

Resolution Agreement
Long Beach Unified School District
OCR Case No. 09-13-5002

In order to resolve the concerns identified in the above referenced compliance review with the U.S. Department of Education, Office for Civil Rights (OCR), against Long Beach Unified School District (District), pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation, 34 C.F.R. Part 100, without admitting to any violation of law, the District voluntarily agrees to take the actions in this Resolution Agreement (Agreement).

I. Data Analysis

- A. The District will conduct an annual analysis of student applications, admissions, and enrollment in its Secondary Specialized Programs (SSPs), including California Academy of Math and Science (CAMS), to identify statistically significant differences in rates of District African-American or current and former English learners (EL/RFEP) students who apply to, are admitted to, and enroll in each SSP, as compared to white students and non-EL/RFEP students, and to better understand the relevant factors related to application, admission and enrollment into SSPs.
- B. For each SSP for which statistically significant differences are identified in paragraph I.A., the District will determine whether the following factors, and any other relevant considerations or factors the District deems appropriate, contribute to any overall significant differences in numbers of and rates of admission or enrollment, including:
1. differences in the numbers or rates of eighth grade African-American or EL/RFEP who meet the SSP's eligibility criteria, as compared to those of white students and non-EL/RFEP students;
 2. differences in number or rates of eligible/qualified African-American, EL, or EL/RFEP students who apply to the SSP, as compared to white students and non-EL/RFEP students;
 3. differences in number or rates of eligible/qualified African-American or EL/RFEP applicants who are accepted into the SSP, as compared to white students and non-EL/RFEP students;
 4. differences in number or rates of African-American or EL/RFEP students who are accepted into the SSP and enroll, as compared to white students and non-EL/RFEP students;
 5. differences between African-American or EL/RFEP students and white students and non-EL/RFEP students in the rates of attrition among students who enroll in the SSP.

Reporting: By April 30, 2018 and by the same date in the 2018-2019 and 2019-2020 school years, the District will submit its analysis to OCR.

II. Plan for SSPs

- A. If the District identifies statistically significant differences in any of the areas in Section I.B., it will develop a Plan to implement policy(ies) and/or practice(s) in that area that may have a less adverse impact on African-American and/or ELL/RFEP students. To the extent the analysis in Section I.A. identifies other statistically significant differences in enrollment, the District will determine whether to address them in the Plan.
- B. If the District determines that no policy(ies) or practice(s) exist that are comparably effective in meeting the District's educational objectives, the District will submit its reasons and the educational justification to OCR for review and approval.
- C. Any Plan will include dates and responsible personnel for each action and will include, but not be limited to, the following steps:

1. Selection Criteria

- a. The District will analyze SSP admissions data for students entering high school in 2017-18 and 2018-19 to determine whether a randomized selection process among qualified applications to all SSPs would be consistent with II.A., and, if it would, implement such a process beginning in the 2018-19 high school choice placement period.
- b. The District will also consider whether any alternative methods of selecting among qualified applicants would be consistent with II.A.
- c. Consistent with II.A., the District will review SSP eligibility criteria to ensure that they do not exclude EL/RFEP students by primarily measuring English proficiency rather than technical or other academic skills deemed necessary to participate in any specific SSP.

2. Outreach to Qualified Applicants

- a. The District will create and implement a reasonably effective method for contacting qualified students who did not apply to an SSP identified in Section I, informing them that they are qualified to apply, and describing the benefits of each relevant SSP.
- b. The District will maintain and analyze data concerning the results of these contacts and engage in a process of inquiry with respect to effectiveness of outreach strategies.

3. Incoming Students

- a. The District will develop and implement an integrated system to identify middle school students identified in the data analysis described in I.A. who appear close to meeting the qualifying criteria of SSPs identified in Section I; and/or who show potential for high level work in mathematics and science;
- b. Identified students will be contacted at the end of sixth grade or the middle of seventh grade to increase their awareness of the SSPs and to offer support and resources in meeting program qualifications,
- c. The District will continue to educate parents, guardians and students on the selection criteria for SSPs through:
 - i. Written distribution of information via email and mailings;
 - ii. Posting information online;
 - iii. Sharing information in meetings; and,
 - iv. Counseling students.

Communications will be provided in the predominant languages of District students and their parents.

4. EL/RFEP students

- a. The District will review the course offering in each selective SSP to ensure that there are no EL/RFEP-specific barriers in scheduling or program requirements that exclude enrollment of qualified EL/RFEP students.
- b. The District will ensure that English language development (ELD) instruction is available at each SSP that is offered at a specialized site.
- c. The District will provide training to all SSP teachers on making high level instruction accessible to EL/RFEP students.

5. Self-Assessment

- a. Consistent with II.A., the Plan will include a mechanism and criteria through which the District will assess the impact of the Plan on eligibility, application, admission, and enrollment in highly selective SSPs. To do so, the District will analyze eligibility, application, admissions, enrollment, and achievement data by race and EL/RFEP status. The Plan will describe the frequency and timing of this data review. The results of the analysis will be provided to the District Board of Education.

- b. The Superintendent will ensure that the Plan is fully implemented. The District will report to the Board of Education in March and August of each school year on the implementation of the initiatives described in the Plan.
- c. The District will update its Plan annually to address the results of the data analysis described in 5.a. and 5.b. above.

Reporting: By May 31, 2018, the District will submit a draft Plan to OCR for review and approval. The District will finalize the Plan within 30 days of receiving OCR's comments.

By June 30, 2018, 2019 and 2020, the District will report to OCR regarding its data and implementation analysis, as described in Section II.C.5., and will submit any updates or revisions to the Plan to OCR for review and approval.

III. Training and Written Guidance

- A. Within 60 days after OCR's approval of the Plan described in Section II, the District will provide training, and distribute a written guidance memorandum on actions taken pursuant to this Agreement. The training and written guidance will be provided to all Administrators, Principals, middle school teachers, middle and high school counselors, and Pathway Coordinators.
- B. The District will provide guidance to students, parents and guardians which will include prohibited conducted under Title VI and the District's policies and procedures regarding the same, and information about actions taken pursuant to this Agreement related to equal access to SSPs.

Reporting: By April 30, 2018, the District will submit a draft of the staff guidance memorandum to OCR. The District will finalize the guidance memorandum within 30 days of receiving OCR's comments, and submit proof of distribution.

By December 14, 2018 and 2019, the District will submit documentation that the training and guidance in III.A. and B. was provided.

IV. Monitoring and Enforcement of this Agreement

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. 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 with the regulations implementing Title VI, at 34 C.F.R. §§ 100.3(a) and (b)(i)-(iii), and Title IV, 42 U.S.C. § 2000c et seq., which were at issue in this case. Upon completion of the obligations under this 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 this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____

Christopher Steinhausser
Superintendent

_____03/21/2018_____

Date