

The following proposals made by the Minneapolis Federation of Teachers, based on input from educators, parents, students, and community members, are subject to modifications and additions throughout the bargaining process. It is mutually understood that all dates will be updated in the contract as part of any agreement.

## **ARTICLE VI. STUDENT BEHAVIOR/DISCIPLINE STUDENT ENGAGEMENT AND RESTORATIVE PRACTICES**

**Preamble:** Schools must be safe, and perceived to be safe places **respectful, inclusive and relationship-centered environments** to support the necessary climates conducive for learning. Staff, community, parents and students alike need to hear, discuss and understand the district's discipline and harassment policies and the accompanying potential consequences for students. **Developing and strengthening school cultures is the work of staff, students, parents and community alike to ensure ongoing discussion, understanding, reflection, and revision of district's codes of conduct and levels of behavior, interventions and responses.**

The Minneapolis Public Schools has a standard of restorative and supportive practices of violence in all of our schools/programs. **Restorative practices are the foundation of restorative justice which enables school communities to build social capital and achieve social discipline through relationships grounded in dignity, respect, trust, compassion, participatory learning, and shared, collaborative decision-making.** Staff, **students**, community, parents, and students **communities** will work together to strengthen those **school climates to** factors that encourage nonviolent **respectful, inclusive and relationship-centered** behaviors and to provide sound interventions for those members of the school community that **may** choose to use **exhibit** inappropriate behaviors. A school working to establish a nonviolent **with a respectful, inclusive and relationship-centered** culture will examine all aspects of the **student experience**, school day and the total environment.

Some of the factors that strengthen and support positive behavior **school cultures** include recognizing diversity among students and designing curriculum, instruction and assessments that address the needs of each student. Schools will use data from the current research **of best practices** concerning **for fostering** positive youth development to identify and implement strategies that promote opportunities for youth to gain and practice the social, emotional, and cognitive skills **cultivation of self-efficacy, social emotional learning, critical thinking, youth-adult partnership and leadership.** necessary to choose positive behaviors, such as mediation and conflict resolution.

Staff, **students**, parents and students **community** will seek understanding of the causes of discipline problems. Understanding the causes of inappropriate or violent behavior can be the as a first step in establishing and maintaining discipline **a positive, inclusive and relationship-centered climate** in the school. **We recognize the role and influence of institutional and structural racism and systems of oppression deeply embedded in our social institutions has in our schools and how that impacts school climates.** **Some of the factors that strengthen and support positive behavior school cultures include recognizing diversity among students and designing curriculum, instruction, assessments and interventions that address the various needs of each student.**

The system **district** will provide staff development opportunities to enhance staffs' **knowledge, understandings**, skills and abilities to develop prevention **and restorative justice** strategies for the school and classroom. Educational **Professional development**

opportunities will be made available **provide** to staff and families to enable them to identify relevant issues concerning non-violence and to link them to existing prevention and intervention efforts.

### **District Responsibility and Supporting Policies**

The District has a primary responsibility to ensure the safety and security of staff in accordance with current district policy, including but not limited to:

### **Minneapolis Public Schools policies that establish and support positive, inclusive and relationship-centered learning environments include but are not limited to:**

#### **Policy 1304 – Equity and Diversity**

Policy 5200 - Behavior Standards and Code of Conduct

Regulation 5200A - Classification of Behaviors and Responses

Form 5200 A1 - Levels of Behavior Chart (1p, Appendix to Regulation 5200A)

Regulation 5200B - Out of School Removals from Instruction

Form 5200 B - Publication: Levels of Behavior, Interventions and Responses

Policy 1541 - Response to Violence and Disruption

*(Note: Policies are available on the MPS website - click on "About" tab).*

In the event that staff safety and security needs are not being addressed, the District and Union will act to ~~raise~~ **resolve** concerns that staff may have on an as-needed basis. The district's policies will be consistently implemented with special attention given to violent behavior and possession of weapons.

Sound interventions **grounded in restorative justice practices** for students using inappropriate or violent behavior must include both educational opportunities and consequences. Effective programs will include a variety of diagnostic procedures and educational options along a continuum culminating in intensive district services with ample education for students to relearn and choose new behaviors **while restoring and repairing compromised relationships and or learning environments.**

Services and programs must be made available to support the victims of bullying, harassment, intimidation and/or inappropriate violent sexual behavior or who have had their personal property damaged or destroyed by others, when this is done within the context of prejudicial or biased actions based on the victim's status as it relates to race, ethnicity, national origin, gender, religion, disability and/or sexual and affectional orientation.

