

HOUSE BILL NO. 1439

Introduced by

Representative Jonas

1 A BILL for an Act to amend and reenact section 15.1-19-09 of the North Dakota Century Code,
2 relating to the suspension and expulsion of kindergarten through grade twelve students.

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

4 **SECTION 1. AMENDMENT.** Section 15.1-19-09 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-19-09. Students - Suspension and expulsion - Rules.**

- 7 1. The board of a school district shall adopt rules regarding the suspension and
8 expulsion of a student. The rules for expulsion must provide for a procedural due
9 process hearing ~~in the manner provided for in~~under subsection 2 of section
10 15.1-19-10; before the determination to expel a student is made. A student's parent or
11 representative must be allowed to participate in the expulsion hearing.
- 12 2. ~~A school district may suspend a student~~ may be suspended for up to ten days for
13 insubordination, habitual indolence, disorderly conduct, or for violating a school district
14 weapons policy.
- 15 3. ~~A school district may suspend a student who is enrolled in an alternative education~~
16 program for which state per student payments are available ~~may be suspended~~ for up
17 to twenty days for insubordination, habitual indolence, disorderly conduct, or for
18 violating a school district weapons policy.
- 19 4. ~~A school district may expel a student, including one enrolled in an alternative~~
20 education program, may be expelled from school for up to twelve months for
21 insubordination, habitual indolence, ~~or~~ disorderly conduct; ~~provided the expulsion does~~
22 ~~not last beyond the termination of the current school year. A student who violates, or~~
23 for violating the school district's weapons policy ~~may be expelled for up to twelve~~
24 months. The school district shall consider the severity of the infraction, the age of the

1 student, and the disciplinary history of the student to determine the duration of the
2 expulsion. If the student satisfies the conditions for reinstatement established by the
3 school district, if any, the school district may review and reduce the duration of the
4 expulsion.