



FOREST LAKE AREA SCHOOLS


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November 15, 2013

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FROM: Donna M. Friedmann 
Director of Administration & Human Resources

SUBJ: POLICY COMMITTEE MEETING

The next meeting of the Policy Committee will be held promptly at 7:00 p.m. on Thursday, November 21, 2013, in the boardroom at the district office. The agenda for this meeting is enclosed. Please contact me at (651) 982-8123 if you are unable to attend this meeting.

DMF/kk

INDEPENDENT SCHOOL DISTRICT NO. 831
Forest Lake, Minnesota 55025

Policy Committee Meeting
November 21, 2013 – 7:00 p.m. – District Office Boardroom

AGENDA

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| <ol style="list-style-type: none">1. Balanced Budget Policy 353 – Propose Deletion2. Selection of District Department and Secondary Building Chairpersons Policy 403 – Propose Deletion3. Student Transportation Safety Policy 531 – Annual Review – No Changes from John Gray4. School-Sponsored Student Publications and Activities – Propose New Policy 543 |
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5. Consideration of Other Policies to be Scheduled for Review
6. Other Matters
7. Annual Policy Reviews
 - School Board Member Reimbursement Guidelines Policy 103A (December 2013)
 - Out-of-State Travel by School Board Members Policy 103B (December 2013)
 - Anti-Bullying Policy 541 (January 2014)
 - Crisis Management Policy 538 (February 2014)
 - Discipline Policy 515 (February/March 2014)
 - Harassment and Violence Policy 425 (April 2014)
 - Family & Medical Leave Policy 428 (September 2014)
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 (September 2014)
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 (September 2014)
 - Wellness Policy 546 (September 2014)
 - Student Sex Nondiscrimination Policy 421 (October 2014)
 - Technology Acceptable Use and Safety Policy 540 (November 2013)
 - Student Transportation Safety Policy 531 (November 2014)
8. Future Policy Review
 - Naming of School Buildings or Portions Thereof Such as Naming a Gymnasium
 - Random Drug Testing
9. Policies at School Board for Action on 11/7/13
 - Family & Medical Leave Policy 428 – 2nd reading
 - Mandated Reporting of Maltreatment of Vulnerable Adults Policy 414 – 2nd reading
 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse Policy 522 – 2nd reading
 - Wellness Policy 546 – 1st reading
 - Student Sex Nondiscrimination Policy 421 – 1st reading
 - Technology Acceptable Use and Safety Policy 540 – 1st reading

PROPOSE DELETION OF THIS POLICY

353

BALANCED BUDGET

A balanced budget is defined as expenditures not exceeding revenues, with fund balance monies not included as revenues without board approval.

Adpoted: 1/30/95
Reviewed by Policy Committee: 5/8/97

PROPOSE DELETION OF THIS POLICY

403

SELECTION OF DISTRICT DEPARTMENT AND SECONDARY BUILDING CHAIRPERSONS

1. It is the policy of the School Board that teachers and administrators both be involved in the selection of District Department and Secondary Building Chairpersons.
2. At the elementary level, teachers who serve on the subject area curriculum committee or who participate in the piloting of textbooks, shall first democratically select a minimum of two candidates for the position of Elementary District Department Chairperson.
3. At the secondary level, for the selection of Secondary Building Chairpersons, the teacher shall select a minimum of two candidates from each secondary school building. (Thus, where authorized, some departments will have three Secondary Building Chairpersons in addition to the district department head.) The final selection shall be made by the Administrative Council.
4. At the secondary level, for the selection of Secondary Department Chairpersons, the teachers in each building department shall select one candidate from each building department. A recommendation by the Director of Educational Services, chosen from the nominated candidates, shall be given to the Administrative Council. The final selection shall be made by the Administrative Council.
5. The position of each District Department Chairperson and Secondary Building Chairperson shall be reviewed annually prior to May 1st of each year. District Department chairpeople shall be appointed at the second Administrative Council in May for the following school year. Whenever possible the appointment to the position of Secondary Department Chairperson will be for a minimum of two years.
6. If a department fails to select candidates, the position will be filled as described in Article IX, Section 3, of the Master Agreement.

REVISED: 01/14/74
07/21/75
05/02/88
11/16/92

No changes from
John Gray

STUDENT TRANSPORTATION SAFETY POLICY

531

I. PURPOSE

The purpose of this Policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week.

The first week of school is designated as school bus safety week.

