

Minnesota Department of Human Rights and KIPP Minnesota Collaboration 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.

KIPP Minnesota (Charter School) provides public education to all school-aged children within its school and is responsible for its budget, curriculum, personnel, and facilities.

On November 4, 2017 and January 30, 2018, 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 in the past three school years, the percentage of African-American students at KIPP who received a suspension was higher than the percentage of African-American students statewide who received a suspension.

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 as required by Minn. Stat. 363A.01 et seq. and relevant case law.

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 suspension and expulsion outcomes for students of color

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 strategies the Charter School can implement to manage student behavior without using exclusionary discipline and that the Charter School should have the ability to select the specific 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 and that are consistent with the educational mandates.

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 Collaboration Agreement (Agreement). The Plan will focus on conduct that the Charter School would report to the Minnesota Department of Education (MDE) in the following DIRS categories: attendance, bullying, cyber bullying, harassment, disruptive/disorderly conduct/insubordination, threat and intimidation. The Plan will identify the role and responsibilities of the Board, Executive Director, Principals, and other relevant individuals to ensure Charter School properly implements its discipline practices 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 Charter School's intended outcomes for its Plan;
 - b. Specific steps the Charter School took to implement the strategy;
 - c. Quantitative and Qualitative metrics the Charter School develops to measure the effectiveness of the strategies identified in its Plan; 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 date the student was suspended;
 - b. The race, ethnicity, national origin, and gender of the student suspended;
 - c. Whether the student is recognized as a student with a disability;
 - d. The reason(s) why the student was suspended;
 - e. The length of suspension; and
 - f. Dates the student was previously suspended or expelled 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, request, or subpoena additional information from the Charter School 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 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.* as well as the rules and regulations associated with these laws. The Department agrees that any personally identifiable educational data received from the Charter School will not be re-released unless ordered by a Court of competent jurisdiction. The Department agrees to maintain any educational data received from the Charter School in a secure manner with restricted internal Department access to such educational data. The Charter School 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.
11. The Parties acknowledge the Department may make public: (a) the terms of this Agreement pursuant to Minn. Stat. § 363A.06, subd. 4. 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 Charter School or any other party with an identified interest in the Charter School, including the school's authorizer. The Department has not made a probable cause discrimination finding against the Charter School in violation of the Act.
14. This Agreement begins on the date that the parties execute it and ends September 1, 2021.
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. If the Department believes the Charter School has materially failed to comply with the terms of this Agreement or is in material breach of this Agreement, the Department will notify the Charter School in writing and will identify the specific provisions of this Agreement the Department believes the demonstrate a lack of material compliance. The Department will request a meeting with the Executive Director to resolve the issues the Department identified. The Department shall only initiate judicial proceedings to enforce this Agreement if the parties reach an impasse. Prior to initiating judicial proceedings, the Department may choose to engage in alternative dispute resolution efforts including, but not limited to, the selection of a mediator to help the parties resolve the outstanding dispute.

18. Nothing within this Agreement prevents the Department from periodically requesting information, through its subpoena power or the Minnesota Government Data Practices Act, 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.

8/17/2018 5:30:00 AM PDT

Date

DocuSigned by:
Sean Walker

Sean Walker, Board Chair
KIPP Minnesota

9/5/18

Date

Kevin Lindsey
Kevin Lindsey, Commissioner
Minnesota Department of Human Rights

Exhibit A
Charter School's plan to help reduce suspension and expulsion rates

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KIPP MINNESOTA PLAN TO ADDRESS SUSPENSION ISSUES

8/17/18

BACKGROUND

In a letter dated October 23, 2017, the Minnesota Department of Human Rights (MDHR) outlined concerns regarding student suspension rates at KIPP Minnesota (“KIPP”), stating that “... 48.37 out of every 100 students in the district (sic) were disciplined with suspension and/or expulsion” and “63% of suspensions and expulsions in the district (sic) were based on subjective reasons.”

On November 14, 2017, KIPP representatives met with MDHR staff, including the Commissioner to discuss these concerns. During that meeting, KIPP representatives indicated a strong willingness to work with you and your agency to address these concerns. They also provided you and your staff with a chart analyzing suspension rates on a monthly basis during the 2015-2016 school year. Finally, KIPP presented information clearly demonstrating that administrators and teachers were already working proactively to institute a variety of strategies to reduce the suspension rates and invited you and members of your agency to come to the school for a site visit.

On December 7, 2017, Ms. Commers wrote to request a meeting time for the site visit. She also asked to receive the “2016-2017 DIRS data by incident and by race”; and to “get in writing the corrective strategies/alternatives you have implemented to address these disparities.” Finally, Ms. Commers indicated that “[w]e are open to considering that you have already rectified the problem as you indicated and are eager see the outcomes of your efforts.”

On January 11, 2017 Ms. Boardman sent the DIRS data requested and detailed a variety of strategies to address suspension rates. Also in January, KIPP hosted a site visit attended by the Commissioner, Mr. Peter Zuniga (counsel for the agency).

Since that time KIPP has continued to work proactively to develop and implement strategies to help reduce suspensions. The following plan seeks to address issues previously identified by MDHR including:

1. Development of policies to more clearly define behaviors that warrant a disciplinary intervention;
2. Development of policies that will reduce subjectivity surrounding the disciplinary intervention selected;
3. Development of policies that identify the role and responsibilities of the Board, Executive Director, Principals, and other relevant individuals to ensure that the school properly implements its disciplinary plan; and
4. A plan to ensure input from students, parents and teachers to obtain qualitative data on a regular and ongoing basis.

Each aspect of this four-point Plan is further detailed below.

1. “Development of policies to more clearly define behaviors that warrant a disciplinary intervention”, focusing on conduct that the school would report to the Minnesota Department of Education (MDE) in the following DIRS categories: attendance, bullying, harassment, disruptive/disorderly conduct/insubordination and threat and intimidation”.

