

AGREEMENT TO RESOLVE

Between the Los Angeles Unified School District and the U.S. Department of Education, Office for Civil Rights

OCR Case Number 09105001 Resource Comparability Component

BACKGROUND

The U.S. Department of Education, Office for Civil Rights (OCR) initiated a compliance review of the Los Angeles Unified School District (District) in order to investigate whether the District has denied equal educational opportunities to national origin language minority students. Subsequent to the commencement of this review, OCR expanded the compliance review to include a focus on the District's allocation of resources to students at five predominantly African American elementary schools as compared to five predominantly white elementary schools. The District is subject to Title VI because it receives Federal financial assistance from the Department of Education. Title VI of the Civil Rights Act of 1964, 42, U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. pt. 100 provide, in relevant part, that no program or activity receiving Federal financial assistance from the Department of Education may discriminate on the basis of race or national origin. The District voluntarily agrees to the terms of this Agreement and agrees to comply fully with its provisions.

GIFTED AND TALENTED PROGRAM

1. By December 15, 2011, the District shall:
 - a. Develop a district-wide comprehensive plan to address the disproportionate participation of African American and Hispanic students and ensure that GATE identification reflects the demographics of a school, to include:
 - i. An annual analysis of GATE students, including proportionate number of students, and equity of access, to inform future modification of program policies, procedures and practices;
 - ii. Professional development that embraces new constructs of giftedness that are multi-faceted, multi-cultural and multi-dimensional for various stakeholders. The professional development will strengthen the links between identification and instruction (differentiated) and promote a philosophy of giftedness that is inclusive and ensures District GATE programs are equitable;
 - iii. Integration of GATE data into the Integrated Student Information System (ISIS).
 - b. Identify schools at which the participation of African American students is lower than the District average for that group; implement immediate steps to increase identification of African American students eligible for GATE at these schools through professional development, informational meetings for parents/guardians, and other means.

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TECHNOLOGY RESOURCES

By December 15, 2011, the District shall develop a District Technology Plan to include guidelines for an appropriate student/computer ratio in each school, a required portion of categorical funds set aside for school lab and classroom instructional technology, required steps for schools to accurately enter their equipment into the District's equipment inventory database, with copies of the updated inventory due to the local district superintendent by May of each year.

LIBRARY RESOURCES

By December 15, 2011, the District shall develop a plan to increase library collections and lower the book-to-student ratio and other library resources in all schools to meet District guidelines, to include: a District policy that mandates an annual, accurate library resources inventory at each school site, with an electronic database of library resources that can be used to assess the contents and condition of the collection; use of Bond Oversight funds and other funds where appropriate to increase library collections in new and reconfigured schools and in other schools that do not meet District guidelines; development of a library practice protocol for site administrators to share with teaching staff and be used to supervise the procedures implemented at their school site to ensure the proper use of all library books and adequacy of library resources.

COMMUNITY SCHOOL PILOT PROJECT

Within 180 days of the signing of this agreement, the District shall develop and implement a pilot project establishing a community school in an area that serves Annalee and Leapwood Elementary Schools. The purpose of the pilot project will be (a) to increase access to educational and non-educational resources and services, including health and social services, and engage the community in improving student achievement, and (b) to develop a successful, sustainable and replicable model for addressing the academic achievement gap that supports the improvement of African American students' academic and intellectual development.

COLLEGE PREPAREDNESS AND CAREER READINESS

In conjunction with LAUSD's "A to G for All" policy to provide college and career readiness for all students, the District shall develop a program for African American students and parents regarding college preparedness and career readiness, including access to the most effective teachers to provide them with the support and information they need to enable students to prepare for and succeed in post-secondary education, including four-year institutions.

ACADEMIC LANGUAGE PROFICIENCY

The District shall address the language proficiency and needs of African American students in the *Master Plan for English Learners* (Master Plan) that the District will develop by March 30, 2012 and begin to implement by September 2012. (See *Agreement to Resolve, English Learner Component, 09105001*). The Academic Language Proficiency component of the Master Plan shall describe a comprehensive plan of English language services and instruction that addresses the English language proficiency and needs of African American students starting at the elementary level district-wide.

