

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
NORTH BRANCH AREA EDUCATION CENTER, DO CONFERENCE ROOM  
B122  
38705 GRAND AVENUE  
NORTH BRANCH, MN 55056  
POLICY COMMITTEE MEETING  
APRIL 10, 2025  
4:30 PM**

**AGENDA**

- I. Policies to be Discussed for May Consent Agenda
  - A. Policy 507 - Corporal Punishment (last reviewed 7/10/2014 - MSBA revised 5.2024) 2
  - B. Policy 508 -Extended School Year for Certain Students with Individualized Education Programs (last reviewed 5/11/17 - MSBA revised 6.2022 with minor changes) 5
  - C. Policy 510 - School Activities (no MSBA changes - last reviewed 1/9/2020) 7
- II. Policies Following Regular Review Process for First Reading at May's Board Meeting
  - A. Policy 511 NB - Fund-Raising and Solicitation (last reviewed 7.10.2014 - MSBA last revision was in 2003, NBAPS adopted the policy in 2004 with NB revisions) 9
  - B. Policy 512 NB - School-Sponsored Student Publications and Activities (last reviewed 7.10.14 - MSBA rev. 2.14.25 - NB revision in 2014) 13
  - C. Policy 613 - Graduation Requirements (last reviewed 2.14.2019) 21
- III. Topic for Discussion
  - A. Graduation Ceremony

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 507

Orig. 1995

Revised: \_\_\_\_\_

Rev. May 2024

## 507 CORPORAL PUNISHMENT AND PRONE RESTRAINT

**[NOTE: The provisions of this policy substantially reflect statutory requirements. The revisions in this model policy incorporate legislative changes enacted throughout the 2024 Minnesota legislative session. School boards may have adopted some revisions in the spring, when the first set of laws were enacted.]**

### I. PURPOSE

The purpose of this policy is to describe limitations on the use of corporal punishment and prone restraint upon a student.

### II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student except as provided below.

### III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
  - a. hitting or spanking a person with or without an object; or
  - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a school resource officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

### IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the school district shall not use prone restraint.
- ~~2. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone or compressive restraint except that the restrictions on prone and compressive restraints do not apply under the circumstances enumerated in Minnesota Statutes, section 609.06, subdivision 1(1). All peace officers, including those who are school resource officers or otherwise agents of a school district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court.~~
3. An employee or agent of a district, ~~including a school resource officer, security personnel, or police officer contracted with a district,~~ shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.
4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the

conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582. The use of reasonable force as set forth in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

## **V. EXCEPTIONS REASONABLE FORCE**

1. Reasonable force may be used upon or toward the person of another without the other's consent when the following circumstance exists or the actor reasonably believes it to exist:-
  - a. when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when the following circumstance exists or the actor reasonably believes it to exist:
  - a. when used by a teacher, school principal, school employee, school bus driver, other agent of the district, or other member of the instructional, support, or supervisory staff of a public school upon or toward a child or pupil when necessary to restrain the child or pupil to prevent bodily harm or death to the child, pupil. Nothing in Minnesota Statutes, section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06, subdivision 1.
3. A teacher, school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

**[NOTE: These revisions reflect 2024 legislative changes and are reformatted to enhance readability.]**

## **VI. VIOLATION**

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

**Legal References:** Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)  
Minn. Stat. § 125A.0941 (Definitions)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 609.06 ~~Subd. 1 (6)(7)~~ (Authorized Use of Force)  
Minn. Stat. § 609.379 (Permitted Actions)  
Minn. Stat. § 626.8482 (School Resource Officers; Duties; Training; Model Policy)  
Minn. Stat. § 645.241 (Punishment for Prohibited Acts)  
~~Op. Atty. Gen. 169f (August 22, 2023) (School Pupils: Discipline)~~  
~~Op. Atty. Gen. 169f Supp. (September 20, 2023) (School Pupils: Discipline)~~

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 506 (Student Discipline)

[MSBA/MASA Model Policy 507.5 \(School Resource Officers\)](#)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 508  
Orig. 1995

Revised: \_\_\_\_\_  
20~~22~~07

Rev.

