

**Resolution Agreement
Dillon School District 04
OCR Compliance Review No. 11-15-5002**

To ensure compliance with 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, the Dillon School District 04 (the District) agrees to fully implement this resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Compliance Review No. 11-15-5002.

I. Alternative Language Program Plan

By February 28, 2017, the District will develop a written alternative language program (ALP) plan (Plan) that comports with the requirements of Title VI and its implementing regulation. The District shall ensure that its Plan serves all English Learner (EL) students of all grade and proficiency levels and EL students with disabilities. The Plan will set forth District-wide policies and procedures to ensure that EL students can attain both English proficiency and parity of participation in the District's standard instructional program within a reasonable length of time.

For each Plan item, the Plan will specify the appropriate policies and procedures, corresponding activities, the dates for these activities, the persons responsible, and the supporting documentation. The District's Plan will address the following:

A. Identification, Assessment and Placement of Students Whose Primary Home Language is Other than English.

By February 28, 2017, the District will develop and implement procedures to ensure that all students with a primary home language other than English (PHLOTE) are timely identified and assessed. These procedures will:

- (1) ensure home language surveys (HLS) are consistently distributed at all schools and in Spanish and English, and also will provide the HLS in as many other languages known to be spoken in the community, as practicable;
- (2) identify the procedures for distributing, collecting, maintaining, and reviewing the home language survey, including a description of the survey responses that will trigger an English language proficiency assessment of a student;
- (3) describe a program of staff (including those involved in special education referrals, evaluation, and placement decisions) training on how to accurately identify students with a primary or home language other than English (PHLOTE) and EL students;
- (4) use valid and reliable criteria for assessing the proficiency of PHLOTE students in all four domains of English (*i.e.*, speaking, listening, reading and writing);
- (5) include timelines and procedures to ensure that the English language proficiency assessments are conducted and results are available and documented in a timely and accurate manner; and

- (6) specify the objective criteria for determining whether a PHLOTE student requires EL services (*i.e.*, use valid and reliable evaluative instruments for assessing the proficiency of PHLOTE students in all four domains of English).

B. Alternative Language Program Model.

The District can select ALP models that are appropriate for its use based upon sound educational theories and practices and that will ensure equal educational opportunity to EL students. The model may include, but need not be limited to, the District's current English as a Second Language (ESL) program with an emphasis on the Sheltered Instruction Observation Protocol (SIOP) model. The model will state measurable goals for English language acquisition and academic content area achievement for all EL students.

The Plan will fully describe the ALP model(s) that the District will implement at the elementary, middle and high school levels to serve all EL students and will set forth the educational services (including English language development services and support for EL students who do not progress as anticipated in the acquisition of language proficiency and/or academic content areas) that will be provided to all EL students based on their respective English language and academic needs.

C. Placement of EL Students.

The District will develop and implement procedures to ensure appropriate placement of all EL students into the ALP. The procedures will be designed to ensure that all EL students receive appropriate English language acquisition services, including English language development services, and will include in all EL students' files the District's documentation of placement decisions and the educational services (including English language development services) that will be provided to all EL students, based on their respective English language and academic needs.

D. Staffing.

The District will develop and implement procedures to ensure that it has assigned a sufficient number of adequately trained staff members to properly implement the ALP models and services at each school. The District will:

- (1) determine the staffing resources it needs to effectively implement its ALP model(s), including the training and qualifications of staff providing services in the program.
- (2) determine how many certified and endorsed/qualified teachers and other staff members are necessary to fully implement the ALP model(s) at each school. In making this determination, the District will consider the training and qualifications of staff needed to implement each service model. The District agrees that the primary providers of ALP instruction are to be licensed teachers who are sufficiently trained and qualified to deliver ALP instruction.
- (3) determine whether there are a sufficient number of adequately trained staff members assigned to properly implement the ALP model(s) and services for EL students of all

proficiency levels and, if not, how many additional staff members need to be trained, hired, or assigned to the ALP to fill those staffing needs.

