

**Minnesota Department of Human Rights and Independent School District 196  
Collaboration Agreement**

The Minnesota Department of Human Rights (Department) is the agency of the State of Minnesota responsible for enforcing the Minnesota Human Rights Act.

Independent School District 196 (District) provides public education to school aged children within its district.

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 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 the District's 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 acknowledge that teachers and students deserve school environments that are safe, supportive, and conducive to teaching and learning.

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

The Department and District recognize that there are 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 behaviors that could result in suspension and expulsion.

The Department and District recognize that the Department will affirmatively seek 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 District will implement the Plan during the term of this Agreement subject to reasonable revisions and modifications determined by the District to best meet the needs of students and the district. The District will obtain input from students, parents, and teachers to obtain qualitative data on a regular and on-going basis concerning the plan identified in Exhibit A and will provide the Department with information on the District's engagement efforts and how the District utilized input from stakeholders.
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. Each report will address activity for the preceding six months. The first semi-annual report is due to the Department on September 1, 2018. The report will include:
  - 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.

The report will also include de-identified suspension data showing:

- e. Date the student was suspended;
    - f. The race, ethnicity 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.
3. 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. Meetings of the Diversion Committee will be scheduled and hosted by Department on a quarterly basis.

The purpose of the Diversion Committee is to 1) Review and analyze aggregate suspension data of School Districts and Charter Schools; and 2) Develop and create best practices for school boards, superintendents, principals, teachers, and staff on reducing the disproportionality of suspensions and expulsions for students of color and students with disabilities.

The Diversion Committee may consider creating subcommittees as necessary to meet its purpose, which could include the following:

- a. DIRS – Create greater clarity for schools on the conduct schools should report to MDE;
- b. Strategies– Best practices for understanding, teaching, evaluating, and monitoring implementation of 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.

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:

- e. Coordinate external stakeholders to drive toward community based solutions;
  - f. In collaboration with MDE, publish technical guidance on best practices to reduce suspension and expulsion disparities for students of color and students with disabilities;
  - g. Facilitate conversations with other government units to explore ways to eliminate duplication of services, barriers for families and students, and improve data sharing;
  - h. Facilitate a legislative policy report;
  - i. Provide technical assistance on civic engagement;
  - j. Provide feedback to District on policies, efforts to reduce suspensions, and data analysis; and
  - k. 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.
4. The Parties acknowledge that the release of information concerning this matter is governed by the Federal Educational Rights and Privacy Act, 20 U.S.C. 1232g, the Minnesota Human Rights Act, Minn. Stat. §§ 363A *et. seq.*, the Minnesota Government Data Practices Act, Minn. Stat. §§ 13.03 *et. seq.*, and the Official Records Act, Minn. Stat. §§ 15.17 *et. seq.* The Department agrees that any personally identifiable educational data received from the District will not be re-released unless ordered by a Court of competent jurisdiction. The Department agrees to maintain any educational data received from the District in a secure manner with restricted internal Department access to such educational data. The District acknowledges the Department's right to seek educational data under Minn. Stat. § 363A.06, Subd. 1(a)(9) pursuant to a lawfully issued subpoena and the Department acknowledges the Student's or Parent's right to challenge the requested release of educational data.
  5. The Department may request 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. Such disclosure requests are subject to state and federal data practices laws identified in section No. 4 above.
  6. The Parties agree that the Department may make public: (a) the terms of this Collaboration Agreement and (b) the information identified as public data in Minn. Stat. § 363A.35. The Parties agree to attempt to work collaboratively on any press releases and responses to media inquiries concerning this Collaboration Agreement.