**508 EXTENDED SCHOOL YEAR FOR CERTAIN STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS**

**[Note: The provisions of this policy substantially reflect statutory and regulatory requirements.]**

**I. PURPOSE**

The purpose of this policy is to ensure that the school district complies with the overall requirements of law as mandated for certain students subject to individualized education programs (IEPs) when necessary to provide a free appropriate public education (FAPE).

**II. GENERAL STATEMENT OF POLICY**

- A. Extended School Year Services Must Be Available to Provide a FAPE. The school district shall provide extended school year (ESY) services to a student who is the subject of an IEP if the student's IEP team determines the services are necessary during a break in instruction in order to provide a FAPE.
- B. Extended School Year Determination. At least annually, the IEP team must determine that a student is in need of ESY services if the student meets any of the following conditions:
  - 1. There will be significant regression of a skill or acquired knowledge from the student's level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; OR
  - 2. Services are necessary for the student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student's age and level of development, and the timeliness for teaching the skill; OR
  - 3. The IEP team otherwise determines, given the student's unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.
- C. Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:
  - 1. Prior observations of the student's regression and recoupment over the summer;
  - 2. Observations of the student's tendency to regress over extended breaks in

instruction during the school year; and

3. Experience with other students with similar instructional needs.

D. Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:

1. The student's progress and maintenance of skills during the regular school year.
2. The student's degree of impairment.
3. The student's rate of progress.
4. The student's behavioral or physical problems.
5. The availability of alternative resources.
6. The student's ability and need to interact with nondisabled peers.
7. The areas of the student's curriculum which need continuous attention.
8. The student's vocational needs.

E. No Unilateral Decisions.

In the course of providing ESY services to children with disabilities, the school district may not unilaterally limit the type, amount, or duration of those services.

F. Services to Nonresident Students Temporarily Placed in School District.

A school district may provide ESY services to nonresident children with disabilities temporarily placed in the school district in accordance with applicable state law.

**Legal References:** Minn. Stat. § 125A.14 (Extended School Year)  
Minn. Rules Part 3525.0755  
20 -U.S.C. § -1400 -et -seq. (Individuals -with -Disabilities -Education  
~~Improvement Act of 2004~~)  
34 C.F.R. Part 300 (~~IDEA Regulations Assistance to States for the Education of  
Children with Disabilities~~)

**Cross References:** None

# STUDENTS

## School Activities

510

### I. PURPOSE

The purpose of this policy is to impart to students, employees, and the community the school district's policy related to the student activity program.

### II. GENERAL STATEMENT OF POLICY

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental, and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development.

### III. RESPONSIBILITY

- A. The school board expects all students who participate in school-sponsored activities to represent the school and community in a responsible manner. All rules pertaining to student conduct and student discipline extend to school activities.
- B. The school board expects all spectators at school sponsored activities, including parents, employees, and other members of the public, to behave in an appropriate manner at those activities. Students and employees may be subject to discipline and parents and other spectators may be subject to sanctions for engaging in misbehavior or inappropriate, illegal, or unsportsmanlike behavior at these activities or events.
- C. The superintendent shall be responsible for disseminating information needed to inform students, parents, staff, and the community of the opportunities available within the school activity program and the rules of participation.
- D. Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the league rules. Those employees who conduct MSHSL activities shall be responsible for familiarizing students and parents with all applicable rules, penalties, and opportunities.
- E. The superintendent shall be responsible for conducting an annual evaluation of school activity programs and presenting the results and any recommendations to the school board.
- F. The school board will ensure that any funds raised for extracurricular activities will be spent only on extracurricular activities.

