

**Voluntary Resolution Agreement
Arlington Independent School District
OCR Docket No. 06-10-5002**

The Arlington Independent School District (District) enters this Agreement to resolve the proactive compliance review, OCR Docket No. 06-10-5002, conducted by the U.S. Department of Education (Department), Office for Civil Rights (OCR). The review addressed whether African American and Hispanic students are provided equal access to and an equal opportunity to participate in rigorous college and career preparatory courses within the District. The District enters this Agreement to ensure its compliance with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, as amended, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, national origin and color by recipients of Federal financial assistance from the Department.

Accordingly, the District agrees to implement the action steps set forth below:

ACTION STEPS

I. CONSULTANT

By December 1, 2014, the District will retain a consultant with expertise in addressing the underrepresentation of African American and Hispanic students in college and career preparatory courses to analyze, by school and grade, the activities, courses and programs listed below that are available to African American and Hispanic students and to make recommendations as to what measures the District should take to ensure that it provides students at all schools with equal access to and an equal opportunity to participate in:

1. college and career preparatory courses, including International Baccalaureate (IB) courses and programs, Advanced Placement (AP) courses, pre-AP courses, dual credit courses, and any other college and/or career preparatory courses and programs¹;
2. “advanced academics” activities, courses and programs; and
3. foundation courses at the elementary, junior high school and high school level, *i.e.*, those courses that are necessary for later enrollment in advanced academics and/or CCP courses and programs.

The consultant will use data from the 2012-2013, 2013-2014 and 2014-2015 school years in the analysis. The consultant will also examine and make recommendations to address the root cause(s) of any disparity in enrollment of African American and Hispanic students in these

¹ Other college and career preparatory courses may include, but are not limited to, honors courses, pre-Advanced Placement, Advanced Placement, International Baccalaureate, or dual credit courses. Hereafter, the courses and programs listed in 1 will be referred throughout this Agreement to as “college and career preparatory courses” or “CCP” courses and programs.

activities, programs and courses. The consultant may be an independent contractor for the District or a District employee. The District, after retaining its consultant, will promptly provide the consultant with all appropriate information the consultant believes is necessary to engage in this process. At a minimum, the consultant will provide recommendations to and assist the District, as requested, with Action Step II below.

Action Step I - Reporting Requirement

1. By November 30, 2014, the District will submit to OCR the name of the consultant to be retained consistent with Action Item 1, including a copy of the consultant's curriculum vitae or resume or other summary of the consultant's qualifications and experience, the consultant's name, and a statement regarding whether the consultant is a District employee or independent contractor.
2. Within 30 days the District will submit documentation demonstrating that the consultant has been retained, including the date the consultant was retained and terms of any contract.

II. REVIEW AND ASSESSMENT BY DISTRICT

By April 1, 2015, the District will complete a review and assessment, by school, of the activities, courses and programs identified in Action Step I above for school years 2012-2013 and 2013-2014. As part of its review and assessment, the District, at a minimum, will:

1. review enrollment data, including trend data, for each activity, course and program identified in Action Step I, for each year, disaggregated by race, national origin and grade;
2. review enrollment data for the courses required for the District's high school diploma options (District High School Program, Recommended High School Program and Achievement High School Program) for each year, disaggregated by race, national origin, and grade;
3. review policies and procedures relating to the diploma options available in the District, including any deadlines for selecting a diploma option;
4. review data about students granted automatic admission under the Texas automatic admissions program (for top 10% of each high school class) and District's partnership with University of Texas at Arlington (top 20% of class), including student data for each program, disaggregated by student race and national origin;
5. review the correlation between enrollment in the elementary and junior high school activities, courses and programs listed in Action Steps I.2 and 3 and later enrollment in CCP courses and programs;

