

Agenda Independent School District 279 School Board	Regular Business Meeting Educational Service Center - N10 11200 93rd Ave N Maple Grove, MN 55369 Tuesday, October 8, 2024 4:30 PM
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Our mission is to inspire and prepare each and every scholar with the confidence, courage and competence to achieve their dreams; contribute to community; and engage in a lifetime of learning.

This regular meeting of the Osseo School Board is being conducted in the Board Room of the Educational Service Center, and is open to the public. The meeting can be monitored electronically by streaming online at district279.org/info-center/school-board (Watch Livestream). An archived recording will also be available on the district website.

Agenda Items

1. Check in
Amy Moore, General Counsel
2. 400 Series: Personnel
 - A. Policy and Procedure 403-Discipline, Suspension and Dismissal of School District Employees (proposed edits) 2
 - B. Policy and Procedure 421-Gifts to District Personnel (proposed edits) 6
 - C. Policy 443-Tutoring of Students (proposed edits) 9
 - D. Policy and Procedure 435-Qualification of Personnel (proposed edits) 10
 - E. Policy and Procedure 448-Workers Compensation (review) 12
3. 500 Series: Students
 - A. Policy 505-Student Cell Phone and Technology (proposed edits) 14
 - B. Policy 512-School Sponsored Student Publications and Activities (new) 18
4. Adjournment
5. Next Meeting: December 10, 2024

To accommodate individuals with disabilities, this material will be made available in alternative formats upon request. Individuals with disabilities are invited to request reasonable accommodations to participate in or attend a district activity, call your local school or the school district at least seventy-two (72) hours in advance (two-week notice preferred). Members of the public can view and download School Board meeting notices and regular meeting agendas and materials from the district website www.district279.org, under "Info Center > School Board."

POLICY 403 – DISCIPLINE, SUSPENSION AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES

I. PURPOSE

The purpose of this policy is to achieve the effective operation of the school district's programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

II. GENERAL STATEMENT OF POLICY

The school district's disciplinary process is designed to utilize progressive steps, where appropriate, to produce positive corrective action. The school district intends that progressive discipline will be administered in most cases; but the specific form of discipline chosen in a particular case and the decision to impose discipline is solely within the discretion of the school district acting within the parameters of any applicable collective bargaining agreement and relevant laws.

III. EMPLOYEE STANDARDS

A. Compliance with Policies, Laws and Standards

Employees will abide by ~~any~~ applicable state and federal laws, school district policies, procedures, employee handbooks, and applicable professional codes of ethics, including but not limited to the Minnesota Code of Ethics for School Administrators, the Code of Ethics for Minnesota Teachers, and Employee Standards of Conduct as specified in Procedures #403.

B. Nepotism

1. The school district will not knowingly assign an employee to a position in which that employee will be directly supervised by another employee who is:
 - a. A member of ~~his or her~~their immediate family,
 - b. An in-law, or
 - c. A member of the employee's household.
2. In the event marriage or adoption or other change in status places an employee in conflict with this policy, the school district may delay transfer or take other actions to achieve compliance until the completion of the school year or at a time deemed reasonable by the school district.

IV. DISCIPLINE

A. Forms of redirection/discipline may include:

1. Oral/written warning;
2. Written reprimand/notice of deficiency;
3. Suspension without pay and/or demotion; and
4. Dismissal, termination or discharge from employment.

