

**Minnesota Department of Human Rights and [Insert School District Name]  
Agreement**

Minnesota law prohibits discrimination in education because of race, color, creed, religion, national origin, sex, marital status, disability status with regard to public assistance, sexual orientation, and age. The opportunity to obtain full and equal utilization of educational institutions is a civil right. Minn. Stat. §363A.02.

The Minnesota Department of Human Rights (Department) enforces the Minnesota Human Rights Act (Act) and eliminates unfair discriminatory practices through the initiation and investigation of administrative charges and through education, conference, conciliation, and persuasion. Minn. Stat. §363A.06.

It is the State of Minnesota's mission to provide a system for lifelong learning, to ensure individual academic achievement, an informed citizenry, and a highly productive work force. This system focuses on the learner, promotes and values diversity, provides participatory decision-making, ensures accountability, models democratic principles, creates and sustains a climate for change, provides personalized learning environments, encourages learners to reach their maximum potential, and integrates and coordinates human services for learners. The public schools of this state shall serve the needs of the students by cooperating with the students' parents and legal guardians to develop the students' intellectual capabilities and lifework skills in a safe and positive environment. Minn. Stat. §120A.03.

The Cass Lake-Bena School District #115 provides public education to all school aged children within its district and is responsible for the District's budget, curriculum, personnel, and facilities.

On November 7, 2017 the Department and District phone conferenced to discuss the suspension and expulsion data the District submitted over the past five years to the Discipline Incident Reporting System (DIRS) maintained by the Minnesota Department of Education (MDE). The Department identified disparities in the rate in which District suspended or expelled African-American students, Native-American students, students of color, or students with disabilities when the decision-making involved subjective, discretionary decisions. The Department also identified concerns with the number of suspensions and expulsions the District assigned African-American students, Native-American students, students of color, or students with disabilities relative to their enrollment in the District.

The Department and District share mutual goals to ensure:

- Learning occurs in safe and supportive environments;
- Every student has an equal opportunity to fully participate in and to succeed in a quality education; and
- The District applies its student discipline policies and procedures in a non-discriminatory manner.

The Department and District have a strong a commitment to:

- Work together on behalf of all Minnesota students to ensure their success; and

- Collaborate and use their best efforts to improve student academic achievement by reducing the disparate suspension and expulsion outcomes for students from racial and ethnic minority communities and students with disabilities.

The Department and District acknowledge that the unnecessary use of exclusionary discipline can have serious, long term, and detrimental effects on student engagement and academic achievement.

The Department and District recognize that there are many corrective action strategies that can be implemented with a school environment and that the District should have the ability to select the specific corrective action strategy it feels is best for its school community.

The Department and District recognize that there several federal and state educational mandates for the District to achieve. The Department and District recognize that the District should have flexibility in crafting a plan that is best suited for its school community.

The Department and District recognize that enhanced alignment of government programs and services seeking to assist low income households and eliminate homelessness may have a positive impact on reducing suspension and expulsion decisions within the District.

The Department and District recognize that the Department may be able to assist the District in securing resources among private foundations, private businesses and governmental units to support efforts within the District to reduce the need to suspend or expel students.

Therefore, the Department and District, collectively referred to as Parties, agree as follows:

1. The District has developed and submitted to the Department a Strategic Plan (Plan), which is attached as Exhibit A to this Agreement. The Plan will focus on conduct that the District would report to MDE in the following DIRS categories: attendance, bullying, cyber bullying, harassment, disruptive/disorderly conduct/insubordination, threat, intimidation and other. The Plan will identify the role and responsibilities of the Board, Superintendent, Principals and other relevant individuals to ensure discipline is properly implemented as identified within the Plan. The Plan will also include a section outlining the engagement effort of the District to ensure input from students, parents, and teachers to obtain qualitative data on a regular and on-going basis throughout the length of this Agreement.
2. The District will submit semi-annual reports to the Department demonstrating its efforts to comply with the provisions of this Agreement and to implement its Plan. The District will provide semi-annual reports by September 1 of each year, and the second semi-annual report by February 1. The September report will address activity for the preceding months of January through June. The February report will address activity for the preceding months of July through December. The first semi-annual report is due to the Department on September 1, 2018.
3. At a minimum, the semi-annual report will include the following information for each strategy the Plan identified:
  - a. The intended outcomes;
  - b. Specific steps the District took to implement the strategy;

