

**Minnesota Department of Human Rights and Independent School District No. 15,
St. Francis, Minnesota
Collaboration Agreement**

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

Independent School District No. 15, St. Francis (the District) provides public education to school-aged children within its district.

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

The Department and District 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 District applies its student discipline policies and procedures in a non-discriminatory manner.

The Department and District have a strong a commitment to:

- Work together on behalf of the District's students to ensure their success; and
- Collaborate and use their best efforts to improve student academic achievement by reducing suspension and expulsion for students and address any disparity for students of color and students with disabilities.

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

The Department and District recognize that there are many strategies that can be implemented within a school environment and that the District should have the ability to select the specific strategy it feels is best for its school community.

The Department and District recognize that there are several federal and state educational mandates for the District to achieve. The Department and District recognize that the District should have flexibility in crafting a Plan that is best suited for its school community.

The Department and District 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 District recognize that the Department will affirmatively seek to assist the District in securing resources among private foundations, private businesses, and governmental units to support efforts within the District to reduce the need to suspend or expel students.

Therefore, the Department and District, collectively referred to as Parties, agree as follows:

1. On or before September 15, 2018, the District will develop and submit a final Strategic Discipline Plan (Plan) to the Department. An initial draft of the Plan is attached as Exhibit A to this Agreement. The parties shall use their best efforts to resolve any outstanding issues with the final Plan within 15 days of its submission to the Department. When agreed to by both parties, the final Plan shall be incorporated into this Agreement as Exhibit B. At a minimum, the Plan will identify or address the following:
 - a. The role and responsibilities of the Board, Superintendent, Principals, and other relevant individuals to ensure discipline is properly implemented as identified within the Plan;
 - b. The tracking system the District uses to track office referrals, partial day dismissals, in-school and out-of-school suspensions, expulsions, and exclusions at each school site and how and when the District will analyze this data;
 - c. Applicable policies and procedures and the process for policy revisions, including how the District will engage its students, parents, and teachers in the policy revisions;
 - d. School Resource Officers are not involved in recommending or determining student discipline or in investigating incidents of student discipline that do not involve a crime;
 - e. A comprehensive training and professional development plan for teachers and administrators on the District's selected educational strategies and best practices that are designed to address student behavioral issues in the classroom; and
 - f. The District's engagement efforts to ensure input from students, parents, and teachers so the District can obtain qualitative data on a regular and on-going basis throughout the length of this Agreement.
2. The District will submit semi-annual reports to the Department demonstrating its efforts to comply with the provisions of this Agreement and to implement its Plan. The District will provide semi-annual reports by September 1 of each year, and the second semi-annual report by February 1. The September report will address activity for the preceding months of January through June. The February report will address activity for the preceding months of July

through December. The first semi-annual report is due to the Department on September 1, 2018.

3. At a minimum, the semi-annual report will include the following information for each strategy identified in the Plan:
 - a. The intended outcome;
 - b. Specific steps for the District to implement the strategy;
 - c. Metrics the District developed to measure the effectiveness of the strategy; and
 - d. Any changes implemented by the District in light of results in the reporting period.

4. The semi-annual report will also include the following information:
 - a. The date the student was suspended or expelled;
 - b. The race, ethnicity, national origin and gender of the student suspended/expelled;
 - c. Whether the student is a student with a disability;
 - d. The reason(s) for the student's suspension or expulsion;
 - e. The length of the suspension or expulsion; and
 - f. Dates the student was previously suspended or expelled during the academic school year.

5. The Parties acknowledge that the release of information concerning this matter is governed by the Federal Educational Rights and Privacy Act, 20 U.S.C. 1232g, the Minnesota Human Rights Act, Minn. Stat. §§ 363A et. seq., the Minnesota Government Data Practices Act, Minn. Stat. §§ 13.03 et. seq., and the Official Records Act, Minn. Stat. §§ 15.17 et. seq. The District acknowledges the Department's position that it may seek educational data under Minn. Stat. § 363A.06, Subd. 1(a)(9) pursuant to a lawfully issued subpoena and the Department acknowledges the School District's notification obligations to parents and/or students and that Students or Parents have a right to challenge the release of educational data pursuant to a subpoena or court order. The Department agrees that any personally identifiable educational data received from the District pursuant to a subpoena will not be re-released unless ordered by a Court of competent jurisdiction. The Department agrees to maintain any educational data received from the District pursuant to a subpoena in a secure manner with restricted internal Department access to such educational data.

6. The Department, in collaboration with the Minnesota Department of Education ("MDE"), school districts, and charter schools, will create a Diversion Committee during the 2017-2018 school year. The District will designate a representative or representatives to serve on the Diversion Committee.

7. The purpose of the Diversion Committee is to review and analyze aggregate suspension data of school districts and charter schools and to develop and create best practices for reducing suspension and expulsion rates for students of color and students with disabilities.