6. review the correlation between elementary and junior high school performance and later enrollment in junior high and high school CCP courses and programs, including the correlation between the courses in which students enroll during high school and junior high school and their elementary and junior high school academic profiles (*e.g.*, grades, previous test scores, other indicators) and any additional support provided for students (such as counseling or peer tutoring/mentorship) at the elementary and junior high school levels to prepare them for CCP courses at the junior high and high school level;
7. review the correlation between junior high school enrollment in Algebra 1 and later enrollment in high school CCP math courses and programs;
8. review the correlation between junior high school enrollment in foreign language courses, including any CCP courses, and later enrollment in high school CCP foreign language courses;
9. review the correlation between the support provided for students enrolled in CCP courses and programs (including counseling, peer tutoring/mentorship, providing incentives for turning work in early, providing alternative materials for study support and/or access to knowledge and skills, including student's effort as part of the grading system, and providing parents/guardians with feedback on student progress) and student success or failure (including withdrawal) in CCP courses and programs;
10. review and assess any potential barriers to increased student participation in the activities, courses and programs identified in Action Step I relating to:
 - a. the location, number, and subject matter of such activities, course offerings and programs;
 - b. participation (or lack of participation) in such activities, courses and programs;
 - c. transportation to and from the location where the activities, courses and programs are offered;
 - d. the lack of a structured program for the activities, courses or programs identified in Action Step I, including lack of available foundation courses at the elementary and junior high schools (such as eighth grade algebra or foreign language courses) to prepare students for more rigorous courses later in their education;
 - e. the role of standardized test scores, prerequisite courses, parent approval, and teacher recommendations in student enrollment in CCP courses and programs;
 - f. any District or school enrollment, registration, or other policies and procedures related to enrollment in such activities, courses or programs;
 - g. teacher qualifications to teach such activities, courses or programs;
 - h. communication and outreach to students and parents/guardians about these activities, courses and programs;

- i. advertisement of such activities, courses and programs;
 - j. whether District and school policies, procedures, or handbooks accurately communicate criteria for eligibility or participation in advanced academics activities, courses or programs or CCP courses or programs (*e.g.*, current high school handbook describes criteria for AP participation, including parent approval, teacher recommendation, satisfactory grades in prerequisite courses, and standardized test scores, that do not reflect “open enrollment” in AP courses; District’s website also describes criteria for participation in its “advanced academics” activities, courses and programs²);
 - k. peer pressure;
 - l. impact of enrollment in any CCP programs on enrollment in other CCP programs (*e.g.*, impact of pre-AP course enrollment on enrollment in AP or IB courses or programs);
 - m. early awareness on the part of parents/guardians/students of the relationship between the elementary/junior high school curriculum and the junior high school/high school curriculum for college and career readiness;
 - n. the role of guidance counselor services;
 - o. support services for students enrolled or preparing to enroll in such courses or programs;
 - p. calculation of high school grade point average (GPA) and role of extra weight given to AP and IB courses for GPA, but not dual enrollment courses; and
 - q. any other potential barriers to increased student participation not listed above.
11. review and assess which methods undertaken by the District and each school, to date, have been effective (or ineffective) for early awareness and in encouraging student participation in the activities, programs and courses identified in Action Step I, starting at the elementary school level;
12. 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, junior high and high schools to ensure that students are better prepared for higher level learning opportunities in high school;
13. host meetings at each school for interested parents/guardians and age-appropriate meetings for interested first through twelfth grade students to (1) share information about the activities, programs and courses identified in Action Step I, as well as available diploma options, as well as available automatic college admissions programs, the criteria for admission to these programs and the role of

² <http://www.aisd.net/AISD/Default.aspx?alias=www.aisd.net/aisd/advacademics>

CCP courses in increasing student's GPA, (2) identify any perceived barriers to increased enrollment in advanced academics and in CCP programs and courses and (3) solicit recommendations for increasing enrollment. The District will ensure that it effectively and widely disseminates notice of the meetings in appropriate language(s) and will hold the meetings 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;

14. develop and administer a survey to offer to parents of students in grades 3-7 and students and their parents in grades 8-11, 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 the activities, programs and courses identified in Action Step I;
15. 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 (including at each junior high and high school) the opportunity to submit information about their perceptions and understanding with respect to the recruitment, selection and/or participation in CCP programs and courses and advanced academics activities, courses and programs; and
16. consult with other similar, public school districts concerning effective methods for increasing student enrollment in advanced academics activities, courses and programs and CCP courses and programs.

Action Step II - Reporting Requirement

By April 1, 2015, the District will submit documentation to OCR showing implementation of the actions required by Action Step II above, including but not limited to a copy of the District's assessment, including any trend data; any identified barriers to student enrollment in such activities, courses or programs; a detailed description of the effectiveness of methods undertaken by the District and specific schools to encourage participation and to consider preparation of students beginning at the elementary school level; the date(s), location(s), and time(s) of any meeting(s) held pursuant to Action Step II.13, including a copy of the meeting minutes, participant lists; etc.; a copy of the survey, including the results, a list of the individuals interviewed, by name, title, etc., and a summary of information gathered pursuant to Action Steps II.14 and 15; and 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 Step II.16.