- (4) describe any interim steps it will take to provide staffing for the ALP, including: efforts to recruit certified, trained staff members to implement the ALP and the steps the District will take to ensure the availability and placement of certified and/or trained staff members to implement the ALP. This may include using current staff members who are certified to teach in the ALP or current teachers who are working toward obtaining credentials as a condition of employment in the ALP and are receiving interim training to enable them to function adequately in the classroom and/or assistance from qualified teachers or aides.
- (5) implement a plan to fully and timely meet its ALP staffing needs (*i.e.*, fully qualified staff teaching all EL students). The District will describe any specific training program for its staff including EL teachers, core-content teachers, and special education teachers who instruct EL students, and include supporting documentation regarding its development and implementation (including educational experts and or state approvals).
- (6) develop and implement a procedure to ensure that each ESL teacher's classroom performance will be evaluated by a person who is familiar with the method being used and in a manner designed to ensure that ESL teachers are providing services that are consistent with the District's ALP and employ their training to ensure that the ALP achieves its educational objectives.
- (6) implement the staffing plan described in the preceding paragraphs to meet its staffing needs. The District will monitor the staffing plan's benchmarks or timelines to ensure adequate and timely progress in meeting the District's staffing needs.

E. Instructional Materials.

The District will provide sufficient instructional materials at appropriate English language proficiency and grade levels to implement its ALP. The materials will be comparable in quality, availability, and age or grade level to those provided for non-EL students.

- (1) The District will form a committee to identify appropriate materials aligned for EL students at all levels of English language proficiency, including all grade levels, for each EL program. The EL resources committee will include at least the following District staff members: Director of Student Services, both EL teachers, and, if feasible, a representative from each District school who provides EL services and has received training in the ALP model.
- (2) The District committee will identify instructional materials at appropriate English language proficiency and grade levels needed to implement the ALP. The District committee will distribute its findings to all District staff providing EL services.
- (3) The District will survey staff members (ALP, regular education, and special education teachers serving EL students) at least annually to determine the availability and need for additional ALP materials and staff training needs related to using the ALP-designed materials.

- (4) The District will take necessary steps to fill the needs identified in survey responses and by the committee.
- (5) The District will notify staff members of the availability of existing ALP-related resources, and train them on the use of the materials as necessary.

F. Exiting and Monitoring.

The District will adopt objective criteria it will use to determine whether a LEP student has obtained sufficient proficiency in English to be reclassified or to exit the ALP. At a minimum, these criteria will ensure that:

- (1) The determination of English language proficiency will be based on valid and reliable English language proficiency assessment objective standards or test scores. Where a "body of evidence" is used to determine exit, the District will identify the evidence (type and baseline scores), and identify the person(s) by title (including a certified teacher with an ALP endorsement) who will make the reclassification decision. The District will explain to OCR how the chosen standards will ensure students' meaningful participation in the general curriculum.
- (2) Prior to the decision to exit a student from the ALP, the District will assess each student for English proficiency in speaking, reading, writing, and comprehension relative to grade level. The District will use English language proficiency assessments according to the publisher's instructions on properly normed and validated assessments developed for determining English language proficiency. Students will be reclassified when they have achieved proficiency in the four language domains (speaking, listening, reading, and writing), as appropriate to their grade level. The District will ensure that its policies and procedures include up-to-date information regarding the assessment to be administered and the manner in which staff will determine proficiency in all four language domains (*i.e.*, by using a composite or conjunctive score).
- (3) EL students exited from the ALP will continue to be formally monitored at least once per semester for a minimum of two years after exit from the ALP. Documentation of monitoring of each student will be consistently maintained and address academic performance.
- (4) The District will timely remediate any academic deficiencies identified in students who have exited the ALP. A description of the remediation steps will be included in the plan.
- (5) Students will not be exited from monitoring unless documentation consistently demonstrates an ability to meaningfully access the curriculum and District programs.

