Minnesota Department of Human Rights and Dugsi Academy
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.

Dugsi Academy provides public education to all school-aged children within its school and is responsible for its budget, curriculum, personnel, and facilities.

On November 30, 2017, the Department and Charter School met to discuss the suspension and expulsion data the School submitted over the past five years to the Discipline Incident Reporting System (DIRS) maintained by the Minnesota Department of Education (MDE). The Department noted that the Charter School's rate of suspension of students per 100 students was appreciably higher than the statewide average rate of suspension of students per 100 students and a significant percentage of suspension decisions made by the Charter School were based on subjective considerations. ***[If applicable: The Department also identified its concerns that the Charter School was suspending students with disabilities at a higher rate relative to their enrollment than students without disabilities and was suspending from racial and ethnic minority communities at a higher rate relative to their enrollment than Caucasian students.]***

The Department and Charter School 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 Charter School applies its student discipline policies and procedures in a non-discriminatory manner.

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

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

The Department and Charter School 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 Charter School.

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

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

1. The Charter School 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 Charter School 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 Charter School 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 Charter School 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 Charter School will provide semi–annual reports by September 1 and February 1 each year. The September report will address activity for the preceding months of February through August. The February report will address activity for the preceding months of September through January. The first semi–annual report is due 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 Charter School took to implement the strategy;
    c. Metrics the Charter School developed to measure the effectiveness of the strategy; and
    d. Any changes implemented by the Charter School 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 Charter School 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 for students of color 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 Charter School 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 Charter School agrees that the Department, upon giving reasonable notice to the Charter School to minimize disruption, may conduct an on–site review or request additional information from the Charter School to evaluate effective implementation of the Plan and compliance with the terms of this Agreement.

engage in alternative dispute resolution efforts including, but not limited to, the selection of a mediator to help the parties resolve the outstanding dispute.

19. Nothing within this Agreement prevents the Department from periodically requesting information from the Charter concerning all of its suspension and expulsion decisions to ensure that the Charter has correctly identified the suspension and expulsion decisions subject to this Agreement.

4-11-18
Date

Pillsbury United Communities, Charter School Authorizer
Dugsi Academy Charter School

3/31/18
Date

Mary Stafford
Mary Stafford, Superintendent/Director/Principal
Dugsi Academy Charter School

3/30/18
Date

Kevin Lindsey, Commissioner
Minnesota Department of Human Rights

Exhibit A
Dugsi Academy's plan to address disparities

Goal 1: (All tiers) Dugsi Academy will create a PBIS team to oversee implementation of discipline.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
A. Team Established (Representation)	• Includes grade level teachers, specialists, paraprofessionals, parents, special educators, counselors. • Team has established clear mission/purpose	• Fall 2018	• Various members of the Dugsi Community	• Mission of PBIS team • Attendance records
B. Team has regular meeting schedule, effective operating procedures	• Agenda and meeting minutes are used • Team decisions are identified, and action plan developed	• Fall-Winter 2018	• PBIS team	• Action Plan • Agendas from meetings • Minutes from Meetings

Goal II. (Tier I) Dugsi Academy will establish school-wide expectations and prevention systems.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
C. 3-5 school-wide behavior expectations are defined and posted in all areas of building	• 3-5 positively and clearly stated expectations are defined. • The expectations are posted in public areas of the school.	• August 2017 • August 2018	• Director of School Culture • PBIS Team	Visible expectations in the school
D. School-wide teaching matrix developed	• Teaching matrix used to define how school-wide expectations apply to specific school location • Teaching matrix distributed to all staff.	• August 2017, reviewed annually	• Director of School Culture/ PBIS team	Teaching matrix
E. Teaching plans for school-wide expectations are developed	• Lesson plans developed for teaching school-wide expectations at key locations throughout the	• August 2017, reviewed annually	• Director of School Culture/ PBIS team	• Daily lesson plans

	school.			
F. School-wide behavioral expectations taught directly & formally	• Schedule/plans for teaching the staff the lessons plans for students are developed • Staff and students know the defined expectations. • School-wide expectations taught to all students • Plan developed for teaching expectations to students to who enter the school mid-year.	• August 2017, reviewed annually • August 2017, reviewed annually • August 2017, reviewed annually • Fall 2018	• Director of School Culture/ Teachers • Staff and students • Teachers • PBIS Team	• Observation of formal behavior lessons • Informal survey of staff/students
G. Additional resources for Responsive Classroom Morning Meeting content provided for teachers	• Greetings and Activities • Mindfulness • Bullying • Zones of Regulation	• August 2017 • October 2017 • November 2017 • January 2018	• Director of School Culture	• Observation of Morning Meeting time • Zones of Regulation posted on walls