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North Branch Independent School District No. 138: Policy #510

**Adopted:** July 10, 2014

**Replaced:** Policy #695 – Extra-Curricular Eligibility

**Revised:** May 9, 2019, January 9, 2020

**Effective:** July 10, 2014, May 9, 2019, January 9, 2020

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# STUDENTS

## School Activities

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**Legal References:** Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)

**Cross References:** NB Policy 503 (Student Attendance)  
NB Policy 506 (Student Discipline)  
NB Policy 713 (Student Activity Accounting)

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**North Branch Independent School District No. 138: Policy #510**

**Adopted:** July 10, 2014

**Replaced:** Policy #695 – Extra-Curricular Eligibility

**Revised:** May 9, 2019, January 9, 2020

**Effective:** July 10, 2014, May 9, 2019, January 9, 2020

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# STUDENTS

## Fund-Raising and Solicitation

511-NB

### I. Purpose

The purpose of this policy is to address fund raising for the district including student fund-raising as well as the solicitation of funds from students, parents and staff.

### II. General Statement of Policy

The school board recognizes a desire and a need for fund-raising to support district programs or student activities. The school board also recognizes a need for some constraint to prevent fund-raising activities from becoming too numerous and overly demanding on employees, students, and the general public.

While the school board encourages students and staff to participate in their financial support as a social and community project, students, staff, parent groups and individuals or groups outside of the school district will not be permitted to conduct fund-raising drives or activities on behalf of non-school agencies or for non-school activities on school district property or during school hours unless expressly authorized by the principal or appropriate administrator.

### III. Definitions

- A. School fund-raisers are approved fund-raisers conducted by students, staff, or parent groups. These fund-raisers fall under the provisions of Section IV.
- B. Non-school fund-raisers are fund-raisers conducted by groups outside the jurisdiction of the schools. Non-school fund-raisers may or may not be for the benefit of the school district, its students or staff.

### IV. School Fund-Raising

- A. All school fund-raising must be approved in advance by the principal or appropriate administrator. The purpose of each fund-raiser must be identified and approved in advance. A form shall be available for this approval.
- B. Fund-Raising during the school day is not allowed unless expressly authorized by the principal or appropriate administrator.
- C. School fund-raising shall not be conducted for the purpose of hiring licensed or support staff with the exception of the fund-raising coordinator.
- D. Individual student participation is optional. Students shall not be pressured to sell products or solicit funds and will not be required to meet a sales quota to participate in an activity or field trip. Staff shall not use their positions of influence to pressure students to participate nor shall students who do not participate in any way be penalized.

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#### North Branch Independent School District No. 138: Policy 511-NB

Adopted: June 2004

Replaces: 1325 Advertising, 1230 Recognition as an Official School Sponsored Organization, 1324 Soliciting Funds from Students, and 4137 Soliciting and Selling

Reviewed: April 14, 2011, July 10, 2014

Revised: December 8, 2005; April 14, 2011, July 10, 2014

# STUDENTS

## Fund-Raising and Solicitation

511-NB

- E. Whenever possible, local businesses will be given opportunities to provide fund-raising services or products.
- F. The school district expects all students who participate in approved fund-raising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and discipline extend to student fund-raising activities.
- G. Door-to-door sales are discouraged but, if approved by the principal or appropriate administrator, students may be allowed to sell according to the following guidelines:
  - 1. K-5 No door-to-door sales allowed
  - 2. 6-8 Allowed only if parent or guardian is with student
  - 3. 9-12 Allowed only if two or more students work together.
- H. The school district will provide alternative ways for people to donate money to schools without purchasing fund-raiser products.
- I. Funds raised at grades K-8 must not create inequities within buildings. Proceeds shall be distributed based on approval from the building principal(s) or appropriate administrator(s).
- J. Information explaining the district's fund-raising policy will be summarized in fund-raising materials and the full policy will be available on the school district website or from the school offices.
- K. Each school will submit to the School Board annually a report detailing fund-raising activities, the amount earned, and how the funds were utilized.

