Resolution Agreement #05-12-5001
Minneapolis Public Schools

Special School District No. 1, Minneapolis Public Schools (District) submits this Agreement to the U.S. Department of Education (Department), Office for Civil Rights (OCR), to resolve OCR compliance review #05-12-5001, which was initiated to examine whether the District discriminates against African American students by disciplining them more frequently and more harshly than similarly-situated white students. The District submits this Agreement to ensure its compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d (Title VI), and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin by a recipient of Federal financial assistance. The District agrees to take corrective action including but not be limited to, the specific actions discussed in the paragraphs set forth below, as follows:

General Principles

The goal of the District is to ensure that all District students are provided schools that are safe and create an environment conducive to learning. The fair and appropriate implementation of student discipline policies and procedures that are grounded in evidence-based research is one means of advancing this objective. Therefore, the District is committed to ensuring that, to the maximum extent possible, its student discipline policies and procedures are designed and implemented in such a way as to ensure that disciplinary sanctions do not include the loss of educational instruction time for any students, except in those cases where it is necessary to ensure the immediate safety of students and staff or when it is the only means of ensuring that student misbehavior does not substantially interfere with the delivery of educational instruction to others. As described in more detail below, the District is committed to working with students who exhibit behavior problems to ensure that the students remain engaged in the District's educational program and are given every opportunity to reach their educational potential.

Designation of Responsible Employee/Collaboration with Experts

1. (a) By January 1, 2015, the District will designate an employee to serve as the District's Discipline Supervisor, and will publish this individual's name and/or title, office address, e-mail address and telephone number on its website, in all school publications regarding discipline, and in any notices that the District sends to parents annually. The Discipline Supervisor shall be responsible for ensuring that the implementation of the District's policies concerning discipline is fair and equitable. In addition, the District will identify a District office administrator who will address complaints from parents, guardians, students and others regarding the implementation of the District's disciplinary policies, and will publish this individual's name and/or title, office address, e-mail address and telephone number on its website, in all school publications regarding discipline, and in any notices that the District sends to parents annually.

(b) Throughout its implementation of this Agreement, the District will consult with and, as necessary, retain an expert or experts in non-discriminatory discipline practices, as well as data analysis and research-based strategies, to prevent discrimination against African American students with respect to the use of school discipline. The expert(s) will provide the District strategies for meeting the District's goals of ensuring that discipline is appropriately and equitably applied to all students regardless of race, implementing this Agreement, monitoring and evaluating practices, and stakeholder involvement.

(c) By January 15, 2015, the District will, in consultation with the Discipline Supervisor and/or expert(s), start the process to examine the root cause(s) of the racial disparity in the discipline of students in the District by examining literature, securing expert input and engaging students, staff and the community in order to identify and take both immediate and long term appropriate corrective actions necessary to address the root causes(s) as part of the District's strategies for meeting its goals, as described in item 1(b). The District has indicated that this will be an ongoing process.

REPORTING REQUIREMENTS: By January 30, 2015, the District will provide OCR the name and qualifications of the individual(s) appointed as the Discipline Supervisor and the office administrator who will address complaints received about discipline and implementation of the notice requirements of item 1(a). By June 30, 2015, the District will provide OCR documentation of the completed examination of root cause(s) referenced in item 1(c) and will provide for OCR's review and approval, a copy of the plan describing the corrective action determined necessary to address the identified problems. If OCR has any objections to the plan submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft plan. By June 30, 2015, June 30, 2016, and June 30, 2017, the District will provide documentation to OCR regarding its implementation of the notice requirements of item 1(a), copies of all complaints received about discipline by the administrator referenced in item 1(a), and documentation regarding its implementation of 1(b) and (c), including the identity of the experts it has consulted and/or retained, the input received from the experts, any further planned examinations and/or determinations concerning the root cause(s) of the racial disaparity in the discipline of students, and the resulting changes made by the District. Throughout the course of this agreement, the District will submit for OCR review and approval any changes to the plan approved by OCR prior to their implementation.

Early Identification of At-Risk Students and Early Intervention

2. By January 1, 2015, all District schools will require and ensure that school staff employ a range of corrective measures before referring a student to disciplinary authorities unless it can be documented that the safety of students and/or staff is threatened or the behavior in question is such that the disruption to the educational environment can only be remedied by such a referral. To that end, the District will

assess staffing levels of guidance counselors, social workers and other mental health workers at to determine if there is sufficient availability at each school. By March 1, 2015, the District will develop a plan to effectively tailor school-based services that are supportive of the needs of students in order to decrease behavioral difficulties that manifest in school and to increase students' ability to benefit from the learning environment. The plan will describe the following:

a. the process for identifying students who are at risk for behavioral difficulties due to their experiences in and outside of school;
b. school-based interventions for students who are identified as at-risk for behavioral difficulties;
c. skill-building for at-risk youth;
d. support for school staff to meet the needs of the at-risk students ; and
e. any timeframes, by school, to hire more guidance counselors, social workers or other mental health workers.