G. EL Students Opted Out of EL Services.

A parent's/guardian's decision to opt their child out of the District's ALP must be knowing and voluntary. For those students whose parents/guardians have declined or opted out them out of the ALP, the District must:

- (1) provide language support services, including a procedure to monitor the academic progress of opted-out students to ensure that they are able to participate meaningfully in the District's regular instructional program and a procedure to annually monitor the English proficiency of opted-out students to determine if they are in need of and entitled to EL services.
- (2) notify the parents/guardians of each opted-out student of the student's opportunity to participate in the District's ALP. The notice must provide parents/guardians information about the results of the assessment of the student, the benefits of the program, and the student's continued eligibility to receive EL services to meet his or her needs.

H. Program Evaluation and Modification.

Based upon the District's goals and objectives for ensuring equal educational opportunities for EL students, the District will incorporate into its Plan its procedures for evaluating the effectiveness of its ALP and services for EL students. The District will collect cohort longitudinal data comparing EL students, former EL students, and never-EL students. At a minimum, the District will include the following factors in the comparison: progress in achieving English proficiency measured by multiple indicators, scores on valid and reliable standardized tests measuring performance in core-content areas, academic performance in core-content areas, attendance, retention rates, and graduation rates. The District will also describe steps to modify or improve its ALP programs and services for EL students, where necessary, based upon the results of its program evaluation. The District agrees it will not continue indefinitely with programs and services that, despite soundness of design and implementation, do not satisfy its goals and objectives for providing educational services to its EL students.

- (1) For the first EL program evaluation (for the 2016-2017 school year) due by June 30, 2017, the District will also provide:
 - (a) the total number of PHLOTE students and EL students, by school, for school year 2016-2017;
 - (b) an assessment of the ALP placement and services for EL students;
 - (c) a description of staff training needs and the District's response to identified needs; and
 - (d) its policies and goals for providing educational services to EL students, including the District's objectives for providing educational services to EL students, the objectives of the ALP models selected, and a list of specific, measurable language acquisition and performance goals for EL students.
- (2) The District's Plan will provide, for school year 2017-2018 and all subsequent program evaluations (to be conducted at least once every two years):
 - (a) a description of the factors used to determine the effectiveness of the District's programs and services, including:

- (i) whether current EL students are satisfying established goals and objectives for student participation and achievement;
 - (ii) whether the District's staff training program is sufficiently training teachers to meet EL students' English language development and content curriculum needs, and meeting the stated intent of the training program's design as described in Staffing, above; and
 - (iii) whether current EL students are acquiring English language proficiency in speaking, reading, writing, and listening.
- (b) EL and former EL students' progress academic progress and dropout, graduation, and grade retention rates, as compared to their never-EL peers; and
 - (c) whether EL students are statistically over-represented or under-represented in special education referrals and placements or the gifted and talented program. This analysis includes considering the EL students with their general representation in the District and comparing them with former EL and never-EL students.
 - (d) the procedures used to determine the extent to which staff hiring, training, or development is needed to ensure a full contingent of qualified teachers for the ALP to fully implement the Plan; and
 - (e) the specific steps the District will take, including timeframes and persons responsible, to ensure that program modifications and/or improvements are implemented when necessary to ensure program effectiveness for EL students.

REPORTING REQUIREMENT: By February 28, 2017, the District will develop and submit to OCR for review and approval a draft Plan for providing meaningful educational services to all its EL students.

REPORTING REQUIREMENT: By February 28, 2017, the District will submit to OCR for review and approval a description of its staffing program, requirements, and any related plans for filling identified staffing needs pursuant to Section G above.

REPORTING REQUIREMENT: Within 30 days of OCR's approval of the complete Plan, the District will begin implementing all terms of the plan, in accordance with the policies, procedures, and time frames specified in the Plan.

REPORTING REQUIREMENT: Within 60 days of OCR's approval of the Plan, the District will:

- (1) provide documentation to demonstrate that all school site administrators have received a copy of the Plan;
- (2) provide a training agenda for administrators and staff regarding the implementation of the Plan (including training dates and training responsibilities); and

- (3) provide a copy of a newsletter or other similar document, where the District notifies parents and guardians of all District students (in a language they understand) that the District has developed a plan to ensure that national-origin minority EL students have equal and meaningful access to the District's educational services.