Revised:

Revised: 11/27/18

~~Updated~~Revised: 3/19/14

403 Adopted: 2/2/99 (formerly Policy 4118 & 4219.1)

Adopted: 7/10/72

Legal References

Minn. Stat. § 122A.40 (Teachers – Employment; contracts; termination)

Minn. Stat. § 122A.41 (Teacher tenure)

Minn. Stat. § 122A.58 (Coaches)

Minn. Stat. § 122A.44 (Contracting with teachers)

Minn. Stat. § 123B.02, Subd. 14 (Employees; contracts for services)

Minn. Stat. § 123B.143 (Superintendent)

Minn. Stat. § 123B.147 (Principals)

Minn. Stat. § 197.46 et seq. (Veterans Preference Act)

Minn. R. 3512.5200 (Code of Ethics for School Administrators)

| Minn. R. 8700.~~7500~~2100 (Code of Ethics for Minnesota Teachers)

PROCEDURE 403 – DISCIPLINE, SUSPENSION AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES

I. DEFINITIONS

- A. "Code of Ethics for Minnesota Teachers" means the code of ethics found at Minn. R. 8700.7500.
- B. "Code of Ethics for School Administrators" means the code of ethics found at Minn. R. 3512.5200.
- C. "Household member" means a person living in the same household as the employee.
- D. "Immediate Family" means
 - 1. father, mother, child, spouse,
 - 2. spouse's parent, child's spouse,
 - 3. grandparent, sibling, grandchild, and
 - 4. spouse's grandparent, spouse's grandchild, or spouse's sibling.

II. EMPLOYEE STANDARDS OF CONDUCT

- A. Public confidence in the integrity of all school district employees is essential for the effective operation of the school district. Each employee should understand and abide by the professional code of ethics applicable to ~~his or her~~their job and all relevant school district policies and procedures.
- B. All school district employees should pursue a course of conduct that does not violate public trust, including:
 - 1. Employees of the school district should not accept other employment or engage in private enterprises that will impair their independence of judgment in the exercise of school district duties or otherwise impair their ability to satisfactorily perform their job-related responsibilities, impair their ability to provide for the safety of children or adversely affect the safety of co-employees.
 - 2. Employees of the school district should abide by the requirements of the school district's Administrative Procedures Manual (~~BA-5001~~) concerning potential conflicts of interest.

III. ADMINISTRATION OF POLICY

- A. The form of discipline imposed for violations of school board policies and rules may vary from an oral ~~or written warning reprimand~~ to termination of employment or discharge depending upon factors such as the nature of the violation; whether the violation was intentional, knowing or willful; and whether the employee has been the subject of prior disciplinary action of the same or a different nature.
- B. In each case where any form of discipline is imposed, the employee's supervisor will:
 - 1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing;
 - 2. Provide directives to the employee to correct the conduct or performance;
 - 3. Specify the expected level of performance or modification of conduct to be required from the employee, ~~which may also include and~~ the amount of time the employee will have to meet the expectations for performance and conduct; and
 - 4. Forward any letters of expectations or written warnings to the school district's Department of Human Resources.
- C. The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements where applicable.
- D. Employees working in a position for which a teaching license is required by the Minnesota Department of Education will be subject to the provisions of the law governing those positions, subject to the collective bargaining agreement.
- E. Employees working in a position that does not fall within the purview of Section II.D. above are subject to the following provisions.
 - 1. A probationary ~~support~~ employee's employment can be dismissed any time during ~~his or her~~their probationary period.
 - 2. After an employee has completed ~~his or her~~their probationary period, the employee may be dismissed only for cause.
- F. An employee is subject to dismissal for failure to pass any physical examination that is required by the school board for the employee's position or inability to perform the essential functions of the employee's job with or without reasonable accommodation.

Created/Revised**Revised:**

Revised: 3/21/14

Created: 2/2/99 (formerly Policy 4118 & 4219.1)

Created: 7/10/72

Legal References

Minn. Stat. § 122A.40 (Teachers – Employment; contracts; termination)

Minn. Stat. § 122A.41 (Teacher tenure)

Minn. Stat. § 122A.58 (Coaches)

Minn. Stat. § 122A.44 (Contracting with teachers)

Minn. Stat. § 123B.02, Subd. 14 (Employees; contracts for services)

Minn. Stat. § 123B.143 (Superintendent)

Minn. Stat. § 123B.147 (Principals)