REPORTING REQUIREMENTS: By March 15, 2015, the District will provide OCR a copy of the plan referenced in this item. By June 30, 2015, June 30, 2016, and June 30, 2017, the District will provide to OCR documentation of the steps taken to implement the plan in the just-completed school year.

Outreach to Students, District Staff and Community Members

3. By March 1, 2015, and by September 30 each school year thereafter, in order to raise awareness of discipline issues, each school in the District will conduct an annual forum during regular school hours that specifically provides an opportunity for students to discuss with faculty and administrators any matters relating to discipline, including non-discrimination, and provide their input for any improvements in the District's discipline policies. At least one site administrator with school-wide responsibility for discipline will attend each forum session or a part of each forum session. If an administrator is not a part of the entire forum session, students who have been assigned as note-takers for sessions, shall meet with the administrator to share the summaries of the sessions and all the suggestions and comments of the students. An adult staff member will be present at each session involving student note-takers. The District will select an appropriate format for each session based on the age and grade levels of students and the particular needs of each school, as long as each student is given the opportunity to participate meaningfully in such a session at least annually.

   REPORTING REQUIREMENTS: By March 15, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR of each student forum session including the date, time, length and location of each session, the number of students attending, a summary of the concerns and suggestions expressed by students at each such session, and the District's responses to the same.

4. By March 30, 2015, the District will establish a student committee at each District school that enrolls students in grade six or higher to discuss matters concerning the equitable treatment of students in the implementation of the District's discipline policies, practices and procedures and to identify steps the students believe the District could take to improve student behavior and cause students to be more engaged in the educational program.

   a. The District will take steps to ensure that the student committees are representative of each school's student population and will encourage black and other minority students to participate on the committees.

   b. The District will also encourage students who have been subjected to disciplinary consequences and students who are struggling academically to participate on or provide input to the committees.

   c. The District will encourage the student committees to identify the aspects of the District's educational program they see as positive and likely to encourage positive student behavior and the aspects of the District's educational program they see as negative and likely to result in student misbehavior. The student committees will also be encouraged to identify actions students can take to help their classmates engage in positive school behavior, and will assist in the development and presentation of the forums discussed in item 3.

   d. The student committees will have the same privileges as other District extracurricular activities, including access to meeting space in District schools and public notice about the committees, their meetings and their activities.

   e. The District will appoint a District staff person to work with each committee to assist them in operating efficiently and effectively and in organizing their reports to the District. However, such District employees will participate in the committees' activities solely for the purpose of assisting them in achieving their objectives and will not attempt to influence or control the committees' discussions.

   f. The student committees will provide specific suggestions for improving the District's discipline policies, practices and procedures and establishing a safe school environment that is conducive to learning via the submission of a written report by no later than April 30 of each school year.

   g. The District will carefully consider the suggestions submitted by the student committees and develop a plan for implementing the committees' suggestions as appropriate by no later than June 30 of each school year. The District will provide the committees with a copy of the plan.

REPORTING REQUIREMENTS: By June 30, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR that the student committees

required by this item have been established, including the identity of the members of each student committee and the District employees who have been designated to coordinate or oversee the activities of each student committee and a summary of the initial activities undertaken by each student committee. By August 30, 2015, August 30, 2016, and August 30, 2017, the District will provide documentation to OCR with a report containing the written reports submitted by the student committees, will provide for OCR's review and approval the plans developed by the District in response to the reports, will provide the steps taken by the District in response to the reports, and will provide the written explanations provided by the District for its decision not to implement any of the recommendations or suggestions made by the student committees. If OCR has any objections to the plan submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft plan. Throughout the course of this agreement, the District will submit for OCR review and approval any changes to the plan approved by OCR prior to their implementation.

5. By January 1, 2015, the District will establish a working group at each District school consisting of school personnel, including teachers, administrators and other school staff who are involved in making discipline referrals and imposing disciplinary sanctions, parents of school students and community leaders.

   a. The working group will consult with District experts as appropriate, and will develop and make recommendations to the District regarding the effectiveness of the District's discipline policies, practices, and procedures.

   b. The District will take steps to ensure that the working groups are representative of each school's student population and will encourage the parents or guardians of black and other minority students to participate on the working groups.

   c. At each school, the District will designate an employee to coordinate the group's meetings and work.

   d. The working group will be asked to provide District officials with input regarding strategies for improving student behavior, addressing student misbehavior by means other than disciplinary sanctions, and reducing any racial disparity in referrals for discipline, the imposition of disciplinary sanctions and the exclusion of students from the educational program.

