

UNOFFICIAL ENGROSSMENT

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**H.F. No. 826**

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DATE	D-PG	OFFICIAL STATUS
<del>03/07/2013</del>	3256	Received from House
	3256	Introduction and first reading
		Referred to Finance
05/14/2013	3664a	Comm report: To pass as amended
	3680	Second reading
05/19/2013	5216a	Special Order: Amended
	5220	Laid on table
	5793	Rule 47, referred to Finance
03/06/2014	6009	Withdrawn and re-referred to Education
03/12/2014	6144a	Comm report: To pass as amended and re-refer to Finance
	6156	Rule 12.10: report of votes in committee (Nelson amendment)
03/20/2014		Comm report: To pass as amended
		Second reading

A bill for an act

relating to education; providing for safe and supportive schools by prohibiting bullying; amending Minnesota Statutes 2012, sections 124D.895, subdivision 1; 124D.8955; 127A.42, subdivision 2; Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 121A; 127A; repealing Minnesota Statutes 2012, section 121A.0695.

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

Section 1. **LEGISLATIVE PURPOSE AND INTENT.**

Bullying by a student against another student is a significant problem in our schools. Such conduct cannot only adversely impact the educational opportunities of another student or students, but it may also substantially disrupt the orderly functioning of a school. Schools have a responsibility to try to prevent such adverse consequences and disruptions for the benefit of all students.

Consistent with United States Supreme Court precedent, under this Act, which may be cited as the "Safe and Supportive Minnesota Schools Act," bullying involves plainly offensive conduct that improperly interferes with the rights of other students and the work or discipline of the school. Bullying may occur on school premises or school buses, at school events or functions, or by use of technology. This legislation is intended to prevent bullying by a student to facilitate a safe and conducive educational environment for all students, ameliorate the effects of bullying and teach students the boundaries of socially appropriate behavior.

Sec. 2. **[121A.031] SCHOOL STUDENT BULLYING POLICY.**

2.1 Subdivision 1. **Student bullying policy; scope and application.** (a) This section  
2.2 applies to bullying by a student against another student enrolled in a public school and  
2.3 which occurs:

2.4 (1) on the school premises, at the school functions or activities, or on the school  
2.5 transportation;

2.6 (2) by use of electronic technology and communications on the school premises,  
2.7 during the school functions or activities, on the school transportation, or on the school  
2.8 computers, networks, forums, and mailing lists; or

2.9 (3) by use of electronic technology and communications off the school premises to  
2.10 the extent such use substantially and materially disrupts student learning or the school  
2.11 environment.

2.12 (b) A nonpublic school under section 123B.41, subdivision 9, consistent with its  
2.13 school accreditation cycle, is encouraged to electronically transmit to the commissioner its  
2.14 antibullying policy, if any, and any summary data on its bullying incidents.

2.15 (c) This section does not apply to a home school under sections 120A.22, subdivision  
2.16 4, and 120A.24.

2.17 (d) A school-aged child who voluntarily participates in a public school activity such  
2.18 as a co-curricular or extra-curricular activity, is subject to the same student bullying policy  
2.19 provisions applicable to the public school students participating in the activity.

2.20 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have  
2.21 the meanings given them.

2.22 (b) "District" means a district under section 120A.05, subdivision 8.

2.23 (c) "Public school" or "school" means a public school under section 120A.05,  
2.24 subdivisions 9, 11, 13, and 17, and a charter school under section 124D.10.

2.25 (d) "Student" means a student enrolled in a school under paragraph (c).

2.26 (e) "Bullying" means intimidating, threatening, abusive, or harming conduct that is  
2.27 objectively offensive and:

2.28 (1) there is an actual or perceived imbalance of power between the student engaging  
2.29 in prohibited conduct and the target of the behavior and the conduct is repeated or forms a  
2.30 pattern; or

2.31 (2) materially and substantially interferes with a student's educational opportunities  
2.32 or performance or ability to participate in school functions or activities or receive school  
2.33 benefits, services, or privileges.