B. Student Training.

1. The School District shall provide students enrolled in grades kindergarten through grade 10 with age appropriate school bus safety training. Upon completing the training, a student shall be able to demonstrate knowledge and understanding of at least the following competencies and concepts:
 - a. transportation by school bus is a privilege not a right;
 - b. District policies for student conduct and school bus safety;
 - c. appropriate conduct while on the bus;
 - d. the danger zones surrounding a school bus;
 - e. procedures for safely boarding and leaving a school bus;
 - f. procedures for safe street or road crossing; and
 - g. school bus evacuation.
2. Each nonpublic school located within the district must provide all nonpublic school pupils enrolled in kindergarten through grade 10 who are transported by school bus at public expense and attend school within the district's boundaries with training as required in paragraph (1).
3. Students enrolled in kindergarten through grade 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training competencies by the end of the third week of school. Students enrolled in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school and have not previously received school bus safety training must receive the training or receive bus safety instructional materials by the end of the sixth week of school. Students enrolled in kindergarten through grade 10 who enroll in a school after the second week of school and are transported by school bus and have not received training in their previous school district shall undergo school bus safety training or receive bus safety instructional materials within four weeks of the first day of attendance. Upon request of the superintendent of schools, the school transportation safety director in each district must certify to the superintendent that all students transported by school bus within the district have received the school bus safety training according to this section. Upon request of the superintendent of the school district where a nonpublic school is located, the principal or other chief

administrator of each nonpublic school must certify to the school transportation safety director of the district in which the school is located that the school's students transported by school bus at public expense have received training according to this section.

4. The School District will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
5. The District will, to the extent possible, provide kindergarten students with school bus safety training before the first day of school.
6. The School District will also provide student safety education for bicycling and pedestrian safety.
7. The School District's curriculum for transportation is maintained and available for review in the office of the Transportation Safety Director.
8. Nonpublic students transported by the School District will receive School Bus Safety training in their nonpublic school. The nonpublic school must certify to the School District's School Transportation Safety Director that all students have received the appropriate training.
9. Students taking driver's training instructional classes must receive training in the laws and proper procedures when operating a motor vehicle in the vicinity of a school bus as required by section 169.446, subdivisions 2 and 3.

III. PARENT AND GUARDIAN INVOLVEMENT

A. Parent/Guardian Responsibilities For Transportation Safety.

1. Become familiar with District rules and policies, regulations and principles of school bus safety.
2. Assist students in understanding safety rules and encourage them to abide by them.
3. Recognize their responsibilities for the actions of their children.
4. Support safe riding and walking practices and reasonable discipline efforts.
5. When appropriate, assist students in safely crossing local streets before boarding and after leaving the bus.
6. Support procedures for emergency evacuation, and procedures in emergencies as set up by the School District.
7. Respect the rights and privileges of others.
8. Communicate safety concerns to school administrators.
9. Monitor bus stops, if possible.
10. Support all efforts to improve school bus safety.
11. Have their children to the bus stop five minutes before the bus arrives.
12. Have their children properly dressed for the weather.

13. Have a plan in case the bus is late.

B. Parent/Guardian Notification.

A copy of the School District school bus and bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls, if this occurs during the school year. Parents/guardians are asked to review the rules with their students.

IV. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

A. Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding school buses as are expected on school property or at school activities, functions or events. All school rules are in effect while a student is riding the bus or at the bus stop.

B. Consequences for school bus/bus stop misconduct will be imposed by the Building Principal or the Principal's designee. In addition, all school bus/bus stop misconduct will be reported to the District's Transportation Safety Director and may be reported to local law enforcement.

1. School Bus and Bus Stop Rules.

The School District school bus safety rules are to be posted on every bus. If these rules are broken, the School District's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the School District's Transportation Office/School Office.

2. Rules at the Bus Stop.

- a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will stop, but not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road or highway when waiting for the bus. Wait until the bus stops before approaching the bus.
- f. After getting off the bus, move away from the bus.
- g. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- h. No fighting, harassment, intimidation or horseplay.
- i. No use of alcohol, tobacco or drugs.

3. Rules on the Bus.

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the bus.

- e. Keep your arms, legs and belongings to yourself.
- f. No fighting, harassment, intimidation or horseplay.
- g. Do not throw any object.
- h. No use of alcohol, tobacco or drugs.
- i. Do not bring any weapon or dangerous objects on the school bus.
- j. Do not damage the school bus.
- k. Do not eat or drink on the school bus on regular school bus routes to and from school. Exceptions will be made for medical reasons.