   e. The working group will also be asked to provide continuing input to District officials regarding strategies to ensure that school staff members have access to or are aware of available resources for assisting them in managing and de-escalating student behavior.

   f. The working group will also provide specific suggestions for developing training and informational programs, as described in items 10 and 11, that promote a safe and orderly educational environment and ensure the fair and equitable

treatment of all students when making disciplinary referrals and imposing disciplinary sanctions.

g. The group will consider if and how outreach efforts to families can be made to garner support for the District's discipline policies, practices and procedures and for the District's goal of addressing student misbehavior without excluding students from the educational program.

h. The designated employee will prepare a written summary of the recommendations and suggestions of the working group and submit a report to the District setting forth the recommendations and suggestions by no later than April 30 of each school year.

i. The District will review the report submitted by the working groups and develop a plan for implementing the groups' recommendations and suggestions as appropriate by no later than June 30 of each school year. The District will provide the working groups with a copy of the plan along with a written explanation of the reasons why any recommendations or suggestions made by the working groups are not being implemented.

REPORTING REQUIREMENTS: By January 30, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR that the working groups required by this item have been established, including the identity of the members of each working group and the District employees who have been designated to coordinate or oversee the activities of each working group and a summary of the initial activities undertaken by each working group. By August 30, 2015, August 30, 2016, and August 30, 2017, the District will provide documentation to OCR of the written reports submitted by the working groups, will provide for OCR's review and approval the plans developed by the District in response to the reports, will provide the steps taken by the District in response to the reports, and will provide the written explanations provided by the District for its decision not to implement any of the recommendations or suggestions made by the working groups. If OCR has any objections to the plan submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft plan. Throughout the course of this agreement, the District will submit for OCR review and approval any changes to the plan approved by OCR prior to their implementation.

6. By January 1, 2015, and by September 30 annually thereafter, the District, in collaboration with the working groups described above, will develop and provide informational programs for parents or guardians of students at all District schools that will explain the disciplinary policies of the District in an easily understood manner and what is expected of students under those policies and the District's efforts in achieving fair discipline of all students. The parent programs may be incorporated into other planned parent meetings, conferences or parent outreach programs. The District will ensure that the informational programs are offered in such a manner as to

ensure the maximum possible participation by parents or guardians. This may include offering the program at multiple times in various locations and will include providing access to parents or guardians who are unable to attend the program to the materials developed by the District in association with the program. This will include offering the program and the program materials in languages other than English as necessary for English language learners and their parents. The program will:

a. provide parents the opportunity to raise concerns or suggestions regarding the improvement of the District's disciplinary policies, including any issues in connection with fairness and non-discrimination;
b. include District officials involved in the administration of discipline (e.g., administrators, teachers, behavior interventionists, guidance counselors);
c. emphasize the District's commitment to using the policies referenced in this Agreement to ensure a safe and orderly educational environment and to ensure the fair and equitable treatment of all students when making disciplinary referrals and imposing disciplinary sanctions;
d. advise the parents or guardians of the right of students to appropriate due process in connection with any disciplinary action taken or proposed by the District;
e. include but not be limited to detailed explanations of the discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies may be justified, resources that are available to students to assist them in developing self-management skills and the District's commitment to recognizing and reinforcing positive student behavior and to ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require removal from the educational program;
f. advise the parents or guardians whom they may contact if they have any concerns about the manner in which the District's discipline policies are being implemented or if they need assistance in addressing student behavioral problems.

REPORTING REQUIREMENTS: By January 30, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR demonstrating that the information programs required by this item have been conducted, providing any recommendations, suggestions or reports that were provided by parents or guardians at the programs, and indicating the plans developed by the District in response to the input at these programs.

7. By January 30, 2015, the District will develop a means, including but not limited to publishing the data on its website, to convey to the public data on the use of discipline, disaggregated by race, school, grade level, most frequent reasons leading to exclusionary discipline, and other factors determined by the experts and the District. The data shall include referrals for discipline, suspensions, expulsions,

administrative transfers, and referrals to law enforcement. This information will be updated at least annually.

REPORTING REQUIREMENTS: By January 30, 2015, the District will provide documentation to OCR describing the means it plans to use to convey information. By June 30, 2015, June 30, 2016, and June 30, 2017, the District will provide documentation to OCR that it has provided the information referenced in this item to the public.

