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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 905

02/09/2017 Authored by Kresha, Erickson, Dettmer, Urdahl and Christensen  
The bill was read for the first time and referred to the Committee on Education Innovation Policy

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

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

1.6 Section 1. Minnesota Statutes 2016, section 121A.45, subdivision 2, is amended to read:

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

1.9 (a) ~~willful~~ violation of any reasonable school board ~~regulation policy~~. Such ~~regulation~~  
1.10 policy must be clear and definite to provide notice to pupils that they must conform their  
1.11 conduct to its requirements;

1.12 (b) ~~willful~~ conduct that significantly disrupts the rights of others to an education, or the  
1.13 ability of school personnel to perform their duties, or school sponsored extracurricular  
1.14 activities; or

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

1.17 **EFFECTIVE DATE.** This section applies to dismissals commenced on or after August  
1.18 1, 2017.

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

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

2.9 **EFFECTIVE DATE.** This section applies to suspensions commenced on or after August  
2.10 1, 2017.

2.11 Sec. 3. Minnesota Statutes 2016, section 121A.61, subdivision 2, is amended to read:

2.12 Subd. 2. **Grounds for removal from class.** The policy must establish the various grounds  
2.13 for which a student may be removed from a class in the district for a period of time under  
2.14 the procedures specified in the policy. The policy must include a procedure for notifying  
2.15 and meeting with a student's parent or guardian to discuss the problem that is causing the  
2.16 student to be removed from class after the student has been removed from class more than  
2.17 ten times in one school year. The grounds in the policy must include at least the following  
2.18 provisions as well as other grounds determined appropriate by the board:

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

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

2.24 (c) ~~willful~~ violation of any rule of conduct specified in the discipline policy adopted by  
2.25 the board.

2.26 **EFFECTIVE DATE.** This section applies to removals commenced on or after August  
2.27 1, 2017.