

Suspension, Expulsion, and Truancy (SET) Report Instructions

Every North Dakota school building is required to submit an annual Suspension, Expulsion, and Truancy (SET) report using STARS. All incidents must be entered and submitted no later than **June 15** of each school year.

THE REQUIREMENTS TO COLLECT AND REPORT SUSPENSION, EXPULSION AND TRUANCY DATA CONTINUES TO BE REQUIRED BY THE US DEPARTMENT OF EDUCATION REGARDLESS OF STATE GRANT FUNDING.

The 2011-2012 school year report now allows buildings to report bullying incidents which result in suspension or expulsion.

Please note the requirements to report truancies per the 2011 legislative session passage of SB 2226; see <http://www.legis.nd.gov/assembly/62-2011/documents/11-0124-04000.pdf> for bill language.

The District representative assigned access for the SET report must have a STARS Login and Password to access the STARS system.

- If you do not have a password and login, follow directions found at <http://www.dpi.state.nd.us/resource/STARS/Reports/LoginID.pdf>.
- In addition, you must be granted permission from your administrator as it is the school's responsibility to ensure that student records are protected. If you are a new superintendent to your district, DPI MIS must grant permission.

If any school building has **NO incidents or truancies** to report for the school year, you only need to complete the Notification section and “**submit**” a blank report at the end of the school year.

The Suspension, Expulsion, and Truancy STARS report was designed in such a way that schools can enter incidents as they occur or on a regular basis rather than entering all data at the end of each school year. Schools are encouraged to develop a daily or weekly process to enter data.

School districts are responsible for the non-public building SET annual submissions within their district and should create a process / communication plan to ensure timely reports.

Non-public school buildings can access the STARS Suspension, Expulsion, and Truancy report; however, their students will not be listed. If there is an incident to report, they must first access the STARS Enrollment report to enter the student. When returning to the SET report, this student will then be added.

To begin the process ...

Login to STARS [<https://secure.apps.state.nd.us/dpi/stars/Login.aspx>]

- A. On the “**Fill Out Reports**” page
- Under Reports, click the plus sign (+) preceding “**Other**”
 - Click the plus sign (+) preceding “**Suspension Expulsion**”
 - Choose your school building from the menu

- Verify the present school year and click “Select”
- To view or print these instructions, open the Suspension, Expulsion, and Truancy screen and click on the Help icon in the lower left side of page.

B. Under Functions (left margin) click ‘Check Out’.

C. Notification

- From the left menu, click “Notification” and enter the information.
- Identify the individual responsible for completing the SET report, email address, and phone number.
- Click “Save” and “Validate”.

If there are NO suspensions, expulsions or truancies to report, click “Submit”. This is the final step for schools with NO incidents to report.

D. Add Incident

Click “Suspension Expulsion” on the left side.

Click “Add Incident”

Incident Date: optional; DPI does not require the date, however, for local analysis we suggest you enter.

Incident: the menu drop down will allow you to view and select the incident option.

- **Exception**: when *truant* is selected, the screen will deviate slightly. Enter the number of **hours** (numeric only; no letters or words) the student was truant in the “Add Student” section. (See Truancy and Unexcused Absence definitions in the Help section - Glossary).
- **Addition: at the request of districts, we added vandalism/criminal mischief as an incident option.**
- A **glossary** of definitions can be found at the end of this document and on the STARS help screen.

Location: the menu drop down will allow you to view and select one option.

Victim: the menu drop down will allow you to view and select one option.

Number of victims: enter the number of victims involved in the incident.


Violent Incident with Physical Injury: If yes, click this box.

Suspension / Expulsion Code: optional; use only when the school building is importing its data. If left blank, the STARS system will automatically default this code.

Reference: optional; districts have requested space for making notes about an incident; this is not a required field and can be left blank.

Click ‘Save’.

The incident data must first be entered and saved before the student data can be entered.

If you need to delete an incident, click the garbage can () symbol found to the left of the Student name and Incident. Delete the student section first, then delete the incident.