### V. Non-School Fund-Raising

- A. Non-school groups who conduct fund-raisers to benefit school programs independently will be treated in accordance with Policy 706 (Acceptance of Gifts).
- B. Any employee or student of the School District involved in fund-raising with a non-school group must maintain a clear separation between the group and the school by:
  - 1. Communicating to staff, students and parents that the fund-raiser is a non-school effort;
  - 2. Clearly stating to staff and students that their participation is optional and that there is no penalty for not participating;
  - 3. Meeting the provisions of Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees) when the fund-raiser is sponsored or promoted by the school district or Policy 904 (Distribution of Materials on School District Property by

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#### North Branch Independent School District No. 138: Policy 511-NB

Adopted: June 2004

Replaces: 1325 Advertising, 1230 Recognition as an Official School Sponsored Organization, 1324 Soliciting Funds from Students, and 4137 Soliciting and Selling

Reviewed: April 14, 2011, July 10, 2014

Revised: December 8, 2005; April 14, 2011, July 10, 2014

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511-NB Fund-Raising, Page 2 of 4

# STUDENTS

## Fund-Raising and Solicitation

511-NB

Nonschool Personnel) when the fund-raiser is sponsored or promoted by individuals or groups outside of the school district;

4. Ensuring that no fundraising costs are incurred by the District.
- C. Non-school groups may conduct fund-raisers to support school activities on school property if they meet the following conditions:
1. It is made clear that the fund-raiser is not a school-affiliated event. A disclaimer stating such must be included on printed materials. Materials may not include any emblem, logo, mascot or other design associating the materials with the school district except in accordance with Policy 905 (Advertising).
  2. Pre-approval of the fund-raising activity is received from the building principal or appropriate administrator.
  3. The purpose of the fund-raiser has been approved by the building principal or appropriate administrator and is clearly communicated to all participants.
  4. No cost associated with the fund-raiser is incurred by the District.
- D. Non-school groups, students and staff may conduct fund-raisers on school district property to support non-school activities that do not otherwise directly benefit the school district if the purpose of the fund-raiser does not conflict with school district purposes, is approved by the building principal or appropriate administrator and complies with District policies and procedures and any other conditions imposed by the building principal or appropriate administrator.
- E. Non-school groups or individuals must comply with the Policy 903 (Visitors to School District Buildings and Sites) when conducting activities on school district property.

### VI. Solicitation

- A. Solicitation of students and staff on school district property for the sale of products and services not related to an approved fundraising effort is prohibited. This prohibition applies to students and staff as well as non-school individuals, groups or businesses. Exceptions will be made when such services and products directly relate to a school district activity or are directly sponsored or provided on behalf of the school district and are approved in advance by the superintendent. Such activities include, but are not limited to, the sale of yearbooks, class rings, graduation announcements, school pictures, etc.
- B. Salespeople are prohibited from visiting employees during school hours for the purpose of soliciting the sale of products or services for use by the school district, students and staff for educational purposes unless prior approval is obtained from the building principal or appropriate administrator.

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#### North Branch Independent School District No. 138: Policy 511-NB

**Adopted:** June 2004

**Replaces:** 1325 Advertising, 1230 Recognition as an Official School Sponsored Organization, 1324 Soliciting Funds from Students, and 4137 Soliciting and Selling

**Reviewed:** April 14, 2011, July 10, 2014

**Revised:** December 8, 2005; April 14, 2011, July 10, 2014

# STUDENTS

## Fund-Raising and Solicitation

511-NB

- C. Students and employees are prohibited from using school time or school facilities in connection with any personal activity for personal financial profit outside of the regular school program.
- D. Commercial advertising shall not be announced, distributed or otherwise promoted in or through the schools except as provided in Policy 904 (Distribution of Materials by Non-School Personnel and Policy 905 (Advertising)).
- E. No student, employee or other entity acting on behalf of or for the benefit of the school district may request a candidate or committee to contribute to the school district, buy tickets for or pay space in a publication unless:
  - 1. The solicitation is for a business advertisement in a periodical in which the candidate was a regular contributor before candidacy;
  - 2. The contribution relates to ordinary business advertisements;
  - 3. The contribution is a regular payment made to the school district by a candidate, of which the school district was a member, or to which the candidate was a contributor for more than six months before candidacy.

