

Students

Student Conduct and Discipline

I. Purpose

This policy provides expectations for student conduct. Abiding by these expectations will enhance the school district's ability to maintain discipline and ensure a positive learning environment will lead to academic success and whole child growth. The ~~school~~ district will take appropriate disciplinary action when students fail to adhere to acceptable behavior standards established by this policy and its guidelines and/or appendices.

II. General Statement of Policy

- A. The school district believes that a fair and equitable district-wide school discipline policy will contribute to the quality of a student's educational learning experience. Therefore, this district-wide discipline policy has been adopted.
- B. It is the responsibility of the school board, administrators, teachers, and employees to safeguard the health and safety of each student. The ~~school~~ board and district administrators will support district employees who, in dealing with students on disciplinary matters, act in accordance with state law and this policy.
- C. Parents and guardians have the legal responsibility for the behavior of their children as determined by law and community practice. Parents/guardians are expected to exercise the required controls so that the student's behavior will be conducive to the development of self-discipline and will not be disruptive to the school's educational program.
- D. No policy will cover all situations. Therefore, the building administrator(s) or designee will make a determination of consequence/disciplinary action when student actions are not specifically addressed. All actions by an administrator/designee will be made on a case-by-case basis.
- E. Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. ~~The school district believes that a fair and equitable student discipline policy will contribute to the quality of the student's educational experience.~~ This discipline policy is adopted in accordance with and subject to the Minnesota ~~student~~ Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

III. Definitions

- A. "Dismissal" means the denial of the current educational program to any student,

including exclusion, expulsion and suspension. Dismissal does not include removal from class.

- B. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that will not extend beyond the school year. The authority to exclude rests with the ~~school~~-board.
- C. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to 12 months from the date the student is expelled. The authority to expel rests with the ~~school~~-board.
- AD. "Non-exclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a student from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Non-exclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- E. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- BF. "Student withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a ~~pupil's~~ student's parent/guardian to withdraw a student from the ~~school~~-district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.
- G. "Suspension" means an action by the school administration, under policies promulgated by the school board, prohibiting a student from attending school for a period of no more than 10 school days; provided, however, if a suspension is longer than five school days, the suspending administrator will provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one school day or less, except as may be provided in federal law for a student with a disability.

IV. Policy

- A. The ~~school~~ district will insure that alternative educational services, if the student wishes to take advantage of them, will be adequate to allow the student to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02, and help prepare the student for readmission in accordance with ~~section~~-Minnesota Statutes, section 121A.46, subdivision 5.

- B. For expulsion and exclusion dismissals and student withdrawal agreements, as all are defined in Section III: ~~Minnesota Statutes, section 121A.41, subdivision 13;~~
1. for a student who remains enrolled in the ~~school~~ district or is awaiting enrollment in a new district, the ~~school~~-district will continue to review the student's schoolwork and grades on a quarterly basis to ensure the student is on track for readmission with the ~~pupil's~~ student's peers. The ~~school~~-district will communicate on a regular basis with the ~~pupil's~~ student's parent or guardian to ensure that the student is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services will be provided until the student enrolls in another school or returns to the same school;
 2. a student receiving school-based or school-linked mental health services in the ~~school~~-district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the student is enrolled in a new district; and
 3. the ~~school~~-district must provide to the ~~pupil's~~ student's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the ~~school~~-district website.

III V. Areas of Responsibility

- A. School Board. The school board holds all school district employees responsible for the maintenance of order within the ~~school~~-district and supports all employees acting within the framework of this discipline policy.
- B. Superintendent. The superintendent will establish guidelines and directives to carry out this policy, hold all ~~school~~-district employees, students, and parents responsible for conforming to this policy, and support all ~~school~~-district employees performing their duties within the framework of this policy. The superintendent will also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy will be submitted to the ~~school~~ board for information and attached as an appendix to this policy.
- C. Principal. The school principal is given the responsibility, authority, and sole discretion to formulate building rules necessary to enforce this policy, subject to superintendent review. The principal will give direction and support to all school employees performing their duties within the framework of this policy. The principal or designee will consult with parents/guardians of students conducting themselves in a manner contrary to the policy. The principal will also involve other professional employees in the disposition of behavior referrals and make use of those agencies appropriate for assisting students and parents. A principal may use reasonable force when it is necessary under the circumstances to ~~correct or restrain a student or~~ to prevent imminent bodily harm or death to the

student or another.

- D. Teachers. All teachers have responsibility for providing a well-planned teaching/learning environment and have a primary responsibility for student conduct, with appropriate assistance from the administration. All teachers will ensure acceptable student behavior. A teacher may use reasonable force when it is necessary under the circumstances to ~~correct or~~ restrain a student or to prevent imminent bodily harm or death to the student or another.
- E. Other ~~School~~-District Employees. All ~~school~~-district employees are responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior are as authorized and directed by the superintendent. A ~~school~~ district employee or other agent of a ~~school~~-the district may use reasonable force when it is necessary under the circumstances to restrain a student or to prevent imminent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents and guardians are responsible for the behavior of their children as determined by law and community practice. They are expected to partner with ~~school~~ district authorities and to participate regarding the behavior of their children.
- G. Students. All students are held individually responsible for their behavior and for knowing and adhering to the ~~Code of Student Conduct~~ Student Rights and Responsibilities Handbook.

H. Reasonable Force Reports

1. The ~~school~~-district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
2. The ~~school~~-district must report in accordance with state law data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred ~~shall~~ will be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

IV. Student Responsibilities

All students have the responsibility:

- For their behavior and for knowing and obeying all ~~school~~ district rules, regulations, policies, and procedures;
- To attend school daily, except when excused, and to be on time to all classes and other school functions;
- To pursue and attempt to complete the courses of study prescribed by the state and district;
- To make necessary arrangements for making up work when absent from school;
- To assist ~~school~~ district employees in maintaining a safe schools for all students;
- To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- To be aware of and comply with federal, state, and local laws;
- To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with ~~school~~ district employees, as appropriate;
- To respect and maintain the ~~school's~~ district's property and the property of others;
- To dress and groom in a manner that meets standards of safety and health, and is consistent with applicable ~~school~~-district policy;
- To avoid inaccuracies in ~~school~~ district-sponsored publications, whether print or electronic, and refrain from indecent or obscene language;
- To conduct themselves in an appropriate physical ~~or~~ and verbal manner; and
- To recognize and respect the authority of ~~school~~ district employees and the rights of others.

VII. Unacceptable Behavior, Investigations of Student Misconduct

The appendix of this policy provides examples of unacceptable behavior. Unacceptable behavior may also include violation of any local, state, or federal law. The examples in the appendix are not intended to be an exclusive list. A student who engages in any unacceptable behaviors will be disciplined in accordance with this policy and its appendix.

