

ATTACHMENT B

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

THERESA D. THOMAS, et al.,
Plaintiffs

UNITED STATES OF AMERICA,
Plaintiff-Intervenor

vs.

**ST. MARTIN PARISH SCHOOL
BOARD, et al.,**
Defendants

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CIVIL ACTION NO. 6:65-cv-11314

JUDGE ELIZABETH E. FOOTE

**CONSENT ORDER REGARDING
FACILITIES, FACULTY ASSIGNMENT, AND STAFF ASSIGNMENT**

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I. INTRODUCTION

On September 23 and 24, 2015, Plaintiffs and Plaintiff-Intervenor, United States of America (“United States”), (collectively, the “Plaintiff Parties”) and Defendant, St. Martin Parish School Board (the “Board”), engaged in a good faith mediation conducted by the Honorable Karen Hayes, United States Magistrate Judge for the Western District of Louisiana. Pursuant to the agreement reached at this mediation, all parties have voluntarily agreed, as indicated by the signatures of their counsel below, to enter into the instant Consent Order regarding how to proceed with regard to facilities, faculty assignment, and staff assignment in the above-captioned matter.¹

Upon review of the agreed upon terms, set forth below, the Court concludes that the entry of this Consent Order is consistent with the Fourteenth Amendment to the Constitution of the United States of America, Title IV of the Civil Rights Act of 1964, 42 U.S.C. § 2000c *et seq.*, and other federal law.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED as follows:

II. BACKGROUND

In 1965, Plaintiffs successfully sued the Board to enjoin its maintenance of *de jure* racially segregated schools.² In the same year, the parties agreed that a “freedom of choice” plan would govern student assignments.³ In 1969, however, the Fifth Circuit, following the United States Supreme Court’s decision in *Green v. School Board of New Kent County*,⁴ held that the freedom of choice plan operating in St. Martin Parish did not satisfy the obligations imposed by

¹ This Consent Order does not preclude the Plaintiff Parties from referencing and/or presenting evidence on historical facts and/or issues of (1) facility construction, siting, and abandonment; and (2) faculty and staff assignments that may relate to student assignment. Such references and/or evidence will not preclude the Board from seeking or achieving unitary status in the areas of facilities, and faculty and staff assignments pursuant to the dictates of the Consent Order.

² Doc. 1 at 1.

³ Doc. 25-1, Item 1 at 1-2.

the Constitution.⁵ On remand, this Court approved a school desegregation plan and ordered that it be implemented for kindergarten through eighth grade starting in September 1969 and for grades nine through twelve starting in the fall of 1970 (“1969 Decree”).⁶ The 1969 Decree called for the establishment of school attendance zones, pairing schools, desegregating faculty and other staff, creating a majority-minority (“M-to-M”) transfer policy, and the filing of periodic reports with the Court. In 1974, after nine years of active litigation, the case was placed on the inactive docket.⁷

In 2012, the district court determined that this case remains open.⁸ The Fifth Circuit affirmed that decision.⁹ On remand, the case returned to active litigation, and evidentiary hearings have been scheduled for January 19-21, 2016 and February 16-18, 2016.¹⁰

The St. Martin Parish School District (the “District”) currently serves over 8,000 students, and operates sixteen (16) schools, housing grades pre-kindergarten through high school. By grade level (elementary school, junior high school, high school), the Black proportion of enrollment ranged from 45% to 46% in the 2014-2015 school year.

Since 2012, the parties have engaged in extensive discovery—including document production, the submission of expert reports, multiple site visits, and depositions of Board members and personnel—to examine all of the St. Martin Parish School District’s operations. In conjunction with this comprehensive discovery, the parties have met numerous times to discuss concerns, clarify positions, and identify solutions. This Consent Order is the result of the parties’ collective settlement negotiations.

⁴ 391 U.S. 430 (1968).

⁵ *Hall v. St. Helena Parish Sch. Bd.*, 417 F.2d 801, 809 (5th Cir. 1969).

⁶ Doc. 25-3, Item 7, at 14-24.

⁷ Doc. 25-2 at 1-4.

⁸ Doc. 58.

⁹ Doc. 67.

¹⁰ Docs. 86 and 145.

III. LEGAL STANDARDS

The ultimate goal of every desegregation case, including this one, is the elimination of the vestiges of past segregation in all aspects of school operations to the extent practicable and, ultimately, a declaration that the school district has achieved unitary status.¹¹ Federal court supervision of a local school system is intended to remedy the constitutional violation and, after unitary status has been achieved, to return control of the school system to the locally elected Board.¹²

The United States Supreme Court has described six areas of operation that must be free from racial discrimination before full unitary status can be achieved: (1) student assignment; (2) faculty assignment; (3) staff assignment; (4) extracurricular activities; (5) facilities; and (6) transportation.¹³ Each of these “*Green* factors” may be considered individually, and a school district may achieve partial unitary status as to these factors one at a time such that federal judicial supervision is relinquished incrementally.¹⁴ A court may also consider other ancillary factors.¹⁵ In order to secure a declaration of unitary status as to any one (or more) of the *Green* factors, the Board must demonstrate, as to each specific factor, that it has complied in good faith with the desegregation decree for a reasonable period of time and that the vestiges of past discrimination have been eliminated to the extent practicable.¹⁶ For each area of operation, if the facts reveal no continued racial discrimination, and if the Board has made good faith efforts to comply with the desegregation decree and made affirmative efforts to eliminate the vestiges of the prior discrimination, this Court may declare that factor unitary, but retain continuing

¹¹ *Freeman v. Pitts*, 503 U.S. 467, 489 (1992).

¹² *Id.*

¹³ *Green*, 391 U.S. at 435.

¹⁴ *Freeman*, 503 U.S. at 489-91.

¹⁵ *Id.* at 492.