Policies, Practices and Procedures

8. The District revised its policies and procedures for discipline effective with the 2014-2015 school year. By May 15, 2015, the District will review its revised student discipline policies, practices and procedures and make further revisions, as necessary. In doing so, the District will take into account any recommendations or suggestions made by the student committees and working groups referenced in items 4 and 5. The District will ensure that its student discipline policies, practices and procedures, as currently in place and as revised during the implementation of the agreement, include the following:

    a. Standards for disciplinary referrals that eliminate redundancies and include clear definitions, categories and clear procedures for staff to follow when making referrals;

    b. The elimination, to the maximum extent possible, of vague, subjective or redundant offense categories including those that necessarily require a high degree of subjectivity and individual discretion (e.g., disrespectful behavior, insubordination, disruptive behavior). To the extent the District retains such categories, the District will provide specific examples to ensure that staff understand the circumstances under which such categories can be used to impose disciplinary sanctions and the distinctions between such categories;

    c. Definitions of misconduct that are clear and objective to the maximum extent possible and that clearly distinguish between similar acts, e.g., fighting and physical aggression; such definitions must include clearly defined, uniform criteria for all offense categories;

    d. The range of penalties that may be imposed for each infraction and penalties that are proportionate to the type of misconduct;

    e. The criteria for selection within the range of possible penalties when imposing disciplinary sanctions;

    f. An explanation of how the District will distinguish between first offenders and repeat offenders when imposing disciplinary sanctions and a clear

explanation of how any progressive disciplinary policies, practices and procedures will be implemented;

g. A requirement that alternatives to dismissal, suspension or other sanctions that require removal from the educational setting be considered in all cases except those where the immediate safety of students or staff is threatened or the behavior in question is such that the disruption to the educational environment can only be remedied by removal;

h. A requirement that school staff attempt a range of corrective measures before referring a student to disciplinary authorities unless it can be documented that the safety of students or staff is threatened or the behavior in question is such that the disruption to the educational environment can only be remedied by such a referral;

i. Appropriate due process standards for all students disciplined under the District's student discipline policies, practices and procedures, including a description of the key elements of the discipline process (appeals, alternative dispositions, timelines, provisions for informal hearings, etc.);

j. A program that seeks to successfully reintegrate students within the school community who have been suspended, expelled or excluded, or who return from alternative disciplinary placements or periods of incarceration, including counseling, tutoring or other additional educational services to permit the student to make up lost classroom time.

REPORTING REQUIREMENTS: By May 15, 2015, the District will submit its definitions and revisions, if any, to the student discipline policies, practices and procedures to OCR for review and approval. If OCR has any objections to the policies and procedures submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft policies and procedures. Within 15 days of OCR's approval, the District will provide documentation to OCR that it is implementing the revised policies and has disseminated the revised student discipline policies, practices and procedures to all District students, parents and staff and posted them in a prominent location on the District's website and in each District school. Within 30 days of OCR's approval, the District will also provide documentation to OCR that it has translated the revised student discipline policies, practices and procedures as necessary to accommodate English language learners and their parents. Throughout the course of this agreement, the District will submit for OCR review and approval any changes to the policies and procedures approved by OCR prior to their implementation.

Student-Focused Remedies

9. Effective no later than January 1, 2015, the District will ensure that it has in place at each District school a system of supports to assist students who display behavior problems. These supports may include, but need not be limited to, the following:

    a. Adult in-school mentoring;

    b. Peer in-school mentoring;

    c. Access to guidance counselors, social workers or other mental health advocates, as appropriate;

    d. Involvement of parents in the discipline process;

    e. Assistance with developing self-management skills;

    f. Referral for psychological testing or other educational services, where indicated.

    REPORTING REQUIREMENT: By August 30, 2015, August 30, 2016, and August 30, 2017, the District will provide documentation to OCR demonstrating its full implementation of this item.

Staff and Student Training

10. By January 1, 2015, and by September 30 annually thereafter, the District will provide training programs to all District teachers, administrators, school aides, and any other District personnel charged with supervising students, making disciplinary referrals or imposing disciplinary sanctions.

    a. The training will emphasize the District's commitment to using its discipline policies, practices and procedures to ensure a safe and orderly educational environment and to ensure the fair and equitable treatment of all students when making disciplinary referrals and imposing disciplinary sanctions.

    b. As appropriate, the training for District employees will include but not be limited to detailed explanations of the discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies and procedures may be justified, the documentation that must be developed and maintained by all District staff who make disciplinary referrals or impose disciplinary sanctions, evidence-based techniques on classroom management and de-escalation approaches, information on how to administer discipline fairly and equitably, resources that are available to staff who are having difficulty with classroom discipline, resources that are available to students to assist them in developing self-

management skills, the value of recognizing and reinforcing positive student behavior, and the importance of ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require removal from the educational program.

c. The training will provide employees the opportunity to raise concerns or suggestions regarding the improvement of the District's disciplinary policies, including any issues in connection with fairness and non-discrimination on the basis of race.

REPORTING REQUIREMENT: By March 30, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR that it has provided the training required by this item.

