

February 10, 2014

Sharron Pitts, Esq.
Assistant Superintendent
of Human Resources and General Counsel
Grand Rapids Public Schools
1331 Franklin SE
Grand Rapids, Michigan 49506

Re: OCR Docket No. 15-08-5001

Dear Ms. Pitts:

This is to advise you of the resolution of the above-referenced compliance review conducted by the U.S. Department of Education (Department), Office for Civil Rights (OCR) in Cleveland, Ohio. The compliance review assessed whether the Grand Rapids Public Schools (District) in Michigan is providing African American students with equal access to its college and career readiness courses and programs.

OCR initiated this compliance review under Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities receiving financial assistance from the Department. As a recipient of such assistance, the District is subject to Title VI, and therefore OCR had jurisdiction to conduct this review.

Prior to the conclusion of OCR's investigation, the District expressed an interest in voluntarily resolving this case and entered into a Resolution Agreement (Agreement), which commits the District to specific actions to address the issue under review. This letter summarizes the applicable legal standards, the information gathered during the review, and how the review was resolved.

Applicable Legal Standards

The applicable standards for determining compliance are set forth in the regulation implementing Title VI, at 34 C.F.R. §100.3(a), (b) (1) and (2). Section 100.3(a) provides that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination

under any program operated by a recipient. Section 100.3(b)(1) prohibits a recipient, on the ground of race, color, or national origin, from denying an individual a service or benefit of a program; providing different services or benefits; subjecting an individual to segregation in any matter related to the receipt of a service or benefit; restricting an individual in any way in receiving a service or benefit; treating an individual differently in determining whether the individual satisfies any admission or eligibility requirement for provision of a service or benefit; and, denying an individual an opportunity to participate in a program or affording an opportunity to do so which is different from that afforded to others. Section 100.3(b)(2) prohibits a recipient from utilizing criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, or national origin.

The administration of student enrollment in courses can result in unlawful discrimination based on race in two ways: first, if students are subject to different treatment based on their race, and second, if a policy is neutral on its face and administered neutrally but has a disproportionate and unjustified effect on students of a particular race.

Overview of the District

The city of Grand Rapids is located in western Michigan and is the second largest city in the state, after Detroit. The District is urban and is the fifth largest school district in Michigan. Although information from the Michigan Department of Education indicates that District enrollment has decreased significantly in the last five years, the percentage of students who are African American and white has not changed significantly from the 2009-2010 to the 2012-2013 school years. For the 2012-2013 school year, the District had a total student population of 17,536, 35% (6,078) of whom were African American and 22% (3,896) of whom were white.¹

At the time OCR opened this review, the District had five comprehensive high schools: Central High School, Creston High School, Ottawa Hills High School, Union High School and City High/Middle School (City). The District's website indicates that, as of the 2013-2014 school year, the District has 34 schools for students in Prekindergarten through 8th grade and nine high school programs.² The 34 PreK-8 schools include 14 elementary schools, 12 K-8 schools, and eight middle schools. There is 1 International Baccalaureate (IB) school for students in grades 7-12. This school, City High - Middle School, is now termed a "theme" school (described below). The high school programs include two comprehensive high schools, Ottawa Hills and Union, the University Prep Academy, and the District's "Centers of Innovation", which include the Academy for Modern Engineering/Grand Rapids Pre-College Engineering Program (GRAPCEP), the Academy of Business, Leadership and Entrepreneurship, the Academy of Health Science and Technology, the Academy for Design and Construction, and Grand Rapids

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<https://www.mischooldata.org/DistrictSchoolProfiles/StudentInformation/StudentCounts/StudentCount.aspx>

² <http://www.grps.org/ourschools>

Montessori High. City is located at the former Creston High School and the Centers of Innovation are all located at the former Central High School.

Students are typically assigned to District schools based on where they live within the District's boundaries. Students who would like to attend one of the District's theme schools or Centers of Innovation need to complete an application. According to the District, "theme schools" provide students with a custom-built educational theme or method of instruction; "Centers of Innovation" are specialty centers designed to meet the specific career interests of students. Depending upon the school, students may be accepted on a first-come, first serve or on a lottery basis or may need to meet selection criteria.

The District provides transportation through the eighth grade for students residing within Grand Rapids who live more than mile from their school of residence. Students who attend theme schools can take a bus to the theme school from a school located in their attendance zone. High school students are not provided District transportation and instead use the City's RAPID bus transportation system.