¹⁶ *Bd. of Educ. v. Dowell*, 498 U.S. 237, 249-50 (1991). *See also Flax v. Potts*, 915 F.2d 155, 158 (5th Cir. 1990); *Monteilth v. St. Landry Pub. Sch. Bd.*, 848 F.2d 625, 629 (5th Cir. 1988).

jurisdiction over the remaining factors until such time as unitary status is achieved in the remaining areas.¹⁷

IV. AGREED REMEDIAL MEASURES REGARDING FACILITIES, FACULTY ASSIGNMENT, AND STAFF ASSIGNMENT

The parties have agreed to certain remedial measures designed to eliminate the vestiges of the prior discrimination and address the Plaintiff Parties' concerns regarding certain aspects of the Board's operations in the areas of facilities, faculty assignment, and staff assignment. The Court finds that the relief detailed below will address such concerns and, if fully and properly implemented over a reasonable period of time, will likely result in the achievement of unitary status and dismissal.

A. Facilities

1. Legal Standards

The 1969 Decree does not contain specific language regarding facilities, but the general injunction against discriminatory operations applies to facilities.¹⁸ In order to meet its constitutional obligation with regard to facilities, the Board must take corrective action to ensure that it maintains schools with "like" facilities,¹⁹ such that any differences in individual facilities are the product of factors unrelated to race.

2. Agreed Remedial Measures

The Plaintiff Parties challenged the Board's compliance with its desegregation obligations regarding facilities, citing concerns about the comparability of the Breaux Bridge Junior High School ("BBJH") facility to the St. Martinville Junior High School and Cecilia Junior High School facilities.²⁰ Although the Board disputes the conclusion that its actions

¹⁷ *Freeman*, 503 U.S. at 490-91.

¹⁸ *Singleton v. Jackson Mun. Separate Sch. Dist.*, 419 F.2d 1211, 1218-19 (5th Cir. 1970) (en banc).

¹⁹ *Swann*, 402 U.S. at 18-19.

²⁰ Breaux Bridge Junior High School's and St. Martinville Junior High School's student

relative to the BBJH facility constitute discrimination, it has nevertheless represented to the Plaintiff Parties and this Court that it has had plans in progress, including obtaining voters' approval of a bond issue, to address these facilities-related concerns and has agreed to implement those plans and other terms detailed below, in order to resolve the Plaintiff Parties' concerns regarding facilities. The Board has also represented to the Plaintiff Parties and this Court that the Board has won voter approval for each bond issue that it has sought in previous years. Thus, the parties have agreed that the full and proper implementation of the following remedial measures will likely lead to unitary status in the area of facilities:

- a. The Board will:
 - 1) seek voter approval of a bond issue which includes funding for the BBJH construction project, as described in paragraph 3 below, as top priority (to be funded before other projects);
 - 2) promote the bond issue with marketing similar to such prior successful bond issues as those approved by the voters in 2004, 2009, and 2013;
 - 3) if the bond issue passes, complete the BBJH construction project that includes construction and renovation projects as identified in Exhibit A, and as described below:
 - a) the construction of three (3) new classrooms will be added to Building I;
 - b) the construction of three (3) new classrooms and two (2) resource rooms will be added to Building H;

populations are predominately Black, and Cecilia Junior High School's student population is predominately white.

- c) the re-surfacing of the floors and re-painting of the walls of current classrooms in Buildings A, B, D, F, and I; and
 - d) the renovation of the gymnasium as identified and detailed in Exhibit B.
- 4) if the bond issue fails, report to the Plaintiff Parties and the Court within forty-five (45) calendar days of the vote: (a) the outcome of the bond vote; (b) the Board's good faith efforts to promote the bond; and (c) the Board's understanding of the reason for the bond's failure;
- 5) if the bond issue passes, provide the Plaintiff Parties with: (a) the BBJH construction project plan upon the completion of the plan and its approval by the Board; (b) periodic reports of progress on the BBJH construction project on a bi-monthly basis (i.e., every two months) to begin two months after that project's commencement; and (c) within forty-five (45) calendar days of final completion of the BBJH construction project, final completion notice of that project via photos, videos, and/or site visits;
- 6) complete the addition of a pedestrian crossing light at Martin Street to the BBJH gymnasium, which shall be completed regardless of whether the bond issue passes.
- b. The Plaintiff Parties will provide to the Board specific written objections to the report or notice as required in subparagraphs 4 and 6(c) above within forty-five (45) calendar days of receipt of the report or notice; otherwise, such objections will be deemed waived and a presumption of

compliance with the terms set forth above will be applied. The parties will meet and confer (either via telephone, videoconference, or in person) about each objection within fourteen (14) business days of service of the objection. In the event that the parties reach an impasse as to either (a) whether an objection has merit, or (b) how to remedy any concerns raised in an objection, then any party may move the Court to resolve the dispute so long as the motion is made within forty-five (45) calendar days of the meet and confer.

- c. The Court's April 17, 2015 Order (Doc. No. 94) is modified and superseded so that it now only applies to projects that will increase functional capacity²¹ as follows:

The Board will provide reasonable notice to plaintiffs of all construction, maintenance, or renovation projects costing \$150,000 or more which include plans to increase the functional capacity of any particular school.²² Reasonable notice shall consist of notice of the project at least forty-five (45) calendar days prior to submitting the project for bids. This notice requirement will apply to all construction, maintenance, and renovation projects costing \$150,000 or more that increases the functional capacity of a school.

The Board's notice shall include a description of the project by school name, description of the anticipated work, and anticipated cost; and an explanation regarding the anticipated impact of the construction, maintenance, and/or renovation on the Board's affirmative desegregation obligations, specifically describing in detail how the project either furthers or does not adversely impact the desegregation process.

If either of the plaintiffs object to the noticed project, the objecting party must provide a written objection to the Board with specific supporting reasons within forty-five (45) calendar days of the Board's notice. In the event such written objection is received, the Board may not go forward

²¹ For the purposes of this paragraph, functional capacity shall mean the total number of students who can be served in the facility. *Cf. Swann*, 402 U.S. at 20-21; *Singleton*, 419 F.2d at 1218.

²² The Plaintiff Parties reserve the right to seek notice and further relief as to construction, maintenance, or renovation projects that increase the functional capacity of a school (e.g., the decision to use a janitor's closet or a storage room as a classroom).

with the noticed project until either the parties resolve the matter by agreement achieved through good faith negotiations or until the Board obtains approval of the Court. In the case of an objection, any party may seek Court intervention for resolution of the conflict. In the event no written objection is received from either plaintiff within forty-five (45) calendar days of the submission of the notice, any objection will be waived and the Board shall notify the court of such and may proceed with the noticed project without further delay. In the event that a motion is filed with the Court seeking consideration of such a matter, the parties agree to consent to expedited review by the Court.