The Minneapolis Public Schools will continue its goal to identify internal and external resources and target these resources to effectively address the need to create cultures in each of its sites in which all members expect and demonstrate respect and nonviolent behavior in all aspects of their school life. For example:

- External resources include United Way (211/assistance); mediation services (e.g., Community Mediation and Restorative Services, North Hennepin Mediation Program) to assist with student peer mediation program development, Fraser, Washburn Center for Children, etc.
- Internal Resources include the District Behavior Committee, and the Health and Safety Committee receiving referrals of safety concerns and reviewing the responses from the District to concerns that have been reported by teachers to the district Operational and Security Services Department, the Office of Equality and Civil Rights, Educational and Cultural Services Department, Positive Schoolwide Engagement Team(s), site administrators or other appropriate district officials.

### **District Behavior Engagement and Restorative Practices Committee**

The District and the Union agree that the District Behavior **Engagement and Restorative Practices** Committee will include equal representation of labor and management appointed by the Superintendent of schools and the MFT President. Labor representatives will include ~~teachers~~ licensed educators in the teachers bargaining unit and Educational Service Professionals (ESPs). District representatives will include Operational and Security Services, Risk Management, Student Support Services, and Special Education. The committee may also bring students onto the committee to get a student perspective of what is happening in schools regarding behavior, engagement, climate and restorative justice practices (et al).

The District Behavior **Engagement and Restorative Practices Labor Management** Committee will meet monthly or more often as needed to discuss ~~worksite safety~~ issues related to site safety, security, climate, engagement and implementation of restorative practices, including:

- Current processes and procedures the district has in place to address ~~worksite safety,~~ **security, climate, engagement and implementation of restorative practices**, and a plan to integrate those processes and procedures
- Additional processes and procedures to address safety, **security, climate, engagement and implementation of restorative practices**
- Serious, site specific concerns **related to site safety, security, climate, engagement and implementation of restorative practices**
- Intervention strategies **to improve site safety, security, climate, engagement and implementation of restorative practices**

In addressing workplace safety **urgent** issues **related to site safety, security, climate, engagement and implementation of restorative practices**, the District **Engagement and Restorative Practices** Behavior Committee will consider **data such as but not limited to:**

- precipitous changes in the District Employee Survey on questions of safety
- number of calls from the site to 911
- number of complaints of fear for safety of students and teacher by employees
- number of calls/concerns of parents for the safety of their students at the site
- compilation and summary of complaints by MFT following meetings with staff, students and or parents
- adults at the site cannot control the escalation of unsafe student behavior
- multiple reports of assaults of student-on-student and student-on-teacher
- site behavior **engagement** plan is either non-existent, not working, or lacks follow-through
- district has cited the site for excessive suspensions
- Reexamine results, trends of site survey data
- Assess the ~~building~~ **site** behavior **engagement** behavior plan and its implementation.
- Survey/interview teachers, students, parents for immediate feedback
- Gather and analyze all data regarding incident of student behavior organized by student, location, time-of-day, etc.
- Consider **restorative practice-based** intervention strategies, especially for schools experiencing a dangerous or escalating level of unhealthy and unsafe behaviors

The District and the Union seek to work together to ensure that all worksites are places that are safe and healthy for all students to learn and all teachers to teach. However, when a pattern of serious safety issues become evident, both the District and the Union have a responsibility to take action to restore a peaceful, safe learning environment.

The District Behavior **Engagement and Restorative Practices Labor Management** Committee is charged with the responsibility to review all district policies relating to student discipline **engagement and implementation of restorative practices within, across and between MPS sites** and to make recommendations to the Superintendent, the Executive Cabinet and the Professional Leadership Team regarding policy. This committee will meet to review site behavior **engagement** plans, and site behavior **engagement** data, **and efficacy of implementation of restorative practices**. The District Behavior **Engagement and Restorative Practices Labor Management** Committee will meet monthly or more often as needed. The Committee shall develop intervention strategies, resources, and plans to assist schools in meeting crisis situations with regard to behavior. This shall include review of **implementation of restorative practices across the district**, student placement strategies and re-examination of District policies on administrative transfers, suspensions, expulsions, attendance and high school age parameters. **The District Engagement and Restorative Practices LMC will also identify internal and external resources and target these resources to effectively address the need to create cultures in each of its sites in which all members expect and demonstrate respect and nonviolent behavior in all aspects of their school life.**

