

Board Minute – Scenario: Student Discipline and Decision-Making

What Would You Do?

Additional Info

You are approached by a parent and several community members following a serious student behavior incident at the secondary school. They are upset and asking why the student involved is still in school. Some are calling for immediate removal or expulsion.

At the same time:

- The administration has already assigned a suspension.
- The student has returned to school with supports in place.
- Details of the situation are limited due to privacy laws.
- You are being asked directly, “Why didn’t the school do more?”

As a school board member, how do you respond?

Key Considerations for Board Members

When situations like this arise, it is important to understand the framework schools must operate within. Discipline decisions are not based on preference; they are guided by law, process, and student rights.

1. Legal Limits on Discipline

- Minnesota’s **Pupil Fair Dismissal Act** sets clear limits:
 - Suspensions are limited in length.
 - Consecutive suspensions for the same incident are generally not allowed.
 - Expulsion requires a formal process and board involvement.
- Younger students (PreK–3) have additional protections and are rarely removed from school.

2. Due Process and Student Rights

- Students and families have the right to due process before extended removal.
- Schools must follow defined steps before increasing consequences.
- Board members may only become directly involved in expulsion hearings; not day-to-day discipline.

3. Use of Non-Exclusionary Practices

- Schools are required to use interventions whenever possible before removing a student.
- This may include:
 - Behavior plans
 - Counseling or mental health supports
 - Structured in-school interventions

- The goal is to keep students engaged in learning while addressing behavior.

4. Additional Protections for Students with Disabilities

- Under federal law (IDEA), students with disabilities have added protections.
- If discipline exceeds certain thresholds, the district must determine if the behavior is related to the student's disability.
- This can limit how discipline is applied.

5. Privacy Requirements

- Laws such as FERPA and the Minnesota Government Data Practices Act prevent schools from sharing details about individual students.
- This can make it seem like “nothing is happening,” even when appropriate steps are being taken.

6. Safety vs. Access to Education

- Schools must balance:
 - Maintaining a safe environment
 - Protecting each student's right to an education
- Removal from school is one tool, but it is limited by law and not always the first or appropriate response.

Board Member Approach

In situations like this, a board member's role is not to determine discipline outcomes, but to:

- Understand the legal and procedural framework
- Support consistent application of policy
- Communicate with the public in a way that is accurate and responsible
- Reinforce that decisions are made within the bounds of law, safety, and student rights

Possible Board Member Responses

Given this situation, what is the most appropriate course of action for a board member?

- Acknowledge the concern and reinforce that student discipline is governed by law and due process.
- Refer questions about specific incidents to administration, recognizing their role in day-to-day decisions.
- Avoid making assumptions or public statements without full information.
- Reinforce the district's commitment to both safety and student rights.

Which of these responses best reflects your role as a board member, and why?