This April 17, 2015 Order (Doc. No. 94) will continue to be effective, as modified above, until the Court declares that the Board has achieved unitary status in the area of student assignment (regardless of whether or not the Court has declared that the Board has achieved unitary status in the area of facilities). However, the fact that the April 17, 2015 Order (Doc. No. 94), as modified, remains operative shall not prevent the Court from declaring that the Board has attained unitary status in the area of facilities.

3. Final Termination

The parties agree that full compliance with Section IV.A.2 will support a finding that the District has complied in good faith with both the letter and spirit of the orders governing this matter as they pertain to facilities, and that the vestiges of segregation in the area of facilities have been eliminated to the extent practicable.²³ The Board may move for a declaration of unitary status and dismissal and/or the Plaintiff Parties may move for further relief on the issue of facilities no sooner than ninety (90) calendar days after either: (a) the completion of the BBJH construction project; or (b) the failure of the bond seeking to procure funding for that project. The applicable provisions of the Federal Rules of Civil Procedure and the Local Rules of this Court will apply to any such motions. In the absence of a motion in opposition to unitary status, a motion to enforce the Consent Order or a motion for further relief by either of the

²³ See *Freeman*, 503 U.S. at 485.

Plaintiff Parties, and subject to the Court's ruling that the District is in compliance with this Consent Order, Title IV of the Civil Rights Act of 1964, and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, then the Court may declare the District unitary as to facilities and dismiss this case as to facilities.

B. Faculty Assignment and Staff Assignment

1. Legal Standards

The 1969 Decree contains the following language regarding faculty and staff assignment:

The Parish School Board shall announce and implement the following policies:

1. The principals, teachers, teacher aides and other staff who work directly with children at a school shall be so assigned for the school year 1970-71 and subsequent years that in no case will the racial composition of a staff indicate that a school is intended for Negro students or white students.

The school district shall, to the extent necessary to carry out this desegregation plan, direct members of its staff as a condition of continued employment to accept new assignments.

2. Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed and otherwise treated without regard to race, color, or national origin, except to the extent necessary to correct discrimination.²⁴

These provisions are in line with the basic standard of review for these factors: (1) the school level faculty and staff assignments at any given school must not indicate that the school is intended for one race; and (2) both the teachers and other staff who work directly with children and the professional staff must be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin.²⁵

2. Agreed Remedial Measures

Plaintiffs and the United States have expressed concerns with the recruiting and hiring

²⁴ Doc. 25-3, Item 11, at 22.

process utilized by the Board as well as the diversity of faculty²⁶ and staff²⁷ assignments by school. Although disagreeing with the conclusion that it has not already achieved unitary status with regard to faculty and staff assignment, the Board has agreed to the terms below in order to resolve the faculty assignment and staff assignment issues.

The parties have agreed to the following terms as an appropriate remedial measure designed to achieve unitary status in the areas of faculty assignment and staff assignment:

- a. The Board will:
 - 1) set a “diversity goal”²⁸ to ensure that the ratios of Black-to-white faculty and staff, respectively, in each school are within the plus or minus 15% range of the Black-to-white faculty and staff ratio by K-5, 6-8, and 9-12 grade levels in the entire school system with a minimum of 10% Black faculty and staff at each of the respective schools;
 - 2) implement the Recruiting Plan, attached here as Exhibit C;
 - 3) implement the Employment Procedures, attached here as Exhibit D;²⁹
 - 4) encourage, offer, and, in some instances, require transfers and

²⁵ *Singleton*, 419 F.2d at 1218.

²⁶ For purposes of the diversity goals, faculty is defined as teachers and shall include any instructor required to have a certificate by the State of Louisiana, including but not limited to classroom teachers, librarians, and counselors.

²⁷ For purposes of the diversity goals, staff is defined as principals, assistant principals, deans, other school-level administrators, and other school-level staff who work directly with children, e.g., paraprofessional teacher aides, speech pathologists, etc.

²⁸ The parties agree and the Court finds that the Board’s implementation of the measures provided are reasonable means to work toward the diversity goal. Failure to meet the goal alone will not prevent a finding of unitary status. *See Anderson v. Sch. Bd. of Madison Cnty., Ms.*, 517 F.3d 292, 303 (5th Cir. 2008) (failure to satisfy ratio goal did not prevent unitary status where evidence supported compliance with obligations).

²⁹ As provided in the Employment Procedures and the Recruiting Plan, the Director of Human Capital shall be responsible for directing and monitoring the implementation of the Employment Procedures and the Recruiting Plan. The Director of Human Capital is authorized to delegate, as necessary and appropriate, such duties required to accomplish this task.

assignments to meet the diversity goal of faculty and staff assignments at each of the respective schools³⁰;

- 5) will file with the Court reports, as follows:
 - i. an annual Recruiting Report which shall be filed by May 15th of each year and include the information reflected in “Attachment A” of the Recruiting Plan (Exhibit C);
 - ii. an annual “Faculty and Staff Report” which shall include (a) the number of faculty and staff per job category and by race at each school; and (b) the self-assessment of progress toward the diversity goal at each school, as prepared by each principal in declaration form, which shall identify the school employment numbers, including the number of faculty and staff by position and race, and shall state whether the school falls within or outside of the diversity goal, and describe the reasonable steps taken to address the failure to meet the diversity goal; and
 - iii. an annual “Employment Report” which shall include: (a) all vacancies with copies of published advertisements; (b) for each vacancy by school, the name and race of each applicant, interviewee, hire, and intra-district transferee; (c) documentation of all offered and encouraged intra-district transfers and assignments, with all information to be provided by race and school; and (d) the reasons the employee accepted or refused a transfer.
- 6) file with the Court the above reports on the following dates and for

³⁰ The Employment Reports will include documentation of all offered and encouraged inter-district transfers and assignments along with the reasons the employee was accepted or denied.

the designated periods:

i. within thirty (30) calendar days of the entry of this consent

order:

- Faculty and Staff Report (as of October 1, 2015)
- Employment Report (as of October 1, 2015)

ii. May 15, 2016

- Recruiting Report (for school year 2015-2016)

iii. October 15, 2016

- Faculty and Staff Report (for school year 2016-2017)
- Employment Report (for school year 2016-2017)

iv. May 15, 2017

- Recruiting Report (for school year 2016-2017)

v. October 15, 2017

- Faculty and Staff Report (for school year 2017-2018)
- Employment Report (for school year 2017-2018)

vi. May 15, 2018

- Recruiting Report (for school year 2017-2018)
- Faculty and Staff Report (for October 1, 2017 to May 1, 2018)
- Employment Report (for October 1, 2017 to May 1, 2018)

7) include with the May 15, 2018 Recruiting Report an up-to-date

Employment Report that covers the period of time from October 15, 2017 to May 1, 2018 and includes all of the information detailed in Section 2(a)(4)(iii) above;

b. Specific written objections by the Plaintiff Parties to the Recruiting Reports, Faculty and Staff Reports, and the Employment Reports, including objections related to the Board's compliance with the diversity goal, shall be submitted within forty-five (45) calendar days of receipt of each report or such objections will be deemed waived and a presumption of compliance for the preceding one-year reporting period will be applied. This provision will not be applicable to the initial reports required in subparagraph 6(i) above. The parties will meet and confer (either via telephone, videoconference, or in person) about each objection within fourteen (14) business days of service of the objection. In the event that the parties reach an impasse as to either (a) whether an objection has merit, or (b) how to remedy any concerns raised in an objection, then any party may move the Court to resolve the dispute so long as the motion is made within forty-five (45) calendar days of the meet and confer.

3. Final Termination

The parties agree that full compliance with Section IV.B.2 will support a finding that the District has complied in good faith with both the letter and the spirit of the orders governing this matter as they pertain to faculty and staff, and that the vestiges of segregation in the areas of faculty and staff assignment have been eliminated to the extent practicable.³¹ Ninety (90) calendar days subsequent to the Board filing a complete May 15, 2018 report, the Board may move for unitary status and dismissal on faculty and staff assignment and/or the Plaintiff Parties may move for further relief or to enforce the Consent Order on faculty and staff assignment. The applicable provisions of the Federal Rules of Civil Procedure and the Local Rules of this Court will apply to any such motion. In the absence of a motion in opposition to unitary status, motion

to enforce the Consent Order or motion for further relief by the Plaintiff Parties, and subject to this Court's ruling that the District is in compliance with this Consent Order, Title IV of the Civil Rights Act of 1964, and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, then the Court may declare the District unitary with respect to faculty and staff assignment and dismiss this case as to faculty and staff assignment.

V. CONTINUING JUDICIAL SUPERVISION

The parties agree and the Court finds that this Court shall retain jurisdiction for purposes of monitoring and enforcing compliance with the terms of this Consent Order until such time that the Court declares the Board unitary and finally terminates the pending injunction relative to the Board's operations in the areas of facilities and/or faculty and staff assignment, respectively.

HEREBY ORDERED, ADJUDGED, AND DECREED, this the 28th day of December, 2015.


UNITED STATES DISTRICT JUDGE

APPROVED REGARDING FORM AND CONTENT:

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/s/ Deuel Ross

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³¹ See *Freeman*, 503 U.S. at 485.

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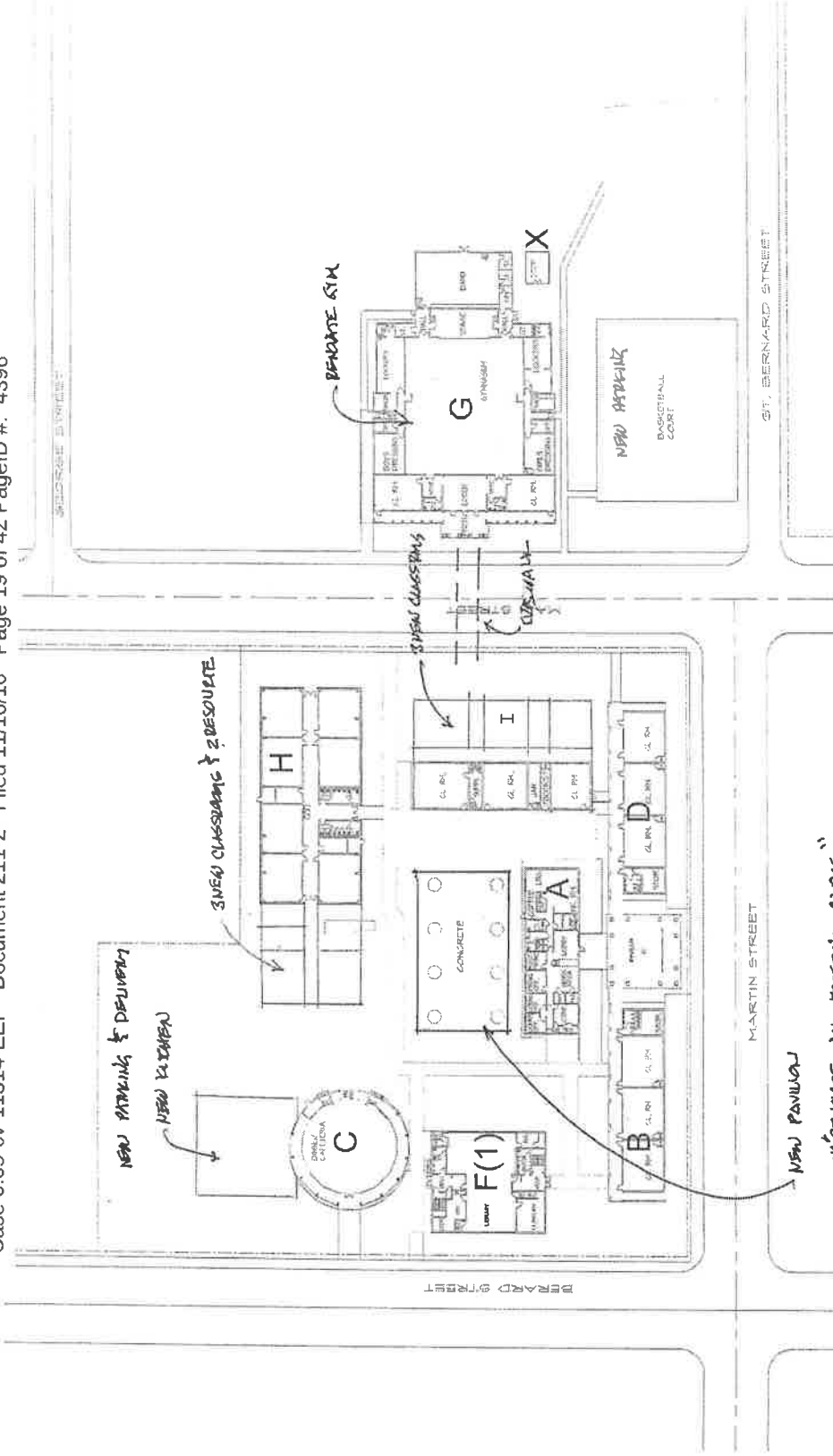
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BREAUX BRIDGE JR HIGH
 EXISTING PLAN
 SCALE: 1/8" = 1'-0" (SEE SHEET)
 DATE: 11/16/16
 PROJECT NO: 16-0017-A1
 SHEET NO: A1