- c. Metrics the District developed to measure the effectiveness of the strategy; and
  - d. Any changes implemented by the District in light of results in the reporting period.
4. The semi-annual report will also include the following information:
  - a. The names of all students that have been suspended or expelled;
  - b. The names of the student's parent(s) or legal guardian(s);
  - c. The telephone and mailing address contact information for the student's parents;
  - d. Date the student was suspended;
  - e. Date the student's parent(s) or guardian(s) were contacted regarding the suspension;
  - f. The race, ethnicity, national origin, and gender of the student suspended;
  - g. Whether the student is recognized as a student with a disability;
  - h. The reason why the student was suspended;
  - i. The length of suspension; and
  - j. Dates the student was previously suspended during the academic school year.
5. The Department, in collaboration with MDE, School Districts and Charter Schools, will create a Diversion Committee during the 2017-2018 school year. The District will designate a representative or representatives to serve on the Diversion Committee.
6. The Diversion Committee will:
  - a. Review and analyze aggregate suspension data of School Districts and Charter Schools;
  - b. Review and analyze suspension practices of School Districts and Charter Schools;
  - c. Develop legislative proposals that will have a positive impact on reducing suspensions and expulsions from racial and ethnic minority communities and students with disabilities; and
  - d. Develop and create best practices for school boards, superintendents, discipline supervisors, principals, teachers, staff and discipline assessment teams on the issues identified within this Agreement.
7. The Diversion Committee will be comprised of the following subcommittees:
  - a. DIRS – Create greater clarity for schools on the conduct schools should report to MDE;
  - b. Corrective Action Strategies– Best practices for understanding, teaching, evaluating, and monitoring implementation of corrective action strategies;
  - c. Implicit Bias – Best practices for understanding, teaching, evaluating, and monitoring implementation of implicit bias education; and
  - d. Engagement – Best practices for ensuring student, teacher, and community involvement that leads to qualitative assessment.
8. The Diversion Committee will provide information and recommendations to the Department. Based on the information and recommendations made by the Diversion Committee, the Department will:
  - a. Coordinate external stakeholders to drive toward community based solutions;
  - b. In collaboration with MDE, publish technical guidance on best practices to reduce suspension and expulsion disparities for students from racial and ethnic minority communities and students with disabilities;

- c. Facilitate conversations with other government units to explore ways to eliminate duplication of services, barriers for families and students, and improve data sharing;
  - d. Facilitate a legislative policy report;
  - e. Provide technical assistance on civic engagement;
  - f. Provide feedback to District on policies, efforts to reduce suspensions, and data analysis; and
  - g. Use its best efforts to secure resources from private foundations, private businesses, and other governmental units, such as MDE, Minnesota Department of Human Services, Minnesota Department of Health, public housing agencies, and counties.
9. The District agrees that the Department, upon giving reasonable notice to the District to minimize disruption, may conduct an on-site review or request additional information from District to evaluate effective implementation of the Plan and compliance with the terms of this Agreement.
  10. The Parties acknowledge that the release of information concerning this matter is governed by the Act, the Minnesota Government Data Practices Act, Minn. Stat. §§ 13.03 *et. seq.*, and the Official Records Act, Minn. Stat. §§ 15.17 *et. seq.*
  11. The Parties agree that the Department may make public: (a) the terms of this Agreement pursuant to Minn. Stat. § 363A.06, subd. 4 and (b) the information identified as public data in Minn. Stat. § 363A.35. The Parties agree to work collaboratively on any press releases and responses to media inquiries concerning this Agreement.
  12. If a Court of competent jurisdiction, for any reason, holds any part of this Agreement invalid, unlawful or otherwise unenforceable, such decision shall not affect the validity of any other part of the Agreement. The Parties will meet within 15 days of any such decision to determine if they should modify the Agreement.
  13. This Agreement is not to be construed as an admission of liability or wrongdoing by or on behalf of the District or any other party identified in interest with the District. The Department has not made a probable cause discrimination finding against the District in violation of the Act.
  14. This Agreement begins on the date that the parties execute it and the Agreement ends upon the District's submission to the Department of the District's September 1 report for the 2020–2021 academic school year.
  15. The parties to this Agreement acknowledge that they have read and have gained an understanding of the terms of this Agreement, that legal counsel has represented them or they had the opportunity to retain legal counsel, and they are voluntarily entering into this Agreement.
  16. This Agreement may be executed in multiple counterparts, which shall be construed together as if one instrument. In addition, any party shall be entitled to rely on an electronic copy of a signature as if it were the original. The parties have caused this Agreement to be signed on the dates opposite their signatures.
  17. Minnesota law will govern the construction and interpretation of this Agreement. No rule of strict construction shall apply against either Party as both Parties equally drafted the Agreement. The

