

## **VOLUNTARY RESOLUTION AGREEMENT**

South Lane School District 45J3 (District) enters into this agreement to resolve the complaint (Reference No. 10231213) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation, at 34 C.F.R. Part 100.

### **I. POLICIES AND PROCEDURES**

#### **A. Review, Revise, and Adopt District Policies and Procedures**

The District will review and revise its policies and procedures (revised policies) to ensure that elementary school English Learner (EL) students, whose parents and legal guardians opt-out of the District's English Language Development (ELD) Magnet program at XXXXXX Elementary, can meaningfully participate in the District's educational programs and services in accordance with Title VI, and its implementing regulation, at 34 C.F.R. Part 100. The revised policies shall include the following:

1. The District shall ensure that elementary EL students who choose not to attend the ELD Magnet program, but still want to receive EL services at another elementary school, will receive EL services designed by a qualified EL teacher. The District will regularly monitor the progress of these EL students, and assess their English language proficiency annually.
2. The District shall ensure elementary EL students who opt-out of receiving any EL services will be periodically monitored and their English language proficiency assessed annually. Parents and legal guardians of EL students will receive notice of their child's annual proficiency assessment results and a reminder that the parents and legal guardians may enroll their child in the ELD Magnet program or a particular EL service as appropriate at any time.

#### **B. Review and Revise District Forms**

The District will review and revise its forms relating to the ELD Magnet program and elementary school EL services to ensure that parents and legal guardians of elementary school EL students are informed that their child may still receive EL services even if their child does not attend the ELD Magnet Program.

#### **C. Reporting Provisions**

1. By September 13, 2023, the District will submit to OCR for review and approval its revised policies and form(s).

2. Within 60 days of receiving OCR's written approval of the revised policies and form(s), the District will submit to OCR documentation demonstrating the District has adopted and implemented the revised policies and form(s).

## **II. NOTICE**

### **A. Notice to District Staff and Families**

The District will provide written notice to staff at each of the District's elementary schools of the revised policies. The District will also provide written notice of its revised policies to the parents and legal guardians of all EL students enrolled in the Districts' four elementary schools. Notice must be provided in a language that is accessible to the parents and legal guardians.

### **B. Reporting Provisions**

1. Within 30 days of receiving OCR's written approval of the revised policies and form(s), the District will submit to OCR for review and approval the notice for District staff and the notice for parents and legal guardians.
2. Within 30 days of receiving OCR's written approval of the notice, the District will submit to OCR documentation demonstrating that the District provided notice to District staff and parents and legal guardians.

## **III. TRAINING**

### **A. Training for District staff**

The District will provide training on the revised policies and the obligation to provide EL students access to District educational programs in accordance with Title VI to all administrators, all teaching staff at the 4 elementary schools and preschool program, all staff at the District's parent resource center, all interpreters, and all other staff involved with the District's ELD programs and services.

### **B. Reporting Provisions**

1. Within 30 days of receiving OCR's written approval of the revised policies and form(s), the District will submit to OCR for review and approval a training plan, which includes a proposed timeline for the training, a description of the content of the training, a description or copy of any training materials, and the name and qualifications of the trainer(s).

2. Within 30 days of receiving OCR's written approval of the training plan, the District will submit to OCR documentation demonstrating that it conducted the training(s). The documentation will include: the time(s) and date(s) of the training(s); a list, by name and job position, of persons who attended the training; a list, by name and job position, of persons who were unable to attend the training; and the name of trainer(s).

#### **IV. GENERAL MONITORING PRINCIPLES**

- A. By signing the resolution agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. 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 of the resolution agreement;
- B. The District understands that OCR will not close the monitoring of the agreement until such time as OCR determines that the District is in compliance with the terms of the agreement and the statute(s) and regulation(s) at issue in the case; and
- C. The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 days to cure the alleged breach.

This agreement will become effective immediately upon the signature of the District's representative.

Signed:

Date:

\_\_\_\_\_/s/\_\_\_\_\_  
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\_\_\_\_\_8/23/2023\_\_\_\_\_

Yvonne Curtis  
Superintendent  
South Land School District 45J3