KIPP Minnesota is proposing a very comprehensive “Student Conduct Code” (SCC) which is attached as **Exhibit B**. The SCC provides very specific definitions of student behaviors warranting intervention. See *generally* pages 10-14 and 21-22. The SCC also contains specific provisions regarding bullying (*see* pages 15-19); harassment (*id.*); threats and intimidation (*see* pages 8,9,11,12,13,15, and 16). KIPP will continue to follow the attendance policy adopted by the Board.

The SCC also specifically prohibits suspension of students in pre-kindergarten through second grade. It states:

“Students in pre-kindergarten through second grade may NOT be assigned out-of-school suspensions. If a student in pre-kindergarten through second grade exhibits behavior that presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff, the Executive Director or designee may grant an exception and assign an emergency one-day out-of-school suspension after the student’s parent/guardian has been notified. During the suspension, the principal or designee must develop a plan addressing the safety of students/staff and including strategies for preventing future behavior incidents, restoring relationships, and addressing the student’s ongoing social, emotional, and academic needs.” *See* page 8 of the SCC.

2. “Development of policies that will reduce subjectivity surrounding the disciplinary intervention selected”.

The SCC contains a very clear system of progressive discipline (*see* particularly pages 10-14 and 21-22) that will reduce subjectivity and ensure greater consistency in the use of disciplinary measures.

3. “Development of policies that identify the role and responsibilities of the Board, Executive Director, Principals and other relevant individuals to ensure that the school properly implements its disciplinary plan”.

The SCC contains very specific guidelines regarding the roles and responsibilities of all individuals involved in disciplinary decisions. *See* pages 5-7 particularly.

4. “A plan to ensure input from students, parents and teachers to obtain qualitative data on a regular and ongoing basis.”

- A. KIPP Minnesota will administer the TNTP survey (see **Exhibit C**) to assess school healthiness on an annual basis. Parents and students take the survey in the spring. School Leaders and Teachers take the survey each year in the fall and spring. We will use the Spring 2017 data as our baseline Family and Student data, and the October 2017 data as our baseline School Leader and Teacher data. Results of this survey will be available in our Main Office upon request.
- B. Beginning in the summer of 2018, KIPP Minnesota will track and report on new family home visits (or school visits for families that prefer that option) to ensure that the school is building a relationship with families, based on a student's strengths, interests, and needs, before the student's first day of school. Parents and students will sign an acknowledgement to ensure they receive and understand the Student Code of Conduct.
- C. Summer professional development for School Leaders and Teachers will include training on 1) building relationships with students, 2) building a positive school culture, and 3) following the Student Code of Conduct. The content is provided by Washburn Center for Children, the Northside Achievement Zone, Relay Graduate School of Education, and KIPP staff. In general, it will be three full weeks of training on cultivating the classroom and include sessions on developmental repair, mindfulness, empowerment, the impacts of race and community in education, strong start, and crisis prevention and de-escalation. The effectiveness of this training will be measured by staff surveys and the number of referrals for administrative support throughout the school year.
- D. Suspension data will be reported to the KIPP Minnesota Board of Directors at each meeting. There is a parent representative and a teacher representative on the KIPP Minnesota Board of Directors, and board meetings are open to the public.

Conclusion

KIPP Minnesota is committed to working cooperatively with the MDHR to address the important issue of student suspensions. We look forward to ongoing discussions with the agency as we move forward.

Exhibit B: Student Code of Conduct



Student Code of Conduct
August 17, 2018

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Purpose of the Student Code of Conduct

The KIPP Minnesota Student Code of Conduct (SCC) supports our schools in maintaining safe, nurturing, participatory and productive learning environments. In order to maximize learning time and promote positive behaviors, every school must establish multi-tiered systems of support for students' social, emotional and behavioral needs. This includes developing clear expectations, teaching social-emotional competencies, and fostering positive relationships among all members of the school community. KIPP Minnesota is committed to an instructive, corrective, and restorative approach to behavior. If behavior incidents arise that threaten student and staff safety or severely disrupt the educational process, the response should minimize the impact of the incident, repair harm, and address the underlying needs behind student behaviors. In accordance with the SCC, all disciplinary responses must be applied respectfully, fairly, consistently, and protect students' rights to instructional time whenever possible. A safe, welcoming, and productive school requires the support of all staff, students, and families.

Rights and Responsibilities

Student Rights

- To receive a free high-quality public education
- To be safe at school
- To be treated fairly, courteously, and respectfully
- To bring complaints or concerns to the school principal or staff for resolution
- To tell his/her side of the story before receiving a consequence
- To be told the reason(s), in writing, for receiving a suspension or expulsion
- To be given information about appealing disciplinary actions
- To express opinions, support causes, assemble to discuss issues, and engage in peaceful and responsible demonstrations

Student Responsibilities

- To read and become familiar with this policy
- To attend school daily, prepare for class, and complete class and homework assignments to the best of his/her ability
- To know and follow school rules and instructions given by the school principal, teachers, and other staff
- To tell school staff about any dangerous behavior or bullying that occurs at school, on the way to and from school, or in the school community
- To bring to school only those materials that are allowed
- To treat everyone in the school community with respect
- To respect school property, community property, and the property of others

Parent/Guardian Rights

- To be actively involved in their child's education
- To be treated fairly and respectfully by the school principal, teachers, and other staff
- To access information about the KIPP Minnesota Board of Director's policies and procedures
- To be notified promptly by telephone or text message if their child is disciplined for inappropriate or disruptive behavior and informed of the consequences assigned
- To appeal disciplinary actions taken
- To receive information about their child's academic and behavioral progress

Parent/Guardian Responsibilities

- To read and become familiar with this policy
- To make sure their child attends school regularly, on time, and to notify the school before the school day begins if their child is absent
- To give the school accurate and current contact information
- To tell school officials about any concerns or complaints respectfully and in a timely manner
- To work with the school principal, teachers, and other staff to address any academic or behavioral concerns regarding their child
- To talk with their child about the behavior expected in school
- To support their child's learning and school activities at home
- To be respectful and courteous to staff, other parents, guardians, and students
- To respect other students' privacy rights

