

**RESOLUTION AGREEMENT
ALLENTOWN SCHOOL DISTRICT
OCR COMPLIANCE REVIEW NO. 03-13-5002**

The U.S. Department of Education, Office for Civil Rights (OCR) and the Allentown School District (the District) enter into this Agreement to resolve the compliance issues identified by OCR in its investigation of the above-referenced compliance review. This agreement does not constitute an admission of liability, or non-compliance 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 which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

A. English Language Development Program Evaluation and Modification

Action Steps

1. **Comprehensive evaluation.** The District will conduct a comprehensive evaluation of the English language development program at each school level (elementary, middle, and high), which will examine and make recommendations regarding:
 - a. the rate of English learner (EL) students' progress towards full proficiency in English;
 - b. whether EL students are progressing adequately in academic content areas;
 - c. whether students are exiting the ESOL program according to the District's goals and procedures;
 - d. whether current and exited EL students are retained in-grade or drop out of school at a higher rate than their non-EL peers;
 - e. whether current and exited EL students are able to participate fully and successfully in the District's curriculum and programs, as determined by such measures as retention and graduation rates, scholastic achievement, awards and honors, as well as participation in special opportunity programs and in sports and other extracurricular activities;
 - f. whether the academic performance of exited EL students is comparable (as measured by standardized assessments and grades) with their non-EL peers in the regular educational environment;
 - g. the adequacy of English language development program staffing levels, to meet the needs of the EL student population;

- h. the adequacy of the facilities (settings, classrooms) in which ESOL services are provided;
 - i. the quantity and quality of ESOL program instructional materials and related resources;
 - j. provisions for modifying instruction for EL students within the regular (i.e. non-EL) content area educational settings;
 - k. resources for providing effective and meaningful communication and notice to non-English speaking parents; and
 - l. any other data or measures of comparison deemed to be appropriate in order to determine whether the ESOL program is able to carry out the goals set for it by the District.
2. Data collection. The District will collect information that is sufficient to enable it to conduct the evaluation, and will ensure that it seeks input and feedback from administrators, staff, parents/guardians, and students (as appropriate).
 3. Program modification. Whenever the program evaluation shows that the ESOL program is not achieving its stated goals, the District will modify the program accordingly, within a reasonable amount of time after the evaluation, or document the reasons for not implementing the recommendations.

For the purposes of fulfilling provisions 1-3 of this Agreement, the District will conduct two (2) annual program evaluations. The first evaluation will review information and data from the 2015-16 and 2016-17 school years. The second evaluation will review information and data from the 2017-18 school year. Thereinafter, the District will conduct evaluations periodically, but no less than every three years.

Reporting Requirements – Section A

- By July 1, 2019, the District will submit to OCR the results of the first evaluation, based on data from the 2015-16 and 2016-17 school years, for review.
- By July 1, 2020, the District will submit to OCR the results of the second evaluation, based on data from the 2017-18 school year, for review.

Communication with Limited-English Proficient (LEP) Parents/Guardians

Action Steps

1. Within 6 months of signing this Agreement, the District shall develop and implement policies and procedures to ensure that LEP parents are notified, in a language understood by the parents, of school activities and other information and matters that are called to the attention of other parents. Specifically, the District will develop policies and procedures to ensure that:
 - a. The policies and procedures will specify how the District will provide language assistance services, including interpreters and written translations, to LEP parents, including parents from less predominant language groups.
 - b. The District has a process to identify and track LEP parents who require communication in a language other than English, including ensuring that teachers, administrators, and central office personnel are notified of these LEP parents.
 - c. The District has a clear and specific process by which District staff may obtain, in a timely manner, language assistance services, including qualified translators or interpreters as needed (this could 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 recording 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, in a language that the parents can understand, of the availability of free language assistance services (as described in 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 all student and parent handbooks, and in any District-wide or school-based newsletters. The notification will also provide parents with a contact person who can answer any questions regarding parental communication and assist parents in accessing interpreter services or translated documents.
 - e. The District has a process by which the District 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 a particular non-English language.

- f. When the District generates and sends commonly used documents to parents of students enrolled in the District, the District/schools will send the documents to identified LEP parents in a language they can understand. Where translation is impractical due to the low incidence of the language, the District will advise parents of whom to contact in the District if they need assistance in understanding notices and will provide oral interpretation as necessary for the parents.

Reporting Requirement – B1

- By January 31, 2019, the District will submit to OCR a copy of the policies and procedures concerning parental communication, pursuant to B.1, for review and approval. Within 30 days of OCR’s approval, the District will publish the policies and procedures.
2. By July 1, 2019, the District will provide training to District administrators and other staff members involved in the provision of interpreter and translation services on the revised policies and procedures.

Reporting Requirement – B2

- By July 15, 2019, the District will submit to OCR documentation of the training provided pursuant to B.2, including a brief description of the training, the name and qualifications of the individual responsible for providing the training, and the names and titles of those in attendance.
3. By August 30, 2019, the District will provide notice to LEP parents of the changes to the policies and procedures described in item B.1.

Reporting Requirement – B3

- By September 30, 2019, the District will submit to OCR a copy of the notice provided to LEP parents pursuant to B.3. The District will also provide a narrative explaining the manner in which the notice was disseminated.
- By June 30, 2020, the District will submit to OCR documentation of its implementation of the policies and procedures required by B.1, during the previous school year. Documentation shall include copies of notices sent to LEP parents of the availability of free language services, a list of individuals

who requested such services, what services were provided, and the name and qualification of the staff member(s) who provided the interpretation or translation service.

B. General Provisions

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. Sections 100.3 (a) and (b). 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/

Superintendent or designee
Allentown School District

6/22/18

Date