Minn. Stat. § 197.46 et seq. (Veterans Preference Act)

Minn. R. 3512.5200 (Code of Ethics for School Administrators)

Minn. R. 8700.7500 (Code of Ethics for Minnesota Teachers)

POLICY 421- GIFTS TO DISTRICT PERSONNEL

I. PURPOSE

The purpose of this policy is to establish ethical standards of conduct for all school district personnel including any member of the school board, any superintendent, school principal, or other school district official regarding gifts from individuals, organizations or businesses. In addition, the purpose of this policy is to provide sufficient guidance to allow school district officials to avoid the appearance of impropriety or conflict of interest with respect to gifts.

II. GENERAL STATEMENT OF POLICY

School board members and school district officials may not solicit, accept or receive a gift from a vendor or provider doing business with or seeking to do business with the school district.

III. VENDOR AND PROVIDER GIFTS

A. The following items are not considered gifts under this policy:

1. An authorized political contribution to a school board member;
2. Services such as advice, consultation, information, and communication in connection with legislation and services to constituents to assist a school district official in the performance of official duties;
3. Services of insignificant value of a promotional or public relations nature with a resale value of \$5.00 or less. The superintendent has discretion to determine what value is insignificant;
4. A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
5. A trinket or memento costing \$5.00 or less;
6. Informational material of unexceptional value; or
7. Food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program.

B. School district personnel may accept a gift if the gift is given

1. Because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to the other members of the group;
2. By an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family; or
3. By a national or multistate organization of governmental organizations or public officials, if a majority of the dues to the organization are paid from public funds, to attendees at a conference sponsored by that organization, if the gift is food or a beverage given at a reception or meal and an equivalent gift is given or offered to all others attending.

IV. OTHER GIFTS

The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. School district employees may accept gifts as tokens of appreciation.

| Revised:

Policy Adopted: 3/17/15

Legal References

Minn. Stat. § 10A.071 Certain Gifts by Lobbyists and Principals Prohibited

Minn. Stat § 123B.02 Subd.6 Bequests, Donations, Gifts

Minn. Stat § 471.87 Public Officers, Interest in Contract; Penalty

Minn. Stat § 471.88 Exceptions

Minn. Stat §471.89 Contract, when void

Minn. Stat. § 471.895 Certain Gifts by Interested Persons Prohibited

PROCEDURE 421- GIFTS TO DISTRICT PERSONNEL

I. DEFINITIONS

- A. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return. Additional examples of a gift subject to Policy #421 include a commission or an expense-paid trip.
- B. "Interested person" means a vendor or provider of goods or services or a potential vendor or provider of goods or services to the school district.
- C. "Provider" and "Vendor" mean a person or a representative of a person or association that has a direct financial interest in a decision that a school district official is authorized to make.
- D. "School district official" means an employee or independent contractor acting on behalf of the school district whose job duties include screening or selection of vendors or providers of goods or services offered to the school district. School district officials include specifically any superintendents, principals, business managers, resource managers, activities coordinators, executive directors, budget managers, and any school district employee who is subject to the school district's Administrative Procedure covering Conflicts of Interest.

II. PROCEDURES

- A. If a school district official is offered a gift that is not allowed under Policy 421, the school district official must inform the person offering the gift that the school district official is not allowed to accept the gift personally.
- B. The school district official may direct the person offering the gift to redirect the gift to the school district or other related entity.
- C. If any school district official has a question about whether a gift may be accepted, the school district official should consult with his or her supervisor.

Policy Adopted: 3/17/15

Legal References

Minn. Stat. § 10A.071 Certain Gifts by Lobbyists and Principals Prohibited
Minn. Stat. § 123B.02 Subd.6 Bequests, Donations, Gifts
Minn. Stat. § 471.87 Public Officers, Interest in Contract; Penalty
Minn. Stat. § 471.88 Exceptions
Minn. Stat. § 471.89 Contract, when void
Minn. Stat. § 471.895 Certain Gifts by Interested Persons Prohibited

POLICY 443 – TUTORING OF STUDENTS

I. PURPOSE

The purpose of this policy is to provide information to school district employees regarding parameters for tutoring students.