Parties agree that any action regarding interpretation or adherence to the terms of Agreement shall be filed in Ramsey County district court.

18. If the Department believes the District is in material breach of this Agreement, the Department will notify the District in writing and will identify the specific provisions of this Agreement the Department believes the District is breaching. The Department will request a meeting with the Superintendent to resolve the outstanding issue. The Department shall only initiate judicial proceedings to enforce this Agreement if the parties reach an impasse after negotiating in good faith for 30 days.
19. Nothing within this Agreement prevents the Department from periodically requesting information from the District concerning all of its suspension and expulsion decisions to ensure that the District has correctly identified the suspension and expulsion decisions subject to this Agreement.

3/19/18  
Date

Millie Baird  
Millie Baird, Chair of the Board of Education  
Cass Lake-Bena School District

3/19/2018  
Date

Rochelle M. Johnson  
Rochelle M. Johnson, Superintendent  
Cass Lake -Bena School District

4/9/18  
Date

Kevin M. Lindsey  
Kevin Lindsey, Commissioner  
Minnesota Department of Human Rights

School District: Cass Lake-Bena School District  
 Submitted by: Rochelle Johnson, Superintendent  
 Date: March 18, 2018

**COORDINATED EARLY INTERVENING SERVICES STRATEGIC PLAN FOR CASS LAKE-BENA SCHOOL DISTRICT**

**I. ADMINISTRATIVE – FEDERAL AND STATE MANDATES**

**Objective:** Cass Lake School District will be in compliance with State and Federal mandates to prohibit discrimination in education because of race, color, creed, religion, national origin, sex, marital status, disability status with regard to public assistance, sexual orientation, and age.

Action	Activity	Person Responsible	Timeline	Outcome
<b>Inform</b> - Annual Public Notification – Notice of Program Offerings and District Contact for Title IX and 504.	Publish in local newspaper and post on school district website prior to the start of each school year that all vocational opportunities will be offered regardless of race, color, national origin, sex or disability as well as the name, address, and phone number of the District contact to coordinate compliance under Title IX and Section 504.	Superintendent	By the 15 <sup>th</sup> of August of each year	By August 15, 2018, the District shall provide a brief summary of program offerings to be included in the annual notice and publish and disseminate the annual notice in the local newspaper and post on the District's website.
<b>Inform</b> - Nondiscrimination Notice	Publish the nondiscrimination statement on the school letterhead stationery, staff handbooks, student handbooks, centrally located bulletin boards in each school building, student enrollment forms, school newsletters, and in extracurricular programs.	Superintendent	Starting April 15, 2018 and ongoing	<ul style="list-style-type: none"> <li>By August 15, 2018 the District shall provide the nondiscrimination statement to be placed in staff and student handbooks.</li> <li>By April 15, 2018 the District shall post the nondiscrimination statement on (spring) extracurricular programs, on bulletin boards, and on district website.</li> </ul>
<b>Assign</b> - District Person Responsible for Title IX and Section 504/ADA at the January School Board Reorganizational Meeting	Notify the District's designated Section 504 and Title IX Coordinator including name, office address, and phone number in the staff and student handbooks and post on District's website.	School Board	Starting April 15, 2018 and ongoing	<ul style="list-style-type: none"> <li>By April 15, 2018 the District shall post the the Section 504 and Title IX Coordinator and contact information including name, office address, and phone number on the District's website.</li> <li>By August 15, 2018 the District shall provide written verification of the designated Section 504 and Title IX Coordinator and the contact information including name, office address, and phone number in the staff and student handbooks.</li> </ul>

