

18i Minnesota Department of Human Rights and Prairie Seeds Academy Collaboration Agreement

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

Prairie Seeds Academy ("Charter School") provides public education to school aged children within its district and it has a strategic plan for reducing and or elimination of disproportionate suspensions and expulsions of students from ethnic and racial communities and students with disabilities.

The mission of public education in Minnesota, a system for lifelong learning, is to ensure individual academic achievement, an informed citizenry, and a highly productive work force. This system focuses on the learner, promotes and values diversity, provides participatory decision-making, ensures accountability, models democratic principles, creates and sustains a climate for change, provides personalized learning environments, encourages learners to reach their maximum potential, and integrates and coordinates human services for learners. The public schools of this state shall serve the needs of the students by cooperating with the students' parents and legal guardians to develop the students' intellectual capabilities and lifework skills in a safe and positive environment. Minn. Stat. § 120A.03.

The Department and the Charter School share mutual goals to ensure:

- Learning occurs in safe and supportive environments;
- Every student has an equal opportunity to fully participate in and to succeed in a quality education; and
- The Charter School applies its student discipline policies and procedures in a non-discriminatory manner.

The Department and the Charter School have a strong a commitment to:

- Work together on behalf of the Charter School's students to ensure their success; and
- Collaborate and use their best efforts to improve student academic achievement by reducing the disparate suspension and expulsion outcomes for students from racial and ethnic minority communities and students with disabilities.

The Department and the 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 the Charter School acknowledge that teachers and students deserve school environments that are safe, supportive and conducive to teaching and learning.

The Department and the Charter School recognize that there are many strategies that can be implemented within a school environment 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 the Charter School recognize that there are several federal and state educational mandates for the Charter School to achieve. The Department and the Charter School recognize that the Charter School should have flexibility in crafting a plan that is best suited for its school community.

The Department and the 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 behaviors that could result in suspension and expulsion.

The Department and the Charter School recognize that the Department will affirmatively seek 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 the Charter School, collectively referred to as Parties, agree as follows:

1. The Charter School has developed and submitted to the Department a Strategic Plan (Plan), which is attached as Exhibit A to this Agreement.
2. The Department, in collaboration with the Minnesota Department of Education (MDE), 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. Meetings of the Diversion Committee will be scheduled and hosted by the Minnesota Department of Human Rights (MHDR).
3. The purpose of the Diversion Committee is to develop and create best practices for school boards, superintendents, discipline supervisors, principals, teachers, staff and discipline assessment teams toward reducing suspensions and expulsions for racial and ethnic minority communities and students with disabilities.
4. The Diversion Committee may consider creating subcommittees as necessary to meet its purpose, which could include the following:
 - a. DIRS (Discipline Incident Reporting System as required by MDE) – 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.
5. 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 the 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.
6. The Parties acknowledge that the release of information concerning this matter is governed by the Minnesota Human Rights Act, the Minnesota Government Data Practices Act, Minn. Stat. §§ 13.03 *et. seq.*, and the Official Records Act, Minn. Stat. §§ 15.17 *et. seq.* and related federal privacy laws.
 7. The Parties agree that the Department may make public: (a) the terms of this Collaboration Agreement and (b) the information identified as public data in Minn. Stat. § 363A.35. The Parties agree to attempt to work collaboratively on any press releases and responses to media inquiries concerning this Collaboration Agreement.
 8. If a Court of competent jurisdiction, for any reason, holds any part of this Collaboration Agreement invalid, unlawful or otherwise unenforceable, such decision shall not affect the validity of any other part of the Collaboration Agreement.
 9. The parties have mutually agreed to enter into this Collaboration Agreement to work together on a state-wide issue that exists nationally as well. This Collaboration Agreement is not an indication or an admission of any liability or wrongdoing by or on behalf of either party. The Department has not charged the Charter School, nor made a probable cause discrimination finding against the Charter School and has not found a violation of the Act.
 10. This Collaboration Agreement begins on the date that the parties execute it and ends with the submission of the September 1, 2021 report for the 2020-2021 academic school year.
 11. The parties to this Collaboration Agreement acknowledge that they have read and have gained an understanding of the terms of the Collaboration Agreement, that legal counsel has represented them or they had the opportunity to retain legal counsel, and they are voluntarily entering into this Collaboration Agreement.
 12. This Collaboration Agreement may be executed in multiple counterparts, which shall be construed together as if one instrument. In addition, any party shall be entitled to rely on

an electronic copy of a signature as if it were the original. The parties have caused this Collaboration Agreement to be signed on the dates opposite their signatures.