Summary of Review

OCR collected information from the District for the 2006-2007 through 2012-2013 school years, including information about the District's 2013 Transformation Plan (described below). OCR reviewed District information concerning its elementary and middle school level curricula, including programs and courses offered at those levels that could potentially affect enrollment in high school higher level learning opportunities. In addition, OCR reviewed information regarding the District's high school higher level learning opportunities, including honors courses, AP courses, the new International Baccalaureate (IB) program at City, and dual enrollment programs (where students enroll in courses at local universities and community colleges). In addition to analyzing student enrollment data, OCR interviewed District faculty, counselors, and administrators and obtained student and parental input concerning the District's course and program offerings.

- **District's Transformation Plan**

With the 2013-2014 school year, the District began implementing a comprehensive, multi-year Transformation Plan (Plan), which it developed with input from students, staff, parents, and other stakeholders in the community. The Plan is founded on the following overarching goals: ensure that all District students are successful and able to reach their academic potential with equal access to high quality schools and the most talented principals and teachers; replicate and expand what is working and stop what is not working; and offer quality choices to all students that are academically and financially sustainable. Key elements of the Plan include that the District will offer a diverse, high quality portfolio of school and program choices; focus on college and career readiness; expand and create middle year opportunities, dual enrollment opportunities, and

partnerships with higher education institutions; ensure that high quality options are available in every region of the city; and increase investment in and expand specialized programs and schools to meet the needs of a diverse student and city population.

According to information on the District's website, the implementation of the Plan will occur in three phases.³ Phase I is targeted for the 2013-2014 school year and includes all building closures, all proposed building reinvestments, all proposed building "closures" with repurpose, and a phasing-in of K-8 buildings, adding one grade per year to those buildings. In June 2013, the District closed a total of 10 school buildings that it had determined were underutilized and/or underperforming in order to more effectively direct its resources to schools and programs achieving better results for students. Phase I also includes work on growth feasibility studies for Phase II. Phase II is targeted for the 2014-2015 school year and includes all planned growth with final recommendations on IB, secondary re-design, and charter school options. Phase III is targeted for the 2015-2018 school years and includes implementation of planned growth recommendations. The Plan states that some of the academic and operational challenges and realities behind the Plan included low graduation rates, high dropout rates, low performing schools, sharply declining enrollment, and buildings with substantial unused capacity.

- **Elementary and Middle School Years**

As noted, K-8 students are generally assigned to their neighborhood schools unless they apply and are selected for one of the District's 12 "theme" schools. Most of the District's elementary, K-8 and middle schools do not offer foreign language instruction or algebra. However, some of the theme schools do offer this type of specialized instruction, as described below. Students may need to take foreign language and algebra in middle school in order to take AP math and foreign language courses in high school. In addition, students may need to take foundational courses in elementary and middle school in order to be prepared for the sequence of courses leading to enrollment in other AP high school courses. The District explained that there is no particular curriculum offered at the elementary level to prepare students for enrollment at its sixth-grade specialty schools, which serve as feeder schools for City, which starts in the seventh grade. Of the District's middle schools, the Center for Economicology is the only school that has advertised specific honors courses: honors English and honors math.

Sixth-Grade Schools: Three of the theme schools are sixth grade-only feeder schools for City: Blandford School (located at the Blandford Nature Center); the John Ball Zoo School (located at the John Ball Zoo); and the Center for Economicology (located on the campus of City). Enrollment data is provided for each school below.⁴

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<http://www.grps.org/images/departments/communications/pdf/trans/031513TransformationPlan3.0Book.pdf>

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at p. 1.

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<https://www.mischooldata.org/DistrictSchoolProfiles/StudentInformation/StudentCounts/StudentCount.aspx>
; http://www.michigan.gov/cepi/0,4546,7-113-21423_30451_30460-253980--,00.html

