

**COMMITMENT TO RESOLVE**  
**OCR Complaint No. 06121511 & 06131496**  
**Jefferson Parish Public School System**

Jefferson Parish Public School System (JPPSS) voluntarily enters into this Resolution Agreement (Agreement), as set forth below, with the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, to ensure its compliance with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, at 34 C.F.R. Part 100 and to resolve the above-referenced complaints.

Prior to OCR concluding its investigations, and making investigative findings, JPPSS expressed an interest to resolve the complaints. OCR determined it was appropriate to resolve the complaints during the investigation, and JPPSS has committed to the following actions to resolve the legal issues raised in complaints #06121511 and #06131496. This Agreement is not intended to be, nor shall it be construed as, a finding by OCR of a violation of Title VI by JPPSS, or as an admission by JPPSS of a Title VI violation. Accordingly, JPPSS agrees to take the following actions:

**A. Staffing and Staff Development<sup>1</sup>**

**Action Items**

1. By January 31, 2016, JPPSS will assess whether it has sufficient qualified teachers, and support staff to implement its alternative language program (ALP) for the 2015-2016 and 2016-2017 school years and will determine the projected number of ALP teachers needed to fully implement its chosen ALP, at the following schools: Alfred Bonnabel High School, Harry S. Truman Middle School, John Ehret High School, L.H. Marrero Middle School, Meisler Middle School, Schneckenburger Elementary School, Greenlawn Elementary School, Clancy-Maggiore Elementary School, Livaudais Middle School, Adams Middle School, Grace King High School, West Jefferson High School, and Cox High School. JPPSS analysis will consider the following at each of the identified schools:
  - a.) Input from current ALP teachers, and general education teachers;
  - b.) The number of English Language Learner (ELL) students enrolled during the 2015-2016 school year and anticipated to be enrolled during the 2016-2017 school year;
  - c.) The current and projected ELL student to ALP teacher ratio;
  - d.) The current and projected scheduling of ALP instructional time which will be based on each ELL student's individual educational need; and,
  - e.) The qualifications, and numbers of current staff providing English language assistance to ELL students.
2. For schools that, according to the assessment under action item A1, have insufficient number of qualified, trained staff members to implement the ALP, JPPSS will meet staffing needs by making best efforts to hire additional certified ALP teachers (e.g., ESL certified teachers) to provide instruction for its ALP, as soon as possible but not later than the beginning of the 2016-2017 school year. To the extent that JPPSS has not hired the necessary certified ALP teachers for the current school year and the 2016-2017 school

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<sup>1</sup> Section A (Staffing and Development) and Reporting Requirements relative thereto are applicable to schools identified in Section A Paragraph 1

years, JPPSS will identify and describe the interim steps it will take to provide staffing for the ALP, including:

- a) Making continuing efforts to recruit qualified, trained staff members to implement the ALP; and,
  - b) Taking the interim step of providing training on ESL methodologies to non-certified ALP teachers and requiring them to work towards full ALP certification. The training for these teachers will be provided no less than twice per year, at least one of the training sessions to be conducted at the beginning of each semester.
3. By September 1, 2016, JPPSS will ensure that teachers that are not ALP teachers, but are responsible for instructing ELL students in the regular classroom, special education setting, gifted and talented program, and any other academic program receive the training and skills necessary to carry out the selected ALP. All teachers instructing ELL students will have at least a basic working knowledge of ALP methodologies (e.g., ESL strategies).
  4. By September 1, 2016, JPPSS will ensure that any teacher aide who assists in providing ALP services will work under the direct supervision of an ALP certified teacher. Training at the beginning of each school year will be provided to the aides on ESL instructional methodologies where there is heavy reliance on the aide to provide language services or instruction, (i.e., self-contained special education teachers).
  5. By November 16, 2015, JPPSS will submit its protocol for ensuring that teacher evaluations of ALP instructors (e.g., ESL) are conducted by a person knowledgeable in English learning methodologies (e.g., a basic understanding, or familiarity, in sheltered instruction learning methodologies) to OCR for review and approval. This will be done to ensure that instructors are providing services that are consistent with the JPPSS alternative language (i.e., ESL) curriculum and academic objectives. Once approved by OCR, the District will conduct teacher evaluations of ALP instructors using the approved protocol.
  6. By September 1, 2016, JPPSS will provide training on its ALP methodologies to all individuals identified to evaluate the ALP teachers' classroom performance in the above-referenced procedure.
  7. By September 1, 2017, the District will ensure that all ALP teachers are certified in accordance with the Louisiana Department of Education requirements or working towards certification and obtain the required formal qualifications within a reasonable period of time.