7. If a Court of competent jurisdiction, for any reason, holds any part of this Collaboration Agreement invalid, unlawful or otherwise unenforceable, such decision shall not affect the validity of any other part of the Collaboration Agreement.
8. The parties have mutually agreed to enter into this Collaboration Agreement to work together on a nation-wide and state-wide issue. This Collaboration Agreement is not an indication or an admission of any liability or wrongdoing by or on behalf of either party. The Department has not made a probable cause discrimination finding against the District and has not found a violation of the Act.
9. This Collaboration Agreement begins on the date that the parties execute it and the ends on September 1, 2021.
10. The parties to this Collaboration Agreement acknowledge that they have read and have gained an understanding of the terms of the Collaboration Agreement, that legal counsel has represented them or they had the opportunity to retain legal counsel, and they are voluntarily entering into this Collaboration Agreement.
11. This Collaboration 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 Collaboration Agreement to be signed on the dates opposite their signatures.
12. Minnesota law will govern the construction and interpretation of this Collaboration Agreement. No rule of strict construction shall apply against either Party as both Parties equally drafted the Collaboration Agreement. The Parties agree that any action regarding interpretation or adherence to the terms of the Collaboration Agreement shall be filed in Ramsey County district court.
13. If either party believes that the other is in material breach of this Collaboration Agreement, that party will notify the other in writing and will identify the specific provisions of this Collaboration Agreement the party believes has been breached. The party will request a meeting with the other to resolve the outstanding issue. The party shall only initiate judicial proceedings to enforce this Collaboration Agreement if the parties reach an impasse after negotiating in good faith for 30 days.

June 25, 2018  
Date

Jackie Magnuson  
Jackie Magnuson, Chairperson

June 25, 2018  
Date

[Signature]  
Joel Albright, Vice Chairperson

6/27/18  
Date

[Signature]  
Kevin Lindsey, Commissioner  
Minnesota Department of Human Rights



**DISTRICT 196**  
One District. Infinite Possibilities.

## **ROSEMOUNT – APPLE VALLEY – EAGAN PUBLIC SCHOOLS PLAN TO ADDRESS DISPARATE DISCIPLINARY OUTCOMES**

### **Statement of Purpose**

District 196 is committed to ensuring that every student's experience in District 196 provides equitable access to educational opportunities that result in positive learning outcomes. The district's beliefs and actions are guided by its work with the evidence-based equity tools of cultural proficiency. The Cultural Proficiency Framework provides a comprehensive, systematic structure for District 196 to identify, examine, discuss and address educational issues in its schools. Cultural proficiency is the equity lens the district utilizes to build on student assets and create conditions that foster an inclusive learning environment for each of the district's students. The district is a continuous improvement district that follows the model of plan, do, study, act in an effort to meet the needs of all learners.

Student discipline is necessary to provide a safe and secure learning environment, but frequent student suspensions can be a barrier to learning. District 196 continually reviews its disciplinary policies and practices in order to reduce disciplinary disparities, identify disciplinary alternatives and to create a positive, non-punitive school climate. While student behavior is influenced by numerous external factors over which the district has limited influence (e.g., trauma, poverty, nutrition, sleep), the district affirmatively seeks to make a difference where it can through a multi-faceted approach. The approach shifts the focus from a punitive model to a teaching model aimed at building student capacity. The district's approach encompasses not only those practices directly related to student discipline, but also more generally addresses matters of equity, school climate, student engagement, parent engagement, staff development and curriculum. Some components of the district's plan are required by law, while others are unique to District 196. This document represents key components of the district's strategy to address disparities in student discipline.

### **I. Periodic Review of District Discipline Policy**

Strategy - Review District 196's comprehensive district-wide school discipline policy required by Minnesota Statute § 121A.61, including consideration of the impact of the policy on student equity.

Responsibility - School Board and administration, following collection of input from school communities; including but not limited to students, staff, and parents/guardians.

Frequency - Annual.

### **II. Data Review**

Strategy - Review disaggregated student suspension and expulsion data.

Responsibility - Responsibility for the review of data is tiered as follows:

- School-level review (school data)
- Student attendance and behavioral intervention task force (districtwide data)
- Cabinet-level review (districtwide data)

Frequency - Data reviews will occur three times per year at each tier.

