

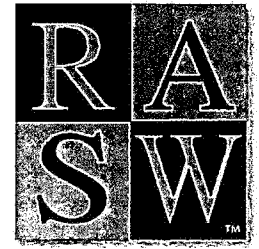
Kevin J. Rupp
Scott T. Anderson
Jay T. Squires*†
Michael J. Waldspurger*
Amy E. Mace
Trevor S. Helmers*
John P. Edison*
Tessa S. Wagner
Liz J. Vieira
Kristin C. Nierengarten
Zachary J. Cronen
Michael J. Ervin
Abigail R. Kelzer
Steven R. Gershone
Ryan P. Supple*
Marcus Jardine
Nathan S. Froemming*
Hannah M. Reichenbach

**RUPP, ANDERSON, SQUIRES
& WALDSPURGER, P. A.**

RECEIVED

FEB 09 2021

MN DEPT OF HUMAN RIGHTS



*Also Admitted in Wisconsin

†Real Property Specialist Certified by
the MN State Bar Association

January 29, 2021

Via U.S. Mail

Rebecca Lucero
Commissioner of Human Rights
Minnesota Department of Human Rights
540 Fairview Avenue North, Suite 201
Saint Paul, MN 55104

RE: Rochester Public Schools Compliance and Implementation Report
MDHR Ref. No. 68096
Our File No. 0535-0396

Commissioner Lucero:

I represent Independent School District No. 535, Rochester Public Schools ("District") on matters related to the September 2018 Collaboration Agreement between the Minnesota Department of Human Rights ("MDHR") and the District. Please accept this letter and its enclosures as the District's January 2021 compliance and monitoring report.

The summary discipline data the District is required to report pursuant to the Agreement's Paragraph 4(a) is contained on the enclosed report. In accordance with the Agreement's Paragraph 4(b)(i), the enclosed Exhibit A outlines the specific steps the District has taken to implement its plan for addressing the MDHR's concerns related to discipline disparities. The District has measured the effectiveness of its plan by continuing to analyze student discipline data, gathering input from various stakeholders, and participating in the MDHR's diversion committee. The District has not made any significant policy or procedure changes since its last report. It continues to evaluate the long-term effectiveness of significant policy and procedure changes that were made pursuant to its Resolution Agreement with the United States Department of Education's Office for Civil Rights ("OCR") and continue to be implemented through the District's agreement with MDHR.

Commissioner Lucero
January 29, 2021
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Please do not hesitate to have a representative of your office contact me if you have any questions or concerns about this report.

Very Truly Yours,

s/John P. Edison
John P. Edison

Enclosures

cc: Michael Muñoz, Superintendent (via e-mail only)

RASW: 178620

School Year 2020-21**First Semester Data**

School	Number of Suspensions 19-20	Number of Expulsions 19-20
Bamber Valley		
Bishop		
Churchill		
Elton Hills		
Folwell		
Franklin		
Franklin Montessori	6	
Gage		
Gibbs		
Hoover		
Jefferson	5	
Lincoln		
Longfellow		
Pinewood		
Riverside	3	
Sunset Terrace		
Washington	1	
Century		
John Marshall	2	
Mayo	6	
John Adams		
Right Fit		
Willow Creek	2	
Kellogg	7	
Friedell	1	
Phoenix Academy	2	
Total	35	0

Offense Category	Suspension	Expulsion
Abusive Language		
Alcohol, Drugs, Tobacco, Parapher	4	
Bullying		
Fighting	2	
Harassment		
Harassment: Race/Nat'l Origin		
Harassment: Sexual Orientation		
Illegal Conduct		
Interruption to Learning Envir	4	
Physical Aggression	21	
Property Damage		
Sexual Assault		
Sexual Misconduct		

Theft		
Threats of Violence	4	
Trespassing		
Weapon, Explosive, Incendiary Dev		
Total	35	

Suspension		% of Suspension by Race
Native American	2	6%
Asian	1	3%
Hispanic	3	9%
Black	2	6%
Hawaiian	0	0%
White	23	66%
Multi Race	4	11%
Total	35	

Total Out of School Suspensions by disability status (as of 10/1/20)		Total Expulsions by disability status (as of 10/1/20)
Identified without disability	9	
Identified with disability	26	
Total	35	

During the first semester of 20-21 school year, there were no expulsions or exclusions
 For the 35 out-of-school suspensions, during the first semester of the 2020-2021 school year:
 6% were for students who registered as Native American,
 3% were for students who registered as Asian,
 9% were for students who registered as Hispanic,
 0% were for students who registered as Hawaiian
 6% were for students who registered as Black,
 66% were for students who registered as White,
 11% were for students who registered under more than one race.

