



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

SS:NP:AP:PB
169-79-82

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September 27, 2023

Via Electronic Mail

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

Dear Chrissy, Sam, and Terri:

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. On October 14, 2022, the parties executed a letter agreement (“October 2022 Letter Agreement”), which modified and extended the 2019 EL settlement agreement through the 2022-2023 school year.

Over the last four years, the District has made significant progress toward meeting its obligations under the Agreement. However, the District has not yet fully met all of its obligations. The United States has identified several areas where the District needs more time to come into full compliance with the Agreement’s requirements, including, for example, requirements relating to providing all ELs the required instructional blocks of ESL, language access for Limited English Proficient families, and ensuring that ELs with disabilities receive appropriate EL services. *See, e.g.*, Agreement ¶¶ 6, 10–12, 23. The United States shared feedback with the District on its compliance through monitoring letters and meetings throughout the 2022-2023 school year. *See, e.g.*, United States Monitoring Letters to the District dated November 2, 2022; February 1, 2023; and June 21, 2023. To ensure that the District fulfills all of its obligations, the Parties agree that the Agreement, as modified by the October 2022 Letter Agreement, should be extended through the 2023-2024 school year, with Paragraph 38 revised as follows:

Paragraph 38

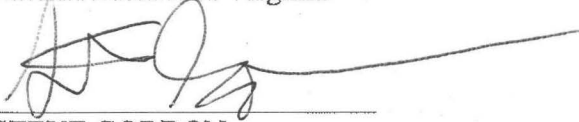
The Settlement Agreement will remain in effect until 90 days after the District submits its complete report due on July 1, 2024. Following the submission of that report, the United States will have 90 days to review the reports and raise any compliance concerns that might extend those noncompliant requirements 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.

Revised paragraph 38 supersedes the corresponding paragraph in the original Agreement and the October 2022 Letter Agreement. All other definitions and paragraphs in the Agreement, as amended by the October 2022 Letter Agreement, remain binding on the District.

The United States will continue to monitor the Agreement consistent with its existing terms and enforcement mechanisms.

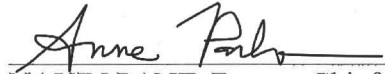
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Date: 10/24/23