2.34 (f) "Cyberbullying" means bullying using technology or other electronic  
2.35 communication, including, but not limited to, a transfer of a sign, signal, writing, image,

3.1 sound, or data, including a post on a social network Internet Web site or forum, transmitted  
3.2 through a computer, cell phone, or other electronic device.

3.3 (g) Intimidating, threatening, abusive, or harming conduct may involve, but is not  
3.4 limited to, conduct that causes physical harm to a student or a student's property or  
3.5 causes a student to be in reasonable fear of harm to person or property; under Minnesota  
3.6 common law, violates a student's reasonable expectation of privacy, defames a student,  
3.7 or constitutes intentional infliction of emotional distress against a student; is directed  
3.8 at a student or students based on a person's actual or perceived race, ethnicity, color,  
3.9 creed, religion, national origin, immigration status, sex, age, marital status, familial status,  
3.10 socioeconomic status, physical appearance, sexual orientation, including gender identity  
3.11 and expression, academic status related to student performance, disability, or status with  
3.12 regard to public assistance, age, or any additional characteristic defined in chapter 363A.  
3.13 However, prohibited conduct need not be based on any particular characteristic defined in  
3.14 this paragraph or chapter 363A.

3.15 (h) "Prohibited conduct" means bullying or cyberbullying as defined under this  
3.16 subdivision or retaliation for asserting, alleging, reporting, or providing information about  
3.17 such conduct.

3.18 (i) "Remedial response" means a measure to stop and correct prohibited conduct,  
3.19 prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of  
3.20 the student who is the target of the prohibited conduct. Districts and schools may seek the  
3.21 assistance of the school climate center under section 127A.052 to develop and implement  
3.22 remedial responses on behalf of a student who is the target of prohibited conduct, to  
3.23 stop and correct a student engaging in prohibited conduct, and for use with students and  
3.24 adults in the school community.

3.25 Subd. 3. **Local district and school policy.** (a) Districts and schools, in consultation  
3.26 with students, parents, and community organizations, to the extent practicable, shall adopt,  
3.27 implement, and, on a cycle consistent with other district policies, review, and revise where  
3.28 appropriate, a written policy to prevent and prohibit student bullying consistent with this  
3.29 section. The policy must conform with sections 121A.41 to 121A.56. A district or school  
3.30 must adopt and implement a local policy under subdivisions 3 to 5 or comply with the  
3.31 provisions of the state model policy in subdivision 6.

3.32 (b) Each local district and school policy must establish research-based,  
3.33 developmentally appropriate best practices that include preventive and remedial measures  
3.34 and effective discipline for deterring policy violations; apply throughout the school or  
3.35 district; and foster active student, parent, and community participation. A district or

4.1 school may request assistance from the school climate center under section 127A.052 in  
4.2 complying with local policy requirements. The policy shall:

4.3 (1) define the roles and responsibilities of students, school personnel, and volunteers  
4.4 under the policy;

4.5 (2) specifically list the characteristics contained in subdivision 2, paragraph (g);

4.6 (3) emphasize remedial responses;

4.7 (4) be conspicuously posted in the administrative offices of the school and school  
4.8 district in summary form;

4.9 (5) be given to each school employee and independent contractor, if a contractor  
4.10 regularly interacts with students, at the time of employment with the district or school;

4.11 (6) be included in the student handbook on school policies; and

4.12 (7) be available to all parents and other school community members in an electronic  
4.13 format in the languages appearing on the district or school Web site, consistent with  
4.14 the district policies and practices.

4.15 (c) Consistent with its applicable policies and practices, Each district and school  
4.16 under this subdivision must discuss its policy with students, school personnel, and  
4.17 volunteers and provide appropriate training for all school personnel to prevent, identify,  
4.18 and respond to prohibited conduct. Districts and schools must establish a training cycle,  
4.19 not to exceed a period of three school years, for school personnel under this paragraph.  
4.20 Newly employed school personnel must receive the training within the first year of their  
4.21 employment with the district or school. A district or school administrator may accelerate  
4.22 the training cycle or provide additional training based on a particular need or circumstance.

