



Board Policy Committee Meeting

Wednesday, February 18, 2026 5:00 PM

District Office, 104 - 5th Avenue South, South St Paul, Minnesota 55075

I. POLICY REVIEW

I.A. # 513: Student Promotion, Retention, Program Design (A. Winter)

I.B. # 601: Student District Curriculum & Instructional Goals (A. Winter)

I.C. # 625: Language Policy (A. Winter)

I.D. # 626: Assessment Policy (A. Winter)

I.E. # 212: School Board Member Development (B. Zambreno)

I.F. # 213: School Board Committees (B. Zambreno)

I.G. # 214: School Board – Vacancies And Procedures For Filling Of Vacancies (B. Zambreno)

I.H. # 216: Out-Of-State Travel By School Board Members (B. Zambreno)

I.I. # 501: School Weapons Policy (B. Zambreno)

I.J. # 502: Search of Student Lockers, Desks, Personal Possessions, and Student's Person (B. Zambreno)

I.K. # 505: Distribution of Non School-Sponsored Materials on School Premises by Students and Employees (B. Zambreno)

II. OTHER


II.A. Other Items Deemed Necessary by the Board Policy Committee

Adopted: December 13, 2004

MSBA/MASA Model Policy 513

Orig. 1995

Revised: 2/28/05, 6/26/06, 8/27/07, 5/12/08; 10/27/08
7/27/09; 6/25/12; 7/25/16; 8/14/17; 6/10/19; 7/27/20
6/14/21; 6/27/22; 6/26/23; 1/27/25

Rev. 2025 

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

The purpose of this policy is to provide guidance to professional staff, parents and students regarding student promotion, retention and program design.

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

1. Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered, as well as scholastic achievement. The superintendent's decision shall be final.

C. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating comprehensive achievement and civic readiness.
2. The school district may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.



3. The school district must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with Minnesota Statutes, section 120B.11. The guidelines should include the use of:
 - a. Multiple objective criteria; and
 - b. Assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice exceptional, and English Learners.
4. The school district must adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:
 - a. Assess a student's readiness and motivation for acceleration; and
 - b. Match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.
5. The school district must adopt procedures, consistent with Minnesota Statutes, section 124D.02 for early admission to kindergarten or first grade of gifted or talented learners consistent with Minnesota Statutes, section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to under-represented groups.

Legal References:

Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)
Minn. Stat. § 120B.15 (Gifted and Talented Students Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)
Minn. Stat. § 124D.02 (School Board Powers; Enrollment)

Cross References:

MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing; Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 617 (School District Insurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 620 (Credit for Learning)



Adopted: August 9, 2004

MSBA/MASA Model Policy 601

Orig. 1995

Revised: 8/28/06; 10/27/08; 2/9/09
3/13/17; 4/13/20; 12/11/23

Rev. 2025/14

601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Academic Standards and the federal Elementary and Secondary Education Act and law are aligned with creating the world's best workforce comprehensive achievement and civic readiness.

II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to establish the "world's best workforce" strive for comprehensive achievement and civic readiness in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Antiracist" means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.
- C. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- D. "Comprehensive Achievement and Civic Readiness" means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; have all students graduate from high school; and prepare students to be lifelong learners.
- E. "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.
- F. "Curriculum" means district or school adopted programs and written plans for providing students learning experiences that lead to expected knowledge, skills and career and college readiness. The term curriculum encompasses what is written, taught and assessed.
- G. "Ethnic studies" as defined in Minnesota Statutes, section 120B.25, has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.



- H. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.
- I. “Institutional racism” means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.
- J. “Instruction” means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements including applied and experiential learning.
- K. “Performance measures” are measures to determine school district and school site progress in striving for comprehensive achievement and civic readiness to create the world’s best workforce and must include at least the following:
1. the size of the academic achievement gap; rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options, including concurrent enrollment, other statutorily recognized courses of study or industry certification courses or programs, and enrichment experiences by student subgroup;
 2. student performance on the Minnesota Comprehensive Assessments;
 3. high school graduation rates; and
 4. career and college readiness under Minn. Stat. § Minnesota Statutes, section 120B.30, Subdivision 1.