1. Click under incident to get to student section
2. Click on the garbage can next to name
3. Click on ‘return to incident’
4. Click on garbage can next to incident.

In response to schools who collect SET data with their local reporting system, DPI STARS was updated to allow schools to import or export data to transfer the incident information from their local reporting system into STARS. Using the left column **Tools**, the ability to import and export is available – follow the directions as indicated to complete the import / export.

Import/Export Layouts - <http://www.dpi.state.nd.us/resource/STARS/layouts/SuspExp.pdf>

Import/Export Layouts -

<http://www.dpi.state.nd.us/resource/STARS/layouts/SuspExpStudents.pdf>

E. Add Students

- After entering the incident, saving, and validating, a **green** box in the upper right corner which reads **SAVE COMPLETE** will appear. Scroll down to and click on the “**Add Students**”.
- You have the option to search for the student by grade (drop down menu) or last name. This is a time saving option when you have a large student body list to select from or multiple students with the same last name.
- If you want to view all student names, click the “**Filter**” button.
- Click in the box on the left side of student’s name.
- Click the Select button in left column.
- Student data is linked to the Enrollment report; incidents must be entered for students currently enrolled in your school.
 1. The student state ID number entered in Enrollment stays with the student K-12.
 2. If an out-of-state student starts school, the STARS Enrollment Report can be accessed for assignment of a number without waiting until the end of the year.
 3. If a student does not have a number when the Enrollment is entered on the STARS at the end of the year (June 30) the student will be assigned a number at that time.
- Enter removal days by the number of school days; the system allows you to enter full days, partial days, or both. **Numeric entry only** (no letters or words).
- Check the box if a weapon violation resulted in a full year expulsion or less than a full year expulsion.

North Dakota law requires that school districts have a policy in place for the expulsion of a student who is determined to have brought a firearm to school, and that the expulsion must be for a period of not less than one calendar year unless the school board modifies the expulsion.

If the incident includes a firearm (see Glossary for definition) then a check must be entered in the appropriate field to signify if the expulsion was for a full calendar year, or was shortened by school board decision.

- From the menu of “**Action Codes**”, select the most appropriate administrative action taken.

To ensure your data entry is saved, we encourage you to:

1. Add Incident
2. Save
3. Add Student
4. Save
5. Validate

Click [“Return to Incident List”](#) to enter another incident. Repeat this process until all data is entered.

F. Validation errors

When you click Validate, if the data is not complete or has an error, the Validation Summary will identify the specific errors or warnings. The ‘Description’ will explain what the error or warning is. The ‘Incident’ (click on the incident to be corrected) will return you to the screen where the error is located and corrections can be made. Save and Validate. This will return you to the Validation Summary. Repeat this process until all validations are addressed and cleared, at which time the screen message will read “VALIDATION SUCCEEDED”.

G. Under Functions click ‘Check In’.

H. If all the incidents have been entered and your report is complete, under Functions click **‘Submit’**. The screen message should read ‘You have successfully submitted Suspension, Expulsion and Truancy’. You can then log out.

The STARS system allows you to enter incidents the day they occur. Save and Validate after entries are made, but **only submit SET report once at the end of the school year**. Once the data has been submitted, the information will be locked; you must contact DPI School Health to have your building report un-submitted to make changes or additions.



FEDERAL REPORTS REQUIRING THIS DATA

ESEA, Title IV – Safe and Drug-Free Schools and Communities Act (SDFSCA) – The SDFSCA requires the state education agency to report data annually on truancy rates, the frequency, seriousness, and incidents of violence and drug-related offenses resulting in suspensions and expulsions in elementary schools and secondary schools in the state. The information shall be reported to the State on a school-by-school basis.

ESEA, Title XIV, Part F – Gun-Free School Act (GFSA) – The GFSA requires the state education agency to provide data to the U.S. Department of Education to ensure the implementation of the Act.