4. Consequences.

a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extra-curricular events (for example, field trips or competitions) will be in the sole discretion of the School District. Parents/guardians will be notified of any offenses and/or suspension of bus privileges.

1) Elementary (K-6) per school year.

1st offense -- warning

2nd offense -- warning or 1-3 school day suspension from riding the bus

3rd offense -- 5 school day suspension from riding the bus

4th offense -- 10 school day suspension from riding

the bus / meeting with parent/guardian

Further offenses -- individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

2) Secondary (7-12) per school year.

1st offense -- warning

2nd offense -- 3-5 day suspension from riding the bus

3rd offense -- 10 day suspension from riding the bus

4th offense -- 20 day suspension from riding the bus/meeting with parent/guardian

5th offense -- suspended from riding the bus for the remainder of the school year

3) Other Discipline.

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school may also result from school bus/bus stop misconduct.

A school bus driver shall have the authority to remove a student from the bus for one day for misbehavior considered to be causing an immediate and substantial danger to self or surrounding persons or property,

provided the driver follows the administrative regulations addressing these suspensions. The driver must make direct contact (telephone or meeting) with the parent/guardian prior to the end of the evening on the day preceding the removal from the bus.

- 4) Records.
Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Records may also be maintained in the transportation office.
- 5) Vandalism/Bus Damage.
Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.
- 6) Notice.
Students will be given a copy of school bus and bus stop rules during school bus safety training. Rules are to be posted on each bus and both rules and consequences will be periodically reviewed with students by the driver.
- 7) Criminal Conduct.
In cases involving criminal conduct the Superintendent, local law enforcement officials and the Department of Public Safety will be informed.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

All school bus drivers shall be adequately prepared, both physically and mentally, each day to perform required duties. These shall include:

- A. Operating the vehicle in a safe and efficient manner.
 1. Safety. The primary concern of each driver is safety. Drivers will exercise extreme caution during the loading and unloading process as well as when driving.
 2. Defensive Driving. All drivers are to drive defensively at all times. A definition of defensive driving is: driving in a manner to avoid accident involvement despite adverse conditions created by roads, weather, traffic, or errors of other drivers or pedestrians.
 3. Driving Adjustments. Winter and wet weather driving may require adjusting speed and normal driving practices to compensate for road conditions.

4. Emergency Doors. Emergency doors must be free and operable. Under no circumstances may the doors be obstructed to prevent easy access.
 5. Service Door. The service door of the bus must be closed at all times while the bus is in motion.
 6. Overloads. The registration card in all vehicles designates the maximum number of passengers allowed to be carried. This limit cannot be exceeded. A driver should call the designated individual for instructions should a vehicle become overloaded.
 7. Railroad Crossings. All vehicles used to transport must stop at railroad crossings, using required procedures, whether they are loaded or empty. School buses shall not activate the eight-way lights; four-way hazard lights are to be used before stopping and when crossing the tracks.
 8. Speeding and Other Moving Violations. No bus will travel faster than road, traffic and weather conditions safely permit, regardless of the posted speed limit. Any driver convicted of a moving violation with a school bus will face disciplinary action. Other reports or warnings regarding speeding will result in suspension and/or termination.
 9. Tobacco Products Prohibited. Smoking or use of tobacco products by either the driver or the passengers is prohibited on any school bus, Type III vehicle, or on school property.
- B. Conducting thorough pre-trip and post-trip inspections of the vehicle and special equipment.
1. Pre-Trip/Post-Trip Bus Inspection. Drivers are required to make a pre-trip inspection of the bus before each trip. Failure to do so is a violation of State law. Defects are to be reported in writing. Drivers are required to check their buses for students, vandalism and articles left on the bus after each route segment.
 2. Safety Equipment. All drivers are responsible for ensuring that the necessary safety equipment is aboard the bus, including fire extinguisher, first aid kit, bodily fluids clean-up kit, flashlight, reflectorized emergency warning device, and any additional items required by the District. Drivers of vehicles for disabled students will ensure all student health information cards will be maintained as a hard copy on the vehicle or available through 2-way communication in the dispatch office.
 3. Bus Cleaning. Drivers are required to keep the interior of their buses swept and free of trash at all times.

