



**U.S. Department of Justice**  
**Civil Rights Division**  
**Educational Opportunities Section**

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October 13, 2022

**Via Electronic Mail**

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**Re: Extension of June 2019 Settlement Agreement Regarding English Learner Programs in Arlington Public Schools**

Dear Terri, Sam, and Christine:

On June 3, 2019, the United States Department of Justice (“United States”) and Arlington Public Schools (“the District”) (collectively, the “Parties”) executed a Settlement Agreement (“Agreement”) that aims to resolve noncompliance issues identified by the United States under Section 1703(f) of the Equal Educational Opportunities Act of 1974 concerning the District’s English Learner (“EL”) programs and practices. Since then, the District has made some significant progress in meeting its obligations under the Agreement, including devoting resources toward professional development, translation and interpretation services for parents, and scheduling and curriculum for English Language development classes.

Despite this progress, the District has not yet met all of the obligations and deadlines in the Agreement. The United States has identified a number of areas where the District has progressed but still needs more time to come into compliance with the Agreement, including, for example, providing all ELs with adequate and appropriate ESL and Sheltered Content Instruction from teachers who are ESL-Certified or on track to fulfill the professional development and in-classroom support hours required by the Agreement. *See, e.g.*, Agreement ¶¶ 10, 16, 17; United States’ Monitoring Letters to the District dated April 12, 2021; December 22, 2021; and June 1, 2022. To ensure that the District fulfills all of its obligations, the Parties agree that the Agreement should be extended through the 2022-2023 school year.

In recognition of the District’s progress thus far, the Parties agree to revise a limited number of paragraphs in the Agreement and to close the following provisions of the Agreement:

Paragraphs 18, 19, 20, 21, 25, 31, 32(D)(3), 32(E), 32(F)(3), 32(G)(2) & (3). The revised paragraphs in this letter accordingly supersede the corresponding paragraphs in the original Agreement. All other definitions and paragraphs in the original Agreement not revised by or closed in this letter remain binding on the District.

### **Revised Paragraphs**

#### **Paragraph 17**

For any teacher who did not, between the start of the 2019-2020 school year through the end of the 2021-2022 school year, complete at least thirty total hours of professional development and at least five hours of onsite application (including 3 hours of in-classroom support) each of the three school years as required under the Agreement during that period (or the appropriate prorated amount for any teacher employed after the first school year of the Agreement), the professional development requirements of the Agreement are extended as follows:

During the 2022-2023 school year, each such teacher will complete the number of hours of training remaining to complete thirty total hours of training on effective sheltering strategies, up to a maximum requirement of ten additional hours of training in the coming school year (though additional training beyond this requirement is encouraged).

Additionally, each such teacher will complete at least five hours of onsite application (including 3 hours of in-classroom support) on using those strategies (e.g., coaching from the trainer or an EL Specialist, professional learning communities, grade-level meetings, and/or subject-level meetings focused on planning and discussing content lessons using those strategies, peer observations of exemplary sheltered instruction) during the upcoming school year. This professional development will give teachers practical instructional strategies appropriate for planning, delivering, and adapting content for ELs within the context of standards-based lesson planning, instruction, and assessment and sufficient opportunities for modeling, practicing, and receiving feedback regarding such strategies.

#### **Paragraph 32(D)(2)**

A report that includes, for each teacher who remains subject to Paragraph 17, the teacher's name, subject, and school, and the number of professional development hours that teacher completed each school year during the term of the Agreement, including the hours of (a) training and (b) in-class support they received.

#### **Paragraph 38**

The Settlement Agreement will remain in effect until 90 days after the District submits its complete report due on July 1, 2023. Following the submission of that report, the United States will have 90 days to review the reports and raise any compliance concerns that might extend those noncompliant requirements of the Agreement further. The parties may, upon mutual written agreement, amend this Settlement Agreement for reasons including changed circumstances and/or to improve the delivery of services to ELs.

By signing this letter, the Parties agree to the revised terms of this Agreement and to extend the term of the Agreement through the 2022-2023 school year.

The United States will continue to monitor the Agreement consistent with its existing terms and enforcement mechanisms. As part of this monitoring, the United States will send the District a letter in the coming weeks requesting additional information.

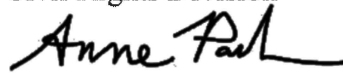
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