

## **Resolution Agreement**

### **Gilroy Unified School District OCR Case No. 09-16-1279**

In order to resolve the compliance concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the investigation of the above-referenced complaint filed against the Gilroy Unified School District (District), pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 42 U.S.C. §2000d (Title VI) and its implementing regulation, the District agrees to take the actions in this Resolution Agreement (Agreement).

1. By October 14, 2019, the District will revise the sections of its Master Plan for Services for English Learners (Master Plan) that describe its English language development (ELD) program in grades 6-12 and monitoring of EL student progress. The revised Master Plan will:
  - a. Describe the standards and criteria for placing students in mainstream English language arts and Academic Language Development classes for ELD instruction;
  - b. Provide guidance on the instruction that English language arts teachers are expected to provide to EL students who are not enrolled in other ELD courses that addresses their level of English proficiency and is designed to enable them to attain fluent English proficiency within a reasonable amount of time;
  - c. Incorporate ELD assessments and standards currently in use in the District; and
  - d. Describe current expectations for monitoring the progress of EL students in learning English and accessing the core curriculum, taking into account both academic achievement and progress toward fluent English proficiency, and the methods by which sites will identify, implement, and evaluate interventions and supportive services for students who are not making adequate progress. Monitoring will address the needs of EL students who are not succeeding in their academic classes and those who are receiving passing grades but not making expected progress toward reclassification as fluent English proficient, including long term ELs (LTELs) and students at risk for becoming LTELs.
  - e. The District will fully implement the revised Master Plan.
2. The District will develop and implement an EL professional development plan (PD plan) for the 2019-2020 school year, which describes training that will be provided to middle

school and high school teachers, counselors, and administrators concerning the EL program. The PD plan will include, but not be limited to:

- a. ELD training for special education teachers who are responsible for providing EL students with designated and/or integrated ELD in their classes; and
  - b. Training as necessary to implement the revised Master Plan.
3. By June 30, 2020, the District will:
- a. Conduct an evaluation of the effectiveness of the ELD program in grades 6-12, including but not limited to the questions listed in the Master Plan for evaluating whether “All English Learners will master the English language as efficiently and effectively as possible.”
  - b. Identify specific program modifications in response to any areas of need identified in the evaluation.

#### **Reporting Requirements**

1. By October 14, 2019, the District will provide OCR with a copy of its revised Master Plan for review and approval. The District will finalize the revisions and post the revised Master Plan on its website within 30 days after OCR approval.
2. By October 14, 2019, the District will provide OCR with the PD Plan described in Section 2, above.
3. By June 30, 2020, the District will provide OCR with a schedule of all EL training that was provided to teachers, counselors, and administrators at each of its middle schools and high schools.
4. By June 30, 2020, the District will provide OCR with a copy of the evaluation of its ELD program described in Section 3, above, and a description of the steps planned to modify the program as needed in response to the evaluation findings.

The District understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 and obligations of the resolution agreement. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

\_\_\_\_\_08/28/2019\_\_\_\_\_  
Date