

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3313

03/17/2016 Authored by Christensen, Erickson, Kresha, Pugh and Fenton
The bill was read for the first time and referred to the Committee on Education Innovation Policy
03/31/2016 Adoption of Report: Amended and re-referred to the Committee on Government Operations and Elections Policy
04/07/2016 Adoption of Report: Amended and re-referred to the Committee on Education Finance
Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 8,
re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act
1.2 relating to education; creating a Student Discipline Working Group to review the
1.3 substance, application, and effect of Minnesota's Pupil Fair Dismissal Act and
1.4 make recommendations to the legislature.

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

1.6 Section 1. **STUDENT DISCIPLINE WORKING GROUP.**

1.7 (a) A Student Discipline Working Group is created to review the substance,
1.8 application, and effect of Minnesota's Pupil Fair Dismissal Act under Minnesota Statutes,
1.9 sections 121A.40 to 121A.56, and related student discipline provisions in Minnesota
1.10 Statutes, chapter 121A, and submit written recommendations to the legislature by
1.11 February 1, 2017, on improving disciplinary policies, practices, and procedures as they
1.12 affect students and school officials and the effects on student outcomes.

1.13 (b) Consistent with paragraph (a), the working group must analyze:

1.14 (1) available summary data on elementary and secondary students' removal from
1.15 class, suspensions, exclusions, expulsions, and other disciplinary measures, disaggregated
1.16 by categories of race, ethnicity, poverty, disabilities, homelessness, English language
1.17 proficiency, gender, age, and foster care status;

1.18 (2) the meaning and effect of "willful" in establishing grounds for dismissal under
1.19 Minnesota Statutes, section 121A.45;

1.20 (3) the impact of positive behavioral interventions and supports and restorative
1.21 practices on student behavior, student outcomes, and the school climate, including student
1.22 engagement and connection, among other school climate measures;

1.23 (4) due process rights of students facing dismissal, including changes needed to
1.24 ensure students' due process rights are fully observed and protected;

2.1 (5) students' need for and access to professional support service providers such
2.2 as school counselors, school social workers, school psychologists, and mental health
2.3 professionals;

2.4 (6) the presence of school resource officers in school buildings, their role in affecting
2.5 student discipline, and their impact on teacher safety and student outcomes;

2.6 (7) policies for retaining and destroying student disciplinary data; and

2.7 (8) other related school discipline matters that are of concern to working group
2.8 members.

2.9 (c) By June 1, 2016, the executive director of each of the following organizations
2.10 shall appoint one representative to serve as a member of the working group: the Minnesota
2.11 School Boards Association; the Minnesota Association of School Administrators;
2.12 Education Minnesota; the Minnesota Board of Peace Officer Standards and Training; the
2.13 Minnesota Disability Law Center; the National Alliance of Mental Illness Minnesota;
2.14 the Parent Advocacy Coalition for Educational Rights (PACER) Center; the Minnesota
2.15 Association of Secondary School Principals; the Minnesota Elementary School Principals'
2.16 Association; the Association of Metropolitan School Districts; the Minnesota Rural
2.17 Education Association; the Minnesota School Counselors Association; the Minnesota
2.18 School Psychologists Association; the School Nurse Organization of Minnesota; the St.
2.19 Paul Special Education Advisory Council; the Solutions Not Suspensions Coalition;
2.20 the Minnesota Education Equity Partnership; MinnCAN; Students for Education
2.21 Reform; the Minnesota Youth Council; Educators 4 Excellence; the African American
2.22 Leadership Forum; American Indian Opportunities Industrialization Center; the Minnesota
2.23 Association of Charter School Authorizers; the Minnesota Indian Affairs Council; and the
2.24 Minnesota School Social Workers Association. Six legislators shall be appointed by June
2.25 1, 2016, and serve as members of the working group: three duly elected and currently
2.26 serving senators, two appointed by the senate majority leader and one appointed by the
2.27 senate minority leader; and three duly elected and currently serving members of the house
2.28 of representatives, two appointed by the speaker of the house and one appointed by the
2.29 house minority leader. Only duly elected and currently serving members of the senate or
2.30 house of representatives may be working group members. If a vacancy occurs, the leader
2.31 of the caucus in the senate or house of representatives to which the vacating member
2.32 belonged must fill the vacancy. Working group members must seek advice from experts
2.33 and stakeholders in developing their recommendations.

2.34 (d) The commissioner of education, or the commissioner's designee, must convene
2.35 the first meeting of the working group. The working group must select a chair or cochair
2.36 from among its members at the first meeting. The working group must meet periodically.

3.1 The commissioner must provide technical and administrative assistance to the working
3.2 group upon request. Working group members are not eligible to receive expenses or per
3.3 diem payments for serving on the working group.

3.4 (e) The working group expires February 2, 2017.

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