74.2% of out-of-school suspensions were for students who were identified as students with a disability.
 The 3 main offenses that resulted in out-of-school suspensions were physical aggression (60%),
 fighting (11%) and alcohol, drugs, tobacco, paraphernalia (11%).

Exhibit A

Rochester Public Schools Plan to Address Disparities

ROCHESTER PUBLIC SCHOOLS MISSION

Our Mission is to inspire, challenge and empower all students with the knowledge and skills required to reach their full potential, to contribute to future generations, and to become involved members of a global community.

VISION OF STUDENT SUCCESS

All students who attend Rochester Public Schools will discover their individual passions along with a strong sense of self and purpose. Students graduate equipped with the skills and qualities outlined in the Graduate Profile.

UNIVERSAL GOALS

Access and Equity

Make educational equity a reality by ensuring every student experiences high-quality teaching and learning in a culturally responsive environment.

Student Achievement

Provide teaching and learning environments that engage and empower students to be critical thinkers, ethical contributors, skilled communicators, effective collaborators, resilient learners and success-ready individuals.

Accountability

Fulfill our commitment to students and families by meeting the expectations of the Graduate Profile, and enlist the community to share in this responsibility.

CORE BELIEFS

Quality schools offer engaging and challenging programs, caring and committed staff, collaborative and visible leaders, and instruction that considers the passion, interest, and needs of each student.

It is possible to increase academic achievement for each and every student.

Family and community engagement and effective partnerships are essential to achieving our vision for student success.

Students play a critical role in their learning. It is critical to identify and understand the academic, cultural, developmental, emotional, and social needs of the student.

Equity is a lens through which all decisions should be made. Education equity is the condition of justice, fairness, and inclusion in our systems of education so that all students have access to the opportunity to learn and develop to their fullest potential.

POSITIVE SCHOOL CLIMATE			
ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	Jan 2021 Update
Annual review of student handbook and applicable school board policies, including soliciting parent, student, and staff feedback	School Board/Cabinet	May/June	<ul style="list-style-type: none"> District Cabinet and Building Principals solicited feedback at the beginning of the school year. The handbook was reviewed in June and there were routine changes made to update contact information, dates, and the addition of a reference to policy 520.
PBIS framework implemented at all sites	Administration/Site PBIS Teams	Ongoing	<ul style="list-style-type: none"> Research was conducted to determine if all sites would transition to the PBIS Application for monitoring behavior referrals. Most sites currently use SWIS. The outcome was positive, but budget constraints have limited the District from making this transition. The Office of Elementary and Secondary Education provides ongoing support for implementation of PBIS strategies.
Foster positive staff and student relationships: Responsive Classroom, Love and Logic, Restorative Practices, AVID.	District and Building Leadership	Ongoing	<ul style="list-style-type: none"> SEL has been a continued focus with regular lessons delivered via technology using the Second Step curriculum for Distance Learning students as well as in-person lessons for elementary students in Hybrid. Teaching staff, Administrators, Counselors, and Social Workers are hosting virtual lunches/recess, conversation / chat time, and other non-academic meetings for student social/emotional wellness.

Meeting with Police Liaison Officers	Superintendent/District Leadership/Building Leadership	Quarterly	<ul style="list-style-type: none"> Meetings between Police Liaisons and Executive Director of Operations occurred five times this school year: September 16, October 26, and November 18. The next meeting is scheduled for February 4.
Integrate CLRT (Culturally and Linguistically Responsive Teaching) strategies into teacher evaluation tool	Midwest Plains Equity (District Equity Experts)/Department of Elementary and Secondary Education	Emerging	<ul style="list-style-type: none"> We are engaged in ongoing collaboration with the MAP Center as part of our strategic planning process.

