

**Voluntary Resolution Agreement**  
**Logan City Public Schools**  
**OCR Case Number 08-22-1297**

The United States Department of Education (Department), Office for Civil Rights (OCR), initiated investigation of the above-referenced complaint against Logan City Public Schools (District), pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (Title VI), and its implementing regulation at 34 C.F.R. Part 100; Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990, and its implementing regulation at 28 C.F.R. Part 35.

During OCR's investigation, before OCR had made any findings, the District indicated its willingness to take steps necessary to ensure compliance with Title VI, Section 504, and Title II. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified concerns that can be addressed through a resolution agreement.

Accordingly, to resolve the issues of this investigation, the District voluntarily agrees to take the following actions. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

*Individual Remedies for the Student*

1. The District will expunge the Student's discipline record(s) of the incident that occurred on September 29, 2021, and any related disciplinary consequences.

**REPORTING REQUIREMENT 1: Within 30 calendar days of signing this Agreement**, the District will submit to OCR documentation demonstrating that it has expunged the Student's discipline record(s) of the incident that occurred on September 29, 2021. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that Term 1 has been satisfied.

2. **Within 15 calendar days of the Student's return to the District**, the District will develop a plan for ensuring meaningful communication with the Student's mother in XXX ("Communication Plan"). The Communication Plan will include, at a minimum: a) how the District will notify the Student's mother of information about programs, services, or activities that is called to the attention of non-Limited English Proficient parents; b) how the District will provide interpretation for the Student's mother at meetings, including all special education and discipline meetings; c) how the District will provide oral interpretation for the Student's mother of vital written documents (as defined by footnote 4, including but not limited to all special education and disciplinary notices and documents, in XXX; d) the identity of all District-approved interpreters who are qualified to provide translation in XXX with their qualifications and training; e) the name and number of the language line the District will use if a District-approved interpreter is not available; and f)

the process for staff, teachers, and administrators to secure translation services for communications with the Student’s mother.

**REPORTING REQUIREMENT 2: Within 20 calendar days of the Student’s return to the District**, the District will submit its draft Communication Plan, as described in Term 2, to OCR for review and approval. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that the Communication Plan is approved.

- 3. Within 10 calendar days of receiving OCR’s approval of the Communication Plan**, the District will distribute the Communication Plan to all School special education staff, teachers, and administrators who work with the Student and/or interact with the Student’s mother, place a copy of the Communication Plan in the Student’s file, send a copy of the Communication Plan to the Student’s mother, and implement the Communication Plan.

**REPORTING REQUIREMENT 3A: Within 15 calendar days of OCR’s approval of the Communication Plan**, the District will submit to OCR: a) a list of all individuals to whom the Communication Plan was distributed with their titles; b) the manner by which the Communication Plan was distributed (i.e., by email, hand, etc...); and c) the date the Communication Plan was distributed. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that no further reporting is required for Reporting Requirement 3A.

**REPORTING REQUIREMENT 3B: Within 60 calendar days of OCR’s approval of the Communication Plan**, the District will submit to OCR documentation demonstrating that the Communication Plan was implemented. The documentation shall include a list of all dates since OCR’s approval of the Communication Plan on which interpretation was provided to the Student’s mother with the nature of the interpretation (i.e., type of meeting or document) and the name of the interpreter. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that no further reporting is required for Reporting Requirement 3B.

- 4. Within 30 calendar days of the Student’s return to the District**, the District will invite the Student’s mother and convene an Individual Education Program (IEP) meeting with a group of persons knowledgeable about the Student, the meaning of the evaluation data, and placement options within the District; a qualified interpreter from the District’s list of approved interpreters or a language line third party service;<sup>1</sup> and an English language

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<sup>1</sup> To be qualified, an interpreter must: (1) “[h]ave knowledge in both languages of any specialized terms or concepts peculiar to the entity’s program or activity and of any particularized vocabulary and phraseology used by the [limited English Proficient] LEP person;” and (2) “understand the expected reading level of the audience and, where appropriate, have fundamental knowledge about the target language group’s vocabulary and phraseology.” 67 Fed. Reg. at 41464. Interpreters should also be trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality.