1. *Blandford* offers special units of instruction on subjects like biology, cartography, computer literacy, rocks and minerals, forestry, Native American culture, and the history of pioneers. Students also learn how to run their own business by tending to chickens and then marketing and selling eggs. During the 2010-2011 school year, Blandford had a total enrollment of 63 students, with 6 African Americans (9.5%), 2 Hispanic (3.2%), 45 White (71.4%), 3 Asian (4.8%), 1 American Indian (1.6%), 1 Hawaiian (1.6%), and 5 Multi-racial (7.9%).
2. *Zoo School* offers special units on astronomy, zoology, forestry, chemistry, and physics. During the 2010-2011 school year, Zoo had a total enrollment of 60 students, with 6 African Americans (10.0%), 6 Hispanic (10.0%), 40 White (66.7%), 1 American Indian (1.7%), 1 Asian (1.7%), and 6 Multi-racial (10.0%).
3. The *Center of Economicology* is a newer school and is a combination of economics and ecology. During the 2010-2011 school year, the Center of Economicology had a total enrollment of 42 students, with 20 African Americans (47.6%), 4 Hispanic (9.5%), 13 White (31.0%), 2 Asian (4.8%), and 3 Multi-racial (7.1%).

Enrollment at each of the feeder schools is limited to approximately 60 students. The principal of City is also the principal for the sixth grade feeder schools, although City's assistant principal is responsible for the day-to-day management of Blandford and Zoo. The principal explained that Zoo and Blandford have been in existence for approximately 30 years and both programs were started because parents wanted a strong middle school program in the District. The Center for Economicology has only been in existence since the 2009-2010 school year. Zoo and Blandford fill very quickly, with Blandford typically filling first followed by Zoo. Both have a long waiting list. In contrast, the Center for Economicology typically has not filled to capacity. Because the Center for Economicology is co-located with City, there is some interaction between the two programs. Blandford and Zoo students visit City's campus periodically. The principal stated that City is working to align the curriculum at the feeder schools to the model used in IB.

City High - Middle School: City's website describes the school as a school of choice "for academically talented and highly motivated students." Based on data from the 2010-2011 school year regarding test scores, AP course offerings, and similar indicators, in 2013, U.S. News & World Report ranked City as the second best high school in the state of Michigan.

The IB program at City is certified for the middle years and high school. Since the 2009-2010 school year, City has offered entering students the IB diploma program. The class of 2012-2013 was the first class to graduate with IB diplomas. An IB program is a

comprehensive curriculum that is designed to prepare students for liberal arts education at the tertiary level. Specifically, students take three higher-level IB courses and three standard level IB courses in order to complete the IB program. Students completing the full IB program receive an IB Diploma upon graduation. In addition, students are given the opportunity to take an IB exam for the higher-level courses in order to gain college credits. Students taking the IB exam must score a 6 or 7 on the test in order to be eligible for college credit. IB exams are scored between 1 and 7.

Enrollment at City is limited to approximately 700 students in grades 7-12. Students must maintain a 2.0 (a letter grade of a C) in every class to remain enrolled at City. The class of 2012-2013 was the first class to graduate with IB diplomas. The 12th grade class for the 2011-2012 school year was the last non-IB class. For the 2010-2011 school year, all City students in grades 9 and 10 were in the IB program; there were 249 9th and 10th grade students total, 33 of whom (13%) were African American and 145 of whom (58%) were white.

Because IB students lack flexibility in their schedules, the District administration made the decision for City to discontinue all AP courses at the end of the 2011-2012 school year. Even though City has eliminated its AP program, City students can still take the AP exam for particular subjects if they wish. Students attending City also cannot participate in any dual enrollment courses offered at local universities and colleges. Starting with the 2012-2013 school year, all teachers at City had to be IB-certified.

As part of the IB curriculum, students in the IB diploma program must complete four years of a second language and be proficient in algebra prior to the 9th grade. Because of these requirements, City's middle school students must begin their second language instruction, preferably during the 7th grade and no later than the 8th grade. Eighth grade students must also take algebra.

Other "Theme" Schools: According to the District's website, the District offers eight other "theme" schools for Pre-K-8 students: three Rapids Montessori schools, Coit Creative Arts Academy, CA Frost Environmental Science Academy, Sherwood Park Global Studies, Southwest Community Campus, and the Gerald R. Ford Academic Center. The District's Pre-K – 8 Montessori schools include two elementary schools and a middle school: Grand Rapids Montessori at North Park (Pre-K-7) and Grand Rapids Montessori at Fountain (Pre-K-8). Coit Creative Arts Academy is an arts themed academy, for K-5. CA Frost is an environmental-themed academy for grades K-8. K-8 Sherwood Park offers programs with emphasis on language and global studies for K-8. Southwest Community Campus is a dual immersion (Spanish/English) themed academy for students PreK -8. The District opened the Gerald R. Ford Academic Center, referred to as a "Prek-8 College Preparatory Academy" on its website in the 2013-2014 school year. Spanish language instruction is offered at Sherwood Park, Southwest Community and the Gerald R. Ford Academic Center.

