

RESOLUTION AGREEMENT

Glen Cove City School District Case No. 02-16-1292

In order to resolve Case No. 02-16-1292, the Glen Cove City School 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.

The District asserts that it adopted a plan to modify its Middle School program prior to the complaint that was filed. Accordingly, the District asserts that it is signing this Resolution Agreement as a vehicle for OCR to monitor actions that the District has previously committed to take on its own accord. By agreeing to this Resolution Agreement, neither the District nor any of its officials, officers, employees, agents or representatives admit to any liability or wrongdoing, and nothing herein shall be construed as an admission of liability or wrongdoing.

Action Item I: Consultant

By January 1, 2017, the District will retain a consultant with expertise in addressing the underrepresentation of Hispanic students and students who are English language learners (ELL) in honors, Regents, accelerated and/or college and career preparatory courses (collectively, accelerated courses) to study and make recommendations as to what measures the District will take as part of its ongoing efforts to provide all students with equal access to and an equal opportunity to participate in accelerated courses at the middle school level.

The consultant will review and assess these courses consistent with Action Item II below and make recommendations to address the root cause(s) of any disparity in enrollment of Hispanic and ELL students in middle school accelerated courses. The consultant may be an independent contractor for the District or a District employee. The District, after retaining its consultant, shall promptly provide the consultant with all appropriate information the consultant believes is necessary to engage in this process.

Reporting Requirements

- a) By December 1, 2016, the District will submit to OCR for review and approval, the name of the consultant to be retained consistent with Action Item I; a copy of the consultant's curriculum vitae or resume or other summary of the consultant's qualifications and experience; and a statement regarding whether the consultant is a District employee or independent contractor. OCR will respond within 15 calendar days.
- b) By January 1, 2017, the District will submit documentation demonstrating that the consultant has been retained, including the date the consultant was retained and terms of any contract.

Action Item II: Review and Assessment by the District’s Consultant

By March 15, 2017, the District’s consultant will complete a review and assessment of participation in any accelerated courses offered at the middle school for school year 2016-2017. As part of its review and assessment, the consultant, at a minimum, will:

- A. review enrollment data, including trend data (*i.e.*, student enrollment data for middle school accelerated course, for each year, disaggregated by race and grade);
- B. review the correlation between enrollment in middle school accelerated courses and later enrollment in high school accelerated courses and programs;
- C. review the correlation between middle school performance and subsequent enrollment in accelerated high school courses and programs, including the correlation between the courses in which students elect to enroll during high school and their middle school academic profiles (e.g., grades, previous test scores, other indicators);
- D. review any additional support provided for students (such as counseling, peer mentoring groups, or tutoring or rigorous academic preparation) at the middle school level to prepare them for accelerated courses at the high school level;
- E. review and assess any potential barriers to increased student participation in middle school accelerated courses relating to:
 1. the location, number, and subject matter of such course offerings;
 2. the lack of a structured program of course offerings or lack of available foundation courses at the elementary schools to prepare students for more rigorous courses later in their education;
 3. the role of prerequisite courses, and teacher recommendations in student enrollment in higher level learning opportunities;
 4. the impact of level placement in the sixth grade, on student participation in higher level learning opportunities;
 5. any District enrollment, registration, or other policies and procedures related to enrollment in such courses;
 6. teacher qualifications to teach such courses;
 7. communication and outreach to students and parents/guardians about these courses;
 8. advertisement of such courses;
 9. peer pressure;
 10. early awareness on the part of parents/guardians/students of the relationship between the middle school curriculum and the high school curriculum for college and career readiness;
 11. the role of guidance counselor services;
 12. support services for students enrolled in such courses or preparing to enroll in them; and
 13. any other potential barriers to increased student participation in such courses.

- F. review and assess which methods undertaken by the District, to date, have been effective (or ineffective) for early awareness and in encouraging student participation in middle school accelerated courses, starting at the elementary school level;
- G. consider ways to increase student readiness for higher level learning opportunities, including, for example, by strengthening the rigor of courses in earlier grades and increasing communication between elementary, middle and high schools to ensure that students are better prepared for higher level learning opportunities in middle and high school;
- H. host meetings for interested District parents/guardians and age-appropriate meetings for interested first through eighth grade students to share information about middle school accelerated courses, identify any perceived barriers to increased enrollment and solicit recommendations for increasing enrollment. The District will ensure that it effectively and widely disseminates notice of the meeting in appropriate language(s) and will hold the meeting at a time and place that it reasonably believes to be most convenient for parents/guardians and will work with parents/guardians and community leaders to encourage attendance;
- I. develop and administer a survey to offer parents of students in grades 3-8, and relevant staff, the opportunity to submit information about their perceptions and understanding with respect to the recruitment, selection, and/or participation of students in middle school accelerated courses;
- J. schedule a reasonable number of date(s)/time(s) for interviews to offer relevant school administrators, faculty and staff, and parents/guardians and students of the District, the opportunity to submit information about their perceptions and understanding with respect to the recruitment, selection and/or participation of students in middle school accelerated courses; and
- K. consult with other similar public school districts concerning effective methods for increasing student enrollment in middle school accelerated courses.