development (ELD) teacher trained in the delivery of ELD services, to determine what, if any, compensatory services or remedial measures the District should provide to the Student (at no cost to the Student's parent) as a result of the District's failure to provide educational services, including special education and ELD services, during the Student's long-term suspension in the Fall/Winter of 2021. The District shall notify the Student's mother in writing, with oral interpretation provided by a qualified interpreter (as defined above), of the District's determination regarding compensatory services/remedial measures and provide the Student's mother with notice through a qualified interpreter of the District's system of procedural safeguards.

**REPORTING REQUIREMENT 4: Within 10 calendar days of convening the IEP meeting for the Student**, the District will provide documentation to OCR indicating that the District complied with Term 4. This report shall include, at a minimum, a copy of the invitation to the Student's mother (including evidence of use of an interpreter), a copy of the Student's IEP, if amended; a written statement reflecting the determination made by the team with regard to compensatory services or remedial measures and the information considered in reaching that determination; any notices provided to the Student's mother in accordance with Term 4; and the name and qualifications of the interpreter who provided oral translation of the notices. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that Term 4 has been satisfied.

5. If the IEP team determines that compensatory services or remedial measures are necessary for the Student in accordance with Term 4, **within 20 calendar days of said determination**, the IEP team will develop a compensatory education plan (Compensatory Education Plan) that specifies, at a minimum, the type of services to be provided to the Student, the manner in which the services will be provided, when the services will be provided, the individuals responsible for providing the services, and the length of time the services will be provided. The District will promptly notify the Student's mother of the team's decisions regarding compensatory services or remedial measures and provide the Student's mother with a copy of the Compensatory Education Plan, if one was created, and oral translation of the Compensatory Education Plan by a qualified interpreter.

**REPORTING REQUIREMENT 5A:** If the IEP team determines that compensatory services or remedial measures are necessary for the Student, then **within 30 calendar days of said determination**, the District will provide OCR with a copy of the Compensatory Education Plan developed to provide the Student with those compensatory services, a list of individuals (by name and title) who participated in the development of the Compensatory Education Plan, a summary of the information the team considered in developing the Compensatory Education Plan, the communications with the Student's mother regarding the Compensatory Education Plan, and the name and qualifications of the interpreter who provided oral interpretation of the Compensatory Education Plan. The District agrees to fully and promptly respond to OCR's concerns, if any, until

OCR notifies the District that the Compensatory Education Plan has been approved.

**REPORTING REQUIREMENT 5B:** If a Compensatory Education Plan is developed pursuant to Term 5, then the District will provide documentation to OCR demonstrating the provision of the services in the Compensatory Education Plan **within 30 calendar days of providing OCR with a copy of the Compensatory Education Plan, and every 60 calendar days thereafter, until the District has completed providing all the services set forth in the Compensatory Education Plan.** The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that this reporting requirement has been satisfied.

*Limited English Proficient Parent (LEP) Communication*

6. The District will develop a Plan for Oral and Written Language Assistance (District Plan) to provide language assistance services to national origin minority limited English Proficient (LEP) parents/guardians of students in the District to ensure that they have meaningful access to school-related information that non-Limited English Proficient parents receive, in a language that they understand. The District Plan will include the following:

Oral Language Assistance Services (Interpreter Services)

- A. Assurance that the District will continue to use the Home Language Survey (HLS) to identify LEP parents/guardians who may need oral language assistance services;
- B. Assurance that the District will use the information it gathers through its review of HLS surveys to inform all staff who serve students of the preferred language of communication for each student's parents/guardians;<sup>2</sup>
- C. A list of staff members at each school who are qualified (as defined in Footnote 1) to provide oral interpretation, the basis for their qualification(s), the languages they speak, and the days/hours of their availability to provide interpreter services;
- D. A description of how site staff members will ensure effective oral communication with LEP parents/guardians regarding school-related information;
- E. A description of how school site and District staff will ensure effective oral communication with LEP parents/guardians who speak low-incidence languages;
- F. Procedures for ensuring that:

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<sup>2</sup> Each staff person must be informed of the preferred language of communication for the parents/guardians of the students the individual staff person serves.