4. Fueling. The driver is responsible for ensuring that his or her assigned vehicle is adequately fueled before leaving the yard. Smoking is prohibited on all district grounds, including in the fueling area. Smoking in the fueling area will result in serious disciplinary action up to and including termination of employment, regardless of the existence or lack previous disciplinary measures. The engine shall be turned off while fueling. Drivers should never fuel with passengers aboard.
- C. Ensuring the safety, welfare and orderly conduct of passengers while on the bus. (See Section II).
 - D. Meeting emergency situations in accordance with operating procedures. (See Sections VIII and VI).
 - E. Communicating effectively with school staff, students, parents, law enforcement officials and the motoring public.
 1. Relations with Students. Bus drivers will treat students with respect and will refrain from any conduct which is intended or could be perceived as demeaning, intimidating or harassing.
 2. Relations with School Officials. School officials can and will be of considerable assistance to drivers. They are trained in the education of students and it is in their best interest that control and discipline be maintained on the bus. Therefore, it is very important drivers have good relationships with the school officials and give them full cooperation.
 3. Relations with the Public. It is important to remember that to the general public, the driver represents the School. Buses are one of the most visible vehicles on the road. Drivers must deal with students, parents, and other motorists in a polite, professional and considerate manner.
 4. Student Discipline. Although drivers are responsible for maintaining order on the bus, drivers must always remember that the types of actions they may use are limited. Drivers must never, under any circumstances, use corporal punishment. Drivers have no authority to permanently deny a child the privilege of riding the bus, or drop the student at other than the designated stop. Any denial of bus-riding privileges can come only from the school authorities, except as noted under Section IV. B.4.a.3.
 5. Route Problems. Any problems, of whatever kind, encountered by a driver on the routes or trips should be brought to the attention of the Office of the Transportation Safety Director as soon as possible.

6. Unauthorized Passengers. Only authorized passengers may be transported in a bus. Any other passenger must be specifically approved by the Director of Transportation or his/her designee.
 7. Notices. It is the responsibility of the driver to check for notices each day and to check with his or her supervisor regularly.
- F. Completing required reports.
- It is the responsibility of the driver to completely fill out and timely turn in all reports, discipline referrals, time cards, and mechanical defect slips as required. This includes all requirements pertaining to pre-trip inspections and stop-arm violation reports.
- G. Completing required training programs successfully. (See Section VII).
- H. Providing maximum safety for passengers during loading and unloading.
1. Standing Prohibited. Standing is not allowed on a moving school bus. Drivers must not move a bus from a stopped position until all passengers are seated. Students are to remain seated until the bus has stopped.
 2. Dangerous Articles. No weapons or articles that may be classified as dangerous, may be transported on a school bus. This includes any and all weapons, gasoline cans, animals, and other dangerous or objectionable items. Possession of weapons on school property or the bus will not be tolerated. Companion dogs are allowed.
 3. Driver must wear the seat belt whenever the bus is in motion. Additional driver duties and responsibilities may be found in the driver handbook.

VI. OPERATING RULES AND PROCEDURES

A. General Operating Rules.

1. All routes shall be on file with the School District's School Transportation Safety Director.
2. Only students assigned to the school bus by the District shall be transported. The number of students or other authorized passengers transported in or assigned to a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. Drivers are to enforce the provisions of the school bus and bus stop rules as appropriate. Students may be released from the bus at only three points, the approved bus stop, shuttle location or at school, except in case of an emergency.

4. The parent/guardian may designate by a signed, written request a day care facility, respite care facility, the residence of a relative or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet other eligibility requirements.
5. Students who misbehave severely may be returned to the school immediately and reported to the Building Principal or other designated individual.
6. Safety evacuation drills for the student-passengers shall be conducted at least twice a year.
7. There shall be no students in the bus while the fuel tank is being filled. On leaving the vehicle when students are in the bus, the driver shall stop the bus, remove the ignition key, set the brakes and otherwise render the bus immobile.
8. Buses shall not be run backwards on the school grounds or any other point if it can be avoided. If it is necessary to run a bus backwards on school grounds, the driver shall have another responsible person act as a guard flagman in back of the bus to keep other persons out of the path and to issue warnings to the driver of approaching traffic.
9. When arriving or leaving the school grounds, the driver must not follow closer than 50 feet from the vehicle directly in front of the bus or closer than 500 feet when traveling on the highway.
10. No school bus shall pull any trailer when students are being transported on regular routes to or from school.
11. In case of an accident or breakdown of the bus, the driver shall contact the dispatcher using the two-way radio. If no radio contact is available, the driver shall not leave the bus unattended.
12. The District may adopt such additional operating rules as are deemed necessary to meet local conditions and needs, provided they do not conflict with State laws and regulations.
13. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion. For purposes of this paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

14. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
15. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

B. Use of Signals, Loading or Unloading.

1. The driver shall activate the flashing eight-light system of the bus at least 300 feet before stopping to load or unload students, in a speed zone of more than 35 mph and 100 feet in a speed zone of 35 mph or less, and shall not extinguish such lights until loading or unloading is completed and persons who must cross the roadway or highway are safely across.
2. Bring the vehicle to a complete stop in the right hand lane of the roadway parallel to the center line.
3. Prior to discharging students, open door, activate red flashing lights and extend the stop arm. Discharge students only after all traffic (front and rear) has come to a complete stop.
4. Keep door open and eight-light system operating until all students have been loaded or unloaded safely.
5. The driver should avoid loading or unloading students where the view is obstructed to other motorists for 500 feet in either direction.
6. The driver will not permit students to stand or get on or off the bus while it is in motion.
7. The driver will bring the bus to a full stop and disengage gears by shifting gear shift lever into neutral position or selector into neutral or park position before loading or unloading students.
8. Buses shall load and unload students only at designated locations.

C. Crossing Highways and Streets.

1. The driver shall be responsible for safely delivering the students who must cross the highway or street by one of the following methods:
 - a. Students shall pass approximately 10 feet in front of the school bus so as to be seen by the driver and cross the road only upon receiving a hand signal from the driver, or

- b. The student shall pass approximately 10 feet in front of the bus so as to be seen by the driver and be conducted across the road by the school bus patrol, or
- c. The driver shall personally conduct the students across the road after following required procedures for disabling the bus.
- d. The driver shall visually ascertain that students getting off the bus who do not need to cross the road are a safe distance from the bus before moving the vehicle.

D. Type III Vehicles.

- 1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
- 2. Type III vehicles must be painted a color other than national school bus yellow.
- 3. Type III vehicles shall be state inspected in accordance with legal requirements.
- 4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
- 5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
- 6. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
- 7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
- 8. Type III vehicles must be equipped with mirrors as required by law.
- 9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or

assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.

10. Any type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
 - c. A type III vehicle must contain at least three red reflectorized triangle road warning devices. Liquid burning "pot type" flares are not allowed.
 - d. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.

E. Type III Vehicle Driven by Employees with a Class A-D Driver's License

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:

- a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
- b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
 - (1) safe operation of a type III vehicle;
 - (2) understanding student behavior, including issues relating to students with disabilities;
 - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
 - (5) handling emergency situations;
 - (6) proper use of seat belts and child safety restraints;
 - (7) performance of pretrip vehicle inspections;
 - (8) safe loading and unloading of students, including, but not limited to:
 - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location; and
 - (d) placing the type III vehicle in "park" during loading and unloading; and

- (9) compliance with paragraph V.E. concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type A or type III vehicle under this section.
 - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator's employer has adopted and implemented a policy that provides for mandatory drug and alcohol testing of applicants for operator positions and current operators, in accordance with Minn. Stat. § 181.951, Subds. 2, 4, and 5.
 - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the school bus.
 - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of or has his or her driver's license revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (*i.e.*, felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).

- k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
- l. A person who operates a type III vehicle and who sustains a conviction as described in Section VI.E.1.g. (i.e., driving while impaired offenses, VI.E.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VI.E.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy. This provision does not apply to a school district employee whose normal duties do not include operating a type III vehicle.
2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.
3. An operator employed by the school district, whose normal duties do not include operating a type III vehicle, who holds a Class D driver's license without a school bus endorsement, may operate a type III vehicle and is exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug and alcohol testing) above.

F. Type A-I "Activity" Buses Driven by Employees with Class D Driver's License

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunctional School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system if the vehicle is so equipped.

- d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight of 10,000 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
 3. A school bus operated under this section must bear a current certificate of inspection.
 4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VII. SCHOOL BUS DRIVER TRAINING

A. Training.

All new bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction before transporting students and shall meet the competencies specified by the Department of Public Safety. All school bus drivers shall receive in-service training annually. The following driver training standards represent the minimum areas of training which each driver must receive prior to entering service to the School District.

