

RESOLUTION AGREEMENT

Rochester City School District OCR Case No. 02-16-5001

The U.S. Department of Education, Office for Civil Rights (OCR) and the Rochester City School District (the District) enter into this agreement in order to resolve the above-referenced case. This agreement does not constitute an admission of liability, non-compliance, or wrong-doing by the District. The District assures OCR that it will take the following actions to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d et seq., and its implementing regulation, at 34 C.F.R. Part 100; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131, et seq., and its implementing regulation at 28 C.F.R. Part 35. To the extent that the District is unable, for any reason, to comply with any provision of this agreement within the stated timeframes, the District may request an extension of time to comply with a specific action item and/or reporting requirement. In doing so, the District shall identify and describe the interim steps it has made to comply, and indicate a projected timeframe for compliance. Any request for an extension is subject to OCR's approval, consistent with Section 503 of OCR's Case Processing Manual.

Action Item A: Assessment and Placement of Students Whose Primary Home Language is Other Than English (PHLOTE)

The District will take steps to ensure that every student identified as PHLOTE is assessed by the District to determine (a) which students may require alternative language services; (b) the appropriate language services to be provided; and, (c) the appropriate alternative language program placement for each student identified as an English language learner (ELL). To that end, the District will take the following actions.

- (1) By December 31, 2017, the District will develop and adopt a procedure to document that all students identified as PHLOTE have been appropriately assessed to determine which of these students require alternative language services.
- (2) By December 31, 2017, the District will establish one or more placement committees (i.e., language proficiency assessment committees). The members of the language proficiency assessment committee will include, at a minimum, a language assessor; an ENL/bilingual teacher; a District administrator from the Placement Office; and when applicable, a staff member from the special education department. The District will convene a placement committee meeting for each entering PHLOTE student who was assessed to review information regarding the student's English language proficiency; and, make placement determinations regarding the student's participation in the District's alternative language programs, including the type and amount of language development services to be provided to each student. In addition, prior to determining a student's placement, the District will consult with the proposed placement school/program to ensure that the school/program is able to meet the needs of the ELL student recommended for placement at the proposed school/program. If the District deviates from its established alternative language programs in providing English language

services to any particular student, the District will document the reason for not providing the ELL student with alternative language services in accordance with the District's programs.

- (3) The District will develop a system to maintain records for all ELL students that will include, by ELL student: name; school; grade level; assessment results; English proficiency level; and, the determination made by the placement committee regarding the provision of appropriate language services for the student, including the type, frequency, and duration of services to be provided.

Reporting Requirements:

- (a) By November 15, 2017, the District will provide to OCR, for its review and approval, a draft of its procedure to document that all students identified as PHLOTE have been appropriately assessed to determine which of these students may require alternative language services.
- (b) By January 15, 2018, the District will provide documentation to OCR to demonstrate that the OCR-approved procedure developed consistent with Action Item A(1) was adopted and disseminated to appropriate personnel. Dissemination may occur by the methods usually employed by the District for distributing the District's procedures, including posting on the District's website. This documentation will include, at a minimum, (i) printouts or a link to any on-line publications containing the procedure; (ii) evidence of the electronic dissemination of the procedure to appropriate personnel; and (iii) if not yet finalized, copies of inserts for printed publications, if any. If inserts are used for any publications, then by June 30, 2018, the District will confirm that printed versions of all publications that were previously disseminated now contain the revised procedures.
- (c) By January 15, 2018, the District will provide documentation demonstrating that a placement committee(s) has been established consistent with Action Item A(2). The documentation will include, at a minimum, the names and titles of the individuals on the placement committee(s).
- (d) By January 15, 2018, the District will provide documentation to OCR demonstrating that the District has developed a record-keeping system consistent with Action Item A(3), including a description of the system and the name and title of the person(s) responsible for maintaining the system.
- (e) By June 30, 2018, and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will submit to OCR a list of all students, by name or another unique identifier, who completed an HLQ survey; and,
- i. whether the student was determined to have a PHLOTE;
 - ii. whether the student was assessed to determine the student's need for alternative language services, and the results of any assessment;

- iii. whether the District convened a placement committee meeting for each PHLOTE student determined to need alternative language services to review information regarding the student's English language proficiency and make placement determinations regarding the student's participation in the District's alternative language programs; and,
 - iv. the placement determination made for each such student, including the reason for the placement.
- (f) By June 30, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, for each ELL student determined to be eligible for, but not placed in an alternative language program, the reason(s) for not providing alternative language services; a statement of the language support services, if any, being provided to the student; and, a description of the student's academic progress, including, whether the student is able to participate meaningfully in the regular instructional program.