1. All District employees, including school site staff, who provide oral interpretation services to LEP parents/guardians at the District are qualified to do so and have demonstrated their ability to engage in oral communication correctly and effectively in both English and the target language, and have been trained as required by Term 8 of this Agreement; and
  2. All District employees, including school site staff, who provide oral interpretation for parents/guardians of students at special education and/or disciplinary meetings or hearings are familiar with and understand special education and disciplinary terms and concepts, and are able to communicate accurately and effectively in English and the target language about those terms and concepts;<sup>3</sup>
- G. The name and phone number of the independent interpreter and translation service the District will use when there are no qualified staff available at a school to provide oral interpretation in the language needed by an LEP parent/guardian and the process for staff to schedule interpretation through that independent service;
- H. A description of how the District will annually notify LEP parents/guardians of the availability of oral language assistance services and the procedure parents/guardians should follow to request these services;
- I. A process for annually informing staff about the right of LEP parents/guardians to oral language assistance services and the process staff should follow to obtain these services;
- J. A process for creating a system of recordkeeping whereby the District records requests for language assistance, including the type of assistance requested and the language in which the requester communicates, and how the District responds to the requests, including the dates of the request and fulfillment of the request, whether language assistance was provided, and who provided the interpreter services;
- K. A process for annual review by the District to ensure that its oral language assistance services are effective in providing meaningful access to school-related information to LEP parents/guardians and are consistent with the terms of this plan.

#### Written Language Assistance Services (Translation)

- L. A description of how the District will identify LEP parents/guardians who require written translation to understand written communication from the District;

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<sup>3</sup> The allegations in this case directly involve special education and school discipline, which is why special education and school discipline are specifically addressed by this Term. However, interpreters and translators must have knowledge of specialized terms or concepts that may be used in the activities in which the individual will be providing language assistance, whether the topic is discipline, special education, extracurricular activities, college applications, or any other program or benefit offered by the District.

- M. The procedures for translating vital written documents;<sup>4</sup>
- N. The procedures that administrators and staff will use to obtain translation of vital documents identified in Agreement Term 6;
- O. The procedures for providing meaningful access to vital documents as identified in Agreement Term 6 that are not routinely translated and for low-incidence languages that are less prominent in the District;
- P. The procedures for ensuring that the individuals who provide translation for the District are competent, appropriately trained, and have demonstrated their ability to communicate effectively in English and the target language; and
- Q. A description of how the District will regularly notify LEP parents/guardians of the availability of written translation services and the procedure parents/guardians should follow to request these services.

**REPORTING REQUIREMENT 6: Within 60 calendar days of signing this Agreement**, the District will submit a draft District Plan, as described in Term 6, to OCR for review and approval. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that the District Plan is approved.

- 7. **Within 15 calendar days of receiving OCR's approval of the District Plan**, the District will finalize and implement the District Plan. The District agrees to publish notice of the existence of its District Plan and widely disseminate the District Plan.

**REPORTING REQUIREMENT 7: Within 25 calendar days of OCR's approval of the District Plan**, the District will submit documentation to OCR demonstrating implementation of the District Plan, including how the District Plan was publicized, when, and to whom it was disseminated and when. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that no further reporting is required for Reporting Requirement 7.

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<sup>4</sup> To determine which written documents are vital, the District will consider the importance of the program, information, encounter, or service involved, and the consequence to the LEP parent if the information in question is not provided accurately or in a timely manner. Typical vital documents include: disciplinary notices, procedures, and hearing related information; notice of procedural safeguards in the context of providing children with disabilities a FAPE under Section 504 and the Individuals with Disabilities Education Act (IDEA); documentation related to eligibility and placement decisions under Section 504 and IDEA; registration and enrollment forms, emergency notification forms, and other forms most commonly used by the District to communicate with parents/guardians; report cards and student progress reports; notices of parent-teacher conferences or meetings; parent handbooks and fact sheets; and other documents necessary to allow meaningful participation in the student's education.

