

GIFTED AND TALENTED PLAINTIFFS' PROPOSED PROCEDURAL STEPS

- Increase African American gifted and talented and enrichment participation by one third of the remaining gap for SY2007, SY2008, and SY2009.
- Codify by the end of the first semester SY2007 equity related gifted policies and procedures, including procedures for enrollment in enrichment programs, to ensure continuity of measures that have proven effective in increasing minority enrollment.
- By the end of the first semester SY2007, incorporate into gifted equity initiatives specific, detailed building level accountability measures.
- Create a plan for staff development for campus administrators, teachers, and support staff, regarding identification of giftedness in minority students.

Plaintiffs' plan for staff development includes campus administrators, not just teachers and support staff.

- Expand data collection and reporting of achievement measures (such as ISAT scores) disaggregated (1) by school, (2) by enrollment vs. non-enrollment in enrichment program, (3) by enrollment vs. non-enrollment in self-contained gifted program, and (4) by race. Specify interim target dates for data collection and final target date for reporting for each year.

Plaintiffs' plan seeks to implement comprehensive data collection and reporting measures within specific time-frames.

These measures would allow staff to track and evaluate the academic progress of gifted students so that meaningful evaluation of the efficacy of each gifted program at each school can be made.

EXHIBIT A

SPECIAL EDUCATION TARGETS AND GOALS

- The District's Report does not set specific targets for acceleration in SPED or acknowledge that past initiatives have not been successful in reducing the overrepresentation of AA students in SPED.
- Plaintiffs propose that the District establish an overall target to reduce the disparities in minority SPED enrollment by 1/3 each year by implementing a systematic program of academic and behavioral interventions at all grade levels by the second semester of SY2007, while continuing its efforts to strengthen BSTs and analyze SPED enrollment data.

SPECIAL EDUCATION

DISTRICT PROPOSALS AND PLAINTIFFS' RESPONSES

District's Proposal: Continue annual SPED audits and file reviews.

The annual SPED audits are a necessary part of the District's operations to ensure adherence to procedures and eligibility criteria. However, they are not designed to assess whether minority and non-minority students with comparable academic or behavioral profiles are referred, (re)evaluated, and assigned to SPED at comparable rates. The annual audits must be redesigned to evaluate whether minority and non-minority students with comparable academic and behavioral profiles are referred to BST, and ultimately to SPED eligibility, at comparable rates. Additionally, Plaintiffs must be provided with full copies of both the external audit results and the periodic internal audits. Plaintiffs have also requested to meet with the external audit team to discuss its findings and recommendations for reducing African American overrepresentation in SPED.

District's Proposal: “Explore possible interventions” for BSTs and campuses to use before referring students to SPED.

African American students are grossly overrepresented in SPED categories that are based on more subjective, learning-based eligibility determinations (SLD, MI) and in which early intervention to address academic difficulties is critical. As such, there is an urgent need to immediately implement proven, systematic and research-based instructional interventions, both for regular education students who exhibit academic deficiencies, and for SPED students who need specialized instruction to remediate learning-based eligibilities.

SPECIAL EDUCATION

DISTRICT PROPOSALS AND PLAINTIFFS' RESPONSES

District's Proposal: Continue to utilize the Special Education Task Force to review the efficacy of Building Service Teams and analyze and monitor data related to SPED initiatives.

The SETF has primarily worked on objectives related to data collection and analysis. As noted above, the focus of the group must shift to implementing proven intervention models and instructional programs that will both forestall SPED referrals and produce meaningful academic progress that permits students to exit SPED and participate fully in the educational process, such as Level III enrollment.

District's Proposal: Eliminate “informal” psychological evaluations.

In addition to eliminating informal evaluations, the District must ensure that psychological and other evaluations that lead to SPED determinations are conducted only with parent consent and by a licensed evaluator through the BST and fully documented. The District should also ensure that the evaluations used are culturally unbiased and administered only after systematic interventions have been fully implemented.

District's Proposal: Ensure racial, ethnic, and gender balance of BSTs.

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DISCIPLINE TARGETS AND GOALS

**Plaintiffs and Defendant agree on the overall discipline goals
as set forth in the Consent Decree.**

- Seek to provide educational tools and alternative resources that eliminate unwarranted disparities in student discipline and attendance at alternative schools.
- Seek to use discipline as an intervention strategy only as a means to improve student performance and academic behavior.