Issues of safety affect both student achievement and community trust. Schools must be safe, and perceived to be safe places to support the necessary climate for learning. Goals under this strategic issue: **The District and the Union will work together to:**

- A. Aggressively **Effectively support and enforce/implement** the District discipline **behavior and restorative justice** policies, and communicate them to all District stakeholders and support their reinforcement
- B. **Communicate District behavior and restorative justice policies to all District stakeholders.**
- C. Work cooperatively with the city **governmental and community partners** to assure safe neighborhoods in order to support school safety and violence prevention programs, and continue district programs or initiatives addressing **restorative justice**, safety, schoolwide positive engagement, violence prevention, etc.
- D. Provide educational opportunities for staff, families and students to **support implementation of restorative practices**, identify concerns about safety in schools and neighborhoods and link them to existing prevention and intervention efforts.
- E. Work with the media to promote positive actions and alternatives to violence, and to stop identifying the locations of violent incidents in relation to schools when they are not connected.
- F. Work with the police to establish better relationships between police and school age children.
- F. ~~Continue the initiative to i~~ Increase consistency in security and crisis management including the design of District crisis management plans as well as crisis plans at each site.
- G. Expect all schools to develop building behavior plans as part of their School Improvement Plan.

**Section A. Site Student Engagement Plans:** At each site, teachers, administrators, parents and students (when age appropriate) will design and implement a student behavior engagement plans that address meeting the social-emotional needs of its students. The engagement plan will reflect the current "Student Fair Dismissal Law" and be part of the School Improvement Plan, and, as such, will be reviewed each year by the District Behavior **Engagement and Restorative Practices** Committee and by the Associate Superintendents for appropriate scope and implementation. The District Behavior **Engagement and Restorative Practices** Committee may assist sites in assessing their behavioral needs and in constructing their plan. The District Behavior **Engagement and Restorative Practices** Committee will work with other district departments and/or committees to support sites needing assistance **with implementation of restorative practices and positive schoolwide engagement strategies.**

The rights of students to a quality education shall be protected in all cases. The rights of employees and students to a safe education/working environment shall be ensured, as well as the expectation that their personal property will not be damaged or destroyed.

~~Within the bounds defined by the data privacy laws, information about students with violent behaviors will be shared with teachers.~~

~~The Student Engagement plan should promote positive behavior, prevent negative behavior, and intervene with applied discipline. The Site Student Engagement plan shall be evaluated each year as part of the normal review of the School Improvement Plan. This goal addresses the issues of safety and their effect on student achievement and community trust.~~

The **Site** Student Engagement Plan **shall be grounded in restorative practices and** will provide:

- A. Strategies which will promote positive student behaviors;
- B. Strategies which will address prevention of inappropriate behaviors;
- C. Information on training opportunities for teachers on the **implementation of restorative practices and the** promotion of positive student behavior and crisis management.
- D. Strategies for **restorative justice, interventions and discipline responses** which will include:
  1. A process for a teacher to temporarily remove from the classroom any student who, in the teacher's opinion, is exhibiting violent behavior or causing serious disruption of the educational process. This step will immediately initiate an informal/formal assessment process as appropriate to determine the circumstances of the behavior.
  2. A process for returning the student to the classroom after appropriate interventions and discipline have been determined. This process will be facilitated by accessing appropriate support and intervention **restorative practice** resources for disruptive students as quickly as possible.
  3. A process to refer students to site, district, or other alternative programs after intervention and discipline **restorative practices, interventions and responses** have been attempted. If the behavior is so violent or involves the possession or use of a weapon, then the plan will follow the District's expulsion policy and procedures.
  4. A plan to provide support, services, and/or programs to student and staff victims of violence.
  5. A process by which a teacher, who receives students who are administratively transferred from another Minneapolis Public Schools due to behavioral issues, will receive appropriate, timely background information including prior intervention

strategies before the student is admitted to the receiving school **within the bounds defined by student data privacy laws**. Receiving classroom teachers shall be considered in those "needing to know" before admittance to a classroom.