Action Item B: Implementation of the Alternative Language Programs

By December 31, 2017, the District will develop and adopt a plan for implementing the District's alternative language programs that ensures that the language needs of all ELL students are met, at all grade levels and proficiency levels, until the students meet the District's criteria to exit the alternative language program.

Reporting Requirements:

- (a) By November 15, 2017, the District will provide to OCR, for review and approval, a draft of its plan for meeting the language needs of ELL students, at all grade levels and proficiency levels, consistent with Action Item B; including, which alternative language programs will be offered at each school and grade level, and a description of how these programs meet the needs of all ELL students, at all grade levels and proficiency levels.
- (b) By January 15, 2018, the District will provide documentation to OCR to demonstrate that the OCR-approved plan developed consistent with Action Item B was adopted and disseminated to appropriate personnel. Dissemination may occur by the methods usually employed by the District for distributing the District's procedures, including posting on the District's website. This documentation will include, at a minimum, (i) printouts or a link to any on-line publications containing the plan; (ii) evidence of the electronic dissemination of the plan to appropriate personnel; and (iii) if not yet finalized, copies of inserts for printed publications, if any. If inserts are used for any publications, then by June 30, 2018, the District will confirm that printed versions of all publications that were previously disseminated now contain the revised plan.
- (c) By June 30, 2018 and 2019, for school year 2017-2018 and 2018-2019, respectively, the District will submit to OCR the updated roster of all ELL students, along with the following information:

- i. The total number of ELL students enrolled in each school, by grade level and English proficiency level;
- ii. The total number of ELL students in each school who receive alternative language program services; and,
- iii. For each ELL student provided alternative language program services, the services provided, including the duration of services (e.g., 45 minutes/5 times a week).

Action Item C: Staffing and Staff Development

- (1) By December 31, 2017, the District will ensure that there is a sufficient number of staff to implement its selected alternative language programs; including, certified, trained, English as a New Language (ENL) teachers, bilingual teachers, social workers, school psychologists, substitute teachers, and classroom teacher assistants. ENL teachers must demonstrate that they have been adequately trained in ENL methodology, and have mastered the skills necessary to teach effectively. Bilingual teachers must demonstrate that they can speak, read, write and understand in both languages, and that they have received adequate instruction in the methods of bilingual education.
- (2) By December 31, 2017, to the extent the District does not have a sufficient number of staff to implement its selected alternative language programs, the District shall identify and describe the interim steps it will take to recruit and provide sufficient staffing for its alternative language programs. This may include using current teaching staff who are ESL, ENL, and/or bilingual certified to teach in the alternative language programs; or current teaching staff members who are working toward obtaining credentials as a condition of employment in the alternative language program, and are receiving interim training to enable them to function adequately in the classroom; and/or, assistance from qualified paraprofessionals or assistants.
- (3) By December 31, 2017, the District will develop and adopt a procedure to ensure that each ENL and/or bilingual teacher's classroom performance will be evaluated by a person who is familiar with the method being used, and in a manner designed to ensure that ENL and/or bilingual teachers are providing services that are consistent with the District's alternative language program curriculum and academic objectives.
- (4) By March 1, 2018, the District will ensure that all staff providing services to ELL students enrolled in its alternative language programs are appropriately certified and trained.
- (5) By March 1, 2018, the District will provide training on its alternative language program methodologies to all individuals identified to evaluate the ENL and/or bilingual teachers' classroom performance.

