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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4038

03/07/2022 Authored by Bahr
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; providing for reporting of student fights; amending Minnesota
1.3 Statutes 2020, section 121A.53.

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

1.5 Section 1. Minnesota Statutes 2020, section 121A.53, is amended to read:

1.6 121A.53 REPORT TO COMMISSIONER OF EDUCATION.

1.7 Subdivision 1. Exclusions and expulsions; physical assaults. The school board must
1.8 report through the department electronic reporting system each exclusion or expulsion, each
1.9 fight involving students that is witnessed by a district employee, and each physical assault
1.10 of a district employee by a student within 30 days of the effective date of the dismissal
1.11 action or assault to the commissioner of education. This report must include a statement of
1.12 alternative educational services, or other sanction, intervention, or resolution in response
1.13 to the assault given the pupil and the reason for, the effective date, and the duration of the
1.14 exclusion or expulsion or other sanction, intervention, or resolution. The report must also
1.15 include the student's age, grade, gender, race, and special education status.

1.16 Subd. 2. Report. (a) The school board must include state student identification numbers
1.17 of affected pupils on all dismissal and other disciplinary reports required by the department.
1.18 The department must report annually to the commissioner summary data on the number of
1.19 dismissals, student fights witnessed by a district employee, and physical assaults of district
1.20 employees by a student by age, grade, gender, race, and special education status of the
1.21 affected pupils. All dismissal and other disciplinary reports must be submitted through the
1.22 department electronic reporting system.

2.1 (b) The commissioner must aggregate the district data reported under this section and
2.2 include the aggregated data, including aggregated data on physical assaults of a district
2.3 employee by a student, in the annual school performance reports under section 120B.36.

2.4 Subd. 3. **Fighting witnessed by a district employee.** A school district employee who
2.5 witnesses fighting between students must report the incident to the building administrator
2.6 responsible for student discipline and file a police report. The school board must report the
2.7 incident to the department according to this section and determine whether a police report
2.8 has been filed by the district employee witnessing the fighting.