~~L. “World’s best workforce” means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.~~

~~M. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.~~

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce striving for comprehensive achievement and civic readiness and includes the following:
1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all student categories identified in Minnesota Statutes, section 120B.35, subdivision 3, paragraph (b)(2).
 2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and services and accelerate their instruction, adopt early-admission procedures consistent with



Minnesota Statutes, section 120B.15 and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to comprehensive achievement and civic readiness ~~leading to the world's best workforce;~~

3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under ~~Minn. Stat. §~~ Minnesota Statutes, section 123B.147, Subdivision ~~3~~, students' access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under ~~Minn. Stat. § 120B.35, subdivision 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, subdivision 8, or 122A.41, Subd. 5~~ Minnesota Statutes, section 120B.35, subdivision 3(b)(2), and teacher evaluations under Minnesota Statutes, section 122A.40, subdivision. 8, or 122A.41, subdivision 5;
 4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;
 5. a process to examine the equitable distribution of teachers and strategies to ensure children in low-income families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;
 6. education effectiveness practices that
 - a) integrate high-quality instruction, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;
 - b) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees;
 - c) provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and;
 7. an annual budget for continuing to implement the school district plan; and
 8. identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota.
- B. The school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.
- C. Every child is reading at or above grade level every year, beginning in kindergarten, and multilingual learners and students receiving special education services are receiving support in achieving their individualized reading goals pursuant to Policy 621 Literacy and the Read Act ~~(Reading and the Read Act)~~.



- Legal References:**
- Minn. Stat. § 120B.018 (Definitions)
 - Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
 - Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness the World's Best Workforce)
 - Minn. Stat. § 120B.12 (Read Act Goal and Interventions)
 - Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
 - Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
 - Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
 - Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
 - Minn. Stat. § 123B.147, Subd. 3 (Principals)
 - Minn. Stat. § 125A.56, Subd. 1 (Alternate Instruction Required before Assessment Referral)
 - 20 U.S.C. § 5801, *et seq.* (National Education Goals)
 - 20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

- Cross References:**
- MSBA/MASA Model Policy 104 (School District Mission Statement)
 - MSBA/MASA Model Policy 613 (Graduation Requirements)
 - MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
 - MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
 - MSBA/MASA Model Policy 616 (School District System Accountability)
 - MSBA/MASA Model Policy 618 (Assessment of Student Achievement)



Adopted: January 23, 2012

Revised: _____

625 LANGUAGE POLICY

I. PURPOSE

The purpose of this policy is to establish the framework of language, including learning an additional language, valuing the linguistic diversity of our community, and working to support the mother-tongue development of our students and families.

II. DEFINITIONS

- A. Mother-Tongue - The terms that describe the language students' use at home and/or outside the classroom/school environment include first language, home language, preferred language, mother tongue, native language, heritage language, and sometimes best language. Many second-language students are using more than two languages outside the classroom arena.
- B. Second-Language or Language B - describes a language learned subsequently to a first language, and implies that a student also has access to the language for communicative purposes outside the context of the classroom language.

III. INTERNATIONAL BACCALAUREATE: PRIMARY YEARS PROGRAM (PYP)

- A. Primary Language Instruction: The Language of Instruction at the elementary level is English. We use a research based, standards driven, comprehensive balanced literacy approach to language instruction. Students work to meet their grade level standards in reading, writing, speaking, listening, and viewing.
- B. Language B Instruction: Language B instruction at the elementary level begins in kindergarten. Learning a second language creates a more open-minded and international-minded individual. The students learn to ask questions and reflect on language, culture, and community.