As part of the Plan, the District, during the 2013-2014 school year, committed to reinvesting over \$1.5 million in its theme schools given their previous records of academic performance. This school year, the District relocated and expanded City and one of its feeder schools, the 6th grade Center for Economicology, into the former Creston High School building in order allow City and the Center to serve more students. The Plan indicates that the District will also re-invest in the environmental theme offered by CA Frost, the arts-themed curriculum at Coit, and global studies theme at Sherwood Park. The District also plans, during the 2014-2015 school year, to explore expanding CA Frost through grade 12. In addition, this school year, the District will be investing \$50,000 per year for five years of Montessori training and to expand its PK-6 Montessori program to PK-8. Planned reinvestment for Southwest Community Campus for the 2013-2014 school year includes potential expansion of the school to include grades 9-12 with a dual Spanish/English immersion program, as well as a potential partnership with the Mexican consulate.

Admission to Theme Schools: Students must apply for admission to the District's theme schools. A link to online enrollment for all of the District's theme schools is available on each school's website; the online enrollment form is the same for all the schools.⁵ For many theme schools, there are no academic requirements for attending these schools and students are accepted on a first-come, first-serve or lottery basis. However, there are selection criteria for students seeking admission to the new Gerald R. Ford Academic Center. The Center requires that both parents and students be interviewed and lists as selection criteria demonstrated parental involvement in the activities and meetings at the student's prior school and that students not have had major academic, behavior, or attendance issues at their former school.⁶

There are also selection criteria for students seeking admission to the sixth-grade feeder schools or to City. Student must submit an application and complete the Michigan Educational Assessment Program test (MEAP), which is a criterion-referenced state standardized test; the Northwest Education Association (NWEA) Measure of Academic Progress (MAP), which is a non-referenced assessment; and a writing prompt, which is used as a secondary source. The selection is based solely on students' MEAP results, MAP scores, and the completion of the writing prompt. Teacher or parent recommendations are not solicited or considered. Students who apply are assigned a number to keep the process anonymous; demographic information about the students is

⁵ <http://apply.grps.org/>

⁶ The Center's selection requirement that students not have had any major academic, behavior, or attendance issues at their former schools raises concerns of possible discrimination against students with disabilities who wish to be considered for admission to the Center. As the issue of the District's compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, at 34 C.F.R. § 104.4, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation, at 28 C.F.R. § 35.130, was not the focus of this compliance review, OCR does not have sufficient information to make a compliance determination as to whether the use of the selection criteria violates Section 504 and Title II. OCR will, however, as part of its monitoring of the agreement for this review seek additional information about this issue and may require corrective action by the District if determined to be necessary.

not known by District staff when students are selected for admission. Selections are made by running the aforementioned selection criteria for the students through a computer using an algorithm (required test scores). If the available seats are not filled the first time, the algorithm is lowered until all the seats are filled.

The District revised the criteria for admission to the feeder schools and to City in the 2008-2009 school year. The process was changed to be more objective because the District's prior process required students to obtain a recommendation from a teacher and interview with City administrators; parents and others in the community raised concerns that the process was inherently unfair because it was too subjective and minority students could be more easily discriminated against. The District believes the present process is race neutral. Currently, students who have the desire to attend these programs are not given consideration beyond the selection criteria. For instance, no consideration is given to students' classroom performance or other indicators of potential to succeed in these programs.

The District asserted that its recently revised admissions process has resulted in more minorities, primarily African American and Hispanic students, gaining entrance to the feeder schools and to City. However, data obtained by OCR during its investigation revealed that a disproportionately low number of African American students enrolled at City and two of its three feeder schools in the 2010-2011 school year. While overall the District was 37% African American during the 2010-2011 school year, City had only 99 African Americans (13.9%), Blandford had only 6 African Americans (9.5%), and Zoo also had only 6 African Americans (10.0%). The Center for Economicology was the only feeder school that had a percentage enrollment of African American students that was higher than the District's percentage enrollment; the Center for Economicology had 20 African Americans (47.6%).