Individuals with Disabilities Education Act (IDEA), Part B – The state education agency is required to annually report data annually on incidents involving students with disabilities who have been suspended or expelled for weapons or drugs violations, as well as students unilaterally removed (suspended/expelled) for more than 10 days, or a series of suspensions that totals more than 10 days during the school year reported.

ESEA, Title IX – Unsafe School Choice Option (USCO) – The U.S. Department of Education requires the state education agency to report annually on the number of schools identified as “persistently dangerous.” The following definition of persistently dangerous has been developed by the Department of Public Instruction (DPI) in consultation with a representative sample of K-12 administrators and principals throughout the state.

A public school in North Dakota is persistently dangerous if these conditions exist for two consecutive years:

(a) A state firearm violation as defined in NDCC 15.1-19-10 resulted in a one-year suspension.

And

(b) A school has expelled 1% of the student building population or 5 students (whichever is higher) for violent criminal offenses as described in the ND Criminal Code and designated as applying to the rule as listed below:

Prior to designating a school as persistently dangerous, DPI will take into consideration:

- The school’s safety plan;
- Local efforts to address the school’s safety concerns;
- Other information deemed relevant by the DPI.

North Dakota Century Code - 15.1-20-02.1

AN ACT to create and enact sections 15.1-20-02.1, 15.1-20-03.1, and 15.1-20-03.2 of the North Dakota Century Code, relating to compulsory attendance at school; and to amend and reenact section 15.1-20-03 of the North Dakota Century Code, relating to compulsory attendance.

GLOSSARY

Aggravated Assault: Willfully causes serious bodily injury to another human being or knowingly causes substantial bodily injury to another human being with a dangerous weapon or other weapon. (ND Criminal Code Chapter 12.1-17-02)

Assault: Willfully causes substantial bodily injury to another human being; or negligently causes substantial bodily injury to another human being by means of a firearm, destructive device, or other weapon. (ND Criminal Code Chapter 12.1-17-01.1)

Bullying: Conduct that occurs or is received by a student in a public school, on school district premises, in a district owned or leased school bus /school vehicle, or at any public school or school district sanctioned or sponsored activity or event and which:

- (1) Is so severe, pervasive, or objectively offensive that it substantially interferes with the student's educational opportunities;
- (2) Places the student in actual and reasonable fear of harm;
- (3) Places the student in actual and reasonable fear of damage to property of the student; or
- (4) Substantially disrupts the orderly operation of the public school. (ND Century Code: 15.1-19)

Felonious Restraint: A person knowingly restrains another under terrorizing circumstances or under circumstances exposing him to risk of serious bodily injury. (ND Criminal Code Chapter 12.1-18-02)

Fighting – Mutual Altercation: Mutual participation in an incident involving physical violence, where there is no major injury. When serious injury occurs, the incident may be coded as battery or assault. (National Center for Educational Statistics - NCES)

Firearm

A firearm is any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device.

Destructive device

The term “destructive device” means

- A. any explosive, incendiary, or poison gas:
 - i. bomb,
 - ii. grenade,
 - iii. rocket having a propellant charge of more than four ounces,
 - iv. missile having an explosive or incendiary charge of more than one-quarter ounce,
 - v. mine, or
 - vi. device similar to any of the devices described in the preceding clauses;
- B. any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and

Shotgun

A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger. The term “short-barreled shotgun” means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by

alteration, modification or otherwise) if such a weapon as modified has an overall length of less than twenty-six inches.