Poché Prouet Associates
 ARCHITECTS
 PROJECT MANAGERS - INTERIORS
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BREAUX BRIDGE JR. HIGH SCHOOL RENOVATIONS
 FOR
 ST. MARTIN PARISH SCHOOL BOARD

sheet no.
 A1
 1 of 3 sheets

BREAUX BRIDGE JUNIOR HIGH SCHOOL

GYMNASIUM RENOVATIONS

1. Locker Rooms
 - a. Replace existing lockers with new lockers.
 - b. Replace existing benches with new benches.
2. Bleachers - Replace existing bleachers with new telescoping bleachers.
3. Windows and Doors
 - a. Repair or replace window and door frames.
 - c. Replace or refurbish all window and door hardware.
4. Gymnasium Floor - Refinish the gymnasium's wood flooring.
5. Gymnasium Ceiling - Refinish the gymnasium's ceiling.
6. Gymnasium Lighting - Install new lighting in the gymnasium.
7. Interior - Repaint all interior walls.

St. Martin Parish School District

Department of Human Capital

Teacher Recruitment Plan

**ST. MARTIN PARISH SCHOOL DISTRICT
Department of Human Capital**

TEACHER RECRUITING PLAN

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ST. MARTIN PARISH SCHOOL DISTRICT
Department of Human Capital

Teacher Recruitment Plan

The St. Martin Parish School District is looking for great teachers! The Board and Administration desire to provide all students with highly effective teachers who represent the community and who will respond to the District's changing needs.

Purpose

The Recruitment Plan shall guide the Administration in the recruitment of teachers who are qualified and committed to being part of the District's team of teachers, administrators, and staff dedicated to providing a quality education to all of the District's students.

For purposes of this Recruitment Plan, "teachers" shall include any instructor required to have a certificate by the State of Louisiana, including but not limited to classroom teachers, librarians, counselors, band directors, etc.

Goals

Equal Employment Opportunities

The first goal of the Recruitment Plan is to advance the Board's policy of providing all persons, regardless of race, color, national origin, sex, age, disability, religion, or veteran status, with an equal opportunity to secure employment as a teacher in the District.

Diversity Goals

The second goal of the Recruitment Plan is to provide recruiting methods that will advance the diversity goal adopted in the District's desegregation case, *Thomas v. St. Martin Parish School Board*, Civil Action No. 65-11314 (W.D.La.), which states:

The Board will ... set the "diversity goal" of seeking, in good faith, to ensure that the ratios of black-to-white faculty and staff in each school are within the plus or minus 15% range of the black-to-white faculty and staff ratio by grade in the entire school systems; with a minimum of 10% black faculty and staff at each of the respective schools....

For purposes of these goals, faculty is defined as teachers and staff is defined as principals, assistant principals, other deans and school-level administrators, librarians, counselors, paraprofessional teacher aides, and other school-level certified staff.

Implementation

The Director of Human Capital (the "Director") shall be responsible for directing and monitoring the implementation of the Recruitment Plan. The Director is authorized to delegate, as necessary and appropriate, such duties required to accomplish this task. The Director is required to report to the Superintendent and the Board, as requested, regarding the implementation status.

The District's Superintendent, Principals, and other participating staff shall be responsible for completing the particular tasks assigned to them, respectively, and to make such reports as necessary in furtherance of the goals of the Recruitment Plan.

THE RECRUITMENT PLAN

I. The District

The St. Martin Parish School District is a highly diverse and innovative school system with 1 Early Learning Center, 4 Primary schools, 2 Elementary schools, 4 middle schools, 3 high schools, 1 technical center, 1 Alternative site and 2 Pre-K – 8 schools. The District employs approximately 25 administrators, 650 teachers, and 425 classified staff. The District's community location in south central Louisiana affords a welcoming small-town atmosphere, an innovative environment, and a variety of unique teaching opportunities.

II. The Candidate

The Administration seeks candidates who are not only certified and have a record of or capability of becoming highly effective teachers in general but those who are also an excellent match for the District and for the assigned school. Some of the preferred qualities that will make a candidate among the most desired for the District's teaching positions include the following:

- An unwavering commitment to the success of all students as well as a dedication to meeting the differentiated needs of student groups.
- A desire to serve and a drive to pursue excellence in their work.
- A commitment to life-long learning and a willingness to actively participate in professional learning communities.
- A capacity and commitment to using and fostering the use of technology.
- The appropriate certification and endorsements for the position at the time of employment.
- An appreciation of diversity - Because the District's student population is diverse and includes students who speak several different languages, the Administration seeks similarly diverse teachers. It is imperative that all candidates view the diversity of the District as an asset and seek to celebrate the various cultures that make the District so rich.
- A commitment to serve without discrimination on the basis of race, religion, gender, disability, or any other legally protected status and in compliance with federal and state laws as well as with the District's policies and practices.

III. The Search for Candidates

As current teachers retire or otherwise leave the District, the Administration must seek and actively recruit highly qualified, effective candidates for every vacancy. The Administration's recruitment efforts will focus on building a diverse cadre of highly qualified candidates, not just for current vacancies, but also for future opportunities. The forums and venues for candidate recruiting will vary, but the screening process must be consistent and rigorous for all candidates.

