

**Minnesota Department of Human Rights and Independent School District No. 272,
Eden Prairie, Minnesota
Collaboration Agreement**

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

Independent School District No. 272, Eden Prairie (the 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.
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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 suspension and expulsion for students and address any disparity for students of color 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. On or before September 15, 2018, the District will develop and submit a final Strategic Discipline Plan (Plan) to the Department. An initial draft of the Plan is attached as Exhibit A to this Agreement. The parties shall use their best efforts to resolve any outstanding issues with the final Plan within 15 days of its submission to the Department. When agreed to by both parties, the final Plan shall be incorporated into this Agreement as Exhibit B. At a minimum, the Plan will identify or address the following:
 - a. The role and responsibilities of the Board, Superintendent, Principals, and other relevant individuals to ensure discipline is properly implemented as identified within the Plan;
 - b. The tracking system the District uses to track office referrals, partial day dismissals, in-school and out-of-school suspensions, expulsions, and exclusions at each school site and how and when the District will analyze this data;
 - c. Applicable policies and procedures and the process for policy revisions, including how the District will engage its students, parents, and teachers in the policy revisions;
 - d. School Resource Officers are not involved in recommending or determining student discipline or in investigating incidents of student discipline that do not involve a crime;
 - e. A comprehensive training and professional development plan for teachers and administrators on the District's selected educational strategies and best practices that are designed to address student behavioral issues in the classroom; and
 - f. The District's engagement efforts to ensure input from students, parents, and teachers so the District can 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 identified in the Plan:
 - a. The intended outcome;
 - b. Specific steps for the District 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 date the student was suspended or expelled;
 - b. The race, ethnicity, national origin and gender of the student suspended/expelled;
 - c. Whether the student is a student with a disability;
 - d. The reason(s) for the student's suspension or expulsion;
 - e. The length of the suspension or expulsion; and
 - f. Dates the student was previously suspended or expelled during the academic school year.

 5. 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 District acknowledges the Department's position that it may seek educational data under Minn. Stat. § 363A.06, Subd. 1(a)(9) pursuant to a lawfully issued subpoena and the Department acknowledges the School District's notification obligations to parents and/or students and that Students or Parents have a right to challenge the release of educational data pursuant to a subpoena or court order. The Department agrees that any personally identifiable educational data received from the District pursuant to a subpoena 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 pursuant to a subpoena in a secure manner with restricted internal Department access to such educational data.

 6. The Department, in collaboration with the Minnesota Department of Education ("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.

 7. The purpose of the Diversion Committee is to review and analyze aggregate suspension data of school districts and charter schools and to develop and create best practices for reducing suspension and expulsion rates for students of color and students with disabilities.

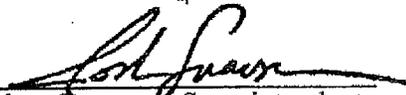
 8. The Diversion Committee may consider creating subcommittees as necessary to meet its purpose, which could include the following:
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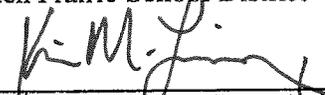
- a. DIRS – Create greater clarity for schools on the conduct schools should report to MDE;
 - b. Strategies– Best practices for understanding, teaching, evaluating, and monitoring implementation of strategies;
 - c. Implicit Bias – Best practices for understanding, teaching, evaluating, and monitoring implementation of implicit bias education; and
 - d. Engagement – Best practices for ensuring student, teacher, and community involvement that leads to qualitative assessment.
9. 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 rates for students of color 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.
10. The Parties agree that the Parties may make public: (a) the terms of this Collaboration Agreement and (b) the information classified as public data under the Minnesota Government Data Practices Act. The Parties agree to provide each other drafts of any intended press releases or responses to media inquiries related to this Collaborative Agreement, and the Parties will attempt to work collaboratively on the content.
11. 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.
12. 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 Minnesota Human Rights Act.
13. This Collaboration Agreement begins on the date that the Parties execute it and ends on September 1, 2021.