6. Administrative transfers shall be made using the formal district procedures for doing so. Any deviation from those policies will result in the student returning to the school originating the transfer, but not to their original classrooms.
7. A process for assessing and identifying elements of inappropriate behavior(s) which include biased or prejudicial acts against an individual or group based on their status as it relates to national origin, race, ethnicity, gender, religion, disability, or sexual and affectional orientation, to determine the appropriate consequence **grounded in restorative practices**.

For those sites that are not able independently to design or implement such a plan, a team comprised of union representatives and representatives from the Associate Superintendents will assist that site with the development of a plan.

### **Section B. Support for Implementation of Restorative Practices**

**The District and the Union agree that effective implementation of restorative practices in our schools is contingent upon providing adequate training, time, space, and support for educators to fully engage in restorative practices with integrity and commitment. In order to foster effective implementation, the District and the Union will collaborate to offer the following supports:**

- 1) **Comprehensive and differentiated training in restorative practices and trauma-informed education provided to all staff: For the implementation of restorative practices to be effective, staffs in our sites must have a deep understanding of the restorative practices and trauma-informed education. The district will provide comprehensive and ongoing, differentiated professional development for all staff in our sites, including licensed staff, related-service professionals, reserve teachers and education support professionals. Clerical, food service and engineering staff may also be given access to restorative practices committee. When training is provided outside of the contract, staff will be paid their full rate of pay to attend.**
- 2) **SEL-Syncs on a Quarterly Basis: The District Engagement and Restorative Practices labor management committee will support sites in reviewing data related to social emotional learning, student engagement and implementation of restorative practices through "SEL-Syncs" on a quarterly basis upon request. SEL-Syncs enable sites to conduct a deeper examination of students needs and engagement data to understand and determine the root causes of individual student behavior and provide effective relationship-centered interventions to reduce time out of the classroom or learning environment. The intention of the SEL-Syncs is to strengthen implementation of restorative practices for improved academic outcomes, with a focus on the individual needs of the site.**
- 3) **Restorative Practice Residents: Educators at a site may apply as a team to receive release time to support the implementation of restorative practices in their site.**
  - a. **Teams should be interdisciplinary in nature and committed to leading implementation efforts related to restorative practices within their site.**

- b. Teams may be up to 5 educators, each educator receiving .2 FTE, for a maximum of 1.0 FTE support.
  - c. Sites may match district funding for Restorative Practice Residents as needed per the School Improvement Plan and other site-based needs.
  - d. Teams of Restorative Practice Residents will receive professional development and district support to redesign site implementation of restorative practices for improved efficacy and fidelity to restorative justice principles.
- 4) Restorative Practices Pilot Schools: Schools may apply to participate in a pilot program to receive intensive support (coordination, professional development, funding, etc) for implementation of restorative practices. Pilot schools would partner with restorative practice sites in St Paul Public Schools and receive support in the following ways:
- a. Pilot schools would engage in visits and or exchanges between sites, coaching and mentoring sessions and collaborative learning meetings with staff from restorative practice pilot sites from St Paul Public Schools.
  - b. Pilot schools would share learnings with other neighborhood schools to build capacity and sustainability within Minneapolis Public Schools.
  - c. Pilot schools would have a 1.0 Restorative Practices Coordinator responsible to supporting efforts related to effective implementation of restorative practices and collaborative learning with partner schools in St Paul Public Schools.

The District and the Union will collaboratively seek grant funding to support up to 6 pilot schools, beginning in the 2018-2019 school year.

The District and the Union recognize the critical importance of effective implementation of restorative practices and restorative justice in our schools. To support efforts in all schools, both parties commit to actively seeking local, state, and federal grants to ensure that all staff in Minneapolis Public Schools are adequately trained and appropriately supported to implementation restorative practices with integrity. Additionally, any grant-funded efforts to support restorative practices in our sites will include plans for sustainability once the grant ends so that our sites may be the respectful, inclusive and relationship-centered learning environments that all members of our school communities deserve.

[Move following Sections B.-D. with revisions, see ARTICLE 3]

Section B. District Responsibility for Teacher Safety: The following measures shall be taken to ensure the safety of teachers, as well as other staff and students:

1. To help ensure the safety and well-being of students and staff, and for teachers to be best prepared to effectively and successfully interact with students, teachers must be informed of their student's academic and behavioral histories. Therefore, teachers who will have direct interactions with or supervision of a student shall be informed of the behavioral history of the student if the behavioral history includes any violent or threatening behaviors toward self, other students or staff for which the student has received a consequence within the current or previous school year.

