

2021-2022
Suspension, Expulsion, and Truancy (SET) Report Instructions

Every North Dakota school building - public and non-public - is required to submit their annual Suspension, Expulsion, and Truancy (SET) data using the DPI STARS reporting system. All incidents must be entered and submitted no later than **June 15th** of each school year. The requirements to collect and report suspension and expulsion data is required by the US Department of Education; the requirements to report truancies is required by NDCC 15.1-20-03.1.

If a school building has **NO incidents/truancies** to report for the school year, you must 1) complete only the Notification section and 2) submit a blank report.

Non-public schools 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. Contact DPI School Approval & Opportunity at (701) 328-2236 for **private school enrollment imports**.

To begin the process ...

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

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

- If no login / password, follow the directions: [STARS Help Documents](#)
- In addition, you must be granted permission from your administrator as it is the school's responsibility to ensure student records are protected. If you are a new superintendent to your district, DPI MIS must grant permission.

A. After entering login & password, you will be taken to 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 / print the instructions, click on the Help icon from the left menu.

B. Under Functions (left margin) click **“Check Out”**

C. **Slide the mouse up in the same left column to “Notification”**

- Enter the requested information of individual/s responsible for completing the report
- Click “Save” and “Validate” from the left menu

If there are **NO** suspensions, expulsions or truancies to report, click “Submit”

This is the final step for buildings with NO incidents to report.

D. Add Incident

Click “Suspension Expulsion” from the top of the left menu

Click “Add Incident”

Incident Date: enter the date of incident; not required for truancy

Incident: the drop down menu will allow you to view and select from the topical list.

- **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 & Unexcused Absence definitions in the Help section Glossary).
- A **glossary** of definitions can be found at the end of this document and on the STARS help screen.

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

Victim: the drop down menu 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 data. If left blank, the STARS system will automatically default this code.

Comments: 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 be entered first and saved before the student data can be entered.

Import / Export

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. Contact DPI Management Information Systems at (701) 328-3235 or (701) 328-2371 for Import/Export Layouts Incidents or Students directions.

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 and click on “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 “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

North Dakota Department of Public Instruction

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.
- Check the box if a weapon violation resulted in a full year expulsion or less than a full year expulsion; check the box if the incident resulted in a law enforcement or School Resource Officer (SRO) referral, or if the student was arrested as a result of the incident.
- If the student was marked as special education, a primary disability needs to be selected.

North Dakota law (NDCC 15.1-19-10) 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 data entry is saved, it is best 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

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

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 the error. 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”

North Dakota Department of Public Instruction

H. When all 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 Office of Educational Equity & Support to have your building report un-submitted to make changes or additions.

FEDERAL & STATE CITATIONS AND REPORTS REQUIRING THIS DATA
Every Student Succeeds Act (ESSA)
ESEA, Title XIV, Part F – Gun-Free School Act (GFSA)
Individuals with Disabilities Education Act (IDEA), Part B
Unsafe School Choice Option (USCO: Title VIII, Part F, Subpart 2, Sec. 8532, Sec. 9532)
North Dakota Century Code - 15.1-20-02.1

GLOSSARY

*The following definitions are categorized **topically** rather than alphabetically for ease of identification and comparison of accurate incident reporting.*

In-School Suspension: instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision. (EdFacts)

Out-of-School Suspension: instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his/her IEP. (EdFacts)

Expulsion: an action taken by the LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with local educational agency policy. Include removals resulting from violations of the Gun-Free Schools Act that are modified to less than 365 days. (EdFacts)

Fighting – Mutual Altercation: mutual participation with intentional touching or striking involving physical violence, where there is no serious injury. When serious injury occurs, the incident may be coded as assault. (National Center for Education Statistics - NCES)

Assault

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, the use of which against a human being is likely to cause death or serious bodily injury. (ND Criminal Code Chapter 12.1-17-01)

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, the use of which against a human being is likely to cause death or serious bodily injury. (ND Criminal Code Chapter 12.1-17-01.1)

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, the possession of which under the circumstances indicates an intent or readiness to inflict serious bodily injury, or fires a firearm or hurls a destructive device at another human being. (ND Criminal Code Chapter 12.1-17-02)

Serious Bodily Injury: a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. (18 USC Section 1365(h)(3))

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)

Felonious Restraint: a person knowingly abducts or restrains another under terrorizing circumstances or under circumstances exposing him to risk of serious bodily injury or with intent to hold him in a condition of involuntary servitude. (ND Criminal Code Chapter 12.1-18-02)

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)

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)

Harassment: repeatedly annoying or attacking a student or group of students or other personnel which creates an intimidating or hostile educational or work environment through verbal, physical, sexual or electronic means threatening to inflict physical or mental injury on any person, to any person's reputation, or to any property. (NCES; NDCC 12.1-17-07)

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)

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)

Burglary: a person willfully enters or surreptitiously remains in a building or occupied structure, when at the time the premises are not open to the public and the individual is not licensed, invited, or otherwise privileged to enter or remain as the case may be, with intent to commit a crime therein. (ND Criminal Code Chapter 12.1-22-02)

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)

North Dakota Department of Public Instruction

Tobacco: possession, use, distribution or sale of tobacco products (any product that contains tobacco, is manufactured from tobacco, contains nicotine, e-cigarettes, and other electronic smoking devices). (NCES; National Association of State Boards of Education)

Alcohol: possession, use of/under the influence of, or distribution of alcohol (wine, beer, liquor).