I. Specialized Programs and Extracurricular Activities.

By February 28, 2017, the District will review the participation of EL students in the District's specialized programs (such as gifted and talented for academics and art, advancement placement, and any other specialized programs (*e.g.*, Advanced Placement and Honors courses)). The District's review will include but not be limited to the following:

- a. an assessment of whether any District policies, procedures, and/or practices preclude or otherwise limit EL student from participating in the District's specialized programs, including for the art gifted and talented program a comparison of referral and acceptance rates for EL students and non-EL students and for the academic gifted and talented program an analysis of EL students eligibility by each of the three dimensions;
- b. the methods used to distribute information about the District's specialized programs and extracurricular activities, including the languages in which the information is provided;
- c. any methods used to recruit participants for the District's specialized programs and extracurricular activities; and
- d. a student survey of current and former EL students in the District regarding student interest in the District's specialized programs and extracurricular activities.

REPORTING REQUIREMENT: By February 28, 2017, the District will provide to OCR its review of the participation of EL students in the District's specialized programs and extracurricular activities. The review will include all information gathered pursuant to items I a-d (including response to the survey in d) and a plan to address any identified barriers or limitations to EL student participation in specialized programs and extracurricular activities.

1. By February 14, 2017, the District will distribute a notice to any EL students in the District eligible for further testing to qualify for the gifted and talented program. The notice will include, at a minimum: a description of the program and assessments available to make the student eligible. The notice will be provided to LEP parents in a language they can understand.

REPORTING REQUIREMENT: By February 28, 2017, the District will provide to OCR a description of the process undertaken to identify EL students eligible for further testing to qualify for the gifted and talented program, a list of EL students identified, and a copy of the notice provided to the parents/guardians of identified students.

J. EL Students with Disabilities.

By March 23, 2017, the District will develop and implement policies and procedures designed to:

1. consistently implement pre-referral and referral processes that take into consideration the linguistic and cultural background of students, including ensuring that persons

knowledgeable about second language acquisition and culture are included in these processes for EL and former EL students;

2. ensure that prior to or upon referral of PHLOTE students for testing, evaluation, or placement in special education services, current objective assessments of proficiency in English and the primary or home language (whenever possible) are available, and that consideration of language proficiency is documented;
3. require testing or evaluation using only the language modalities in which the student is objectively known to be proficient (whenever appropriate);
4. provide for testing or evaluation by staff persons (or by third parties contracted by the District) who are qualified to administer special education tests in the languages required (whenever appropriate);
5. require that diagnostic reports for EL students include:
 - a. analysis of the effect of linguistic and cultural factors on educational history and learning,
 - b. whether (and how) diagnostic instruments or procedures were altered for the student,
 - c. documentation of the use of translation or interpretation in the administration of diagnostic instruments or procedures, and the effect on the validity and reliability of the results;
 - d. evaluation of the validity and reliability of test results, considering the effect of differences in criteria related to language proficiency and culture, between the student tested and the reference population of each test, and
6. require that any group of persons making diagnostic or placement decisions includes at least one person who is knowledgeable about the student's culture and language, discusses and understands the effects of language and culture on the evaluation, and considers the validity and reliability determinations noted in the diagnostic report; and
7. ensure that staff document delivery of required ALP and special education services in the student's file.

REPORTING REQUIREMENT: By March 23, 2017, the District will submit for OCR review and approval draft policies and procedures relating to the pre-referral, referral, evaluation, and placement of EL students.

K. Communication with LEP Parents Regarding Special Education Matters.

By March 23, 2017, the District will develop and describe specific procedures to ensure that limited English proficient parents and guardians (LEP parents) are notified, in the language and medium of communication understood by the parents, of special education-related matters (including pre-referral, referral and placements) that are called to the attention of other parents. Upon approval by OCR, these procedures will be incorporated into the District's ALP Plan. Specifically, the District will:

1. Identify its LEP parents who require translation or interpreter services and whose children are currently involved in pre-referral or referral processes, or special education placements. The District will notify appropriate teachers and administrators who are involved with special education-related matters of the identity of LEP parents who require translation and interpreter services.
2. Establish procedures to ensure that the parents and guardians of PHLOTE students are notified adequately and timely of special education-related matters that are called to the attention of other parents in the language and form of communication understood by them. Specifically, the District will:
 - a. Develop a plan for training staff members on District procedures for effectively communicating with LEP parents of students who are the subject of pre-referral, Special education referral or placement decisions. Staff training will address when and how to obtain qualified language assistance, the importance of effective communication with LEP individuals, the use of interpreters when staff receive or make calls to language-minority individuals, the impact of ethnic and cultural differences on effective communication, and applicable record-keeping procedures and reporting requirements.
 - b. Develop and maintain a list of interpreters who are proficient in the languages spoken by students and parents in the District, and a description of how the District will ensure that all staff members are aware of interpreter and translator availability. The District will ensure that all listed interpreters and translators are competent to provide interpretation and translation services. The District will also ensure that all persons on its list of interpreters and translators have been appropriately trained regarding the role of an interpreter, the ethics of interpreting, and the need to maintain confidentiality. The District will annually review its list of interpreters for accuracy.
 - c. Implement a record-keeping system of interpreter and translator services requested. The system will include information on the interpreter and translator services requested, including the primary language of the student/parents and their names, the date of the request and the date services were provided, the source and name of any interpreter or translator used (*e.g.*, bilingual staff, staff interpreters or translators, contract interpreters/translators, community volunteers, telephone interpreter lines). The District will develop a procedure to track the system to ensure that communication needs of the national-origin language-minority parents are being effectively met through appropriate use of interpreters and translators. *This system may be combined with the system described in term II.1.a.*
 - d. Provide, for the District's predominant language groups, as determined by the District and to the extent feasible, written translations to LEP parents regarding special education and related matters, including but not limited to pre-referral, referral, evaluation and placement notices that are routinely sent to other parents. The District will make available written translations for appropriate distribution and will remind its staff members that these are available and are to be used appropriately. For those languages that are less prominent or where translations are not feasible, the District will ensure that students and parents have been advised, in a language that they understand, of who to contact in the District for assistance in understanding notices or communicating with District staff members.

- e. Remedial notice of rights and procedural safeguards. The District will notify the LEP parents of all students receiving special education of their specific rights and procedural safeguards in a language and medium of communication the parents can understand. Documentation of this notice and the means of delivery will be retained in each student's special education or other appropriate record. Such remedial notification will not be required where the District can demonstrate from the student's records that the District previously provided the required notification in a language the parent understands.

REPORTING REQUIREMENT: By March 23, 2017, the District will provide documentation demonstrating identification of LEP parents and draft procedures for OCR's review, and documentation of remedial notification of rights and procedural safeguards.

II. Communication with Limited English Proficient Parents and Guardians.

The District acknowledges that, under Title VI, it has an obligation to ensure meaningful communication with limited English proficient (LEP) parents and guardians of school in a language they can understand and to adequately notify LEP parents about any program, service, or activity of the District that is called to the attention of non-LEP parents. To meet this obligation, the District agrees to take the following actions:

1. By February 28, 2017, the District will develop a written plan with policies and procedures to provide language assistance services to LEP parents and ensure that they have meaningful access to information about the District's programs and activities. The written plan will include the following:
 - a. procedures specifying how the District will provide language assistance services, including interpretation and written translation, to LEP parents, including parents from less predominant language groups.
 - b. a process for notifying LEP parents of the availability of free language assistance services with respect to information about school programs and activities (*e.g.*, parent-teacher conferences, meetings with the school principal, special education meetings, etc.). The notification will include information about how to access the services and identify a District contact person who can answer any questions regarding parental communication and assist parents in accessing interpreter services or translated documents. The notification will advise LEP parents that, while they may bring a family or community member to provide interpretation services, the District does not require them to do so and will have District interpretation services available. The notification will be provided in the language understood by the LEP parents. At a minimum, the notice will be published on the District's website, in student and parent handbooks, through local civic organization, in any District-wide or school-based newsletters, and through any other means employed by the District's parent liaison to communicate with LEP parents. The notification will also provide parents with a contact person who can answer any questions regarding parental communication and assist parents to access interpreter services or translated documents.
 - c. a process for identifying LEP parents who may need language assistance, including:

- i. creating opportunities for parents, students and staff to interact in ways that can facilitate identification of LEP parents and ensuring that communications with LEP parents, whether oral or in writing, should be in a language the parent can understand; and
 - ii. asking parents in a language they understand (in writing and/or orally, as appropriate) if they need written translations or oral interpretation of communications and, if so, to specify the language; and
 - iii. a revised Home Language Survey that requests that parents indicate their preferred language and whether they require translation and/or interpretation services as specified above.
- d. a statement that the District will accept a parent's assertion that he or she needs language assistance without requiring additional corroboration.
- e. a process that ensures that each school building has a centralized list of LEP parents identified as needing language assistance services, the type of language assistance services that they need, and a log of the language assistance services provided to them by date of service, type of service (*e.g.*, translation or interpreter services for special education, disciplinary proceedings), and service provider (including name, position, and qualifications). The process will ensure that the list is available to all staff in the building that may interact with LEP parents, as well as to the central administration. Staff for purposes of this Agreement will include all relevant administrators, teachers, counselors, and support staff.
- f. a process that ensures that the central administration maintains a district-wide list of LEP parents identified by each building as needing language assistance services, the type of language assistance services that they need, and a log of the language assistance services provided to them by the central office by date, type of service, and service provider.
- g. a process to ensure that, when the children of LEP parents transfer from one school/program to another within the District, information regarding the language assistance needs of the parents is transferred to the school/program to which their children transfer.
- h. a process by which District staff that are likely to interact with an identified LEP parent are advised of the parent's potential need for language assistance services, the circumstances under which they may need assistance (*e.g.*, parent-teacher conferences, documents related to disciplinary actions, disciplinary hearings, documents related to Individualized Education Programs (IEP) or Section 504 Plans, and IEP team meetings), the type of language assistance that they may need (*e.g.*, translation services or interpreter services), the means by which they may timely obtain such assistance for the parent, and the available translated documents.
- i. a process by which District staff may obtain in a timely manner appropriate, qualified translators or interpreters as needed. The process will also notify appropriate staff of the applicable recordkeeping procedures and reporting requirements. The District's means for providing these services must be well publicized and accessible to staff. An

interpreter or translator will be considered “qualified” if his/her interpreter/translator skills are supported by an objective measure of proficiency in the language domain he or she is interpreting/translating (*e.g.*, reading, writing, speaking) or through professional interpreter/translator certification.

- j. a process by which the District ensures that its interpreters and translators are trained on the role of an interpreter and translator, the ethics of interpreting and translating, and the need to maintain confidentiality. The District will maintain documentation to support that the interpreters and translators have the skills and proficiency to interpret and translate in English and the applicable primary language of LEP parents.
- k. a process to ensure that interpreters have knowledge, in English and the parents’ native language, of any specialized terms or concepts relevant to the Division program or activity for which they are providing services, including, but not limited to interpreters of IEP meetings having knowledge of special education (SPED) terminology.
- l. a process to ensure that translators understand the expected reading level of the audience and, where appropriate, have fundamental knowledge about the target language group's vocabulary and phraseology. The process should require, as deemed appropriate and necessary, consultation with relevant community organizations engaged by the District to provide qualified translation or interpretation services, to help determine whether a document is written at an appropriate level for the intended audience.
- m. a process for notifying relevant District staff, on an annual basis, that the use of family members and friends for the provision of language assistance is generally not encouraged. The notice shall state that the use of such individuals may raise issues of confidentiality, privacy, or conflict of interest, and that, in many circumstances, such persons are not competent to provide quality, accurate interpretations. The process will also include notification to relevant District staff that they should not rely on such individuals to provide LEP parents meaningful access to important programs and activities and a caution that, even when LEP parents have voluntarily chosen to provide their own interpreter or translator, the District may still need, depending upon the circumstances of the encounter, to provide its own interpreter or translator to ensure accurate interpretation or translation of critical information, especially in, but not limited to, situations where the competency of the LEP parents' chosen interpreter is not established. Additionally, the notice shall state that the use of minor children raises particular concerns about competency, quality, and accuracy of interpretations and that it is never advisable to use such children to convey information about their own education and/or complex information.
- n. a process for identifying and translating, to the extent feasible, written documents that are routinely sent to other parents into the language of each predominant language group. For languages that are less predominant or where translations are not feasible, the District will ensure that students and parents have been advised, in a language they understand, of whom to contact in the District if they need assistance in understanding notices or communications with staff members. The District will notify staff members that these translations are available.

