

**Minnesota Department of Human Rights and  
Independent School District No. 861, Winona Area Public Schools  
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 (“Act”).

Independent School District No. 861, Winona Area Public Schools (“District”) provides public education to school aged children within its district and strives to empower students of all ages to be life-long learners who demonstrate creative thinking, critical analysis and problem solving skills in an every changing and challenging world.

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 disparate suspension and expulsion outcomes for students from racial minority communities 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. The District has developed and submitted to the Department a Strategic Plan ("Plan"), which is attached as Exhibit A to this Agreement. The District will obtain input from students, parents, and teachers to obtain qualitative data on a regular on-going basis concerning the plan identified in Exhibit A and will provide the Department with information on the District's engagement efforts and how input from stakeholders was utilized.
2. The District will submit a semi-annual report to the Department regarding implementation of its Plan in September and February of each year. The reports will address activity for the preceding six-month period.
3. At a minimum, the report will include the following information for each strategy the Plan identified:
  - a. The intended outcomes;
  - b. Specific steps the District took 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 suspension information provided to the DST discussed in the organizational development section of the Plan. The suspension data will not identify specific students.
5. The Department, in collaboration with 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.
6. 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.
7. 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.
8. 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 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.
9. The Parties acknowledge that the release of information concerning this matter is governed by the Act, the Minnesota Government Data Practices Act, Minn. Stat. §§ 13.03 *et. seq.*, and the Official Records Act, Minn. Stat. §§ 15.17 *et. seq.*
10. 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.
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 Act.
13. This Collaboration Agreement begins on the date that the parties execute it and ends with the submission of the report on September 1, 2021 for the 2020-2021 academic year.
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. 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.
18. To the extent consistent with State and Federal law, nothing in this Collaboration Agreement prevents the Department from requesting information from the District.

5/17/18  
 \_\_\_\_\_  
 Date

*Ben Baratto*  
 \_\_\_\_\_  
 Ben Baratto, School Board Chair

5/17/18  
 \_\_\_\_\_  
 Date

*Allison Quam*  
 \_\_\_\_\_  
 Allison Quam, School Board Clerk

5/4/2018  
 \_\_\_\_\_  
 Date

*Kevin Lindsey*  
 \_\_\_\_\_  
 Kevin Lindsey, Commissioner  
 Minnesota Department of Human Rights

## Exhibit A



### SAFE SUPPORTIVE LEARNING PLAN PROCESS TO EXAMINE OUT OF SCHOOL SUSPENSIONS

Winona Area Public Schools (WAPS) recognizes:

- All students have an equal opportunity to learn and grow in school.
- Fair and equitable discipline policies are an important component of creating an environment where all students feel safe and welcome
- Schools are safer when all students feel comfortable and are engaged in the school community
- The goals of equity and school safety are complementary, and together help ensure a safe school free of discrimination

This Safe Supportive Learning Plan (Plan) is focused on decisions, training, monitoring and oversight related to the suspensions out of school based on the following reasons: attendance, bullying, cyber-bullying, disruptive/disorderly conduct/insubordination, harassment, threat/intimidation, and verbal abuse. These categories of behaviors are referred to throughout this Plan as the "Target Categories."

#### **Plan Goals:**

To guide WAPS in creating and maintaining safe and orderly educational environments that allow our students to learn and thrive, we strive to build a comprehensive, appropriate, and effective behavior support system that will:

- reduce disruption and misconduct;
- support and reinforce positive behavior and character development; and
- help students succeed.

The District intends to review its discipline policies and procedures, particularly with regard to the discipline imposed with respect to the Target Categories to ensure that its policies and procedures are correctly and evenhandedly followed with respect to all District students.

The District intends to take proactive steps to reduce the number of out of school suspensions (OSS) for behavior in the Target Categories, to the extent appropriate based on students' actual behavior.

### **Baseline Data:**

Student discipline data for the Target Categories:

- Attendance
- Bullying
- Cyber-Bullying
- Disruptive/Disorderly Conduct/Insubordination
- Harassment
- Threat/Intimidation
- Verbal Abuse
- Other
- The District did not have any expulsions for behavior in the Target Categories during the 2015-2016 or 2016-2017 school years.

### **Plan Goals and Measurements:**

After examining and evaluating the District's discipline policies and procedures, particularly with respect to discipline falling within the Target Categories, the District hopes to reduce the number of students receiving OSS for behavior during the 2018-2019, 2019-2020, and 2020-2021 school years. The District hopes that reviewing this data during the 2017-2018 school year will also have a positive impact on the number of students receiving OSS for Target Categories behavior during the 2017-2018 school year as well.