A. Involvement of District Personnel

- The Superintendent is charged with oversight of all recruiting activities to ensure compliance with the terms and spirit of this Recruiting Plan.
- The Director of Human Capital is charged with the task of implementing this Recruiting Plan and engaging all necessary contributing parties to the process.
- Principals and Central Office Administrators will be key participants in the recruiting, screening, interviewing, and evaluation process, as appropriate, and will be involved in the recommendation of candidates to the Superintendent.
- The feedback of the involved Administrators on the candidates and the recruitment process as well as their commitment to the characteristics of an ideal District candidate are fundamental to the success of this recruitment plan.

B. Involvement of Community Partners

- The Administration is charged with developing pipelines that provide sourcing of candidates for regularly available subject areas as well as hard-to-fill areas. To fulfill this challenge, it is essential that the Administration continue to include community and business partners in recruitment efforts - they know they needs of the area and have access to many qualified candidates.
- The Director of Human Capital will be responsible for providing recruiting packets and/or other recruiting documents to the various community partners.

D. Other Recruiting Tools

The District's Human Capital Department will pursue innovative and effective recruiting tools to assist the Administration in attracting desirable candidates. These tools will include advertising and college recruiting trips, as described below, but may also include the following.

- Human Capital will work with the Technology Department to develop a recruitment video that highlights the benefits of working for the St. Martin Parish School Board. The video will highlight the characteristics that make this area of the country so desirable, the successes of the school system, and the opportunities that exist in working with a culturally rich student population. This video will be posted on the Board website, with a link embedded in posted recruitment materials.
- Human Capital will revise and publish brochures, flyers, and print ads to update language reflective of the recent successes of the system.
- Human Capital will share the recruiting tools and other positive resources with the District's community and business partners, university partners, educational foundations, and other persons, groups, and entities that are determined to provide assistance in the sourcing of desirable teaching candidates.

IV. Recruiting Activities

Certificated teachers represent the greatest number of District hires each year. The key to hiring effective certificated teachers is to advertise, interview, and hire early. The recruiting process is designed to address this. The following activities will be included in the recruiting process.

A. Advertisement of Vacant Teaching Positions

The Division of Human Capital actively recruits for positions through multiple advertising venues, which should include but may not be limited to the following.

- All vacancies will be posted on the Board’s website until the position is filled. The posting will include, but may not be limited to: job description, and a close date or an initial screening deadlines.
- Vacancies also will be advertised in print publications as appropriate. These sources include The Teche News.
- Vacancies will be advertised on the website teachlouisiana.net and via a national publication (electronic or otherwise) specializing in the recruitment of minority teachers (such as the NEMNET Minority Recruitment Network (NEMNET.com) or Diversity in Ed (diversityrecruitmentpartners.com)).
- Email notice of vacancies will be sent to regional historically black colleges and universities.
- Email notices of vacancies will be sent to all employees.
- The following will also be posted on the Board’s website:
 1. Upcoming recruitment events;
 2. The characteristics of the ideal District teacher candidate;
 3. A copy of this recruiting plan;
 4. Instructions on how to apply for a position;
 5. An application form; and/or
 6. Any other pertinent recruiting information, as necessary.

B. Recruiting Trips

1. Pre-Recruitment Trip Activities

Whenever possible, Human Capital will complete all pre-recruitment work during January and the first 2 weeks of February. The work will include, but may not be limited to, the following:

- Finalize recruitment trip details;
- Post list of trips on the Board's website;
- Revise and publish recruitment brochures, fliers, and videos;
- Revise and finalize all screening materials and data tools;
- Finalize Letters of Commitment;
- Share opportunities to serve as district representatives with administrators and hiring managers;
- Register administrators and hiring managers for recruitment trips; and/or
- Provide a required, comprehensive training for those serving as recruitment representatives.

2. Recruitment Trips

In terms of new teachers, many are finishing their teacher preparation programs in May; however, it is beneficial to interview and screen in early spring and offer these promising teachers Letters of Intent. Thus, most recruitment trips will be scheduled during February, March, and April to facilitate this process.

The Human Capital Department will schedule recruiting trips, as finances permit, to a variety of public and private universities, including historically black institutions, all of which have reported a significant number of available teacher graduates. The universities which have traditionally been included in the recruiting trip schedule are identified in the attached sample plan. The selection of universities for any given year, however, may change due to past student participation and/or success realized.

Recruiting trips will be selected with consideration of the following purposes:

- To obtain access to the most candidates in the most efficient and effective venues, including consideration of number of teaching graduates reported by the participating universities and the financial cost of the fees charged and of the travel expenses;
- To obtain access to candidates who are qualified for hard-to-fill areas and for areas of specific current needs;
- To obtain access to high quality and a reasonable number of candidates (considering prior experience at the venue); and
- To obtain access to a diverse pool of candidates.

C. The District's Career Fair

The District will continue to conduct an annual Career Fair during the second half of March or April, depending on state testing and date of the Teacher Job Fair hosted by the local university, The University of Louisiana at Lafayette.

D. Early Access to University Students

Human Capital will work toward developing relationships with university contacts to gain access to qualified candidates as early as possible to facilitate active recruitment of those candidates.

E. Contact with District Graduates

Human Capital will maintain contact with District graduates who are in teacher preparation programs. The District recognizes the current trend that District graduates will be more likely to return home to teach. High school Principals will be instrumental in obtaining the names and contact information for graduating students who are planning on entering teacher education programs. The Seniors are also encouraged at their Senior meetings to consider teaching and to remain in St. Martin.

Students of the Year who express an interest in teaching are also encouraged to stay in touch with Human Capital and will be provided with recruiting packets, which will include contact information.

St. Martin will continue to provide a scholarship to three students per year, one at each high school, who enter a teacher preparation program.

F. Contact with Student Teachers

An additional strategy will be to identify strong student teachers assigned to the District and offer those students letters of intent after completion of their practicum.

G. Networking with Recruiting Companies

Human Capital will, when possible and financially practical, utilize the services of independent recruiting companies in Louisiana and/or other states as a source for locating teachers for both general areas and hard-to-fill.

H. Networking among Human Resource Personnel

Human Capital will nurture relationships with other human capital educational recruiters and directors as these connections may yield information about qualified and experienced teachers who are seeking to live closer to home, desire a change of teaching assignment, or seek to work in a more diverse district.