Drugs: the use, possession, sale, or solicitation of drugs as identified in 21 U.S.C. Section 812(c). These offenses do not include the use, possession, sale, or solicitation of alcohol or tobacco.

Knife/blade: possession of a tool for cutting consisting of a flat piece of metal with a sharp edge of 2.5” or greater on the end of a handle. (NDCC 12.1-01-01)

Firearm: any loaded or unloaded weapon (pistol, revolver, rifle, gun, machine gun, shotgun, bazooka or cannon) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; or any destructive device:

- 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, or
 - v. 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. (NDCC 12.1-01-01)

Handgun: any firearm not designed to be fired from the shoulder, which has a barrel less than sixteen inches long, and which is capable of firing, by the energy of an explosive in a fixed metallic cartridge, an exposed projectile.

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. (NDCC 62.1-01-01)

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

Multiple Weapons: use of more than one identified weapon described above.

Other Objects: any switchblade or gravity knife, machete, scimitar, stiletto, sword, or dagger; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slingshot; any bow and arrow, crossbow, or spear; any weapon which will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance. (NDCC 62.1-01-01)

Other: any incident for which a student receives in/out of school suspension or expulsion not elsewhere specified. Could include misbehavior not captured elsewhere to include disobeying school policy, disorderly conduct, insubordination, obscene behavior, trespassing.

Other incident related to drug or alcohol use, weapons possession, or violence: other reasons resulting in suspension (in/out of school) or expulsion related to drug or alcohol use, weapons, or violence not covered in existing glossary.

Sexual Imposition: a person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact; compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting; or engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing, or qualification to become a member or an associate of any criminal street gang. (ND Criminal Code Chapter 12.1-20-04)

Gross Sexual Imposition: 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 12.1-20-03)

Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. (FBI Uniform Crime Reporting System)

Inciting a Riot: a person incites or urges others to create or engage in a riot; a public disturbance involving at least three people, who by tumultuous and violent conduct creates grave danger of damage or injury to property or person. (18 USCS § 2102)

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

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

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)

Truant: any student is in violation of compulsory attendance if the student is absent from school without excuse for more than:

- a. Three school days during a semester of the school district's calendar;
- b. Six half days during a school district's calendar; or
- c. Twenty-one class periods.

An excused absence shall be recognized as any absence from class/school with a written/verbal excuse by the parent/guardian or administrator/school. (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)

Special Education related definitions:

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 maintaining the child’s current placement is substantially likely to result in injury to the child or others. The IEP team is responsible for determining the interim alternative educational setting. (EdFacts)

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.** (EdFacts)

Interim Alternative Educational Setting: an appropriate temporary 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 receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur. (EdFacts)

Action Code	Definition
In School Suspension/detention with services	Temporary removal from regular classroom(s) for disciplinary purposes but still under supervision of school personnel and received educational services
Expulsion-Interim alt ed setting unilaterally by school personnel	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school

North Dakota Department of Public Instruction

	year and school personnel (not IEP team) place in an interim alternative educational setting
Expulsion-Interim alt ed setting unilaterally by hearing officer	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year and placed in an interim alternative educational setting based on a hearing officer finding
Expulsion without services	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year and did not receive educational services
In School Suspension/detention without services	Temporary removal from regular classroom(s) for disciplinary purposes but still under supervision of school personnel and did not receive educational services
Out-of School Suspension-Interim alt ed setting-unilaterally by school personnel	Temporary removal from regular school and school personnel (not IEP team) placed in an interim alternative educational setting
Out-of School Suspension-Interim alt ed setting-unilaterally by hearing officer	Temporary removal from regular school and placed in an interim alternative setting based on hearing officer finding
Out-of School-Suspension-without services	Temporary removal from regular school to another setting (e.g. home) and did not receive educational services
Expulsion with alt placement by IEP Team	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year and IEP team place in an interim alternative educational setting
Expulsion without alt placement by IEP Team	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year and not placed in an interim alternative educational setting by IEP team, school personnel or hearing officer
Out-of School Suspension without alt placement by IEP team	Temporary removal from regular school and IEP team did not place in an interim alternative educational setting
Out-of School Suspension with alt placement by IEP team	Temporary removal from regular school and IEP team place in an interim alternative educational setting
Expulsion with services	LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year and did receive educational services
Out-of School Suspension with services	Temporary removal from regular school to another setting (e.g. home) and did receive educational services