Rifle

A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger. The term “short-barreled rifle” means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches. (US DOE, Education Data Exchange Network (EDEN))

Gross Sexual Imposition/Rape: A person compels the victim to engage in a sexual act by force, threat of imminent death, serious bodily injury, or kidnapping. (ND Criminal Code Chapter 12.1-17-10)

Hazing: In the course of initiating a person into an affiliation with any organization, the person willfully engages in conduct that creates a substantial risk of physical injury to that person. (ND Criminal Code Chapter 12.1-17-10)

Inciting a Riot: A person incites or urges others to create or engage in a riot. Riot means a public disturbance involving five or more persons, who by tumultuous and violent conduct creates grave danger of damage or injury to property or person. (ND Criminal Code Chapter 12.1-25-01)

Interim Alternative Educational Setting: An appropriate setting determined by the child’s IEP team in which the child is placed for no more than 45 days. This setting enables the child to continue to progress in the general curriculum; to continue to receive services and modifications, including those described in the child’s current IEP; and to meet the goals set out in the IEP. Setting includes services and modifications to address the problem behavior and to prevent the behavior from recurring. (Federal Registry)

Kidnapping: A person abducts another or abducts, then continues to restrain that individual for: ransom, as a shield, involuntary servitude, commit a felony, or terrorize. (ND Criminal Code Chapter 12.1-18-01)

Manslaughter: A person recklessly causes the death of another human being. (ND Criminal Code Chapter 12.1-16-02)

Murder: A person intentionally or knowingly causes the death of another human being. (ND Criminal Code Chapter 12.1-16-01)

Multiple Weapons: Use of more than one identified weapon. (US DOE, Education Data Exchange Network (EDEN))

Negligent Homicide: A person negligently causes the death of another human being. (ND Criminal Code Chapter 12.1-16-03)

Other Firearm: Another type of firearm not named in the firearm definition. This includes zip guns, starter guns, and flare guns. (National Center for Educational Statistics - NCES)

Other Objects: Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; any firearm muffler or firearm silencer; any destructive device, which includes: (a) any explosive, incendiary, or poison gas (bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device); (b) any weapon which will, or which may readily be converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; (c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (OMB No. 1810-0602)

Reckless Endangerment: A person creates a substantial risk of serious bodily injury or death to another. (ND Criminal Code Chapter 12.1-17-03)

Removal by a Hearing Officer: Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 days based on the hearing officer's determination that the public agency has demonstrated by substantial evidence that maintaining the child's current placement is substantially likely to result in injury to the child, or others. (Federal Registry)

Robbery: In the course of committing a theft, a person inflicts or attempts to inflict bodily injury upon another or menaces with imminent bodily injury. (ND Criminal Code Chapter 12.1-22-01)

Serious Bodily Injury: defined as (a) a substantial risk of death, (b) extreme physical pain, (c) protracted and obvious disfigurement, or (d) protracted loss or impairment of the function of a bodily member, organ, or mental faculty. (US DOE, Education Data Exchange Network (EDEN))

Sexual Imposition: A person who engages in a sexual act or sexual contact; compels the other person to submit by any threat. (ND Criminal Code Chapter 12.1-20-04)

Simple Assault: Willfully causes bodily injury to another human being or negligently causes bodily injury to another human being by means of a firearm, destructive device or other weapon. (ND Criminal Code Chapter 12.1-17-01)

Terrorizing: Intentionally places another human being in fear for that human being's or another's safety. Threatens to commit any crime or violence or act dangerous to human life. (ND Criminal Code Chapter 12.1-17-04)

Truancy: A student under 16 years of age is missing one or more hours from school. The school has not excused the student and the parent has not excused the student – the student is cutting or skipping. (ND Century Code 15.1-20-03)

Unexcused Absence: A student over 16 years of age is missing one or more days from school. The school has not excused the student and the parent has not excused the student – the student is cutting or skipping. (ND Century Code 15.1-20-03)

Unilateral Removal: Instances in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 days. **The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do NOT include decisions by the IEP team to change a student's placement.** (Federal Registry)

Vandalism / Criminal Mischief: An individual who a) willfully tampers with tangible property of another so as to endanger person or property; or b) willfully damages tangible property of another. The offense is a class B felony if the intentional loss exceeds \$10,000; a class C felony if the intentional loss exceeds \$2,000 but not exceeding \$10,000; and a class A misdemeanor if the intentional loss exceeds \$100 but not exceeding \$2,000. (ND Criminal Code Chapter 12.1-21-05)