**SCHOOL BOARD ROLES AND RESPONSIBILITIES**

<b>Responsibility</b>	<b>Strategy</b>	<b>Action Plan</b>
Policies	Review and update policies relevant with out of school suspensions in accordance with MSBA recommendations	Adhere to WAPS policy review implementation calendar
Review and Support the Plan	Establish semi-annual review of the Plan at regularly scheduled meeting of the Board	Adopt a budget in support of the Plan
Report to the Department	Review and approve the semi-annual report submitted to the Department of Human Rights (Department)	<p>Semi-Annual Report Form attached Appendix A</p> <p>The Semi-Annual Report for the preceding school year will be submitted to the Department</p> <p>The reporting will end upon termination or expiration of the Collaboration Agreement between the District and the Department</p>

<b>DISTRICT LEADERSHIP ROLES AND RESPONSIBILITIES</b>		
<b>Responsibility</b>	<b>Strategy</b>	<b>Action Plan</b>
Leadership	Director of Learning and Teaching (Director) assigned District's Discipline Leader	Amend job description to reflect the responsibility Director will ensure that sites and schools execute plans
Organizational Development	Establish District Discipline Support Team (DST) to review district discipline data, OSS practices and strategies, and make recommendations for system-wide improvements	Director will establish DST including principals, site leadership in special education, and other key stakeholders  The DST will review discipline data, discuss OSS practices and strategies, and make recommendations for review by Site Student Discipline Support Teams (SDST).  DST Protocol Review Form attached Appendix B
Operational Oversight	Director and Superintendent will meet following DST meetings	Review site DST forms, including data and recommendations for SDST
State Reporting	Director and Superintendent will include in the annual report: the intended outcomes; steps took to implement the strategy; metrics developed to measure the effectiveness of the strategy; and any changes implemented in light of results in the reporting period.	Submit report on preceding school year to the School Board by August 1
Governance Reporting	Superintendent will provide the School Board with information to fulfill their oversight responsibilities	Provide annual student discipline report for preceding school year to School Board before August 1

**DISTRICT LEADERSHIP ROLES AND RESPONSIBILITIES** (continued)

<b>Responsibility</b>	<b>Responsibility</b>	<b>Responsibility</b>
Community and Student Engagement	Director will collaborate with DST to establish and maintain process to obtain parent and student feedback	Report parent and student feedback efforts and results in annual report to School Board
Information System	Superintendent will work with Information Systems (IS) to maintain Infinite Campus (IC) for the purpose of maintaining accurate internal discipline data	Director will work with IS to determine discipline reports necessary for appropriate data review
Handbooks	Establish guidelines to include in student handbooks in regard to discipline	Appendix C Annual Student Handbook Guidelines
Effective Partnership with City	The Superintendent will oversee contracts and training related to the School Resource Officer (SRO)	<p>Ensure all contracts explicitly provide that SROs shall not recommend, determine, or provide input on student discipline.</p> <p>Provide training regarding the appropriate role of the SRO and the circumstances under which school leadership and staff may request the assistance or make a report to the SRO.</p>
Minnesota Department of Education (MDE)	Collaborate with MDE	Engage with MDE to explore and utilize technical assistance support
Minnesota Department of Human Rights (Department)	Participate in state-wide Diversion Committee	The Director or designee will participate in the Diversion Committee established by the Department

**SITE/SCHOOL LEADERSHIP ROLES AND RESPONSIBILITIES**

<b>Responsibility</b>	<b>Strategy</b>	<b>Action Plan</b>
Leadership	Principals assigned as Site Discipline Leader	<p>The Principal will guide the development, implementation and evaluation of significant policies, initiatives, professional development, programs, instructional practices, and budget issues to address site specific disciplinary procedures</p> <p>Establish Site Administrative Team (including special education, counseling, etc.) to review and analyze suspension decisions on a weekly basis.</p> <p>Establish and lead Site Student Discipline Support Teams (SDST), which may be an existing team established to support continuous improvement</p>

**SITE/SCHOOL LEADERSHIP ROLES AND RESPONSIBILITIES (continued)**

Responsibility	Responsibility	Responsibility
<p>Review Procedures for Discipline Continuous Improvement</p>	<p>Site Administrative Team reviews discipline data, extracted from the Infinite Campus Student Management System, Utilizing the Plan-Do-Study-Act (PDSA) continuous improvement process, the SDST team will review the DST Protocol Review Form (Exhibit B), including office discipline data and OSS practices and strategies, and examine strategies for continuous improvement.</p>	<p>Review implementation and support systems, analyze and review procedures SDST Teams will:</p> <ul style="list-style-type: none"> <li>• Designate a team lead to coordinate the work of the team and its meetings;</li> <li>• Consider school personnel input as the school moves toward implementing a multi-tiered system of supporting behaviors and interventions (MTSS);</li> <li>• Consider student input as the school moves toward implementing MTSS;</li> <li>• Use PSDA to evaluate consistent use of fidelity measures; and</li> <li>• Review office discipline data and OSS practices and strategies, and make recommendations for continuous improvement.</li> </ul>
<p>Student Mentor Program</p>	<p>Implement a student mentor program for students with multiple suspensions</p>	<p>The principal will:</p> <ul style="list-style-type: none"> <li>• Establish a mentor pool of adults eligible to be assigned as a mentors (teachers, committee members, community)</li> <li>• Based on the data examined by the Site Administrative Team,</li> </ul>