13. Minnesota law will govern the construction and interpretation of this Collaboration Agreement. No rule of strict construction shall apply against either Party as both Parties had input into the Collaboration Agreement. The Parties agree that any action regarding interpretation or adherence to the terms of the Collaboration Agreement shall be filed in Ramsey County District Court.
14. If either party believes that the other is in material breach of this Collaboration Agreement, that party will notify the other in writing and will identify the specific provisions of this Collaboration Agreement the party believes has been breached. The party will request a meeting with the other to resolve the outstanding issue. The party shall only initiate judicial proceedings to enforce this Collaboration Agreement if the parties reach an impasse after negotiating in good faith for 30 days.
15. Nothing within this Agreement prevents the Department from periodically requesting information from the Charter concerning its suspension and expulsion decisions to ensure that the Charter has correctly identified the suspension and expulsion decisions subject to this Agreement. The information that may be obtained from the Charter includes:
 - a. The name of the student suspended
 - b. Contact information for the student's parents;
 - c. Date the student was suspended;
 - d. The race, ethnicity, national origin and gender of the student suspended;
 - e. Whether the student is recognized as a student with a disability;
 - f. The reason why the student was suspended;
 - g. The length of the suspension;

4/13/18

Date

4/13/18

Date

4/13/18

Date



Prairie Seeds Academy Charter School
by Choua Yang, Principal



Bao Vang, Chief Executive Office
Thrive Education, LLC



Kevin Lindsey, Commission
MN Department of Human Rights

Exhibit A
Prairie Seeds Academy's Plan to Address Disparities

Prairie Seeds Academy ("Charter School") is a Hmong Charter School whose mission is to inspire global thinkers who will become future leaders by understanding intercultural awareness, respect, adaptability, how to inquire, and that learning is a lifelong process. The Charter School is committed to creating a safe and productive learning environment for all students. The Charter School's goal is to reduce the overall number of suspensions for students at the Charter School with particular emphasis on students from racial or ethnic minority communities and students with disabilities.

The Charter School's School Board has contracted with Thrive Education ("Thrive") to assist with the operations and academic achievement of the school. Thrive is a subsidiary of Hmong American Partnership, a nonprofit 501c3 organization. Thrive works to improve school culture, leadership, staff morale and performance, and its operational efficiency through collaborative measures that empower parents, the community, school staff, and the leadership team. Bao Vang as Thrive's CEO has been in charge of this plan to address disparities in discipline. In concert with the Champion Leadership team, including its Principal and founders of Prairie Seeds Academy, and with input from teachers and other educators, parents and community members, the Charter School has developed this initial strategic plan.

Intervention Strategies

Introduction. The Charter School recognizes that to create a safe, positive learning environment for all learners, educators must empower students to achieve their academic, social and emotional potential. Classroom teachers and related staff must be empowered to create the positive environment. One of the behaviors to learning opportunities can be behaviors that distract or diminish the student and or others from having that opportunity. The tiered system that the Charter School has created is one that empowers teachers within their classrooms and engages students in sensitive and powerful ways. To that end, teachers will be supported through professional development and individual coaching to understand and implement effective classroom practices that develop relationship with individual students, create a positive climate where the expectations are clearly articulated and understood by students and empowers teachers to use in classroom strategies for behavior change whenever possible. We intend to shift from a culture of sending students out of the classroom when behavior is exhibited, to building a climate in each classroom that minimizes disruptive behaviors and where teachers can quickly correct, refocus students and return to learning without exclusion. To that end we have developed these interventions.

