

**435 ACCESS TO EMPLOYEE MAILBOXES AND SCHOOL DISTRICT
INTERNAL MAIL SYSTEMS**

I. PURPOSE

The purpose of this policy is to provide for access to employee mailboxes and the school district's internal mail systems, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. Employee mailboxes and the school district's internal mail systems are reserved for school district related business and the facilitation of internal communication of school related matters to school district employees, except as provided in Section II, B of this Policy.
- B. Employee mailboxes may be opened to non-school persons or organizations that engage in activities of interest and educational relevance to students. Such access by non-school persons or organizations is governed generally by Policy 904-Distribution of Materials on School Property by Non-school Persons. However, all decisions regarding access to employee mailboxes by non-school persons or organizations will be reviewed and determined by the superintendent. The superintendent is responsible for ensuring that a right of access be extended equally to other entities of a similar nature when employee mailboxes are opened pursuant to this provision (i.e. Girl Scouts, Boy Scouts, Campfire Girls, Cub Scouts, etc.).
- C. Employee mailboxes and the school district internal mail systems shall be open to the exclusive representatives of school district employees on matters within the scope of the official representational duties of the unions.
- D. No literature endorsing any political candidate or other similar political materials shall be distributed in employee mailboxes or in the school district's internal mail systems.
- E. The distribution of political materials or other non-school sponsored materials on school district property through alternative channels, i.e. not through employee mailboxes or the internal mail systems, is governed by the applicable provisions of Policy 904-Distribution of Materials on School Property by Non-school Persons.

II. DEFINITIONS

- A. "Distribution" means circulation or dissemination of material by means handing out free copies, selling or offering copies for sale, accepting donations for copies, or posting or displaying material.
- B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks and other publications funded and/or sponsored or authorized by the school. Examples of non-school-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground

newspapers whether written by students or employees or others, and tangible objects.

- C. “Nonschool person” means any person who is not currently enrolled as a student in or employed by the school district.
- D. “Political candidate” is a person who seeks nomination or election to a partisan or nonpartisan public or party office or who has filed as a candidate for election.
- E. “Political issue” is an issue that is the subject of a public referendum or which is being debated by political candidates or organizations.
- F. “Political materials” include, but are not limited to, any paper, handbill, poster, booklet, brochure, advertisement, sample ballot, display, or audio or video presentation, that pertains to a political candidate or political issue.
- G. “Mailboxes” and “Internal mail systems” means employee mailboxes and school district internal mail systems include paper mail, voice mail, computer electronic mail (e-mail) and any other potential technologies used for mail purposes.

III. VIOLATION OF POLICY

- A. Violation of this policy by a student will be halted and appropriate disciplinary action may be taken in accordance with the school district’s Student Discipline Policy and/or any governing statutes.
- B. Violation of this policy by an employee will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Violation of this policy by any other person or organization will be halted and the offending party will be requested to leave the school property immediately. If necessary, the police will be called and any other appropriate action will be taken.

Legal References: Education Minnesota Lakeville v. Independent School District No. 194, 341 F. Supp. 2nd 1070 (D. Minn. 2004)

University of California v. Public Employment Relations Board, 485 U.S. 589, 108 S.Ct. 1404, 99 L.Ed 2d 664 (1988)