4.23 (d) Each district and school under this subdivision must submit an electronic copy of  
4.24 its prohibited conduct policy to the commissioner.

4.25 Subd. 4. **Local policy components.** (a) Each district and school policy implemented  
4.26 under this section must, at a minimum:

4.27 (1) designate a staff member as the primary contact person in the school building  
4.28 to receive reports of prohibited conduct under clause (3), ensure the policy and its  
4.29 procedures including restorative practices, consequences, and sanctions are fairly and  
4.30 fully implemented, and serve as the primary contact on policy and procedural matters  
4.31 implicating both the district or school and the department;

4.32 (2) require school employees who witness prohibited conduct or possess reliable  
4.33 information that would lead a reasonable person to suspect that a student is a target of  
4.34 prohibited conduct to make reasonable efforts to address and resolve the prohibited conduct;

5.1 (3) provide a procedure to begin to investigate reports of prohibited conduct within  
5.2 three school days of the report, and make the primary contact person responsible for the  
5.3 investigation and any resulting record and for keeping and regulating access to any record;

5.4 (4) indicate how a school will respond to an identified incident of prohibited  
5.5 conduct, including immediately intervening to protect the target of the prohibited  
5.6 conduct; at the school administrator's discretion and consistent with state and federal  
5.7 data practices law governing access to data, including section 13.02, subdivision 8, a  
5.8 presumption that a district or school official will notify the parent of the reported target  
5.9 of the prohibited conduct and the parent of the actor engaged in the prohibited conduct;  
5.10 providing other remedial responses to the prohibited conduct; and ensuring that remedial  
5.11 responses are tailored to the particular incident and nature of the conduct and the student's  
5.12 developmental age and behavioral history;

5.13 (5) prohibit reprisals or retaliation against any person who asserts, alleges, or reports  
5.14 prohibited conduct or provides information about such conduct and establish appropriate  
5.15 consequences for a person who engages in reprisal or retaliation;

5.16 (6) allow anonymous reporting but do not rely solely on an anonymous report to  
5.17 determine discipline;

5.18 (7) provide information about available community resources to the target, actor,  
5.19 and other affected individuals, as appropriate;

5.20 (8) where appropriate for a child with a disability to prevent or respond to prohibited  
5.21 conduct, allow the child's individualized education program or section 504 plan to address  
5.22 the skills and proficiencies the child needs to respond to or not engage in prohibited conduct;

5.23 (9) use new employee training materials, the school publication on school rules,  
5.24 procedures, and standards of conduct, and the student handbook on school policies  
5.25 to publicize the policy;

5.26 (10) require ongoing professional development, consistent with section 122A.60, to  
5.27 build the skills of all school personnel who regularly interact with students, including, but  
5.28 not limited to, educators, administrators, school counselors, social workers, psychologists,  
5.29 other school mental health professionals, school nurses, cafeteria workers, custodians,  
5.30 bus drivers, athletic coaches, extracurricular activities advisors, and paraprofessionals to  
5.31 identify, prevent, and appropriately address prohibited conduct.

5.32 (b) Professional development under a local policy includes, but is not limited to,  
5.33 information about:

5.34 (1) developmentally appropriate strategies both to prevent and to immediately and  
5.35 effectively intervene to stop prohibited conduct;

6.1 (2) the complex dynamics affecting an actor, target, and witnesses to prohibited  
6.2 conduct;

6.3 (3) research on prohibited conduct, including specific categories of students at risk  
6.4 for prohibited conduct in school;

6.5 (4) the incidence and nature of cyberbullying; and

6.6 (5) Internet safety and cyberbullying.

