

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2351

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

1 discipline for a student under state and federal law, including student seclusion,

2 restraint, suspension, expulsion, and school removal for behavioral issues.

3 5. If a public school fails to submit the report required under subsection 2, the

4 superintendent of public instruction shall withhold monthly state aid payments to that

5 school until the report is received.

6 6. The superintendent of public instruction and the commissioner of health and human

7 services shall submit a report that includes a plan of action to provide training and

8 services to schools and families to the health and human services and education

9 standing committees of the legislative assembly and to legislative management after

10 the first year of the biennium.

11 **SECTION 2. EXPIRATION DATE.** Section 1 of this Act is effective through December 31,

12 2024, and after that date is ineffective.