

SETTLEMENT AGREEMENT

I. INTRODUCTION

Wenatchee School District No. 246 (District) enters into this agreement to resolve the compliance issue identified by the U.S. Department of Education (OCR) in its investigation of a complaint, OCR Reference No. 10111203, conducted under the authority of Title VI of the Civil Rights Act of 1964 (Title VI).

II. GENERAL PROVISIONS

- A. This agreement resolves only the compliance issue identified by OCR in the investigation of OCR Reference No. 10111203 and does not constitute an admission by the District of any violation of VI or any other law.
- B. This agreement will be effective when signed by the authorized representative of the District.
- C. It is understood that if the District does not fully implement this agreement, OCR will take appropriate measures within its authority to effect compliance with Title VI.
- D. The District agrees to provide OCR data, documents, and other information regarding its implementation of the agreement as specified in Section IV below, which describes the reporting requirements of this agreement. Further, the District understands that during the monitoring of the implementation of this agreement, OCR may visit the District and interview staff and students, and request such additional records, documents or data as are deemed necessary by OCR to enable it to assess or verify the actions taken by the District to fulfill the terms of this agreement; and to achieve compliance with the regulation implementing Title VI at 34 CFR 100.3(a) and 100.3(b)(1)(iii) with respect to the issue in this case.
- E. The District understands that OCR will monitor the implementation of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulation implementing

Title VI at 34 CFR 100.3(a) and 100.3(b)(1)(iii) with respect to the issue in this case.

III. REMEDIAL PROVISIONS

A. Policies

By October 3, 2011, the District will develop a policy regarding its programs and services for English Language Learner (ELL) students to ensure that ELL students will not be segregated from non-ELL students more than necessary for implementing and achieving the goals of the District's chosen educational models for meeting the language needs of ELL students.

B. Notice

By December 1, 2011, the District will provide to all administrators notice of the policy developed under III.A. and will identify and inform responsible individuals of specific implementation responsibilities. The District will ensure that all responsible administrators receive appropriate training and information support as necessary to properly implement the policy.

C. Other Specific Remedies

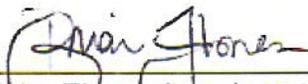
By December 9, 2011, the District will take all necessary steps to ensure that the above policy is being implemented and will ensure that kindergarten ELL students at John Newberry Elementary are not segregated from their non-ELL peers more than necessary for implementing and achieving the educational goals of the early exit program.

IV. REPORTING PROVISIONS

- A. By October 7, 2011, the District will provide OCR a draft of the policy developed under section III.A, above, for OCR's review.

- B. Within 30 days of OCR's approval of the draft policy developed under section III.A., the district will publish and implement the policy.
- C. By December 2, 2011, the District will provide a report to OCR showing that it has completed the actions identified in section III.B, above. The District will provide documentation of any notices provided and the name and title of each person who received such notice.
- D. By December 16, 2011, the District will provide a report to OCR showing that it has completed the action identified in section III.C, above. The report will include documentation of all specific steps taken to ensure that kindergarten ELL students are not segregated from their non-ELL peers more than necessary to achieve the Early Exit program's stated educational goals.

Signed:



Brian Flores, Superintendent
Wenatchee School District

8-31-11 Date