6.7 Subd. 5. **Safe and supportive schools programming.** (a) Districts and schools

6.8 are encouraged to provide developmentally appropriate programmatic instruction

6.9 to help students identify, prevent, and reduce prohibited conduct; value diversity in

6.10 school and society; develop and improve students' knowledge and skills for solving

6.11 problems, managing conflict, engaging in civil discourse, and recognizing, responding

6.12 to, and reporting prohibited conduct; and make effective prevention and intervention

6.13 programs available to students. Upon request, the school climate center under section

6.14 127A.052 must assist a district or school in helping students understand social media

6.15 and cyberbullying. Districts and schools must establish strategies for creating a positive

6.16 school climate and use evidence-based social-emotional learning to prevent and reduce

6.17 discrimination and other improper conduct.

6.18 (b) Districts and schools are encouraged to:

6.19 (1) engage all students in creating a safe and supportive school environment;

6.20 (2) partner with parents and other community members to develop and implement  
6.21 prevention and intervention programs;

6.22 (3) engage all students and adults in integrating education, intervention, and other  
6.23 remedial responses into the school environment;

6.24 (4) train student bystanders to intervene in and report incidents of prohibited conduct  
6.25 to the school's primary contact person;

6.26 (5) teach students to advocate for themselves and others;

6.27 (6) prevent inappropriate referrals to special education of students who may engage  
6.28 in prohibited conduct; and

6.29 (7) foster student collaborations that foster a safe and supportive school climate.

6.30 Subd. 6. **State model policy.** (a) The commissioner, in consultation with the

6.31 commissioner of human rights, shall develop and maintain a state model policy. A district

6.32 or school that does not adopt and implement a local policy under subdivisions 3 to 5

6.33 must implement and may supplement the provisions of the state model policy. The

6.34 commissioner must assist districts and schools under this subdivision to implement the

6.35 state policy. The state model policy must:

6.36 (1) define prohibited conduct, consistent with this section;

7.1 (2) apply the prohibited conduct policy components in this section;

7.2 (3) for a child with a disability, whenever an evaluation by an individualized  
 7.3 education program team or a section 504 team indicates that the child's disability affects  
 7.4 the child's social skills development or the child is vulnerable to prohibited conduct  
 7.5 because of the child's disability, the child's individualized education program or section  
 7.6 504 plan may address the skills and proficiencies the child needs to not engage in and  
 7.7 respond to such conduct; and

7.8 (4) encourage violence prevention and character development education programs  
 7.9 under section 120B.232, subdivision 1.

7.10 (b) The commissioner shall develop and post departmental procedures for:

7.11 (1) periodically reviewing district and school programs and policies for compliance  
 7.12 with this section;

7.13 (2) investigating, reporting, and responding to noncompliance with this section,  
 7.14 which may include an annual review of plans to improve and provide a safe and supportive  
 7.15 school climate; and

7.16 (3) allowing students, parents, and educators to file a complaint about noncompliance  
 7.17 with the commissioner.

7.18 (c) The commissioner must post on the department's Web site information indicating  
 7.19 that when districts and schools allow noncurriculum-related student groups access to  
 7.20 school facilities, the district or school must give all student groups equal access to the  
 7.21 school facilities regardless of the content of the group members' speech.

7.22 Subd. 7. **Relation to existing law.** This section does not:

7.23 (1) establish any private right of action;

7.24 (2) limit rights currently available to an individual under other civil or criminal law,  
 7.25 including, but not limited to, chapter 363A; or

7.26 (3) interfere with a person's rights of religious expression and free speech and  
 7.27 expression under the First Amendment of the Unites States Constitution.

7.28 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and  
 7.29 later.

7.30 **Sec. 3. [121A.0311] NOTICE OF THE RIGHTS AND RESPONSIBILITIES**  
 7.31 **OF STUDENTS AND PARENTS UNDER THE SAFE AND SUPPORTIVE**  
 7.32 **MINNESOTA SCHOOLS ACT.**

7.33 A district or school subject to section 121A.031 must include in the student  
 7.34 discipline policy it distributes or otherwise transmits to students and their parents annually

8.1 at the beginning of each school year notice about the rights and responsibilities of students  
8.2 and their parents under the Safe and Supportive Minnesota Schools Act.

8.3 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and  
8.4 later.

8.5 Sec. 4. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 8, is  
8.6 amended to read:

8.7 Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all  
8.8 federal, state, and local health and safety requirements applicable to school districts.