IV. INTERNATIONAL BACCALAUREATE: MIDDLE YEARS PROGRAM (MYP)

- A. Primary Language Instruction: The Language of Instruction (LOI) in the MYP is English. All students will develop a fluency in the LOI.
- B. Language B Instruction: The primary aim of Language B in the Middle Years Program is to encourage students to gain competence in a second language other than their native tongue, with the long-term goal of balanced bilingualism. Language B instruction must be sustained in the same language over the four years of the program.



- C. Language B Continuum: MYP Language B builds on experiences in language learning that students have gained during their time in the IB Primary Years Program (PYP). Knowledge, conceptual understanding and skills will have been developed through trans disciplinary units of inquiry. Students continuing on to the DP will have grounding in at least one Language B that will enable them to continue on to the DP courses as suggested above, and will have developed an inquiring, reflective approach to language learning.

V. INTERNATIONAL BACCALAUREATE: DIPLOMA PROGRAM (DP)

- A. Primary Language: The primary language of instruction in the Diploma Program is English (Language A). All teachers in the Diploma Program are language teachers and are responsible for fostering communication skills.
- B. Language B Instruction:
1. Group 1: A1 Higher or Standard Level. This option is designed for a fluent language user studying his/her most competent language. Students will study literary texts and demonstrate analytical skills in writing and speaking.
 2. Group 1: A1 School Supported Self-Taught. This option is designed for a fluent language user studying a second language that is not his/her most competent language. Students will study literary texts and demonstrate analytical skills in writing and speaking.
 3. Group 2: B HL or SL. This is for the student who has three or more years of experience in the language. Students will learn to communicate effectively, analyze literary texts, and develop fluent language skills. Students are encouraged to continue to build on the proficiency of their Language B choice within the Middle Years Program.
 4. Ab Initio Standard. This option is for the student who has little or no experience in the language.

VI. MOTHER-TONGUE SUPPORT

South St. Paul Public School District supports families whose native language is not English and we encourage our parents and students to speak and develop their mother tongue. This strengthens the child's language skills while instilling a sense of importance about his/her culture.

VII. REVIEW COMMITTEE

Each program level will review this policy and its implementation throughout the International Baccalaureate evaluation process.

Adopted: January 23, 2012

Revised: 1/27/25

Rev. 2024

626 ASSESSMENT POLICY

I. PURPOSE

The purpose of this policy is to define assessment practices in South St. Paul Public Schools.

II. GENERAL STATEMENT OF POLICY

- A. Each building will establish appropriate assessment strategies and tools to use at grade levels and within departments. These strategies and tools will follow the guidelines set forth below.

III. DEFINITIONS

These definitions are given by the International Baccalaureate organization.

- A. Summative assessment

The culmination of the teaching and learning process, and measures achievement of learning goals. A summative assessment can assess several elements simultaneously and provide a wealth of information to document achievement. It measures student understanding of the central ideas well as several curriculum objectives.

- B. Formative assessment

The process of gathering information during instruction and provides information that is used to target needs of individual students. Formative assessment aims to promote learning by giving regular and specific feedback. Information provided to students during the learning process promotes reflection, and allows them to recognize the criteria for success.

- C. Evaluation is the process of assigning a value to the quality of student work based on identified criteria to represent the level of achievement.

- D. Diagnostic Assessment is the process of gathering information prior to instruction and at periodic intervals in order to plan for instruction and for individualizing program delivery. These tests give us data to better understand individual student achievement as well as to reflect upon the progress of classrooms, grade levels and the entire.

- E. Standardized Assessment is required by State law in order to measure the effectiveness of instruction at our school. These assessments have specific consequences and are publicly reported. Individual students receive feedback from the State after several months.