This policy applies to all school district buildings, ~~school~~-grounds, and district property; district-sponsored activities or trips; school bus stops; school buses, district vehicles, district-contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from district premises or events; and all district-related functions. This policy also applies to student behavior that has a nexus to ~~school~~ district property or the student's status as a district student, including students' use of social media and other electronic communication. This policy also applies to any student whose conduct at any time or in any place

interferes with or obstructs the mission or operations of the ~~school~~ district or the safety or welfare of the student, other students, or employees.

Students are required to cooperate in all disciplinary investigations.

VIII. Recess and Other Breaks

- B. The school district is encouraged to ensure ~~student~~ access to structured breaks from the demands of school and to support teachers, principals, and other ~~school~~ ~~district~~ staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The ~~school~~-district must not use recess detention (as defined in section III.E.) unless:
 - 1. a ~~student~~ causes or is likely to cause serious physical harm to other students or staff;
 - 2. the ~~student's~~ parent or guardian specifically consents to the use of recess detention; or
 - 3. for ~~students~~ receiving special education services, the ~~student's~~ individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The ~~school~~-district must not withhold recess from a ~~student~~ based on incomplete schoolwork.
- E. The ~~school~~-district must require ~~school~~ ~~district~~ staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
- F. The ~~school~~-district must compile information on each recess detention at the end of each school year, including the ~~student's~~ age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The ~~school~~-district is encouraged to use the data in professional development promoting the use of non-exclusionary discipline.
- G. The ~~school~~-district must not withhold or excessively delay a ~~student's~~ participation in scheduled mealtimes. This section does not alter a ~~the~~ district or school's existing responsibilities under Minnesota Statutes, section 124D.111, or other state or federal law.

~~VII~~IX. Disciplinary Action Options

The school district's general policy is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of

student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the ~~school~~-district. At a minimum, violation of ~~school~~ district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The ~~school~~-district will, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the ~~school~~-district. Disciplinary action may include, but is not limited to, one or more of the following:

- student conference with teacher, principal, counselor, or other ~~school~~-district personnel, and verbal warning;
- parent/[guardian](#) contact and/or conference;
- confiscation by the district [of](#) any item prohibited by, or used in violation of, any ~~school~~-district policy and/or state or federal law;
- limited time away from the classroom;
- removal from class (pursuant to the ~~student~~ [Minnesota Pupil Fair Dismissal Act](#));
- in-school suspension;
- suspension from extra-curricular activities;
- detention or restriction of privileges;
- loss of school privileges;
- in-school monitoring or revised class schedule;
- referral to in-school support services, law enforcement, community resources, or an outside agency;
- financial restitution;
- request for a petition to be filed in district court for juvenile delinquency adjudication;
- out-of-school suspension under the ~~student~~ [Minnesota Pupil Fair Dismissal Act](#);
- preparation of an admission or readmission plan;
- expulsion or exclusion under the ~~student~~ [Minnesota Pupil Fair Dismissal Act](#); and/or
- other disciplinary action as deemed appropriate by the ~~school~~ district.

~~VII~~[X](#). Removal of Students from Class

- A. The teacher of record ~~shall~~ [will](#) have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, limited time away from the classroom, assigning detention or other consequences, or contacting the student's parents/[guardians](#). When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher has the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five days, pursuant to this discipline policy.

Grounds for removal from class include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education,

including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn.

2. Willful conduct that endangers surrounding persons, including district employees, the student or other students, or the property of the ~~school~~ district.
3. Willful violation of any ~~school~~ district rules; in this policy and Appendix I.
4. Other personal conduct that, in the discretion of the teacher or administration, requires removal of the student from class. A student removal will be for at least one activity period or class period of instruction for a given course of study and not exceed five periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class ~~shall~~ will be for a period of time deemed appropriate by the principal, in consultation with the teacher.

B. Procedure for the Classroom Teacher to Remove a Student from a Class Pursuant to the ~~student~~ Minnesota Pupil Fair Dismissal Act

1. A written disciplinary report is submitted by the teacher or district employee within 24 hours of the removal of any student from ~~his/her~~ their class.
2. If a student is removed from class more than five (5) times in a school year, the ~~school~~-district ~~shall~~ will notify the parent or guardian of the student's sixth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

C. Responsibility ~~F~~or and Custody of a Student Removed From Class

1. A student removed from class is the responsibility of the principal or lawful designee.
2. A student removed from class must report directly to the principal's office and inform the office employees of ~~his/her~~ their arrival. Prior to the student's removal, the teacher or district employee will inform the office of the student's removal, the reason for the removal, and the time of the removal.
3. The teacher will determine if the student requires a ~~school~~ district employee to accompany ~~him/her~~ them to the office, and, if so, make the necessary arrangements.

D. Return of a Student Procedure

1. The principal or designee will complete the appropriate follow-up disciplinary consequences and ~~school~~ district documentation with the student.
2. The principal or designee readmits the student pursuant to the readmission plan.

E. Notification Procedure

1. The principal or designee determines the necessity of parent/guardian notification resulting from the student being removed from class.
2. The principal or designee will work with the teacher to notify the student of the violation of the discipline rules and resulting disciplinary action.

~~VIII~~XI. Prior to Dismissal Notification

- A. The principal or designee will provide the Tennesen Warning to the student prior to investigating the disciplinary incident when a dismissal from school may be the result of disciplinary action. The student's parent/guardian will be notified, when possible, prior to the reading of the warning.
- B. The principal or designee will record the notification of the student receiving the Tennesen Warning, including the disciplinary action documentation.
- C. The purpose of the Tennesen Warning, per Minnesota Statute 13.04: "An individual asked to supply private or confidential data concerning the individual shall be informed of: (a) the purpose and intended use of the requested data within the collecting government entity; (b) whether the individual may refuse or is legally required to supply the requested data; (c) any known consequence arising from supplying or refusing to supply private or confidential data; and (d) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 7, to a law enforcement officer."

~~IX~~II. Dismissal (as defined in III.A.)

- A. The school district ~~shall~~ will not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion, or expulsion, as those terms are defined in Section III.

The ~~school~~-district will not dismiss any student without attempting to ~~provide alternative educational services~~ use non-exclusionary disciplinary policies and procedures before dismissal proceedings or student withdrawal agreements, as those terms are defined in Section III, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

B. Violations leading to suspension, based upon severity, may also be grounds for expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any school board policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of ~~school~~ district employees to perform their duties, or district-sponsored activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including ~~school~~-district employees, or property of the ~~school~~-district.

