

MINNESOTA DEPARTMENT OF HUMAN RIGHTS AND  
INDEPENDENT SCHOOL DISTRICT NO. 283 (ST. LOUIS PARK)

**CONCILIATION AND COLLABORATION AGREEMENT**

This Conciliation and Collaboration Agreement is entered into by and between the Minnesota Department of Human Rights ("Department") and Independent School District No. 283, St. Louis Park, Minnesota ("School District").

The Department enforces the Minnesota Human Rights Act (Act) and eliminates unfair discriminatory practices through the initiation and investigation of administrative charges and through education, conference, conciliation, and persuasion. Minn. Stat. § 363A.06.

The School District provides public education to school-aged children within its boundaries and has implemented age-specific programs as well as recently updating its 2015-2020 Strategic Plan in August of 2017. The School District's work includes a number of strategies that impact the overall experiences of students of color and indigenous students. Generally, some of those strategies include:

- A plan to ensure its curriculum, learning, and teaching practices are culturally relevant;
- Updating its student discipline process to reflect a multi-tiered system of support;
- Specifically looking at restorative practices and trauma-informed practices as strategies in its support in this area;
- Effective staff recruitment and retention practices to increase the racial diversity of its workforce; and
- Developing a systemic process for seeking multiple perspectives

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

The Department and School District have a strong commitment to:

- Work together on behalf of all Minnesota students to provide opportunities for success; and
- Collaborate and use their best efforts to improve student academic achievement by recognizing the potential for disparate suspension outcomes for students from racial minority communities and students with disabilities.

The Department and School District acknowledge that exclusionary discipline can have serious, long term, and detrimental effects on student engagement and achievement, but also understand that circumstances may occur that necessitate a remedial response of exclusionary discipline and, in those situations the School District must retain discretion to provide an appropriate response.

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

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

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

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

The Department filed charge of discrimination no. 68088 against the School District and the School District provided an initial response on March 21, 2018.

The School District expressly denies any allegation that any apparent disparities with respect to student discipline imposed by the School District are the result of discrimination or any other unlawful conduct.

Therefore, the Department and the School District, collectively referred to as Parties, now desire to conciliate all claims which have been asserted in the charge of discrimination and agree as follows:

1. This agreement shall have no effect upon the School District's authority under Minnesota Statutes Sections 121A.40 to 121A.56 to suspend, expel, and exclude students from school. The Minnesota Human Rights Act makes it an unfair discriminatory practice for the School District to exclude, expel, or otherwise discriminate against a person seeking admission as a student, or a person enrolled as a student because of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.
2. The School District has developed and submitted to the Department a Strategic Plan (Plan) that details its strategies for reducing student discipline in the areas identified by the Department, including disruptive/disorderly conduct/insubordination, verbal abuse, bullying, cyber bullying, harassment, threat/intimidation, attendance, and other, which is attached as Exhibit A to this Agreement. The School District will retain sole discretion to determine how to undertake the efforts outlined in its Plan. The School District will obtain input from students, parents, and teachers to obtain qualitative data on a regular and on-going basis concerning the strategies identified in Exhibit A and will provide the Department with information on the School District's engagement efforts and if input from stakeholders was utilized.
3. The School 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.
4. At a minimum, the report will include the following information for each strategy the Plan identified:
  - a. The School District's intended outcomes for its Plan;
  - b. Specific steps the School District took to implement the Plan;
  - c. Metrics the School District developed to measure the effectiveness of the Plan;
  - d. Summary data, as defined in Minnesota Statutes section 13.02, subdivision 19, containing the following information with respect to disciplinary incidents involving disruptive/disorderly conduct/insubordination, verbal abuse, bullying, cyber bullying, harassment, threat/intimidation, attendance, and other:
    - (i.) The number of suspensions, exclusions, and expulsions at each school site during the reporting period;
    - (ii.) A brief description of the reason for each suspension, exclusion, and expulsion; and
    - (iii.) Disaggregated data showing the breakdown of each disciplinary incident identified in the report by race and by disability status;
  - e. Any changes implemented by the School District in light of the results during the reporting period.

