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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4061

02/22/2024 Authored by Urdahl, Bakeberg, Knudsen, Mueller and Bennett
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act

1.2 relating to education; modifying requirements for student discipline and returning

1.3 to class after a removal; amending Minnesota Statutes 2023 Supplement, section

1.4 121A.61, subdivision 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2023 Supplement, section 121A.61, subdivision 3, is

1.7 amended to read:

1.8 Subd. 3. **Policy components.** The policy must include at least the following components:

1.9 (a) rules governing student conduct and procedures for informing students of the rules;

1.10 (b) the grounds for removal of a student from a class;

1.11 (c) the authority of the classroom teacher to remove students from the classroom pursuant

1.12 to procedures and rules established in the district's policy;

1.13 (d) the procedures for removal of a student from a class by a teacher, school administrator,

1.14 or other school district employee;

1.15 (e) the period of time for which a student may be removed from a class, which may not

1.16 exceed five class periods for a violation of a rule of conduct;

1.17 (f) provisions relating to the responsibility for and custody of a student removed from

1.18 a class;

1.19 (g) the procedures for return of a student to the specified class from which the student

1.20 has been removed;

2.1 (h) the procedures for notifying a student and the student's parents or guardian of
2.2 violations of the rules of conduct and of resulting disciplinary actions;

2.3 (i) any procedures determined appropriate for encouraging early involvement of parents
2.4 or guardians in attempts to improve a student's behavior;

2.5 (j) any procedures determined appropriate for encouraging early detection of behavioral
2.6 problems;

2.7 (k) any procedures determined appropriate for referring a student in need of special
2.8 education services to those services;

2.9 (l) any procedures determined appropriate for ensuring victims of bullying who respond
2.10 with behavior not allowed under the school's behavior policies have access to a remedial
2.11 response, consistent with section 121A.031;

2.12 (m) the procedures for consideration of whether there is a need for a further assessment
2.13 or of whether there is a need for a review of the adequacy of a current individualized
2.14 education program of a student with a disability who is removed from class;

2.15 (n) procedures for detecting and addressing chemical abuse problems of a student while
2.16 on the school premises;

2.17 (o) the minimum consequences for violations of the code of conduct;

2.18 (p) procedures for immediate and appropriate interventions tied to violations of the code;

2.19 (q) a provision that states that a teacher, school employee, school bus driver, or other
2.20 agent of a district may use reasonable force in compliance with section 121A.582 and other
2.21 laws;

2.22 (r) an agreement regarding procedures to coordinate crisis services to the extent funds
2.23 are available with the county board responsible for implementing sections 245.487 to
2.24 245.4889 for students with a serious emotional disturbance or other students who have an
2.25 individualized education program whose behavior may be addressed by crisis intervention;

2.26 (s) a provision that states a student must be removed from class immediately if the student
2.27 engages in assault or violent behavior. For purposes of this paragraph, "assault" has the
2.28 meaning given it in section 609.02, subdivision 10. The removal shall be for a period of
2.29 time deemed appropriate by the principal, in consultation with the teacher. The period of
2.30 removal must include an opportunity for the student to meet with a licensed school counselor,
2.31 licensed school psychologist, or licensed social worker. Each return to class after a removal
2.32 must include a plan requiring the student to participate in targeted social and emotional

3.1 learning opportunities. At the request of the teacher in whose class the assault or violent
3.2 behavior occurred, the student must participate in a restorative process;

3.3 (t) a prohibition on the use of exclusionary practices for early learners as defined in
3.4 section 121A.425; and

3.5 (u) a prohibition on the use of exclusionary practices to address attendance and truancy
3.6 issues.

3.7 **EFFECTIVE DATE.** This section is effective for the 2024-2025 school year and later.