### **III. Alternatives to Suspension**

Strategy - Establish a student attendance and behavioral intervention task force to review districtwide disciplinary practices and alternatives to suspension. Membership includes administrators, cultural family advocates, parents/guardians and others.

Study, recommend and implement non-exclusionary alternatives to suspension as appropriate.

Responsibility - School administration, student attendance and behavioral intervention task force and Cabinet.

Frequency - Ongoing.

### **IV. School Climate Initiatives**

Strategy - Require each school community to implement school climate initiatives for students and staff (e.g., Search Institute - REACH, Conscious Discipline, Olweus, Second Step). By improving school climate for all, the District hopes to reduce disciplinary incidents and improve student engagement and inclusion.

Responsibility - Each K-12 school community will participate in one or more school climate initiative and report on implementation to the appropriate supervising director (Director of Secondary Education, Director of Elementary Education, Director of Special Education).

Frequency - Ongoing with Director reports occurring twice per year.

### **V. Professional Development for Staff**

Strategy - Offer professional development to staff to address implicit bias, cultural proficiency and student social/emotional learning.

Responsibility - District administrators will offer professional development opportunities and all staff will be expected to participate as appropriate to their job responsibilities.

Frequency - Ongoing.

### **VI. Consultation**

Strategy - Collaborate with Midwest & Plains Equity Assistance Center and the Center of Excellence (through the Minnesota Department of Education) to provide equity-focused assistance in the analysis and reduction of disparities for underrepresented student groups in the District 196 school community.

Responsibility - Equity and Inclusion Coordinator and district and school administrators.

Frequency - Ongoing, provided the collaboration remains available and useful.

## **VII. Staff Review of Policy**

Strategy - Require all staff to review the district's anti-discrimination and anti-bullying policies.

Responsibility - Legal department and all staff.

Frequency - Annually each fall.

## **VIII. Family and Community Engagement**

Strategy - Seek family and community involvement in order to better understand, serve and involve District students and their families. Engagement may include, but is not limited to district and school events, community dialogues, the Community Collaboration Council, Tribal Nations Education Committee, Native American Parent Advisory Committee, Special Education Advisory Council, Equity Parent Advisory Committee, parent support organizations (site councils, PTOs, boosters) and the Superintendent Parent Leader Group.

Responsibility - District and school administrators and Cultural Family Advocates (CFAs) as appropriate.

Frequency - Ongoing.

## **IX. Reimagine Minnesota**

Strategy - Participate in the work of *Reimagine Minnesota*, a multi-district collaboration that seeks to create lasting equity and excellence in education for all students.

Responsibility - District administrators.

Frequency - Ongoing as long as the collaboration continues and remains useful.

## **X. Use of School Resource Officers**

Strategy - Ensure that the district's policy, as well as its contracts for school resource officers provide that school resource officers should not be involved in decision-making concerning student discipline, but are limited to law enforcement functions.

Responsibility - Legal department, with implementation by school and district administrators.

Frequency - Annually.

## **XI. Culturally Inclusive Curriculum**

Strategy - Review student curriculum, pedagogy and academic offerings with an equity lens to ensure inclusivity.

Responsibility - District and school administration and Instructional Coaches with the support of the Equity and Inclusion Department.

Frequency - Ongoing.

**XII. Mental Health Support**

Strategy - Provide mental health support and referrals to students with mental health needs to improve student well-being and reduce behaviors related to mental health needs.

Responsibility - School-level support personnel (e.g., social workers, counselors, psychologists, nurses, co-located mental health counselors) and district and school administration.

Frequency - Ongoing

**XI. State Diversion Committee**

Strategy - Participate in the Diversion Committee assembled by the MDHR to collaboratively examine best practices relative to student discipline and related matters.

Responsibility - Selected administrators.

Frequency - Ongoing per the schedule developed by the Diversion Committee.