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### Overview

Eliminates willfulness requirement from grounds for dismissal or removal.  
Requires school districts to consider whether suspension of elementary school students is consistent with school policy.

#### Section

- 1** **Modifies grounds for dismissal.** Eliminates requirement that a violation or conduct that subjects a pupil to dismissal be willful.  
  
In 2016, the Minnesota Supreme Court held that section 121A.45, subdivision 2, paragraph (a), requires that a student know of a school policy and make a deliberate, intentional decision to violate that policy before the student may be dismissed under the “willful violation” provision of the Pupil Fair Dismissal Act. The court rejected the district’s argument that “willful violation” includes careless or reckless violations.
- 2** **Suspension of elementary school students.** Requires that schools consider whether suspending an elementary school student is consistent with school district policies that emphasize preventing dismissal and are designed to prevent inappropriate behavior from recurring.  
  
Section 121A.55, paragraph (a), requires school boards to adopt policies that emphasize preventing dismissals through early detection of problems and designed to address students’ inappropriate behavior from recurring.
- 3** **Modifies grounds for removal.** Eliminates requirement that a violation or conduct that subjects a pupil to dismissal be willful.