

RESOLUTION AGREEMENT
Henrico County Public Schools
OCR Case Number 11-10-5003

The U.S. Department of Education, Office for Civil Rights (OCR) initiated a compliance review of Henrico County Public Schools (the Division) in order to investigate whether the Division discriminates against African American students on the basis of race in providing college and career readiness, an educational benefit that cumulatively results from numerous school division programs, policies and resources, in violation of Title VI and the implementing regulation at 34 C.F.R. Sections 100.3(a), (b)(1)(i), (iii), (iv), (v) and 100.3(b)(2). The Division is subject to Title VI because it receives Federal financial assistance from the Department of Education. Title VI of the Civil Rights Act of 1964, 42, U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. pt. 100 provide, in relevant part, that no program or activity receiving Federal financial assistance from the Department of Education may discriminate on the basis of race or national origin.

As part of this Agreement, the Division will consult with the Intercultural Development Research Association Equity Assistance Center South (IDRA *EAC-South*), which is funded by the U.S. Department of Education to provide technical assistance and resources to school divisions. The Division will obtain technical assistance from IDRA *EAC-South* in matters pertaining to developing action plans to expand educational opportunities for African American students and promote a climate of college and career readiness in the Division's schools and increasing parental engagement at all grade levels.

Based on the foregoing, consistent with its commitment to equity and consistency in educational opportunities, and to alleviate the necessity of further investigation, the Division agrees to the following provisions of this Agreement. These provisions are designed to build upon the ongoing efforts of the Division, including its Gifted Education Advisory Council, the Middle School Transformation process, the Gifted Young Scholars Academy at Wilder Middle School, and the Achievable Dream Academy.

I. COLLEGE PREPAREDNESS AND CAREER READINESS – HIGH SCHOOL ACTION PLAN

- A. By June 30, 2018, in collaboration with IDRA *EAC-South*, the Division shall conduct a comprehensive educational opportunity assessment of each of its high schools and of its high school programs to determine whether the Division currently is providing all students, and particularly African American students, with a rigorous education to prepare them for college or careers. The assessment must be data driven and include input from key internal and external stakeholders (e.g., parents, students, administrators, and teachers). Types of data and information to be examined should include: student transcripts; counseling services provided to students and parents; graduation requirements; college admission requirements; master schedules; class load analyses; teachers' credentials; professional development opportunities related both to subject matter and teaching methods, such as differentiated instruction; and available curricular

interventions. The assessment shall include a process for obtaining input from high school students and their parents, high school teachers, and high school counselors regarding each group's assessment of the school's college-going climate and promotion of career readiness. The input sought from these stakeholders will include their perspectives related to teacher expectations, promotion of academic rigor, and the availability of information, resources, and supports related to academic and career planning and the college selection and application process, including financial aid.

- B. By June 30, 2019, in collaboration with IDRA *EAC-South*, the Division shall develop a High School Action Plan to address any barriers for African American students identified in the educational opportunity assessment and to enhance the culture of college-going and career readiness in the Division's high schools. In developing the High School Action Plan, the Division and IDRA *EAC-South* will consider, among other things, graduation rates by race; attainment of Advanced Studies diplomas by race; drop-out rates by race; course-taking and achievement patterns by race, including access to Honors, AP and IB classes; racial disparities in GPA, SOL scores, and SAT scores; enrollment in specialty centers and technical centers; racial disparities in acceptance rates to specialty centers and technical centers; other successful programs in the Division and elsewhere; the availability and efficacy of curricular interventions and supports; and any need for additional professional development for teachers and guidance counselors. The Action Plan will include short and long term goals, specific steps and strategies, a timeline for their attainment/implementation starting during the 2019-2020 school year, and a mechanism to ensure adequate and ongoing funding.
- C. The High School Action Plan shall include a data-driven process for analyzing the plan's success on an annual basis. The process should be similar to the analysis in LB. During the 2019-2020 school year and annually thereafter, the Division shall implement that process and prepare a written analysis of the effectiveness of the High School Action Plan. Based upon the results of analysis, the Division shall consult with IDRA *EAC-South* as necessary to modify the High School Action Plan for the coming school year to continue to expand educational opportunities and further enhance the culture of college-going and career readiness in the Division's high schools.