C. Disciplinary Dismissals Prohibited

1. A student enrolled in the following is not subject to dismissals under the Minnesota Pupil Fair Dismissal Act:
 - a. a preschool or pre-kindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary pre-kindergarten, or other school-based preschool or pre-kindergarten program; or
 - b. Kindergarten through Grade 3.
2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Non-exclusionary disciplinary policies and practices have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. School administration must allow a suspended student the opportunity to complete all school work assigned during the period of the student's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district ~~or school~~-employee as a liaison to work with the student's teachers to allow the suspended student to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
2. If a student's total days of removal from school exceed 10 cumulative days in a school year, the ~~school~~-district will make reasonable attempts to convene a meeting with the student and the student's parent or guardian before

subsequently removing the student from school. The purpose of this meeting is to problem-solve and attempt to determine the ~~pupil's~~ **student's** need for assessment or other services or whether the parent or guardian should have the student assessed.

3. ~~The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability.~~ Each suspension action will include a readmission plan. The plan may include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide sympathomimetic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of sympathomimetic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a district-sponsored activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect.
45. The ~~school~~ **district** administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the ~~school~~ district is in the process of initiating an expulsion, in which case the ~~school~~ **district** administration may extend the suspension to a total of 15 days.
56. In the case of a student with a disability, the student's individual education plan team will meet in accordance with state and federal law.
67. ~~The school administration will implement alternative educational services when the suspension exceeds five days.~~ **Alternative education services must be provided to a student who is suspended for more than five (5) consecutive school days.** Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center selected to allow the student to progress toward meeting graduation standards .
78. The ~~school~~ **district** administration will not suspend a student from school without an informal administrative conference with the student. The informal administrative conference occurs before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference occurs as soon as practicable following the suspension. At the informal administrative conference, a ~~school~~ **district** administrator notifies the student of the grounds for the suspension, provides an explanation of the evidence

- the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
89. After ~~school~~ district administration notifies a student of the grounds for suspension, ~~school~~ district administration may, instead of imposing the suspension, pursue other consequences, including encouraging a parent or guardian of the student to attend school with the student for one day.
 910. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota ~~student~~ Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, will be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within 48 hours of the conference.
 101. Effort will be made by the principal or designee at the time of suspension to notify the student's parent or guardian by telephone of a suspension. In the event that the student's parent or guardian is not available for notification of the suspension at the time of the suspension, the student will remain in the school building for the remainder of the school day at a location or at locations designated by the principal or ~~his/her~~ designee.
 412. A conference will be scheduled between the student's parent or guardian and the principal or designee to discuss the suspension, the reasons therefore, and the readmission plan.
 123. If the parent or guardian is dissatisfied with the disposition of the case after a conference with the principal or designee, the parent or guardian may request and will be granted an interview with the superintendent or designee. Neither this interview, nor the conference in item 5 6 will delay the suspension.
 134. During the period of suspension, the student will be furnished with assignments or alternative opportunities for continued learning. The student is expected to make up all work missed during the time of suspension. The teacher determines appropriate credit for such work based on the district's assessment policy and procedures. The student is readmitted to school following the expiration of the suspension.
 145. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice will be served upon the student and the student's parent or guardian within 48 hours of the suspension. Service by mail is complete upon mailing.
 156. Notwithstanding the foregoing provisions, the student may be suspended pending the ~~school~~-board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures

- 31.** A written recommendation for exclusion or expulsion from the principal with supporting data is submitted to the superintendent.
- 42.** The superintendent will review the case and determine whether or not to recommend exclusion or expulsion to the ~~school~~ board.
- 53.** All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota ~~student~~ Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
- 64.** No expulsion or exclusion is imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
- 75.** The student and parent or guardian are provided written notice of the ~~school~~ district's intent to initiate expulsion or exclusion proceedings. This notice is served upon the student and his or her parent or guardian personally or by certified mail, and contains a complete statement of the facts; a list of the witnesses and a description of their testimony; the date, time, and place of hearing; accompanied by a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; a description of ~~alternative educational services~~ the nonexclusionary disciplinary policies and practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The ~~school~~ district will **must** advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) **and is posted on its website.**
- 86.** The hearing will be scheduled within 10 days of the service of the written notice unless an extension, not to exceed 5 days, is requested for good cause by the ~~school~~ district, student, parent or guardian.
- 97.** All hearings are held at a time and place reasonably convenient to the student, parent or guardian and will be closed to the public, unless the student, parent or guardian requests an open hearing.
- 408.** The ~~school~~ district will record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
- 449.** The student has a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The ~~school~~ board, or superintendent, may appoint an attorney to represent the ~~school~~ district in any proceeding.

102. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
113. All expulsion or exclusion hearings take place before, and are conducted by, an independent hearing officer designated by the ~~school~~-district, a ~~school~~ board member, a committee of the ~~school~~-board, or the full ~~school~~ board. The hearing will be conducted in a fair and impartial manner. Testimony is given under oath. The hearing officer or ~~school~~-board member has the power to administer oaths and issue subpoenas.
124. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative is given access to all ~~school~~-district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
135. The student, parent or guardian, or authorized representative, has the right to compel the presence of any ~~school~~-district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the ~~school~~-district.
146. The student, parent or guardian, or authorized representative, has the right to present evidence and testimony, including expert psychological or educational testimony.
157. The student cannot be compelled to testify in the dismissal proceedings.
168. The hearing officer, ~~school~~-board member, or ~~school~~-board committee will prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the ~~school~~-board and served upon the parties within two days after the close of the hearing.
179. The ~~school~~-board will base its decision upon the findings and recommendation of the hearing officer or ~~school~~-board member, and render its decision at a meeting held within five days after receiving the findings and recommendation. The ~~school~~-board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the ~~school~~-board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Minnesota Commissioner of Education of the basis and reason for the decision.
2018. A party to an expulsion or exclusion decision made by the ~~school~~-board may appeal the decision to the Minnesota Commissioner of Education within 21 calendar days of ~~school~~-board action. The decision of the ~~school~~ board is

implemented during any appeal to the commissioner.

219. The ~~school~~-district will report any suspension, expulsion, or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
202. The ~~school~~-district must report, through the MDE electronic reporting system, each expulsion or exclusion within 30 days of the effective date of the action to the commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
213. Whenever a student fails to return to school within 10 school days of the termination of dismissal, a ~~school~~ district administrator will inform the student and their parent or guardian by certified mail of the student's right to attend and to be reinstated in the ~~school~~-district.

XIII. Admission or Readmission Plan

A ~~school~~ district administrator ~~will~~ **must** prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan ~~may~~ **must** include measures to improve the student's behavior, ~~including~~ **which may include** completing a character education program consistent with state law, **social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions.** The plan **must include reasonable attempts to obtain and require** parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XIV. Notification of Policy Violations

Notification of any violation of this policy and resulting disciplinary action is as provided for in state and federal law and district policy. The teacher, principal, or other school district employee may provide additional notification as deemed appropriate.