### **Reporting Requirements**

1. By June 30, 2016, JPPSS will submit a progress report which will include the results of the assessment required under action item A1. The report will include the following:

- a) Documents to support the findings in the report;
  - b) The total number of qualified teachers, and support staff required at each school to serve ELL students;
  - c) The number of vacancies to be filled with qualified/trained teachers, and support staff to meet the requirements of the JPPSS ALP; and,
  - d) The identity by name, grade, and category (e.g., ELL teacher, aide, interpreter,) of each staff member assigned to deliver language services. For each teacher who delivers ELL services, indicate if he or she is certified by the State of Louisiana to teach the ALP as well as his or her projected daily schedule and number of ELL students for each ALP classroom identified.
2. By October 3, 2016, JPPSS will submit a progress report with a list by school of the names of ALP certified teachers hired pursuant to action item A2. In the report, JPPSS will report on any interim step and continuing efforts made by the JPPSS pursuant to action items A 2 a-b. The report will contain supporting documentation, including job announcements and documentation, regarding recruitment at job fairs.
3. By October 3, 2016 and February 1, 2017, JPPSS will provide to OCR a progress report detailing the names of attendees, type, date(s), and description of each training conducted that is required under action item A2b, including the following:
- a) Copies of handbooks, manuals, and other materials used for the training;
  - b) A roster of all staff persons who attended each training session (including their name, signature, school, and position title); and,
  - c) Identification (by name and title) of person(s) conducting each training session.
4. By October 3, 2016, JPPSS will provide to OCR a progress report detailing the names of attendees, type, date(s), and description of each training conducted that is required under action items A3 and A4, including the following:
- a) Copies of handbooks, manuals, and other materials used for the training;
  - b) A roster of all staff persons who attended each training session (including their name, signature, school and position title), and,
  - c) Identification (by name and title) of person(s) conducting each training session.
5. By June 30, 2016, JPPSS will provide to OCR supporting documentation of implementation of action item A5 (i.e., a representative sampling of implemented performance evaluations with acknowledgement by the evaluator that they have received and have adequate knowledge of alternative service methodologies). JPPSS will maintain a copy *on record* of all performance evaluations for OCR's review for each school year.
6. By June 30, 2016, JPPSS will provide to OCR supporting documentation of implementation of action item A6, including training schedules, a brief description of the training, the name and credentials of the individual responsible for providing the training and the names and titles of those in attendance.

7. By October 3, 2016, JPPSS will provide to OCR supporting documentation of its progress towards the completion of action item A7.
8. By October 3, 2017, will provide to OCR supporting documentation of the implementation of action item A7 to demonstrate that its ALP teachers implementing its ALP are appropriately trained and are either 1) certified or 2) working towards certification and will obtain the required formal qualifications within a reasonable period of time. The supporting documentation will include either the certification or the records evidencing progress towards certification of each ALP teachers, as applicable.

## **B. Reclassification and Exit**

### **Action Items**

1. By January 31, 2016, JPPSS will identify, implement into its policy, and describe the criteria that it will use to determine when an ELL student has obtained sufficient proficiency in English to exit alternative language (e.g., ESL) services. At a minimum, these criteria will provide for the following:
  - a) That the determination of English-language proficiency is based on objective standards by using language proficiency test scores, in which the JPPSS can explain why students meeting those standards will be able to participate meaningfully in the regular classroom; and,
  - b) That students exiting alternative language (e.g., ESL) can read, write, speak, and comprehend English well enough to participate meaningfully in the JPPSS's program.
2. By January 31, 2016, JPPSS will ensure that exited and denied ELL students are participating meaningfully in the JPPSS's program. Specifically, the JPPSS will:
  - a) Formally review the academic progress of students who exit the ALP by providing progress reports to parents throughout the school year;
  - b) Maintain documentation in the student's cumulative folder; and,
  - c) Distribute a memorandum to all instructional staff and campus administrators regarding these requirements.
3. By September 1, 2016, a committee tasked with assessing the language proficiency of students will review the academic progress of exited students at least once a year. In addition, the committee will monitor students who have exited the ALP during the past two school years (i.e., 2013-2014 and 2014-2015) and demonstrate that they are "academically successful" in the regular classroom. If the student is not performing adequately academically (by objective measurements, at a minimum as provided in action item B above), the student will be placed back into an appropriate ALP.

### **Reporting Requirements**

1. By June 31, 2016, JPPSS will submit to OCR the exiting criteria being implemented by JPPSS pursuant to action item B1.

2. By June 31, 2016, JPPSS will submit to OCR a copy of the memorandum disseminated to appropriate staff members described in action item B 2c above.
3. By October 3, 2016, JPPSS will provide to OCR a progress report containing the following:
  - a) A brief description of the process JPPSS utilized to monitor exited ELL students who exited from the ALP in the 2013-2014 and 2014-2015 school years and the names of students reviewed (by school and grade);
  - b) Supporting documentation (i.e., copies of student rosters indicating exit criteria and test scores) for all students reviewed; and,
  - c) List of all students who reentered the ALP. For those who remain as exited ELL students, provide documentation of the reasons for the placement determination (i.e., a roster with student scores or evidence of success in the regular academic program).

JPPSS understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the Title VI implementing regulation at 34 C.F.R. § 100.3, which was at issue in this complaint. JPPSS 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, JPPSS understands that during the monitoring of this Agreement, if necessary, OCR may visit JPPSS, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether JPPSS has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI as identified above.

JPPSS 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.

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Mr. Issac G. Joseph, Superintendent  
Jefferson Parish Public School System

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Date