Reporting Requirement: By April 15, 2017, the District will submit a copy of the consultant's assessment to OCR, including but not limited to the following:

- a) any trend data consistent with Action Item II(A);
- b) any identified barriers to student enrollment in courses identified pursuant to Action Item II(E);
- c) a detailed description of the effectiveness of methods undertaken by the District to encourage participation and to consider preparation of students beginning at the elementary school level identified pursuant to Action Item II(F);
- d) the date(s), location(s), and time(s) of any meeting(s) held pursuant to Action Item II(H), including a copy of the meeting minutes, participant lists, etc.;
- e) a copy of the survey, including the results, administered consistent with Action Item II(I);

- f) a list of the individuals interviewed, by name, title, etc., and a summary of information gathered pursuant to Action Item II(J); and
- g) a list of school districts or other organizations consulted by the District, including notes of such consultations and any related data collected pursuant to Action Item II(K).

Action Item III: Consultant Recommendations

- A. By May 15, 2017, the District will obtain a written report from the consultant outlining his/her recommendations relating to measures the District could take to further facilitate its efforts to provide all students with equal access to and an equal opportunity to participate in the accelerated courses.
- B. By July 1, 2017, after reviewing the recommendations of the consultant, the District will consider whether to revise and/or expand its eligibility and selection criteria for accelerated courses, in order to further facilitate its efforts to provide all students with equal access and an equal opportunity to participate. If the District retains any criteria currently used for identification/selection for accelerated courses, it will specifically consider whether a modest modification of such criteria (such as considering classroom performance) would result in an increase of students that would be considered for participation and an increase in participation by Hispanic and ELL students.
- C. By July 15, 2017, the District will consider and identify what action it will take with respect to the recommendations made by the consultant, based on Action Items II(A)-(K); and incorporate those recommendations into an action plan, with specific timeframes to enable implementation of the plan for courses for school year 2017-2018. At a minimum, the action plan will address:
 - The eligibility and selection criteria (including a specific description of each criterion) for accelerated courses that will be used beginning with school year 2017-2018.
 - Training for any District/school personnel responsible for conducting any assessments or evaluations as part of the identification/selection process regarding any additional, revised, or modified criteria; and adequate instruction on how to access information regarding students' eligibility.
 - How the District will address any potential barriers identified in Action Item II, to increased student participation in the courses.
 - How the District will provide early awareness and encourage student participation in accelerated courses, starting at the elementary school level.
 - How the District will increase student readiness for higher level learning opportunities.

- D. By July 31, 2017, the District will disseminate the revised or expanded criteria to all relevant students, their parents/guardians, administrators, teachers and staff, and will use the revised or expanded criteria to determine eligibility and selection for enrollment in the accelerated courses beginning with school year 2017-2018.
- E. By September 30, 2017, the District will update any relevant printed publications and on-line publications with the revised or expanded criteria. Inserts may be used in printed publications until re-printing.

Reporting Requirements

- a) By June 1, 2017, the District will provide to OCR a copy of the consultant’s written report outlining the consultant’s recommendations.
- b) By July 15, 2017, the District will provide to OCR, for review and approval, the revised or expanded eligibility and selection criteria, incorporating recommendations of the consultant, in order to further facilitate its efforts to provide all students with equal access and an equal opportunity to participate in accelerated courses. OCR will respond within 45 calendar days.
- c) By July 15, 2017, the District will provide to OCR, for review and approval, its action plan for implementing recommendations made by the consultant, with specific timeframes to enable implementation of the plan for courses for school year 2017-2018. If the District rejects and/or modifies any recommendations made by the consultant, the District will provide to OCR a comprehensive explanation for the rejection or the modification of the recommendation. OCR will respond within 45 calendar days.
- d) By September 30, 2017, 2018, and 2019, the District will submit documentation to OCR demonstrating implementation of the action plan developed in accordance with Action Item III(C), for the preceding school year.
- e) By July 31, 2018 and 2019, if any further changes are made to eligibility and selection criteria for school years 2018-2019 or 2019-2020, the District will provide to OCR, for review and approval, the revised or expanded eligibility and selection criteria.

Action Item IV: Parent/Guardian Outreach

By July 1, 2017, in conjunction with the action plan developed consistent with Action Item III, the District will develop an outreach plan for the parents/guardians of elementary, middle, and high school students regarding its accelerated courses. The District will ensure that the outreach, to be conducted at each elementary, middle, and high school site, includes at a minimum:

- A. a description of the benefits and opportunities available to students in its middle school accelerated courses, and any applicable changes made at the elementary and middle school level to prepare students for success in such courses;

- B. information regarding the identification/selection process for middle school accelerated courses, including information about the importance of taking foundation courses in the elementary and middle school years to prepare students for enrollment in later courses and programs;
- C. information regarding the identification/selection criteria for the District's middle school accelerated courses;
- D. messages from building principals to all parents and/or students, regarding the availability of, and benefits of, higher level learning opportunities at the middle school level, and the value of higher level learning opportunities;
- E. notification to eligible students that they should strongly consider participating in higher level learning courses;
- F. the name(s) and contact information for the committee or coordinators for the District's middle school accelerated courses and at the District's main administrative office; and
- G. information regarding how to appeal decisions made regarding the identification and selection of students for such courses.