- F. Achievement level: The level given when student work reflects the corresponding descriptor. Achievement levels are shown in the left-hand column of the assessment criteria.
- G. Assessment criteria: Criteria against which a student's performance is measured as evidenced by work produced. Subject guides provide assessment criteria to be used for final assessment for each subject group, and for the personal project.
- H. Assessment rubric: A matrix used to assess a student's performance according to specific criteria. Rubrics consist of a fixed number of levels and specific descriptors of performance for each level.
- I. Assessment task: A teacher-designed assignment used to measure student success with meeting objectives. The task will generate work that can be assessed using previously agreed assessment criteria.
- J. Criterion-referenced assessment: An assessment process based on awarding grades against previously agreed criteria. MYP assessment is criterion referenced.
- K. Descriptors: These describe the achievement levels that are assessed within each criterion.
- L. Internal assessment: The assessment of a student's work that is carried out by the student's teacher.
- M. Internal standardization: The process by which teachers of one subject or subject group in a school ensure a common understanding and application of criteria and descriptors.

IV. PURPOSE OF ASSESSMENT

- A. The primary purpose of assessment is to inform. Assessment informs teachers of what students understand, guides classroom instruction, shows which topics need to be retaught, and where there may be gaps in curriculum. Assessment provides student's feedback on their learning, identifies areas of strength and weakness, and allows them to set goals for future learning. Assessment provides parents an understanding of their child's progress and helps them better support and celebrate their child's learning. It should also tell parents about student progress against a given standard.

V. ASSESSMENT RIGHTS AND RESPONSIBILITIES

- A. Assessment is an ongoing process of gathering, analysing, reflecting and acting on evidence of student learning to inform teaching.
- B. Assessment involves teachers and students collaborating to monitor, document, measure, report and adjust learning.
- C. Students actively engage in assessing and reflecting on their learning, acting on feedback from peers and teachers to feed forward to next steps in learning.

- D. Fostering an assessment culture involves the development of assessment capability among all members of the learning community.
- E. Learning goals and success criteria are co-constructed and clearly communicated.
- F. Both learning outcomes and the learning process are assessed.
- G. Assessment design is both backward and forward looking.

VI. DISTRICT ASSESSMENT REQUIREMENTS

- A. Each building will administer the required district assessments for their grade levels and departments. These will include, but are not limited to, assessments mandated by the district and the state.

VII. REVIEW OF ASSESSMENT POLICY AND PRACTICES

- A. Grade levels and departments will review their assessment practices annually. The purpose of this will be to examine and revise the documents as needed. A committee will be formed annually to review the assessment policy. The committee will be made up of the building principals, Instructional Coaches, and representatives from each building leadership team. The purpose of this committee will be to review the current assessment policy, revise the policy as needed, and plan how to communicate our assessment policy to staff.

VIII. RELATED POLICIES

- A. 601 School District Curriculum Instructional Goals
- B. 613 Graduation Requirements
- C. 618 Assessment of Standard Achievement
- D. 619 Staff Development



Adopted: January 13, 1997

MSBA/MASA Model Policy 212

Orig. 1995

Revised: 5/10/04; 6/26/06; 1/11/10; 8/24/15; 3/13/17
4/13/20

Rev. 2008

212 SCHOOL BOARD MEMBER DEVELOPMENT

I. PURPOSE

In recognition of the need for continuing in-service training and development for its members, the purpose of this policy is to encourage the members of the school board to participate in professional development activities designed for them so that they may perform their responsibilities.

II. GENERAL STATEMENT OF POLICY

- A. New school board members will be provided the opportunity and encouragement to attend the orientation and training sessions sponsored by the Minnesota School Boards Association (MSBA). School board members shall receive training in school finance and management developed in consultation with MSBA.
- B. All school board members are encouraged to participate in school board and related workshops and activities sponsored by local, state and national school boards associations, as well as in the activities of other educational groups. New school board members are required to receive training in school finance.
- C. School board members are expected to report to the school board with materials of interest gathered at the various meetings and workshops.
- D. The District will reimburse the necessary expenses of all school board members who attend meetings and conventions pertaining to school activities and the objectives of the school board, within the approved policy and budget allocations of the school district relating to the reimbursement of expenses involving the attendance at workshops and conventions.