8. The District will develop plans for initial and ongoing yearly training for all administrators and staff who provide oral interpretation and/or written translation for parents/guardians in the District. This training will include instruction in the following areas:
  - A. The District Plan for Oral and Written Language Assistance required by Term 6;
  - B. The role of an interpreter and the protocol and ethics of interpretation, including the need to maintain confidentiality;
  - C. The specialized terms or concepts that may be used in the activities in which the employee will be providing interpretation or translation, specifically including terms used in the special education and student discipline processes;
  - D. That the District must provide translation or interpretation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents, especially when conveying information about vital school matters, such as matters related to special education and discipline; and
  - E. That in addition to using a Home Language Survey, the District may also use other processes reasonably calculated to identify LEP parents, and should identify the language needs of LEP parents whenever those needs become apparent. It is important for the District to take parents at their word about their communication needs if they request language assistance and to keep in mind that parents can need interpreter and translation services even if their child is proficient in English.

**REPORTING REQUIREMENT 8A: Within 30 calendar days of receiving OCR's approval of the District Plan required by Term 6**, the District will submit to OCR its plans for staff training as described in Term 8. This staff training plan will include a copy of draft training materials and the names and qualifications of the trainer(s) the District proposes to use to fulfill Agreement Term 8. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that its training materials and proposed trainer(s) are approved.

**REPORTING REQUIREMENT 8B: Within 60 calendar days of OCR's approval of the training plan and trainer(s) required by Term 8**, 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, a list of all administrators and staff who provide oral interpretation and/or written translation for parents/guardians in the District, and a list of training participants. If any administrators or staff who provide language assistance are absent from the training, please identify the employee(s) and a plan to ensure that the individual(s) are trained. The District will promptly and fully address OCR's concerns, if any, until the District receives notification from OCR that no further reporting is required for Reporting Requirement 8B.

*Special Education Policies and Procedures*

9. The District will draft for OCR’s review and approval a memorandum to all current administrators, teachers, special education staff, and any other staff the District deems appropriate, regarding the District’s obligations under Section 504 and Title II to provide special education and related services to students with disabilities. The memorandum will include, at a minimum, the following:
  - A. The legal requirements for “Child Find” and evaluation of students who, because of disability, need or are believed to need special education or related services, including but not limited to the following:
    - i. A student who only exhibits behavioral (and not academic) challenges may trigger a school district’s obligation to evaluate under Section 504 to determine whether the student has a disability and needs special education or related services as a result of that disability;
    - ii. If the district suspects that a student has a disability and because of the disability needs special education or related aids and services, it would be a violation of Section 504 to delay the evaluation in order to first implement interventions. School districts run afoul of the Section 504 obligation to evaluate for disability and need for special education or related services when they rigidly insist on first implementing interventions before conducting an evaluation or categorically require that data from an intervention strategy must be collected and incorporated as a necessary element of an evaluation;
    - iii. Districts are required to locate, identify, and evaluate English Learner (EL) students who may have a disability, like all other students who may have a disability and need special education services, for special education services in a timely manner;
  - B. The legal requirements for providing all English Learner (EL) students, including EL students with disabilities, with English language assistance (including ELD instruction that is based on the EL students’ level of English proficiency), including but not limited to the following:
    - i. EL students with disabilities who need both English language instruction services and special education services must be provided with the special education services to which they are entitled, regardless of the student’s number of years in the United States, number of years of English language instruction, and/or score(s) on English proficiency tests. Delaying special



education referrals and evaluations of EL students for a specified period of time based on EL status is impermissible;