5. The Department, in collaboration with MDE, School Districts, and Charter Schools, will create a Diversion Committee during the 2017-2018 school year. The School District will designate a representative or representatives to serve on the Diversion Committee.
6. The Diversion Committee will:
  - a. Review and analyze aggregate suspension data of School Districts and Charter Schools;
  - b. Review and analyze suspension practices of School Districts and Charter Schools;
  - c. Develop legislative proposals that will have a positive impact on reducing suspensions and expulsions from racial and ethnic minority communities and students with disabilities. The School District reserves the right to dissent or otherwise disassociate itself from the legislative proposals in its sole discretion; and
  - d. Develop and create best practices for school boards, superintendents, discipline supervisors, principals, teachers, staff, and discipline assessment teams on the issues identified within this Agreement.
7. The Diversion Committee will be comprised of the following subcommittees:
  - a. DIRS – 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.
8. The Diversion Committee will provide information and recommendations to the Department. Based on the information and recommendations the Diversion Committee provides to the Department, the Department will:
  - a. Coordinate external stakeholders to drive at community based solutions;
  - b. In collaboration with MDE, publish technical guidance on best practices to reduce suspension and expulsion disparities for students of color and students with disabilities;
  - c. Facilitate conversations with other government units to explore ways to eliminate duplication of services and barriers for families and students;
  - d. Facilitate a legislative policy report;
  - e. Provide technical assistance on civil engagement;
  - f. Provide feedback to school districts 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.

9. 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 Department agrees that any personally identifiable educational data received from the School District will not be re-released unless ordered by a Court of competent jurisdiction. The Department agrees to maintain any educational data received from the School District in a secure manner with restricted internal Department access to such educational data. The School District acknowledges the Department's right to seek educational data under Minn. Stat. § 363A.06, Subd. 1(a)(9) pursuant to a lawfully issued subpoena and the Department acknowledges the Student's or Parent's right to challenge the requested release of educational data.
10. The Department will dismiss the charge of discrimination entitled *Lindsey v. ISD #283, St. Louis Park Public Schools*, Charge No. 68088 and waive the right to proceed against the School District with respect to the claims alleged in the charge under the Minnesota Human Rights Act. The School District agrees this Agreement is enforceable in the same manner as a final decision of the Department. Minn. R. 5000.0800, Subp. 3.
11. The Parties agree that the Department may make public: (a) the terms of this Conciliation and Collaboration Agreement pursuant to Minn. Stat. § 363A.06, subd. 4 and (b) the information identified as public data in Minn. Stat. § 363A.35. The Parties agree to work collaboratively on any press releases and responses to media inquiries concerning this Conciliation and Collaboration Agreement.
12. If a Court of competent jurisdiction, for any reason, holds any part of this Conciliation and Collaboration Agreement invalid, unlawful, or otherwise unenforceable, such decision shall not affect the validity of any other part of the Conciliation and Collaboration Agreement.
13. This Conciliation and Collaboration Agreement is not to be construed as an admission of liability or wrongdoing by or on behalf of the School District. The Department has not made a probable cause discrimination finding against the School District and has not found a violation of the Act.
14. This Conciliation and Collaboration Agreement begins on the date that the parties execute it and ends on September 1, 2021.
15. The parties to this Conciliation and Collaboration Agreement acknowledge that they have read and have gained an understanding of the terms of this Conciliation and Collaboration Agreement, that legal counsel has represented them or they had the opportunity to retain legal counsel, and they are voluntarily entering into this Conciliation and Collaboration Agreement.

16. This Conciliation and 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 Conciliation and Collaboration Agreement to be signed on the dates opposite their signatures.
17. Minnesota law will govern the construction and interpretation of this Conciliation and Collaboration Agreement. No rule of strict construction shall apply against either Party as both Parties equally drafted the Conciliation and Collaboration Agreement. The Parties agree that any action regarding interpretation or adherence to the terms of Conciliation and Collaboration Agreement shall be filed in Ramsey County district court.
18. If either party believes that the other is in material breach of this Conciliation and Collaboration Agreement that party will notify the other party in writing and will identify the specific provisions of this Conciliation and Collaboration Agreement the party believes the other party is breaching. The party will request a meeting with the other party to resolve the outstanding issue. Notwithstanding section no. 9 of this agreement, the parties shall only initiate administrative or judicial proceedings to enforce this Conciliation and Collaboration Agreement if the parties reach an impasse after negotiating in good faith for 30 days.
19. To the extent consistent with State and Federal law, nothing in this Conciliation and Collaboration Agreement prevents the Department from periodically requesting information from the School District.

