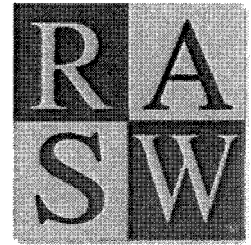


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**RUPP, ANDERSON, SQUIRES  
& WALDSPURGER, P. A.**



RECEIVED

AUG 02 2021

MN DEPT OF HUMAN RIGHTS

\*Also Admitted in Wisconsin

†Real Property Specialist Certified by  
the MN State Bar Association

July 28, 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 July 2021 compliance and monitoring report. This will be the District's last 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. It also outlines the steps the District has taken to evaluate the effectiveness of its plan, and any policy or procedure changes.

Very Truly Yours,  
*s/John P. Edison*  
John P. Edison

Enclosures  
RASW: 191845

**EOY Discipline Summary Data  
2020-2021 School Year**

<b>School</b>	<b>Number of Suspensions 20-21</b>	<b>Number of Expulsions 20-21</b>
Bamber Valley -110	1	0
Bishop-112	0	0
Churchill-116	0	0
Elton Hills-120	0	0
Folwell-122	0	0
Franklin-124	6	0
Franklin Montessori-125	0	0
Gage-126	4	0
Gibbs-129	0	0
Hoover-134	6	0
Jefferson-136	4	0
Lincoln-138	2	0
Longfellow-140	1	0
Pinewood-146	0	0
Riverside-147	6	0
Sunset Terrace-150	6	0
Washington-152	1	0
Century-305	12	0
John Marshall -310	19	0
Mayo-315	16	0
John Adams-325	0	0
Right Fit 329	1	0
Willow Creek-330	40	0
Kellogg-335	26	0
Friedell-340	2	0
Phoenix Academy-342	2	0
<b>Total</b>	<b>155</b>	<b>0</b>

**EOY Discipline Summary Data  
2020-2021 School Year**

<b>Offense category for each suspension</b>	<b>Total</b>	<b>Offense Category for each expulsion</b>
Abusive Language	3	0
Alcohol, Drugs, Tobacco, paraphernalia	24	0
Bullying	0	0
Fighting	51	0
Harassment	0	0
Harassment: Race/Nat'l Origin	0	0
Harassment: Sexual Orientation	0	0
Illegal Conduct	0	0
Interruption to Learning Environment	3	0
Physical Aggression	58	0
Property Damage	0	0
Sexual Assault	0	0
Sexual Misconduct	2	0
Theft	1	0
Threats of Violence	7	0
Trespassing	0	0
Weapon, Explosive, Incendiary Device	6	0
<b>Total</b>	<b>155</b>	<b>0</b>

<b>Total Out of School Suspensions by race</b>		<b>% of Suspension by Race</b>	<b>Total Expulsions by Race</b>
Native American	3	2%	0
Asian	2	1%	0
Hispanic	27	17%	0
Black	45	29%	0
Hawaiian	0	0.0%	0
White	61	39%	0
Multi Race	17	11%	0
<b>Total</b>	<b>155</b>		<b>0</b>

**EOY Discipline Summary Data  
2020-2021 School Year**

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	89	0
Identified with disability	66	0
<b>Total</b>	<b>155</b>	

During the 20-21 school year there were 155 out of school suspensions, 0 expulsions, and 0 exclusions. For out-of-school suspensions, 3% were for students who registered as Native American, 2% were for students who registered as Asian, 17% were for students who registered as Hispanic, 0% were for students who registered as Hawaiian, 29% were for students who registered as Black, 39% were for students who registered as White, 11% were for students who registered under more than one race.

