



# DERBY PUBLIC SCHOOLS

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**Dr. Matthew J. Conway, Jr.**  
*Superintendent of Schools*

August 29, 2016

Dr. Adrian R. Wood  
State Department of Education  
Turnaround Office  
165 Capitol Avenue, Room 342  
Hartford, CT 06106

**Re: Voluntary Correction Action Plan**

Dear Dr. Wood,

In response to Mr. Nesmith's letter dated July 25, 2016, attached you will find the Derby Public Schools updated Voluntary Correction Action Plan dated August 29, 2016. The revised plan addresses interim remedies to address outstanding non-compliance issues until a permanent situation can be put in place.

Please feel free to contact my office should you have any questions regarding our plan.

Sincerely,

Mark G. Izzo  
Business Manager

cc: Dr. Matthew J. Conway, Jr., Superintendent of Schools  
Mr. Desi Nesmith, State Department of Education Turnaround Office  
Mr. Martin Pascale, Principal, Derby High School  
Mr. David Nardone, Facilities Manager  
file

**Voluntary Correction Action Plan  
(Revision 4 – August 29, 2016)**

**School District: Derby**

**School Name: Derby High School**

Signature:   
Dr. Matthew J. Conway, Jr.

<u>Noncompliance Issues</u>	<u>Corrective Action Plan</u>	<u>Completion Date</u>
<p>1. Although the recipient does have a continuous nondiscrimination notice the notice does not include the contact information for the Title IX and Section 504 coordinator. The contact information should include the name, office address, and phone number of the Title IX and Section 504 coordinator. Legal Requirements: Title IX 34 C.F.R., Section 106.9 and Section 504: 34 C.F.R., Section 104.8 indicates that a recipient must notify students and employees of the name, office address and phone number of the designated employee. In determining whether the recipient complies with the notification requirement, the review team reviewed the materials (i.e. student handbook, catalog, brochures on programs and activities) that were submitted by the recipient. After reviewing the materials that were submitted the recipient did not provide enough evidence to indicate its compliance with the notification requirement for the Title IX and Section 504 Coordinator, for example, publishing this information in brochures on programs and web site.</p>	<ul style="list-style-type: none"> <li>• Assign 504 Coordinator and Title IX coordinators</li> <li>• Update handbook and website with appropriate information</li> </ul>	<p>complete November 2015</p>

<p>2. The recipient provides a dugout for the baseball field but does not provide a dugout for the softball field. Legal Requirements: Title IX: 34 C.F.R., § 106.41 (c) (7) requires that a recipient provide requires that a recipient who operates or sponsors interscholastic, club or intramural athletic shall provide equal athletic opportunity for members of both sexes which includes comparable competitive facilities. In determining whether comparable facilities are offered for both sexes the baseball field and softball field were reviewed. After reviewing the fields it was determined that the facilities are not comparable.</p>	<ul style="list-style-type: none"> <li>• Completed feasibility study for renovations to athletics fields (will address this issue)</li> <li>• Bond request submitted to state of Connecticut</li> <li>• Athletic complex renovations completed</li> </ul>	<p>complete</p> <p>complete</p> <p>October 2017 (pending approval of application by Bond Commission)</p>
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<p>3. The science programs, when viewed in their entirety, are not readily accessible to person(s) with disabilities because the door and door hardware is not usable and the appropriate room sign is not used to identify the room(s). The doors to the labs are not usable and the appropriate room sign is not used to identify the rooms. The student and teacher sinks are not accessible and usable. The fume hoods are not accessible and usable. There are no visual fire alarm devices. The eye wash station isn't accessible and usable. The elevator isn't accessible and usable.</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• 1 Teach Sink replacement (G05) interim remedy – N/A; situation does currently apply</li> <li>• 1 Student Sink replacement (G05) interim remedy – partner with another student / modify work assignments as required</li> <li>• Fume hood replacement in chemistry lab (GO5)</li> <li>• Visual fire alarms interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</li> <li>• Eye Wash station installed</li> <li>• Elevator replacement interim remedy – partner with a staff</li> </ul>	<p>June 2014</p> <p>January 2016 August 2019</p> <p>August 2019</p> <p>December 2016</p> <p>August 2019</p> <p>September 2015</p> <p>August 2019</p>
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	<p>member to assist in use of existing elevator</p>	
<p>4. The following programs (World language, social studies, English, business, and math), when viewed in their entirety, are not readily accessible to person(s) with disabilities because the door and door hardware is not usable and the appropriate room sign is not used to identify the room(s). There are no visual fire alarm devices. The door to the lecture hall is not usable.</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• Visual fire alarms</li> </ul> <p>interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</p>	<p>June 2014</p> <p>January 2016</p> <p>August 2019</p>