**Legal References:** Minn. Stat. § 120A.20 (Age Limitations; Pupils)  
Minn. Stat. § 123B.09, Subd. 8  
Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 211B.08 (Solicitation of Contributions Prohibited)

**Cross References:** Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
Policy 706 (Acceptance of Gifts)  
Policy 903 (Visitors to School District Buildings and Sites)  
Policy 904 (Distribution of Materials on School District Property by Nonschool Personnel)  
Policy 905 (Advertising)

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North Branch Independent School District No. 138: Policy 511-NB

**Adopted:** June 2004

**Replaces:** 1325 Advertising, 1230 Recognition as an Official School Sponsored Organization, 1324 Soliciting Funds from Students, and 4137 Soliciting and Selling

**Reviewed:** April 14, 2011, July 10, 2014

**Revised:** December 8, 2005; April 14, 2011, July 10, 2014

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 512

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2024

## 512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

### I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of school-sponsored media 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~~

A. 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.

B. Students who believe their right to free expression has been unreasonably restricted in school-sponsored media 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 school-sponsored media and activities shall be under the supervision of a faculty advisor and the school principal. School-sponsored media and activities shall be subject to the guidelines set forth below.

2. School-sponsored media 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. "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.

- C. "Minor" means any person under the age of eighteen (18).
- D. "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.
- E. "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.
- F. "School-sponsored media" means material that is:
  - 1. prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in the school district;
  - 2. distributed or generally made available to students in the school; and
  - 3. prepared by a student journalist under the supervision of a student media adviser.

School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.
- G. "Student journalist" means a school district student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.
- H. "Student media adviser" means a qualified teacher, as defined in Minnesota Statutes, section 122A.16, that the school district employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

~~[NOTE: The 2024 Minnesota legislature enacted the new definitions above and the new language in Article IV. below.]~~

#### IV. GUIDELINES

- A. Except as provided in paragraph B below, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or

district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with paragraph B below, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. The school district must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.

B Student expression in school-sponsored media, a yearbook, or school-sponsored activity is prohibited when the material:

1. is obscene to minors;
2. is defamatory;
3. is profane, harassing, threatening, or intimidating;
4. constitutes an unwarranted invasion of privacy;
5. violates federal or state law;
6. causes a material and substantial disruption of school activities;
7. is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with Minnesota Statutes, section 121A.03 or 121A.031;
8. advertises or promotes any product or service not permitted for minors by law;
9. ~~expresses or~~ advocates sexual, racial, or religious harassment or violence or prejudice; or
10. is distributed or displayed in violation of time, place, and manner regulations.

C. The school district must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph A above or the First Amendment of the United States Constitution.

D. Notwithstanding the rights or freedoms of this Article or the First Amendment of the United States Constitution, nothing in this Article inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

These professional standards 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.

E. 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.

**V. POSTING**

The school district must adopt a student journalist policy consistent with Minnesota Statutes, section 121A.80 and post it on the district website.