School Staff Rights

- To work in a safe and orderly environment
- To be treated courteously and respectfully
- To bring complaints or concerns to school administration and network offices
- To receive supportive professional development and resources

School Staff Responsibilities

- To explicitly teach, re-teach and model clear behavioral expectations to all students
- To actively supervise all areas of the school building and use positive strategies learned during on-going professional development to redirect behavior
- To provide engaging learning activities that minimize opportunities for disruption
- To intervene early and de-escalate inappropriate behaviors
- To identify and respond effectively to students' social, emotional, and/or behavioral health needs, including referring students for additional support when necessary
- To treat everyone in the school community fairly and with respect
- For administrators to review the circumstances surrounding each situation and exercise their discretion to assign interventions/consequences in the best interest of the school community
- For administrators to apply the SCC accurately, consistently, and in a non-discriminatory manner, including providing students with opportunities to respond, notifying parent/guardians when disciplinary action is taken, and recording all disciplinary action in DIRS.

Executive Director or Designee Responsibilities

- To monitor the implementation of prevention strategies and the safety and security program in each school
- To systematically monitor and publish suspension, expulsion, and other disciplinary data disaggregated by race/ethnicity, sex, limited English proficiency, and disability
- To prepare recommendations for improving school discipline
- To create guidelines for effective school discipline
- To update the KIPP Minnesota Board of Directors and public participants at each board meeting on progress toward the terms in the Minnesota Department of Human Rights Collaboration Agreement.
- To submit reports as required to the MN Department of Human Rights and MN Department of Education.

General Requirements

The SCC applies to students at all times during the school day, while on school property, while traveling to and from school, at any school-related event, on any vehicle funded by KIPP MN (such as a school bus), and while using the KIPP MN network. The SCC also applies to student behavior outside of school if: (1) a student engages in a Group 5 or 6 behavior, and (2) the behavior disrupts or may disrupt the educational process or orderly operation of the school. This includes seriously inappropriate behavior on social networking websites that disrupts or may disrupt the educational process or orderly operation of the school.

At a minimum, a Principal or his/her designee must:

- Redirect to correct behavior. All adults should redirect students to correct inappropriate behavior, as defined by the SCC, and minimize the likelihood of the behavior escalating or recurring.
- Intervene to minimize disruption, resolve conflict, and as necessary to keep students and staff safe. If a student has been injured, make every reasonable effort to immediately notify the parents/guardians.
- Gather information by talking to all students, teachers, school staff, or other witnesses to the incident. When student misbehavior is reported to the school principal or designee, an investigation must begin no later than the next school day. Identify factors that may have contributed to the incident, seek to understand the full context, and document the investigation.
- Analyze whether the student's alleged behavior falls within the SCC using the information gathered. If so, determine the Group level of disruption caused by the inappropriate behavior, identify the inappropriate behavior listed, and consider the range of possible interventions and consequences.
- Discuss with the student and provide the opportunity to explain his/her actions.
 - Inform the student of the inappropriate behavior s/he may have exhibited, the applicable SCC behavior category, and the range of possible interventions and consequences.
 - Allow the student to respond and explain his/her actions. This occurs during a student/administrator conference with parent participation when possible.
 - Make reasonable efforts (a phone call to all known phone numbers) to contact the parents/guardians and discuss the incident with them before assigning interventions and consequences.
 - No student shall be sent home before the end of the school day unless the school has established contact with the student's parent/guardian and provided written notice of a suspension.
- Make a determination and assign interventions or consequences according to the SCC.
 - Determine whether it is more likely than not that the student engaged in the identified SCC inappropriate behavior and the intervention or consequence most likely to address the cause of the behavior.
 - The principal or designee, with permission of the Executive Director, has the final authority to assign interventions and consequences based on his/her independent assessment of the best interest of the school community, including available school resources, the needs of any student or staff harmed, and the rights of the student engaged in inappropriate behavior, in alignment with the SCC.
 - Avoid consequences that will remove the student from class or school, if possible. Use out-of-school suspensions as a last resort and only when in-school interventions and consequences are insufficient to address the student's

- inappropriate behavior as defined by the SCC.
 - If a student is suspended, the principal or his/her designee may choose to give the student a combination of out-of-school and skill-building in-school suspension days.
 - The out-of-school suspension must be served first and the combined total of out-of-school and in-school suspension days must not exceed the limits available for each Group level.
 - School staff members must respond to inappropriate student behavior as confidentially as possible.
- Complete report in DIRS for all inappropriate behaviors under the SCC.
- For out of school suspensions, hand-deliver to the parents/guardians or mail a copy of the misconduct report to the student's home address.
- Inform parents/guardians of their right to appeal if they believe that the consequence is unwarranted or excessive.
 - The parents/guardians have the right to ask the principal to review the consequence assigned and to reconsider the decision.
 - If a student has been suspended, the parents/guardians may appeal by contacting the Executive Director via phone, email, or in person. The Executive Director will review the appeal and determine:
 - Whether any factual errors were made in the principal's investigation,
 - Whether the documentation of the student's behavior aligns to the recorded SCC behavior,
 - Whether prior interventions were attempted per the SCC, and
 - Whether the length of the suspension was commensurate with the student's inappropriate behavior.
 - The Executive Director's (or designee's) decision shall be final. The term of a student's suspension or request for an expulsion hearing is not halted by the parents/guardians' appeal.
- Restore the student's participation in the school community.
 - If the student received an out-of-school suspension for 1-2 days, the principal or designee must develop a plan to support the student's transition back into the school community, including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs, with input from the student and parents/guardians. This meeting must take place in person with 1) the principal or designee, 2) the student's parent/guardian, and 3) the student in attendance, before the student may return to class.
 - If the student received an out-of-school suspension for three (3) or more days, OR the student receives a second (2nd) suspension within the same school year, the principal or designee must develop a plan to support the student's transition back into the school community, including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs, with input from the student and parents/guardians. This meeting must take place in person with 1) the Executive Director, or designee, 2) the principal or designee, 3) the student's parent/guardian, and 4) the student in attendance, before the student may return to class.