1. **Tiered Intervention Strategy:** The Charter School has conducted its own review of its behavioral data and determined that a paradigm shift regarding behavioral interventions and subsequent responses was necessary. The response to intervention framework has been successful with academic interventions and its use in behavioral change is also supported by current research. This new framework consists of four tiers that focus on the students:

- a. *Tier One:*

- i. Teachers are supported in building individual, positive, professional relationships with each student and their family. Behaviors that are minor, not dangerous, non-threatening to the safety of others and controllable require classroom teachers to utilize strategies such as verbal/ written warnings, re-direction, and similar strategies.
 - ii. Teachers are provided clear examples/expectations of behaviors that must be responded to within the classroom and potential strategies that are effective.
- b. *Tier Two:*
- i. If behaviors that are minor, not dangerous, non-threatening to the safety of others and controllable become a pattern and distract the flow of instruction within the classroom, classroom teachers will continue to respond to the behaviors within the classroom but with the support of a behavior specialist. Teachers are encouraged in most cases to attempt at least three tier one strategies prior to this intervention.
 - ii. With the assistance of the behavior specialist, intervention strategies will be created as appropriate.
- c. *Tier Three:*
- i. Behaviors that are threatening, discriminatory in nature, or create a substantial disruption the classroom instruction are responded to by the classroom teacher if it is safe to do so while immediately contacting the Dean of Students' Office for additional support.
 - ii. The Administration team is provided action steps that can be taken based on the identified behavior including the development of a behavioral plan.
- d. *Tier Four:*
- i. If serious behaviors such as suicide attempts or the use of firearms occur, the Charter School's Crisis Management Team will respond.
 - ii. Actions will be taken after a discussion among the Crisis Management Team which would include the development of a behavioral plan.¹

Development of this framework. This new framework was developed with Ms. Bao Vang's leadership and reviewed by the Charter School's Champion Leaders who consist of elementary school teachers, secondary teachers, instructional coaches, the

¹ See the attached outline of the behavioral and intervention program. The program is subject to change as the data is analyzed and input from the community and experts is reviewed.

parent liaison, the administrative team, and the data analysis team. The Leaders input was reviewed and revisions were made.

Upon the incorporation of the Champion Leaders' feedback, the framework was shared with all of the Charter School teachers. After the teachers' suggestions were considered, and their input may necessitate some additional changes. Those revisions are in process.

Next, the Charter School will provide the new framework to its parents/guardians, students and school community at large. Parents and students will have an opportunity to provide input, that input will be considered by the Leaders. The goal is to have the Charter School incorporate this new framework for engagement into its robust parent agreement that will be shared with families by the fall of 2018. The framework will be the expectation for all staff and training to all staff will be provided prior to implementation.

2. **PBIS:** The Charter School will continue to implement the Positive Behavior Intervention and Supports ("PBIS") system throughout its K-12 school to tailor school-based supportive services to the needs of the students in order to reduce behavioral difficulties in school and to increase the opportunity to benefit from the learning environment. The framework used by the Charter School includes the following:
 - a. Developing behavioral school-wide expectations including being Honorable, Open-minded, Willing Leaders that are recognized, acknowledged, and rewarded as positive behaviors throughout the school;
 - b. Track behavioral infractions that are reviewed on a monthly basis;
 - c. Identifying students who are at risk for behavioral difficulties based on the monthly review of the data;
 - d. Identify behaviors and locations that require additional positive behavioral support; and
 - e. Support school staff to meet the needs of the at-risk students by the Principal ensuring that every professional development day throughout the year has a component of PBIS training.

3. **Responsive Classroom Intervention:** The Charter School will utilize the Responsive Classroom Intervention methods to increase student engagement in the classroom by encouraging community-building in the classroom; provides a forum for students and teachers to connect about individualized goals; offering the student to take a break to reflect on behavioral choices in the classroom; and afford students with logical and natural consequences. The Principal will ensure that teachers receive training on responsive classroom in August of every school year and that during each professional development day throughout the school year, trainings will have components of responsive classroom.

4. **Diversion Committee:** The Charter School will provide a representative to be included in the Department's Diversion Committee.

Student-Focused Remedies:

The Charter School has in place and will maintain at each school a system of supports to assist students who display inappropriate behavior. These supports include the following:

1. **De-escalation Training:** The Charter School staff have been trained and implement de-escalation techniques to help students manage or express powerful emotions without resorting to aggressive behaviors.
2. **Staffing:** The Charter School's Board has committed to having an increase in staffing which allows students to stay in class as staff will enter the classroom to support a student instead of being removed.
3. Access to guidance counselors, social workers, or student advocates as appropriate;
4. Involvement of parents in the discipline process; and
5. Referral for special education evaluation and supports where indicated.