**Plaintiffs and Defendant agree on the overall discipline
“flexible goals” as set forth in the District’s Report, except with
its reliance on the PBIS process.**

- The District will reduce the total number of student suspensions in the District each year.
- The District will dispense discipline to students in each category of discipline within racial fairness guidelines for each school level.
- The District will dispense discipline to students such that minority and non-minority students receive comparable discipline for comparable misconduct.

DISCIPLINE

THE DISTRICT'S REPORT

The following programs, presented as action items in the District's Report, have either been proposed or have been in place for years. For many of them, the District's Report does not explicitly indicate who is accountable nor how the program's impact will be quantified, nor does the District provide interim steps for implementation.

- School-wide/Class to Class Behavior Assemblies (first discussed in 2003-04) (DSP 03-04, 37)
- Peer Mediation (first discussed in 1999-2000) (IP Part 2, 2)
- C-U One-to-One Mentoring Program (first implemented in 2005) (SY 2005(1) QR, 40)
- PBIS (This has been the primary behavioral model for elementary students in the District since at least 2003)
- Regular review and analysis addressed in student services meetings and in regular meetings with the Assistant Superintendent (First detailed in the 2003-04 Strategic Plan, noted as implemented in August 2003 and "ongoing" (DSP 03-04, 37)
- Subcommittee of Discipline Advisory Committee (first proposed in SY2000 (IP, 3); committee created and later disbanded by the District.)
- Primary building-level accountability through Principal Evaluation Tool (ongoing for at least 3 years)

The following new programs, presented as action items in the District's Report, do not detail staff persons responsible, building level accountability, interim steps, or specific steps for ongoing monitoring and evaluation of the plans, or even how many students are involved.

- Man to Man Program at Centennial High School
- Sankofa Pride Project at Central High School
- Nurtured Heart Program
- "Alternative" tardy strategy

EXHIBIT A

DISCIPLINE

THE DISTRICT'S REPORT

For several proposed programs, Plaintiffs have expressed concerns that the programs are ineffective, insufficiently detailed, or present other possible issues.

- **PBF Training**

The District does not indicate where the trained staff are sited. Furthermore, there is nothing in the District's documentation that indicates that principals will receive this training, which will make supervising assistant principals/student services coordinators/deans in its successful implementation difficult.

- **PBIS**

Since 2003, Plaintiffs have expressed concern that PBIS was never meant to be used as a tool to address racial disparity in discipline. Defendants moved away from PBIS at one point and now have re-embraced it, with no indication as to how its effectiveness is monitored on a building level or who is responsible.

- **School Resource Officer Program**

Plaintiffs feel that the SRO program has been implemented with insufficient thought to how teachers will be trained to utilize police officers in the schools. Furthermore, to Plaintiffs' knowledge, the District has not yet developed a plan to maintain data on SRO/student contacts in a measurable way.

EXHIBIT A

DISCIPLINE

PLAINTIFFS' PROPOSED PROCEDURAL STEPS

- **Adopt meaningful targets and interim steps to bring racial disparities in discipline within racial fairness guidelines by 2009.**

In every area where there is a racial disparity in discipline (which is most of them), the District should commit to meaningful rate reductions in a step by step process to ensure the District achieves its flexible goals (i.e. we will reduce the rate disparity by one-third in SY2007, one-third in SY2008, and bring it within racial fairness guidelines by SY2009. Specific, measurable accountability on the building and classroom level should be included.

- **Create a Discipline Task Force that will provide a vehicle to effect change quickly.**

The District should ascertain the composition of this task force (not a separate subcommittee of the existing committee) and call the first meeting before the end of October. It should work with the Monitoring Team to ensure that data from the Assistant Superintendent's building level discipline meetings are accessible to all members of this task force so that disparities can be rapidly identified and tackled.

- **Utilize the Peer Jury proposal as a model for creating plans for other programs.**

The Peer Jury program, detailed at Defendants' Exhibit P, sets forth action steps, goals, funding issues, etc. for this project. It also includes an evaluation component – by the end of the program it will be apparent whether or not it has been successful in meeting its goals. This should be a model for the District to develop explicit, measurable action plans for the rest of their proposed projects, so that in the three years remaining each effort can be measured for effectiveness and altered quickly if needed.

