

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138
NORTH BRANCH AREA MIDDLE SCHOOL, SRC CONFERENCE ROOM
38431 LINCOLN TRL
NORTH BRANCH, MN 55056
POLICY COMMITTEE MEETING
AUGUST 13, 2026
4:30 PM**

Remote Participation Notice: One or more School Board members may participate in this meeting remotely pursuant to Minnesota Statutes § 13D.02 or § 13D.021, using interactive technology. This provision applies to both regular business meetings and work sessions.

AGENDA

- | | | |
|-----|--|----|
| I. | Policies to be Discussed for September 10, 2026 Board Consent Agenda | |
| A. | Policy 807 - Health and Safety | 2 |
| B. | Policy 901 - Community Education | 10 |
| C. | Policy 903 - Visitors to School District Buildings and Sites | 12 |
| II. | Policies Following Regular Review Process | |
| A. | Policy 512 NB - School-Sponsored Student Publication and Activities | 16 |
| B. | Policy 905.1 - Advertising Procedures | 24 |

Adopted: _____

MSBA/MASA Model Policy 807

Orig. 2012

Revised: _____

Rev. 2026

807 HEALTH AND SAFETY POLICY

[NOTE: ~~To receive health and safety revenue for any fiscal year, school districts must submit an application to the Minnesota Commissioner of Education, along with a health and safety budget adopted and confirmed by the school board as being consistent with the school district's health and safety policy. This policy has been approved by the Minnesota Department of Education. The subdivisions of Minnesota Statutes Section 123B.57 that relate to a school district's ability to apply for health and safety revenue have been repealed effective fiscal year 2017. The provisions of this policy substantially reflect statutory requirements.~~]

I. PURPOSE

The purpose of this policy is to assist the school district in promoting health and safety, reducing injuries, and complying with federal, state, and local health and safety laws and regulations.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to implement a health and safety program that includes plans and procedures to protect employees, students, volunteers, and members of the general public who enter school district buildings and grounds. The objective of the health and safety program will be to provide a safe and healthy learning environment; to increase safety awareness; to help prevent accidents, illnesses, and injuries; to reduce liability; to assign duties and responsibilities to school district staff to implement and maintain the health and safety program; to establish written procedures for the identification and management of hazards or potential hazards; to train school district staff on safe work practices; and to comply with all health and safety, environmental, and occupational health laws, rules, and regulations.
- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district may form a health and safety advisory committee to be appointed by the superintendent. The health and safety advisory committee will be composed of employees and other individuals with specific knowledge of related issues. The advisory committee will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation. The superintendent may request that the safety committee established under Minnesota Statutes, section 182.676 carry out all or part of the duties of the advisory committee or the advisory committee may consider recommendations from a separate safety committee established under Minnesota Statutes, section 182.676.

III. PROCEDURES

- A. Based upon recommendations from the health and safety advisory committee and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by

the school board on an annual basis and shall be an addendum to this policy. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.

- B. To the extent that federal, state, and local laws, rules, and regulations do not exist for identification and management of hazards or potential hazards, the health and safety advisory committee shall evaluate other available resources and generally accepted best practice recommendations. Best practices are techniques or actions which, through experience or research, have consistently proven to lead to specific positive outcomes.
- C. The school district shall monitor and make good faith efforts to comply with any new or amended laws, rules, or regulations to control potential hazards.