Action	Activity	Person Responsible	Timeline	Outcome
<p><b>Review</b> - Policy Review regarding Title IX (Equal Educational Opportunity, Equal Employment Opportunity, Disability Nondiscrimination Policy, Student Disability Discrimination) and Section 504. This includes Grievance Procedures for both.</p>	<p>Annually review School Board Policies to ensure the District is in compliance with Title IX and Section 504 State/Federal mandates including grievance procedures.</p> <p>Post Title IX and Section 504 School Board Policies and grievance procedures on School District Website including contact information for both.</p>	<p>School Board and Superintendent</p>	<p>January 1 – December 30 each year</p>	<p>By January 1, 2019 the District shall provide verification that the Title IX and Section 504 policies and the District's grievance procedures for both are posted on the School District website which includes the contact information.</p>

**II. STEPS TO ENSURE DISCIPLINE IS PROPERLY IMPLEMENTED TO ADDRESS BEHAVIOR CONCERNS AND REDUCE SUSPENSIONS**

**Objective:** Cass Lake-Bena District will maintain safe learning environments while at the same time reduce racial disparities in the treatment of students.

Action	Activity	Person Responsible	Timeline	Outcome
<p><b>Appoint</b> - District Discipline Supervisor</p>	<p>The Superintendent/Designee will serve as the District's Discipline Supervisor and be responsible to submit semi-annual reports as required. Semi-annual reports will include:</p> <ul style="list-style-type: none"> <li>Name and address of students suspended or expelled</li> <li>Name and contact of student's parent/legal guardian (phone and mailing address)</li> <li>Date student's parent/legal guardian was contacted regarding suspension</li> <li>Race, ethnicity, national origin, and gender of student suspended</li> <li>Whether the student is recognized as a student with a disability</li> <li>Why the student was suspended</li> <li>Length of suspension</li> <li>Dates the student was previously suspended during the academic school year.</li> <li>Strategies for community/school engagement including students, parents, and teachers.</li> </ul>	<p>Superintendent/Designee</p>	<p>September 1 and February 1 of each year.</p>	<p>By September 1, 2018 and February 1, 2019 the Superintendent will complete and send in the required semi-annual reports that includes suspension and expulsion data and progress on community/school engagement strategies based on JMC and/or PBIS data.</p>

