

Resolution Agreement
Adams 14 School District, Commerce City
Office for Civil Rights Case Number 08-18-1145

The U.S. Department of Education, Office for Civil Rights (OCR) and the Adams 14 School District (District), enter into this agreement to resolve the allegations in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR, that it will take the following actions to comply with the requirements of federal law.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-1, and its implementing regulation at 34 C.F.R. Part 100, taken together, provide in relevant part that no programs or activities receiving Federal financial assistance from the U.S. Department of Education may discriminate on the bases of race, color, or national origin. The District is subject to Title VI because it receives Federal financial assistance from the Department.

The allegations in this case were that the District discriminated against approximately 14 English language learner (ELL) students from Kearney Middle School/Adams City Middle School on the basis of national origin during the 2017-2018 school year. Specifically, the District allegedly reduced the instructional time each school day for these ELL students by 40 minutes in the morning and 20 minutes in the afternoon for transportation, thus denying equal educational opportunities to these students.

The District agrees to:

Item 1

By **February 8, 2019**, the District will provide OCR with a list of all Adams City Middle School ELL students who attended the District's newcomer program at Kearny Middle School at any time during the 2017-2018 School year (the "Newcomer Students"). The list will identify the Newcomer Students by name, current grade, and current school placement. The District will also identify any Newcomer Students who are no longer enrolled in the District.

Item 2

By **February 15, 2019**, the District will develop for OCR's review and approval a plan to provide 50 hours of compensatory ELD instruction for the remainder of the 2018-2019 school year for all identified Newcomer Students still enrolled in the District. ELD services will be provided by CLDE endorsed teachers.

Reporting Requirement 2.1

By **February 15, 2019**, the District will provide its compensatory education plan to OCR for review and approval. The District shall make any necessary changes to the plan to ensure that the compensatory education plan is adequate to address the allegation in this case.

Reporting Requirement 2.2

Within **10 days** of OCR's approval, the District will begin to provide compensatory ELD services to all identified Newcomer Students who attend District schools. The District will maintain a log of all services provided to each Newcomer Student. The log will include the Newcomer Students' names, teachers' names and endorsements, date, time duration of services, and a recitation of services provided.

Reporting Requirement 2.3

By **June 7, 2019**, the District will provide a written verification that it has provided compensatory ELD services as identified in Item 2. The District will also provide the completed log as indicated in Reporting Requirement 2.2.

Item 3

By **February 22, 2019**, the District will provide OCR, for review and approval, draft training materials for central administration staff assigned to oversee elementary and secondary education, transportation, and the superintendent concerning the requirement to provide equal educational opportunities to all students, and specifically, to national origin language minority students. The training will clarify for administration that ELL students have the right to equal educational opportunities which include the provision of appropriate and timely transportation as that which is provided to non-minority students. The District will also provide OCR with the name, title and vitae of the individual that the District would like to provide the training for OCR approval.

Item 3.1

Within 10 days of OCR's approval of the training materials, and trainer, the District will provide the training to central administrators assigned to administer elementary and secondary education, and transportation.

Item 3.2

Within 5 days of providing the training for Item 3, the District will provide OCR with written verification that the training has taken place. The written documentation will include a sign-in sheet that includes names, titles, the date, and signatures of participants.

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 the regulations Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-1, and its implementing regulation at 34 C.F.R. Part 100, which were at issue in these cases.

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 regulations implementing Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-1, and its implementing regulation at 34 C.F.R. Part 100, as applied to the allegations in this Case Number 08-18-1145.

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/

2/5/2019

For Adams County School District 14
Dr. Javier Abrego
Superintendent

Date