

RESOLUTION AGREEMENT

Boulder Valley School District (Colorado) OCR Case No. 08-17-1273

In order to resolve the open allegations in Case No. 08-17-1273, filed against Boulder Valley School District (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 Code of Federal Regulations Part 100, the District agrees to take the actions outlined in this Resolution Agreement. The District's decision to enter into this agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The District will administer a survey to elementary school administrators, teachers, and limited English proficient ("LEP") parents of students who participated in the District's 2018 elementary summer learning enrichment programming that will solicit their feedback as to the registration process for the summer programming and the accessibility of its summer learning enrichment programming to LEP students.

REPORTING REQUIREMENT A: Within 45 calendar days of this Agreement, the District will submit to OCR, for OCR's review and approval, its draft survey instrument. The District will fully and promptly address any comments provided by OCR, as long as such comments are received before July 31, 2018.

REPORTING REQUIREMENT B: Within 45 calendar days of the conclusion of 2018 elementary summer learning enrichment programming, the District will submit to OCR the final survey instrument, the survey results and any corrective action to be taken by the District with appropriate timelines identified. The District will fully and promptly address any comments by OCR as to the corrective action proposal.

2. The District will develop a procedure to ensure that LEP parents in the District are able to understand and participate effectively in all District programs for which registration/enrollment is primarily online (with specific attention paid to the enrollment process for summer learning enrichment programs). The procedure will include, without limitation:
 - a. That all documents, emails, and other communications related to registration/enrollment for any such program, including costs and available fee waivers, password reset emails, and payment methods, as well as other details about the program (ex. start dates/times, locations and transportation options) will be available in Spanish and, upon parent request, other languages;
 - b. Provisions for adequate notification to LEP parents and District staff of the procedure; and
 - c. A clear process for obtaining assistance in completing the enrollment process in Spanish, and upon parent request, any other language.

REPORTING REQUIREMENT A: By September 30, 2018, the District will submit to OCR, for OCR's review and approval, its draft procedure. The District will fully and promptly address any comments by OCR.

REPORTING REQUIREMENT B: Within 30 calendar days of OCR's approval, the District will publish the procedure using its standard methods for disseminating information to parents, including LEP parents, and submit to OCR documentation of this publication. The District will fully and promptly address any comments by OCR.

3. The District will train all staff involved in registration/enrollment for all District programs for which registration/enrollment is primarily online, on the following topics:
 - a. When and how to obtain qualified language assistance;
 - b. The importance of effective communication with LEP parents;
 - c. The importance of communicating with LEP parents in a language and manner that they understand; and
 - d. The impact of ethnic and cultural differences on effective communication.

REPORTING REQUIREMENT A: By September 30, 2018, the District will provide OCR, for OCR's approval, its draft training materials; identify who will be providing the training, by name, title, and qualifications; and provide a list of personnel required to participate in the training, by name and title. The District will fully and promptly address any comments by OCR and will continue to modify the materials, trainers, or personnel list until it receives final OCR approval.

REPORTING REQUIREMENT B: Within 60 calendar days of OCR's approval, the District will provide documentation demonstrating that the training was provided and a copy of the training sign-in sheets.

4. The District will develop a plan to ensure ELL students have meaningful access to its summer learning enrichment programming, including but not limited to: (a) incorporating the feedback obtained in the survey pursuant to Term 1 of this Agreement; (b) the anticipated total number of PHLOTE and LEP students by grade and by summer program location; (c) the District's objectives and methods for providing meaningful access to LEP students in the summer learning enrichment program; and (d) provisions for program evaluation as to the accessibility of the summer learning enrichment program to ELL students.

REPORTING REQUIREMENT A: By September 30, 2018, the District will submit to OCR, for OCR's review and approval, its proposed plan. The District will fully and promptly address any comments by OCR until the District receives final OCR approval.

REPORTING REQUIREMENT B: Within 30 calendar days of OCR's approval of the revised plan, the District will provide OCR, for OCR's approval:

- a. A complete, final copy of the plan;
- b. Documentation demonstrating that all school site administrators have received the plan; and

- c. A training agenda for administrators and appropriate staff regarding implementation of the plan (including training dates and training responsibilities).

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, 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 Title VI, which was at issue in this case. Upon completion of the obligations under the 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 the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

May 8, 2018

For Boulder Valley School District
Name: Dr. Cynthia Stevenson
Title: Superintendent

Date