

RESOLUTION AGREEMENT

Elizabeth Public School District OCR Case No. 02-15-1233

In order to resolve Case No. 02-15-1233, the Elizabeth Public School District (the District) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100.

This Resolution Agreement has been entered into voluntarily by the District and does not constitute an admission by the District that the District is not in compliance with Title VI and its respective implementing regulations.

Action Item I: Parental Communication

On September 27, 2019, and October 22, 2019 the District provided to OCR copies of existing policies and procedures, which the District asserts ensure that parents/guardians with limited English proficiency (LEP) are notified, in a language understood by the parents/guardians, of the School's activities, programs, and services that are called to the attention of other parents/guardians, including activities, programs and services of Parent/Teacher Organizations (PTOs) at the Dr. Albert Einstein Academy School (School 29) and Ronald Reagan Academy (School 30). The District asserts that these policies and procedures:

- Specify how the District will provide language assistance services, including interpreters and written translations, to LEP parents/guardians, including parents/guardians from lower incidence language groups.
- Ensure that teachers, administrators, and office personnel are notified about the language needs of the District's LEP parents/guardians, including by reviewing the results of the District's home language surveys.
- Demonstrate that the District has a process for: staff to obtain, in a timely manner, language assistance services, including qualified translators or interpreters as needed (this could include through the use of various services, such as onsite translators/interpreters, telephonic translators/interpreters, and effective translation programs); notifying appropriate staff of the applicable record keeping procedures and reporting requirements; and, ensuring that the District's means for providing these services is well-publicized and accessible to staff.
- Demonstrate that the District has a process for notifying LEP parents/guardians, in a language that the parents/guardians can understand of the availability of free language assistance services (as described above) with respect to the District's activities, programs and services (including those of PTOs at schools 29 and 30), and information as to how this assistance may be obtained; that the notice is, at a minimum, published on the District's website, in the student and parent/guardian handbooks, and in any school-based newsletters; and, that the notice provides parents/guardians with a contact person who can answer any questions regarding

parental communication and assist parents/guardians to access interpreter services or translated documents.

- Demonstrate that the District has a process by which it ensures that all of its interpreters and translators are competent to provide interpretation and translation services and have been appropriately trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality; and, that the District maintains documentation to support that the interpreters and translators have the skills and proficiency to interpret and translate in English and a particular non-English language.
- Demonstrate that when the District generates and sends commonly used documents to parents/guardians of students enrolled in the District, including documents from PTOs, the District sends the documents to LEP parents/guardians in a language they can understand; and, that where translation is impractical due to the low incidence of the language, the District advises parents/guardians of who to contact at the District if they need assistance in understanding notices and provides oral interpretation as necessary for the parents/guardians.

Reporting Requirements:

- a) Within forty-five (45) days of the District signing the resolution agreement, OCR will complete a review of the policies and procedures that the District provided on September 27, 2019 and October 22, 2019; and, provide responses to the District regarding these policies and procedures.
- b) Within forty-five days of receiving OCR's responses, the District will discuss with OCR any questions or concerns OCR may have regarding the District's policies and procedures. The District and OCR will work collaboratively in good faith to address any such questions and concerns, and to ensure that the District's policies and procedures comply with Title VI. During this collaborative process, the District may provide any additional information and/or documentation it wishes OCR to consider regarding its policies and procedures. Following such collaborative process, OCR and the District will continue to collaborate in good faith to ensure the District's policies and procedures comply with Title VI.
- c) Within thirty (30) days of OCR's approval of any revised policies and procedures, the District will provide documentation to OCR demonstrating that it adopted any revised and/or modified policies and procedures and disseminated these to District staff and parents/guardians, including by posting the policies and procedures on the District's website.
- d) By June 30, 2020, the District will submit to OCR documentation of its implementation of any revised and/or modified policies and procedures consistent with Action Item I during school year 2019-2020. Documentation will include, but is not limited to, examples of notices sent to LEP parents/guardians of students enrolled in the District and notices on the District's website regarding the availability of free language services, a list

of individuals who requested such services and a description of when and what services were provided, and the name and credentials of all interpreters and translators.

Action Item II: Training

By March 31, 2020, the District will provide training to District administrators, and other staff members involved in the provision of interpreter and translation services, on the District's policies and procedures for providing such services, including any policies or procedures revised pursuant to Action Item I above.

Reporting Requirements:

- a) The District has advised OCR that it provided training consistent with Action Item II on or about November 5, 2019. By December 31, 2019, the District will submit to OCR a brief description of the training provided on or about November 5, 2019, the name(s) and credentials of the individual(s) who provided the training, and the names and titles of those in attendance.
- b) By April 15, 2020, the District will submit to OCR a brief description of any supplemental training provided as a result of any revisions or modifications made, consistent with Action Item I above, to the policies and procedures for providing interpreter and translation services; including the date any supplemental training was provided; the name(s) and credentials of the individual(s) who provided the training; and, the names and titles of those in attendance.

The District understands that by signing this resolution agreement (the 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 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 and obligations of this Agreement. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close this case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

_____/s/_____
District Representative

__11/19/19_____
Date