~~**[NOTE: This model policy is crafted to fulfill the obligation stated above.]**~~

**Legal References:**

U. S. Const., amend. I  
*Morse v. Frederick*, 551 U.S. 393 (2007)  
*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Bystrom v. Fridley High School, I.S.D. No. 14*, 822 F. 2d 747 (8<sup>th</sup> Cir. 1987)  
Minn. Stat. § 121A.03 (Model Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.80 (Student Journalism; Student Expression)

**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)

# STUDENTS

## School-Sponsored Student Publications and Activities

512-NB

### 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

- A. The school district may exercise editorial control over the style and content of student expressions 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" include, but are not limited to school newspapers, yearbooks, school-sponsored Websites and social media, material produced in communication, 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

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North Branch Independent School District No. 138: Policy #512-NB

**Adopted:** February 12, 1998

**Revised:** April 2004; June 10, 2004; April 14, 2011, July 10, 2014

**Effective:** June 10, 2004; April 14, 2011, July 10, 2014

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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, but not limited to, school athletic events, school plays and concerts) "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" or "slandorous" 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, including, but not limited to, movies that are unrated or carry a rating of "R" or above and non-charitable gambling;
  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 bullying behavior or harassment, violence or prejudice on the basis of an individual or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation or disability;

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6. 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 or is inconsistent with the rights of others or legal obligations of the school district;
  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.

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### 4. Bulletin Boards

- a. Materials posted on bulletin boards must contain identification of the student or group posting the materials.
- b. Materials posted on bulletin boards must be dated and removed after a prescribed period of time to assure full access to the bulletin boards by others.

### D. Advertisements

Advertisements for inclusion in school-sponsored publications and activities shall comply with Policy 905 (Advertising) and Procedure 905.1 (Advertising Procedures).

#### **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 (8<sup>th</sup> Cir. 1987)  
*Morse v. Frederick*, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

#### **Cross References:**

NB Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premise by Students and Employees)  
NB Policy 506 (Student Discipline)  
NB Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)  
NB Policy 905 (Advertising)  
NB Procedure 905.1 (Advertising Procedures)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 613

Orig. 1997

Revised: \_\_\_\_\_

Rev. 2024 (Nov.)

## 613 GRADUATION REQUIREMENTS

**[NOTE: The requirements set forth in this policy govern the graduation standards that Minnesota public schools must require for a high school diploma for all students.]**

### I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

### II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

### III. DEFINITIONS

- A. "Credit" means a student's successful completion of an academic year of study or a student's mastery of the applicable subject matter, as determined by the school district.
- B. "English language learners" or "ELL" student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.
- C. "Individualized Education Program" or "IEP" means a written statement developed for a student eligible by law for special education and services.
- D. "Required standard" means a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, health, and the arts. Locally developed academic standards in health apply until statewide rules implementing statewide health standards under Minnesota Statutes, section 120B.021, subdivision 3, are required to be implemented in the classroom.

**[NOTE: The 2024 Minnesota legislature enacted this change. Paragraphs B and C are flipped to create alphabetical order.]**

- E. "Section 504 Accommodation" means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.

### IV. DISTRICT ASSESSMENT COORDINATOR

(\_\_\_\_\_ *Position Title* \_\_\_\_\_) shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures and shall bring recommendations to the school board annually for approval.

### V. ASSESSMENT GRADUATION REQUIREMENTS

- A. Graduation Requirements

Students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

1. Achievement and career and college readiness in mathematics, reading, and writing, consistent with paragraph (k) and to the extent available, to monitor students' continuous development of and growth in requisite knowledge and skills; analyze students' progress and performance levels, identifying students' academic strengths and diagnosing areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and, based on analysis of students' progress and performance data, determine students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student; and
2. Consistent with this paragraph and Minnesota Statutes, section 120B.125 (see Policy 604, Section II.H.), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
3. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

**[NOTE: Minnesota Statutes 120B.303 includes the reference to paragraph (k) found in subparagraph 1. above. This statute no longer has a paragraph (k). MSBA has informed the Minnesota Revisor's Office, which replied that it will seek correction during the 2025 legislative session.]**

**B. Targeted Instruction Plan**

1. A student must receive targeted, relevant, academically rigorous, and resourced instruction, which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
2. Consistent with Minnesota Statutes, sections 120B.13, 124D.09, 124D.091, 124D.49, and related sections, an enrolling school or district must actively encourage a student in grade 11 or 12 who is identified as academically ready for a career or college to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment under this subdivision to graduate from high school.
3. As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