II. GENERAL STATEMENT OF POLICY

The school district recognizes ~~that some students benefit from~~ from the value of tutoring. School district employees are uniquely qualified to provide students with these services. School district employees may provide tutoring services for students if consistent with this policy and the Code of Ethics for Minnesota Teachers under Minnesota Rules 8700.2100.

III. COMMUNITY EDUCATION TUTORING SERVICES

- A. The school district community education department will provide tutoring services on a district wide basis.
- B. The school district community education department may employ school district teachers or other qualified employees to tutor school district students provided that the tutoring work does not interfere with the performance of the employee's primary job duties.

IV. FOR FEE TEACHER PROVIDED PRIVATE TUTORING SERVICES

- A. A teacher may not use a professional relationship with students, parents, and colleagues to private advantage and should not accept remuneration for private tutoring services if that service may cause an actual conflict of interest or the appearance of a conflict of interest.
- B. A teacher may not accept tutoring fee for students who are assigned to them during the current school year without prior administrative approval.
- C. A teacher may not receive a fee for any private tutoring ~~done-performed~~ during the teacher's duty day and-or during a student's instructional day.
- D. A teacher receiving a fee for private tutoring services for a student enrolled in the school district must obtain prior authorization from their principal or program leader.
- E. A teacher seeking to provide private tutoring services for a fee on school district property must reserve a secure permit to use school district facilities pursuant to Policy and Procedure 902.

Revised:

Revised: 6/23/20

Revised: 7/28/15

Adopted: 3/2/99 (formerly Policy 4134)

Policy 4134 Adopted: 4/3/84

Legal References:

Minn. R. 8700.~~7500~~2100 (*Code of Ethics for Minnesota Teachers*)

POLICY 435 – QUALIFICATION OF LICENSED PERSONNEL

- I. All candidates for licensed positions ~~on the staff~~ must have or be eligible for valid licenses ~~or and~~ other state qualifications ~~required to hold a licensed position documents entitling them to serve in the assignments for which they apply, if such licenses or qualifications are a requirement of the position.~~ All current staff must maintain valid licenses ~~or other and~~ state qualifications ~~required for licensed positions documents entitling them to serve in positions to which they are assigned, if such licenses or qualifications are a requirement of the position.~~
- II. It is the sole responsibility of the employee to maintain valid licenses, remain in good standing, and maintain ~~or other~~ qualifications ~~that are a requirement~~ of the position during employment with the District.
- III. The District must annually report to the Professional Educator Licensing and Standards Board: (1) all new teacher hires and terminations, including layoffs, by race and ethnicity; and (2) the reasons for all teacher resignations and requested leaves of absence. The report must not include data that would personally identify individuals.

Revised:

Revised: 11/21/2023

Revised: 4/20/04

Revised: 5/20/03

Policy 435 Adopted: 2/2/99
(formerly Policy 4113 & 4213)