III. CONSULTANT RECOMMENDATIONS AND DISTRICT ACTION PLAN

- A. By April 1, 2015, in collaboration with the consultant, the District will review the results of the assessment of past enrollment in the activities, courses and programs identified in Action Steps I.1 and 2, as well as the surveys and interviews, and any consultations, conducted in accordance with Action Step II.
- B. By April 1, 2015, the District will obtain from the consultant a written report outlining the recommendations relating to measures the District and each school could take to further facilitate its efforts to provide all students with equal access to and an equal opportunity to participate in the activities, courses and programs identified in Action Steps I.1 and 2.
- C. By April 1, 2015, the District will develop and submit for OCR review and approval an action plan to ensure that it provides all students with equal access to and an equal opportunity to participate in the activities, courses and programs identified in Action Steps I.1 and 2. The plan will describe the results of the District's assessment of past enrollment in these activities, courses and programs, as well as the surveys and interviews, and any consultations, conducted in accordance with Action Step II. In developing the plan, the District will consider and identify what action it will take with respect to the recommendations made by the consultant, and incorporate those recommendations. If the District rejects and/or modifies any recommendations made by the consultant(s), the District will provide to OCR an explanation for the rejection and/or the modification(s) of the recommendation. The plan will also specifically discuss whether and, if so, when the District will expand the IB program to Martin and Sequin High Schools.
- D. OCR will approve or notify the District with any concerns with the plan no later than April 30, 2015.
- E. Within 30 days of OCR's approval, the District will begin implementing the action plan.
- F. Throughout the monitoring of this Agreement, the District will submit any proposed modifications to its action plan and the implementation of the plan to OCR for prior review and approval.

Action Step III - Reporting Requirement

- 1. By April 1, 2015, the District will provide to OCR its proposed action plan and a copy of the consultant's written report.
- 2. By June 30, 2015, and by the same date annually thereafter, the District will submit documents to OCR showing implementation of the plan and any further modifications to its programs made pursuant to Action Step II above.

IV. ELIGIBILITY/SELECTION CRITERIA

- A. By April 1, 2015, the District will consider and submit to OCR for review and approval revisions and/or expansion of its eligibility and selection criteria for the CCP courses and programs identified in Action Step I.1 and advanced academics activities, courses and programs identified in Action Step I.2 to facilitate its efforts to provide all students with equal access and an equal opportunity to participate. If it retains any criteria currently used for identification/selection, 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 African American and Hispanic students.
- B. By April 1, 2015, the District will provide written notice to all parents in the District that the eligibility and selection criteria for its CCP courses and programs are under District review and that the District will provide written notice to all parents of the eligibility and selection criteria that will be used for enrollment in CCP courses and programs to be taken in the 2015-2016 school year.
- C. Within 30 days of OCR's approval, the District will begin implementing the revised or expanded eligibility and selection criteria. The criteria will be used to determine eligibility and selection for enrollment in CCP courses and programs to be taken in the school year 2015-2016 and, as soon as practicable but no later than the start of the 2015-2016 school year, for the District's advanced academics activities, courses and programs.
- D. The District will ensure that District and school personnel responsible for conducting any assessments or evaluations as part of the identification/selection process receive consistent and accurate training in the implementation of any additional, revised or modified criteria, and adequate instruction on how to access information regarding students' eligibility.
- E. The District will provide students at the elementary and junior high school levels information and assistance to ensure that such students are well prepared for receiving any assessments or evaluations that remain part of the identification/selection process.
- F. Within 30 days of OCR's approval, the District will update any relevant printed publications and on-line publications with the revised or expanded criteria within a prompt and reasonable timeframe. Inserts may be used in printed publications until re-printing.
- G. Throughout the monitoring of this Agreement, the District will submit any proposed modifications to its eligibility and selection criteria to OCR for prior review and approval.