8.9 (b) A school must comply with statewide accountability requirements governing  
8.10 standards and assessments in chapter 120B.

8.11 (c) A school authorized by a school board may be located in any district, unless the  
8.12 school board of the district of the proposed location disapproves by written resolution.

8.13 (d) A charter school must be nonsectarian in its programs, admission policies,  
8.14 employment practices, and all other operations. An authorizer may not authorize a charter  
8.15 school or program that is affiliated with a nonpublic sectarian school or a religious  
8.16 institution. A charter school student must be released for religious instruction, consistent  
8.17 with section 120A.22, subdivision 12, clause (3).

8.18 (e) Charter schools must not be used as a method of providing education or  
8.19 generating revenue for students who are being home-schooled. This paragraph does not  
8.20 apply to shared time aid under section 126C.19.

8.21 (f) The primary focus of a charter school must be to provide a comprehensive  
8.22 program of instruction for at least one grade or age group from five through 18 years  
8.23 of age. Instruction may be provided to people younger than five years and older than  
8.24 18 years of age.

8.25 (g) A charter school may not charge tuition.

8.26 (h) A charter school is subject to and must comply with chapter 363A and section  
8.27 121A.04.

8.28 (i) A charter school is subject to and must comply with the Pupil Fair Dismissal  
8.29 Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections  
8.30 123B.34 to 123B.39.

8.31 (j) A charter school is subject to the same financial audits, audit procedures, and  
8.32 audit requirements as a district, except as required under subdivision 6a. Audits must be  
8.33 conducted in compliance with generally accepted governmental auditing standards, the  
8.34 federal Single Audit Act, if applicable, and section 6.65. A charter school is subject  
8.35 to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04;



9.1 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with  
 9.2 the requirements of sections 123B.75 to 123B.83, except to the extent deviations are  
 9.3 necessary because of the program at the school. Deviations must be approved by the  
 9.4 commissioner and authorizer. The Department of Education, state auditor, legislative  
 9.5 auditor, or authorizer may conduct financial, program, or compliance audits. A charter  
 9.6 school determined to be in statutory operating debt under sections 123B.81 to 123B.83  
 9.7 must submit a plan under section 123B.81, subdivision 4.

9.8 (k) A charter school is a district for the purposes of tort liability under chapter 466.

9.9 (l) A charter school must comply with chapters 13 and 13D; and sections 120A.22,  
 9.10 subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

9.11 (m) A charter school is subject to the Pledge of Allegiance requirement under  
 9.12 section 121A.11, subdivision 3.

9.13 (n) A charter school offering online courses or programs must comply with section  
 9.14 124D.095.

9.15 (o) A charter school and charter school board of directors are subject to chapter 181.

9.16 (p) A charter school must comply with section 120A.22, subdivision 7, governing  
 9.17 the transfer of students' educational records and sections 138.163 and 138.17 governing  
 9.18 the management of local records.

9.19 (q) A charter school that provides early childhood health and developmental  
 9.20 screening must comply with sections 121A.16 to 121A.19.

9.21 (r) A charter school that provides school-sponsored youth athletic activities must  
 9.22 comply with section 121A.38.

9.23 (s) A charter school is subject to and must comply with continuing truant notification  
 9.24 under section 260A.03.

9.25 (t) A charter school must develop and implement a teacher evaluation and peer  
 9.26 review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (12).

9.27 (u) A charter school must adopt a policy, plan, budget, and process, consistent with  
 9.28 section 120B.11, to review curriculum, instruction, and student achievement and strive  
 9.29 for the world's best workforce.

9.30 (v) A charter school must comply with section 121A.031 governing policies on  
 9.31 prohibited conduct.

9.32 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and  
 9.33 later.