Legal References: Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)

Cross References: MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)
MSBA/MASA Model Policy 412 (Expense Reimbursement)



Adopted: May 10, 2004

MSBA/MASA Model Policy 213

Orig. 1996

Revised: 10/24/05; 6/10/09; 8/24/15; 3/13/17
4/13/20

Rev. 2007

213 SCHOOL BOARD COMMITTEES

I. PURPOSE

The purpose of this policy is to provide for the structure and the operation of committees or subcommittees of the school board.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school board to designate school board committees or subcommittees when it is determined that a committee process facilitates the mission of the school board.
- B. The school board has determined that certain permanent standing committees, as described in this policy, do facilitate the operation of the school board and the school district.
- C. A school board committee or subcommittee will be formed by the school board, which shall outline the duties and purpose of the committee or subcommittee.
- D. A committee or subcommittee is advisory in nature and has only such authority as specified by the school board.
- E. The school board will receive reports or recommendations from a committee or subcommittee for consideration. The school board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.
- F. The school board also may establish such ad hoc committees for specific purposes as it deems appropriate.
- G. The school board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.
- H. A committee of the school board shall not appoint a subcommittee of that committee without approval of the school board.

III. APPOINTMENT OF COMMITTEES

- A. The school board hereby appoints the following standing committees:
 - 1. Finance, Facilities, and Long Range Planning

2. Public Relations
3. Superintendent/Executive
4. Policy

B. The school board chair shall appoint the members of each standing or ad hoc committee and designate the chair thereof.

IV. PROCEDURES FOR SCHOOL BOARD COMMITTEES

- A. All meetings of committees or subcommittees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.
- B. A committee or subcommittee shall act only within the guidelines and mission established for that committee or subcommittee by the school board.
- C. Actions of a committee or subcommittee shall be by majority vote and be consistent with the governing rules of the school board.
- D. The committee or subcommittee shall designate a secretary who will record the minutes of actions of the school board committee.
- E. The power of a committee or subcommittee of the school board is advisory only and is limited to making recommendations to the school board.
- F. A committee or subcommittee of the school board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the school board.

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)

Cross References: MSBA/MASA Model Policy 201 (Legal Status of the School Board)
MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)
MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)

Adopted: April 17, 1996

Revised: 5/10/04; 11/13/06; 11/10/14; 8/24/15; 3/13/17

214 SCHOOL BOARD – VACANCIES AND PROCEDURES FOR FILLING OF VACANCIES

I. PURPOSE

The purpose of this policy is to provide governing rules for the filling of vacancies on the Board of Education.

II. GENERAL STATEMENT OF POLICY

A vacancy on the Board of Education, Special School District No. 6, shall be declared and filled subject and pursuant to Minnesota Statute 123.33 and this policy.

III. GENERAL PROVISIONS

A vacancy on the Board shall occur when a member dies, resigns, or ceases to be a resident of Special School District No. 6. Any such vacancy shall be filled by the Board at any regular or special meeting thereof by resolution entered in the minutes and shall continue until the next regular board election, at which time the vacancy will be filled by regular or special election.

If a member of the Board of Education is unable to serve on the Board and attend its meetings for ninety (90) days or more because of illness or prolonged absence from the District, the Board may, at any regular or special meeting thereof, declare a vacancy to exist.

After the Board has, by resolution, declared such vacancy to exist, the vacancy shall be filled by the Board at a regular or special meeting thereof until the next regular board election or until such ill absent member is again able to resume his/her duties as a member of such Board whichever date is earliest. When such ill or absent member is again able to resume his/her duties as a member of the Board, the Board shall, by resolution, so deem and declare such person to again be a member of the Board, and the member appointed by the Board in his/her place would no longer be a member thereof.

The qualifications required of applicants for appointment to fill a vacancy are the same as for election to that position. If at least one qualified person applies by the end of the open period for applicants, the requirements of this section shall be deemed to be satisfied.