Action	Activity	Person Responsible	Timeline	Measurement Outcome
<p><b>Implement</b> - School District Code of Consequences</p>	<p>The School Board will review and analyze the District's Code of Consequences annually providing for feedback and input from school attorney, parents, students, and school personnel.</p>	<p>Superintendent, Principals</p>	<p>June and August of each year</p>	<ul style="list-style-type: none"> <li>By June 5, 2018 the School District Attorney will review and analyze and make recommendations to the District's Code of Consequences. By August 15, 2018 parents, students, and teachers will be given the opportunity to provide input to the District's Code of Consequences through student surveys, staff meetings, and public comment at School Board meetings.</li> <li>By the first day school each year, a copy of the District's Code of Consequences will be included in the Student and Teacher Handbooks, posted in the local newspaper, and posted on the School District's website.</li> </ul>
<p><b>Implement</b> - Positive Behavior Interventions and Supports (PBIS) and Code of Consequences</p>	<p>Disseminate District's Code of Consequences to students, staff, parents, and community. Implement Code of Consequences in addressing behavior issues.</p>	<p>Superintendent, Principals</p>	<p>August/September of each year</p>	<p>At the end of each school year, the number of suspensions and expulsions for ALL students reported in SWIS and/or JMC will decrease using the SY 2017-2018 as the baseline.</p>
<p><b>Promote</b> - Collaboration with Agencies and Partners</p>	<p>Bemidji Regional Interdistrict Council (BRIC) will provide training for administrators which explores the reasons for selecting alternatives to suspension. BRIC will provide "Nurtured Heart" training to special education staff to provide different ways of working with special education students.</p> <p>Meet with Local Indian Education Committee (LIEC) and Leech Lake Tribal Council engaging in the Tribal Consultation Process to solicit input in addressing attendance and behavior concerns in the schools. Solicit input from community, staff, and students through public comment at school board meetings.</p> <p>Partner with Leech Lake Behavioral Health to provide Behavior Health Interventionists to serve students in grades K-12.</p>	<p>Superintendent Principals  Principals  Superintendent</p>	<p>SY 2016-2017 and SY 2017-2018 and as needed</p> <p>1<sup>st</sup> Wednesday of each month</p> <p>Each school year</p>	<ul style="list-style-type: none"> <li>At the end of each school year, the number of suspensions and expulsions for identified special education students reported in SWIS and/or JMC will decrease from the previous school using the SY 2017-2018 as the baseline.</li> <li>Based on the quarterly review of behavior and attendance data, CLBS will show a reduction of office referrals and suspensions and expulsions of American Indian students with disabilities.</li> <li>Data will show a reduction in requests for behavior consultation, office referrals for behavior, suspensions, use of restrictive procedures and referrals to special education as well as an increase in attendance and student engagement.</li> </ul>

Action	Activity	Person Responsible	Timeline	Measurement Outcome
<p><b>Promote</b> – Collaboration with Agencies and Partners (<i>continued from page 3</i>)</p>	<p>Meet with local law enforcement officials to ensure Cass Lake-Bena School District School Resource Officers (SROs) understand that they are to support ensuring safety within the school environment and that they are not to participate in decisions related to suspensions of students, as suspension decisions will be made by School Officials.</p>	<p>Superintendent Principals</p>	<p>SY 2018-2019 and each year after</p>	<ul style="list-style-type: none"> <li>School Resource Office agreements will reflect that SROs will not participate in decisions related to suspensions of students.</li> </ul>
<p><b>Participate</b>- Professional Development for Staff</p>	<p>Certified Staff and Administrators at the CLB Elementary, CLB Middle, CLB High, and ALC will attend a one-day training by Spencer Henry in classroom management strategies to improve student relationships. Each year these strategies will be introduced to new staff and reviewed with existing staff.</p> <p>Continue to provide Adverse Childhood Experiences training for all required staff each year.</p> <p>Cass Lake-Bena School Staff will attend training in August as part of the back to school professional development in trauma-sensitive schools where it is a safe and respectful environment that enables students to build caring relationships with adults and peers, self-regulate their emotions and behaviors, and succeed academically, while supporting their physical health and well-being.</p>	<p>Superintendent Principals</p>	<p>August 2016 training and reviewed each year.</p> <p>August 2017</p>	<ul style="list-style-type: none"> <li>The number of student referrals regarding misbehavior in the classroom will decrease each year using the SY 2017-2018 as the baseline as staff gain more knowledge and practice on implementing positive classroom management strategies.</li> <li>At the end of each school year, the number of suspensions and expulsions for ALL students reported in SWIS and/or JMC will decrease using the SY 2017-2018 as the baseline.</li> <li>At the end of each school year, the number of suspensions and expulsions for identified special education students reported in SWIS and/or JMC will decrease from the previous school using SY 2017-2018 as the baseline.</li> <li>Administrators and staff will learn and implement strategies that address student engagement, chronic absenteeism, graduation rates and behaviors that typically result in suspension.</li> </ul>