2. Middle and high school students who have been involved in violent assaultive behavior, as defined by policy or state law, against students or adults shall be considered for an alternative program appropriate to the student's behavioral needs and shall not be returned to the classroom where the violent assaultive behavior occurred.
3. Middle and high school students who have been involved in legally chargeable (according to state, county or city law) violent assaultive behavior, as defined by Minneapolis Public Schools policy or state law, against students or adults shall be considered for an alternative program appropriate to the student's behavioral needs and shall not be returned to the school site where the legally chargeable violent assaultive behavior occurred.
4. Applications for transfers to the Minneapolis Public Schools submitted by students who live in other school districts shall not be approved when such students have records of violent assaultive behavior, have been expelled from another district, and/or have a criminal record resulting from assault or other forms of violence.

**Section C. Teachers' Right to Cooperation and Respect:** Understanding that teaching and learning are necessary parts of the educational process, and understanding that teachers have a professional and ethical responsibility to be cooperative and respectful toward students in that process, it is reasonable to expect that students shall also have a responsibility to treat their teachers, as well as other school staff, with cooperation and respect. Students subject to discipline for defiance, disrespect and or verbal abuse of staff shall upon a third offense participate in an intervention for anger and/or behavior management. At this time, such interventions include, but are not limited to the following:

1. Behavior skills development fostering an internalization of the consequences of their choices and increasing the students' repertoire of behavior strategies to help make better choices for themselves in the future.
2. Alternatives to suspension interventions/programs.
3. Mediation or Restorative Justice programming.
4. Active social service or therapy referrals with after care follow-up.
5. Community service
6. Educational and Cultural Services Department assistance.

**Section D. Assaults on Teachers (Also see Article X. Personal Injury/Property Benefits)**

In the event a teacher is physically assaulted by a student, parent, or other individual while in the performance of their duties, **the teacher should inform the supervisor as soon as possible** and the following procedure shall occur:

1. The teacher and supervisor will fill out an Incident Report and a First Report of Injury immediately after the injury has occurred or when the supervisor has knowledge of the incident. The form should be sent to the district workers' compensation program administrator within twenty-four (24) hours.
2. If the injured teacher is unable to complete and sign either report form, the supervisor who has knowledge of the assault should, within twenty-four (24) hours of the injury or notice of injury submit the required forms.
3. The teacher will share reports with the principal or supervisor. In discussing the report with the principal or supervisor, the teacher may have a union representative present at the meeting if she/he wishes to have one. If requested, the union will inform the teacher of her/his rights under the law in connection with assaults and assist the teacher by acting in an advisory capacity.



4. If permitted under state law, the teacher may (optionally) file a police report and request a copy of it.
5. The teacher will be informed by the principal or supervisor of the specific actions taken to resolve the concern.
6. The principal or supervisor shall obtain statements in a timely fashion from any employees or others who observed the incident.
7. The Division of Human Resources will assist the teacher in determining eligibility for benefits and reimbursement.

In the event a teacher receives a verbal, written, physical, or terrorist threat, the teacher will:

1. Report the incident to her/his principal or supervisor.
2. Receive a report from the principal or supervisor of the specific actions taken in response to the report.

Upon receipt of a written report from a teacher, the principal or supervisor shall report to her/his District supervisor and to the District Operational and Security Services Department Director each case of assault suffered by the teacher in connection with her/his employment in which personal injury or property damage occurs. In addition, the supervisor will inform the teacher of who has been contacted, what forms may be needed, and/or who is to be contacted if further information needs to be provided by the teacher.

As set forth in **Article X, Personal Injury/Property Benefits**, a reasonable loss of time resulting from an assault on a teacher by a student, parent, or other individual that occurs while the teacher is engaged in the performance of her/his duties shall not be deducted from her/his unused sick leave, provided the teacher has informed their supervisor/principal of the incident so that the District's Incident Report form can be completed.

These are the required forms that must be completed at the site:

 Incident Report

 Workers' compensation First Report of Injury

A copy of the Incident Report shall be given by the teacher to the Minneapolis Federation of Teachers.

**[End of moved language]**

**This article shall not be subject to the grievance procedure.**