The District will also consider outreach to community organizations, including those that are in regular contact with the parents/guardians of Hispanic and ELL students regarding the opportunities and benefits of accelerated courses, as well as the importance of the foundation courses in elementary and middle school.

Reporting Requirements:

- a) By July 15, 2017, the District will provide to OCR, for review and approval, its outreach plan for parents/guardians consistent with Action Item IV.
- b) By June 30, 2018, 2019, and 2020, the District will provide documentation to OCR demonstrating that the parent/guardian outreach plan was implemented during the previous school year consistent with Action Item IV; including copies of any written notices or other correspondence, and details and documentation of any events held with parents/guardians.

Action Item V: Student Outreach

By July 15, 2017, in conjunction with the action plan developed consistent with Action Item III, the District will develop an outreach plan for students. At a minimum, the outreach activities should include peer presentations on a voluntary basis by available and interested Hispanic and ELL students enrolled in accelerated courses regarding their experiences in these courses. The District may consider and implement other actions not otherwise described in this Agreement in an effort to increase student participation; including race/ethnic-targeted recruitment and outreach efforts to directly encourage Hispanic and ELL students to consider participation.

Reporting Requirements:

- a) By July 15, 2017, the District will provide to OCR, for review and approval, its outreach plan for students consistent with Action Item V.
- b) By June 30, 2018, 2019, and 2020, the District will provide documentation to OCR demonstrating that the student outreach plan was implemented during the previous school year consistent with Action Item V; including copies of any written notices or other correspondence, and details and documentation of any events held with students.

Action Item VI: Academic Counseling Services

By July 15, 2017, after reviewing the recommendations of the consultant, the District will determine whether changes are needed to its current academic counseling services at the middle school level and make any changes necessary to ensure that all students receive counseling that:

- A. informs each student of all available accelerated course options and encourages participation in these courses, including foundation courses and course progression at the District's elementary and middle schools, as applicable. This will include individual counseling as well as inclusion of information on the District's middle school accelerated courses in any information sessions provided to students about middle school enrollment. These sessions may include testimonials from a diverse group of students and from their parents/guardians, as well as from teachers and principals;
- B. allows each student to meaningfully consider enrollment in the programs and courses that are most likely to meet their educational needs and objectives; and
- C. directly and personally encourages each student to enroll in programs or courses that are appropriately challenging and will appropriately prepare each student for college and career readiness courses and programs and later for higher education.

Reporting Requirement: By September 30, 2017 and 2018, the District will provide to OCR documentation demonstrating that academic counseling services were implemented during the previous school year consistent with Action Item VI above; including, but not limited to, a description of how these services were provided to students.

Action Item VII: Training for District Staff/Administrators

- A. By July 15, 2017, after reviewing the recommendations of the consultant, the District will determine whether changes are needed to its current training plan for relevant District and school site administrators, counselors and teaching staff regarding middle school accelerated courses and foundation courses at its elementary and middle schools. If not already being done, any training plan will include, at a minimum:

1. an assessment that ensures that counselors provided accurate information about the District's accelerated programs and courses;
 2. a presentation by an expert during school year 2016-2017, which may be the consultant, in best practices for identification/selection and retention of Hispanic and ELL students in middle school accelerated courses;
 3. instruction on encouraging student participation in middle school accelerated courses;
 4. an overview of the identification/selection criteria for middle school accelerated courses;
 5. an overview of parent/guardian and student outreach efforts regarding middle school accelerated courses; and
 6. information or instruction regarding other actions the District may be taking in an effort to increase student participation in middle school accelerated courses, including race/ethnic-targeted recruitment and outreach efforts to directly encourage Hispanic and ELL students to consider participation.
- B. By October 31, 2017, the District will provide training for District staff and administrators consistent with the plan developed in accordance with Action Item VII(A).

Reporting Requirements:

- a) By July 15, 2017, the District will provide to OCR a copy of its training plan for District staff and administrators, consistent with Action Item VII(A).
- b) By October 15, 2017, the District will provide to OCR documentation demonstrating that it has provided training to district personnel during school year 2016-2017 in accordance with Action Item VII(B) above, including: (a) the name(s) and title(s) of the individuals who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and (d) copies of any training materials disseminated.

Action Item VIII: Data Maintenance

Beginning January 1, 2017, the District will maintain data on the number of students, by race, national origin, and ELL status, enrolled in each accelerated course in the District's middle school. The data should be reported in such a manner so that students who are taking more than one of the specified courses are not double-counted.

Reporting Requirement: By June 30, 2017, 2018, and 2019, the District will provide to OCR the data referenced in Action Item VIII for the preceding school year.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title VI, at 34 C.F.R. § 100.3(a) and (b)(1) and (2), which were at issue in this case. The District also 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 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 the regulation implementing Title VI, at 34 C.F.R. § 100.3(a) and (b)(1) and (2), which were at issue in this case. The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including 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, including 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.

November 14, 2016
Date

/s/
Glen Cove City School District