Action Step IV - Reporting Requirement

1. By April 1, 2015, the District will submit to OCR the eligibility and selection criteria it proposes to use for enrollment in CCP courses and programs and advanced academics activities, courses and programs.
2. By June 30, 2015, and by the same date annually thereafter, the District will submit documents to OCR showing implementation of its approved eligibility and selection criteria, and completion of Action Steps IV.D and E.
3. By June 30, 2015, and by the same date annually thereafter, the District will provide OCR with copies of printed and on-line publications describing the criteria used to determine eligibility and selection for enrollment in CCP courses and programs and advanced academics activities, course and programs.

V. PARENT/GUARDIAN AND STUDENT OUTREACH

- A. By April 1, 2015, after reviewing the recommendations of the consultant, the District will determine whether changes are needed to the current District outreach plan for the parents/guardians of elementary, junior high, and high school students regarding the advanced academics activities, courses and programs and CCP courses and programs available at each school. If not already being done as part of the outreach plan, the District will ensure that the outreach conducted at each elementary, junior high, and high school sites includes at a minimum:
 1. a description of the benefits and opportunities available to students in advanced academics and in its CCP courses and programs, the foundation courses needed for later CCP enrollment, and when and where these activities, courses and programs are offered, and any applicable changes made at the elementary and junior high school level to prepare students for success in such programs;
 2. information regarding the identification and selection process for the advanced academics activities, courses and programs;
 3. information regarding the identification and selection process for each of the CCP courses and programs, including information about the importance of taking foundation courses in the elementary and junior high school years to prepare students for enrollment in later CCP courses and programs;
 4. providing messages from building principals to all parents and/or students, regarding the availability of, and benefits of, higher level learning opportunities at the elementary, junior high and high school levels, and the value of higher level learning opportunities;

5. notifying students who have achieved certain test scores on standardized tests, or grades in earlier courses in similar subjects, or who have been identified using tools offered by the College Board, that they should strongly consider participating in CCP courses; and
 6. the name(s) and contact information for the committee or coordinators for the advanced academics activities, courses and programs and CCP courses and program at the parent/guardian's respective school site and at the District's main administrative office;
 7. information regarding how to appeal decisions made regarding the identification and selection of students for advanced academics or for CCP programs and courses.
- B. The District will also consider outreach to community organizations, including those that are in regular contact with the parents/guardians of African American and Hispanic students regarding the opportunities and benefits of advanced academics and CCP programs and courses, as well as the importance of the foundation courses in elementary and junior high school.
- C. By April 1, 2015, after reviewing the recommendations of the consultant, the District will determine whether changes are needed to its current outreach plan for students. If not already being done as part of its targeted outreach plan, at a minimum, the outreach activities should include peer presentations on a voluntary basis by available and interested African American and Hispanic students enrolled in CCP courses and programs regarding their experiences in such courses and programs. The District may consider and implement other actions not otherwise described in this Agreement in an effort to increase student participation, including race/national origin/ethnic-targeted recruitment and outreach efforts to directly encourage African American and Hispanic students to consider participation.

Action Step V – Reporting Requirement

By June 15, 2015, and annually by the same date thereafter, the District will provide to OCR documentation demonstrating that its parent/guardian, student and community outreach was implemented during the previous school year consistent with Action Step V above, including copies of any written notices or other correspondence, and details and documentation of any events held with parents/guardians and students.

VI. ACADEMIC COUNSELING SERVICES

- A. By April 1, 2015, after reviewing the recommendations of the consultant, the District will determine whether changes are needed to its current academic counseling services at the junior high school and high school levels and make any changes necessary to ensure that all students receive counseling that:

1. informs each student of all available advanced academics activities, courses and programs at each school and the available CCP program and course options at each school and encourages participation in these activities, programs and courses, as well as foundation courses and course progression at the District's elementary and junior high schools, as applicable. This will include individual counseling as well as inclusion of information on the available advanced academics activities, courses and programs, CCP courses and programs and foundation courses in any information sessions provided to students about junior high and high school enrollment and the college application process. These sessions will highlight the different diploma options available in the District and the requirements for each diploma and highlight the available state automatic college admission programs and criteria for these programs. These sessions may include presentations by college admissions coordinators and testimonials from a diverse group of students and from their parents/guardians, as well as from teachers and principals;
 2. allows each student to meaningfully consider enrollment in advanced academics activities, courses and programs, foundation courses and CCP programs and courses that are most likely to meet their educational needs and objectives;
 3. advises students of the significance given to CCP courses and programs by colleges and universities in the admissions process and of the opportunity to receive college credit for certain AP and dual enrollment courses and for IB courses and programs; and
 4. directly and personally encourages each student to enroll in programs or courses that are appropriately challenging and will appropriately prepare each student for CCP courses and programs and later for higher education.
- B. The District will thereafter continue to assess its counseling services to ensure that all students are reasonably informed of all available and relevant program and course options, including information on the District's CCP courses and programs.