14. 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.
15. 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.
16. 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.
17. 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. A Party may initiate judicial proceedings to enforce this Collaboration Agreement only if the Parties reach an impasse after negotiating in good faith for 30 days.

7-12-2018
Date

7/12/18
Date


Dr. Joshua Swanson, Superintendent
Eden Prairie School District


Kevin M. Lindsey, Commissioner
Minnesota Department of Human
Rights

Historical Context

Eden Prairie Schools is committed to positive school culture and climate. In addition to revising our handbooks and ensuring our policies support equitable practices, for more than a decade, Eden Prairie Schools has made intentional efforts to ensure each student learns in a welcoming and culturally responsive environment. These proactive actions are part of our comprehensive efforts to meet our district mission outcome of eliminating achievement disparities. We understand that the mitigation of the racial predictability of students of color in subjective suspensions is key toward meeting our strategic mission. Specific Interventions are outlined in table below:

Table 1

Intervention Strategy: PBIS			
Description	Date (s)	Staff Included	Key Indicators of Progress
Per MN Dept of Ed, "PBIS is a state-initiated project that provides districts and individual schools throughout Minnesota with the necessary training and technical support to promote improvement in student behavior across the entire school, especially for students with challenging social behaviors. It establishes clearly defined outcomes that relate to	Cohort 11- 2015-2016	Cedar Ridge, Eden Lake, Eagle Heights Spanish Immersion & Oak Point	<ul style="list-style-type: none"> • Each school that has completed the 2-year MDE training will develop, explicitly teach and follow a common and clearly outlined set of student expectations for both classroom and common spaces. • Each school that has completed the 2-year MDE training will incorporate the 4:1 positive interaction ratio • Each school that has completed the 2-year MDE training will implement and follow the active supervision model • Each school that has completed the 2-year MDE training will frequently review and analyze behavior referral data to ensure fidelity of implementation.
	Cohort 12: 2016-2017	Prairie View	
	Cohort 13: 2017-2018	Central Middle & EP High School	
	Cohort 14: 2018-2019	Forest Hills	
	2018-2019 On-going School	EPHS, CMS, Cedar Ridge, Eagle Heights, Eden Lake,	

<p>students' academic and social behavior, systems that support staff efforts, practices that support student success, and data to guide decision-making." (retrieved 06/23/16 from https://education.mn.gov/MDE/dse/00586)</p>	<p>Improvement Development</p>	<p>Prairie View, Oak Point</p>	
<p>Intervention Strategy: Racial Consciousness Training (Beyond Diversity & Dr. Jeff Duncan-Andrade)</p>			
<p>Description</p>	<p>Date (s)</p>	<p>Staff Included</p>	<p>Key Indicators of Progress</p>
<p>Beyond Diversity is a 2-day training that supports the racial consciousness development of educators, especially classroom teachers and administrators.</p>	<p>44 sessions over the past 5 years 13-14: 10 sessions 14-15: 12 sessions 15-16: 9 sessions 16-17: 7 sessions 17-18: 6 sessions</p>	<p>All employees required to attend a session, 1582 New teachers are required to attend as part of teacher induction week.</p>	<ul style="list-style-type: none"> • Staff understand the impact of race on student learning • Staff investigate the role racism plays in institutionalizing academic achievement disparities. • Staff possess an increased self-cultural awareness • Staff demonstrate an understanding of & monitor implicit bias
<p>Dr. Jeff Duncan-Andrade</p>	<p>August 30, 2016 August 29, 2017</p>	<p>All district employees attend the school year kickoff events Administrators & Instructional Excellence Coaches</p>	<p>Keynotes</p> <ul style="list-style-type: none"> • Note to Educators: Hope Required When Growing Roses in Concrete <ul style="list-style-type: none"> ◦ Equip educators to create educational environments that are relevant and responsive to the social toxins that emerge from inequality. ◦ Closely examine the types of social toxins that young people face in the