Students who are denied admission to one of the District's theme schools can appeal the denial.⁷

High School Years

The 2006-2007 school year AP Access Report Card data that served as the basis for the review showed that, of the District's then-five comprehensive high schools, three schools had a majority of African American students: Central, Creston and Ottawa Hills High Schools, and two schools had a majority of white students: City High-Middle School and Union High School.

⁷ The Board of Education's Rule 7150-R, regarding parent/guardian choice for theme schools, states: "Applicants have the right to an appeal based on special circumstances. Appeals will be heard by the Superintendent or his/her designee."

District High School Enrollment: 2006-2007 school year						
School	Total	African American	White	American Indian/Alaskan Native	Asian or Pacific Islander	Hispanic
Central High School	993	457 46%	88 9%	5 1%	0 0%	443 45%
Creston High School	1,014	617 61%	304 30%	13 1%	11 1%	69 7%
Ottawa Hills High School	932	788 85%	56 6%	2 0%	12 1%	74 8%
City High – Middle School	619	87 14%	441 71%	1 0%	41 7%	49 8%
Union High School	1,171	259 22%	451 39%	12 1%	10 1%	439 37%
Totals	4,729	2,208 47%	1,340 28%	33 1%	74 2%	1,074 23%

Source: AP Access Report Card

Data from the Michigan Department of Education showed that these five high schools had the following student enrollment for the 2012-2013 school year.

District High School Enrollment: 2012-13 school year								
School	Total	African American	White	American Indian/Alaskan Native	Asian or Pacific Islander	Hispanic	Hawaiian	Multi racial
Central High School	327	110 34%	32 10%	<10 0%	<10 0%	159 49%	<10 0%	24 7%
Creston High School	579	355 61%	99 17%	<10 0%	<10 0%	82 14%	<10 0%	35 6%
Ottawa Hills High School	607	467 77%	28 5%	<10 0%	<10 0%	81 13%	<10 0%	25 4%
City High – Middle School	632	87 14%	374 59%	<10 0%	33 5%	90 14%	<10 0%	45 7%
Union High School	932	207 22%	147 16%	15 2%	<10 0%	484 52%	<10 0%	71 8%
Totals	3,077	1,226 40%	680 22%	15 0%	33 1%	896 29%	<10 0%	200 6%

Source: Michigan Department of Education

As noted above, in June 2013, the District closed a total of 10 school buildings. This included the closure of the comprehensive high school program at the Creston facility.⁸ Pursuant to the Transformation Plan, the District provided Creston 9th-11th grade students with the following choices: complete their Creston High experience at Central,

⁸ The District closed the traditional high school program at Central High School at the end of the 2011-2012 school year; beginning with the 2012-2013 school year, the Central campus only housed Grand Rapids Montessori High school and the Academy of Health, Sciences & Technology. Both programs remain at Central currently.

at one of the District's Center of Innovation schools, or attend their attendance area high school. While Creston was closed as a high school, the Grand Rapids Pre-College Engineering Program (GRAPCEP), which had been located at Creston, was not closed but instead relocated to Central, which was the closest campus to Creston, 2.8 miles away.

The District's Transformation Plan also provides that during 2013-2014 the District will significantly re-invest in Ottawa Hills by: repurposing the school with a new focus on partnerships with Historically Black Colleges and Universities (HBCUs) (*e.g.*, Howard University, Florida A&M University); dual enrollment in partnership with HBCUs;⁹ and/or creating a new Middle Years Program; relocating the School of Business to a new Center of Innovation at Central; and co-locating the new IB Arts Academy at Ottawa Hills. The Plan anticipates that creation of first of their kind partnerships with HBCUs will significantly improve enrollment at Ottawa Hills, which has seen a drop in enrollment in recent years.

The District's Transformation Plan also states that the District will re-commit to Union by implementing the "Turnaround Model" as prescribed by the Michigan Department of Education for "Priority Schools", starting in 2014 and continuing. The Plan states that the Model includes developing teacher/leader effectiveness, comprehensive instructional reform strategies, extended learning time, replacing leadership and 50% of school staff, and a new governance structure.

