

7000

Gardens on School Property

Policy

Original Adoption: 11/11/2009

Effective Date: 11/12/2009

Revision Dates:

I. PURPOSE

Minneapolis Public Schools is the steward of real property acquired for the purpose of providing school facilities for all children of school age within the City of Minneapolis and serving the District's mission. It is in the best interests of the students and staff of the schools that the grounds of the facilities in which they learn and work be used in a manner that acknowledges the core purpose of the District, and that promotes the proper education of the students and addresses the safety needs of students, staff and invited guests. The District along with other public bodies shares in the opportunity for limited community use of real property owned by these public bodies. Understanding the science in growth of plants, for beauty or for food, and the place of plant matter in the ecological system is a proper study for students.

The purpose of this policy is to establish how and when school premises may be used for gardening by the school programs and others.

II. GENERAL STATEMENT OF POLICY

- A. Except as otherwise allowed in this policy, the use of school grounds for gardening is controlled by the Board.
1. Any license, lease, grant, contract or agreement regarding use of district property for gardens of any type that are not school gardens, as defined by the Superintendent, shall only be entered into with Board approval.
 2. It is in the sole discretion of the Board, or its designee, as to when and how any person or group may use school property for the construction and maintenance of any garden.
 3. No garden shall be approved if the Board or its designee, in its discretion, believes that the proposed use will interfere with the school educational purpose.
- B. Four basic types of gardens are recognized by the Board. Each has its own rules for establishment and operation. These types are:
1. School Gardens;
 2. Landscaping or beautification Projects;
 3. Community Gardens; and
 4. Inter-Governmental Projects.

III. RESPONSIBILITY

- A. The Superintendent is authorized to promulgate regulations to implement this policy.
- B. The Superintendent is authorized to establish limits on the amount of school owned premises that may be used for these purposes.
- C. The Superintendent, or Superintendent's designee, is authorized to negotiate the terms of the agreements and licenses contemplated under this policy.
- D. School Principals and site administrators are responsible for communicating this policy to all persons indicating an interest in using school property for gardening purposes.

Legal References:

- Minn. Stat. §152.01, Subd.14a, clauses (1) and (3) (Definitions: School Property)
- Minn. Stat. §123B.02 (General Powers of Independent School Districts)
- Minn. Stat. §123B.51 (Schoolhouses and Sites; Uses for School and Nonschool Purposes; Closings)
- Minn. Stat. §128D.04 (District Like Independent District; Exception)
- Minn. Stat. §609.605, subd. 4 (Trespasses on school property)

Cross References:

- MPS Policy 8110 (Purposes and Role of the Board)
- MPS Policy 1301 (Community Partners)
- MPS Policy 1600 (Community Use of School Facilities)

- MPS Regulation 7000 A (Definitions)
- MPS Regulation 7000 B (Application and Approval Process)