In addition, the ~~school~~-district must report, through the MDE electronic reporting system, **each exclusion or expulsion, each physical assault of a ~~school~~-district employee by a student, and each student withdrawal agreement** within thirty (30) days of the ~~assault-effective date of the dismissal action, student withdrawal, or assault, to the MDE Commissioner.~~ This report must include a statement of the ~~alternative educational services~~ **nonexclusionary disciplinary policies and practices,** or other sanction, intervention, or resolution ~~in response to the assault~~ given to the student in response to the assault and the reason for, the effective date, and the

duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

XVH. Student Discipline Records

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records are to be consistent with state and federal law, and district policy, including the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13.

XVIH. Students with a Disability

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 Plan specifies a necessary modification.

Prior to the initiation of an expulsion or exclusion of a student with a disability, the [school](#) district will follow state and federal laws regarding such a proposal.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the ~~school~~-district shall continue to provide special education and related services during the period of expulsion or exclusion.

XIVII. Detecting and Addressing Chemical Abuse Problems of Students While on School Premises Procedure

- A. The [school](#) district has established a chemical abuse pre-assessment team pursuant to Minn. Stat. § 121A.26; and
- B. The district has established teacher reporting procedures to ~~school~~ [district](#) administration or designee including the chair of the chemical abuse pre-assessment team.

XVIII. Open Enrolled Students

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes section 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minnesota Statutes chapter 260A), and the student's case has been referred to juvenile court. The ~~school~~-district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

~~XVIII~~X. Discipline Complaint Procedure

- A. Students, parents/ ~~and other~~ guardians, and ~~school~~ district staff may file a complaint and seek corrective action when the requirements of the Minnesota ~~student~~ Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.
- B. The Discipline Complaint Procedure must, at a minimum:
 - 1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
 - 2. provide an opportunity for involved parties to submit additional information related to the complaint;
 - 3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
 - 4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
 - 5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies, were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
 - 6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

~~XVIII~~X. Distribution of Policy

The school district will notify students and parents/guardians of the existence and contents of this policy in such manner as it deems appropriate. Copies of discipline policies in the *Students' Rights and Responsibilities Handbook* are made available to all students and parents/guardians at the commencement of each school year and to all new students and parents/guardians upon enrollment. This policy is also available upon request in each principal's office.

~~XVIII~~XI. Review of Policy

The principal and representatives of parents/[guardians](#), students, and employees in each school building will confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes will be submitted to the superintendent for consideration by the school board,~~which will conduct an annual review of this policy.~~

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations [and Graduation Requirements](#) for Minnesota's Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (~~student~~ [Minnesota Pupil](#) Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to ~~student~~ [Pupil](#) Suspension)
Minn. Stat. § 121A.582 ([Student Discipline](#); Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 ([Discipline and Removal of Students](#) From Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 ([State-Approved Alternative Program](#) ~~Area Learning Center Organization~~)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 ([School Boards' Approval to Enrollment](#) in Nonresident District; [Exceptions](#))
Minn. Stat. Ch. 125A (~~Students With Disabilities~~ [Special Education and Special Programs](#))
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile ~~Court Act~~ [Safety and Placement](#))
20 U.S.C. §§ 1400-1487 (Individuals ~~w/~~ [with](#) Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References:

Policy 413 (Harassment and Violence [Prohibition, Student and Employees](#))
Policy 501 (School Weapons Policy)
Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
Policy 503 (Student Attendance)
Policy 504 (Student Dress and Appearance)
~~Policy 505 (Distribution of Non-school Sponsored Materials on School Premises by Students and Employees)~~
Policy 514 (Bullying Prohibition)
[Policy 524 \(Internet Acceptable Use and Safety\)](#)
Policy 526 (Student Hazing Prohibition)
Policy 527 (Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches)
Policy 532 Use of Crisis Teams and Peace Officers to Remove Students with IEPs from

School Grounds

Policy 538 (~~Field Trips and~~ Student Travel)

Policy 634 (Electronic Technologies Acceptable Use)

Policy 713 (Student Transportation)

Policy 904 (Distribution or Display of Materials on School District Property by Nondistrict Persons or Organizations)

Policy

adopted: 07/21/08

amended: 10/22/12

Revised: 07/20/15

Revised: 07/17/17

Revised: 08/08/22

INDEPENDENT SCHOOL DISTRICT NO. 273

Edina, Minnesota

APPENDIX I TO POLICY 506

DISCIPLINE GUIDELINES

Every student and employee of Edina Public Schools is entitled to learn and work in a safe school environment. To ensure this safe environment, the ~~school district and each school have~~ [has](#) established clear student discipline policies, consequences appropriate to behaviors, and a practice to implement these guidelines fairly. [These guidelines were developed to help ensure that each and every student is able to learn, discover their possibilities, and thrive.](#)

All ~~Students~~ [PreK-12th grade students](#) are expected to behave in accordance with federal, state, and local laws; district policies and guidelines; and in a way that respects the rights and safety of others. Known violations of federal, state, and local laws will be reported to local law authorities.

The following are district-wide discipline guidelines. These guidelines and the potential consequences apply any time a student is present on district property, participating in a ~~school~~ [district](#)-sponsored activity, or traveling in a district vehicle. These guidelines and the potential consequences also apply to student behavior that has a nexus to ~~school~~ [district](#) property or the student's status as a district student. Student conduct that occurs off-campus, but has a nexus to the school environment, may form the basis for school discipline. This specifically includes activities that occur off-campus over the internet, on social media, or through other communications. Listed are the violations and the recommended consequences; although all determinations will be made on a case-by-case basis. Minnesota State High School League consequences may also apply in accordance with its rules and district policy.

A student who accumulates excess violations of these disciplinary guidelines or several infractions for serious behavior may be disciplined in light of the student's overall record. The student and parent will have a conference with the principal and/or other appropriate employee(s) to make them aware that the student is accumulating excessive infractions. Any student who has been suspended for violations of the guidelines may be recommended for expulsion upon the student's return if the student commits additional offenses of the same nature.

Restitution or restorative justice principles may be utilized when appropriate for the disciplinary infraction. [Restorative school discipline practices focus on fostering a sense of community within school environments to prevent conflict, encourage students to accept responsibility for their actions, and rebuild relationships. In a restorative system, a student might participate in a peer mediation session with staff trained in the restorative circle process to discuss the behavior and the impact with those who were affected by it.](#)

The infractions and consequences may be modified or disregarded if circumstances require mitigation or exception (e.g., student whose misbehavior is related to their disability). These discipline guidelines are based on ~~school~~ [district](#) policies, located on the district's website.