11. By March 1, 2015, and by September 30 annually thereafter, the District will provide training programs to all District students in an age appropriate, easily understood manner. This training may be provided in conjunction with the student forums referenced in this Agreement.

a. The training will emphasize the District's commitment to using its discipline policies, practices and procedures to ensure a safe and orderly educational environment and to ensure the fair and equitable treatment of all students when making disciplinary referrals and imposing disciplinary sanctions. The training will advise students of their right to appropriate due process procedures in connection with any disciplinary action taken or proposed by the District.

b. The training will include but not be limited to detailed explanations of the discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies and procedures may be justified, resources that are available to students to assist them in developing self-management skills, and the District's commitment to recognizing and reinforcing positive student behavior and to ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require removal from the educational program.

REPORTING REQUIREMENT: By March 15, 2015, October 30, 2015, and October 30, 2016, the District will provide documentation to OCR that it has provided the training required by this item.

Administrative Transfers

12. By March 1, 2015, in consultation with experts as appropriate, the District will complete a comprehensive review of its policy on involuntary administrative transfers, as recently revised for the 2014-2015 school year, to identify any changes that should be made to the policy to ensure it aligns with and aids the District in

accomplishing the goals and objectives set forth in this Agreement. The review will include, but not be limited to, the following:

a. A review of the reason(s) for all administrative transfers in the last two school years (encompassing data before and after the policy was revised);

b. A review of the discipline records of all students administratively transferred within the last two years to determine whether the student's behavior improved at the school to which he or she was transferred; and

c. Individual meetings with school administrators to assess the extent to which they have a clear understanding of the reasons for the administrative transfer policy and to ascertain whether they believe students administratively transferred to their school have been successful.

REPORTING REQUIREMENT: By January 30, 2015, the District will provide documentation to OCR of its current revised administrative transfer process. By March 15, 2015, the District will provide documentation to OCR of its review conducted pursuant to this item and a description for OCR's review and approval of any revisions the District plans to make to the administrative transfer policy based on the review. If OCR has any objections to the actions it proposed to take submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft actions.

13. By the beginning of the 2015-2016 school year, following OCR's review and approval, the District will implement any changes made to its administrative transfer policy pursuant to the review referenced under item 12. By September 30, 2015, the District will document to OCR that it has provided training to all school-level administrators on the revised policy.

REPORTING REQUIREMENTS: By September 30, 2015, the District will provide documentation to OCR that it has implemented this item.

School Resource Officers

14. By May 1, 2015, the District will complete a comprehensive review of its School Resource Officer (SRO) program and its Part-Time Police Officer (PO) program to assess the program's effectiveness and identify any changes that should be made to the program to ensure it aligns with and aids the District in accomplishing the goals and objectives set forth in this agreement. The review will include, but not be limited to, the following:

a. Individual meetings with every SRO/PO to assess the extent to which they have a clear understanding of the District's obligations under Title VI and the role they are expected to play in the District and the extent to which the understanding expressed by the SROs/POs align with the District's

expectations. The meetings should also attempt to identify problems the SROs/POs believe exist with how they are being utilized by District staff and suggestions they have for improving the program;

b. Individual meetings with school administrators and pupil-personnel teams to assess the extent to which they have a clear understanding of the role SROs/POs are expected to play in the discipline process and the extent to which the understanding expressed by the administrators and pupil-personnel teams aligns with the District's expectations;

c. Meetings, as appropriate, with the student committees identified in item 4 of this agreement and the working groups identified in item 5 of this agreement to assess the extent to which the SROs/POs in District schools are trusted by students, and parents, and utilized as part of the overall effort to promote school discipline and establish a positive school climate, rather than police officers merely available to arrest students;

d. A review of every instance during the 2012-13 and 2013-14 school years in which a SRO/PO became involved in a student discipline matter to determine whether it was appropriate for the SRO/PO to become involved in the matter and whether, once involved, the SRO/PO acted in a manner that was consistent with the District's expectations and its discipline polices, practices and procedures. This review will also examine every instance where a District student was referred to law enforcement and carefully consider whether the referral to law enforcement was appropriate under the circumstances present at the time and consistent with the treatment of other similarly situated students. If the District determines the referral was inappropriate, then it will promptly take actions it is able to take to remedy any adverse effects from the referral, including advocacy to expunge criminal records and discontinue law enforcement involvement.