Review of Handbook: By August 31, 2018, the Charter School's Board will review its current Student Handbook in accordance in light of its tiered framework and other aspects of the Collaboration Agreement. The Charter School will take into account any recommendations made by the Department's Diversion Committee, its PBIS teams, and responses/input from the student and family. Each Student Handbook must include the following:

1. Tiered Intervention Strategy that includes clear definitions, categories, and procedures for staff to follow when making disciplinary referrals;
2. An explanation of the role of Police Officers, including, but not limited to, a clear description of the circumstances that must be present for administrators and in the case of emergencies, school staff, to report a student's conduct to a Police Officer. Police Officers will not participate in suspension decisions; and
3. Require all suspension decisions to be made as a team. The team will include the Principal, the Dean of Students or Behavioral Office, and the Chief Executive Officer. If the student has a disability, the student's case manager will be a part of the decision making.
4. The Principal will ensure all staff are trained on consistent expectations, de-escalation techniques, and alternative disciplinary strategies.

Outreach to Students, Families, Staff, and Community Members:

The Charter School believes in the power of the community. When it involves parents and families in the process, it benefits all students.

1. **Survey:** The Principal will ensure that the entire student population as well as their families and teachers will be annually surveyed to obtain qualitative data on issues relating to student engagement and discipline.
2. **Parent Liaison:** The Charter School is dedicated to engaging parents. The Charter School Board has hired a Parent Liaison for its new parent program. The Parent Liaison is responsible for building relationships with Parents, being a liaison for them to the School and in addition, coordinating an annual meeting to:
 - a. Provide parents the opportunity to raise concerns or suggestions regarding the Charter School's disciplinary policies, including any concerns or suggestions related to fairness and non-discrimination;
 - b. Include detailed explanations of the Tiered Intervention Strategy; and
 - c. Advise parents or guardians whom they may contact if they have any concerns about the manner in which the Charter School's disciplinary policies are being implemented or if they need assistance in addressing student behavioral problems.
3. **Partnerships:** The Charter School will partner with agencies to assist families of color in finding housing, economic development opportunities, employment, and resource navigation. The Principal and Program facilitator will meet quarterly to identify any barriers that must be overcome for families looking to finding resources.

Cultural Competency:

1. The Charter School has had specific training on Intercultural Awareness through Pink Consulting in the past and will continue to invest in further Intercultural training to increase the education, knowledge and awareness of PSA staff.
2. The Charter School will provide specific annual training to all teachers, administrators, and behavior specialists on implicit bias.
3. The Charter School will explore training for staff in educating students who have been traumatized such as students who have spent time in refugee camps.

Data Collection and Self-Monitoring:

1. Currently, the Charter School is in the process of switching from recording its student behavioral data on the School-Wide Information System to recording behavioral data on the Infinite Campus Database.
2. The Charter School in partnership with Thrive will discuss and develop the metrics used to determine the successful implementation of PBIS, Responsive Classroom Intervention and De-Escalation Training to be implemented by the start of the 2018-2019 School Year.

3. The Charter School's Positive Culture Committee team, including the Principal, Dean of Students, behavioral specialists, and Thrive will analyze this data (student behavior and office discipline referrals (ODRs) monthly. We will 1) use a consistent ODR form across the District; 2) implement a data system for monitoring ODR rates; 3) track ODR data 4) ensure that data regarding office discipline referrals are entered timely and accurately, and 5) regularly review data.
4. Based on this analysis, the Principal will identify if any particular teacher requires further training in the area of implicit bias, cultural competency, classroom management, or alternative dispute resolution.
5. The Principal will provide a semi-annual report to the School Board regarding student suspensions. This report will indicate the number of suspensions received by students of color specifically African-American and Native American students, and students with disabilities. In addition, the report will inform the School Board of the reasons for the suspensions including whether the behavior was considered to fall in the following DIRS categories: attendance, bullying, cyber bullying, harassment, disruptive/disorderly conduct/ insubordination, threat, intimidation, and other.
6. This semi-annual report will be provided to the Department.

REPORTING REQUIREMENT: By August 31, 2018, January 31, 2019, August 31, 2019, January 31, 2020, August 31, 2020, and January 31, 2021 the Charter school will provide to the Department the data referenced in this item for the previous school year.