**[NOTE: The revisions in Paragraphs A and B align the model policy language with Minnesota Statutes 120B.303.]**

- C. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

**VI. GRADUATION CREDIT REQUIREMENTS**

Students must successfully complete, as determined by the school district, the following high school level credits for graduation:

**A. Credit Requirements**

1. Four credits of language arts sufficient to satisfy all academic standards in English language arts;
2. Three credits of mathematics sufficient to satisfy all of the academic standards in mathematics;
3. Three credits of science, including one credit to satisfy all the earth and space science standards for grades 9 through 12, one credit to satisfy all the life science standards for grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for grades 9 through 12;
4. Three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship in either grade 11 or 12 for students beginning in grade 9 in the 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under Minnesota Statutes, section 120B.21, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

**[NOTE: This revision includes the 2024 change on implementation of the government and citizenship requirement to the 2025-26 school year.]**

5. One credit in the arts sufficient to satisfy all of the academic standards in the arts;
6. Credit sufficient to satisfy the state standards in physical education; and
7. A minimum of seven elective credits.
8. Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

**[NOTE: The revisions above align the policy language with Minnesota law, including changes enacted by the 2024 Minnesota legislature concerning physical education credit and state standards in health. Paragraph 8 was enacted in 2023; it affects students who begin grade 9 in the 2024-25 school year.]**

B. Credit equivalencies

1. A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under Paragraph ~~A.D.4~~, above, if the credit is sufficient to satisfy all of the academic standards in economics.
2. An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph ~~A.C.3~~, above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph ~~A.3C~~, above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry academic standards or all of the physics academic standards prior to graduation. An agriculture science or career and technical education credit

may not fulfill the required biology credit under Paragraph ~~AC.3~~, above.

3. A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph ~~A.2B.~~ or Paragraph ~~A.5E.~~, above.
4. A computer science credit may fulfill a mathematics credit requirement under Paragraph ~~A.2B.~~, above, if the credit meets state academic standards in mathematics.
5. A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph ~~A.2B.~~ or Paragraph ~~A.3C.~~, above, if the credit meets the state academic standards in mathematics or science.
6. An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.

**[Note: The revisions above align the policy language with Minnesota law, including changes enacted by the 2024 Minnesota legislature. Starting in the 2026-27 school year, a high school must offer an ethnic studies course; in elementary and middle schools by the 2027-28 school year.]**

## VII. GRADUATION STANDARDS REQUIREMENTS

- A. All students must demonstrate their understanding of the following academic standards:
  1. School District Standards, Health (K-12);
  2. School District Standards, Career and Technical Education (K-12); and
  3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical education will be reviewed on an annual basis.\* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.

\* Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.
- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
  1. Minnesota Academic Standards, English Language Arts K-12;
  2. Minnesota Academic Standards, Mathematics K-12;
  3. Minnesota Academic Standards, Science K-12;
  4. Minnesota Academic Standards, Social Studies K-12; and
  5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments

for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

### **VIII. EARLY GRADUATION**

Students may be considered for early graduation, as provided for within Minnesota Statutes, section 120B.07, upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

#### **Legal References:**

Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.021 (Required Academic Standards)  
Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.024 (Credits)  
Minn. Stat. § 120B.07 (Early Graduation)  
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.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.30 (General Requirements; Statewide Assessments)  
Minn. Stat. § 120B.303 (Assessment Graduation Requirements)  
Minn. Stat. § 120B.307 (College and Career Readiness)  
Minn. Rules Part 3501.0660 (Academic Standards For Kindergarten through Grade 12)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Part 3501.0820 (Academic Arts Standards for Kindergarten through Grade 12)  
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)  
Minn. Rules Parts 3501.1200-1210 (Academic Standards for English Language Development)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
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 601 (School District Curriculum and Instruction Goals)  
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)