

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~~ commissioner of the
8 department of health and human services shall create and administer jointly a data
9 collection system for the report of classroom clearings and hallway clearings, including
10 the creation of a reporting form.
- 11 2. AFor the 2023-24 biennium, a public school shall report data ~~monthly~~each nine week
12 quarter to the department of health and human services. The report must contain:
- 13 a. The number of classroom clearings and hallway clearings the school experienced
14 ~~that month~~each nine week quarter;
- 15 b. The number of students involved in or who caused a clearing~~that month~~; and
- 16 c. For each student involved in or causing a clearing:
- 17 ~~(1) — Whether the student is developmentally disabled;~~
- 18 ~~(2) — Whether the student is intellectually disabled;~~
- 19 ~~(3)~~(1) A description of the behavior that caused the clearing; and
- 20 ~~(4)~~(2) The student's age.
- 21 3. The superintendent of public instruction shall assist in the delivery of this report to the
22 commissioner of health and human services.
- 23 4. The attorney general shall provide a comprehensive report to the superintendent of
24 public instruction and the executive director of the department of health and human

1 services explaining a public school's authority and including limitations to provide
2 discipline for a student under state and federal law, including student seclusion,
3 restraint, suspension, expulsion, and school removal for behavioral issues.

4 4.5. If a public school fails to submit the report required under subsection 2, the
5 superintendent of public instruction shall withhold monthly state aid payments to that
6 school until the report is received.

7 6. The superintendent of public instruction and the commissioner of health and human
8 services shall submit a report that includes a plan of action to provide training and
9 services to schools and families to the health and human services and education
10 standing committees of the legislative assembly and to legislative management after
11 the first year of the biennium.

12 **SECTION 2. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,
13 2024, and after that date is ineffective.