

Introduced by

Senators Kreun, Burckhard, Elkin, Rummel

Representatives O'Brien, Schreiber-Beck

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota  
2 Century Code, relating to a data collection system for classroom and hallway clearings.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 15.1-06 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Classroom and hallway clearings - Data collection system.**

7 1. The superintendent of public instruction and the executive director of the department  
8 of health and human services shall create and administer jointly a data collection  
9 system for the report of classroom clearings and hallway clearings, including the  
10 creation of a reporting form.

11 2. For the 2023-2024 biennium, a public school shall report data each 9-week quarter  
12 monthly to the department of health and human services. The report must contain:

13 a. The number of classroom clearings and hallway clearings and other disruptions  
14 causing learning interruptions, the school experienced

15 each 9-week quarter;

16 b. The number of students involved in or who caused a clearing or disruption each  
17 9-week quarter; and

18 c. For each student involved in or causing a clearing:

19 ~~(1) Whether the student is developmentally disabled;~~

20 ~~(2) Whether the student is intellectually disabled;~~

21 ~~(3)(1) A description of the behavior that caused the clearing; and~~

22 ~~(4)(2) The student's age.~~

23 3. The superintendent of public instruction shall assist in the delivery of this report to the  
24 executive director of the health and human services.

25 4.3. The attorney general shall provide a comprehensive report to the superintendent of  
26 public instruction and the executive director of the department of health and human  
27 services explaining a public school's authority and including limitations to provide  
28 discipline for a student under state and federal law, including student seclusion,  
29 restraint, suspension, expulsion, and school removal for behavioral issues.

1 4. If a public school fails to submit the report required under subsection 2, the  
2 superintendent of public instruction shall withhold monthly state aid payments to that  
3 school until the report is received.

4 5. The superintendent of public instruction shall report to the state board of public  
5 school education, the education standing committees of the legislative assembly  
6 during a legislative session, and an interim committee of the legislative management  
7 when the legislative assembly is not in a legislative session regarding the  
8 implementation of this section.

9 6. This sunsets after the 2023-2024 biennium.