PROFESSIONAL DEVELOPMENT/INSTRUCTIONAL PRACTICES

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	Jan 2021 Update
CLRT Practices: ongoing training with Dr. Hollie	All Certified Staff	Ongoing	<ul style="list-style-type: none"> Ongoing CLRT coaching was continued at each building with leaders, coaches, and teachers. CLRT Teacher leaders are in place at each building.
Develop building cohorts receiving extended training in CLRT	Selected staff at each site	Ongoing	<ul style="list-style-type: none"> We have identified Equity Teacher Leaders in each building. These leaders receive additional training and lead equity efforts in their building.
Ongoing internal coaching support for CLRT	Instructional Coaches/Equity Specialists/Equity Implementation Associate	Ongoing	<ul style="list-style-type: none"> CLRT and Equity leadership sessions are integrated in each monthly coaching cohort meeting.
Crisis Prevention and Intervention Strategies training	All Administration/Select Special Ed Staff	Annually	<ul style="list-style-type: none"> CPI training is offered in the fall and throughout the year. All District CPI trainers updated their certification at the end of the school year. In-person CPI training did not occur this past summer or fall due to COVID-19.
ENVoY - now Catalyst (non-verbal classroom management strategies)	All certified K-8	Ongoing	<ul style="list-style-type: none"> All new teachers received Catalyst training during the first quarter of the school year. The District supported training to provide an

			<p>internal coach at each site.</p> <ul style="list-style-type: none"> Teachers continue to receive on-site coaching to strengthen their Catalyst skills.
Extended ENVoY for Special Education Staff	Selected K-8 Special Education Staff	Ongoing	<ul style="list-style-type: none"> Ongoing individual support at the site level.
Training on Native American cultural responsiveness	All Certified Staff and Paraprofessionals	Ongoing	<ul style="list-style-type: none"> Our American Indian Liaison developed Professional Development that is available to all staff on demand.
Provide training on Student Handbook to all staff, administrators and other personnel responsible for response to student behavior	District Administration/Site Administration	Completed by the end of September each school year	<ul style="list-style-type: none"> District staff were provided this training during back to school sessions in August. Staff and students were trained on the handbook by the end of September 2020.
Site and departments develop Equity Action Plan	District Administration/Site Administration/Staff	Ongoing	<ul style="list-style-type: none"> All sites developed an improvement plan to address student behavior, academic, and perception data for the 2020-2021 school year.

BEHAVIOR INTERVENTIONS

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	Jan 2021 Update
Consistent Office Referral forms across the District	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> This action step has been completed.
Clear and consistent definitions of Level I and Level II behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> Review Level I and II behaviors with leadership and reporting requirements through the utilization of scenarios and collaborative conversations amongst leaders.
Standardization of responses to specific behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> Guidelines have been developed and District staff will continue to review and update as needed. Updates to policy and procedures are uniformly communicated to all staff. For example, the Internet Acceptable Use and

			Safety Policy was updated to prohibit the videotaping of individuals in the school setting without permission and permission will be granted only for educational purposes. This was communicated to staff across the district.
District oversight of suspensions that fall outside the behaviors outlined in the Student Handbook	Department of Elementary & Secondary Education	Ongoing	<ul style="list-style-type: none"> The Office of Elementary and Secondary Education will continue to maintain a record of suspensions that fall outside the behaviors outlined in the Student Handbook. These suspensions must receive prior approval by the Office of Elementary and Secondary when they fall outside the Handbook provisions. Suspensions of more than one day must be approved through the Office of Elementary and Secondary Education.
District oversight of referrals to law enforcement	Office of Elementary and Secondary Education	Ongoing	<ul style="list-style-type: none"> Office of Elementary and Secondary Education reviews referrals to law enforcement and ensures they meet the required guidelines for referral.
Implementation of Rochester Alternative to Suspension Program (RASP)	Department of Student Services	Ongoing	<ul style="list-style-type: none"> Middle School Right Fit is in the second year of implementation. Enrollment has expanded from 16 students last year to a current enrollment of 22 students. While other Middle School programs have been in a Distance Learning model this school year, Middle School Right Fit has been operating in a Hybrid Model four days per week for the majority of the year to date.