		<p>connect students with a mentor</p> <ul style="list-style-type: none"> <li>• Solicit monthly progress updates</li> </ul>
Professional Development	Focus professional development on building capacity to promote evidence-based methods of fostering positive school engagement	<p>Assess suspension data, define issues to address and develop a professional development goal.</p> <p><i>Examples of effective strategies may include, but are not limited to: Implicit Bias, Cultural Competency, Evidence-Based Positive School Discipline, Trauma Informed Schools, De-escalation Techniques, Restorative Justice, Conflict Resolution, and Age Appropriate Responses to Behaviors.</i></p>

Appendix A  
SEMI-ANNUAL OUT OF SCHOOL SUSPENSION REPORT

Submitted to the Department on \_\_\_\_\_  
 Reviewed by the School Board on \_\_\_\_\_  
 Reviewed and approved by the Superintendent on \_\_\_\_\_

Semi-Annual Plan Review	Date Reviewed
District Discipline Support Team (DST) Review	
School Board Review	

Relevant Policies and Handbooks	Date Reviewed
413 Harassment and Violence	
514 Bullying Prohibition	
506 Student Discipline	
Student Handbooks	

**FEEDBACK**

Staff Feedback Summary

Parent Feedback Summary

Student Feedback Summary

**PLAN GOALS AND MEASUREMENTS**

*All Students:*

Total and Unduplicated Suspensions in Target Categories	17-18 Actuals		18-19 Actuals	
	Total	Unduplicated Count	Total	Unduplicated Count
Attendance				
Bullying				
Cyber-Bullying				
Disruptive/Disorderly Conduct/Insubordination				

Harassment				
Threat/Intimidation				
Verbal Abuse				
Other				

## SUMMARY

<b>Assessment of Results</b>

<b>Actions to be Taken</b>

Appendix B  
DST Suspension Protocol Review Form

<b>Examining the Data</b> What observations do you have about your site suspension data?			
How many students are subjected to disciplinary action? Office Discipline Referral? OSS? ISS? Expulsion?	To what extent are students in specific demographic groups experiencing exclusionary discipline? Which groups are at the greatest risk for exclusionary disciplinary action?	What is the rationale behind disciplinary actions taken against students?	Is disciplinary action taken uniformly regardless of the type of offense or does the severity of the action taken vary? Why?

<b>Based on the observations, what are areas for growth? What are you doing well?</b>
•

<b>Root Cause Analysis</b> For each domain, identify any root causes that if dissolved could possibly result in elimination, or substantial reduction, OSS in Target Categories.			
<i>Instruction</i>	<i>Systems</i>	<i>Leadership</i>	<i>Culture</i>

<b>Sphere of Influence or Concern</b> Identify which root causes are in the sphere of influence and which are in the sphere of concern.	
Sphere of Influence	Sphere of Concern
•	•

<b>Plan of Action</b> Develop action steps to address the root cause(es) in the sphere of influence.
•

## Appendix C Annual Student Handbook Guidelines

All Sites will have student handbooks that comply with the following guidelines:

The following policies will be referenced:

- Policy 413 Harassment and Violence
- Policy 514 Bullying Prohibition
- Policy 506 Student Discipline

The District's Safe Supportive Learning Plan Goal will be included:

To guide WAPS in creating and maintaining safe and orderly educational environments that allow our students to learn and thrive, we strive to build a comprehensive, appropriate, and effective behavior support system that will:

- reduce disruption and misconduct;
- support and reinforce positive behavior and character development; and
- help students succeed.

Contact Information:

- The Director of Learning and Teaching will be identified as the District's leader in charge of discipline. Include the Director's name, phone number and email.
- The person in charge of discipline at each site will be identified along with his/her contact information.

Appendix D  
Yearly Timeline

	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May
District Discipline Support Team Meeting												
Site Student Discipline Support Teams (SDST)												
Director and Superintendent Review of DST Work												
School Board Review of Plan												
Plan Submitted to the Department												
Parent and Student Engagement Meetings												