

Summary of
Settlement Agreement
between
The United States of America
and
Wichita Public Schools

This summary is intended to raise awareness of the Agreement and share the steps the District is taking to better serve its students. This summary is designed for those who may not have a legal background.



U.S. Department of Justice

Civil Rights Division

Overview

This document summarizes the Settlement Agreement between the United States and Wichita Public Schools (the “District”) to ensure the District’s seclusion and restraint policies and practices, administration of school discipline, and referrals to law enforcement, as well as other policies and practices identified during the investigation, are consistent with the District’s obligations under federal law.

The Educational Opportunities Section of the United States Department of Justice’s Civil Rights Division (the “United States”) opened an investigation of the District under federal civil rights laws that protect students from discrimination on the basis of race and disability. The District cooperated with the United States during the investigation and has committed to improve its practices and encourage positive changes for its students. The United States and the District reached a Settlement Agreement (the “Agreement”) on July 2, 2024.

This document summarizes the Agreement. You can review the entire Agreement on the District’s [website](#) or the Department of Justice’s [website](#).

Terms are defined in more detail in the full text of the Settlement Agreement.



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Seclusion

The District will end the use of seclusion in all District schools*

* The District will end the use of seclusion immediately at all District schools except for Sowers High School, Greiffenstein-Wells Middle School, Bryant Opportunity Academy, and Levy Special Education Center, where seclusion will end no later than January 1, 2025.

What IS seclusion?

Seclusion is placing a student alone in any room or area where the student is not free to leave or reasonably believes they are not free to leave.

What is NOT seclusion?

If a student chooses to go to a specific area to help calm themselves down, and the student is free to leave, that is not a seclusion.



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Compensatory Services for Previously Secluded Students

For students enrolled in the District who were subject to seclusion between the 2020-21 school year and the end of the 2023-24 school year:

The District will offer compensatory services, in the form of counseling or academic tutoring, for at least the number of hours the student was secluded.





Physical Restraint

The District will not use physical restraint unless the student’s behavior poses an immediate danger of substantial physical harm.

What IS Physical Restraint?

Physical restraint is any involuntary touching, holding, or grabbing of a student that limits the student’s ability to move freely, including when used to move the student to another location.

What is NOT Physical Restraint?

High-fives, handshakes, pats, or any temporary touch that does not apply force or pressure to guide the student to another location are not physical restraints.

In most circumstances, Physical Restraint will only be used by the Crisis Prevention Team.

“Crisis Prevention Team” or “CPT” refers to specific school staff in each building who are primarily responsible for responding to student behavior. CPT members receive special training in de-escalation and the safe use of physical restraint.



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Staffing

The District will create the Office of Behavior Management Support and Oversight to help improve its support of students with disabilities.

This Office will assist the District with:

- Supervising Crisis Prevention Teams;
- Overseeing relevant training and the use of physical restraint;
- Improving behavior-related supports and services for students with disabilities; and
- Working with the District's school-based specialized programs to develop appropriate practices.

The Office of Behavior Management Support and Oversight:

- 1 full-time Office Director
- At least two additional full-time employees
 - At least one Office employee will have experience serving students with disabilities that involve social, emotional, and behavioral dysregulation.
 - At least one Office employee will have experience serving students with development delays, intellectual disabilities and/or autism.
 - Additional qualified staff as necessary.





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PBS Programs

A “PBS Program,” or a Positive Behavior Support Classroom, is a special program where staff use research-based behavioral strategies in a smaller setting. PBS Programs are intended to help students develop coping strategies and social and emotional skills, work on their academic goals, and return to their home schools.

- Each PBS classroom will have a Classroom Plan describing how staff will support positive student behavior.
- Parents will receive a copy of the Classroom Plan. The District will explain the Plan and give Parents a chance to ask questions about and request reasonable changes to their child’s Classroom Plan.
- Students moving out of PBS classrooms and into their home schools will receive supports to ensure a successful move.



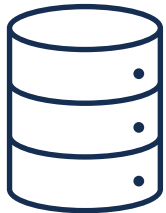


Day Schools

The “Day Schools” are Sowers High School, Greiffenstein-Wells Middle School, Bryant Opportunity Academy, Levy Special Education Center, and any other dedicated special purpose school for exceptional children.