IV. PROGRAM AND PLANS

- A. For the purpose of implementing this policy, the administration will, within the budgetary limitations adopted by the school board, implement a health and safety program that includes specific plan requirements in various areas as identified by the health and safety advisory committee. Areas that may be considered include, but are not limited to, the following:
 - 1. Asbestos
 - 2. Fire and Life Safety
 - 3. Employee Right to Know
 - 4. Emergency Action Planning
 - 5. Combustible and Hazardous Materials Storage
 - 6. Indoor Air Quality
 - 7. Mechanical Ventilation
 - 8. Mold Cleanup and Abatement
 - 9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
 - 10. Infectious Waste/Bloodborne Pathogens
 - 11. Community Right to Know
 - 12. Compressed Gas Safety
 - 13. Confined Space Standard
 - 14. Electrical Safety
 - 15. First Aid/CPR/AED
 - 16. Food Safety Inspection
 - 17. Forklift Safety
 - 18. Hazardous Waste
 - 19. Hearing Conservation
 - 20. Hoist/Lift/Elevator Safety
 - 21. Integrated Pest Management
 - 22. Laboratory Safety Standard/Chemical Hygiene Plan
 - 23. Lead
 - 24. Control of Hazardous Energy Sources (Lockout/Tagout)
 - 25. Machine Guarding
 - 26. Safety Committee
 - 27. Personal Protection Equipment (PPE)
 - 28. Playground Safety
 - 29. Radon
 - 30. Respiratory Protection
 - 31. Underground and Above Ground Storage Tanks
 - 32. Welding/Cutting/Brazing
 - 33. Fall Protection
 - 34. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
 - 35. Other areas determined to be appropriate by the health and safety advisory committee.

If a risk is not present in the school district, the preparation of a plan or procedure for that risk will not be necessary.

- B. The administration shall establish procedures to ensure, to the extent practicable, that all employees are properly trained and instructed in job procedures, crisis response duties, and emergency response actions where exposure or possible exposure to hazards and potential hazards may occur.
- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action will be taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices.
- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the incident and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.

V. BUDGET

The superintendent shall be responsible to provide for periodic school board review and approval of the various plan requirements of the health and safety program, including current plan requirements and related written plans and procedures and recommendations for additional plan requirements proposed to be adopted. The superintendent, or such other school official as designated by the superintendent, each year shall prepare preliminary revenue and expenditure budgets for the school district's health and safety program. The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for this program and make such adjustments within the expenditure budget to carry out the current program and to implement new recommendations within the revenues projected and appropriated for this purpose. No funds may be expended for the health and safety program in any school year prior to the adoption of the budget document authorizing that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year. The health and safety program shall be implemented, conducted, and administered within the fiscal restraints of the budget so adopted.

VI. ENFORCEMENT

Enforcement of this policy is necessary for the goals of the school district's health and safety program to be achieved. Within applicable budget limitations, school district employees will be trained and receive periodic reviews of safety practices and procedures, focusing on areas that directly affect the employees' job duties. Employees shall participate in practice drills. Willful violations of safe work practices may result in disciplinary action in accordance with applicable school district policies.

Legal References: Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)
Minn. Stat. § 123B.57 (Health and Safety Projects)
Minn. Stat. § 182.676 (Safety Committees)
Minn. Rules Part 5208.0010 (Accident and Injury Reduction Program; Applicability)
Minn. Rules Part 5208.0070 (Accident and Injury Reduction Program;

Alternative Forms of Committee)

Cross References: MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

BUILDINGS AND SITES

Health and Safety Policy

807

I. PURPOSE

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- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district may form a health and safety advisory committee to be appointed by the superintendent. The health and safety advisory committee will be composed of employees and other individuals with specific knowledge of related issues. The advisory committee will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation. The superintendent may request that the safety committee established under Minn. Stat. § 182.676 carry out all or part of the duties of the advisory committee or the advisory committee may consider recommendations from a separate safety committee established under Minn. Stat. § 182.676.

III. PROCEDURES

- A. Based upon recommendations from the health and safety advisory committee and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by the school board on an annual basis and shall be an addendum to this policy. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.

North Branch Independent School District No. 138: Policy #807

Adopted: July 12, 2012

Replaced:

Revised: April 14, 2016

Effective: July 12, 2012, April 14, 2016

BUILDINGS AND SITES

Health and Safety Policy

807

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 - 7. Mechanical Ventilation
 - 8. Mold Cleanup and Abatement
 - 9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
 - 10. Infectious Waste/Bloodborne Pathogens
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 - 12. Compressed Gas Safety
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 - 18. Hazardous Waste
 - 19. Hearing Conservation
 - 20. Hoist/Lift/Elevator Safety
 - 21. Integrated Pest Management
 - 22. Laboratory Safety Standard/Chemical Hygiene Plan
 - 23. Lead
 - 24. Control of Hazardous Energy Sources (Lockout/Tagout)
 - 25. Machine Guarding
 - 26. Safety Committee
 - 27. Personal Protection Equipment (PPE)
 - 28. Playground Safety

North Branch Independent School District No. 138: Policy #807

Adopted: July 12, 2012

Replaced:

Revised: April 14, 2016

Effective: July 12, 2012, April 14, 2016

BUILDINGS AND SITES

Health and Safety Policy

807

29. Radon
30. Respiratory Protection
31. Underground and Above Ground Storage Tanks
32. Welding/Cutting/Brazing
33. Fall Protection
34. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
35. Other areas determined to be appropriate by the health and safety advisory committee.