Goal III: Dugsi Academy will acknowledge/reward positive behavior and discourage undesirable behaviors.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
H. System in place to acknowledge/reward school-wide expectations	• Reward systems are used to acknowledge school-wide behavioral expectations. • Ratio of reinforcements to corrections is high (4:1). • Students and staff know about the acknowledgement system & students are receiving positive acknowledgements.	• August 2017	• PBIS Team	• ROAR tickets • Informal Observation of Interactions • Informal survey of staff and students
I. Clearly defined & consistent consequences and procedures for undesirable behaviors are developed	• Major & minor problem behaviors are all clearly defined. • Clearly defined and consistent consequences and	• August 2017	• Director of School Culture/ PBIS Team	• Behavior flowchart • Student handbook

	procedures for undesirable behaviors are developed and used. • Procedures define an array of appropriate responses to minor (classroom managed behaviors). • Procedures define an array of appropriate responses to major (office managed) behaviors.			

Goal IV: Dugsi Academy will use data to make decisions about behavior.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
J. Data system in place to monitor office discipline referral rates that come from classrooms	• School has a way to review ODR data from classrooms to use in data	• August 2017, reviewed annually	• Discipline team	• Review of data from system

	based decision making.			
K. Discipline data are gathered, summarized, & reported at least quarterly to whole faculty	• Data collection is easy, efficient & relevant for decision-making • ODR data entered at least weekly (min). • Office referral form lists a) student/grade, b) date/time, c) referring staff, d) problem behavior, e) location, f) persons involved, g) probable motivation, h) consequences and i) administrative decision. • ODR data are available by frequency, location, time, type of problem behavior,	• August 2017 • August 2017 • August 2017 • August 2018 • August 2018	• PBIS team	• Data collected • Referral form • Minutes from Data Meetings

	motivation and student. • ODR data summary shared with faculty at least monthly (min).			
L. Discipline data are available to the Team regularly (at least monthly) in a form and depth needed for problem solving	• Team is able to use the data for decision making, problem solving, action planning, and evaluation • Precision problem statements are used for problem solving	• August 2018 • August 2018	• Discipline Team • PBIS Team	• Action plans • Precision Problem Statements • PBIS team meeting minutes

M. Data will be regularly reported to DIRS.	• attendance, bullying, cyber bullying, harassment, disruptive/disorderly conduct/insubordination, threat, intimidation and other.	• At least annually	• Director of School Culture	• DIRS reports

Goal V. Dugsi Academy will use behavior interventions with students as part of larger MTSS.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
N. The school uses a data-based process for identifying students who may need Tier 2 and Tier 3 supports.	• Screening ODRs • Request for Assistance • Nomination • Progress Monitoring • Other • Staff are trained in the process of requesting interventions	• August 2017 • Fall of each year	• Director of School Culture, Director of Special Education	• Names of referring staff

Goal VI: Dugsi Academy will strive to use alternatives to suspension whenever possible.				
Strategies	**Specifics**	**Timeline**	**Who**	**Criteria of Success**
S. The discipline team will use logical consequences.	• You break it, you fix it. • Make a mess, clean it up • Hurt feelings, apologize	• August 2017	• Discipline Team	• Decrease in suspensions
T. The discipline team will use Restorative Circles.	• For verbal disagreements • For physical fights	• October 2017	• Discipline Team	• Decrease in suspensions
U. The discipline team will use frequent and culturally sensitive family contacts	• Daily behavior reports • Regular phone calls in family's home language • Parent meetings with the student and faculty	• August 2017	• Discipline Team	• Decrease in suspensions

O. Tier 2 strategies are evaluated and updated regularly.	• Strategies are evaluated **at least once each year**, reviewed, and updated or modified as needed, based on team discussion.	• Fall of each school year	• PBIS Team	• Tier 2 Strategies
P. Staff members receive training on Tier 2 supports	• Annual training on supporting students with interventions	• Fall of each school year	• PBIS Team	• Slides from training
Q. Student can receive access to intervention quickly.	• Intervention can begin less than 48 hours after request.	• Review annually in fall	• PBIS Team	• Request log
R. Families are a part of the intervention process.	• Families are notified of the intervention • Families are updated throughout the intervention process	• August 2017	• Discipline Team	• Parent signatures on intervention sheets