V. The Employment Process

The goal of this Recruiting Plan is to employ highly qualified certified teachers. The Employment Procedure adopted by the Department of Human Capital shall be utilized in the employment of teachers. The following considerations will apply to the employment process.

- All teacher vacancies should be filled by the end of June.
- If an internal candidate seeks another position within the District, he or she may apply and interview for that vacancy by May 30. After that date, there will be no internal transfers.
- After identifying desirable candidates, all potential teacher hires must be personally interviewed and evaluated before being offered a Letter of Intent.
- The Administration will develop and utilize a screening tool that will assist in identifying the preferred candidate characteristics to be used in the interview and evaluation.
- The Letter of Intent will include a stipulation that satisfactory references be received before a candidate may be hired.
- All teachers will be hired in accordance with the applicable laws of the State of Louisiana.
- All teachers will be employed and assigned in a non-discriminatory manner; however, to the extent that employment and assignment may further the diversity goals, the race of an applicant/employee may be considered as long as the such goals are employed under the auspices of the District's desegregation orders.

VI. Measures of Effectiveness

A. Data Gathering

1. The Director of Human Capital will gather data during each recruitment trip and prepare a report for each trip in the general format of the sample included at Attachment 1 to this Plan. That report will include, but may not be limited to, the following, all by race:
 - Number of candidates met;
 - Areas of specialty;
 - Interview scores; and
 - Follow-up plans (e.g., obtain resume, interview, check references, etc.).

2. The Director of Human Capital will also gather and maintain proof of advertisements and other recruiting activities.
3. The Director of Human Capital will maintain all documentation for a period of at least 3 school years.

B. Data Analysis

At the conclusion of the recruitment season, the Director of Human Capital will review the data and collate it into a chart that synthesizes the results of each trip into a trip report, developing an analysis of the overall effectiveness of the recruitment plan and time line as well as an individualized analysis of each recruitment trip, advertising method, and other recruiting tools. The participating Administrators will provide a written assessment of the value of the particular activity in attaining the goal of accessing qualified teachers in reasonable numbers to make the trip an asset to the recruiting process.

C. Evaluation

The Director of Human Capital and staff designated by him will review the recruitment reports and other related data within a reasonable period after the report is finalized for the recruitment season(s) and will make suggestions for revisions periodically, as necessary. In addition, the Director of Human Capital will to gather feedback from all Principals and other involved Administrators regarding any proposed revisions to the plan. The suggestions and feedback will be incorporated into revisions to the recruitment plan, as appropriate.

D. Reporting

The Director of Human Capital will be responsible for producing a Recruiting Report for filing in the desegregation case on or before May 15th of each year beginning in 2016 and continuing as long as required by the District's desegregation order. The contents of the Recruiting Report must include the information provided in Attachment B.

20__-____ Recruiting Trips for St. Martin Parish School Board

Date	School	Location	Recruiter(s)	Interviews	Race	Major	Offers

Attachment A

ST. MARTIN PARISH SCHOOL DISTRICT

Recruiting Report

The following information, with documentation as stated, must be included in the annual Recruiting Report.

Each Recruiting Report period shall be from May 1 to April 30 each year.

A. Advertisements

1. Copies of all published advertisements of teacher position vacancies, including from newspapers, online services, and the Board's website.
2. Copies of all email notices of vacancies sent to historically black colleges and universities.
4. Copies of all email notices of vacancies sent to employees.
5. Copies of all required postings from the Board's website.

B. Recruitment Trips

1. Copies of all Recruiting Trip Reports.
2. Summary of the written assessments of the Recruiting Trips provided by the participating administrators.

C. Other Recruiting Activities

Written narrative report identifying and describing all other recruiting activities.

D. Assessment of Recruiting

Written narrative report providing an assessment of the success of the various recruiting activities in consideration of (1) how many qualified applicants were gained from the activity; (2) how many offers were made and accepted as a result of the activity; and (3) the impact of the activity on the diversity goal.

ST. MARTIN PARISH SCHOOL DISTRICT

Department of Human Capital

Administrative Procedures

EMPLOYMENT OF TEACHERS

ST. MARTIN PARISH SCHOOL DISTRICT

Department of Human Capital

Administrative Procedures

EMPLOYMENT OF TEACHERS

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ST. MARTIN PARISH SCHOOL DISTRICT

Department of Human Capital

Administrative Procedures

EMPLOYMENT OF TEACHERS

The St. Martin Parish School Board implements a long-standing policy of equal employment opportunity.

All applicants for employment shall be provided the same opportunity to be recruited, to submit applications, to be interviewed, and to be employed without discrimination on the basis of race, color, national origin, sex, age, disability, religion, or veteran status.

Board Policy GAAA

I. Purpose

The following process shall guide the Administration in the employment of teachers for all schools in the St. Martin Parish School District.

For purposes of these procedures, "teachers" shall include any instructor required to have a certificate by the State of Louisiana, including but not limited to classroom teachers, librarians, counselors, band directors, etc.

II. Goals

A. Equal Employment Opportunities

The first goal of this Administrative Procedure is to comply with the Board's policy of providing all persons, regardless of race, color, national origin, sex, age, disability, religion, or veteran status, with an equal opportunity to secure employment as a teacher in the District.

B. Diversity Goals

The second goal of this Administrative Procedure is to provide a mechanism by which the administrators who hire and assign teachers in the District may further the diversity goal adopted in the District's desegregation case, *Thomas v. St. Martin Parish School Board*, Civil Action No. 65-11314 (W.D.La.), which states:

The Board will ... set the "diversity goal" of seeking, in good faith, to ensure that the ratios of Black to White teachers and other staff who work directly with children in each school are within the plus or minus 15% ranges of such ratio for teachers and other staff, respectively, in the entire school systems; with a minimum of 10% black faculty and staff at each of the respective schools....

III. Implementation

A. Responsibilities of the Director of Human Capital

The Director of Human Capital (the "Director") shall be responsible for directing and monitoring the implementation of this Administrative Procedure. The Director is authorized to delegate, as necessary and appropriate, such duties required to accomplish this task. The Director is required to report to the Superintendent and the Board, as requested, regarding the implementation status.