Policy Revised: 4/1/86

Policy Adopted: 7/10/72

Legal References

M.S. 122A.16 Qualified Teacher Defined

M.S. 122A.22 District Verification of Teacher Licenses

M.S. 122A.40, Subd. 3(b) Employment; Contracts; Termination

PROCEDURE 435 – QUALIFICATION OF LICENSED PERSONNEL

- I. Before the employment of any non-certified employee becomes valid, the employee must file any required license or other qualification ~~in~~with the Human Resources Department.
- II. Before the employment of a licensed teacher or administrator becomes valid, the Human Resources Department will verify with the Minnesota Professional Educators Licensing Standards Board (PELSB)~~Department of Education (MDE)~~ that the individual has a valid license for the position for which he/she is being hired.
- III. Before the employment of other licensed personnel (health specialists, occupational therapists, school nurses, school social workers) who are required to hold a license or qualification from a licensing agency other than ~~the Minnesota Department of Education~~PELSB becomes valid, ~~he/she~~they must file the required license(s) or other qualifications in the Human Resources Department.
- IV. Each employee is solely responsible for the renewal, upon expiration date, of the license or qualification under which ~~he/she~~they serves and for the filing (filing applies to all non-~~MDE-PELSB~~ licenses only) ~~of the proof of licensure~~ or qualifications with the Human Resources Department. Failure to maintain required licenses or qualifications or failure to file credentials with the Human Resources Department may result in being placed on administrative leave, without pay, during the time the employee is without proper license or qualification, and may lead to termination if ~~the licensure or qualification is a minimum requirement of the job is required for the position. If the license or qualification is in addition to the minimum requirement for the job and merits incentive pay, failure to ensure that a valid copy of the license or qualification is on file with the Human Resources Department prior to the expiration date may result in forfeiture of incentive pay until a valid copy is on file.~~

Revised:

Procedure Dated: 4/20/04
(formerly Policy 4113 & 4213)

Legal References

M.S. 122A.16 Qualified Teacher Defined
M.S. 122A.22 District Verification of Teacher Licenses

POLICY 448 – WORKER’S COMPENSATION INSURANCE

Worker’s Compensation Insurance will be provided for all employees as required by statute.

Adopted: 3/2/99 (formerly Policy 4240.1)
Revised: 4/1/86
Policy Adopted: 12/1/76

PROCEDURE 448 – WORKER’S COMPENSATION INSURANCE

I. Reporting

- A. Any employee who is injured or has an accident while on the job must notify his/her Principal and/or Supervisor within twenty-four hours after the incident. In cases of a severe accident and/or serious injury, the Principal and/or Supervisor must be notified immediately.
- B. The employee’s immediate supervisor is responsible for seeing that a Worker’s Compensation “First Report of Injury” is filed with the Director of Administration within twenty-four hours following the incident. Any doctor or hospital Worker’s Compensation expense must be submitted to the Director of Administration. The forms should not be sent to the District group health carrier.

II. Sick Leave and Compensation

- A. Any loss of work covered by Worker’s Compensation will be pro-rated on the employee’s sick leave as defined in the Terms and Conditions of Employment.
- B. Any compensation for salary received from Worker’s Compensation will be pro-rated on the employee’s regular rate of pay. Normally Worker’s Compensation checks are mailed directly to the Personnel Department from Worker’s Compensation. If not, these checks must be brought to the Personnel Department as soon as they are received by the employee. This will allow for updating payroll and sick leave records. The Personnel Department will give details to the employee.

Procedure 448 Dated: 3/2/99 (formerly Procedure 4240.1)
Procedure 4240.1 Dated: 4/1/86

POLICY 505 – STUDENT CELL PHONE AND TECHNOLOGY

I. PURPOSE

The purpose of this policy is to establish standards for students in the appropriate use of personal electronic devices at school and during school related activities.

II. GENERAL STATEMENT OF POLICY

A. Students are encouraged not to bring cell phones or other electronic devices, including smart watches and earbuds/air pods to school.

A.B. Students are expected to conduct themselves in a manner that respects the rights of others. Use of a personal electronic device (including cell phones, smart watches, computers, cameras, recording devices, listening devices, earbuds/air pods and any other device that can be used to transmit or capture images, sound or data) in a manner that interferes with a positive, orderly, educational environment or does not respect the rights of others is prohibited.

B.C. Students bring personal electronic devices to school at their own risk. The District assumes no liability for loss, theft, damage, nor liability for any unauthorized use of an electronic device. If a device is confiscated under this policy, no responsibility for the safety or security of the device is guaranteed.