Suspension Guidelines

Students in grades pre-kindergarten through second may not be assigned out-of-school suspensions. If a student in pre-kindergarten through second grade exhibits behavior that presents an imminent danger (exposure to harm or injury that is about to happen or immediately threatening) to the physical, emotional, or mental safety of specific students/staff, the Executive Director or designee may grant an exception and assign an emergency one-day out-of-school suspension after the student's parent/guardian has been notified by calling every known phone number, including emergency contacts. During the suspension, the principal or designee must develop a plan addressing the safety of students/staff and including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs.

Out-of-School Suspension

An out-of-school suspension is the removal of the student from school attendance. When a student is removed from school in response to an inappropriate behavior, the removal counts as the first day of an out-of-school suspension. A student in grades third through twelfth may be assigned an out-of-school suspension if:

- Out-of-school suspension is listed as an available consequence for the SCC behavior category, and
- The principal or designee determines that the student's attendance at school presents an imminent danger to the physical, emotional, or mental safety of specific students/staff and this threat is documented in DIRS within 24 hours of the event, or
- The principal or designee determines that the student's behavior has caused chronic or extreme interruption to other students' participation in school activities and prior interventions have been utilized and documented, and
- The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
- A copy of the misconduct report was provided to the student's parents/guardians.

A student serving out-of-school suspension is not allowed to come onto school property, participate in extracurricular activities, or attend school-sponsored events. A student may be considered trespassing if he or she comes onto school grounds while suspended out of school.

The principal must ensure that a student serving suspension is able to obtain homework, and upon the student's return, provided with the opportunity to make up any quizzes, tests, special projects, or final exams given during the period of suspension.

A student serving suspension must be allowed to take state assessments at school and may participate in test preparation activities with the Executive Director's approval. The student's attendance will still be marked as suspended.

Student Behaviors Covered by the SCC

This section identifies the specific inappropriate behaviors for which students will receive interventions and/or consequences. The behaviors are listed in six different groups, according to the degree of disruption to the learning environment.

- Group 1 lists behaviors that are inappropriate.
- Group 2 lists behaviors that disrupt.
- Group 3 lists behaviors that seriously disrupt.
- Group 4 lists behaviors that very seriously disrupt.
- Group 5 lists behaviors that most seriously disrupt.
- Group 6 lists behaviors that are illegal and most seriously disrupt.

Dating Violence Statement

Any school employee who is notified by a parent, guardian or student, or who reasonably suspects, that a student has been the victim of dating violence shall immediately report that information to the principal/designee. Dating violence includes violent and controlling behavior that an individual uses against a girlfriend or boyfriend, such as physical, emotional, or sexual abuse, yelling, threats, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy, possessiveness, and stalking. School staff shall promptly and reasonably investigate allegations of dating violence and issue appropriate discipline based on their findings.

SCC and Other Laws, Policies, Rules, and Contracts

The inappropriate behaviors and range of possible consequences and interventions listed in this policy are consistent with the Minnesota Pupil Fair Dismissal Act, Board Rules and Policies, negotiated agreements, and all other applicable state and federal laws.

Corporal Punishment

Corporal punishment is expressly prohibited.

Grouping of Student Behaviors

1. Group 1 Inappropriate Behavior

- 1.1. Running and/or making excessive noise in the hall or building
- 1.2. Leaving the classroom without permission
- 1.3. Engaging in any behavior that is disruptive to the orderly process of classroom instruction, such as calling out, using profanity, throwing objects, tipping furniture, etc.
- 1.4. Loitering, or occupying an unauthorized place in the school or on school grounds
- 1.5. Failing to attend class without a valid excuse
- 1.6. Persistent tardiness to school or class (3 or more incidents per semester)
- 1.7. Use of the KIPP MN network for the purpose of accessing non- educational materials, such as games, non-educational videos, shopping websites, etc.
- 1.8. Unauthorized use or possession of cellular telephones or other information technology devices

Group 1 Available Interventions and Consequences:

- Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Loss of classroom points toward incentive
- Time in reflection room

2. Group 2 Disruptive Behavior

- 2.1. Posting or distributing unauthorized written materials on school grounds
- 2.2. Leaving the school without permission
- 2.3. Interfering with school authorities and programs through walkouts or sit-ins
- 2.4. Initiating or participating in any unacceptable minor physical actions
- 2.5. Exhibiting or publishing any profane, obscene, or offensive materials, or using such language or gestures
- 2.6. Possession and/or use of tobacco or nicotine products, matches, or cigarette lighters
- 2.7. Use of the KIPP MN network for the purposes of distributing or downloading non-educational material

Group 2 Available Interventions and Consequences:

- Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Loss of classroom points toward incentive
- Time in reflection room
- In-school suspension: 1 day

3. Group 3 Seriously Disruptive Behavior:

- 3.1. Unsafe behavior on the school bus
- 3.2. Gambling – participating in games of chance or skill for money or things of value
- 3.3. Fighting – physical contact between two people with intent to harm, but no injuries result
- 3.4. Profane or obscene language and gestures, propositions, behavior, or harassment based on race, color, national origin, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability
- 3.5. Second or more documented violation of a Group 1 or 2 behavior category

- 3.6. Forgery – false and fraudulent making or altering of a document or the use of such a document
- 3.7. Plagiarizing, cheating and/or copying the work of another student or other source
- 3.8. Overt display of gang affiliation
- 3.9. Bullying behaviors – conduct directed towards a student that can be reasonably predicted to cause fear of physical or mental harm, harm to property, and/or interfere with student's ability to participate in school or school activities (see Anti-Bullying Policy for full definition before assigning an intervention or consequence)
- 3.10. Use of cellular telephones or other information technology device to harass, incite violence, or interrupt other students' participation in school activities, including use of device to record others without permission or unauthorized distribution of recordings