- **Utilize the findings from the Climate Study and redo the Study for a “temperature check” on the success or failure of the District’s Discipline agenda since the beginning of the Consent Decree.**

Plaintiffs have advocated that the findings from the Climate Study be implemented into the District's discipline planning. Furthermore, Plaintiffs believe that certain parts of the Climate Study should be redone in the SY2008 school year to ascertain how effective the District's efforts have been in changing the discipline climate in Unit 4 schools under the Consent Decree.

CONTROLLED CHOICE OBJECTIVES AND PLAINTIFFS' REQUESTED ACTION STEPS

At this time, Plaintiffs and Defendant agree on Controlled Choice Objectives.

- Since there is agreement here Plaintiffs do not repeat the many goals enumerated in the Controlled Choice Memorandum.
- Plaintiffs note the parties are scheduled to discuss seat capacity issues immediately following the October 19, 2006 Hearing. If through these discussions the parties disagree regarding the objectives of the Controlled Choice, Plaintiffs will notify the Monitoring Team and this Court.

**Plaintiffs request the following additional steps
in the area of Controlled Choice:**

- The District should continue to maintain and enhance its Controlled Choice documentation procedures assignments involving overrides.
- The District should accelerate its pursuit to develop programmatic measures that promote diversity at all elementary and middle schools, particularly BTW.

ALTERNATIVE EDUCATION TARGETS AND GOALS

Plaintiffs and Defendants agree on the overall objectives and flexible goals for Columbia Center and Alternative Education as set forth in the Educational Equity Implementation Plan.

- Eliminate, to the greatest extent practicable, the disparities between the achievement levels of minority and majority students
- The District's students enrolled in alternative programs or Columbia Center's Middle and High School will be within racial fairness guidelines at the school level for each set of transfers, District referrals, and self-referrals (excluding those assigned for violation of objective discipline code infractions (e.g. weapons, drugs, violence)).
- The District's students referred to private alternative day programs will be within racial fairness guidelines at each school level.

ALTERNATIVE EDUCATION THE DISTRICT'S REPORT

The Report contained no explicit targets or action steps for Columbia Middle and High School which have remained racially-identifiable throughout the Consent Decree, and does not address students who are placed in private alternative day schools. The existing programs and initiatives identified in the Report have not been successful in reducing the disparity or improving the school's climate or academic and attendance outcomes.

- *The extremely poor academic performance and attendance compliance of Columbia students in light of the low student-to-teacher ratio is a strong indicator that the instructional program does not address students' needs and that climate may have a detrimental impact on attendance.*
- *The proposal to "strengthen instructional leadership" is vague and insufficient to address long-standing curriculum and instructional quality concerns of Plaintiffs and the Monitoring team and borne out in poor student outcomes.*
- *There is no mention of initiatives to address the disparities in private day school placements.*

Plaintiffs concur with the District's proposal to implement an academic alternative school of choice with a limited enrollment for SY2007-08.

- *The District is encouraged to reinstate the Alternative Education Committee to establish detailed time frames and action steps for designing and implementing the school, including plans to develop community-based partnerships which support a school-to-career progression for students.*

ALTERNATIVE EDUCATION

PLAINTIFFS' PROPOSED PROCEDURAL STEPS

- Convene a Task Force devoted specifically to Columbia Alternative Schools, similar to the Special Education Task Force, and establish objectives and a time line to address Columbia's curriculum, climate, instructional quality, staff turnover, and other factors which impede progress.
- Implement research-based behavior modification programs at Columbia to increase opportunities for students success at the school and upon transition to their home schools.
- Analyze discipline data and Columbia assignments to ensure that minority and non-minority students are referred to Columbia and private alternative day schools for comparable behavior and discipline code violations, including objective offenses involving weapons, drug-related offenses, and violence.
- Utilize the Aber Climate Study and student focus groups to determine school-based environmental factors which contribute to self-referrals to Columbia and to transition students failure upon returning to their home schools.
- Modify the Transition Teams' function to include developing and implementing individualized plans to improve high school students' success upon return to their home schools.