D. Reporting Requirements:

1. By March 31, 2018, the Division shall provide OCR a written report regarding the status of the comprehensive educational opportunity assessment described in I.A. of this Agreement. The report shall include a description of the data being gathered and analyzed, copies of any data collection instruments (e.g., surveys) being used, and a time line for completing the assessment.
2. Within 30 days of its completion, the Division shall provide OCR a comprehensive written report regarding the comprehensive educational opportunity assessment described in I.A. of this Agreement.
3. Within 15 days of its completion, the Division shall provide for OCR's review and approval a copy of the proposed High School Action Plan described in LB. of this

Agreement. Within 60 days of OCR's approval of the High School Action Plan, the Division will begin implementing the Plan and post the Plan on the Division website.

4. On the following dates, the Division shall OCR with provide a comprehensive analysis of the effectiveness of the High School Action Plan:
 - a. July 31, 2020;
 - b. July 31, 2021; and
 - c. July 31, 2022.

II. COLLEGE PREPAREDNESS AND CAREER READINESS - ELEMENTARY AND MIDDLE SCHOOL ACTION PLAN

- A. By June 30, 2018, in collaboration with IDRA *EAC-South*, the Division shall conduct a comprehensive educational opportunity assessment of each of its elementary and middle schools to determine whether the Division currently is providing all students, and particularly African American students, with a rigorous education to prepare them for college or careers. The assessment will also identify elementary and middle schools with a predominate African American population at which the offerings of advanced and accelerated courses (including Algebra I) and gifted opportunities are lower than other schools and where the enrollment of African American students in advanced and accelerated classes is lower than the representation of African American students in the overall school population and determine the causes. The assessment must be data driven and include input from key internal and external stakeholders (e.g., parents, students, administrators, and teachers). Types of data and information to be examined should include: the selection criteria for all advanced and accelerated classes and gifted programs; the advanced courses, including algebra, offered; data disaggregated by race regarding the selection of students for all advanced and accelerated classes and gifted opportunities; student transcripts; counseling services provided to students and parents; master schedules; class load analyses; teachers' credentials; professional development opportunities related both to subject matter and teaching methods, such as differentiated instruction; and available curricular interventions. The assessment shall include a process for obtaining input from and their parents, teachers, and counselors on teacher expectations, promotion of academic rigor, and the availability of information, resources, and supports related to academic planning.
- B. By June 30, 2019, the Division shall develop, in collaboration with IDRA *EAC-South*, an Elementary and Middle School Action Plan to increase educational rigor for African American students and address disproportionately low participation of African American students in advanced and accelerated classes and in gifted programs in elementary and middle schools and any disproportion in the offerings of such courses at schools with a predominate African American population. In developing the Elementary and Middle School Action Plan, the Division and IDRA *EAC-South* will consider, among other things, course-taking and achievement patterns by race, including access to Honors, AP and IB classes, disparities in GPA, and disparities in SOL scores; other successful programs in the Division and elsewhere; the availability and efficacy of curricular interventions and supports; and any need for additional professional development for teachers and guidance counselors. The Action Plan will include the development and

adoption of uniform selection criteria based on sound educational research; consideration of educational programs to increase African American student achievement and preparedness for advanced and accelerated classes and for gifted opportunities; and short and long term goals, specific steps and strategies (e.g., professional development, informational meetings for parents/guardians, and other means), a timeline for their attainment/implementation starting during the 2019-2020 school year, and a mechanism to ensure adequate and ongoing funding.

- C. The Elementary and Middle School Action Plan shall include a data-driven process for analyzing the plan's success on an annual basis. The process should be similar to the analysis in II.B. During the 2019-2020 school year and annually thereafter, the Division shall implement that process and prepare a written analysis of the effectiveness of the Elementary and Middle School Action Plan. Based upon the results of analysis, the Division shall consult with IDRA *EAC-South* as necessary to modify the Elementary and Middle School Action Plan for the coming school year to continue to increase educational rigor for African American students, including adding advanced and accelerated courses at predominately African American schools and increasing gifted opportunities.

D. Reporting Requirements:

1. By March 31, 2018, the Division shall provide OCR a written report regarding the status of the review described in II.A. of this Agreement. The report shall include a description of the data being gathered and analyzed, copies of any data collection instruments (e.g., surveys) being used, and a time line for completing the review.
2. Within 30 days of its completion, the Division shall provide OCR a comprehensive written report regarding the review described in II.A. of this Agreement.
3. Within 15 days of its completion, the Division shall provide for OCR's review and approval a copy of the proposed Elementary and Middle School Action Plan described in II.B. of this Agreement. Within 60 days of OCR's approval of the Elementary and Middle School Action Plan, the Division will begin implementing the Plan and post the Plan on the Division website.
4. On the following dates, the Division shall OCR with provide a comprehensive analysis of the effectiveness of the Elementary and Middle School Action Plan:
 - a. July 31, 2020;
 - b. July 31, 2021; and
 - c. July 31, 2022.