9.34 Sec. 5. Minnesota Statutes 2012, section 124D.895, subdivision 1, is amended to read:

10.1 Subdivision 1. **Program goals.** The department, in consultation with the state  
 10.2 curriculum advisory committee, must develop guidelines and model plans for parental  
 10.3 involvement programs that will:

10.4 (1) engage the interests and talents of parents or guardians in recognizing and  
 10.5 meeting the emotional, intellectual, and physical needs of their school-age children;

10.6 (2) promote healthy self-concepts among parents or guardians and other family  
 10.7 members;

10.8 (3) offer parents or guardians a chance to share and learn about educational skills,  
 10.9 techniques, and ideas;

10.10 (4) provide creative learning experiences for parents or guardians and their  
 10.11 school-age children, including involvement from parents or guardians of color;

10.12 (5) encourage parents to actively participate in their district's curriculum advisory  
 10.13 committee under section 120B.11 in order to assist the school board in improving  
 10.14 children's education programs; ~~and~~

10.15 (6) encourage parents to help in promoting school desegregation/integration; and

10.16 (7) partner with parents in establishing a positive school climate by developing  
 10.17 and implementing prevention and intervention programs on prohibited conduct under  
 10.18 section 121A.031.

10.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

10.20 Sec. 6. Minnesota Statutes 2012, section 124D.8955, is amended to read:

10.21 **124D.8955 PARENT AND FAMILY INVOLVEMENT POLICY.**

10.22 (a) In order to promote and support student achievement, a local school board is  
 10.23 encouraged to formally adopt and implement a parent and family involvement policy that  
 10.24 promotes and supports:

10.25 (1) communication between home and school that is regular, two-way, and  
 10.26 meaningful;

10.27 (2) parenting skills;

10.28 (3) parents and caregivers who play an integral role in assisting student learning and  
 10.29 learn about fostering students' academic success and learning at home and school;

10.30 (4) welcoming parents in the school and seeking their support and assistance;

10.31 (5) partnerships with parents in the decisions that affect children and families  
 10.32 in the schools; and

10.33 (6) providing community resources to strengthen schools, families, and student  
 10.34 learning, including establishing a safe and supportive school climate by developing and

11.1 implementing prevention and intervention programs on prohibited conduct under section  
 11.2 121A.031.

11.3 (b) A school board that implements a parent and family involvement policy under  
 11.4 paragraph (a) must convene an advisory committee composed of an equal number of  
 11.5 resident parents who are not district employees and school staff to make recommendations  
 11.6 to the board on developing and evaluating the board's parent and family involvement  
 11.7 policy. If possible, the advisory committee must represent the diversity of the district. The  
 11.8 advisory committee must consider the district's demographic diversity and barriers to  
 11.9 parent involvement when developing its recommendations. The advisory committee must  
 11.10 recommend to the school board and district or school how programs serving children and  
 11.11 adolescents can collaborate on:

- 11.12 (1) understanding child and adolescent development;  
 11.13 (2) encouraging healthy communication between parents and children;  
 11.14 (3) managing students' behavior through positive reinforcement;  
 11.15 (4) establishing expectations for student behavior;  
 11.16 (5) providing media and Internet limits and supervision; and  
 11.17 (6) promoting resilience and reducing risks for children.

11.18 The advisory committee must present its recommendations to the board for board  
 11.19 consideration.

11.20 (c) The board must consider best practices when implementing this policy.

11.21 (d) The board periodically must review this policy to determine whether it is aligned  
 11.22 with the most current research findings on parent involvement policies and practices and  
 11.23 how effective the policy is in supporting increased student achievement.

11.24 (e) Nothing in this section obligates a school district to exceed any parent or family  
 11.25 involvement requirement under federal law.

11.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.27 Sec. 7. **[127A.051] SCHOOL CLIMATE COUNCIL.**

11.28 **Subdivision 1. Establishment and membership; terms.** (a) A 23-member  
 11.29 multiagency leadership council is established to improve school climate and school  
 11.30 safety so that all Minnesota students in prekindergarten through grade 12 schools and  
 11.31 higher education institutions have a safe and supportive learning environment in order to  
 11.32 maximize each student's learning potential.

