

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 1685

(SENATE AUTHORS: CLAUSEN)

DATE
03/02/2017

D-PG
986 Introduction and first reading
Referred to E-12 Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; modifying school disciplinary actions; amending Minnesota
1.3 Statutes 2016, sections 120B.11, subdivision 5; 121A.45, subdivision 2, by adding
1.4 a subdivision; 121A.61, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2016, section 120B.11, subdivision 5, is amended to read:

1.7 Subd. 5. **Report.** Consistent with requirements for school performance reports under
1.8 section 120B.36, subdivision 1, the school board shall publish a report in the local newspaper
1.9 with the largest circulation in the district, by mail, or by electronic means on the district
1.10 Web site. The school board shall hold an annual public meeting to review, and revise where
1.11 appropriate, student achievement goals, local assessment outcomes, plans, strategies, and
1.12 practices for improving curriculum and instruction and cultural competency, and efforts to
1.13 equitably distribute diverse, effective, experienced, and in-field teachers, and to review
1.14 district success in realizing the previously adopted student achievement goals and related
1.15 benchmarks and the improvement plans leading to the world's best workforce. The report
1.16 must include data on school discipline along with school district efforts to reduce suspensions,
1.17 including but not limited to staff development for teachers and administrators, restorative
1.18 justice practices, positive behavioral interventions and supports, trauma-informed curriculum
1.19 and practices, parental involvement, after-school interventions, and the use of culturally
1.20 competent staff development and policies. The school board must transmit an electronic
1.21 summary of its report to the commissioner in the form and manner the commissioner
1.22 determines.

2.1 Sec. 2. Minnesota Statutes 2016, section 121A.45, subdivision 2, is amended to read:

2.2 Subd. 2. **Grounds for dismissal.** A pupil may be dismissed on any of the following
2.3 grounds:

2.4 (a) willful violation of any reasonable school board regulation. Such regulation must be
2.5 clear and definite to provide notice to pupils that they must conform their conduct to its
2.6 requirements;

2.7 (b) willful conduct that significantly disrupts the rights of others to an education, or the
2.8 ability of school personnel to perform their duties, or school sponsored extracurricular
2.9 activities; or

2.10 (c) willful conduct that endangers the pupil or other pupils, or surrounding persons,
2.11 including school district employees, or property of the school.

2.12 A pupil's conduct that constitutes a violation of the district's student bullying policy,
2.13 sexual, religious, and racial harassment and violence policy, hazing policy, discrimination
2.14 policy, or dangerous weapons policy is not subject to the willful requirement in clause (a).

2.15 **EFFECTIVE DATE.** This section applies to dismissals commenced on or after August
2.16 1, 2017.

2.17 Sec. 3. Minnesota Statutes 2016, section 121A.45, is amended by adding a subdivision to
2.18 read:

2.19 Subd. 4. **Suspension of elementary school pupils.** Before beginning the suspension
2.20 procedures required under section 121A.46 for a pupil in kindergarten through grade 5, the
2.21 school administration must consider whether a suspension pursuant to subdivision 2 is
2.22 consistent with school district policies that emphasize preventing dismissal through early
2.23 detection of problems and that are designed to prevent students' inappropriate behavior from
2.24 recurring.

2.25 **EFFECTIVE DATE.** This section applies to suspensions commenced on or after August
2.26 1, 2017.

2.27 Sec. 4. Minnesota Statutes 2016, section 121A.61, subdivision 2, is amended to read:

2.28 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds
2.29 for which a student may be removed from a class in the district for a period of time under
2.30 the procedures specified in the policy. The policy must include a procedure for notifying
2.31 and meeting with a student's parent or guardian to discuss the problem that is causing the

3.1 student to be removed from class after the student has been removed from class more than
3.2 ten times in one school year. The grounds in the policy must include at least the following
3.3 provisions as well as other grounds determined appropriate by the board:

3.4 (a) willful conduct that significantly disrupts the rights of others to an education, including
3.5 conduct that interferes with a teacher's ability to teach or communicate effectively with
3.6 students in a class or with the ability of other students to learn;

3.7 (b) willful conduct that endangers surrounding persons, including school district
3.8 employees, the student or other students, or the property of the school; and

3.9 (c) willful violation of any rule of conduct specified in the discipline policy adopted by
3.10 the board.

3.11 A pupil's conduct that constitutes a violation of the district's student bullying policy,
3.12 sexual, religious, and racial harassment and violence policy, hazing policy, discrimination
3.13 policy, or dangerous weapons policy is not subject to the willful requirement in clause (a).

3.14 **EFFECTIVE DATE.** This section applies to removals commenced on or after August
3.15 1, 2017.