o. a process for providing annual training to appropriate staff (including school-level personnel who are likely to interact with parents) on District procedures for effectively communicating with national origin-minority LEP parents. Staff training will consist of information as to when and how to obtain qualified language assistance, procedures for using interpreters when staff receive or make calls to national origin-minority LEP individuals, and compliance with applicable recordkeeping and reporting requirements.

REPORTING REQUIREMENT: By February 28, 2017, the District will submit to OCR, for review and approval, a copy of the language assistance plan with the policies and procedures it has developed pursuant to the requirements of Action Step 1 above.

2. Within 30 days of receipt of the OCR-approved language assistance plan, the District will adopt and implement the plan.

REPORTING REQUIREMENT: By August 18, 2017, the District will submit to OCR documentation demonstrating adoption and implementation of the language assistance plan developed pursuant to Action Step 1, above, and approved by OCR, including:

- a. the notification issued pursuant to Action Step 1 (a).
 - b. information that the District has maintained at the central office, pursuant to Action Step 1 (f); a list of LEP parents (including name and buildings in which their children are enrolled), their language background, types of services that they require, and information as to any services provided to the parents by the central administration (including date of services, type of services, and name and qualifications of service provider).
 - c. the annual notice issued to staff; and copies of the documents the District has translated, pursuant to Action Step 1(k).
 - d. a list of employees (including the employee's title and site location) who have received this training and a copy of the training materials used.
3. By May 31, 2017, the District will develop a written plan for the annual evaluation of the effectiveness of its language assistance plan, developed pursuant to Action Step 1, above. The written evaluation plan will include the following:
- a. identification of staff responsible for evaluating the language assistance plan on an annual basis.
 - b. identification of the date by which the evaluation will be completed on an annual basis.
 - c. a list of information and items to be examined when evaluating the effectiveness of the language assistance plan, which will include, at a minimum, the following: identification of the current LEP parent groups encountered by the District; the frequency of interactions with LEP parents; the nature and importance of activities to LEP parents; the availability of resources, including technological advances and sources of additional resources, and the costs imposed; whether existing assistance is meeting the needs of LEP parents; whether staff knows and understands the language assistance

plan and how to implement it; and whether identified sources for language assistance are adequate and can be accessed in a timely manner.

- d. a process for determining whether new documents, programs, services and activities need to be made accessible for LEP parents, and whether the District needs to provide notice of any changes in services to LEP parents and to district staff.
- e. a procedure for tracking and reviewing parent/guardian requests for interpreters/translators. At a minimum, the procedure will include a system for staff to access a list of qualified translators/interpreters; a specific protocol for school staff to make requests for translators/interpreters; a system for recording and tracking the number, type, and location (*i.e.*, home school or District office) of each request and the response time and confirmation of the completed request. Staff will periodically review the requests to identify the need for additional interpreters/translators and/or additional training on how to request and obtain interpreters/translators.

- 4. Within 30 days of receipt of the OCR-approved evaluation plan, the District will adopt and implement the evaluation plan.

REPORTING REQUIREMENTS: By May 31, 2017, the District will submit to OCR, for review and approval, a copy of the plan it has developed pursuant to the requirements of Action Step 3, above. By May 31, 2017, the District will submit to OCR documentation demonstrating the results of its evaluation of the District's implementation of its language assistance plan during the 2016-2017 school year, consistent with the evaluation plan approved by OCR, including documentation of any changes resulting from the evaluation.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title VI at 34 C.F.R. §§ 100.3(a) and (b), which were at issue in this case.

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 34 C.F.R. §§100.3(a) and (b).

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 sixty (60) calendar days to cure the alleged breach.

By: _____ /s/
Superintendent or Designee

Date: 12/06/2016