- ii. When conducting evaluations for special education services, the District must consider the English language proficiency of EL students in determining the appropriate assessments and other evaluation materials to be used. EL students must be evaluated in an appropriate language based on the student's needs and language skills to avoid inappropriately identifying EL students as students with disabilities because of their limited English proficiency;
  - iii. The team creating an EL student's individualized plan for providing special education services must include a participant knowledgeable about the student's language needs to ensure that the plan also addresses the student's language-related needs;
- C. The legal requirement to conduct a re-evaluation (similar to a manifestation determination review under the Individuals with Disabilities in Education Act (IDEA)) prior to effecting any significant change in placement of students with disabilities or suspected of having a disability, including but not limited to the following:
- i. A disciplinary exclusion of a student with a disability from school is a significant change in placement if (i) the exclusion is for more than 10 consecutive school days; or (ii) a series of exclusions that are each of 10 days or less in duration that creates a pattern of exclusion;
  - ii. The determination of whether a series of removals create a pattern of exclusion that constitutes a significant change in placement must be made on a case-by-case basis, including, but not limited to, the following factors: (1) The series of removals total more than ten school days in the same school year; (2) The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and (3) Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another;
  - iii. Before effecting a disciplinary action which constitutes a significant change in placement for a student with a disability, the District will convene and conduct a manifestation determination review with a multidisciplinary team of individuals knowledgeable about the student (including but not limited to the student where age appropriate, the student's parent/guardian, and the student's general education teachers), the student's disability, current evaluation data and placement options;
  - iv. The multi-disciplinary team will review all relevant and recent information in the student's file, including, but not limited to, the student's Section 504 Plan or Individual Education Program (IEP), any teacher observations,

psychological evaluation data related to the student's current behavior, and any relevant information provided by the parents or guardian, during the manifestation determination meeting to determine if the student's conduct in question is a manifestation of the student's disability(ies) and document what they review;

- v. The multi-disciplinary team will determine whether the student's misconduct was caused by or had a direct and substantial relationship to (*i.e.*, a manifestation of) the student's disability(ies) and whether the student's misconduct was due to the school's failure to implement an appropriate Section 504 plan or IEP;
  - vi. If the multi-disciplinary team determines that the student's misconduct was either a manifestation of the student's disability(ies) or was due to an inappropriate placement or the school's failure to implement an appropriate Section 504 plan or IEP, then the multi-disciplinary team must determine what, if any modifications to the student's educational placement are necessary, including considering whether to conduct a functional behavioral assessment and develop or revise a positive behavior intervention plan (if appropriate), and the student may not be suspended beyond ten days unless otherwise allowed for under Section 504 or IDEA;
  - vii. If the multi-disciplinary team determines that the student's misconduct was not a manifestation of the student's disability and was not due to an inappropriate placement or the school's failure to implement an appropriate Section 504 plan or IEP, the student may be disciplined in the same manner and for the same duration as similarly situated students without disabilities would be disciplined; and
  - viii. The school must provide the student's parent or guardian notice of both the manifestation determination meeting and the placement decision in a prompt manner. The student's parent or guardian also must be provided with a copy of the Section 504 or IDEA procedural safeguards. If the parent(s) or guardian disagrees with the manifestation determination, the parent(s) or guardian may request an impartial hearing.
- D. The legal requirements to provide educational services to students with disabilities during a period of suspension or expulsion, including but not limited to the following:
- i. Where an IDEA-eligible student is suspended for conduct that is not a manifestation of the student's disability for over 10 days, IDEA requires that the district provide educational services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP;
  - ii. The district must also provide educational services to a student with

disabilities under Section 504 regardless of the length of the removal (e.g., for removals that are less than ten school days) if the district has a policy or practice of providing educational services to non-disabled students removed for similar offenses; and

- iii. The educational services that a suspended or expelled student with a disability receives during a removal must be determined on an individualized basis by a multidisciplinary team of individuals knowledgeable about the student, the student's disability, current evaluation data and placement options.

- E. A statement that any educational services provided to an EL student by the District during the period of suspension or expulsion should include English Language Development (ELD) instruction, if the District has a policy or practice of providing educational services to non-EL students removed for similar offenses.

**REPORTING REQUIREMENT 10: Within 60 calendar days of signing this Agreement,** the District will provide a copy of the draft memorandum required by Term 9 to OCR for review and approval. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that the memorandum is approved.