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EQUAL ACCESS TO EFFECTIVE TEACHERS

By February 28, 2012, the District shall develop a strategic comprehensive plan that addresses the achievement gap for African American students; the plan shall include actions to provide professional development, monitoring of instruction and accountability for learning and support.

By December 15, 2011, the District shall develop, as part of the new Performance Meter, a district-wide plan to address student and staff attendance to ensure a minimum of 96% attendance for both students and staff.

Within 180 days of the date of this agreement, the District shall develop a district-wide plan to ensure that principals and teachers identify, request, and receive substitutes that they believe will provide the highest level of consistency for instructing students during teacher absences.

Each school in the District shall report annual teacher absenteeism rates. Local district principal leaders will work with the administrators at those schools to improve teacher attendance.

DISCIPLINE

By January 15, 2012, the District shall analyze and report district-wide, local district-level and school-level disciplinary policies, practices and data, including all levels of disciplinary infractions and sanctions, disaggregated by race and sex. Based on its analysis, the District shall develop and implement a comprehensive plan to eliminate the disproportionality in the discipline imposed on African American students (comprehensive disciplinary plan). The District shall modify its policies, procedures and practices to eliminate the disproportionality and shall also implement, as appropriate, behavioral intervention programs, supports and other methods to minimize subjectivity in the imposition of disciplinary sanctions.

The District shall develop an effective system for periodically evaluating implementation of the comprehensive disciplinary plan to ensure that it eliminates the disproportionality in the discipline imposed on African American students. The District shall maintain written reports of its evaluation.

MONITORING AND REPORTING

The District will submit to OCR for approval the following documents to OCR for review and approval, by the dates indicated. All plans will be finalized and implemented within 60 days of approval by OCR:

- a. Gifted and Talented Program
 - i. By December 15, 2011, a draft district-wide comprehensive plan to address the disproportionate participation of African American and Hispanic students in the GATE program;
 - ii. By December 30, 2011, a list of the schools identified and a report of the steps to increase the identification of African American students eligible for GATE.

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- iii. By December 30, 2011, a description of how the District's GATE database has been linked to ISIS.
 - b. Technology Resources
 - i. By December 15, 2011, a draft of the Technology Plan.
 - c. Library Resources
 - i. By November 15, 2011, a plan to address strategies to increase library collections and lower the book-to-student ratio in all schools.
 - d. Community School Pilot Project
 - i. By March 1, 2012, a description of the community school pilot project.
 - e. College Preparedness and Career Readiness
 - i. By December 15, 2011, a description of the college and career readiness program for African American students.
 - f. Equal Access to Effective Teachers
 - i. By December 15, 2011, a district-wide plan to address issues of student and staff attendance to ensure a minimum of 96% attendance for both students and staff;
 - ii. By February 28, 2012, a strategic comprehensive plan that addresses the achievement gap for African American students.
 - iii. By December 15, 2011, a plan to ensure that principals and teachers identify, request and receive substitutes that they believe will provide the highest level of consistency for instructing students.
 - g. Discipline
 - i. By January 15, 2012, a description of the comprehensive disciplinary plan.
 - ii. The District shall provide the written reports of its periodic evaluation of the comprehensive disciplinary plan to OCR upon request.
- 2. Revisions to this agreement must be mutually agreed upon by the District and OCR. Any mutually agreed upon revisions must be set forth in writing. OCR and the District will work collaboratively to resolve any concerns about the implementation of this agreement.
- 3. The District understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the District understands that during the monitoring of this agreement, if

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necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with Title VI and the regulation implementing Title VI, at 34 C.F.R. part 100, which were at issue in this case.

4. The District understands that OCR will not close the monitoring of this agreement until such time as OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the statute and regulations that were at issue in this case.
5. The District shall maintain records of all information pertinent to compliance with the terms of this Agreement and shall provide such information to OCR upon request.
6. The effective date of this Agreement is the date of the signature below.

For the Los Angeles Unified School District

Date: October 11, 2011

/s/

**John Deasy
Superintendent**