1. Pre-Trip Inspection
Both new and experienced drivers must be familiar with the elements of the mandatory pre-trip inspection required under Minnesota law including:
 - a. The engine compartment -- belts, valves, fluid leaks
 - b. Engine start, warning lights, gauges, horn
 - c. Fuel level

- d. Brakes -- pedal reserve and air/vacuum gauges
- e. Interior -- seats, floor, lights
- f. Electrical charging system
- g. Emergency door
 - 1) smooth latch operation
 - 2) alarm buzzer
- h. Entrance door operation
- i. Lift door operation and alarm
- j. Lift equipment for wheelchairs
- k. Wheels, service brakes, emergency brake
- l. Exterior lights -- headlights, brake lights, market lights, turn signals
- m. Exhaust system
- n. Windows, windshield, and inspection sticker
- o. Eight-light system and stop arm
- p. Emergency equipment -- first aid kit, bodily fluids clean-up kit, flashlight, reflectors, two-way radio

2. Fundamentals and Techniques of School Bus Driving

The driver training program must include:

- a. Relevant laws
- b. Rules of the road and School District safety policies
- c. Defensive driving
- d. Driving in inclement weather conditions
 - 1) reduced visibility -- rain, snow, fog
 - 2) wet roads
 - 3) icy roads
- e. Dealing with pedestrians and students in traffic
- f. Operation of the manual or automatic transmission
- g. The use of the drive train for stopping the school bus
- h. Situations where the hand brake will and will not stop a moving bus
- i. Steering and turning techniques
- j. Right and left turn maneuvers
- k. Gauging the speed of other vehicles on cross streets
- l. Use of mirrors
- m. Merging into traffic
- n. Visual perceptions
- o. Safe following distances
- p. Safe passing procedures
- q. Safe backing procedures
- r. Use of the eight-light system and School District policy regarding its use
- s. Loading and unloading procedures
- t. Knowledge of the danger zone concept
- u. Policies and Procedures for grade level railroad crossings
- v. Emergency use of the public address system
- w. Response to an approaching emergency vehicle while unloading

x. Leaving the bus unattended at school sites

3. Special Education Transportation

Special education transportation requires skills and abilities that exceed those required to provide normal school bus service. Drivers will be familiar with:

- a. Handling of wheelchairs
- b. Operation of lift equipment
- c. What to do in a medical emergency
- d. Proper use of wheelchair securement devices
- e. School District policies on the use of seat belts on designated students
- f. Handicapping conditions
- g. Responsibilities of the bus driver and the bus aide
- h. School District policy in situations where a responsible person is not available to receive a student

4. Emergency Procedures

Drivers must be prepared to deal with emergency situations while operating on routes and field trips. Included in these emergency situations are mechanical breakdown, fire, accident, or passenger injury. Drivers are to receive training in:

- a. Identifying the degree of an emergency before beginning an evacuation
- b. Identifying a safe evacuation unloading area
- c. Preplanning emergency evacuations for both conventional and lift buses
 - 1) front rear, and both door evacuations
 - 2) evacuation of special education students
 - 3) evacuation of physically disabled students and students using wheelchairs
 - 4) placement of students in a safe location
- d. Cooperation in emergency evacuation drills
- e. Mechanical breakdowns
 - 1) stop bus in safe location
 - 2) keep passengers in bus if safe to do so
 - 3) take steps to warn motorists
 - 4) radio or call for assistance
- f. How to secure the school bus and place emergency triangles
- g. Use of the two-way communication system in an emergency
- h. When it is appropriate to evacuate the school bus
- i. How to supervise an emergency evacuation
- j. Emergency evacuation of the disabled
- k. Special considerations when evacuating a lift bus
- l. Lifting techniques for handling disabled students in an emergency situation
- m. Priorities when dealing with injured passengers
- n. How to use the school bus first aid kit
- o. Use and operation of the fire extinguisher
- p. Dealing with other motorists and the police
- q. Use of emergency reflectors and hazard lights

- r. Control of exposure to blood borne pathogens
- s. Use of body fluid clean-up kits
- t. School District policy on medical emergencies
- u. Recognition and handling of epileptic seizures
- v. How to respond if a passenger has a weapon on the bus

5. First Aid

All drivers must be certified in first aid and CPR and be familiar with the procedures for dealing with obstructed airways, shock, bleeding and seizures.