Action	Activity	Person Responsible	Timeline	Measurement Outcome
<p><b>Implement</b> - Curriculum and Instruction</p>	<p>Contract with Peacemakers to provide Social Emotional Learning (SEL) lessons to K, 1<sup>st</sup> and 5<sup>th</sup> grade students. Implement the Boys Town SEL curriculum at the Area Learning Center.</p> <p>Implement 7 Mindsets social/emotional learning lessons in grades 5-8, train staff and implement yoga and mindfulness strategies and provide Native Drum and Flute Classes providing students a deeper understanding of Native American cultural identity.</p> <p>Implement 9<sup>th</sup> Grade Academy, a school-within-a-school organized around interdisciplinary teams of English, math, science, and social studies who share a specific area of the high school. Incoming freshmen are connected to a select team of teachers and support staff that use research proven best instructional strategies to teach the curriculum and address the students' needs more personally.</p>	<p>Principals</p> <p>Teachers</p> <p>Principals</p>	<p>Year 1 – SY 2016-2017, Year 2 – SY 2017-2018</p>	<ul style="list-style-type: none"> <li>Using the 2017 four-year graduation and drop-out rates as the baseline, increase the graduation rate and decrease the drop-out rate each year. (Rates are reported one year behind).</li> <li>Using the SY 2017-2018 grade K, 4<sup>th</sup> and 8<sup>th</sup> grade enrollment numbers as the baseline, retain those students as they transition to middle school and high school until they reach graduation.</li> </ul>
<p><b>Promote</b> - Cultural Diversity/Equity</p>	<p>Implement Restorative Practice strategies in a <u>schoolwide</u> setting at CLB Middle and CLB High schools.</p> <ul style="list-style-type: none"> <li>Provide Restorative Language Chats training to middle and high school staff.</li> <li>Implement Student Support and Academic Achievement Grant to support Restorative Practice strategies which includes exploration, further training, and infusion of restorative practices at the middle and high school.</li> </ul> <p>Provide female and male students the opportunity to participate in STEM activities during and after school through Robotics FIRST teams/leagues and Project Lead the Way classes.</p> <p>Continue to provide students Ojibwe language instruction at all levels and cultural awareness to new staff through the Induction Program.</p>	<p>Principals</p>	<p>Summer 2017</p> <p>Each school year</p> <p>August of each school year</p>	<ul style="list-style-type: none"> <li>Based on the quarterly review of behavior and attendance data, CLBS will show a reduction of office referrals and suspensions and expulsions of American Indian students with disabilities.</li> <li>Data will show a reduction in requests for behavior consultation, office referrals for behavior, suspensions, use of restrictive procedures and referrals to special education as well as an increase in attendance and student engagement.</li> </ul>

Action	Activity	Person Responsible	Timeline	Measurement Outcome
<p><b>Implement -</b> Interventions for Academic and Social/Emotional Support</p>	<ul style="list-style-type: none"> <li>Develop and implement systematic Tier 2 interventions that include check-in/check-out and small group social skills instruction.</li> <li>Develop systematic Tier 3 interventions that include small group or 1-1 skills sessions with counselor/social worker/behavior interventionist.</li> <li>Implement Students Teaching Attitudes of Respect (STAR) team at CLB Middle School</li> <li>Provide opportunities for students and staff to be active, and engage in activities in the school that support physical activity.</li> <li>Provide all student in PreK-12 a free breakfast and lunch and students in extracurricular activities a free evening meal before they depart on the take-home busses</li> <li>Implement Chromebooks and Google Classroom to integrate technology in the classroom.</li> </ul>	<p>Principals Behavior Interventionist</p>	<p>September-June of each school year</p>	<ul style="list-style-type: none"> <li>By September 15<sup>th</sup> of each school year, CLB Middle School will have selected student leaders that will serve on the STAR Team.</li> <li>Based on quarterly review of behavior data, CLBS will reduce the number of students engaged in office referrals for behavior, suspensions, use of restrictive procedures and referrals to special education for evaluation by improving the social emotional learning (SEL) skills of students.</li> </ul>