Students from the District's four Centers of Innovation schools (discussed below) (School of Health Sciences, GRAPCEP, the Academy for Design and Construction, and the School of Business, Leadership, and Entrepreneurship) and Grand Rapids Montessori high school students now share the former Central facility, which was renamed Innovation Central High School, as of the 2013-2014 school year. The District indicated that locating all of the Centers of Innovation at one location maximizes use of space, creates operational efficiencies, allows these high-performing programs to flourish without being overshadowed by the comprehensive high schools, strengthens the quality of education, and increases student interest and enrollment. As part of its re-investment in these schools/programs, the District also is exploring changing GRAPCEP's name to "STEM + U" and creating a new partnership with Ferris State University College of Pharmacy.

- **Honors Courses**

The District offers honors courses at its high schools when there are sufficient numbers of students who wish to enroll in honors courses. District officials informed OCR that honors courses are academically more difficult than regular course, although the District

⁹ While OCR notes that such proposed partnerships may be effective in increasing student enrollment in college-ready courses, during monitoring of the District's implementation of the Agreement (and Transformation Plan) going forward, OCR will ensure the District is broadly and equitably exploring these types of partnerships with colleges and universities on a District-wide basis at all of its schools.

does not have any eligibility criteria for honors courses and there are no established District standards as to the elements required for a course to be labeled an honors course. Any student who wishes to enroll in an honors course may do so. Further, honors courses are not given any extra points toward a student's grade point average. During the 2012-2013 school year, the District offered honors courses at a number of its high schools, including Creston, Ottawa, and Union.¹⁰

- **AP Courses**

The District typically offers AP courses to students in the eleventh and twelfth grades. The District's Director of Student Information Systems (Director) advised that there is a sequence of courses for students to take in the AP related academic areas before enrolling in AP courses. For instance, in English, students take ninth grade English (or honors English) followed by tenth grade English and then take AP English in the eleventh and twelfth grades. The District stated that algebra is the only prerequisite course that should be taken prior to high school (in the 8th grade) in order to enroll in AP math courses in high school. The District indicated that, other than algebra, all necessary prerequisites for AP courses are offered to and taken by students in high school. As described above, however, students attending District middle schools other than City (which still has a minority of African American students) are not offered algebra. In addition, for students who are interested in taking AP foreign language courses, foreign language instruction is provided only at City, Sherwood Park, Southwest Community, and the Gerald R. Ford Center.

According to District officials, the District has experimented with different policies and procedures for enrolling students in AP courses. The District's practice used to be that students could only enroll in an AP course if they earned a "B" or better in the prior course in the sequence. However, beginning with the 2009-2010 school year, any student can register for an available AP course regardless of the grade earned in the prior course. The Director stated that this decision was made because the District believes that this would offer more opportunities to broaden students' course offering choices.

Another approach with which the District experimented was to automatically enroll any student who earned a grade of "B+" or better in the prerequisite course into any available AP course. Although the students could change their schedule to switch out of the AP course into the regular education course, the student or his or her parent or guardian would have to communicate directly with a building's guidance counselor to make this change. The counselors would then take that opportunity to talk to the student or parent/guardian about the importance of AP courses. When asked if this policy had been successful, counselors whom OCR interviewed stated that several parents elected to remove their students from AP courses and that they were unsuccessful in their attempts

¹⁰ During the 2012-2013 school year, Central was not operating as a comprehensive high school and City was IB; thus, neither offered honors and AP courses.

to dissuade the parents from switching the students into less rigorous courses. The District discontinued this policy as of the 2009-2010 school year.

District students use a computer program developed by District staff, called the Student Academic Request (STAR) system, for class registration. The District has a master schedule/catalog of all courses offered in the District. Each school building's master scheduling team takes the District master schedule/catalog and decides what courses they will offer. When a student logs in to STAR with a password, the screen shows the student course options based on the student's transcript to date. Core classes are automatically selected for the student, per the District's approved class sequence; students choose their electives. Although the Director stated that the District requires that all honors and AP courses always be listed in the STAR choices for students at all schools, some building staff indicated that this does not always occur, as building staff select courses to put into STAR based on anticipated student interest.

The District uses STAR to identify the total number of students interested in a course for each building. The District generally requires a minimum of 25 students to offer an elective course (although District staff gave varied minimums, ranging from 17-40); core courses do not require a minimum. While AP courses typically are core courses, if there are not sufficient numbers of students who want to take the core subject at the AP level, then the school may offer only the basic level core course.