<p>5. The auditorium program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the doorway is not usable. There are no handrails on the walls. There is no accessible fixed seating integrated throughout the auditorium. There is no listening device for the hearing impaired. The toilet facilities are not accessible and usable. There is no visual fire alarm device. The handrails to the stage are not usable.</p>	<ul style="list-style-type: none"> <li>• Door Hardware</li> <li>• Handrail installation and replacement of handrails</li> <li>• Fixed Seating: Remove first row of seating and install flat floor</li> <li>• Listening device: Purchase additional devices for use in auditorium</li> <li>• Toilet facilities interim remedy - use of accessible facilities in building until existing facilities can be corrected</li> <li>• Visual fire alarm</li> </ul>	<p>June 2014 complete</p> <p>August 2015</p> <p>October 2015</p> <p>August 2019</p> <p>September 2013</p>
<p>6. The main office, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door and door hardware is not usable and the appropriate room sign is not used to identify the room. The staff toilet is not accessible and usable.</p>	<ul style="list-style-type: none"> <li>• Door hardware</li> <li>• Staff toilet – utilize nearby, accessible facility</li> </ul>	<p>June 2014</p> <p>N/A</p>
<p>7. The guidance program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the main door to the office suite is not usable and the appropriate room sign is not used to identify the room. The doors to the counselor office are not usable and accessible. There are no visual</p>	<ul style="list-style-type: none"> <li>• Door hardware</li> <li>• Signage installed</li> <li>• Visual fire alarm interim remedy – paraprofessional will be the primary</li> </ul>	<p>June 2014</p> <p>January 2016</p> <p>August 2019</p>

<p>fire alarm devices.</p>	<p>designee (classroom teacher if no para) for the affected student(s)</p>	
<p>8. The music program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There are no visual fire alarm devices. (Stage area)</p>	<ul style="list-style-type: none"> <li>• Visual fire devices installed</li> <li>• Door hardware</li> <li>• Signage installed</li> </ul>	<p>Sept. 2013 June 2014 Sept. 2013</p>
<p>9. The cafeteria program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because there is no accessible prep sink or hand wash sink in the kitchen.</p>	<p>Prep Sink installed</p>	<p>N/A</p>
<p>10. The physical education program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because door is not usable and the appropriate room sign is not used to identify the room. There is no notification device. Both the bathroom facilities and showers in the boy's and girl's locker rooms are not accessible and usable. The door to the weight room is not usable.</p>	<ul style="list-style-type: none"> <li>• Notification device</li> <li>• Door hardware</li> <li>• Signage installed</li> <li>• Bathroom facilities/showers</li> </ul> <p>interim remedy- use of accessible bathroom facilities until existing facilities can be corrected; shower facilities are no longer utilized</p>	<p>Sept. 2013 June 2014 January 2016 August 2019</p>



<p>11. The special education program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door and door hardware is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device. The sink is not accessible and usable. <i>Note: this area has been converted to the exercise room</i></p>	<ul style="list-style-type: none"> <li>• Visual fire alarm installed</li> <li>• Door hardware</li> <li>• Signage installed</li> <li>• Sink replaced</li> </ul>	<p>Sept. 2013 Sept. 2014 January 2016 N/A</p>
<p>12. The football program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the press box is not accessible and usable by person(s) with disabilities. The locker rooms are not accessible and usable. The bathroom facilities are not accessible and usable.</p>	<p>Athletic complex renovations completed</p>	<p>October 2017 (pending approval of application by Bond Commission)</p>
<p>13. The softball, program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because there is no accessible route from the parking lot to the field. There is no accessible route to the dugouts or the seating area.</p>	<p>Athletic complex renovations completed</p>	<p>October 2017 (pending approval of application by Bond Commission)</p>
<p>14. The boy's and girl's track program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the press box is not accessible and usable by person(s) with disabilities. The locker rooms are not accessible and usable. The bathroom facilities are not accessible and usable.</p>	<p>Athletic complex renovations completed</p>	<p>October 2017 (pending approval of application by Bond Commission)</p>

<p>15. The drafting program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device.</p>	<p>No longer applicable – area has been renovated for Little Raiders University</p>	<p>N/A</p>
<p>16. The music program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device. (Room 131)</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• Visual fire alarms interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</li> </ul>	<p>June 2014  January 2016 August 2019</p>
<p>17. The art program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device.</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• Visual fire alarms interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</li> </ul>	<p>June 2014  January 2016 August 2019</p>

<p>18. The English as a Second Language Program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device.</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• Visual fire alarms interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</li> </ul>	<p>June 2014</p> <p>January 2016 August 2019</p>
<p>19. The learning center program, when viewed in its entirety, is not readily accessible to person(s) with disabilities because the door is not usable and the appropriate room sign is not used to identify the room. There is no visual fire alarm device.</p>	<ul style="list-style-type: none"> <li>• Door hardware replacement complete</li> <li>• Signage replacement</li> <li>• Visual fire alarms interim remedy – paraprofessional will be the primary designee (classroom teacher if no para) for the affected student(s)</li> </ul>	<p>June 2014</p> <p>January 2016 August 2019</p>