## **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	June 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"> <li>• District Cabinet and Building Principals solicited feedback at the beginning of the school year.</li> <li>• 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.</li> </ul>
PBIS framework implemented at all sites	Administration/Site PBIS Teams	Ongoing	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The Office of Elementary and Secondary Education provides ongoing support for implementation of PBIS strategies.</li> <li>• The Office of Elementary and Secondary Education conducted a review of current systems in place for review and proactive response to discipline data at each RPS site. A work group made up of building leaders, Equity Specialists, teachers and other stakeholders will develop a list of best practices based on the current review structures in place.</li> </ul>
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"> <li>• 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.</li> <li>• 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.</li> <li>• An RPS administrator attended training to become a Restorative Practices trainer. A number of staff attended the MDE Restorative Practices training in June of 2021.</li> </ul>

Meeting with Police Liaison Officers	Superintendent/District Leadership/Building Leadership	Quarterly	<ul style="list-style-type: none"> <li>Meetings between Police Liaisons and Executive Director of Operations occurred five times this school year: September 16, October 26, and November 18. Since the last update, meetings have been held on January 12, April 15, May 24, and June 2.</li> <li>Collaborative meetings between Rochester Police Department and a committee of RPS employees spanning multiple positions throughout the system have occurred during May and June regarding SROs. SROs will adjust their dress for the upcoming school year to a less formal uniform. SROs will participate in SEL training along with RPS staff.</li> </ul>
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"> <li>We are engaged in ongoing collaboration with the MAP Center as part of our strategic planning process. A team of RPS staff attended additional training in April and June, and will finalize planning soon.</li> </ul>

### PROFESSIONAL DEVELOPMENT/INSTRUCTIONAL PRACTICES

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	June 2021 Update
CLRT Practices: ongoing training with Dr. Hollie	All Certified Staff	Ongoing	<ul style="list-style-type: none"> <li>Ongoing CLRT coaching was continued at each building with leaders, coaches, and teachers.</li> <li>CLRT Teacher leaders are in place at each building.</li> <li>We have expanded the number of CLRT Teacher leaders for 2021-22.</li> </ul>
Develop building cohorts receiving extended training in CLRT	Selected staff at each site	Ongoing	<ul style="list-style-type: none"> <li>We have identified Equity Teacher Leaders in each building. These leaders receive additional training and lead equity efforts in their building.</li> </ul>
Ongoing internal coaching support for CLRT	Instructional Coaches/Equity Specialists/Equity Implementation Associate	Ongoing	<ul style="list-style-type: none"> <li>CLRT and Equity leadership sessions are integrated in each monthly coaching cohort meeting.</li> </ul>

Crisis Prevention and Intervention Strategies training	All Administration/Select Special Ed Staff	Annually	<ul style="list-style-type: none"> <li>• 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.</li> <li>• CPI initial and recertification training will be offered in July and August for teachers, paras and administrators.</li> </ul>
ENVoY - now Catalyst (non-verbal classroom management strategies)	All certified K-8	Ongoing	<ul style="list-style-type: none"> <li>• All new teachers received Catalyst training during the first quarter of the school year.</li> <li>• The District supported training to provide an internal coach at each site.</li> <li>• Teachers continue to receive on-site coaching to strengthen their Catalyst skills.</li> </ul>
Extended ENVoY for Special Education Staff	Selected K-8 Special Education Staff	Ongoing	<ul style="list-style-type: none"> <li>• Ongoing individual support at the site level.</li> </ul>
Training on Native American cultural responsiveness	All Certified Staff and Paraprofessionals	Ongoing	<ul style="list-style-type: none"> <li>• Our American Indian Liaison developed Professional Development that is available to all staff on demand.</li> <li>• All elementary staff participated in American Indian Professional Development in February.</li> </ul>
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"> <li>• District staff will be provided this training during back to school sessions in August. Staff and students will be trained on the handbook by the end of September 2021.</li> </ul>
Site and departments develop Equity Action Plan	District Administration/Site Administration/Staff	Ongoing	<ul style="list-style-type: none"> <li>• All sites developed an improvement plan to address student behavior, academic, and perception data for the 2020-2021 school year.</li> </ul>