<p>broader society</p> <ul style="list-style-type: none"> o Discuss the impact of these conditions on student identities. • Equality or Equity: Which One Will We Feed? <ul style="list-style-type: none"> o Learn about issues facing today's marginalized youth and families. o Deepen understanding of how our community and schools can partner to address issues facing our youth and o Gain a better understanding of our community's role in supporting youth and families. 				
<ul style="list-style-type: none"> • Each school distributed the TEN survey to educators, students and families to gain insights from community voices. • Use of the TEN survey data to build community responsive schools through deep exploration of critical questions. • School specific questions and focus areas: <ul style="list-style-type: none"> o How to build authentic relationships with students? o How to get to know students well enough to help them be successful? o Building trust with students and staff in the school o Create an environment of vulnerability for students and teachers o Increase positive communication to students and families o Defining empathy and critical thinking 		<p>49 district staff participants (teachers, associate principals, principals, instructional coaches) representing all K-12 sites</p>	<p>August 29, 2017 September 26, 2017 October 17, 2017 December 4, 2017 February 1, 2018 February 13, 2018 March 22, 2018 April 30, 2018 May 24, 2018</p>	<p>TEN Cohort</p>

Intervention Strategy: Human Centered Design

Description	Date (s)	Staff Included	Key Indicators of Progress
Using the Human Centered Design framework, Eden Prairie District & School leaders are examining complex issues related to equity and access. At the core of this process is the inclusion of voice of historically marginalized individuals most deeply and closely impacted.	August 2, 2017 September 27, 2017 October 2, 2017 November 30, 2017 January 18, 2018 February 1, 2018 April 19, 2018	35 district leaders participated (Cabinet, Directors, Principals and Associate Principals)	<ul style="list-style-type: none"> Staff Understand and utilize the design thinking process to answer the question: How might we become more culturally relevant and responsive to EACH of our families in Eden Prairie Schools? Staff test, improve and Implement solutions created in the design thinking process in schools. Examples of solutions: <u>welcome center</u>, HS conference scheduling improvements, <u>Video with all the solution ideas</u>. Leaders engage students as designers, to help us create programming that will increase student voice and leadership while creating higher levels of racial consciousness and racially equitable school systems and communities
Intervention Strategy: Student Centered Support - Dare 2 Be Real & Youth Frontiers Kindness Retreats			
Description	Date (s)	Staff Included	Key Indicators of Progress
Kindness Retreats are engaging and interactive full day student seminars that support positive school culture. The learning emphasizes empathy, respectful interactions and effective conflict	Since 2004, 15 cohorts of 4th grade students have experienced the Youth Frontiers Kindness Retreat.	30+ staff members have attended and actively engaged in the retreat.	<ul style="list-style-type: none"> Evidence of positive student to student relationships leading to limited bully events Evidence of increased student empathy
	2015 - present	Nine EPHS staff have	<ul style="list-style-type: none"> Create a vehicle for student voice and

<p>resolution strategies.</p> <p>Dare 2 Be Real student training develops self-cultural awareness, critical racial consciousness and leadership development. Students critically examine the race relations in US History; social justice and empowerment.</p>	<p>Approximately 125 students have participated in the Dare 2 Be Real</p>	<p>engaged in our Dare 2 Be Real efforts</p>	<ul style="list-style-type: none"> • support anti-racist student leaders • Increased participation and success of students of color in upper level courses • Sustained recruitment & participation of new members • Systemic integration of Dare 2 Be Real throughout EPHS system
<p>Intervention Strategy: District Educational Leadership Data Monitor</p>			
<p>Description</p>	<p>Date (s)</p>	<p>Staff Included</p>	<p>Key Indicators of Progress</p>
<p>District Educational Leadership Team will monitor suspension data in an ongoing manner</p>	<p>Monthly September 2018- June 2019</p>	<p>Asst. Superintendent, Sr. Director Student Support Services, Sr. Director Personalized Learning & Instruction</p>	<ul style="list-style-type: none"> • Proactively examine suspension data to ensure racial predictability is not present • Provide supports and consult for principals in working with their staffs on strategies that minimize suspension and alternatives to suspensions • Report to the Superintendent to ensure continuous feedback loops