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- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices.
- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the incident and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.

V. BUDGET

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Adopted: July 12, 2012

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Revised: April 14, 2016

Effective: July 12, 2012, April 14, 2016

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VI. ENFORCEMENT

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Legal References: Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)
Minn. Stat. § 123B.57 (Capital Expenditure; Health and Safety)
Minn. Stat. § 182.676 (Safety Committees)
Minn. Rules Part 5208.0010 (Applicability)
Minn. Rules Part 5208.0070 (Alternative Forms of Committee)

Cross References: NB Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)
NB Policy 701 (Establishment and Adoption of School District Budget)
NB Policy 806 (Crisis Management Policy)

Adopted: _____

Revised: _____

MSBA/MASA Model Policy 901
Orig. 1995
Rev. ~~2022~~1999

901 COMMUNITY EDUCATION

I. PURPOSE

The purpose of this policy is to convey to employees and to the general public the important role of community education within the school district.

II. GENERAL STATEMENT OF POLICY

The school board affirms a strong commitment to the community education program. The school board welcomes, and strongly encourages use of school buildings and activity areas by the community when not used for regularly scheduled elementary and secondary programs. The school administration should strive to accomplish the following objectives:

- A. Maximum use should be made of public school facilities within the school district service area.
- B. Educational needs and interest of area residents should be determined periodically.
- C. Community resources and expertise of residents should be utilized to develop a vibrant, well-rounded community education program.
- D. Area residents should be encouraged to actively participate in program opportunities.

III. COMMUNITY EDUCATION ADVISORY COUNCIL

- A. The council shall assist in promoting the goals and objectives of the program.
- B. The membership of the community education advisory will consist of members who represent: various service organizations; churches; public and nonpublic schools; local government including elected officials; public and private nonprofit agencies serving youth and families; parents; youth; park, recreation or forestry services of municipal or local government units located in whole or in part within the boundaries of the school district; and any other groups participating in the community education program in the school district.
- C. Bylaws of the community education advisory council shall provide the framework for the organization including criteria pertaining to membership, officers' duties, frequency and structure of meetings and such other matters as deemed necessary and appropriate.
- D. The council will adopt a policy to reduce and eliminate program duplication within the school district.

Legal References: Minn. Stat. § 123B.51 (Schoolhouses and Sites; [Uses for School and Nonschool Purposes; Closings](#))~~Access for Noncurricular Purposes~~
Minn. Stat. § 124D.19, Subd. 1 (Community Education Programs; Advisory Council)
Minn. Stat. § 124D.20, Subd. 1 (Community Education Revenue)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)

SCHOOL DISTRICT – COMMUNITY RELATIONS

Community Education

901

I. PURPOSE

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II. GENERAL STATEMENT OF POLICY

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Minn. Stat. § 124D.19, Subd. 1 (Community Education Programs; Advisory Council)
Minn. Stat. § 124D.20, Subd. 1 (Community Education Revenue)

Cross References: NB Policy 902 (Use of School District Facilities and Equipment)

NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138: Policy #901

Adopted: June 21, 1973

Replaces:

Reviewed: September 1, 1983

Revised: December 8, 1994, June 13, 2013

Effective: June 21, 1973, December 8, 1994, June 13, 2013

Adopted: _____

Revised: _____

MSBA/MASA Model Policy 903
Orig. 1995
Rev. 2022~~17~~

903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

The purpose of this policy is to inform the school community and the general public of the position of the school board on visitors to school buildings and other school property.

II. GENERAL STATEMENT OF POLICY

- A. The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.
- B. The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS

- A. A student enrolled in a post-secondary enrollment options course may remain at the school site during regular school hours in accordance with established procedures.
- B. A student enrolled in a post-secondary enrollment options course may be provided with reasonable access, during regular school hours, to a computer and other technology resources that the student needs to complete coursework for a post-secondary enrollment course in accordance with established procedures.

