

RESOLUTION AGREEMENT
Newburyport Public Schools
OCR Complaint No. 01-14-1154

The Newburyport Public Schools (District) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. The District assures that it will take the following actions and will meet its obligation to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title II).

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions.

Action Item 1

By **March 1, 2018**, the District will include an addendum to all student-parent handbooks as well as on the District's website to include information concerning translation of documents and interpretation services for communication with parents/guardians who are limited English Proficient (LEP). The addendum to the student-parent handbooks (hereinafter, the "Addendum") will include information regarding:

- a. The District's obligation, during initial student registration, to 1) inquire of all parents/guardians, in their native language or a language they can understand, whether they would like notices and information from their child's school and the District to be provided in a language other than English, and 2) record this information in all relevant student information files or folders and in any electronic student information system. In addition, during initial student registration, the District shall also inquire whether parents/guardians require the student-parent handbook translated.
- b. A statement that District shall provide to all parents/guardians identified in Item (a) above, with either written or oral translations of all notices or documents containing essential information (as defined in Item 1(d) below).
- c. A statement that the District shall provide written or oral translations of information that is not deemed "essential information" upon receiving a reasonable, specific request for such information from LEP parents/guardians.
- d. A list of "essential information" that will be translated for LEP parents/guardians who have requested notices in a language other than English. This list shall include, but not be limited to:
 - i. Information about special education matters arising under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 (*e.g.*, IEP or 504 meetings);

- ii. Report cards and other academic progress reports;
 - iii. Information about the disciplinary process;
 - iv. Requests for parent/guardian permission for student participation in District/school sponsored programs and activities;
 - v. Promotional materials and announcements distributed to students that contain information about school and District activities for which notice is needed to participate in such activities (*e.g.*, testing, activities requiring an application, parent-teacher conferences, open houses);
 - vi. student-parent handbooks, upon request (as indicated in Item 1(a) above);
 - vii. Documents concerning enrollment or registration;
 - viii. Documents concerning academic options and planning;
 - ix. Documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication;
 - x. Information related to public health and safety; and
 - xi. Any other written information describing the rights and responsibilities of parents/guardians or students and the benefits and services available to parents/guardians and students.
- e. A statement that when a District employee needs to communicate with an LEP parent/guardian orally regarding essential information:
- i. The communication shall be provided in a language that the parent/guardian understands by means of a qualified interpreter; and
 - ii. The interpreter must be provided without undue delay.

Reporting Requirements

- (a) By **March 1, 2018**, the District will provide OCR with the District's Addendum for OCR's review and approval.
- (b) Within 30 days of OCR's approval of the Addendum, the District will submit documentation confirming that the Addendum has been provided to parents/guardians and District personnel in a manner of the District's choosing. Specifically, the District will provide proof that it has (a) posted the Addendum on the District's website, and (b) distributed the Addendum to all parents/guardians and District

employees.

Action Item 2

By **September 14, 2018**, the District will ensure that all District staff responsible for communicating essential information to parents/guardians have been provided a copy of the Addendum and the contact information for a District staff person who can answer questions about how to implement the Addendum.

Reporting Requirements

By **September 21, 2018**, the District will provide OCR with a signature sheet indicating that the Addendum has been distributed to all relevant District staff along with the contact information described in Action Item 2.

Action Item 3

By **December 1, 2018**, the District will conduct training for all of its administrators, teachers, team chairs, and any other District staff who are responsible for communicating essential information to parents/guardians. Such training shall address and be consistent with Title VI, and the Addendum developed in Action Item 1.

Reporting Requirement

Within 10 days of the training in Action Item 3, the District will provide documentation to OCR demonstrating that it provided the training in accordance with Action Item 3. This documentation will include but not be limited to: the date(s) of the training; the name and credentials of the trainer; copies of any training materials used, including any handouts guides, or other materials; sign-in sheets; and a list of the individuals who attended the training and their titles or positions.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District to 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 the regulations implementing Title VI at 34 C.F.R. Part 100, Section 504 at 34 C.F.R. Part 104, and Title II at 28 C.F.R. Part 35, which were at issue in this case. The District understands that OCR will not close the monitoring of the Agreement until such time that OCR determines the District has fulfilled the terms of the Agreement and is in compliance with the regulations implementing Title VI at 34 C.F.R. Part 100, Section 504 at 34 C.F.R. Part 104, and Title II at 28 C.F.R. Part

