

DRAFT RESOLUTION AGREEMENT
Framingham Public Schools
OCR Complaint No. 01-17-1253

The Framingham 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 obligations to comply with the requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 C.F.R. Part 100.

Action Item 1

By **June 1, 2018**, the District shall translate into Spanish and Portuguese all of its October 2017 procedures for translations and interpretations, including its written instructions and forms on “How to Request a Written Translation 2017-2018” and “How to Request an Interpreter for Verbal Translations or Sign Language 2017-2018.” These translated procedures, instructions, and forms will be posted on the District’s website, and will be provided to the parent of a student whose home language survey indicates that Spanish or Portuguese is spoken at home upon request of the parent. The District will also translate the procedures into languages other than Spanish and Portuguese upon the request of the parent.

The District will provide the translated procedures, instructions, and forms concerning translation and interpretation services for communication with parents/guardians who are limited English Proficient (LEP) in either the body of the local school’s Parent/Student Handbook (“Handbook”) or in an addendum to the Handbook (hereinafter, the “Handbook/Addendum”) The District will ensure that the Handbook/Addendum includes 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 Handbook/Addendum be translated into a language that they can understand.
- b. A statement that the 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. Procedural rights regarding 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 including grade reports and narrative comments on academic progress;
 - iii. Information about the disciplinary process;
 - iv. Requests for parent/guardian permission for student participation in District/school sponsored programs and activities;
 - v. Notices 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. Documents concerning enrollment or registration;
 - vii. Documents concerning academic options and planning;
 - viii. Documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication;
 - ix. Information related to public health and safety; and
 - x. 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 **June 30, 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 posted on the District's website,

Action Item 2

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 2, the District will provide documentation to OCR demonstrating that it provided the training in accordance with Action Item 2. 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 35, that were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District's representative below.

By: /s/ Robert A. Tremblay
Dr. Robert A Tremblay
Superintendent
Framingham Public Schools

Date: 3/26/2018