## BEHAVIOR INTERVENTIONS

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	June 2021 Update
Consistent Office Referral forms across the District	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>This action step has been completed.</li> </ul>
Clear and consistent definitions of Level I and Level II behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>Review Level I and II behaviors with leadership and reporting requirements through the utilization of scenarios and collaborative conversations amongst leaders.</li> </ul>
Standardization of responses to specific behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>Guidelines have been developed and District staff will continue to review and update as needed.</li> <li>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.</li> </ul>
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"> <li>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.</li> <li>Suspensions of more than one day must be approved through the Office of Elementary and Secondary Education.</li> </ul>
District oversight of referrals to law enforcement	Office of Elementary and Secondary Education	Ongoing	<ul style="list-style-type: none"> <li>Office of Elementary and Secondary Education reviews referrals to law enforcement and ensures they meet the required guidelines for referral.</li> </ul>

Implementation of Rochester Alternative to Suspension Program (RASP)	Department of Student Services	Ongoing	<ul style="list-style-type: none"> <li>Middle School Right Fit completed the second year of implementation. Enrollment has expanded from 16 students last year to a current enrollment of 22 students.</li> </ul>
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**PROGRESS MONITORING**

<b>ACTION STEP</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TIMELINE</b>	<b>June 2021 Update</b>
Analyze data concerning exclusions, suspensions and expulsions disaggregated by race, disability, school, and the most frequent reasons for discipline leading to school removal	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"> <li>The most frequent reasons for suspensions between January 26 and June 7 was physical aggression and fighting.</li> <li>There were no expulsions during the 2020-21 School Year.</li> </ul>
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"> <li>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.</li> </ul>
Inclusion of Behavior Goal within Site Improvement Plan	Building Administrator/Building Leadership Team	August/quarterly monitoring	<ul style="list-style-type: none"> <li>All sites will develop an improvement plan which may include behavior, SEL and academic goals for the 2021-2022 school year.</li> </ul>
Site Improvement Plan Presentation	Superintendent/Cabinet/Building Leadership Teams	Annually	<ul style="list-style-type: none"> <li>Site Plans will be reviewed at the Cabinet Level. Presentation of site plan results will occur at the end of this school year when data is available.</li> </ul>

## STUDENT, FAMILY, STAFF, COMMUNITY ENGAGEMENT

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	June 2021 Update
Student School Board – monthly meeting with student representation from all secondary sites	Superintendent/School Board	Monthly	<ul style="list-style-type: none"> <li>Superintendent and School Board members meet with students from secondary sites during monthly virtual student school board meetings.</li> </ul>
Superintendent Listening Posts – opportunity for stakeholders to discuss topics of interest	Superintendent/Cabinet	Quarterly	<ul style="list-style-type: none"> <li>Since our previous update, January 2021, 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.</li> <li>We have used multiple surveys to gather community and staff input around school start time and our Safe Learning Plan.</li> </ul>
Student Listening Posts (Secondary Level) – opportunity for students to discuss topics of interest	Superintendent/Cabinet/ Building Leadership	Quarterly	<ul style="list-style-type: none"> <li>We were unable to complete our listening posts due to COVID-19.</li> </ul>
Survey to gather feedback on the Plan	Communications/Building Leadership	Annually	<ul style="list-style-type: none"> <li>We were unable to gather feedback from staff due to COVID-19.</li> </ul>
Student Perception Data	Building Leadership	Ongoing	<ul style="list-style-type: none"> <li>Administered Panorama Survey to all students in Grades 3 - 12 in fall 2020 and spring 2021.</li> </ul>
Community Input Sessions to gather feedback (strengths, concerns, questions, suggestions) on the Plan	Superintendent/Cabinet	Semi-Annually	<ul style="list-style-type: none"> <li>We were unable to gather feedback from staff due to COVID-19.</li> </ul>
Attend staff meetings to gather staff feedback on the Plan	Superintendent/Cabinet	Annually	<ul style="list-style-type: none"> <li>We were unable to gather feedback from staff due to COVID-19.</li> </ul>