

## **512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES**

### **I. PURPOSE**

The district's vision is to prepare every student for lifelong success by developing critical thinkers who are curious and ready to engage in our society. To align with that vision, the purpose of this policy is to protect students' rights to free speech in the production of school-sponsored media and activities while balancing the district's role in supervising student publications and the operation of the Northfield School District.

### **II. GENERAL STATEMENT OF POLICY**

- A. The 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 district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and district policies.
- C. 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 the review is requested.
  - 1. Students producing school-sponsored media and activities shall be under the supervision of a faculty adviser 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 the electronic or physical 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 in any manner, or placing materials in internal staff or student mailboxes.
- B. "Material and substantial disruption" of a normal school activity means:

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.

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. “Obscene to minors” means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the salacious 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, excretory functions, or lewd exhibition; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

D. “Minor” means any person under the age of eighteen (18).

E. “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 district.
2. Distributed or generally made available to students in the school.
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.
  - 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, efforts to assure that:

1. Participants learn whatever lessons the activity is designed to teach.
2. Readers or listeners are not exposed to material that may be inappropriate for their level of maturity.
3. The views of the individual speaker are not erroneously attributed to the school.
4. The school is not associated with any position other than neutrality on matters of political controversy.
5. The sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order.
6. 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.

#### **IV. TIME, PLACE AND MANNER OF DISTRIBUTION**

- A. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.
- B. No one shall coerce a student or staff member to accept any publication. The district must adopt a student journalist policy consistent with Minnesota Statutes, section 121A.80 and post it on the district website.

#### Policy 512 School-Sponsored Student Publications and Activities

Adopted: 10.08.2007; Reviewed: 01.27.2022; Statutory Update: 10.28.2024

Board of Education  
INDEPENDENT SCHOOL DISTRICT NO. 659  
Northfield, Minnesota

**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)