REPORTING REQUIREMENT: By May 15, 2015, the District will provide documentation to OCR of its review conducted pursuant to this item of the agreement and a description of any revisions the District plans to make to its PO program based on the review. The District's report will also include the all documentation associated with each instance during the 2012-13 and 2013-14 school years in which an PO became involved in a student discipline matter and will provide for OCR's review and approval the determination made by the District with respect to each incident as to whether the PO's involvement was appropriate and a description with supporting documentation of any actions the District proposes to take in those cases in which it determines the involvement of the PO was not appropriate. The District's report will also provide for OCR's review and approval a list of instances in which it was determined that a referral to law enforcement was made inappropriately and a description with supporting documentation of the steps the District proposes to take to remedy any adverse effects resulting from the referral. If OCR has any objections to the actions it proposed to take submitted by the District for review, OCR will notify

the District of its objections promptly, no later than 60 calendar days after receiving the draft actions. Within 30 days of receipt of OCR's approval of the steps it proposes to takes regarding any instances when the involvement of the SRO/PO was not appropriate and/or a referral to law enforcement was inappropriate, the District will document to OCR that it has taken the proposed steps.

15. By January 1, 2015, and by September 30 annually thereafter, the District will provide training to all District SROs/ POs that explains the District's obligations under Title VI, the revisions being made to the SRO and PO programs and what is expected of the SROs/POs under the revised programs and the District's revised student discipline policies, practices and procedures. The District will also develop an orientation program to be delivered to all SROs/POs newly assigned to the District that explains the SRO/PO program, what is expected of SROs and POs in the SRO and PO programs and the District's student discipline policies, practices and procedures.

    a. The training and orientation will emphasize the SROs/POs' role in ensuring a safe and orderly educational environment and the fair and equitable treatment of all District students when taking disciplinary action.

    b. The training and orientation will also provide the SROs/POs with information on how to work effectively with the District's elementary and secondary students and identify resources available to the SROs/POs to assist them in this regard.

    c. The training and orientation will also include but not be limited to detailed explanations of the District's discipline policy, the definitions of offense categories, the specific manner in which progressive disciplinary consequences will be employed, if applicable, the circumstances under which deviations from established policies and procedures may be justified, resources that are available to students to assist them in developing self-management skills, the District's commitment to recognizing and reinforcing positive student behavior and to ensuring to the maximum extent possible that misbehavior is addressed in a manner that does not require exclusion from the educational program and the District's obligations to ensure that the SRO and PO programs are administered in a non-discriminatory manner.

    REPORTING REQUIREMENT: By January 30, 2015, September 30, 2015, and September 30, 2016, the District will provide documentation to OCR of the training provided by the District in accordance with this item, the name(s) of the person(s) who delivered the training, and a description with supporting documentation of the person's qualifications.

16. By the beginning of the 2015-2016 school year, the District will implement any changes made to its SRO program pursuant to the review referenced under item 14 of this agreement.

REPORTING REQUIREMENTS: By September 30, 2015, the District will provide documentation to OCR that it has implemented this item of the agreement.

School Climate Surveys

17. Beginning in the 2014-2015 school year, as applicable, following approval by OCR of the survey instrument and methodology for survey administration, the District will administer annually a comprehensive climate survey to students, teachers/staff, and parents at all District schools to measure the perceptions of students and other members of the District community in connection with the administration of school discipline. In particular, the survey will measure perceptions of relationships among the school community members, school safety and fairness and clarity of rules and behavioral expectations.

    REPORTING REQUIREMENTS: By January 30, 2015, the District will provide OCR for its review and approval the climate surveys it proposes to use and the methods by which it will administer the surveys in order to maximize the response rate. If OCR has any objections to the surveys submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft surveys. By June 30, 2015, and June 30, 2016, the District will provide OCR for its review and approval a copy of the survey results and a description of actions it proposes to take in the following school year as a result of the survey results. If OCR has any objections to the actions the District proposes to take, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft action. By August 30, 2015, and August 30, 2016, the District will document the steps it has taken in response to the previous school year's survey results.

Data Collection and Self-Monitoring

18. Beginning with the 2014-2015 school year, the District will collect available data regarding referrals for student discipline and the imposition of disciplinary sanctions, including administrative transfers, at all District schools. The data collection system will be revised to ensure that beginning with the 2015-2016 year, it will include, but not be limited to, the following:

    a. The name/identification number, race, ethnicity, sex, age, disability and/or English Language Learner (ELL) status, and grade level of each student referred for discipline;

    b. For each referral, the name/identification number, race, ethnicity, sex, age, grade level, disability and/or ELL status, as applicable, and grade level of all other students involved in the incident, whether or not they were referred for discipline themselves;

c. A detailed description of the misconduct;

d. A description of all approaches that were attempted in order to address the behavior at issue prior to referral for discipline;

e. The date of the referral;

f. The specific Code violation for which the referral was made;

g. The referring staff member (by staff identification/employee number);

h. The school and type of class from which the referral was made or other specific settings (e.g. bus referral, hallway referral);

i. Whether there were any student and/or adult witness(es) of the incident; names of witness(es); number of witnesses;

j. The prior disciplinary history of the student;

k. The specific Code violation for which the student was punished and the penalty/sanction imposed or, if no violation was charged or penalty/sanction imposed, the reason why;