C.D. Student personal electronic devices are subject to search upon reasonable suspicion that the device has been used in a manner that violates the law or school policy. Any search of a student's personal electronic device must be conducted at the direction of the building administrator and must be narrowly tailored to respect a student's privacy.

D.E. This policy applies to student conduct occurring on school property, during school related activities, or for student conduct which creates a substantial disruption to the educational environment.

III. RESTRICTIONS AND PROHIBITIONS IN USE OF PERSONAL TECHNOLOGY

A. Students are prohibited from using personal technology under the following circumstances:

1. Using a personal electronic device to photograph, video record/capture images, audio record/capture, listen-in on, track, or engage in surveillance of any student or staff person: (a) without their knowledge or consent; and (b) in a manner that is harmful to another or an invasion of privacy. This provision would not apply to pictures, video or audio recording of persons present at school sponsored events open to the public when the student is otherwise complying with school board policy.
2. Using a personal electronic device in locker rooms, restrooms, rooms designated for changing clothing or in other areas where there is an increased expectation of privacy.
3. Using a personal electronic device to engage in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, or wrongfully obtaining test copies or scores.
4. Using a personal electronic device on school property or at a school sponsored activity to create, send, share, view, receive, or possess an indecent or obscene visual depiction of oneself or another person.
5. Possessing a surreptitious surveillance device on school property or during a school sponsored activity without the expressed permission of building administration.
6. Using a personal electronic device while operating a motor vehicle on school property.

- B. Notwithstanding the prohibitions/limitations set forth in this policy, use of a personal electronic device may be permitted to the extent allowed or required by a student's individualized education program (IEP), Section 504 Plan, Health Plan or if it is needed in an emergency that threatens the safety of students, staff, or other individuals.
- C. Students permissibly using a personal electronic device while on school property must exhibit respect for the educational environment by:
 - 1. Following the classroom teacher or a building administrators' instructions for use;
 - 2. Using the device in a manner that does not distract from the educational process or disturb other students;
 - 3. Using the device in a manner that respects the property and copyright rights of others;
 - 4. Using the device in a manner that does not interfere with the safe operation of school transportation, or the safety of students or driver.

IV. CONSEQUENCES FOR VIOLATIONS

Use of a personal electronic device in violation of this policy may result in temporary confiscation of the device; revocation of the privilege to possess the device on school property or at school sponsored activities; and/or disciplinary action, up to and including suspension; expulsion; and/or referral to law enforcement.

V. The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools consistent with this policy. These rules and procedures should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria.

Revised:

