education are obligated both to assure that materials presented to students during the school day are related to the curriculum, and to preserve their discretion and the discretion of administrators and teachers to determine, within the limits of the prescribed curriculum, the materials to be presented to students during the school day and the times during which materials selected will be presented. Therefore, no local board of education may enter into a contract or agreement with any person, corporation, association or organization which:

- (1) limits or impairs its authority and responsibility, or the authority and responsibility of administrators and teachers, to determine the materials to be presented to students during the school day; or
- (2) limits or impairs its authority and responsibility, or the authority and responsibility of administrators and teachers, to determine the times during the school day when materials will be presented to students.

(b) Local boards of education are obligated to assure that students, as a consequence of the compulsory attendance laws, are not made a captive audience for required viewing, listening to, or reading commercial advertising. Therefore, no local board of education may enter into any contract or agreement with any person, corporation, association or organization pursuant to which students are regularly required to observe, listen to, or read commercial advertising. This Rule does not prohibit local boards of education, teachers or administrators from requiring students from time to time to observe, listen to, or read educational materials that contain commercial advertising. This Rule also shall not prohibit the regular study of advertising as an academic subject.

(c) This Rule shall apply both retroactively and prospectively. Any contract or agreement previously made in contravention of this Rule is declared void and unenforceable.

*History Note: Filed as a Temporary Amendment Eff. February 19, 1990, for a period of 180 days to expire on August 18, 1990;
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Authority N.C. Constitution, Article IX, Sec. 5; G.S. 115C-1; 115C-2; 115C-12(9)c.; 115C-81;
ARRC Objection Lodged February 15, 1990;
ARRC Objection Lodged March 15, 1990;
ARRC Objection Lodged June 21, 1990;
Eff. November 1, 1990.*