ATTENDANCE

1. ATTENDANCE, TARDINESS, TRUANCY

In addition to the compulsory attendance mandate of state law, the school board recognizes and emphasizes the intrinsic value of attendance each school day by each student. It enables every student to profit to the maximum degree from the enhanced learning environment that full attendance promotes.

Compulsory attendance policies for students under the age of 17 years will be applied in cases of chronic absence or tardiness. Parental notification will occur when a student is determined to be truant by the school. A student under the age of 17 years with seven or more unexcused absences

may be referred to appropriate services.

Attendance disciplinary action is outlined in the district's attendance policy (Policy 503).

CHEMICAL INFRACTIONS

2. ALCOHOL OR CHEMICALS, POSSESSION OR USE

The possession or use of any alcohol, narcotic, illegal substance, controlled substance, or drug paraphernalia is prohibited while on district property, participating in a district-sponsored activity, or traveling in a district vehicle.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	Social worker intervention Police referral	3-day suspension Police referral
Grades 6-12	1-3 day suspension Police referral	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.

3. ALCOHOL OR CHEMICALS, POSSESSION WITH INTENT TO DISTRIBUTE OR SELL

Selling, distributing, delivery, exchanging, or intending to sell, deliver, exchange, or distribute any alcoholic, narcotic, illegal substance, or controlled substance on district property, while participating in a district-sponsored event or traveling in a district vehicle is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	Student Services referral Police referral	3-day suspension Police referral
Grades 6-12	10-day suspension Expulsion recommendation Police referral		

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.

4. MEDICATION MISUSE (OVER THE COUNTER)

Any student in possession of or using an "over the counter" medication must do so in a manner consistent with district policy (see Policy 516 – Student Medication). Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange, or distribute any "over-the-counter" medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★

Grades 4-5	Student Services referral ★	1-day suspension Student Services referral	1-3 day suspension Student Services referral Police referral
Grades 6-12	1-3 day suspension Student Services referral Police referral	5-day suspension Student Services referral Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity *for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

5. MEDICATION MISUSE (PRESCRIPTION)

Any student in possession of or using prescription medication must do so in a manner consistent with district policy (Policy 516 – Student Medication). Selling, distributing, delivering, exchanging, or intending to sell, deliver, exchange, or distribute any prescription medication is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-3	★	★ Student Services referral	★ Student Services referral
Grades 4-5	★ Student Services referral	1-32 day suspension Student Services referral	3-5 day suspension Police referral
Grades 6-12	10-day suspension Expulsion recommendation Police referral	10-day suspension Expulsion recommendation Police referral	

(★) Indicates opportunity *for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

6. TOBACCO/NICOTINE USE OR POSSESSION

Possession or use of tobacco/nicotine is prohibited, including e-cigarettes and other items used for the use of tobacco or other illegal substances. Students who congregate in an area where tobacco use has recently occurred (e.g., bathroom stall) will each be considered to have been using tobacco.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/ next day dismissal Student Services referral
Grades 4-5	★	Same/ next day dismissal	12-day suspension Police referral
Grades 6-12	1-day suspension Police referral	2-3 day suspension Police referral	3-5 day suspension Police referral

(★) Indicates opportunity *for restorative practices and potential disciplinary action assigned by building administration.*

DANGEROUS AND/OR NUISANCE ITEMS

7. FIREARMS

Minnesota state law requires that school boards *must expel for a period of at least one year* a student who is determined to have brought a firearm to school. The definition of a firearm is found at 18 U.S.C. § 921. The school board may modify this expulsion requirement on a case-by-case basis.

Grades	First Offense
Grades Pre K-12	10-day suspension; Expulsion recommendation; Police referral

8. FIREWORKS

Possession, distribution, or use of any type of fireworks (sparklers, firecrackers, smoke bombs) or ammunition is prohibited. If it is determined that a student brought such an item to school without intent to harm, the student may not be considered in possession of fireworks. Use of any fireworks that creates a serious disturbance or safety hazard may be considered a violation of “Weapons, Explosives, Incendiary Devices, Ammunition, and Other Dangerous Items.”

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	Same/next day dismissal ★	3-day suspension ★
Grades 43-5	Same/next day dismissal ★	2-day suspension ★	5-day suspension ★
Grades 6-12	3-5 day suspension	5-10 day suspension	10-day suspension Expulsion recommendation

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Building administration will consider intent when assigning disciplinary consequences.*

9. NUISANCE OBJECTS

Misuse or distribution of any object that causes distractions or a nuisance is prohibited. These objects may include, but are not limited to, laser pointers, lighters, radios, squirt guns, video games, snaps, and stink bombs, ~~bolt cutters and crowbars.~~

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	★
Grades 6-12	★	1-day suspension	3-day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

10. POTENTIALLY DANGEROUS ITEMS

Possessing potentially dangerous items that if misused may be considered dangerous, illegal or could possibly cause harm are prohibited. If it is determined that a student brought such an item

to school without intent to harm, the student may not be considered in possession of a weapon. ~~Nonetheless, because students are responsible for what they bring to school and possession of these items are prohibited, the consequences outlined below apply.~~ If a student directly or indirectly threatens another person or persons with such an object, the student will be determined to be in possession of a weapon and appropriate action will be taken in accordance with district policy.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	1-day suspension
Grades 43-5	★	1-day suspension	3-day suspension
Grades 6-12	1-day suspension	3-day suspension	5-day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

11. WEAPONS, EXPLOSIVES, INCENDIARY DEVICES, AMMUNITION, AND OTHER DANGEROUS ITEMS

The possession, real or implied, of weapons, explosives, incendiary devices, ammunition, or other items considered dangerous, illegal or which could cause harm, destruction, or disruption is prohibited. The possession of imitation, non-working, or self-created weapons (i.e. 3D printing) is prohibited. The use or detonation of explosives, weapons, incendiary devices, ammunition, or other items considered dangerous, illegal, or which could cause harm, destruction, or disruption is prohibited. If it is determined that a student brought such an item to school without intent to harm, the student may not be considered in possession

Grades	First Offense	Second Offense
Grades PreK-23	★	★
Grades 43-5	3-5 day suspension Police referral	10-day suspension; Expulsion recommendation; Police referral
Grades 6-12	10-day suspension; Expulsion recommendation; Police referral	

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

DRIVING INFRACTIONS AND TRANSPORTATION

12. DRIVING, CARELESS OR RECKLESS

Driving any motorized or non-motorized vehicle on district property in such a manner as to endanger people or property is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades 9-12	Parking permit revoked for identified time period Police referral	3-day suspension Parking permit permanently revoked Police referral	5-day suspension Police referral

13. TRANSPORTATION

All rules that apply to building and classroom behavior apply while riding a school bus. Therefore, students may be administered consequences consistent with other school discipline procedures

and in accordance with district policy. Students endangering persons or property may lose bus riding privileges immediately and for an indefinite period. Students, grades 6-12, who commit a fourth offense, will be suspended from riding the bus for the remainder of the school year.