Group 3 Available Interventions and Consequences:

- Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Unsafe behavior on the school bus can lead to loss of bus privileges
- Skill-building in-school suspension up to two days
- For repeated Group 3 Behaviors: Skill-building in-school suspension, out-of-school suspension, or combination of in-school and out-of-school suspension up to two days

4. Group 4 Very Seriously Disruptive Behavior

- 4.1. False activation of a fire alarm that does not cause a school facility to be evacuated or does not cause emergency services to be notified
- 4.2. Extortion – obtaining money or information from another by coercion or intimidation
- 4.3. Assault – an attempt or reasonable threat to inflict injury on someone with a show of force that would cause the victim to expect an immediate battery
- 4.4. Vandalism (willful or malicious destruction or defacing of the property of others) or criminal damage to property at a cost less than \$500
- 4.5. Battery (unwanted bodily contact with another person without legal justification) or aiding or abetting in the commission of a battery which does not result in a physical injury
- 4.6. Fighting – physical contact between more than two people with intent to harm, or physical contact between two people with intent to harm that results in injury
- 4.7. Theft (unauthorized control over the physical property of another) or possession (physical control over, such as contained in clothing, lockers or bags) of stolen property that costs less than \$150
- 4.8. Possession, use, sale, or distribution of fireworks
- 4.9. Trespassing on KIPP MN property – entering KIPP MN property when previously prohibited or remaining on school grounds after receiving a request to depart
- 4.10. Knowingly or intentionally using the KIPP MN network or information technology devices to spread viruses to the KIPP MN network
- 4.11. Possession of any dangerous object as defined by this SCC, first documented behavior (see Reference Guide)
- 4.12. Use or possession of alcohol in school or at, before, or after a school related function, first documented behavior
- 4.13. Initiating or participating in inappropriate physical contact with school personnel, such as pushing school personnel out of the way in order to physically fight with another student, with no intent to harm school personnel

Group 4 Available Interventions and Consequences:

- Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for three to five days

5. Group 5 Most Seriously Disruptive Behavior

- 5.1. Aggravated assault – assault with a deadly weapon or done by a person who conceals his/her identity, or any assault against school personnel
- 5.2. Burglary – knowingly and without authority entering or remaining in a building or vehicle with intent to commit a felony or theft therein
- 5.3. Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers, or bags) of stolen property that costs more than \$150
- 5.4. Use of intimidation, credible threats of violence, coercion, or persistent severe bullying. Intimidation is behavior that prevents or discourages another student from exercising his/her right to education, or using force against students, school personnel and school visitors. For severe bullying, see the Anti-Bullying Policy before assigning an intervention or consequence.
- 5.5. Gang activity or overt displays of gang affiliation
- 5.6. Inappropriate sexual conduct, including unwelcomed sexual contact, indecent exposure, transmitting sexually suggestive images through information technology devices, or other sexual activities which do not involve the use of force
- 5.7. Persistent or severe acts of sexual harassment – unwelcome sexual or gender- based conduct (either physical or verbal) and/or conduct of a sexual nature which is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the educational program or which creates a hostile or abusive school environment
- 5.8. False activation of a fire alarm which causes a school facility to be evacuated or causes emergency services to be notified
- 5.9. Second or repeated violation of Behavior 4-13, possession of any dangerous object as defined by the SCC
- 5.10. Battery, or aiding or abetting in the commission of a battery, which results in a physical injury. Battery means unwanted bodily contact with another person without legal justification.
- 5.11. Use of any computer, including social networking websites, or use of any information technology device to threaten, stalk, harass, bully or otherwise intimidate others. Or, hacking (intentionally gaining access by illegal means or without authorization) into the KIPP MN network to access student records or other unauthorized information, or to otherwise circumvent the information security system
- 5.12. Vandalism (willful or malicious destruction or defacing of property) or criminal damage to property that results in damage exceeding \$500 or that is done to personal property belonging to any school personnel
- 5.13. Inappropriate consensual sexual activity on school grounds
- 5.14. Use or possession of illegal drugs, narcotics, controlled substances, "look- alikes" of such substances, or contraband, or use of any other substance for the purpose of intoxication in or before school or after a school-related function
- 5.15. Second or repeated violation of Behavior 4-14, use or possession of alcohol in school or at, before or after a school-related function
- 5.16. Participating in a mob action – a large or disorderly group of students using force to

cause injury to a person or property, or persisting in severe disruption after being directed to cease by school personnel or Police

Group 5 Available Interventions and Consequences:

- Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for five to seven days. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs.
- Request for disciplinary reassignment to another KIPP MN school
- Request for expulsion hearing
- For behaviors involving the improper use of the KIPP MN network or information technology devices, revocation of network privileges for up to two years

6. Group 6 Illegal and Most Seriously Disruptive Behavior

- 6.1. Use, possession, and/or concealment of a firearm/destructive device or other weapon or "look-alikes" of weapons as defined in the Reference Guide, or use or intent to use any other object to inflict bodily harm
- 6.2. Intentionally causing or attempting to cause all or a portion of the KIPP MN network to become inoperable
- 6.3. Arson – knowingly damaging, by means of fire or explosive, a building and/or the personal property of others
- 6.4. Bomb threat – false indication that a bomb, or other explosive of any nature, is concealed in a place that would endanger human life if activated
- 6.5. Robbery – taking personal property in the possession of another by use of force or by threatening the imminent use of force
- 6.6. Sale, distribution, or intent to sell or distribute alcohol, illegal drugs, narcotics, controlled substances, "look-alikes" of such substances, contraband, or any other substance used for the purpose of intoxication, or repeated violation of Behavior 5-17
- 6.7. Sex acts which include the use of force
- 6.8. Aggravated battery (battery that causes great harm, is done with a deadly weapon, is done by a person who conceals his/her identity, or the use of physical force against school personnel) or aiding and abetting in the commission of an aggravated battery
- 6.9. Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers, or bags) of stolen property that costs more than \$1,000

Group 6 Available Interventions and Consequences:

- Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for seven to ten days. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs.
- For students in sixth through twelfth grades, or for any student violating section 6-1, request for expulsion hearing
- Request for disciplinary reassignment to another KIPP MN school.
- For students in fifth grade or below, the principal may request an expulsion hearing at his/her discretion
- For behaviors involving the improper use of the KIPP MN network or information technology devices, revocation of network privileges indefinitely

Anti-Bullying Policy

Purpose

KIPP Minnesota strives to provide safe, secure and respectful learning environments for all students in school buildings, on school grounds, school buses and at school-sponsored activities. Bullying, like other disruptive or violent behavior, is conduct that interferes with a student's ability to learn and a teacher's ability to educate.

