

## Resolution Agreement

### **Jefferson County Public Schools OCR Case Number 08-19-1339**

Jefferson County Public Schools (District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR). By this Agreement, the District commits to the following actions, consistent with the requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive Federal financial assistance from the Department. The District is committed to complying fully with Title VI, and, accordingly, it has voluntarily agreed to take the steps outlined in this Agreement. This Agreement does not constitute an admission by the District that it discriminated or otherwise engaged in any wrongdoing.

Prior to receiving the allegation in Case Number 08-19-1339, the District had already voluntarily taken steps related to Terms I and II of this agreement. For purposes of this Agreement, OCR will consider whether the steps taken fulfill some or all of the District's obligations under these Items.

- I. *Plan Implementation.* The District will continue to develop and fully implement a Plan to provide oral and written language assistance services to national origin minority limited English Proficient (LEP) parents of students at Creighton Middle School (School) which ensures that they have meaningful access to school-related information. The Plan will include, at a minimum, a process for formally identifying and serving LEP parents, including parents who speak low-incidence languages; a description of how LEP parents are regularly notified of their right to free language services; names and hours of availability of qualified School and District staff members for oral interpretation and/or written translation services; a description of how District and School staff will ensure effective oral communication with LEP parents for special education and disciplinary meetings, walk-in visits, telephone calls to and from parents, back-to-school nights, meetings with administrators, and parent/teacher conferences; a description of District and School written translation services, including the languages routinely translated and procedures for providing written translation for non-routinely translated information; procedures to ensure all translation and interpretation services are provided by trained and qualified individuals; training to staff regarding the process for obtaining oral and written language services; a description of how the District and School will inform LEP parents of information conveyed in auto-dials; and a process for periodic review of the School's communication plan for LEP families.

#### **Reporting Requirements**

- i. By October 1, 2019, the District will submit its Plan for oral and written language assistance for the School described in Section I to OCR for review and comment.
  - ii. The District will fully and promptly address OCR comments, if any and will modify the Plan until it receives final OCR approval. Within 60 days of OCR's approval, the District will provide OCR with documentation confirming the procedure has been implemented.
- II. *Training.* By October 1, 2019, the District will continue to develop plans for initial and ongoing training of all District and School staff that provide oral interpretation and/or written translation for parents at the School. This training will review the Plan described in Term I and also review the

role and required qualifications of interpreters; specialized terms or concepts in the education setting, including special education and student discipline processes; that generally it is not appropriate to use family members or friends for the provision of language services; and the right to receive language assistance.

**Reporting Requirements:**

- i. By October 1, 2019, the District will submit to OCR its plan for staff training as described in Term II. This plan should include copies of training materials and the names and qualifications of the selected trainer(s), both subject to OCR's review and approval.
- ii. By December 31, 2019, following OCR's approval of the training materials and trainer, the District will provide OCR with documentation that demonstrates that the training has been completed. This documentation will include, but is not limited to, the date(s) of the training and a list of staff participants.

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, at 34 C.F.R. § 100, which were at issue in this case.

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 contained herein. 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 implementing Title VI, at 34 C.F.R. § 100, which were at issue in this case.

The District further 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 60 calendar days to cure the alleged breach.

/s/

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R. Craig Hess  
Jefferson County Public Schools

September 17, 2019

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Date