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## Press Release of Congressman George Miller's Report about Commercial Activities in Public Schools

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WASHINGTON --Advertising on school buses and in classrooms, exclusive soda contracts, Channel 1, and other forms of commercial activities are widespread and increasing in public schools, yet policies governing these practices are incomplete or nonexistent, according to a government report released today.

The General Accounting Office (GAO) report requested by two Members of Congress is the first comprehensive congressional investigation of commercial activities in the classroom, a rapidly growing trend that can reduce instructional time and pose risks to student learning and privacy. The trend also raises larger questions about the role and influence private parties should have on public education.

**"This report indicates that many schools and parents are not prepared for the onslaught of marketers trying to reach the lucrative youth market through the classroom," said Congressman George Miller (D- CA),** who requested the report along with Sen. Christopher Dodd (D-CT). "Parents, school officials and policy makers should take a close look at school policies on commercialism and make informed decisions about what they want children exposed to at school. If schools are going to encourage students to drink soda at 9:00 in the morning, for example, parents might want to be made aware of that fact," Miller said.

"What is becoming clear is that companies are seeking to exploit the educational platform of our schools to launch the sale of their products," Miller added. "This week's FTC report on entertainment targeted to kids, for example, noted that records and movies with inappropriate explicit lyrics were promoted in school settings with no indication that parents were aware of it. Ultimately, commercialism in schools is yet another way in which the parent- child relationship is interfered with by corporate interests."

**The GAO report analyzed commercialism laws in all 50 states and in seven school districts in California, Michigan and New Mexico.** The GAO found that policies are uneven and inadequate. According to the GAO, "laws and regulations

governing commercial activities in public schools are not comprehensive" and sometimes "lacked formal guidance."

The GAO reported that only "19 states currently have statutes or regulations that address school-related commercial activities." Further, state policies are often limited in scope and vary widely. For example, **Michigan** laws do not address commercial activities at all, while New Mexico's only law on the subject expressly permits advertising in and on school buses. In contrast, GAO found that five states -- **California, New York, Florida, Illinois, and Maine** -- had comprehensive policies, meaning they authorized or restricted three or more types of commercial activities. New York law generally prohibits commercial activities on school premises and California law requires school boards to conduct open public hearings before approving many types of commercial contracts. Laws in Florida, and Maine expressly permit districts or superintendents to enter into various commercial agreements.

GAO found that local policies also varied widely, leading many decisions to be made on an ad hoc basis. In addition, the GAO raised concerns that school district policies have not yet adapted to changes in commercial technologies, noting that "none are targeted towards newer forms of media-based advertising, such as those delivered by Channel One and ZapMe!"

"We recognize and deplore the financial constraints most American schools face today," added Miller, a senior member of the House Education and the Workforce Committee. "But it would be a mistake to suggest that commercial contracts can make up the whole difference without having additional ramifications. Children are distracted enough as it is without being further enticed by computer pop-up ads for jeans and sneakers, or campus billboards boasting soft drinks and candy.

Miller and Dodd requested the report after learning of numerous examples of commercialism in schools:

- A Colorado school district administrator sent a letter urging principals to allow students virtually unlimited access to Coke machines and to consider allowing drinks in classrooms to increase sales and therefore profits for the school.
- A student in Georgia was suspended for wearing a Pepsi shirt on school-sponsored "Coke Day."
- The roof of a Texas school is painted with the Dr. Pepper logo to be seen by passing planes.
- Classroom material sponsored by Exxon teaches how the Valdez spill was a great example of environmental protection.
- School buses in a Colorado district are covered with Old Navy and 7-Up logos.
- A Math textbook teaches students about fractions by having them calculate how many kids prefer the Sony Play Station to Sega Saturn.
- Channel One provides 2 minutes of commercial advertising to 40 percent of middle and high school children every day.

"We plan to look closely at the issues raised by the GAO report and the response of state and local governments to ensure that learning, not commerce, remains the priority in school," Miller said. "If there is a reasonable balance that can be achieved we need to know what that is. Right now, it is clear that commercialism is increasing without much knowledge of its breadth or impact on our schools."

**Earlier this Congress, Miller and Dodd introduced legislation to protect student privacy from market researchers.** Their bill, the **Student Privacy Protection Act**, would require parents' permission before children can participate in commercial market research in school, such as cereal tasting, monitoring web browsing habits, or opinion surveys. None of the districts visited by GAO have policies that specifically address market research.

"The GAO's findings demonstrate the need for Congress to pass our student privacy bill," Miller said.

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