The District provides written guidance for the lead staff person at each building, who works with the students when they are registering for courses on STAR, to emphasize the importance of taking challenging courses, such as honors and AP, to get into college. The students get their list of classes during the summer and then during orientation and the first couple of weeks of school, the students can make changes to their schedules. A District guidance counselor stated that if a student selected an AP course but it was not offered the student would be placed in an honors course on the same subject instead, if an honors course was offered. Alternatively, the student could be informed of other options that are available, such as dual enrollment.

The District provided OCR with information about each school's AP course offerings and student participation numbers, disaggregated by race, for five consecutive school years, 2006-2007 through 2010-2011 school years. During those years, the District increased the number of AP courses offered from 10 to 17. For the 2010-11 school year, the data show that African American students in grades 10-12 comprised approximately 41.8% of the student population, but only 24.6% (213 students) were enrolled in AP courses compared to white students who comprised 28.3% of the student population, and 53.2% (462) of the students enrolled in AP courses. The District's enrollment data for the five high schools show that there were 2,208 total 10th, 11th and 12th grade students; 923 of these students, or 41.8%, were African American. City offered the highest number (eight) of AP course offerings during the 2010-2011 school year, but had the lowest percentage (14%) of African American students compared to the other four high schools. In contrast, the schools with the highest percentage of African American students (Creston, 61% and

Ottawa Hills, 77%) offered only one AP course at Creston or no AP courses at Ottawa Hills in the 2010-11 school years.

- **Centers of Innovation**

The District advised OCR that, since the 2006-2007 school year, the District has focused its efforts on the creation of four specialty schools at its high schools, which the District refers to as “Centers of Innovation.” As noted above, as of the 2013-2014 school year, the District offers these schools at its former Central High School campus, which has been renamed Innovation Central High School. The Centers of Innovation include:

- Academy of Health Sciences and Technology: customized, career-focused courses in healthcare; opportunities for job shadowing and internships with the leading health care providers in the region; and partnerships with Life EMS, local hospitals, colleges, and universities.
- Academy for Modern Engineering/ Grand Rapids Pre-College Engineering Program (GRAPCEP): focus is on science, technology, engineering, and math, along with partnerships with seven leading universities. This program has a 99% graduation rate.
- Academy for Design and Construction: focus is on architecture, engineering, design, and construction through real world experiences, along with partnerships with businesses, colleges, and universities.
- Academy of Business, Leadership and Entrepreneurship: this school has a state of the art 21st Century learning environment; courses in business technology, marketing, management, multi-media, accounting, and business law; and partnerships with job providers and universities.

The GRAPCEP program requires four AP or higher level learning courses for 12th grade students, GRAPCEP students also have outside opportunities to take college-level courses for credit through dual enrollment. As noted above, until it was moved to Innovation Central High School for the 2013-2014 school year, GRAPCEP was located at Creston. Although the 2010-2011 student population at Creston was 57.20% African American and 19.75% white, the GRAPCEP enrollment figures for that year were 70% white and 20% African American.

- **Dual Enrollment**

As noted above, the District also offers dual enrollment to 11th and 12th grade students. Two such schools include Grand Rapids Community College and Grand Valley State University. To be eligible for dual enrollment, the District requires that a student be on track to graduate and that the course not be one offered by the District. The colleges require that the student be at least 16 years of age and have a minimum G.P.A. of 2.5.

The state requires that students meet a requisite ACT cut off score in the academic content area of the dual enrollment class. However, there is no ACT cut score requirement for electives, such as American Sign Language or art courses. When students dual enroll, the District pays for the cost, typically over \$400 for a 3-credit course.

Based on interviews with District personnel at the various high schools, OCR learned that knowledge and usage of this higher level learning opportunity is not consistent at all of the high schools and is utilized only by a small number of students. High school principals reported to OCR that about 10-20 students at each high school participate in dual enrollment each year. The requirement of a qualifying ACT score was reported to be a barrier to some students being eligible for dual enrollment. Students learn of the dual enrollment option through their school newsletter and curriculum guide or through their guidance counselors. Guidance counselors will identify students eligible for dual enrollment and then encourage them to participate. Information is also disseminated through parent conferences.

Resolution Agreement

While facing challenges related to a 35% decline in its student enrollment (from the 2006-07 to 2012-13 school year, the enrollment dropped by 35%, from 4,749 to 3,077 students), the District has continued to offer unique college and career ready programs and schools to its high school students as well as other higher level learning opportunities to students in earlier grades. As described above, these include the District's theme schools at the K-8 level, the three sixth grade specialty schools, City High – Middle School and its IB program, and, at the high school level, the four Centers of Innovation, dual enrollment opportunities with local colleges, and the District's honors and AP course offerings.