IV. RESPONSIBILITY

- A. The school district administration shall present recommended visitor and post-secondary enrollment options student procedures and requirements to the school board for review and approval. The procedures should reflect input from employees, students and advisory groups, and shall be communicated to the school community and the general public. Upon approval by the school board, such procedures and requirements shall be an addendum to this policy.
- B. The superintendent shall be responsible for providing coordination that may be needed throughout the process and providing for periodic school board review and approval of the procedures.

V. VISITOR LIMITATIONS

- A. An individual, post-secondary enrollment options student, or group may be denied permission to visit a school or school property or such permission may be revoked if the visitor(s) does not comply with the school district procedures and regulations or if the visit is not in the best interest of students, employees or the school district.
- B. Visitors, including post-secondary enrollment options students, are authorized to park vehicles on school property at times and in locations specified in the approved visitor procedures and requirements which are an addendum to this policy or as otherwise specifically authorized by school officials. When unauthorized vehicles of visitors are

parked on school property, school officials may:

1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options [Act](#)Program)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespasses [on School Property](#))

Cross References: [None](#)

SCHOOL DISTRICT–COMMUNITY RELATIONS

Visitors to School District Buildings and Sites

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NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138: Policy #903

Adopted: 6/8/06

Replaces: NB Policy 1250 School Visitors and NB Policy 5150 Procedures for Parents Visiting or Calling Students During the School Day

Last Reviewed: 11/10/21

Revised: 4/14/11, 2/8/18, 1/24/19

Effective: 6/8/06; 4/14/11, 2/8/18, 1/24/19

SCHOOL DISTRICT–COMMUNITY RELATIONS

Visitors to School District Buildings and Sites

903

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1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
 2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school property.
- C. An individual, post-secondary enrollment options student, or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained by the school principal or a person designated by the school principal in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

Legal References: Minn. Stat. § 123B.02 (General Powers of Independent School Districts)
Minn. Stat. § 124D.09 (Post-Secondary Enrollment Options Program)
Minn. Stat. § 128C.08 (Assaulting a Sports Official Prohibited)
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)

Cross References:

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Adopted: 6/8/06

Replaces: NB Policy 1250 School Visitors and NB Policy 5150 Procedures for Parents Visiting or Calling Students During the School Day

Last Reviewed: 11/10/21

Revised: 4/14/11, 2/8/18, 1/24/19

Effective: 6/8/06; 4/14/11, 2/8/18, 1/24/19

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 (8th 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 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

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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School-Sponsored Student Publications and Activities

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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;

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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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 (8th 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)

SCHOOL DISTRICT–COMMUNITY RELATIONS

Advertising Procedures

905.1

1. PURPOSE

- 1.1 These procedures provide guidance for the acceptance of advertising or promotion of products or services to school district students, parents, staff and the community in the schools.
- 1.2 All advertisements shall comply with Policy 905.

2. GUIDELINES

2.1 School Publications

- 2.1.1 School publications include, but are not limited to programs, yearbooks, calendars, websites, announcements or other communications distributed by the school district.
- 2.1.2 Advertisements may be accepted for publication only after advance written approval from the appropriate administrator or school district staff member.
 - 2.1.2.1 The faculty advisor or director is responsible for reviewing and approving advertisements in any publication that is sponsored by the activity supervised by the faculty advisor. For example, the yearbook advisor shall review and approve all advertisements for publication in the school yearbook. The activities director is responsible for approval of all advertisements for publication in programs related to extracurricular activities, etc.
 - 2.1.2.2 The building principal or appropriate administrator is responsible for reviewing and approving advertisements in any publication that is sponsored by a particular school building (i.e., school newsletters).
 - 2.1.2.3 The superintendent is responsible for reviewing and approving advertisements in any publication that is sponsored by the school district (i.e., school district website).
- 2.1.3 Written approval for all advertising shall contain the name of the advertiser, the location of the advertisement, the time period during which the advertisement will appear, the remuneration paid by the advertiser, the identity of the individual approving the advertisement and the date the advertisement is approved. A copy and/or description of the advertisement shall be attached to the form.
- 2.1.4 A copy of the written approval for advertising shall be provided to the superintendent and the advertiser.
- 2.1.5 If an advertisement is rejected, written notice shall be provided to the advertiser with the reason for rejection of the advertisement.