Reporting Requirements:

- (a) By November 30, 2017, the District will provide a plan to OCR describing how the District will ensure that there is a sufficient number of staff to implement its selected alternative language programs for school year 2017-2018. This shall include the

- names and qualifications of alternative language program teachers at each school (including their certification and training as ESL, ENL, and/or bilingual teachers) as well as their projected daily schedules, and the number of ELL students for each ENL and/or bilingual classroom period identified. If the District does not have sufficient staff for its alternative language programs for school year 2017-2018, the District will explain the interim steps it will take to provide adequate staffing for its alternative language programs. By January 15, 2018, and June 30, 2018, the District will provide documentation regarding the interim steps taken during school year 2017-2018.
- (b) By November 30, 2017, the District will submit to OCR a copy of the procedure it developed to ensure that ENL and/or bilingual teachers' classroom performance will be evaluated by a person knowledgeable in ENL and/or bilingual methodologies.
 - (c) By March 31, 2018, the District will provide documentation to OCR demonstrating that all of its staff who are responsible for implementing the District's alternative language programs are appropriately certified and trained. Such documentation will include the names and qualifications of teachers at each school (including their certification and training as ESL, ENL, and/or bilingual teachers).
 - (d) By March 31, 2018, the District will submit to OCR documentation demonstrating that it provided training on its alternative language program methodologies to all individuals identified to evaluate the ENL and/or bilingual teachers' classroom performance. Such documentation will include a brief description of the training; the name and credentials of the individual(s) responsible for providing the training; and, the names and titles of those in attendance.

Action Item D: Instructional Materials and Resources

By December 31, 2017, the District will ensure that it has provided instructional materials and technology to effectively implement its selected alternative language programs for the instruction of ELL students; and, that such materials and technology are appropriate to the curriculum, and comparable in quality, availability, and grade level to materials and technology provided for the instruction of non-ELL students.

Reporting Requirement:

By June 30, 2018 and 2019, for school year 2017-2018 and 2018-2019, respectively, the District will submit to OCR, by school and grade level, a written description of the instructional materials and technology it has in place, as well as those ordered for purchase by the District, to be used in its alternative language programs. The District will also inform OCR of the materials and technology it has obtained, and/or has ordered for purchase, and its planned distribution to the schools. Further, the description will include a written explanation as to how the materials and technology are appropriate to the curriculum and comparable in quality, availability, and grade level to materials and technology provided for the instruction of non-ELL students.

Action Item E: Monitoring Students Exited from the ELL Program

- (1) By December 31, 2017, the District will develop and adopt procedures to periodically review, throughout the school year, the academic progress of students exited from its alternative language programs. The procedures will include, at a minimum, examining, throughout the school year, grades; academic achievement scores; interim progress reports; and, test scores. Additionally, the procedures will permit reentry into the alternative language programs by all exited ELL students who demonstrate a need for additional English language services, and/or the provision of additional support services to exited ELL students who demonstrate a need for additional support, such as tutoring, as appropriate.
- (2) By January 31, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will identify whether any students who have exited from its alternative language programs have suffered any academic deficiencies and take appropriate steps to remediate such academic deficiencies (e.g., tutoring). In circumstances where a student is not succeeding academically because of premature exiting or the lack of appropriate English language development, the District will consider reentry into the alternative language program as a remedy.

Reporting Requirements:

- (a) By November 30, 2017, the District will submit to OCR, for review and approval, its draft procedures to monitor the progress of students who exited its alternative language programs.
- (b) By January 31, 2018, the District will provide documentation to OCR to demonstrate that the OCR-approved procedures developed consistent with Action Item E(1) were adopted and disseminated to appropriate personnel, including instructional staff and administrators. Dissemination may occur by the methods usually employed by the District for distributing the District's procedures, including posting on the District's website. This documentation will include, at a minimum, (i) printouts or a link to any on-line publications containing the procedures; (ii) evidence of the electronic dissemination of the procedures to appropriate personnel; and (iii) if not yet finalized, copies of inserts for printed publications, if any. If inserts are used for any publications, then by June 30, 2018, the District will confirm that printed versions of all publications that were previously disseminated now contain the procedures.
- (c) By January 31, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will provide to OCR the following:
 - i. A list of students who exited its alternative language programs during the previous school year, and documentation demonstrating the students' achievement in the regular educational environment without alternative language program services;

- ii. Supporting documentation (i.e., grades and other academic achievement data; copies of student rosters indicating exit criteria; and test scores) for all students reviewed; and,
- iii. A list of all students who exited the alternative language programs during the previous school year who suffered academic deficits. Of these students, the District will identify students to whom it provided additional academic supports (e.g., tutoring), or students who reentered an alternative language program as a result of the evaluation. For those who remain as exited ELL students, the District will provide documentation of the reasons for the placement determination (i.e., a roster with student scores or evidence of success in the regular academic program).