III.PARENTAL ENGAGEMENT AND OUTREACH

- A. By June 30, 2018, the Division will send letters to parents of all elementary school students, informing them of the accelerated and advanced classes available at the Division's elementary, middle, and high schools. The letter will explain the importance of a student beginning rigorous work early in a student's educational career to prepare for challenging courses in high schools (including AP courses) and obtain an Advanced

Studies diploma and encourage the parents/guardians to have the students avail themselves of these opportunities.

- B. The Division recognizes the pivotal role parents play in students' educational success. By June 30, 2018, the Division, in collaboration with IDRA *EAC-South*, shall develop and conduct a survey of all parents in the Division. The Division also shall continue to hold parent forums at central locations and at times convenient for parents. The survey and the forums will ascertain parents' perceptions on topics including whether communication with their child's school is regular, two-way, and meaningful; whether parents are welcome in the school and their support and assistance are sought; whether parents are full partners in the decisions that affect children and families; whether parents have adequate information about the Division's academic programs (including advanced, accelerated, and gifted learning opportunities and remedial programs) and are active participants in planning their child's academic career; whether parents are adequately informed about pathways for college and career readiness starting as early as the elementary level; whether parents feel supported and are able to play an integral role in assisting their child's learning; and whether parents believe that teachers are effective and qualified. The Division shall also solicit input from school administrators and staff regarding practices at their schools that have been found to increase parental engagement.
- C. By June 30, 2019, the Division, in collaboration with IDRA *EAC-South*, shall develop a plan for increasing parental engagement at all grade levels. In developing the plan, the Division and IDRA *EAC-South* will review all current Division and school-level policies related to parental involvement and analyze the information gathered through the parental surveys and forums, as well as any other recent relevant data. The Division and IDRA *EAC-South* will consider, among other things, methods for increasing parental involvement in long-range planning for students' academic careers, including educating parents regarding pathways for college and career readiness starting as early as the elementary level.
- D. In June 30, 2018, and annually thereafter, the Division shall administer the parent survey. Based upon the results of the surveys, the Division shall consult with IDRA *EAC-South* as necessary to modify the parental engagement plan.
- E. **Reporting Requirements:**
 - 1. Within 15 days of its mailing, the Division shall provide OCR a copy of the letter to parents/guardians discussed in III.A.
 - 2. By May 31, 2018, the Division shall provide for OCR's review and approval a draft survey to be administered to all parents in the Division.
 - 3. Within 15 days of its completion, the Division shall provide for OCR's review and approval a copy of the proposed Parental Engagement Plan described in this Agreement.
 - 4. Within 60 days of OCR's approval of the Parental Engagement Plan, the Division will begin implementing the Plan and post it on the Division website.

5. On the following dates, the Division shall provide OCR a comprehensive report regarding the most recent administration of the parent survey and parent forums:
 - a. July 31, 2018;
 - b. July 31, 2019; and
 - c. July 31, 2020.

IV. TRAINING

A. The Division will continue to provide training on an annual basis for relevant Division and school site administrators and staff regarding college and career readiness. The Division will ensure that the training includes, at a minimum:

1. A review of the enrollment demographics in gifted programs, honors, AP, IB, and other advanced courses, by race, at individual schools and in the Division;
2. a presentation on best practices for identification/selection and retention of underrepresented students for advanced programs;
3. An overview of the identification/selection criteria for these programs;
4. An overview of parent/guardian and student outreach efforts regarding these programs; and
5. Information or instruction regarding other actions the Division may be taking in an effort to increase student participation in the District's advanced programs, including recruitment and outreach efforts to directly encourage African American students to consider participation.

B. Reporting Requirements:

1. By March 31, 2018, the Division will provide to OCR for review and approval the name(s) and qualifications of individual(s) who will provide the trainings, the date(s) and location(s) of the training(s), and a copy of the training materials.
2. On the following dates, the Division will submit to OCR documentation regarding the training provided to Division administrators and staff, including the dates of the training, the trainers, and the attendees:
 - a. July 31, 2018;
 - b. July 31, 2019; and
 - c. July 31, 2020.

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 Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively, 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 a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____
 /s/
Superintendent or Designee
Henrico County Public Schools

Date: _____
 12/05/2017