6/25/18

Date



Karen Waters, Chair of the Board  
St. Louis Park Public Schools

6/25/18

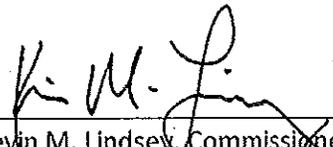
Date



Astein Osei, Superintendent  
St. Louis Park Public Schools

6/30/18

Date



Kevin M. Lindsey, Commissioner  
Minnesota Department of Human Rights

## EXHIBIT A

### St. Louis Park Public Schools Strategies for Reducing Suspensions

#### Our Mission

As a caring, diverse community with a tradition of putting its children first, we will ensure all students attain their highest level of achievement; prepare all students to contribute to society; offer high quality opportunities for lifelong learning; provide multiple pathways to excellence; challenge all learners to meet high standards; and provide a safe and nurturing environment that energizes and enhances the spirit.

#### Core Values

We believe that...

- Everyone has equal intrinsic worth.
- We will enhance the healthy development of each learner by engaging and supporting families and communities.
- High expectations challenge everyone to higher levels of achievement.
- Through persistent effort in an equitable environment, everyone can achieve maximum performance.
- Lifelong learning is essential to the individual's quality of life and the vitality of the community.
- Everyone has the capacity and responsibility to contribute to the well being of others.
- Respect of self and others is fundamental for a strong, healthy community.
- High quality education creates opportunities throughout an individual's life.
- Embracing individual differences enriches a community.
- Hopes and dreams inspire and motivate people to invest in themselves and their community.

Action Steps		
Culturally Relevant Teaching	Person(s) Responsible	By When
Evidence based curriculum, instruction, and assessments are based on The 4 R's (Relevance, Rigor, Realness, and Relationships), aligned to the Minnesota K-12 Academic Standards and IB/Immersion principles to prepare all students for career and college readiness.	Director of Curriculum & Instruction; Superintendent	Ongoing
Systems of support for students in tiered instruction are extended from early learning through high school to support all learners and are aligned with our understanding of the impact of color, culture, and consciousness on student learning.	Director of Curriculum & Instruction; Superintendent; Equity Coaches; Instructional Coaches; Principals	Ongoing

Partnering with families, community and organizations to provide opportunities for parents of youth beyond the school day to extend learning and create a culture of academic success.	Principals; Cultural Liaisons; Teachers; Staff	Ongoing
Leadership creates and maintains an environment that supports powerful learning and high expectations for all learners.	District Equity Leadership Team; Principals	Ongoing
Professional development that is job-embedded, data-driven, and on-going and is inclusive of all educators within a school community will be integral to successful implementation of the plan.	Professional Development Committee	Ongoing
Learning teams and Professional Learning Communities take a team-oriented approach to improving the instruction and institutional structures that promote Culturally Relevant Pedagogy	Director of Curriculum & Instruction; Superintendent; Principals; Professional Development Committee	Ongoing
Leaders move culturally relevant learning and teaching practices beyond the classroom and make it an ongoing organization practice in an adaptive manner	District Equity Leadership Team; Principals	Ongoing
Leaders apply Courageous Conversations about Race protocol to examine the 4 R's (rigor, relationships, relevance, and realness)	District Equity Leadership Team; Principals	Ongoing
Leaders apply critical race theory tenets to inform understandings of teaching and learning power dynamics	Director of Curriculum & Instruction; Superintendent; Principals; Director of Research & Assessment	Ongoing
Leaders apply systems thinking tools to create structures for teachers to engage in racially-conscious cycles of inquiry/action-research, and to share their learning with the entire school staff	Director of Curriculum & Instruction; Superintendent; Principals; Director of Research & Assessment	Ongoing