The District advised that it will continue its ongoing efforts to provide all students with equal access to and an equal opportunity to participate in higher level learning courses. Prior to the conclusion of OCR's investigation, the District also agreed to enter into an agreement with OCR to voluntarily resolve issues raised in the compliance review. Therefore, on December 2, 2013, the District submitted the enclosed Resolution Agreement (Agreement).

Pursuant to the Agreement, the District committed to take specific actions to ensure that it is providing an equal opportunity and equal access for all students, including African American students, to its higher level learning opportunities. The Agreement provides that the District will conduct a review and self-assessment of its current programs and courses offered at the elementary, middle, and high school levels to identify any potential barriers, such as lack of course offerings or supports at the elementary and middle school level necessary to increase student preparedness and readiness for and increase their participation in college and career preparatory programs and courses in high school. The District also will survey students, parents/guardians, and staff as part of its review and

self-assessment, regarding their perceptions and understanding of the supports, curricula, and resources offered at the elementary and middle school level and the process for recruitment, selection, and participation in college and career preparatory programs and courses in high school. In addition, the District will retain a consultant with expertise in addressing the underrepresentation of African American students in college and career preparatory programs and courses to analyze District data and practices, at all grade levels, and to make recommendations, as appropriate, for improving the District's efforts to provide all students with equal access to and an equal opportunity to participate in such programs and courses. The District will consider this input in making changes and improving its efforts in this area.

As referenced above, in 2013, the District also began implementation of its "Transformation Plan," which was adopted by the District Board of Education in December 2012. The Agreement requires the District to implement the Transformation Plan in a manner that is consistent with Title VI and to inform OCR of any major changes to the Transformation Plan. The Plan includes the District's commitment to reinvest in the District's two remaining comprehensive high schools, Ottawa Hills and Union. The District will reinvest in Ottawa Hills by forming partnerships with HBCUs, creating a new Middle Years Program and/or dual enrollment in partnership with HBCUs, and co-locating a new IB Academy at the school. The Plan states the District's "recommitment" to Union in which it will implement the State's "Turnaround Model" at the school, with its emphasis on developing the effectiveness of teachers and leaders, extending learning time and implementing other comprehensive instructional reform strategies, starting in 2014. The District also relocated its GRAPCEP program to Central High School where the three other Centers of Innovation are located; the high school is now named Innovation Central High School. The District also committed to reinvesting over \$1.5 million in its theme schools and programs given their high academic performance. In the 2013-14 school year, the District relocated two theme schools/programs, City High – Middle School and the 6th Grade Center for Economicology, to the former Creston High School in order to provide for expansion of the schools and programs. Additional reinvestments will include expanding the District's Montessori program and exploring the expansion of other theme schools to include additional grades. The District also opened a new theme school, the Gerald R. Ford Academic Center, which provides college preparation for students in PreK-8 grades.

OCR will monitor the District's implementation of the commitments outlined in the Transformation Plan as part of its monitoring of the Agreement. The Agreement specifically requires that the District ensure that the academic programs and extracurricular activities provided to displaced students at their new schools are of the same quality as or better quality than those at their closing schools; and designate a School Transition Coordinator to be responsible for coordinating the overall transition of displaced students on a District-wide basis. This Coordinator will ensure that any students negatively affected are provided appropriate and timely support, transition, or other services related to the closures of their schools.

If the District fails to comply with the terms of the resolution agreement, OCR will take appropriate action to ensure the District's full compliance with Title VI and its implementing regulation.

This concludes OCR's investigation of this compliance review and should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter.

This letter sets forth OCR's determination in an individual OCR compliance review. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

It is unlawful to harass, coerce, intimidate or discriminate against any individual who has filed a complaint, assisted in a compliance review, or participated in actions to secure protected rights.

Thank you for your cooperation during this compliance review. If you have any questions regarding this letter or during the monitoring of the District's implementation of the Agreement, please contact Chandra Bowling at (216) 522-2669 or Chandra.Bowling@ed.gov or Deborah Kamat at (216) 522-2668 or Deborah.Kamat@ed.gov.

Sincerely,

Catherine D. Criswell
Director

Enclosure