Action Item F: Program Evaluation

By June 30, 2018, the District will evaluate its alternative language programs pursuant to its existing procedure, or develop and implement a new procedure to measure the effectiveness of its alternative language programs.

Reporting Requirement:

By July 31, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will submit to OCR a copy of its completed evaluation (including a copy or description of the procedure used) to measure the effectiveness of its alternative language programs. The District will describe any modifications made to its alternative language programs as a result of the evaluation, and describe the District's actions undertaken to implement the modifications to its alternative language programs. These may include documentation demonstrating the efforts the District has taken to implement the Corrective Action Plan it developed consistent with the New York State Education Department's CR 154, and the suggested recommendations in the consultant's strategic report from 2016.

Action Item G: Special Education

- (1) By December 31, 2017, the District will revise its disability pre-referral, identification, referral, evaluation, and placement procedures and practices, as necessary, to ensure that ELL students, who are also qualified individuals with disabilities as defined in the regulation implementing Section 504, are appropriately evaluated, placed, and provided special education and related aids and services deemed necessary, as well as alternative language services. The procedures will ensure that ELL students are not misidentified as students with disabilities due to their ELL status; that students are not misidentified as needing ELL services due to a disability; that students who are properly identified as needing both alternative language services and special education and related aids and services are provided with both; and, that students with disabilities are not denied the opportunity to exit from the alternative language programs due to implementation of a test that measures the student's disability rather than their English language proficiency. Additionally, the procedures will ensure that when a student is identified as a qualified individual with a disability and an ELL, the District's Committee on Special Education (CSE) will consider the student's ELL status

when making a determination regarding which special education and related aids and services are necessary to meet the student's needs. In addition to reviewing information regarding the ELL student's English language proficiency, the CSE will ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options, and, ensure that the CSE decision is made in conformity with 34 C.F.R. § 104.34.

- (2) By December 31, 2017, the District will take steps to ensure that staff involved in pre-referral, identification, special education referral, and evaluation and placement determinations are appropriately trained on how to accurately identify ELL students consistent with Action Item G(1); and, exit students with disabilities from the alternative language programs when appropriate.
- (3) By June 30, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will review all of its ELL students currently identified as students with disabilities to ensure that students who require both ELL services and special education receive both; determine whether compensatory services are necessary for any student who was not receiving appropriate alternative language services and/or special education services; and, ensure that any student with a disability was not denied the opportunity to exit from the alternative language programs due to implementation of a test that measures the students' disability rather than the student's English language proficiency.

Reporting Requirements:

- (a) By November 30, 2017, the District will submit to OCR, for review and approval, a copy of its revised procedures developed consistent with Action Item G(1).
- (b) By December 31, 2017, the District will provide documentation to OCR to demonstrate that the OCR-approved procedures developed consistent with Action Item G(1) were adopted and disseminated to appropriate personnel. Dissemination may occur by the methods usually employed by the District for distributing the District's procedures, including posting on the District's website. This documentation will include, at a minimum, (i) printouts or a link to any on-line publications containing the procedures; (ii) evidence of the electronic dissemination of the procedures to appropriate personnel; and (iii) if not yet finalized, copies of inserts for printed publications, if any. If inserts are used for any publications, then by June 30, 2018, the District will confirm that printed versions of all publications that were previously disseminated now contain the procedures.
- (c) By March 1, 2018, the District will submit to OCR documentation that it provided the training required by Action Item G(2). Such documentation will include a brief description of the training; the date(s) of the training; the name and credentials of the individual(s) responsible for providing the training; and the names and titles of those in attendance.

- (d) By July 31, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will provide to OCR, in accordance with Action Item G(3), a list of all ELL students identified as students with disabilities; describe the alternative language services and special education services provided to each student; indicate what, if any, compensatory services were deemed necessary for each student; and, provide an assurance that each student with a disability was not denied the opportunity to exit from the alternative language programs due to implementation of a test that measures the student's disability rather than English language proficiency.