6. Private or Confidential Student Information

Types of student data that are considered private or confidential under Minnesota Statutes

7. Student Discipline

- a. Creating a positive attitude on the school bus
- b. Oral and visual communications skills between the driver and the passenger
- c. Dealing confidently with a disruptive student
- d. District discipline policy
- e. Developing and enforcing workable rules
- f. Incident report forms
- g. District policy on possession of weapons by a student
- h. District policy on sexual, racial and religious harassment/violence
- i. District policy on smoking

8. Human Relations

- a. Appropriate driver behavior
- b. Sensitivity to a diverse student population
- c. Sensitivity to handicapping conditions
- d. Relations with parents and school staff
- e. Working with a special education bus aide

9. Chemical Abuse

- a. How alcohol and/or drugs can affect driving skills
- b. Drug-testing programs
- c. State and federal requirements

B. Evaluation.

All drivers will be evaluated for the following competencies at least once annually:

- 1. safely operate the type of school bus the driver will be driving
- 2. understand student behavior, including issues relating to students with disabilities
- 3. ensure orderly conduct of students on the bus and handle incidents of misconduct appropriately
- 4. know and understand relevant laws, rules of the road and local school bus safety policies

5. handle emergency situations
6. safely load and unload students, and;

VIII. EMERGENCY PROCEDURES

A. Fire.

In the event of a fire, the first priority is to evacuate the bus. Drivers will make certain passengers are safe before attempting to put out the fire.

B. Injuries/Medical Emergencies.

Drivers should first contact the dispatcher to call 911 in the case of serious injuries. Drivers should administer proper first aid in accordance with their training and level of ability. In the event an injured passenger is taken to the hospital, record the students' name and the name of the hospital where the student is sent.

C. Tornado.

If there is likelihood that the tornado will hit a vehicle, and there is no escape route available or no time to drive to a safe location, the driver should evacuate the bus, taking the first aid kit. The driver will take the students to the basement of a nearby building or to the nearest depression or ditch upwind (toward the storm) of the bus far enough away from the bus so that the bus will not roll over on them and instruct them to cover their heads with their arms. If the students are wearing coats or jackets, these can be used to provide additional protection for their heads and bodies. Drivers should take only the first aid kit from the bus.

If drivers are on the road when they hear a tornado warning or spot a funnel, and there is no time to evacuate the students after stopping the bus, drivers should have the students assume the protective position, remaining in their seats, with their heads below window level.

D. Evacuation.

Drivers should evacuate buses only when there is a danger of fire, collision or other potential hazard. Drivers should inform passengers that there is an emergency, and in very calm and precise terms, tell them exactly what they are to do. When safely possible, drivers will keep all evacuees a minimum of 100 feet from the bus. They should be loaded back onto the bus only when the driver has determined it is safe to do so.

E. Accident.

In case of an accident, the driver should immediately assess students for injuries. In the event of serious emergencies or injuries, the driver must first contact 911 or the dispatcher in order to initiate a 911 call. After the 911 call, the driver must begin any emergency first aid procedures if necessary. The driver must also notify the School District of any school bus accidents immediately.

Upon providing emergency care and notifying the District, the driver shall:

1. In cooperation with police officer and/or ambulance service, assist with the care of students.
2. See that all injured students receive proper care.
3. Determine facts pertaining to accident.
4. Call Transportation/District staff to give list of names and circumstances so they can begin calling parents.
5. Discuss the accident only with police and School District officials.
6. Record all students' names.
7. Not leave the scene of an accident until released by the driver's supervisor.

Before leaving for the day, the driver shall fill out an accident report. All bus accidents will be reported to the Department of Public Safety.

F. Cold Weather Stop.

If a driver is stuck or stalled in cold weather, the driver should call for assistance and wait for help. The driver should avoid relying on the engine to provide heat for the driver and passengers as long as possible. If it is necessary to run the engine to provide heat, the driver will make sure the exhaust pipe is clear of snow, open windows for ventilation, and check passengers frequently for headaches or drowsiness.

G. Dangerous Weapons.

If a driver observes or learns that a passenger may have a dangerous weapon on the bus, he or she should remain calm and call for assistance using a pre-determined code. The driver should give the location of the bus to the dispatcher, continue the route and wait for assistance. The driver should not inform the passenger suspected of having the weapon that he or she knows of the weapon.

H. Lights.

In an emergency stop, the driver should turn on the four-way hazard warning lights, and running or clearance lights.