IV. PROCEDURES FOR FILLING OF VACANCIES

A. Declare or announce a vacancy by resolution.



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- B. Publicize vacancy – for at least two successive issues of the official newspaper of the district by advertisement and official notice, and by other formal and informal methods as it shall deem advisable.
 - C. Receive applications from interested citizens. Applications must be accepted for a period of at least two weeks from the date of first publication.
 - D. If no qualifying applications are received, the Board will reopen the application process and publicize the vacancy again. This process will continue until at least one application from an eligible candidate is received.
 - E. Board interviews with applicants using questions that have been developed by the Board prior to the interviews. Each candidate will be asked the same set of questions. The questions will not be shared with the candidates before the interviews.
 - F. Appointment or replacement Board member by resolution, using the following voting procedure:
 - 1. All ballots will be in writing and collected by the Clerk of the Board.
 - 2. The number of ballots to select a replacement Board member shall be determined by the number of eligible applicants. Members with a conflict of interest or who do not wish to vote for any candidate may abstain, but their votes are not counted in determining if a majority exists and do not constitute a vote for or against any of the applicants. The member will not be recorded as voting.
 - a) If there is only one qualified applicant, that applicant will automatically be approved and recorded as a unanimous vote of the members voting favoring selection.
 - b) If there are more than two applicants, members will vote in successive ballots to reduce the number to two by the following method.
 - (1) Each board member will on paper ballots select a number of applicants equal to one less than the total number still in contention for that round. If there is a tie for the lowest number of votes to be carried forward, a secondary ballot will be taken to determine which among those applicants tied will be carried forward, with selection based on **a receiving a majority of votes**
 - (2) If two or more candidates for the lowest vote total remain tied after the second ballot, none will be carried forward to the next round of voting.
 - (3) The rounds will continue, with one applicant (or in case of a tie for the lowest votes, more than one) dropped from the list of applicants on subsequent ballots.



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- c) If there are two qualified applicants, or when the number of remaining applicants is reduced to two, members present and voting must vote for one of the two candidates. If a tie results from this vote, the Board will have the option of discussing the relative merits of the two candidates, but must again vote to select one of the two or abstain. If after three ballots to select an applicant the Board remains deadlocked, the Chair of the Board, acting on behalf of the Board, shall make the determination by lot. This selection will be recorded in the minutes as a majority voice vote for the selected candidate.
 - d) The selection shall not be subject to a motion for reconsideration after the determining vote is made.
 - e) When a board member has been selected, the chair will entertain a resolution to make the selection unanimous.

Legal References: Minn. Stat. § 123.33

Cross References:



Adopted: August 14, 2006

MSBA/MASA Model Policy 216

Revised: 2/25/08; 11/23/09; 8/24/15; 11/14/16
3/13/17

Orig. 2009

216 OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to control out-of-state travel by school board members as required by law.

II. GENERAL STATEMENT OF POLICY

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state and local laws, rules, regulations and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

III. APPROPRIATE TRAVEL

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to other out-of-state meetings for which the member intends to seek reimbursement from the school district should be pre approved by the school board.

IV. REIMBURSABLE EXPENSES

Expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district related expenses.

V. REIMBURSEMENT

- A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator within 60 days of returning. The School District will not be obligated for claims more than 60 days old. Itemized receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the Internal Revenue Service (IRS). Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.



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- C. Amounts to be reimbursed shall be within the school board's approved budget allocations, including attendance at workshops and conventions.

VI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

The superintendent shall develop a schedule of reimbursement rates for school district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The superintendent shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

- Legal References:*
- Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)
 - Minn. Stat. § 471.661 (Out-of-State Travel)
 - Minn. Stat. § 471.665 (Mileage Allowances)
 - Minn. Op. Atty. Gen. No. 1035 (August 23, 1999) (Retreat Expenses)
 - Minn. Op. Atty. Gen. No. 161b-12 (August 4, 1997) (Transportation Expenses)
- Cross References:*
- MSBA/MASA Model Policy 212 (School Board Member Development)
 - MSBA/MASA Model Policy 412 (Expense Reimbursement)