SCHOOL DISTRICT–COMMUNITY RELATIONS

Advertising Procedures

905.1

2.2 School District Property

- 2.2.1 Advertisements on any school district property or facilities shall be reviewed and approved in writing by the superintendent. Written approval shall contain the name of the advertiser, the location of the advertisement, the time period during which the advertisement will appear, the remuneration paid by the advertiser, and the date the advertisement was approved. A copy and/or description of the advertisement shall be attached to the form.
- 2.2.2 Advertisements on any school district property or facilities may not be for a period of more than one year unless approved by the school board.
- 2.2.3 Where the anticipated cost of the advertisement on school district property or facilities exceeds \$ [REDACTED], the requested advertisement is permanent in nature or would involve physical changes to school district property or structures or is potentially controversial in nature, the request shall be submitted to the school board for review and approval.
- 2.2.4 If an advertisement is rejected, written notice shall be provided to the advertiser with the reason for rejection of the advertisement.

2.3 Promotional Activities

- 2.3.1 Profit and nonprofit entities and organizations may promote their products and/or services on school district property with prior written approval.
 - 2.3.1.1 The building principal or appropriate administrator shall approve all promotional activities that occur at the building site before, during or after the school day.
 - 2.3.1.2 The superintendent shall approve all promotional activities that relate to activities or events sponsored by the school district or activities sponsored by a school or the school district that do not occur on school district property.
- 2.3.2 Written approval for the promotional activity shall contain the name and contact information of the organization or entity sponsoring the promotion, the date, time and location of the promotion, the identity of all individuals who will be attending the promotion on behalf of the organization or entity, the remuneration paid by the organization or entity, the identity of the individual approving the promotion and the date of the approval for the advertisement. A description of the promotion shall be attached to the form.
- 2.3.3 If materials are to be distributed to students or staff during the promotion, those materials also must be approved in accordance with Policy 505 and/or Policy 904.
- 2.3.4 Individuals representing or appearing on behalf of the entity or organization must comply with Policy 903 (Visitors to School District Buildings and Sites).
- 2.3.5 A copy of the written approval for promotion shall be retained by the building principal or appropriate administrator.

SCHOOL DISTRICT–COMMUNITY RELATIONS

Advertising Procedures

905.1

- 2.3.6 If a promotional activity is not permitted, written notice shall be provided to the advertiser/entity/organization with the reason for rejection of the promotion.

2.4 Computers

- 2.4.1 Contracts for computers or related services that require advertising to be distributed to students shall be approved by the school board at a public hearing. Contracts shall only be entered into upon a finding that the offered electronic product or service is an integral component of students' education.

- 2.4.2 Prior to using the advertisement, the school district will provide written notice to students' parents that advertising will be used in the classroom, media center, computer lab or other areas of learning and will inform parents whether data will be collected on students and how the data will be used. Parents may request in writing that:

- 2.4.2.1 their student not be exposed to the program that contains the advertising for the current school year; or

- 2.4.2.2 that any or all data relating to the student that is collected as a result of this contract not be disclosed.

- 2.4.3 The school district will honor a parent's request that their student not be exposed to the advertising program and/or that data relating to the student that is collected as a result of this contract not be disclosed. In addition, parents will be allowed to withdraw their request at any time.

- 2.3.4 Advertising that is generally available to the public viewing a particular site or application and is not directed specifically to students benefiting from a contact is not subject to this section.

2.5 Advertising on School Buses

- 2.5.1 Advertisements on school buses shall comply with Minnesota Statutes Section 123B.93.

3. ADVERTISING FEES

- 3.1 Fees shall be determined in accordance with the attached fee schedule.
- 3.2 Fees may be waived only with the advance written approval of the superintendent.