l. The outcome of the manifestation hearing determination, if applicable;

m. The date the penalty/sanction was imposed;

n. The length of the penalty/sanction (in number of days);

o. The staff member who assigned the penalty/sanction (by staff identification/employee number);

p. Whether the student was transferred to the alternative school or to a different school site;

q. If the student was administratively transferred, documentation that the transfer was completed in accordance with the revised administrative transfer policy referenced at item 13 and the name of the District official who approved the administrative transfer;

r. Whether school-based or local law enforcement were involved (e.g. law enforcement was notified of the offense);

s. Whether the referral to law enforcement was mandatory and, if so, the statute or ordinance governing the referral;

t. Whether the student was arrested or otherwise sanctioned by law enforcement as a result of school-based or law enforcement involvement;

u. Any other non-punitive outcomes arising out of each referral incident, including, but not limited to, skill building, peer mentoring, etc.

v. Whether the student was given access to appropriate due process procedures in connection with the penalty/sanction, including but not limited to being given the opportunity to present his or her version of events and/or an explanation for their conduct prior to the imposition of sanctions, and whether, when, and how their parents were contacted in connection with each referral incident.

REPORTING REQUIREMENT: By June 30, 2015, June 30, 2016, and June 30, 2017, the District will provide to OCR the data referenced in this item for the just completed school year.

19. Effective with the commencement of the second semester of the 2014-2015 school year, the District will evaluate on an ongoing basis but at least at the end of each semester the data referenced in item 18 to assess whether the District is implementing its student discipline policies, practices and procedures in a non-discriminatory manner, at each school. The evaluation of the data will include, but not be limited to, the following:

a. Review of discipline referrals and penalties imposed to examine whether black students are receiving more referrals or discipline than students of other races;

b. Review of administrative transfers to examine whether black students are receiving more referrals than students of other races;

c. Review of student referral for expulsions to examine whether black students are receiving more expulsions than students of other races;

d. Examination of whether certain teachers and administrators refer disproportionately high numbers of students of a particular race for discipline or are disproportionately responsible for imposing disciplinary sanctions that include exclusion from the educational program;

e. Examination of whether black students are disproportionately referred for offenses in which subjective judgment is exercised, while students of other races are not;

f. Examination of whether all students are consistently referred for similar misbehaviors without regard to race;

g. Examination of whether waivers of punishment, if available, are available to all students without regard to race;

h. Examination of whether penalties imposed are consistent with the penalties specified in the District's discipline policies and procedures and, where exceptions are made, whether they are justified.

REPORTING REQUIREMENT: By March 30 and August 30, 2015 March 30 and August 30, 2016, and March 30 and August 30, 2017, the District will provide to OCR the evaluations referenced in this item for the just completed semester.

20. Effective no later than January 1, 2015, the District will establish uniform standards for the content of student discipline files at all District schools. The standards will be designed to ensure that the District keeps accurate and complete records of all discipline incidents, including those that do not result in sanctions. To this end, the District will develop a uniform District referral form to be used by all District staff when making disciplinary referrals and a uniform District disciplinary sanctions form to be used by all District staff when imposing disciplinary sanctions. At a minimum, the forms will require the person completing the form to identify the date the referral was made or the sanction was imposed, the name(s) of the student(s) being referred or disciplined, the specific offense(s) for which the referral was made or the sanction was imposed, the name or staff identification/employee number of the person making the referral or imposing the sanction; and the type of class or other specific setting (e.g., bus, cafeteria, hallway) from which the referral was made. These forms will require staff to provide sufficiently detailed information to explain the circumstances that led to the disciplinary referral, the factual basis for the sanction imposed and the justification for the selection of the particular penalty imposed from within the range of possible penalties that could have been imposed, or, if no sanction was imposed, the reason for that decision. The District may use an electronic database for collecting and maintaining this information. The District will ensure that its record-keeping system tracks when students are referred to law enforcement and the result of the involvement of law enforcement including law enforcement sanctions.

REPORTING REQUIREMENT: By January 15, 2015, the District will provide documentation to OCR with the forms developed pursuant to this item.

21. Effective with the commencement of the second semester of the 2014-2015 school year, and annually thereafter, the Superintendent or Superintendent's designee(s) will meet at the conclusion of each semester with the principal of each District school to discuss the data gathered by the District under item 18. The meetings will examine how discipline referrals and disciplinary sanctions imposed at each school compare to those at other District schools and consider any data suggesting that black students are disproportionately referred for discipline or sanctioned more harshly than similarly-situated students of other races. If the data suggests such disproportion, the meetings will explore possible causes for the disproportion and consider steps that can be taken to eliminate the disproportion to the maximum extent possible. If applicable, the principals will be reminded of District resources that are available to assist them in addressing the disproportion. If the information suggests that the

principal or other school staff are failing to adhere to the District's student discipline policies, practices and procedures or are engaging in discrimination, the Superintendent or Superintendent's designee(s) will take appropriate corrective action, including but not limited to, additional training or disciplinary action. Where the data shows no disproportion, the meetings will examine steps that are being taken at the school to ensure the fair and equitable enforcement of the District's student discipline policies, practices and procedures that might be adopted as "best practices" at those schools where disproportion exists.

