

Subject Student discipline

Authors Her

Analyst Cristina Parra

Date February 27, 2020

Overview

This bill modifies the Pupil Fair Dismissal Act. It defines “nonexclusionary disciplinary policies and practices,” and encourages or requires such policies and practices to be used in certain circumstances; and modifies other student discipline requirements.

Summary

Section	Description
1	<p>Nonexclusionary disciplinary policies and practices; alternatives to pupil removal and dismissal.</p> <p>Defines “nonexclusionary disciplinary policies and practices” as policies and practices that are alternatives to pupil removal or dismissal, and provides examples.</p>
2	<p>Policy.</p> <p>Encourages school officials to use nonexclusionary disciplinary policies and practices before beginning dismissal proceedings.</p>
3	<p>Grounds for dismissal.</p> <p>Subd. 1. Provision of alternative programs. Requires a school to use nonexclusionary disciplinary policies and practices before dismissal proceedings, unless the pupil will create an immediate and substantial danger to self or to surrounding persons or property.</p> <p>Subd. 1a. Definitions. Defines “willful” or “willfully” as deliberate, intentional, and knowing.</p> <p>Subd. 2. Grounds for dismissal. Requires school board regulation to be specific and sufficiently clear and definite when willful violation of the regulation is grounds for dismissal.</p> <p>Subd. 3. Parent notification and meeting. Strikes subdivision requiring parent notification and meeting when pupil’s total days of removal exceeds ten</p>

Section	Description
	cumulative days in a school year, and requiring mental health screening for pupil. This language is moved to another section.
4	Administrator notifies pupil of grounds for expulsion. Allows a pupil to present pupil's version of facts and ask questions at informal administrative conference. Requires administrator notify pupil that pupil is not required to present pupil's version of facts.
5	Written notice of grounds for suspension. Modifies requirements for written notice of grounds for suspension. Requires written notice to contain documents indicating the nonexclusionary disciplinary policies and practices initially used with the pupil, the length of the suspension, a readmission plan that includes the pupil's date of return to school, and a request for a meeting with the parent.
6	Parent notification and meeting; suspension; mental health screening. (a) Requires school official to make reasonable attempts to meet with pupil and parent within 30 calendar days of suspending a pupil. (b) Requires district to make reasonable attempts to meet with pupil and parent if total days of removal from school exceed ten cumulative days in school year before removing the pupil, and arrange for mental health screening for pupil.
7	Suspension procedures; minimum educational services. Requires school officials to give suspended pupil a reasonable opportunity to complete school work assigned during suspension and receive full credit for satisfactorily completing assignments. Encourages a principal to designate a liaison to work with pupil's teachers to allow pupil to receive timely course materials and other information, and complete daily and weekly assignments and receive teacher feedback.
8	Suspension procedures; complaint procedure. Allows a party to a suspension to file a complaint with the commissioner alleging requirements of Pupil Fair Dismissal Act have not been met. Requires commissioner to investigate a complaint, review all relevant information, and issue a written decision within 30 days of receiving complaint. If the commissioner finds the school board failed to meet statutory requirements, commissioner must order corrective action. A complaint must be submitted within 180 days of alleged violation.

Section	Description
9	<p>Exclusion and expulsion procedures; written notice.</p> <p>Requires written notice of intent to explain the grounds for expelling the pupil instead of imposing nonexclusionary disciplinary policies and practices. Requires the Department of Education to post legal assistance resource list on its website.</p>
10	<p>Exclusions and expulsions; physical assaults.</p> <p>Requires school districts to report pupil withdrawal agreements to the Department of Education. Requires school district to report, for each exclusion or expulsion or pupil withdrawal agreement, the pupil's behavior leading to the discipline, the nonexclusionary disciplinary policies and practices used, and any attempts to provide the pupil with alternative educational services before excluding or expelling the pupil.</p>
11	<p>Policies to be established.</p> <p>Requires a school district to develop and report to the commissioner a policy on the appropriate use of school resource officers and crisis teams to remove students with individualized education programs from school grounds.</p>
12	<p>Discipline and removal of pupils from class.</p> <p>Subd. 1. Required policy. Requires written policy to include potential consequences for violations of rules, and parental notification requirements.</p> <p>Subd. 2. Grounds for removal from class. Reduces from ten to five the number of removals from class that trigger requirement to meet with pupil's parent to discuss the problem that is causing the pupil to be removed.</p> <p>Subd. 3. Policy components. Requires policy to include potential consequences for violations of code of conduct rather than minimum consequences. Makes technical changes.</p>
13	<p>Parent notification.</p> <p>Requires a school administrator to make and document efforts to immediately contact the parent of a pupil removed from school by a peace officer or school resource officer unless notice is specifically prohibited by law. Requires administrator to make reasonable efforts to notify parent of a pupil who is secluded by the end of the same school day.</p>



**MN HOUSE
RESEARCH**

Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 600 State Office Building | St. Paul, MN 55155