Grades	First Offense	Second Offense	Third Offense	Fourth Offense	Fifth Offense
Grades PreK-5	Verbal Warning	1-day bus suspension ★	3-day bus suspension ★	5-day bus suspension ★	Loss of bus riding privilege for school year
Grades 6-12	Verbal Warning	1-3 day bus suspension ★	5-10 day bus suspension	Loss of bus riding privilege for school year	

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

14. VEHICLE, UNAUTHORIZED PARKING, DISPLAY OF PARKING PERMIT

Not having or not displaying a valid parking permit is prohibited. Parking a vehicle in an unauthorized area is prohibited. Failure to adhere to parking regulations may result in towing without warning. In addition, students and their entire carpool are subject to temporary or permanent loss of parking permits.

Grades	First Offense	Second Offense	Third Offense
Grades 9 -12	Immobilization of vehicle and \$30 fine	Immobilization of vehicle and \$60 fine	Immobilization of vehicle and \$90 fine

15. VEHICLE, STEALING PERMIT, FORGING PERMIT, FALSE PERMIT

Stealing, forging, or using a false permit will result in a school suspension and the loss of parking privileges.

PHYSICAL INFRACTIONS

16. ASSAULT

Committing an act with intent to cause fear in another person of immediate bodily harm or death or intentionally inflicting or attempting to inflict bodily harm upon another person is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	Same/next day dismissal 1-2 day suspension Student Services Referral	Same/next day dismissal 3-day suspension Student Services Referral
Grades 4-5	1-2 day suspension Student Services Referral	3-day suspension Student Service /Police referral	10-day suspension Expulsion recommendation Police referral
Grades 6-12	3-5 day suspension Student Services referral	5-day suspension Student Services/Police referral 10-day suspension Expulsion recommendation Police referral	10-day suspension Expulsion recommendation Police referral

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(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services. Administrative discretion to jump a level based on severity of situation.

17. ASSAULT, AGGRAVATED

Committing an assault upon another person with a weapon or an assault that inflicts great bodily harm upon another person is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades Pre K-23	Same/next day dismissal ★	2-5 day suspension Student Services referral	5-10-day suspension Police referral
Grades 43-5	5-day suspension Student Services referral	10-day suspension Expulsion recommendation Police referral	
Grades 6-12	10-day suspension Expulsion recommendation Police referral		

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.

18. FIGHTING

Engaging in any form of fighting where blows are exchanged is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★ Student Services referral
Grades 43-5	★	★ Student Services Referral	Same/next day dismissal Student Services referral
Grades 6-12	1-3 day suspension Student Services referral	3-5 day suspension Student Services referral	10-day suspension Expulsion recommendation

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.

19. PUSHING, SHOVING, SCUFFLING

Physical contact that could harm others, but is not defined as an assault or fighting, is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-2	★	★	★

Grades 3-5	★	★	★
Grades 6-12	★	1-3 day suspension	3-5 day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

20. SEXUAL MISCONDUCT

Engaging in nonconsensual sexual intercourse or sexual contact with another person including intentional touching of clothing covering a person's intimate parts, intentional removal or attempted removal of clothing covering a person's intimate parts, or clothing covering a person's undergarments, if the action is performed with sexual or aggressive intent, is prohibited. Indecent exposure is also prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★ Student Services referral	★ Student Services referral
Grades 43-5	★	Same/next day dismissal Student Services referral	2-day suspension Student Services referral
Grades 6-12	10-day suspension Expulsion recommendation Police referral		

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

PROPERTY INFRACTIONS

21. ARSON

The intentional setting of a fire that results in, or could have potentially resulted in, the destruction or damage to district property or other property or that endangers or potentially endangers others by means of fire is prohibited.

Grades	First Offense
Grades preK-12	10-day suspension; Expulsion recommendation; Police referral

22. BREAKING AND ENTERING

Entering a secured district location, after school hours, using an unauthorized mechanism of entering is prohibited.

Grades	First Offense	Second Offense
PreK-3	★	★

Grades K-4 4-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral
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(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

23. FIRE EXTINGUISHER, UNAUTHORIZED USE

Fire extinguishers are important tools that are needed in potentially life-threatening fires. All other uses are prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	Same/next day dismissal ★	2-day suspension ★
Grades 4-5	★	Same/next day dismissal	2-day suspension
Grades 6-12	★	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

24. ROBBERY OR EXTORTION

Taking property from another person by use of force, threat of force compelling acquiescence, or under false pretenses is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/next day dismissal ★
Grades 4-5	★	Same/next day dismissal	2-day suspension
Grades 6-12	3-5 day suspension Police referral	5-10 day suspension Police referral 10 day suspension pending further investigation** Expulsion recommendation Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

(**) Indicates further investigation may result in a reduction of suspension or a recommendation for expulsion.

25. SECURITY SYSTEM TAMPERING

Any action that is intended to deactivate, damage, or destroy any security system of the district is prohibited. This action includes, but is not limited to, the disabling of or tampering with a district security camera or an automatic locking door apparatus.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	Same/next day dismissal ★	2-day suspension Police referral ★
Grades 43-5	Same/next day dismissal Police referral ★	1-day suspension Police referral	1-3 day suspension Police referral
Grades 6-12	1-3 day suspension Police referral	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

26. THEFT, RECEIVING OR POSSESSING STOLEN PROPERTY

The unauthorized taking, using, transferring, hiding, or possessing of the property of another person without the consent of the owner or the receiving of such property is prohibited. Restitution, when appropriate, will be required.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/next day dismissal ★
Grades 43-5	★	Same/next day dismissal	2-day suspension
Grades 6-12	1-3 day suspension Police referral	3-5 day suspension Police referral	10-day suspension Expulsion recommendation Police referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

27. TRESPASSING

Remaining on school property without authorization is prohibited. Students are not to go into other district buildings unless they have permission from the building administrator or are attending a district-sponsored event. Any student on suspension who goes to a district location without permission is subject to being charged with trespassing and an increase in suspension time. Admitting others through a locked or secured entrance without the permission of district employees is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	Same/next day dismissal
Grades 6-12	1-day suspension	1-3 day suspension	5-10 day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

28. VANDALISM, MINOR ACTS (LESS THAN \$500)

Littering, defacing (including placement of graffiti), cutting, damaging, or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	Same/next day dismissal	2-day suspension
Grades 6-12	1-3 day suspension Police referral	5-day suspension Police referral	10-day suspension; Expulsion recommendation; Police referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