Policy Statement

This policy protects students against bullying and harassment on the basis of actual or perceived race, ethnicity, color, creed, national origin, immigration status, sex marital status, familial status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, status with regard to public assistance, age, military status, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic defined in Chapter 363A. This policy also protects any student who voluntarily participates in any school function or activity, whether the student is enrolled in KIPP Minnesota or not.

Definitions

Cyber bullying. "Cyber bullying" means using electronic information and communication technologies to bully. This may include, but is not limited to a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network, internet, website or forum, transmitted through a computer, cell phone, or other electronic device.

Immediately. "Immediately" means as soon as possible but in no event longer than 24 hours.

Prohibited conduct. Prohibited conduct ("bullying") means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students creating an actual or perceived imbalance of power between the student engaging in bullying and the target of bullying that has or can be reasonably predicted by repeated forms or pattern to have one or more of the following effects:

- Placing the student in reasonable fear of harm to the student's person or property.
- Causing a substantially detrimental effect on the student's physical or mental health.
- Substantially interfering with the student's educational opportunities and performance.
- Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation of asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Remedial response. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of the student who is the target of the prohibited conduct. Remedial response also means a measure to stop and correct retaliation for asserting, alleging, reporting or providing information about prohibited conduct (retaliation) or knowingly making a false report about prohibited conduct (false report), prevent retaliation or false reports from recurring and protect,

support and intervene on behalf of the student who is the target of the prohibited conduct.

Retaliation. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment or intentional disparate treatment.

School employee. "School employee" includes school board members, administrators, educators, aides, school counselors, social workers, psychologists, other school mental health professionals, nurses and other school-based/linked medical providers/health professionals, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, paraprofessionals, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the school and its students.

Prohibited Conduct

- Bullying of a student or group of students is prohibited:
- During any school-sponsored or school-sanctioned programs, activities, events or trips.
- In school buildings, school property, on school buses or other school school-provided transportation, and at designated locations for students to wait for buses and other school school-provided transportation.
- Through the transmission of information from a school computer or computer network, or other electronic school equipment.
- When communicated through any electronic technology or personal electronic device while on school property, on school buses or other school-provided transportation, at bus stops, and at school-sponsored or school-sanctioned events or activities.
- Off campus communication and/or use of electronic technology which results in or is reasonably likely to result in material and substantial disruption of the student's education.
- Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- False accusations or reports of bullying against another student are prohibited.

Response to Complaints of Bullying

Where to bring complaints. The School's Principal or designee (hereinafter principal/designee) is the person responsible for receiving reports of bullying at the building level. They will ensure this policy and its procedures are fairly and fully implemented and serve as the primary contact on policy and procedural matters. If the complaint involves the principal/designee, the complaint shall be made or filed directly with the Executive Director of KIPP Minnesota.

Considerations in evaluating complaint. When investigating a complaint, principal/designee may take into account the following factors:

- The developmental ages and maturity levels of the parties involved.
- The levels of harm, surrounding circumstances, and nature of the behavior.
- Past incidences or past or continuing patterns of behavior.
- The relationship between the parties involved.
- The context in which the alleged incidents occurred.

Investigations. Investigation of a bullying incident shall be initiated within three school days of receipt of a report and be completed within 10 schools days, unless the principal/designee

grants in writing an additional five-day extension due to extenuating circumstances. See Attachment C for Anti-Bullying Investigation Process.

Consequences. The schools will respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Appropriate responses and consequences are outlined in Attachment D.

Appeal. Any party who is not satisfied with the outcome of the investigation may appeal to the school's human rights officer within 10 school days of notification of the principal/designee's decision. The human rights officer will conduct a review of the appeal and, within 10 school days of receipt of the appeal, will affirm, reverse or modify the findings of the report. The human rights officer shall notify the party requesting the appeal and the principal that its decision is final and shall document that notification in the incident report.

School Employees. When it is determined that a school employee was aware that prohibited conduct was taking place but failed to report it, the employee will be considered to have violated this policy. The principal shall consider employee discipline for such violations.

Vendors. Remedies for offending vendors and contractors will be imposed according to their contracts.

Retaliation prohibited. The school will take appropriate action against any student or school employee who retaliates against any person who reports alleged bullying or against any person who testifies, assists or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such bullying.

Notice and Dissemination Requirements

The school will give annual notice of this policy to students, parents or guardians, and school employees, and this policy shall appear in the student handbook and posted in an electronic format in the languages appearing on its school/school website. This policy should also be:

- Posted in the school building administrative offices and throughout [each] [the] school building in areas accessible to students and school employees.
- Included in each school's student handbook on school policies.
- Be given to each school employee and independent contractor at the time of entering into the person's employment contract.

Professional Development and Education

Staff. Professional development will be offered annually to build the skills of all school employees to implement this policy. The content of such professional development shall include, but not be limited to:

- Developmentally appropriate strategies to prevent incidents of bullying and to intervene immediately and effectively to stop them in a manner that does not stigmatize the victim.
- Information about the complex interaction and power differential that can take place between and among an actor, target and witness to the bullying.
- Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying.
- Recognizing, responding to and reporting bullying.