REPORTING REQUIREMENT: By August 30, 2015, March 30 and August 30, 2016, and March 30 and August 30, 2017, the District will provide documentation to OCR of the meetings held pursuant to this item and of all steps taken as a consequence of information shared at the meetings.

22. Effective with the commencement of the second semester of the 2014-2015 school year, each school principal will meet at the conclusion of each semester with the teachers at his/her school to discuss the data gathered by the District under item 18.

    a. The meetings will examine how discipline referrals and disciplinary sanctions imposed at the school compare to those at other District schools and consider any data suggesting that black students are disproportionately referred for discipline or sanctioned more harshly than similarly-situated students of other races.

    b. If the data suggests such disproportion, the meeting will explore possible causes for the disproportion and consider steps that can be taken to eliminate the disproportion to the maximum extent possible.

    c. If applicable, the teachers will be reminded of District resources that are available to assist them in addressing the disproportion.

    d. Where the data shows that a particular teacher is responsible for a disproportionate number of referrals or disproportionately refers black students, the principal will meet privately with that teacher to discuss the data, explore the reasons for the disproportion, and examine potential solutions. If the information suggests that the teacher is failing to adhere to the District's student discipline policies, practices and procedures or is engaging in discrimination, the principal will take appropriate corrective action, including but not limited to, additional training or disciplinary action.

    e. Where the data shows no disproportion or suggests that a teacher has been particularly successful in managing student discipline at the classroom level, the meetings will examine steps that are being taken at the school or by the individual teacher to ensure the fair and equitable enforcement of the District's student discipline policies, practices and procedures that might be shared as

"best practices" with other teachers at the school and with other schools where disproportion exists.

REPORTING REQUIREMENT: By August 30, 2015, March 30 and August 30, 2016, and March 30 and August 30, 2017, the District will provide documentation to OCR of the meetings held pursuant to this item and of all steps taken as a consequence of information shared at the meetings.

23. Effective no later than January 1, 2015, the District will establish a discipline review team for the purpose of reviewing the disciplinary actions taken at each District school on an ongoing basis to ensure that the actions taken were non-discriminatory and consistent with the District's student discipline policies, practices and procedures. The review team will consider whether each school uses behavioral programs such as Positive Behavioral Intervention and Supports, and will determined if these or other programs identify best practices that could be established at other schools in the District. At the conclusion of each school year, the discipline review team will prepare a report that summarizes the results of its review at each school and includes recommendations on any changes to the District's student discipline policies, practices and procedures that should be made in light of the team's findings. If at any point during this process the discipline review team identifies any disciplinary action that was discriminatory or inconsistent with the District's student discipline policies, practices and procedures, it will immediately report its finding to the Superintendent, who will take immediate corrective action. Under such a circumstance, the discipline review team will also expand its review at the school in question to include every disciplinary action taken at the school during the school year.

    REPORTING REQUIREMENT: By January 30, 2015, the District will provide documentation to OCR with the names of all individuals on the discipline review team. By August 30, 2015, August 30, 2016, and August 30, 2017, the District will provide documentation to OCR of the review conducted by the team during the just completed school year.

24. At the conclusion of the 2014-2015 school year and each school year thereafter, the District will consider whether changes to its student discipline policies, practices and procedures are warranted based on its evaluation of the District-wide student discipline data, the meetings with administrators and staff, and the findings made by the discipline review team.

    REPORTING REQUIREMENT: By August 30, 2015, August 30, 2016, and August 30, 2017, the District will provide for OCR's review and approval all changes to policies, practices, and procedures it proposes to make pursuant to this item and the rationale for the changes or for not making changes. If OCR has any objections to the changes submitted by the District for review, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft changes. Throughout the course of this agreement, the District will submit for OCR review and

approval any changes to the policies and procedures approved by OCR prior to their implementation.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that, during the monitoring of this Agreement, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title VI, at §§ 100.3(a) and (b)(i)-(iii), which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title VI, at §§ 100.3(a) and (b)(i)-(iii), which were at issue in this case. Prior to the conclusion of OCR's monitoring, the District will provide documentation establishing that any remaining disparities in disciplinary referrals and/or sanctions are not the result of discrimination prohibited by Title VI and its implementing regulations.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

Approved and agreed to on behalf of Special School District No. 1, Minneapolis Public Schools.

/s/
Richard Mammon, Board Chair

11/11/2014
Date