29. VANDALISM, MAJOR ACTS (MORE THAN \$500)

Littering, defacing (including placement of graffiti), cutting, damaging, or destroying property that belongs to the district or other individuals/entities is prohibited. Vandalism is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/next day dismissal ★
Grades 43-5	★	Same/next day dismissal	4-5 day suspension
Grades 6-12	10-day suspension; Expulsion recommendation Police referral		

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

SCHOLASTIC DISHONESTY

30. DISHONESTY, SCHOLASTIC

Scholastic dishonesty that includes, but is not limited to, cheating on school assignments or tests, plagiarism, or collusion is prohibited. Academic consequences may also be assigned.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/next day dismissal ★
Grades 43-5	★	★	1-3 day suspension
Grades 6-8	★	1-day suspension	1-3 day suspension
Grades 9-12	★ Student Services Referral	1-day suspension	3-10 day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

TECHNOLOGY INFRACTIONS

31. ELECTRONIC DEVICES, MISUSE OF

Rules relating to the possession and/or use of cell phones and/or personal electronic mobile devices in school are dependent upon the grade level of the individual student. Students are not allowed to use cell phones or personal electronic mobile devices at the elementary level during the hours of the school day, unless specifically directed otherwise by a district employee. High school 8 and middle school students may use cell phones or personal electronic mobile devices at the discretion of a teacher [and in accordance with school policy](#), and [only](#) in a way that is not disruptive to the educational process including use in class or in any way that sacrifices, or potentially sacrifices, academic integrity (see also Dishonesty, Scholastic, and Photographic Device Misuse).

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	★
Grades 6-8	★	★	1-day suspension
Grades 9-12	★	1-day suspension	3-day suspension

(★) Indicates opportunity [for restorative practices and potential](#) disciplinary action assigned by building administration.

32. PHOTOGRAPHIC OR RECORDING DEVICE MISUSE

Use of any photographic or recording device, film camera, digital camera, cell phone camera, [and/or](#) video camera to capture, record, transmit, and/or post the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member, or other person without their permission, [and/or which](#) impinges upon the rights of others, ~~and~~ is prohibited. This prohibition includes the distribution or receipt of a picture(s)/recording that impinges upon the personal privacy of another. Misuse of any device in a school locker room, school bathroom, or elsewhere in a way that violates the personal privacy of ~~the~~[an](#) individual may result in the immediate initiation of the expulsion process.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-5	★	★	★
Grades 6-12	1-2 day suspension	3-5 day suspension	5-day suspension

(★) Indicates opportunity [for restorative practices and potential](#) disciplinary action assigned by building administration.

33. TECHNOLOGY AND TELECOMMUNICATIONS, MISUSE

Misuse of technologies, equipment, or network; deletion or violation of password-protected information, computer programs, data, passwords, or system files; inappropriate accessing of files, directories, and Internet sites; deliberate contamination of the system; unethical use of information; or violation of copyright laws are prohibited. In addition, network access may be monitored and/or limited as a result of technology and/or telecommunication misuse. ~~Students will follow the following Online Code of Ethics when using district technology, network resources, and the Internet, including Web 2.0 products.~~

Grades	First Offense	Second Offense	Third Offense
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Grades PreK-5	★	★	2-3 day suspension. ★ Network access limited or monitored for the rest of the year.
Grades 6-12	★	★	10-day suspension <i>and</i> access limited or monitored indefinitely. Expulsion recommendation.

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

34. TECHNOLOGY & TELECOMMUNICATIONS, BREACH OF

The deliberate breach of the ~~school~~-district network and technology resources is prohibited, and may result in disciplinary actions, including but not limited to suspension, police referral, and recommendation for expulsion.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-3	★	★	★
Grades K 4-12	1-3 day suspension. Student Services referral.	3-5 day suspension. Police referral.	10-day suspension. Police referral. Recommendation for expulsion.

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services

THREATENING AND/OR DISRUPTIVE BEHAVIOR

35. RACISM, RELIGIOUS-BASED DISCRIMINATION, XENOPHOBIA, SEXUAL ORIENTATION AND GENDER IDENTITY DISCRIMINATION

Student misconduct based on race, religion, country of origin, sexual orientation, or gender identity that includes, but is not limited to, inappropriate and harmful comments, slurs, jokes, pictures, objects, threats, and/or intimidation.

Grade Band	First Offense	Second Offense	Third Offense
Grades PreK- 2 3	★	★ Student Services Referral	★ Same/next day dismissal Student Services Referral
Grades 4 3-5	★	Same/next day dismissal Student Services	1-2 day suspension Student Services Referral

		Referral	
Grades 6-8	1-3 day suspension Student Services Referral	3-5 day suspension Student Services Referral	10-day suspension pending further investigation** Student Services Referral
Grades 9-12	3-5 day suspension Student Services Referral**	10 day suspension pending further investigation** Student Services Referral	10 day suspension pending further investigation** Student Services Referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Restorative actions in these cases need to include an educational component. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

(**) Indicates further investigation may result in a reduction of suspension or a recommendation for expulsion.

36. ABUSE, VERBAL

The use of language that is obscene, threatening, intimidating, or inflammatory, or that degrades other people is prohibited. Verbal abuse may also be addressed under the guidelines for harassment and/or bullying, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★ Student Services Referral	★ Same/next day dismissal Student Services Referral
Grades 4-5	★	Same/next day dismissal Student Services Referral	1-2 day suspension Student Services Referral
Grades 6-8	1-2 day suspension	2-3 day suspension	3-5 day suspension
Grades 9-12	1-3 day suspension	3-5 day suspension	10-day suspension Expulsion recommendation

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services*

37. BOMB THREAT OR TERRORISTIC THREAT

Making, publishing, or conveying in any manner a bomb threat or any other type of terroristic threat pertaining to a school location or event is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	5-day suspension Police referral	10-day suspension Expulsion recommendation

	Police referral Student Services referral	★ Student Services referral	Police referral ★ Student Services referral
Grades 43-5	5 day suspension Police referral	10 day suspension Police referral	10 day suspension Expulsion recommendation Police referral
Grades 6-12	10 day suspension Expulsion recommendation Police referral		

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

38. BULLYING OR INTIMIDATING BEHAVIOR

Bullying or intimidating behavior of any type, including through the use of technology and the Internet, is prohibited. Bullying or intimidating behavior may also be addressed under the guidelines for harassment and/or verbal abuse, when appropriate.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★ Student Services Referral	★ Same/Next day dismissal Student Services Rreferral
Grades 43-5	★	Same/Next day dismissal Student Services Rreferral	1- 2 day suspension Student Services Rreferral
Grades 6-12	★	1-3 day suspension Student Services Rreferral	2-10 day suspension Student Services referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services*