Adopted: June 30, 1997

MSBA/MASA Model Policy 501

Orig. 1995

Rev. 2025 

Revised: 4/26/04; 8/14/06; 10/27/08; 9/9/13
3/14/16; 5/22/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23; 5/28/24; 3/31/25

501 SCHOOL WEAPONS POLICY

I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

- A. “Dangerous Weapon” means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, “flammable liquid” means any liquid having a flashpoint below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, “combustible liquid” is a liquid having a flash point at or above 100 degrees Fahrenheit.
- B. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.
- C. “School Location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- D. “Weapon”
 - 1. A “weapon” means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict



-injury to self or others including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
 1. active licensed peace officers;
 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
 3. persons authorized to carry a pistol under Minnesota Statutes section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
 4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statute sections 624.714 or 624.715, or other firearms in accordance with Minnesota Statutes, section § 97B.045;
 - a) Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."



- b) Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with sections 624.714 and 624.715.
5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use or distribution of weapons by students, or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to non student permit-holders authorized under Minnesota Statutes section 624.714, to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/DISTRIBUTION

- A. The school district does not allow the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students willfully possessing, using or distributing weapons shall include:



1. immediate out-of-school suspension;
 2. confiscation of the weapon;
 3. immediate notification of police;
 4. parent or guardian notification; and
 5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion

While the school district does not allow the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.



2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

VII. REPORTS OF DANGEROUS WEAPON AND ACTIVE SHOOTER INCIDENTS IN SCHOOL ZONES

- A. The school district must electronically report to the Commissioner of the Minnesota Department of Education ("Commissioner") incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.
- B. The school district must electronically file an after-action review report for active shooter incidents and active shooter threats to the Minnesota Fusion Center as required under Minnesota Statutes, section 121A.06.

1. "Active shooter incident" means an event involving an armed individual or individuals on campus or an armed assailant in the immediate vicinity of the school.
2. "Active shooter threat" means a real or perceived threat that an active shooter incident will occur.

Legal References:

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)
Minn. Stat. § 12.01, subd. 14(a) (Definition of a School Zone)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 97B.045 (Transporting of Firearms)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M., 611 N.W.2d 802 (Minn. 2000)
In re A.D., 833 N.W.2d 251 (Minn. 2016)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

Adopted: February 9, 1998

MSBA/MASA Model Policy 502

Orig. 1995

Revised: 10/25/04; 3/14/16; 5/22/17; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23; 5/28/24; 3/31/25

Rev. 1999

502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON

I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions Within a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.

B. Desks

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

C. Personal Possessions and Student's Person

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

D. A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.

III. DEFINITIONS

A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes," alcoholic



beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.

- B. “Personal possessions” includes but is not limited to purses, backpacks, bookbags, packages, and clothing.
- C. “Reasonable suspicion” means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official’s personal observation, a report from a student, parent or staff member, a student’s suspicious behavior, a student’s age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. “Reasonable scope” means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

IV. PROCEDURES

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student’s person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student’s person will be reasonable in its scope and intrusiveness.
- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
- D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
- E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
- G. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.



V. DIRECTIVES AND GUIDELINES

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

VI. SEIZURE OF CONTRABAND

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

VII. VIOLATIONS

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

Legal References: UU. S. Const., amend. IV
Minn. Const., art. I, § 10
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)
Minn. Stat. § 121A.72 (School Locker Policy)
G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Circ.2013)

Cross References: MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 506 (Student Discipline)



Adopted: October 28, 1996

MSBA/MASA Model Policy 505

Orig. 1995

Revised: 10/25/04; 10/27/08; 4/25/11; 5/9/16

Rev. 2022

7/25/16; 8/14/17; 3/12/18; 1/14/19; 6/10/19; 5/26/20

6/14/21; 6/27/22; 6/26/23; 5/28/24; 3/31/25

505 DISTRIBUTION OF NON SCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, non school sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities.