11.33 (b) The council shall consist of:

12.1 (1) the commissioners or their designees from the Departments of Education,  
 12.2 Health, Human Rights, Human Services, Public Safety, and Corrections, and the Office of  
 12.3 Higher Education;

12.4 (2) one representative each from the Minnesota Association of School  
 12.5 Administrators, Minnesota School Boards Association, Elementary School Principals  
 12.6 Association, Association of Secondary School Principals, and Education Minnesota as  
 12.7 selected by each organization;

12.8 (3) two representatives each of student support personnel, parents, and students as  
 12.9 selected by the commissioner of education;

12.10 (4) two representatives of local law enforcement as selected by the commissioner of  
 12.11 public safety;

12.12 (5) two representatives of the judicial branch as selected by the chief justice of  
 12.13 the Supreme Court; and

12.14 (6) one charter school representative selected by the Minnesota Association of  
 12.15 Charter Schools.

12.16 (c) A member serves at the pleasure of their appointing authority and continues  
 12.17 to serve until their successor is appointed.

12.18 Subd. 2. **Duties.** The council must provide leadership for the following activities:

12.19 (1) establishment of norms and standards for prevention, intervention, and support  
 12.20 around issues of prohibited conduct;

12.21 (2) advancement of evidence-based policy and best practices to improve school  
 12.22 climate and promote school safety;

12.23 (3) development and dissemination of resources and training for schools and  
 12.24 communities about issues of prohibited conduct under section 121A.031, and other school  
 12.25 safety-related issues; and

12.26 (4) develop policies and procedures for the services provided by the school climate  
 12.27 center under section 127A.052.

12.28 Subd. 3. **Meetings; chair.** The commissioner of education must convene the first  
 12.29 meeting of the council by October 1, 2014, and must serve as chair. The council must meet  
 12.30 at least one time per year. The council does not need a quorum to conduct its meetings.

12.31 Subd. 4. **Compensation.** Council members are not eligible for compensation or  
 12.32 reimbursement for expenses related to council activities.

12.33 Subd. 5. **Support.** The Department of Education and the Department of Public  
 12.34 Safety must provide technical assistance to council members upon request. The council,  
 12.35 upon request, must consult with the school climate center and the school safety center.

13.1 Subd. 6. **Reporting.** The council must report its activities annually by October 1,  
 13.2 to the commissioner of education. The Department of Education must post the council's  
 13.3 meeting notices and other relevant information regarding its duties on the agency's Web site.

13.4 Subd. 7. **Expiration.** The school climate council does not expire.

13.5 Sec. 8. **[127A.052] SCHOOL CLIMATE CENTER.**

13.6 (a) The commissioner shall establish a school climate center at the department to  
 13.7 help districts and schools under section 121A.031 provide a safe and supportive learning  
 13.8 environment and foster academic achievement for all students by focusing on prevention,  
 13.9 intervention, support, and recovery efforts to develop and maintain safe and supportive  
 13.10 schools. The center must work collaboratively with implicated state agencies identified  
 13.11 by the center and schools, communities, and interested individuals and organizations to  
 13.12 determine how to best use available resources.

13.13 (b) The center's services shall include:

13.14 (1) evidence-based policy review, development, and dissemination;

13.15 (2) single, point-of-contact services designed for schools, parents, and students  
 13.16 seeking information or other help;

13.17 (3) qualitative and quantitative data gathering, interpretation, and dissemination of  
 13.18 summary data for existing reporting systems and student surveys and the identification  
 13.19 and pursuit of emerging trends and issues;

13.20 (4) assistance to districts and schools in using Minnesota student survey results to  
 13.21 inform intervention and prevention programs;

13.22 (5) education and skill building;

13.23 (6) multisector and multiagency planning and advisory activities incorporating  
 13.24 best practices and research; and

13.25 (7) administrative and financial support for school and district planning, schools  
 13.26 recovering from incidents of violence, and school and district violence prevention  
 13.27 education.