- Day Schools will implement a three-tiered model of behavior prevention and intervention that uses evidence-based practices.

A three-tiered model provides:



- Tier 1 interventions to all students;
 - More intensive Tier 2 interventions to students whose behavior is not effectively managed on Tier 1; and
 - Very intensive Tier 3 interventions to the small percentage of students who engage in extreme behavior that does not respond to Tier 2 interventions.
- **For every 15** students enrolled, each Day School will have **at least one** staff member with experience developing, applying, and monitoring behavioral support interventions.



Day School Transitions

Transitioning In

- Any student being assigned to a Day School will have a written transition plan that will include:
 - why the student is being assigned;
 - what goals the District intends for the student to meet during the assignment; and
 - how the District will determine when the student will exit the Day School.
- Parents will be able to visit a Day School along with their student before assignment to that Day School;
- Parents will be included in the District's regular reviews of their student's assignment to a Day School.

Transitioning Out

- Students will have a transition plan for returning to their home school. This will include chances for the student to attend the new school for partial days to adjust to the new setting.



Code of Conduct

The District will implement a new code of conduct in January 2025.

The Code of Conduct will divide offenses into three categories:



Level 1 – offenses that **do not threaten safety or significantly disrupt** the operation of the classroom or another school activity.

Level 2 – offenses that **significantly disrupt** the operation of the classroom or another school activity.

Level 3 – offenses that **pose a threat to safety**.

The Code of Conduct will:

- Ban the use of suspension for Level 1 offenses;
- Only allow School Removal (e.g., out-of-school suspension or expulsion) for Level 3 offenses; and
- Require schools to employ their Behavior Intervention Protocol *before* giving more severe consequences to a student who has repeatedly committed the same disciplinary offense.



Dress Codes

The District will formalize and standardize dress codes for schools with uniforms and schools without uniforms. Schools may or may not choose to adopt a dress code.

For those schools with Dress Codes, the code will:

- Not discriminate against students on the basis of race or sex; and
- Require staff to offer clothing that satisfies the dress code if a student is not wearing such clothing.

Schools will regularly review discipline data related to dress code enforcement. (For more information, see Data Review and Reporting on page 15)





Behavior Intervention Protocols

- Each school will have a “Behavioral Intervention Protocol” to ensure all students receive the support they need to manage their behavior.
- Behavioral Intervention Protocols will identify students who may need this kind of support by looking at facts like the amount and type of discipline a student has received.
- Each school will have a team that will meet monthly to review the supports students receive and decide whether those supports are working.





Safety Services Officers and Law Enforcement

The District will make the following changes to its policies and practices about safety services officers and law enforcement:

- The District will not use safety services officers to respond to minor misconduct or routine disciplinary issues (such as dress code violations, insubordination, or skipping class);
- Safety services officers will attempt to de-escalate situations when addressing student behavior by using appropriate de-escalation techniques; and
- Unless required by law, District staff will not request the involvement of a school resource officer (“SRO”) in an incident of student misbehavior unless it presents a risk of substantial physical harm, or is the kind of criminal offense that would cause the District to call law enforcement if no SRO were on campus.

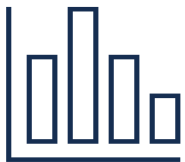




Data Review and Reporting



Administrators at each District school, working with the District's Department of Diversity, Equity, and Inclusion and the District's Department of Research and Assessments, will review discipline data to ensure discipline is being applied in a nondiscriminatory manner.



The District will provide regular status reports to the United States describing the District's efforts to comply with the Settlement Agreement.

The District intends to complete the requirements of this Agreement **by the end of the 2027-2028 school year.**



Contact Information

Wichita Public Schools

If you have concerns about discrimination in any Wichita Public school, please reach out to the Title IX Coordinator for Adults and Students.

Contact Information:

Email: srye@usd259.net

Phone: (316) 973-4420

Mail: 903 South Edgemoor

Wichita, KS 67218

U.S. Department of Justice, Civil Rights Division, Educational Opportunities Section

Contact Information:

Email: community.wichitaschools@usdoj.gov

You may also submit a complaint to the Department through the:

[**Civil Rights Division Complaint Portal**](#)