III. DEFINITIONS

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out or offering materials or copies of materials ("materials"), selling or offering materials for sale, accepting donations for materials, posting or displaying materials, placing materials in internal staff or student mailboxes, or staff, student or parent emails.
- B. "Non-school-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects and websites, blogs, wikis, podcasts or other online resources.
- 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 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.
 3. Where the normal activity uses the district’s electronic technologies, “material and substantial disruption” is defined as deliberately attempting to disrupt the computer network and/or destroying data by spreading computer viruses or malware.
 4. 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 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, fine arts concerts, presentations and productions, in-school lunch periods, school and teacher websites, blogs, wikis, podcasts or school-sponsored online resources.
- 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



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- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, non-school-sponsored material.
- B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
 4. advertises or promotes any product or service not permitted to minors by law;
 5. advocates violence or other illegal conduct;
 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
 3. whether the materials can be distributed from the office or other isolated location, or via digital or electronic manner, so as to minimize disruption of traffic flow in hallways;
 4. the quantity or size of materials to be distributed;
 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
 6. whether distribution would require that nonschool persons be present on the school grounds;



7. whether the materials are a solicitation for goods or services not requested by the recipients.
8. whether or not the distribution of the materials takes advantage of the district's communication system for personal gain;
9. unless otherwise provided by law, announcements and informational materials regarding school or youth-related activities, organizations and agencies are clearly known to be non-sectarian devoted to community interests or child welfare, non-discriminatory and totally committed to equal opportunity, and generally recognized as owning their existence to serving the broad public and general interests.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

- A. No non-school-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of non-school-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the district site and parking lots. Distribution shall not impede entrance to or exit from district premises in any way.
- C. No one shall coerce a student or staff member to accept any material.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.
- E. Distribution that results in a "spamming" or disruption of staff, student or parent email services is prohibited.

VI. PROCEDURES

- A. All requests for distribution of materials in or through the schools by non-school persons or organizations must be submitted for approval at least five days in advance of desired distribution date, together with the following information:
 1. Name and phone number of the person submitting the request.
 2. Date(s) and time(s) of day of requested distribution.
 3. To whom the distribution is intended (i.e. students, grade level, or school, etc.)
- B. All requests for materials distribution are to be screened individually as follows:
 1. All requests for district-wide distribution must be approved by the Superintendent's Office.
 2. All requests for distribution for an individual school or classroom must be approved by the building principal and by the Superintendent's Office.



3. In any instance of serious question as to appropriateness of distribution, final determination is to be made by the Superintendent of Schools.
 4. At all levels, a continuing log of distribution approvals and denials is to be maintained.
 5. Distribution of materials may be limited to the district's digital and electronic management system accessible by parents, students and district employees, or as copies made available at school and district offices, or for students and parents to take home.
 6. Employee mailboxes and the School District's internal mail systems are reserved for school district related business and the facilitation of internal communication of school related matters to school district employees.
 7. Employee mailboxes and the District's internal electronic communication and mail systems shall be open to the exclusive representatives of the School District employees on matters within the scope of the official representational duties of school district employees.
- C. The front of all non-school sponsored materials must include a prominent disclaimer indicating, "The activities, viewpoints, or events promoted in these materials are not sponsored, endorsed, approved or disapproved by the South St. Paul Public Schools."
- D. In the event permission to distribute the materials is denied or limited, the persons submitting the request shall be informed of the reasons for the denial or limitation. Permission or denial does not imply approval or disapproval of its contents by the school, administration, the school board, or the individual reviewing the material submitted.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

VII. DISCIPLINARY ACTION

- A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy will be published in student handbooks.



IX. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for review. Such guidelines and procedures shall be an addendum to this policy.

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)
Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)
Tinker V. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)
Roark v. South Iron R-1 School District., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied _U.S._132 S.Ct. 592 (2011)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)
Appendix to District Policy 904 (Distribution Process of Materials by Nondistrict Sponsored Persons and Organizations)