

Resolution Agreement
FOUNTAIN VALLEY SCHOOL DISTRICT
OCR Case No. 09-18-1053

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 Fountain Valley School District (District) pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, and its implementing regulation, 34 C.F.R. Part 100, the District, without admitting to any violation of law, agrees to take the actions in this Resolution Agreement (Agreement).

I. Registration Procedures and Forms

By October 15, 2018 the District will review all in-person and online registration forms, documents, and procedures (to include Board Policies, Administrative Regulations, online and in-person forms and processes) to ensure (1) that lists of required documents are consistent with one another; and (2) that the range of documents to establish age and residency take into consideration the potential difference in availability of certain documents for families of different national origins.

II. Online Registration System

By November 15, 2018 the District will work with its online registration system provider to address the following:

- A. Providing access to additional languages for completion of the online registration process to ensure meaningful access to the enrollment and admissions processes;
- B. Removing requests for personal information that are not a necessary part of registration and that may impose a different requirement or restriction on students' admission or enrollment based on national origin and delineating the requests for personal information that are optional; and
- C. Including a statement that outlines purpose for collection of information related to national origin and that this information will be used for no other purpose, such as restricting or denying enrollment or treating a student differently in determining whether he or she satisfies any admission or enrollment criteria.

III. In-Person Registration Processes

By December 1, 2018, the District will put in writing an updated policy and procedure for the in-person portion of its registration process. The policy will explain:

- A. How enrolling parents who do not speak English or Vietnamese will receive on-site online registration support.

- B. How to provide access to translated copies of in-person packets for enrolling parents who do not speak English or Vietnamese, to include the Home Language Survey.
- IV. By December 1, 2018, the District will review its website to identify all documents related to the student enrollment process, including but not limited to applications for interdistrict and intradistrict transfers and documents explaining documents required to establish District residency. The District will ensure that all such documents are available to parents who do not speak English and/or include information for parents on obtaining translation of the documents.

V. Training

The District will issue a written guidance memorandum and facilitate training for all administrators, faculty, and staff who are responsible for or assist with enrolling students in District schools. The guidance memorandum and training will outline procedures for those considerations listed in Section III above, including (III-A) seeking translation and interpretation assistance for non-English speakers who come to a school site to register students through the online registration system; (III-B) completing in-person enrollment processes, including providing the Home Language Survey in languages consistent with the District's parent and student population to provide for meaningful access. The training will include a discussion of the prohibition on discrimination on the basis of national origin in Title VI and its implementing regulation at 34 C.F.R. §100.3(b), including with respect to the school enrollment process.

VI. Reporting and Monitoring

- A. Based on the findings of the District's review in Section I above, and within 15 days of the review's completion, the District will submit for OCR review and approval its plan for providing all online and in-person registration materials consistent with the considerations above.
- B. By November 1, 2018, the District will provide OCR an update, in writing, as to what their capabilities and limitations are with respect to making changes as outlined in Section II of this Agreement.
- C. By December 1, 2018, the District will provide for OCR review and approval, its proposed changes to the online registration system with respect to Section II of this Agreement.

- D. By December 1, 2018, the District will provide for OCR review and approval a list of the enrollment forms, documents, and procedures identified in its review in Section IV and a description of, and/or links to, the steps taken to ensure such documents are accessible to parents who do not understand English.
- E. By December 15, 2018, the District will provide for OCR review and approval its guidance memorandum and training materials for staff who provide on the phone and in-person guidance regarding the District's enrollment process, outlining the procedures referred to in Section III of this Agreement.
- F. By February 22, 2019, the District will provide the training in Section V. Within 7 days of completion of that training, the District will provide OCR with sign-in sheets for the training in addition to a copy of the agenda and any associated materials.

The recipient understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the recipient understands that during the monitoring of this Agreement, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of this Agreement. Upon completion of the obligations under the Agreement, OCR will close the case.

The recipient 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 recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Mark Johnson, Superintendent
For the Fountain Valley School District

08/23/2018
Date