Recruitment & Retention of staff that reflect our student demographics	Person(s) Responsible	By When
<p>Implement SLP Recruitment and Hiring Guide for Supervisors that includes:</p> <ul style="list-style-type: none"> <li>o Case for Racial Diversity and need to recruit and select more staff of color.</li> <li>o The role of the HR Department in overseeing the process to increase diversity – monitoring results and having conversations with hiring managers.</li> <li>o The steps for a more expanded Search Process to recruit.</li> <li>o Reviewing position descriptions to ensure that we are not “over credentialing jobs” or creating excessive barriers to entry into positions.</li> <li>o Conversations with hiring managers to create a diverse selection team and conduct screening of applicants that is inclusive. Reviewing past hiring and the racial makeup of recent hires, turnover and the overall demographics of their school/department.</li> <li>o Ground rules around creating a fair, respectful and legal interview and reference check process.</li> <li>o Reviewing the Background check process to ensure that it does not have adverse and unintended consequences for candidates of color.</li> </ul>	Director of Human Resources	Ongoing
<p>Training SLP Hiring Managers and Interview Teams to help build awareness around the goals and use of the system.</p>	Director of Human Resources	Ongoing
<p>Performance evaluations for Directors and Supervisors/Managers are implemented and include accountability for hiring managers on building diverse teams and supporting racial equity within their staff.</p>	Director of Human Resources	Ongoing
<p>Affinity Groups</p>	Human Resources and Director of Research and Assessment	Ongoing

Utilize a systemic process to review and evaluate the alignment of all district structures and systems. Create a management dashboard tool with important metrics to facilitate leaders in the review and evaluation of district systems and structures.	Human Resources and Director of Research and Assessment	2018-19
Set SLP expectations to create a culture around effective communications throughout the District. Develop HR onboarding process that gets new employees the information they need to know about SLP, Mission, Values, Culture and their specific job expectations.	Human Resources and Director of Research and Assessment	2018-19
<b>Professional Development</b>	<b>Person(s) Responsible</b>	<b>By When</b>
Beyond Diversity	Professional Development Committee	Ongoing
Beyond Diversity II	Professional Development Committee	Ongoing
Coaching for Racial Equity	Professional Development Committee	Ongoing
Culturally Relevant Instructional Coaching	Professional Development Committee	Ongoing
Culturally Relevant Teaching and the Brain	Professional Development Committee	Ongoing
Trauma Informed Practices	Professional Development Committee	2018-19
Restorative Practices	Professional Development Committee	2018-19
<b>Positive School Culture &amp; Response to Behavior</b>	<b>Person(s) Responsible</b>	<b>By When</b>
Periodic student handbook review with students	Principal	Ongoing
Active supervision during passing time	Principal	Ongoing
Superintendent Student Advisory Council	Superintendent	Ongoing
Responsive classroom (elementary), Developmental Designs (middle school), Building Assets Reducing Risk (BARR) (high school)	Director of Curriculum & Instruction; Principal	Ongoing

Proactive advisory lessons on being "upstanders"	Principal; Counselors	Ongoing
Anti-racist student leadership programming SOAR and Dare 2 Be Real	Superintendent; Director of Curriculum & Instruction	Ongoing
Equity walks	District Equity Leadership Team; Principals	Ongoing
Consistent Office referral form across the district	District Equity Leadership Team; Principals	2018-19
Restorative circles at every site	Superintendent; Director of Student Services	2019-20
Alternative to Suspension (PAUSE/RSVP)	Superintendent; Director of Student Services	Ongoing
Principal Consult with Director of Student Services for suspensions over 3 days	Superintendent; Director of Student Services; Principal	Ongoing
Districtwide review of suspension data disaggregated by site following the conclusion of each quarter	Superintendent; Director of Student Services;	2018-19
Consistent district wide pre/post process to repair harm after incident resulting in suspension	Superintendent; Director of Student Services	2018-19
Closure of behavior rooms at elementary sites	Superintendent; Director of Student Services; Principal	2019-20
Review and update district wide behavior policy and procedure	District Equity Leadership Team; Principals	2018-19