Action Item H: Parental Communication

- (1) By December 31, 2017, the District shall revise its procedures to ensure that national origin minority limited English proficient (LEP) parents/guardians are notified, in a language understood by the parents/guardians, of school activities and other information and matters that are called to the attention of other parents/guardians. Specifically, the District will revise its procedures to ensure that:
 - (a) The procedures specify how the District will provide language assistance services, including interpreters and written translations, to LEP parents/guardians, including parents from low incident language groups.
 - (b) The District has a process to identify and track LEP parents/guardians who require communication in a language other than English, including ensuring that teachers, administrators, and central office personnel are notified of the language(s) spoken by these LEP parents/guardians.
 - (c) The District has a process by which District staff may obtain, in a timely manner, language assistance services, including qualified translators or interpreters as needed (which may include the use of various services, such as onsite translators/interpreters, telephonic translators/interpreters, and effective translation programs); the process will also notify appropriate staff of the applicable record-keeping procedures and reporting requirements. The District's means for providing these services must be well-publicized and accessible to staff.
 - (d) The District has a process for notifying LEP parents/guardians, in a language that the parents can understand, of the availability of free language assistance services (as described in subsection c above) with respect to school programs and activities, and information as to how this assistance may be obtained. The notice will, at a minimum, be published on the District's website, in any student or parent handbooks, and in any District-wide or school-based newsletters in English and Spanish, and in as many other languages known to be spoken in the District, as is practical. The notification will also provide parents with the name, title, telephone number, address, and electronic mail (email) address of the person(s) designated by the District to respond to any questions regarding parental communication, and to assist parents/guardians in obtaining access to interpreter services or translated documents.

- (e) 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. The District will maintain documentation to support that the interpreters and translators have the skills and proficiency to interpret and translate in English and any non-English language for which the interpreter will be providing interpretation.
 - (f) When the District generates and sends frequently used documents to parents/guardians of students enrolled in the District (e.g., report cards, disciplinary notices, releases for field trips), the District/schools will send the documents to identified LEP parents/guardians in a language they can understand. Where translation is impractical due to the low incidence of the language, the District will advise LEP parents/guardians who they may contact if they need assistance in understanding such documents; and, the District will provide oral interpretation as necessary for the LEP parents/guardians.
- (2) By January 15, 2018, the District will provide notice to LEP parents/guardians of the revised policies and procedures, and the availability of interpreter and translation services.
- (3) By March 1, 2018, the District will provide training to District administrators and other staff members involved in the provision of interpretation and translation services to LEP parents/guardians regarding the revised policies and procedures developed consistent with Action Item H(1).

Reporting Requirements:

- (a) By November 30, 2017, the District will submit to OCR, for review and approval, a copy of its revised procedures concerning parental communication.
- (b) By January 15, 2018, the District will provide documentation to OCR to demonstrate that the OCR-approved procedures developed consistent with Action Item H(1) were adopted and disseminated to appropriate personnel; and, by January 30, 2018, that appropriate notices of the procedures were disseminated to LEP parents/guardians. Dissemination may occur by the methods usually employed by the District for distributing the District's procedures, including posting on the District's website. This documentation will include, at a minimum, (i) printouts or a link to any on-line publications containing the procedures; (ii) evidence of the electronic dissemination of the procedures to appropriate personnel and LEP parents/guardians; and (iii) if not yet finalized, copies of inserts for printed publications, if any. If inserts are used for any publications, then by June 30, 2018, the District will confirm that printed versions of all publications that were previously disseminated now contain the policies and procedures.
- (c) By March 31, 2018, the District will submit to OCR documentation demonstrating that it provided training regarding the District's revised procedures governing the provision of interpreter and translation services in accordance with Action Item H(3). Such

documentation will include a brief description of the training; the date(s) of the training; the name and credentials of the individual(s) responsible for providing the training; and the names and titles of those in attendance.

- (d) By June 30, 2018 and 2019, for school years 2017-2018 and 2018-2019, respectively, the District will submit documentation to OCR demonstrating its implementation of the procedure in Action Item H(1) during the respective school year. Documentation shall include, but is not limited to, copies of notices sent to LEP parents/guardians advising them of the availability of free language interpreter services; a list of individuals who requested such services; and, a description of the services that were provided, including at a minimum, the date that such services were provided and the name and credentials of the interpreters and translators who provided such services.