- Information about the incidence and nature of cyber bullying.
- Information about Internet safety issues as they relate to cyber bullying.
- A review of the school's reporting requirements related to bullying and cyber bullying.

Student Education. Developmentally appropriate programmatic instruction shall be incorporated into the school curriculum to help students identify, prevent and reduce bullying and create a safe learning environment. The [Executive Director or designee] shall determine the scope and duration of the units of instruction and topics covered but should include evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct to engage all students in creating a safe and supportive school environment. See Attachment E for more information on student instruction.

Reference Guide for Behaviors Involving Dangerous Objects

SECTIONS 4-13 AND 5-11

- If a student simply has any of these objects in his or her possession, but does not use them, (s)he should be recorded to have violated Section 4-13 of the SCC for a first-time violation or 5-11 of the SCC for a second or repeated violation.
- If a student uses, or intends to use, any of these objects to inflict harm on someone, the student should be recorded to have violated Section 6-1.
 - Knives, including but not limited to:
 - Steak knife or other kitchen knives Pen knives/Pocket knives
 - Hunting knives Swiss Army knife Box cutters Razors
 - Tools, including but not limited to:
 - Hammers Screwdrivers Saws
 - Crowbars/Metal pipes
 - Other objects commonly used for construction or household repair
 - Other Objects, including but not limited to:
 - Mace/Pepper spray
 - Live ammunition/Live bullets
 - Broken bottles or other pieces of glass Wooden sticks/boards

SECTION 6-1

- If a student has any of these objects in his or her possession or uses any of these objects, (s)he should be recorded to have violated Section 6-1 of the SCC.
 - Firearms - these include:
 - Pistol Revolver Other firearms
 - Any part or portion of a machine gun or rifle
 - Knives - these include only the following types of knives:
 - Switchblade knives (open automatically by hand pressure applied to a button, spring or other device in the handle of the knife)
 - Ballistic knives (operated by a coil spring, elastic material, or an air or gas pump)
 - Explosive Devices/Gases - these include:
 - Tear gas guns Projector bombs Noxious liquid gas Grenades
 - Other explosive substances
 - Other Objects - these include:
 - Blackjack
 - Slingshot
 - Sand club
 - Sandbag
 - Metal/brass knuckles
 - Throwing stars
 - Tasers/stun guns
 - "Look-Alike" Firearms - these include:
 - B.B. guns Air guns
 - Other objects, including "toys" or replicas that reasonably resemble real firearms
- If a student uses, or intends to use, any of these objects to inflict bodily harm on someone, the student should be recorded to have violated Section 6-1.
 - Sporting Equipment - these include but are not limited to:

- Baseball bats
- Golf clubs
- Personal Grooming Products - these include but are not limited to:
- Nail clippers/files
- Combs with sharp handles Tweezers
- School Supplies - these include but are not limited to:
 - Scissors Laser pointers Pens/Pencils Rulers
 - Padlocks/Combination locks
 - Other objects commonly used for educational purposes

Expulsion Guidelines

“Expulsion” means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56, and school policy.

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student’s behavior, require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving student conduct. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

Attachment A: Acknowledgement of Receipt of the Student Code of Conduct

Student Agreement

I, _____ (print student's name) have received and read the Student Code of Conduct ("SCC") for KIPP Minnesota. I am aware of my rights and responsibilities under the SCC. Furthermore, I understand that inappropriate student behavior will result in interventions and consequences as stated under the SCC.

Student Signature

Date

Parent/Guardian Agreement

Dear Parent or Guardian:

KIPP Minnesota believes that you should be informed regarding our effort to create and maintain a safe and secure learning environment for all students. Please read the SCC and sign the document below to acknowledge your receipt and understanding of the SCC.

I, _____ (print parent's name) am the parent or guardian of the above named student. I have received and read the SCC. I understand that by signing this document, I agree to support and promote the goals of the SCC and make every effort to work with the school in resolving all disciplinary matters.

Parent/Guardian Signature

Date

Attachment B: Form for Reporting Bullying and Retaliation

NOTE: The reporter may remain anonymous, but no discipline will be imposed based solely upon an anonymous report. Please submit this report to the principal or any school staff member. You may also call the KIPP Minnesota Executive Director at 612-369-9106 or email info@kipppminnesota.org to make a report.

School:

Name(s) and grade(s) of Victim/Target:

Reporting Information (*Optional for students/parents/guardians)

Name & Title of Person Reporting:

Relationship to Victim/Target:

Phone: Email Address:

Incident Information

Name(s) of student(s) accused of engaging in bullying behaviors OR description (if name(s) unknown):

Location of incident:

Date and time of incident:

Approximate dates, times, and frequency of prior incident(s):

Describe what happened and who was present in as much detail as possible (*Required Information):

Date of submission:

Attachment C: Template for Bullying Investigation Process

School Action

1. Prior to the investigation of an incident, the principal/designee will take immediate steps, at its discretion, to protect the alleged actor(s), target(s), bystander(s) or reporter pending completion of an investigation. Once an investigation is concluded, further steps will be taken as needed to assure the continued safety of the complainant from additional incidents of bullying or retaliation.
2. The principal/designee shall perform the investigation. Investigation of a bullying incident shall be initiated within three school days of receipt of a report and be completed within 10 school days, unless the principal/designee grants in writing an additional five-day extension due to extenuating circumstances. The principal/designee shall document the extension in the investigation report and shall notify the parties involved. The principal/designee will make every effort to protect the confidentiality of those who report bullying incidents and is responsible for keeping the protecting access to any written records of the investigation.
3. The purpose of the investigation is to make a determination as to whether a reported incident constitutes a case of bullying. These determinations will be made in consideration of the totality of the facts and the circumstances surrounding the incident, such as the nature of the behavior, past incidents or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incident occurred.
4. The principal/designee shall identify the alleged actor(s), target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
5. The principal/designee will conduct an individual interview in a private setting with the alleged actor and target. The alleged actor and target should never be interviewed together or in public.
6. The investigation may also consist of any other methods and documents deemed pertinent by the principal/designee.
7. The principal/designee will determine how often the conduct occurred, any past incident or continuing pattern of behavior, and whether the target's education, including but not limited to, a negative impact on academic performance, education opportunities and participation in school activities was affected.
8. The principal/designee will assess the individual and school-wide effects of the incident relating to safety, and assign school staff to create and implement a safety plan to prevent the recurrence of an incident that will restore a sense of safety for the target and other students who have been impacted.
9. If the principal/designee determines the reported incident may involve criminal activity or the basis for criminal charges, information about the incident must be conveyed to the appropriate law enforcement authorities. As part of making this determination, the

principal/designee may wish to consult with either a law enforcement officer or legal counsel. Law enforcement shall only be contacted if all other available remedies have been exhausted.

