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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3260

02/10/2022 Authored by Hanson, J.; Thompson; Hassan; Boldon; Agbaje and others
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; prohibiting malicious and sadistic conduct involving race,
1.3 religion, sexual harassment, sexual orientation, and sexual exploitation; proposing
1.4 coding for new law in Minnesota Statutes, chapter 121A.

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

1.6 Section 1. [121A.0312] MALICIOUS AND SADISTIC CONDUCT.

1.7 (a) A school board must adopt a written policy to address malicious and sadistic conduct
1.8 involving race, religion, sexual harassment, sexual orientation, and sexual exploitation by
1.9 a district or school staff member or student enrolled in a public or charter school against
1.10 another staff member or student that occurs as described in section 121A.031, subdivision
1.11 1.

1.12 (b) The policy shall apply to students, teachers, administrators, and other school
1.13 personnel, and include at a minimum the components under section 121A.031, subdivision
1.14 4, paragraph (a), and disciplinary actions that will be taken for violation of the policy.
1.15 Disciplinary actions must conform with collective bargaining agreements and sections
1.16 121A.41 to 121A.56.

1.17 (c) The policy must be conspicuously posted throughout each school building, given to
1.18 each district employee and independent contractor at the time of entering into the person's
1.19 employment contract, and included in each school's student handbook on school policies.
1.20 Each school must develop a process for discussing the school's policy addressing malicious
1.21 and sadistic conduct involving race, religion, sexual harassment, sexual orientation, and
1.22 sexual exploitation with students, parents of students, and school employees.

- 2.1 (d) For purposes of this section, "malicious and sadistic conduct" means creating a hostile  
2.2 learning environment by acting with the intent to cause harm by intentionally injuring  
2.3 another without just cause or reason or engaging in extreme or excessive cruelty or delighting  
2.4 in cruelty.