Revised: 5/24/22

Adopted: 11/19/19

Legal References

Minnesota Statutes 121A.73

Cross References

Policy 406 – Public and Private Personnel Data

Policy 441- Digital Technologies and Digital Systems Acceptable Use

Policy 506 – Student Discipline

Policy 515 – Protection and Privacy of Education Records and Data

PROCEDURE 505 – STUDENT CELL PHONE AND TECHNOLOGY

- I. ELEMENTARY AND MIDDLE SCHOOLS: No cell phones allowed during the academic school day.
- A. GENERAL STATEMENT
Students are encouraged not to bring cell phones or other electronic devices including smart watches, and earbuds/air pods to school. If students choose to bring a cell phone/device to school the expectations are the cell phones, electronic devices including smart watches and earbuds/air pods will remain in the student backpacks/lockers during the academic school day, including lunch, passing times and other non-instructional time.
- B. EXPECTATIONS
The following expectations are consistent with and in addition to what is listed in Policy 505 Student Cell Phone and Technology.
1. Students who need to be in contact with their family during the academic day are to ask permission to use one of the school phones. Parents are welcome and encouraged to contact the building's main office if there is a message that needs to be relayed.
 2. Student assume the risk of damage, theft or loss when choosing to bring a phone or device to school.
 3. Students may use their cell phone, smart watches and earbuds/air pods before and after the academic school day, for the following reasons:
 - i. Checking in or responding to family members.
 - ii. Sending and receiving appropriate communication with friends.
 - iii. Sharing school-appropriate material with friends.
 4. Cell phone use of any kind is not permitted in locker rooms or bathrooms.
 5. Earbuds/headphones may be allowed at designated times for instructional purposes on school approved devices.
- C. Cell phone guidelines for off-campus school activities will be individualized depending on the specific trip and activities. These expectations will be addressed at pre-trip meetings and/or on trip-specific permission slips.
- D. Students who require the use of cell phones or other electronic devices including smart watches as reflected in that student's Individual Education Plan, 504 Plan or Individual Health Plan may have their device with them at the times designated, but must adhere to all other expectations of the cell phone policy.
- E. CONSEQUENCES
First Offense: Staff member turns the device into the front office for the remainder of the school day. Student picks up the device at the end of the day.
Second Offense: Staff member turns the phone into the front office for the remainder of the school day. Parent, or adult designated by the parent, picks up the device.
Third Offense: Staff member turns phone into the front office for the remainder of the school day. Parent picks up the device.
Fourth Offense: Cell phone plan created. Phone no longer allowed on site.
- II. HIGH SCHOOLS: Limited cell phone or electronic device use during passing time and lunch.
- A. GENERAL STATEMENT
Students are encouraged not to bring cell phones or other electronic devices including smart watches, and earbuds/air pods to school. If students choose to bring a cell phone/device to

school the expectations are the cell phones, electronic devices including smart watches and earbuds/air pods will remain in the student backpacks/lockers during the academic school day, including lunch, passing times and other non-instructional time.

B. EXPECTATIONS

The following expectations are consistent with and in addition to what is listed in Policy 505 Student Cell Phone and Technology.

1. Students who need to be in contact with their family during the academic day are to ask permission to use one of the school phones. Parents are welcome and encouraged to contact the building's main office if there is a message that needs to be relayed.
2. Student assume the risk of damage, theft or loss when choosing to bring a phone or device to school.
3. Students may use their cell phone, smart watches and earbuds/air pods before and after the academic school day, for the following reasons:
 - i. Checking in or responding to family members.
 - ii. Sending and receiving appropriate communication with friends.
 - iii. Sharing school-appropriate material with friends.
4. Cell phone use of any kind is not permitted in locker rooms or bathrooms.
5. Earbuds/headphones may be allowed at designated times for instructional purposes on school approved devices.
6. Cell phone or electronic device use is allowed between classes and during lunch only.

C. Cell phone guidelines for off-campus school activities will be individualized depending on the specific trip and activities. These expectations will be addressed at pre-trip meetings and/or on trip-specific permission slips.

D. Students who require the use of cell phones or other electronic devices including smart watches as reflected in that student's Individual Education Plan, 504 Plan or Individual Health Plan may have their device with them at the times designated, but must adhere to all other expectations of the cell phone policy.

E. CONSEQUENCES

First Offense: Staff member turns the device into the front office for the remainder of the school day. Student picks up the device at the end of the day.

Second Offense: Staff member turns the phone into the front office for the remainder of the school day. Parent, or adult designated by the parent, picks up the device.

Third Offense: Staff member turns phone into the front office for the remainder of the school day. Parent picks up the device.

Fourth Offense: Cell phone plan created. Phone may be held by administration during days or not allowed on site as determined by school administration.

Adopted: _____

Legal References

Minnesota Statutes 121A.73

Cross References

Policy 406 – Public and Private Personnel Data

Policy 441- Digital Technologies and Digital Systems Acceptable Use

Policy 506 – Student Discipline

Policy 515 – Protection and Privacy of Education Records and Data

POLICY 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 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 expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in a 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.

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

This Policy, consistent with Minnesota Statutes, section 121A.80, will be posted on the district website.

Adopted: _____

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:

Policy 506 - Student Discipline

Policy 923 Distribution of Materials for Students