PROGRESS MONITORING

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	Jan 2021 Update
Analyze data concerning exclusions, suspensions and expulsions disaggregated by race, disability, school, and the most frequent reasons for discipline leading to	School Board/Site Administration/District Administration/Elementary and Secondary Department	Monthly at school sites, Semi-Annually for the School Board	<ul style="list-style-type: none"> Continue the efforts from January 2020 report The most frequent reason for suspensions between August to January 26 was physical aggression. There were no expulsions during the first

school removal			semester of the school year.
District Discipline Supervisor to meet monthly with each building administration to review all suspension data broken down by race and disability status	Building administrator/Elementary and Secondary Department	Quarterly	<ul style="list-style-type: none"> Office of Elementary and Secondary Education administrators meet with building administration to review discipline data. These meetings have been occurring with less frequency due to COVID and the decline of referrals as a result.
Inclusion of Behavior Goal within Site Improvement Plan	Building Administrator/Building Leadership Team	August/quarterly monitoring	<ul style="list-style-type: none"> All sites developed an improvement plan which may include behavior, SEL and academic goals for the 2020-2021 school year.
Site Improvement Plan Presentation	Superintendent/Cabinet/Building Leadership Teams	Annually	<ul style="list-style-type: none"> Site Plans have been reviewed at the Cabinet Level. Presentation of site plan results will occur at the end of this school year when data is available.

STUDENT, FAMILY, STAFF, COMMUNITY ENGAGEMENT

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	Jan 2021 Update
Student School Board – monthly meeting with student representation from all secondary sites	Superintendent/School Board	Monthly	<ul style="list-style-type: none"> Superintendent and School Board members meet with students from secondary sites during monthly student school board meetings.
Superintendent Listening Posts – opportunity for stakeholders to discuss topics of interest	Superintendent/Cabinet	Quarterly	<ul style="list-style-type: none"> Since our previous update, July 2020, the District has not hosted in person meetings. The School Board hosted a virtual listening session to discuss Return to School questions with parents on Thursday, Jan 14. We have used multiple surveys to gather community and staff input around school

			start time and our Safe Learning Plan.
Student Listening Posts (Secondary Level) – opportunity for students to discuss topics of interest	Superintendent/Cabinet/ Building Leadership	Quarterly	<ul style="list-style-type: none"> We were unable to complete our second first listening posts due to COVID-19.
Survey to gather feedback on the Plan	Communications/Building Leadership	Annually	<ul style="list-style-type: none"> We were unable to gather feedback from staff this fall due to COVID-19.
Student Perception Data	Building Leadership	Ongoing	<ul style="list-style-type: none"> Administered Panorama Survey to all students in Grades 3 - 12 in Fall 2021
Community Input Sessions to gather feedback (strengths, concerns, questions, suggestions) on the Plan	Superintendent/Cabinet	Semi-Annually	<ul style="list-style-type: none"> We were unable to gather feedback from staff this fall due to COVID-19.
Attend staff meetings to gather staff feedback on the Plan	Superintendent/Cabinet	Annually	<ul style="list-style-type: none"> We were unable to gather feedback from staff this fall due to COVID-19.

MEASUREMENT AND METRICS

Professional Development/Instructional Practices

The district will continue to gather needs input on culturally responsive practices and provide relevant professional development and ongoing classroom support by trained coaches and multiple experts such as Dr. Sharoky Hollie and Midwest and Plains Equity Assistance Center. The district will collect data through classroom observation, stakeholder input, and the CLASS Tool evaluation.

The Plan

The district will create a district data team to analyze discipline data and monitor progress in closing the gap on disparities. District Cabinet and Superintendent will review all feedback and use the data that is being collected to identify trends and take follow up action that is appropriate under the circumstances, which may include modifying the plan to emphasize successful strategies and deemphasize strategies that are not working.