13.28 (c) The center shall:

13.29 (1) compile and make available to all districts and schools evidence-based elements  
 13.30 and resources to develop and maintain safe and supportive schools;

13.31 (2) establish and maintain a central repository for collecting and analyzing  
 13.32 information about prohibited conduct under section 121A.031, including, but not limited to:

13.33 (i) training materials on strategies and techniques to prevent and appropriately  
 13.34 address prohibited conduct under section 121A.031;

13.35 (ii) model programming;

- 14.1 (iii) remedial responses consistent with section 121A.031, subdivision 2, paragraph  
 14.2 (i); and  
 14.3 (iv) other resources for improving the school climate and preventing prohibited  
 14.4 conduct under section 121A.031;  
 14.5 (3) assist districts and schools to develop strategies and techniques for effectively  
 14.6 communicating with and engaging parents in efforts to protect and deter students from  
 14.7 prohibited conduct under section 121A.031; and  
 14.8 (4) solicit input from social media experts on implementing this section.  
 14.9 (d) The commissioner shall provide administrative services including personnel,  
 14.10 budget, payroll and contract services, and staff support for center activities including  
 14.11 developing and disseminating materials, providing seminars, and developing and  
 14.12 maintaining a Web site. Center staff shall include a center director, a data analyst  
 14.13 coordinator, and trainers who provide training to affected state and local organizations  
 14.14 under a fee-for-service agreement. The financial, administrative, and staff support the  
 14.15 commissioner provides under this section must be based on an annual budget and work  
 14.16 program developed by the center and submitted to the commissioner by the center director.  
 14.17 (e) School climate center staff may consult with school safety center staff at the  
 14.18 Department of Public Safety in providing services under this section.

14.19 **EFFECTIVE DATE.** This section is effective beginning July 1, 2014.

14.20 Sec. 9. Minnesota Statutes 2012, section 127A.42, subdivision 2, is amended to read:

14.21 Subd. 2. **Violations of law.** The commissioner may reduce or withhold the district's  
 14.22 state aid for any school year whenever the board of the district authorizes or permits  
 14.23 violations of law within the district by:

14.24 (1) employing a teacher who does not hold a valid teaching license or permit in a  
 14.25 public school;

14.26 (2) noncompliance with a mandatory rule of general application promulgated by the  
 14.27 commissioner in accordance with statute, unless special circumstances make enforcement  
 14.28 inequitable, impose an extraordinary hardship on the district, or the rule is contrary to  
 14.29 the district's best interests;

14.30 (3) the district's continued performance of a contract made for the rental of rooms  
 14.31 or buildings for school purposes or for the rental of any facility owned or operated by or  
 14.32 under the direction of any private organization, if the contract has been disapproved, the  
 14.33 time for review of the determination of disapproval has expired, and no proceeding for  
 14.34 review is pending;

15.1 (4) any practice which is a violation of sections 1 and 2 of article 13 of the  
15.2 Constitution of the state of Minnesota;

15.3 (5) failure to reasonably provide for a resident pupil's school attendance under  
15.4 Minnesota Statutes;

15.5 (6) noncompliance with state laws prohibiting discrimination because of race, color,  
15.6 creed, religion, national origin, sex, sexual orientation, including gender identity and  
15.7 expression, age, marital status, status with regard to public assistance or, disability, as  
15.8 defined in sections 363A.08 to 363A.19 and 363A.28, subdivision 10, or noncompliance  
15.9 with prohibited conduct under section 121A.031; or

15.10 (7) using funds contrary to the statutory purpose of the funds.

15.11 The reduction or withholding must be made in the amount and upon the procedure  
15.12 provided in this section, or, in the case of the violation stated in clause (1), upon the  
15.13 procedure provided in section 127A.43.

15.14 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and  
15.15 later.

15.16 Sec. 10. **REPEALER.**

15.17 Minnesota Statutes 2012, section 121A.0695, is repealed effective July 1, 2014.

**121A.0695 SCHOOL BOARD POLICY; PROHIBITING INTIMIDATION AND BULLYING.**

Each school board shall adopt a written policy prohibiting intimidation and bullying of any student. The policy shall address intimidation and bullying in all forms, including, but not limited to, electronic forms and forms involving Internet use.