I. Getting Assistance.

Use the two-way radio communications system to get assistance. Drivers should report the location and number of the bus, the nature of the problem, and the status of the passengers. If the driver cannot use a radio to contact the dispatcher, ask a passerby or other motorist to do so from the nearest telephone. The driver should write out the number and location of the school bus, the nature of the emergency, and the status of the passengers.

IX. VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the School District.

- B. All school vehicles shall be inspected in accordance with legal requirements.
- C. Daily pre-trip inspections shall be required and prompt reports submitted of defects to be immediately corrected.

X. EXPENDITURES FOR SCHOOL BUS SAFETY ACTIVITIES

A description of School District funds expended for school bus safety activities from student transportation reserved revenue is kept in the office of the Transportation Safety Director and is available for review. As required by law, these expenditures will be annually reported to the Department of Public Safety.

The School District's expenditures for transportation safety are incorporated by reference into this policy.

XI. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The School Board has designated an individual to serve as the School District's School Transportation Safety Director. The School Transportation Safety Director shall have day-to-day responsibility for pupil transportation safety, including transportation of nonpublic school children when provided by the District. The School Board authorizes the School Transportation Safety Director to designate each location where a school bus shall not use the stop-signal arm system and flashing red signals while loading or unloading school children. The School Transportation Safety Director shall annually submit in writing all such stops to the School Board for approval. The School Board Policy Committee will annually review this policy and forward it to the School Board for approval. The name, address and telephone number of the School Transportation Safety Director are on file with the Superintendent. Any questions regarding student transportation or this policy should be addressed to the School Transportation Safety Director.

- Legal References:**
- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
 - Minn. Stat. § 123B.03 (Background Check)
 - Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
 - Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
 - Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 - Minn. Stat. § 123B.90 (School Bus Safety Training)
 - Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
 - Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
 - Minn. Stat. Ch. 169 (Traffic Regulations)
 - Minn. Stat. § 169.011, Subds. 15 and 71 (Definitions)
 - Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
 - Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)

Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
Minn. Stat. § 169.454 (Type III Vehicle Standards)
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 245C (Human Services Background Studies)
Minn. Stat. § 609.02 (Definitions)
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
49 C.F.R. § 383.5 (Transportation Definitions)

Cross References:

Policy 304 (Transportation of Pupils)
Policy 430 (Transportation Employee Drug & Alcohol Policy)
Policy 505 (Use of Student Records)
Policy 515 (Discipline Policy)

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Revised 1/05/04
Readopted 1/06/05
Revised 6/02/05
Revised 5/04/06
Revised 2/07/08
Revised 1/08/09
Revised 2/04/10
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Revised: 02/06/13

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of official school publications and activities while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

[Note: A school district generally will wish to reserve a forum it sponsors for its intended purpose in light of the special characteristics of the school environment. By doing so, the school district will have more authority/editorial control over student expression in such a forum. Sponsorship alone may not be enough, however. If the exercise of control is challenged, courts will examine factors such as whether the school district's purpose in creating the forum was educational, whether school officials supervised the publication or activity and exercised editorial control over the contents, whether the materials were produced as part of the curriculum, and whether students received grades and academic credit for the publication or activity. If a forum is reserved, regulation of student expression as in Section IV.B. of this policy will be permissible. If a forum is not reserved, but rather is opened for public communication by tradition or designation, then only the limited regulation of speech as described in Section IV.A. of this policy will be permissible.]

- A. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
 - 1. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.
 - 2. Official school publications may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. “Distribution” means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal staff or student mailboxes.
- B. “Official school publications” means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.
- C. “Obscene to minors” means:
 - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
 - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
 - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
 - 1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
 - 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- F. “School activities” means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

IV. GUIDELINES

- A. Expression in an official school publication or school-sponsored activity is prohibited when the material:
 - 1. is obscene to minors;
 - 2. is libelous or slanderous;
 - 3. advertises or promotes any product or service not permitted for minors by law;
 - 4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
 - 5. expresses or advocates sexual, racial, or religious harassment or violence or prejudice;
 - 6. is distributed or displayed in violation of time, place, and manner regulations.
- B. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district’s actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:
 - 1. assuring that participants learn whatever lessons the activity is designed to teach;
 - 2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
 - 3. assuring that the views of the individual speaker are not erroneously attributed to the school;
 - 4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;

5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

C. Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

Legal References: U. S. Const., amend. I
Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)
Morse v. Frederick, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)