39. DISORDERLY CONDUCT

Disorderly conduct is prohibited. Disorderly conduct is an act that the student knows or has reasonable grounds to know will alarm, anger, disturb others, or provoke an assault or breach of the peace. Disorderly conduct may also be engaging in offensive, obscene, abusive, boisterous, or noisy conduct or gestures, or offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★ Student Services referral
Grades 43-5	★ Student Services	Same/next day dismissal	1-day suspension

	referral		
Grades 6-12	1-day suspension Student Services referral	2-5 day suspension	10-day suspension Expulsion recommendation

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services*

40. DISRUPTIVE OR DISRESPECTFUL BEHAVIOR

Disruptive or disrespectful behavior is prohibited. Disruptive or disrespectful behavior is language or behavior that disrupts or threatens to disrupt the school environment.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	Same/next day dismissal ★
Grades 43-5	★	★	Same/next day suspension
Grades 6-8	★	★	1-3 day suspension
Grades 9-12	★	1-day suspension	3-day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

41. FIRE ALARM, FALSE

Intentionally giving a false alarm of a fire or tampering or interfering with any fire alarm, fire alarm system, or sprinkler system is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	Same/next day dismissal Police referral ★ Student Services referral	2-day suspension Police referral ★ Student Services referral
Grades 43-5	Same/next day dismissal Police referral	2-day suspension Police referral	3-day suspension Police referral
Grades 6-12	5-day suspension Police referral	10-day suspension Expulsion recommendation Police referral	

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

42. GAMBLING

Gambling, including but not limited to, playing a game of chance for stakes or possession of gambling devices (including machines, video games, and other items used to promote a game of chance) is prohibited.

Grades	First Offense	Second Offense	Third Offense
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Grades PreK-23	★	★	Same/next day dismissal ★
Grades 43-5	★	Same/next day dismissal	2-day suspension
Grades 6-12	★	1-3 day suspension	3-5 day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

43. HARASSMENT OR RETALIATION

Harassment and violence because of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, or age, as defined in the district policy, are prohibited. Reprisal or retaliation for a complaint of harassment is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★ Student Services Referral	★ Same/next day dismissal Student Services Referral
Grades 43-5	★	Same/next day dismissal Student Services Referral	1-2 day suspension Student Services Referral
Grades 6-8	★	1-3 day suspension	3-5 day suspension
Grades 9-12	1-3 day suspension 3-5 day suspension Student Services referral	3-5 day suspension 10-day suspension pending further investigation** Student Services referral	10-day suspension Expulsion recommendation 10-day suspension pending further investigation** Student Services referral

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

(**) Indicates further investigation may result in a reduction of suspension or a recommendation for expulsion.

44. HAZING

Hazing activities of any type are prohibited at all times. Hazing means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. Specific examples of hazing are found in Policy 526 – Student Hazing Prohibition. Hazing, by its very nature, often occurs off school grounds, after school hours, on non-school days, and during summer months. Students are advised that hazing is prohibited whenever and wherever it occurs.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-5	★	★	★

Grades 6-12	1-3 day suspension	3-5 day suspension	10-day suspension Expulsion recommendation
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(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

45. INSUBORDINATION

A deliberate refusal to follow an appropriate direction or to identify one's self when requested is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-3	★	★	★
Grades K -4-5	★	★	Same/next day dismissal
Grades 6-12	★	1-3 day suspension	3-5 day suspension

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration.

46. THREATENING GROUP ACTIVITY

Threatening group-related activity, the use of graffiti emblems, symbolism, hand signs, slang, tattoos, jewelry, discussion, clothing, etc. are prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★ Student Services referral
Grades 4 3-5	★	★ Student Services referral	Same/next day dismissal Student Services referral
Grades 6-12	3-day suspension Student Services referral	5-day suspension	10-day suspension Expulsion recommendation

(★) Indicates opportunity *for restorative practices and potential* disciplinary action assigned by building administration. *Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.*

47. THREATS OF PHYSICAL HARM TOWARD STUDENTS, EMPLOYEES, OR OTHER PERSONS

The use of language that is blatantly threatening or intimidating that could be interpreted as a death threat or insinuating the infliction of serious bodily harm upon students, employees, or other persons is prohibited. Making comments that could be interpreted as death threats or insinuating the infliction of serious bodily harm upon students, employees, or other persons is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-3	★	★	★
Grades 4 3-5	5-day suspension	10-day suspension Expulsion recommendation Police referral	

Grades 6-12	10-day suspension Expulsion recommendation Police referral		
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(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

OTHER BEHAVIOR INFRACTIONS

48. DRESS AND APPEARANCE

This school district encourages students to be dressed and groomed appropriately for school activities. This is a joint responsibility of the student and the student's parent(s) or guardian(s). Further detail on Student Dress and Appearance is described in Policy 504.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-12	★ Student Services Referral	★ Student Services Referral	★ Student Services Referral

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration. Student Services referral should involve counselor, social worker, psychologist, case manager, or other support services.

49. FALSE REPORTING

Intentionally reporting false information about the behavior of a student or employee is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	1-3 day suspension
Grades 6-12	1-3 day suspension	3-day suspension	3-5 day suspension

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

50. RECORDS OR IDENTIFICATION FALSIFICATION

Falsifying signatures or data, misrepresenting identity, or forging notes is prohibited.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	Same/next day dismissal
Grades 6-8	★	1-3 day suspension	3-5 day suspension
Grades 9-12	1-day suspension	3-day suspension	3-5 day suspension

(★) Indicates opportunity for restorative practices and potential disciplinary action assigned by building administration.

51. SECRET SOCIETIES (FRATERNITIES/SORORITIES)

Membership in secret fraternities, sororities, and clubs is prohibited throughout the district.

Grades	First Offense	Second Offense	Third Offense
Grades PreK-23	★	★	★
Grades 43-5	★	★	★
Grades 6-12	★	1-3 day suspension	3-5 day suspension

(★) Indicates opportunity [for restorative practices and potential](#) disciplinary action assigned by building administration.

52. UNIQUE SITUATIONS

Discipline situations not covered by these guidelines will be handled on a case-by-case basis. Behaviors that are willful and disruptive or potentially harmful are included. Unique or special situations at a particular school may call for an adjustment in the discipline policies to meet the school or district's needs.

~~Policy~~ [Appendix](#)

established: [07/18/11](#)

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Revised: [07/17/18](#)

Revised: [08/08/22](#)

INDEPENDENT SCHOOL DISTRICT [NO. 273](#)
Edina, Minnesota