

**Resolution Agreement
Duval County School District
OCR Complaint No. 04-13-1998**

Duval County School District (District) agrees to resolve the allegation of discrimination on the basis of race contained in complaint number 04-13-1998 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The District submits this Resolution Agreement (Agreement) to ensure compliance with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100. Accordingly, to ensure compliance with Title VI and its implementing regulations and to resolve the issues of this complaint, the District voluntarily agrees to take the actions listed below.

1. By **March 30, 2015**, the District will instruct all staff involved with speech/articulation disorder evaluations and eligibility determinations for preschool aged children that for children of any race, in evaluating whether speech testing “errors” are dialectal in nature, they must make individualized determinations, and conduct all assessment steps necessary for determining whether an error is a dialect.

REPORTING REQUIREMENT: By **April 17, 2015**, the District will provide documentation to OCR demonstrating that the District has instructed relevant staff consistent with **Item #1** above.

2. By **June 30, 2015**, the District will initiate annual training for staff involved with speech/articulation disorder evaluation and eligibility determinations for preschool aged children on the Title VI prohibition of discrimination on the basis of race.

REPORTING REQUIREMENT: By **July 15, 2015**, the District will provide documentation to OCR demonstrating that the District initiated annual training pursuant to **Item #2** above. The documentation shall include: (1) the date of the training session(s); (2) a list of the names and titles of the District employees who participated in the training session; (3) a description of the presenter’s background and qualifications; (4) a copy of the agenda and/or the training materials disseminated; and (5) certification that the materials were provided to any staff unable to attend training due to an emergency or excused absence.

3. By **June 30, 2015**, the District will review the evaluations for preschool aged children who received speech/articulation disorder evaluations for the 2014-2015 school year to determine, consistent with **Item #1** above, whether any child was determined ineligible based solely on any errors deemed dialectical in nature and if so, will review those determinations, to ensure that decisions were based on individual determinations using appropriate factors for distinguishing between a dialect and a disorder, and that the evaluators did not – because of a child’s race - fail to conduct assessments necessary to distinguish a dialect from a disorder. If any determination relied on an evaluation which did not include necessary assessments because the child was of a particular race, the District will reevaluate the child, using appropriate factors.

REPORTING REQUIREMENT: By **July 15, 2015**, the District will provide OCR with a list of Pre-K students, by race, who were found ineligible for speech services due to dialect and provide evidence to show the review of the determination, and for those determinations based on evaluations that did not include necessary assessments because the child was of a particular race, the reconsideration of the eligibility determinations.

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, 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 34 C.F.R. § 100.3 (a) and (b)(1)(i)-(v), which was at issue in this complaint.

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 Title VI implementing regulation at 34 C.F.R. 100.3 (a) and (b)(1)(i)-(v).

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 a minimum of sixty (60) calendar days to cure the alleged breach.

Superintendent or Designee

Date