

Resolution Agreement
Modesto City Schools
OCR Case No. 09-14-1443

In order to resolve the issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint filed pursuant to Title VI of the Civil Rights Act of 1964, the Modesto City Schools (District), without admitting to any violation of the law, agrees to implement this Resolution Agreement.

A. Interpretation and Translation Services at Board of Education Meetings

1. The District will develop a procedure to ensure that limited English proficient (LEP) parents in the District are able to understand and participate effectively in meetings of the District's Board of Education (Board). The procedure will include the following provisions:
 - a. Notices and calendars of the Board meetings will be posted, published, and disseminated in Spanish in the same locations and manner that they are posted, published, and disseminated in English.
 - b. Notices of the Board meetings will include statements in Spanish and English describing how LEP parents can request interpreting services at Board meetings. The Notices will indicate that the request for interpreting services must be made no later than noon on the Friday preceding the Board meeting.
 - c. The agendas for all Board meetings, or a summary of each topic/subject area to be discussed at the meetings, will be posted in Spanish at the same locations where agendas are posted in English. If an agenda is summarized, it will include a notice in Spanish stating the name, district office location and telephone number of the person who, upon request by LEP parents, will translate the agenda, either orally or in writing. This provision does not require attachments to the Board agendas to be translated into Spanish.
 - d. Minutes of the Board meetings will be posted or disseminated in Spanish. In the alternative, the English minutes may include a notice in Spanish stating the name, district office location and telephone number of the person who, upon request by LEP parents, will provide an oral or written translation of the minutes.
 - e. The procedures will describe how the District will provide qualified interpreters at Board meetings, and how interpreters are expected to enable LEP parents who attend to understand the proceedings and/or to make statements or presentations to the Board, including the following:

- i. That all statements, discussions and presentations made in English to the Board or by Board members will be fully interpreted into Spanish (and/or other languages if applicable);
 - ii. That English interpretation will be provided for all statements, discussions and presentations made to or by the Board in languages other than English;
 - iii. That time taken to interpret statements, discussions and presentations made to or by the Board in languages other than English will not impose a time limit restriction;
 - iv. This provision will not require written presentations made at Board meetings (e.g., PowerPoint presentations) to be transcribed into Spanish.
2. The District will provide OCR with a draft of its procedure by April 1, 2015. The District will work cooperatively with OCR to address any questions or concerns, and will adopt and fully implement the procedure within 45 days after OCR's approval.
3. The District will provide OCR with copies of all Board meeting notices, agendas and minutes that are posted and/or disseminated during the first full month after the procedures are adopted. These documents will be provided to OCR within 10 days after the end of the applicable month.
4. The District will describe the procedure during the next English learner parent advisory committee meeting, to take place on or about June 11, 2015, and will provide OCR with copies of the meeting agenda demonstrating that the procedure was described for LEP parents who attended this meeting by June 30, 2015. The English learner parent advisory committee meeting members shall thereafter describe the procedure to LEP parents at school sites which have 21 or more English learner students, either verbally or in writing, no later than October 15, 2015. By December 4, 2015, the District will provide OCR with copies of documents which demonstrate that the procedure was described for LEP parents at District school sites having 21 or more English learners.

B. General Provisions

1. The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title VI, at 34 C.F.R. § 104.3, which was at issue in this case.
2. 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 regulation implementing Title VI, at 34 C.F.R. § 104.3, which was at issue in this case.

3. 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 a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Pam Able
Superintendent

_____02/20/2015_____
Date