8. The Diversion Committee may consider creating subcommittees as necessary to meet its purpose, which could include the following:

- a. DIRS – Create greater clarity for schools on the conduct schools should report to MDE;
 - b. Strategies– Best practices for understanding, teaching, evaluating, and monitoring implementation of 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.
9. 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 rates for students of color 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 District 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.
10. The Parties agree that the Parties may make public: (a) the terms of this Collaboration Agreement and (b) the information classified as public data under the Minnesota Government Data Practices Act. The Parties agree to provide each other drafts of any intended press releases or responses to media inquiries related to this Collaborative Agreement, and the Parties will attempt to work collaboratively on the content.
11. 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.
12. The Parties have mutually agreed to enter into this Collaboration Agreement to work together on a nation-wide and state-wide issue. 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 made a probable cause discrimination finding against the District and has not found a violation of the Minnesota Human Rights Act.
13. This Collaboration Agreement begins on the date that the Parties execute it and ends on September 1, 2021.

14. 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.
15. 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.
16. 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 equally drafted 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.
17. 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. A Party may initiate judicial proceedings to enforce this Collaboration Agreement only if the Parties reach an impasse after negotiating in good faith for 30 days.

7-23-18
Date

7-23-18
Date

7/31/18
Date


Mike Starr, School Board Chair
St. Francis School District


Troy Ferguson, Superintendent
St. Francis School District

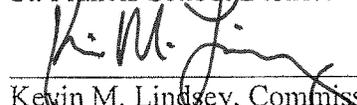

Kevin M. Lindsey, Commissioner
Minnesota Department of Human
Rights

Exhibit A - INITIAL DRAFT

Suspension and Expulsion Reduction Plan

St. Francis Area Schools ISD#15

Draft, July 23, 2018

Our goal is to decrease disproportionality in discipline for students of color and students with disabilities, and to reduce the overall number of suspensions and expulsions for all students in the district.

Strategy: Revise and update the School Board Policy 406 - Student Discipline

Key Action Steps:

- The Superintendent will identify a workgroup to manage and facilitate a complete review and update of the Student Discipline Policy.
- The work group will make recommendations to the school board's policy review committee regarding policy 406.
- The school board will seek additional community input into the proposed student discipline policy.
- The school board will approve an updated Student discipline policy which will provide more specific discipline procedures and which reflect the district's efforts to promote positive behavioral intervention strategies whenever possible as an alternative to suspension. Note: The Policy 406 revision will reaffirm the district position that School Resource Officers are not involved in recommending or determining student discipline or in the investigating incidents of student discipline that do not involve a crime.

Strategy: Provide and/or expand professional development opportunities for school personnel in the area of cultural awareness and cultural competency.

Key Action Steps:

- The superintendent and the district cabinet will develop a plan to implement appropriate professional development opportunities within the district in order to enrich staff understanding for applying culturally relevant and developmentally appropriate strategies. Activities may include:
 - Explore and/or extend collaborative partnerships with outside agencies to provide professional development
 - Provide professional development on Restorative Practices that may include, but are not limited to, age appropriate responses to behavior, de-escalation techniques, trauma-informed practices, equitable learning

environment and implicit bias

- Provide professional development on the Social Emotional Competencies as identified by the MN Department of Education
- Provide targeted professional development for remedial situations

Strategy: Develop and implement a district-wide system for reporting all student discipline issues.

Key Action Steps:

- The Superintendent will assign an administrative team to develop and implement a district-wide system of both consistent application and accurate reporting of disciplinary actions. Components of this district system will include:
 - Tracking office referrals
 - Partial day dismissals
 - In-school and out of school suspensions
 - Expulsions and exclusions at each site
 - A process for the district to review and analyze the data
- The assigned administrative team will also provide professional development for all building administrators on appropriate and consistent application of discipline procedures.
- Each Principal/Building Administrator will be responsible for the training of their building staff and the implementation of discipline procedures and strategies with fidelity.

Strategy: Establish a Student Discipline Data Review Committee to review the outcomes of all disciplinary incidents which result in a suspension of a student. The intent of the committee is to provide information to the superintendent concerning all student suspensions. This committee will also be primarily responsible for the successful implementation of all aspects of the St. Francis Area Schools/MDHR Strategic Discipline Plan.

Key Action Steps:

- Establish a District-wide Admin Discipline Assessment Team to work in conjunction with School Leadership Teams
- The District-wide Admin Discipline Assessment Team will
 - review and analyze monthly suspension data
 - review reports from school Leadership Teams
 - engage in PLC discussions around suspension data disaggregated by race, ethnicity and disability
- Review DIRS reporting process and discuss subjectivity/objectivity of DIRS categories that lead to suspension, including bullying, cyber bullying,

harassment, disruptive/disrespectful behavior, insubordination, threats, intimidation and "other acts".

- Be responsible for the semi-annual reports to MDHR
- Report on a semi-annual basis during the 2018-19 and 2019-20 school years to the school board their progress on implementing this Discipline Strategic Plan and the outcomes resulting from its implementation.

Strategy: Revise the district's Student Handbooks regarding discipline, student rights and responsibilities. The update of the Student Handbooks will be consistent with a revised and adopted School Board Policy 406.

Key Action Steps:

- Form a revision committee, with representatives from elementary level, secondary level, special education, Indian education liaison, alternative learning programs, and district administration.
- Seek input from stakeholders (including students and families), as determined by the committee
- Make appropriate revisions to the handbook
- Present handbook to the school board for approval
- Train all staff on handbook
- Distribute handbook to each family
- Post handbook to district website