Action Step VI - Reporting Requirement

By June 30, 2015, and by the same date annually thereafter, the District will provide to OCR documentation demonstrating that academic counseling services were implemented during the previous school year consistent with Action Step VI above, including, but not limited to, a description of how these services were provided to students.

VII. TRAINING FOR DISTRICT STAFF/ADMINISTRATORS

- A. By April 1, 2015, 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 its advanced academics activities, courses and programs, CCP courses and programs and its

foundation courses at its elementary and junior high schools. If not already being done, any training plan will include, at a minimum:

1. an assessment that ensures that teachers are qualified to teach in the areas they have been assigned to teach and that counselors provided accurate information about CCP programs and courses;
 2. a review of the enrollment demographics for students enrolled in the District's advanced academics activities, courses and programs and CCP courses and programs, including enrollment at each activity, course and program, by race and national origin, at each school site, including comparisons to the overall District enrollment rate;
 3. a presentation by an expert during school year 2014-2015, which may be the consultant, in best practices for identification/selection and retention of African American and Hispanic students in higher level learning opportunities, including advanced academics and CCP programs and courses;
 4. instruction on encouraging student participation in advanced academics and in CCP courses and programs;
 5. an overview of the identification/selection criteria for advanced academics and for CCP courses and programs;
 6. an overview of parent/guardian and student outreach efforts regarding these courses and programs; and
 7. information or instruction regarding other actions the District and/or individual schools may be taking in an effort to increase student participation in these courses and programs, including race/ethnic-targeted recruitment and outreach efforts to directly encourage African American and Hispanic students to consider participation.
- B. By October 15, 2015, and annually by the same date thereafter, the District will provide training on any revisions to its advanced academics and CCP courses and programs to relevant District and school site administrators, counselors and teaching staff regarding advanced academics, CCP courses and programs and its foundation courses at its elementary and junior high schools.

Action Step VII – Reporting Requirement

By June 30, 2015, and by October 15, 2015 and the same date annually thereafter, the District will provide to OCR documentation demonstrating that it has provided the required training to District personnel during the previous school year in accordance with Action Step VII 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.

VIII. DATA MAINTENANCE

Beginning with the 2014-2015 school year, and annually thereafter, the District will maintain the following data:

- A. the number of students, by race and national origin, enrolled in each District school in the just-completed school year;
- B. the number of students, by race and national origin, and school, enrolled or participating in each advanced academics activity, course or program in each of the District's elementary and junior high schools in the just completed school year;
- C. the number of students, by race and national origin, and school, enrolled or participating in each foundations course or program in each of the District's elementary and junior high schools in the just completed school year; and
- D. the number of students, by race and national origin, and school, enrolled in each CCP course and program, in each of the District's junior high and high schools in the just-completed school year.

Action Step VIII - Reporting Requirements

By June 30, 2015, and by the same date annually thereafter, the District will provide to OCR the data referenced in VIII.

In the event OCR has any objections to the documentation provided by the District for review and approval, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft documents.

On or before June 30, 2020, OCR and the District will meet to review the progress and status of this Agreement. Within 60 days of the meeting, OCR shall advise the District as to the status of this Agreement.

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 Title VI and its implementing regulation at 34 C.F.R. § 100.3(a) and (b), which were at issue in this case. Prior to the conclusion of OCR's monitoring, the District will provide documentation establishing that any disparities relating to the underrepresentation of African American and Hispanic students in rigorous college and career preparatory courses in the District are not the result of discrimination prohibited by Title VI and its implementing regulations.

The District 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 Title VI and its implementing regulation at 34 C.F.R. § 100.3(a) and (b).

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. In the event that OCR decides to initiate administrative enforcement proceedings pursuant to 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.

_____/s/_____
Superintendent, Arlington Independent School District

10-30-14
Date