10. The District will disseminate the memorandum to all current administrators, teachers, and staff in whatever manner the District typically communicates important information to employees.

**REPORTING REQUIREMENT 11: Within 15 calendar days of OCR's approval of the memorandum required by Term 9,** the District will provide OCR with documentation demonstrating the completion of Term 10, including the final memorandum that was sent, when the memorandum was disseminated, how it was disseminated, and to whom it was disseminated. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that the reporting requirement has been met.

11. The District will draft for OCR's review and approval training materials for all current administrators, teachers, and special education staff regarding the District's obligations under Section 504 and Title II. The training should address, at a minimum, all the legal requirements discussed in the memorandum developed pursuant to Term 9 of this Agreement.

**REPORTING REQUIREMENT 12A: Within 30 calendar days of OCR's approval of the memorandum required by Term 9,** the District will provide for OCR's review and approval plans for the training as described in Term 11. This staff training plan will include a copy of draft training materials and the names and qualifications of the trainer(s) the District proposes to use to fulfill Agreement Term 11. The District agrees to fully and promptly respond to OCR's concerns, if any, until OCR notifies the District that its training materials and proposed trainer(s) are approved.

**REPORTING REQUIREMENT 12B: Within 60 calendar days of OCR’s approval of the training plan and trainer(s) required by Term 11**, 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, a list of all administrators, teachers, and special education staff in the District, and a list of training participants. If any administrators, teachers, or special education staff are absent from the training, please identify the employee(s) and a plan to ensure that the individual(s) are trained. The District will promptly and fully address OCR’s concerns, if any, until the District receives notification from OCR that no further reporting is required for Reporting Requirement 11B.

12. The District will draft for OCR’s review and approval revisions to Board Policy FHA - Safe Schools, which will include at a minimum:
  - A. A description of the procedures for disciplining students with disabilities;
  - B. A statement of the District’s legal obligations to provide educational services to students with disabilities during a period of suspension or expulsion; and
  - C. A statement that any educational services provided to EL students by the District during the period of suspension or expulsion should include English Language Development (ELD) instruction.

**REPORTING REQUIREMENT 13: Within 60 calendar days of signing this Agreement**, the District will provide a draft of the revised Board Policy FHA - Safe Schools to OCR for review and approval. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that the revised policy is approved.

13. The District will publish and disseminate its revised Board Policy FHA – Safe Schools on its website and by using any other of its standard methods for disseminating new policies and procedures that impact students.

**REPORTING REQUIREMENT 14: Within 15 calendar days of OCR’s approval of revised Board Policy FHA – Safe Schools**, the District will provide OCR with documentation demonstrating the completion of Term 13, including where and how the policy was published and disseminated and when. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that the reporting requirement has been met.

14. The District will draft for OCR’s review and approval revisions to the District’s form letter notifying the parents/guardians of an EL student with a disability of a long-term suspension or expulsion. The revised letter will explain how and when the individualized special education supports and services to be provided by the District to a student with a disability during the period of suspension or expulsion will be determined. The District will remove

any language placing the burden on parents to make arrangements for setting up special education services. The District will also explain the ELD services that will be provided by the District to EL students. The District will either attach Board Policy FHA to the letter or reference the policy in the letter and provide a link for parents/guardians to find the policy.

**REPORTING REQUIREMENT 15: Within 60 calendar days of signing this Agreement,** the District will provide a copy of the revised form letter notifying the parents/guardians of an EL student with a disability of a long-term suspension or expulsion to OCR for review and approval. The District agrees to fully and promptly respond to OCR’s concerns, if any, until OCR notifies the District that the revised form letter is approved.

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 implementing Title VI, Section 504 and Title II, which were at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement and dismiss the case until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI, Section 504, and Title II.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the 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 a minimum of 60 calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District’s representative below.

For District:

\_\_\_\_\_/s/\_\_\_\_\_

\_\_\_\_\_/9/16/22\_\_\_\_\_

Date