10. When appropriate, the principal/designee will prepare a report identifying his/her recommendation for individual consequences. The report will comprehensively documenting the details of the investigation.
11. When the investigation is complete, the principal/designee shall ensure the investigation report is attached to the incident report.

Attachment D: Disciplinary Actions Related to Bullying

Remedial actions may include:

For the student harmed: protect, support and intervene on behalf of the student who is the target of the prohibited.

Support may include: referral to student support staff for one-to-one support or social skills training; daily check-in and check-out with a trusted adult in the school; choice to participate in a restorative process, facilitated by a trained facilitator.

For the student who violated the prohibited conduct policy: schools may use multi-tiered levels of response that are individualized, consistent, reasonable, fair, and age-appropriate and should match the severity of the student's behavior and their developmental age. The consequences must be a natural and logical match to the prohibited behavior, consequences must be paired with meaningful instruction and guidance; and must be carefully planned with well-defined outcomes.

Consequences may include: A referral to appropriate staff for teaching and re-enforcing appropriate school behavior; mini-courses or skill modules to guide restitution; a referral to participate in a restorative process facilitated by a trained facilitator if the student admits to having caused harm; a meeting between the administrator and the family of the student who did the harm; a coordinated behavior plan that may include behavior contracts with a plan to prevent the prohibited conduct from recurring; individual counseling and one-to-one support to change behavior.

Consequences may also include warning, suspension, exclusion, expulsion or transfer. Schools should avoid using punitive discipline (detention, suspensions, and expulsions) if any other method or consequence can be used with fidelity. The school may review school-wide behavior data as well as the data related to the person who did the harm and person harmed. If the investigator determines that a violation of this policy may be the result of school climate needs, the school may conduct classroom, school or school-wide training.

When an investigation determines that bullying occurred, the principal/designee shall explain the consequences in a non-hostile manner, and shall impose any consequence immediately and consistently. The principal/designee shall keep communicating and working with all parties involved until the situation is resolved. Some key indicators of resolution include:

- The actor is no longer bullying and is interacting civilly with the target.
- The target reports feeling safe and in interacting civilly with the actor.
- School staff observes an increase in positive behavior and social-emotional competency in the actor and/or the target.
- School staff observes a more positive climate in the physical location where bullying incidents were high.

Remedial Response and Referrals

The principal/designee shall design and implement remedial measures to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the target of the bullying, and take corrective action for documented systemic problems related to bullying.

The principal/designee shall refer students who bully to positive-behavior small-group interventions (for anger management, trauma, or social skills) within the school, if possible, to reinforce the behavioral expectation they violated and increase their social-emotional competency. The principal/designee shall ask a school mental health professional to refer targets of bullying to individual or group therapy where they can openly express their feelings about their bullying experience, or social-skills training and/or groups where they can practice assertiveness and coping mechanisms.

Attachment E: Student Instruction Regarding Bullying

Administration is encouraged to take such actions as deemed appropriate to accomplish the following goals:

- Engage students in creating a safe and supportive school environment.
- Partner with parents and other community members to develop and implement prevention and intervention programs.
- Engage all students and adults in integrating education, intervention and other remedial responses into the school environment.
- Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct.
- Teach students to advocate for themselves and others.
- Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct.
- Foster student collaborations to create a more conducive environment for a supportive school climate.

Possible units of instruction could include:

- Social emotional learning.
- Appropriate behavior online/on social media and cyber bullying awareness and response.
- Valuing diversity in school and society.
- Advocacy skills for themselves and others.
- Skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying.

The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught. Schools shall satisfy the documentation requirements established by the superintendent or designee to ensure compliance with this curricular requirement.

EXHIBIT C: TNTP Survey Questions

Teachers:

- All teachers at my school work hard to establish strong positive relationships with students' families.
- My school is a good place to teach and learn.
- School leaders promote a safe and productive learning environment in my school.
- Across my school, there are consistent expectations and consequences for student behavior.
- Teachers and leaders at my school immediately address misbehavior in shared school spaces like hallways and the lunchroom.
- Interactions between students and adults at my school are respectful.
- School leaders provide me with the resources and support I need to maintain high standards for student behavior in my classroom.

Families:

- The school communicates with families openly and respectfully.
- How likely are you to recommend KIPP to other families?
- The teachers have built strong relationships with my child.
- How fair or unfair are the rules for the students at this school?
- How well do administrators at your child's school create a school environment that helps children learn?
- Overall, how much respect do you think the children at your child's school have for the staff?
- Overall, how much respect do you think the teachers at your child's school have for the children?
- At your child's school, how well does the overall approach to discipline work for your child?
- If a student is bullied at your child's school, how difficult is it for him/her to get help from an adult?

Students:

- How likely are you to recommend KIPP to another student?
- How fair or unfair are the rules for the students at this school?
- How positive or negative is the energy of the school?
- At your school, how much does the behavior of other students hurt or help your learning?
- How often are people disrespectful to others at your school?
- If a student is bullied in school, how difficult is it for him/her to get help from an adult?
- How often do students get into physical fights at your school?
- At your school, how unfairly do the adults treat the students?
- How respectful are your teachers towards you?
- How much respect do students in your school show you?