Action Item I: Specialized Programs

By December 31, 2017, the District will complete a review of the participation of ELL students in the District's specialized programs (such as the gifted and talented program, International Baccalaureate Program, honors and Advanced Placement courses, Pathways to Technology Program, Shared-Time CTE programs, and any other specialized programs). The District's review will include, at a minimum:

- (1) An assessment of whether any District policies, procedures, and/or practices preclude or otherwise limit ELL students from participating in the District's specialized programs;
- (2) The methods used to disseminate information about the District's specialized programs, including the languages in which the information is provided;
- (3) The methods used to recruit participants for the District's specialized programs; and,
- (4) A student survey of current ELL students, and those exited from ELL services during school year 2016-2017, regarding student interest in the District's specialized programs.

OCR has made clear to the District that OCR does not require or encourage the elimination of any specialized program, or the dilution of the rigor of the curriculum of such programs, and that it seeks action from the District that does not involve the elimination of any specialized program, or dilution of the rigor of the curriculum of such programs, because nothing in Title VI requires an institution to eliminate specialized programs or to dilute the rigor of the curriculum of such programs. OCR has also made clear to the District that Title VI provides institutions with flexibility and choice regarding how they will provide nondiscriminatory participation opportunities for specialized programs.

Reporting Requirement:

By March 1, 2018, the District will provide to OCR a written description of the District's review of the participation of ELL students in the District's specialized programs, including a description of the information gathered pursuant to Action Items I(1) through

I(3); the results of the student survey conducted pursuant to Action Item I(4); and, what actions, if any the District intends to take as a result of the review to ensure that ELL students have an equal opportunity to apply for and participate in these specialized programs.

Action Item J: Integration of ELL Students

By December 31, 2017, the District will complete a review of its ELL program(s), including its program for students with interrupted formal education (SIFE/newcomer program(s)), develop a plan to ensure that it carries out its program(s) in the least segregative manner consistent with achieving its stated goal(s), and will identify modifications that will minimize segregation to the greatest extent possible in the District.

Reporting Requirements:

- (a) By October 30, 2017, the District will provide to OCR, for review and approval, its plan to ensure that it carries out its ELL program(s) in the least segregative manner, consistent with Action Item J. For any ELL programs that remain separated from the general education population, including, but not limited to the SIFE/newcomer program at the Rochester International Academy, the District will outline its reason(s) for carrying out the program in this manner, and describe whether it considered any alternatives (for example, participation with the non-ELL population in elective classes or extracurricular activities).

- (b) By December 31, 2017, the District will provide documentation to OCR to demonstrate that the OCR-approved plan was implemented.

Action Item K: Parent/Guardian Outreach

By March 1, 2018, the District will convene one or more parent/guardian forums, in languages the parents/guardians can understand, to provide District parents/guardians with information regarding the alternative language program(s) available in the District, including but not limited to, the District's revised procedures for the identification and assessment of students; the implementation of its alternative language services; the exit criteria employed by the District; the monitoring services provided to ELL students who have exited the program; the availability of the District's specialized programs; and, the availability of interpreter and translation services. Prior to convening the parent/guardian forum(s), the District will provide OCR with the date, time, and location of the event(s).

Reporting Requirement:

By March 15, 2018, the District will provide documentation to OCR demonstrating that it convened the parent/guardian forum(s) required by Action Item K above, including the methods taken to advertise the forum(s); information provided at the forum(s) (i.e., presentations, handouts, etc.); the date(s) of the forum; and the number of individuals, by type (e.g. parents/guardians, District staff), in attendance at each forum.

The District understands that by signing this agreement, it agrees to provide the foregoing 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 Title VI and its implementing regulation at 34 C.F.R. § 100.3(a) and (b); Section 504 and its implementing regulation at 34 C.F.R. §§ 104.33-104.36; and, Title II and its implementing regulation at 28 C.F.R. § 35.130. Upon completion of the obligations under this agreement, OCR shall close and dismiss 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.

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

_____/s/_____
Authorized Representative
Rochester City School District

_____/8/31/17_____
Date

_____/s/_____
Timothy C.J. Blanchard
Director – Region II, OCR

_____/9/1/17_____
Date