SCHOOL DISTRICT–COMMUNITY RELATIONS

Advertising Procedures

905.1

4. APPEALS

- 4.1 Any entity or organization that disputes the denial of a request for advertising or promotion shall submit the appeal in writing to the superintendent. Where the dispute is a result of the denial of an advertisement or promotion by the superintendent, the appeal shall be submitted in writing to the school board.
- 4.2 The appeal must contain a copy of the application for the advertisement or promotion and a written statement as to why the entity or organization is disputing the denial of the advertisement or promotion along with a copy of the notice of denial.
- 4.3 An appeal must be made within 10 days of the date of the written notice of the denial of the request.
- 4.4 The decision of the school board is final.

Legal References: Minn. Stat. § 123B.025 (School Sponsorship and Advertising Revenue)
Minn. Stat. § 123B.93 (Advertising on School Buses)
Minn. Stat. § 125B.022 (Contracts for Computers or Related Equipment or Service)
Minn. Stat. § 173.08 (Excluded Road Advertising Devices)
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 702 (Accounting)
Policy 706 (Acceptance of Gifts)
Policy 902 (Use of School Facilities)
Policy 903 (Visitors to School District Buildings and Sites)
Policy 904 (Distribution of Materials on School District Property by Nonschool Personnel)
Policy 905 (Advertising)

Adopted: _____

MSBA/MASA Model Policy 905

Orig. 1996

Revised: _____

Rev. 2015

905 ADVERTISING

[NOTE: School districts should carefully consider whether they wish to allow advertising in school district facilities or publications. Once advertisements are accepted, First Amendment rights may limit the school district's ability to reject specific advertisements or to regulate the content of advertisements.]

I. PURPOSE

The purpose of this policy is to provide guidelines for the advertising or promoting of products or services to students and parents in the schools.

II. GENERAL STATEMENT OF POLICY

The school district's policy is that the name, facilities, staff, students, or any part of the school district shall not be used for advertising or promoting the interests of a commercial or nonprofit agency or organization except as set forth below.

III. ADVERTISING GUIDELINES

- A. School publications, including publications such as programs and calendars, may accept and publish paid advertising provided they receive advance approval from the appropriate administrator. In no instance shall publications accept advertising or advertising images for alcohol, tobacco, drugs, drug paraphernalia, weapons, or obscene, pornographic, or illegal materials. Advertisements may be rejected by the school district if determined to be inconsistent with the educational objectives of the school district or inappropriate for inclusion in the publication. For example, advertisements may be rejected if determined to be false, misleading, or deceptive, or if they relate to an illegal activity or antisocial behavior. The faculty advisor is responsible for screening all such advertising for appropriateness, including compliance with the school district policy prohibiting sexual, racial, and religious harassment.
- B. The school board may approve advertising in school district facilities or on school district property. Any approval will state precisely where such advertising may be placed. The restrictions listed in Paragraph A. above will apply. Advertising will not be allowed outside the specific area approved by the school board. Specific advertising must be approved by the superintendent or designee. In no instance will an advertising device be erected or maintained within one hundred (100) feet of a school that is visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles.
- C. Donations which include or carry advertisements must be approved by the school board.
- D. The school district or a school may acknowledge a donation it has received from an organization by displaying a "donated by," "sponsored in part by," or a similar by-line with the organization's name and/or symbol on the item. Examples include activity programs or yearbooks.
- E. Nonprofit entities and organizations may be allowed to use the school district name, students, or facilities for purposes of advertising or promotion if the purpose is determined to be educationally related and prior approval is obtained from the school board. Advertising will be limited to the specific event or purpose approved by the school board.
- F. Contracts for computers or related equipment or services that require advertising to be

disseminated to students will not be entered into or permitted unless done pursuant to and in accordance with state law.

- G. The inclusion of advertisements in school district publications, in school district facilities, or on school district property does not constitute approval and/or endorsement of any product, service, organization, or activity. Approved advertisements will not imply or declare such approval or endorsement.

IV. ACCOUNTING

Advertising revenues must be accounted for and reported in compliance with UFARS. A periodic report shall be made to the school board by the superintendent regarding the scope and amount of such revenues.

Legal References: Minn. Stat. § 123B.93 (Advertising on School Buses)
Minn. Stat. § 125B.022 (Contracts for Computers or Related Equipment or Service)
Minn. Stat. § 173.08 (Excluded Road Advertising Devices)

Cross References: MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)
MSBA/MASA Model Policy 702 (Accounting)