B. Responsibilities of the Principal, Superintendent, and Others

The District's Principals and the Superintendent shall be responsible for completing the particular tasks assigned to them, respectively, in this Administrative Procedure. The Principal and the Superintendent are not authorized and may not delegate these particular duties but may direct the assistance of other administrators or staff as necessary to accomplish those duties. The Principals are required to report to the Director of Human Capital as provided in this Administrative Procedure and to promptly respond to requests from the Director, the Superintendent and/or the Board regarding such duties.

Other administrators, faculty, or staff who are appointed to serve on an interview committee shall be responsible for complying with the provisions of this Administrative Procedure and for responding promptly to any requests from the Director, the Superintendent, and/or the Board for reports or other information regarding such duties.

IV. Recruiting Plan

The Administration will implement the process for recruiting teachers as set out in the Recruiting Plan, as approved by the Superintendent.

V. Procedure

A. Receipt of Applications

The District receives applications from prospective teachers in three (3) general manners: 1) during the recruiting season at job fairs; 2) unsolicited inquiries for general consideration rather than specific positions; and 3) in response to notices for specific job vacancies. Both the principals and the Director of Human Capital have specific responsibilities in each of those scenarios, as follows.

1. Job Fairs

During the spring of each year, the Administration will participate in university-based job fairs, as provided in the Recruiting Plan. At these job fairs, principals and the Director of Human Capital will have responsibilities related to the employment process, including but not limited to the following:

a. Principal

- 1) Provide written notice to the Director of Human Capital as soon as possible upon receipt of notice of resignation or retirement of teachers for the next year;
- 2) Attend the job fairs, if possible and if in need of new teachers due to resignation/retirement losses;
- 3) Participate in pre-scheduled interviews and otherwise as requested by applicants during the job fair, utilizing a standard interview score sheet; and
- 4) Follow-up on all interviews, resumes, and applications as coordinated by the Director of Human Capital.

b. Director of Human Capital

- 1) Ensure that the job fairs are attended by the principals with the greatest need for new teachers and by a reasonable number of diverse administrators from representative grade level schools;
- 2) Ensure that the staff adheres to the interview schedule and process;
- 3) Collect all interview sheets and other documents received from potential teachers/applicants and, from such documentation, prepare a report regarding each applicant (qualifications, interview results, etc.);
- 4) Distribute the potential teachers/applicants report for each job fair to all principals; and
- 5) Maintain the potential teachers/applicants files for consideration upon vacancies for which they are respectively qualified.

2. Unsolicited Inquiries/Applications

In the event an unsolicited inquiry/application is received, that inquiry/application will be forwarded to the Department of Human Capital to be pre-screened and maintained for consideration upon vacancies for which the applicant is qualified.

3. Solicitation upon Vacancies

When a particular vacancy is noticed, the Director of Human Capital will ensure that the Administration first considers and does make requests for internal voluntary transfers in the event such a transfer may assist in creating a more diverse faculty at the school where the vacancy exists. Otherwise and in all cases the employment process shall abide by the above-stated policy of equal employment opportunity in implementing the following process when a vacancy exists:

- a. Principal - As soon as possible after learning of a vacancy or an impending vacancy, the principal will provide notice to the Director of Human Capital of the position and date of vacancy.
- b. Director of Human Capital - Upon receiving notice of a vacancy or an impending vacancy, the Director will ensure that following postings and notices of all position, application, and deadline requirements are accomplished:
 - 1) Post on District's website;
 - 2) Post on www.teachlouisiana.com;
 - 3) Post on a national publication (electronic or otherwise) specializing in the recruitment of minority teachers (such as the NEMNET Minority Recruitment Network (NEMNET.com) or Diversity in Ed (diversityrecruitmentpartners.com));
 - 4) Email to recruiting departments at regional universities with teacher programs, including historically black universities both regionally and nation-wide;
 - 5) Email or other communication to teacher program departments at local universities, including Southern University in Baton Rouge;
 - 6) Email to current teachers and administrators, to allow for transfer requests; and
 - 7) Email or other communication to human resource departments in neighboring school districts.

B. Pre-Screening

The following process will apply regardless of how an application is received:

1. Principal - The Principal shall refer all applicant inquiries to the Director of Human Capital for submission of applications.
2. Director of Human Capital - The Director will ensure that all applications for teaching positions are handled according to the following:
 - a) Provide notice to all principals that applications must be provided to the HR Department before consideration by a principal;
 - b) Receive all applications in response to particular vacancy notices as well as those received as a result of job fairs and unsolicited inquiries;
 - c) Review all applications for verification of:
 - 1) Certification,
 - 2) Prior employment,
 - 3) Sexual misconduct record (LA.REV.STAT. §17:81.9), and
 - 4) References;
 - d) Forward the application packets for all qualified applicants to the principal who has the teaching vacancy. NOTE: The Director of Human Capital will ensure that the diversity of the teaching staff at the particular school with the vacancy is considered when forwarding applications and that all qualified applicants will be provided to the principal for consideration, regardless of race. Until such time that the District is declared unitary in teacher assignment, the Director of Human Capital will ensure that every practicable effort is taken to fill a teaching vacancy with a teacher of the race necessary to effect an acceptable ratio at the particular school; and
 - e) Maintain, for a minimum of 3 years, a record of all vacancies, a list of all applications received for each vacancy, and a list of the applications sent to the principal.

C. Interviews

Upon receipt of the application packets of all qualified teachers for the vacant position, the Principal with the vacancy will ensure the following procedure is followed:

1. Review the qualifications and experience to determine which applicants are the best qualified, from an objective perspective, for the particular position;
2. Contact each applicant determined to be objectively one of the best qualified for the particular position to verify availability and interest;

3. Extend interview invitation to each available and interested best qualified applicant; and
4. Conduct interviews of each available and interested best qualified applicant, utilizing the District's interview rubric in accordance with the following:
 - a. In the event qualified applicants of differing races are available and interested for the position, the Principal shall:
 - 1) Appoint and utilize an interview committee of 2 white members and 2 black members, which shall consist of:
 - a) the principal and
 - b) 3 of the following: the school's assistant principal, curriculum coordinator, and/or lead teacher for the department or grade for the open position; and/or, if such persons are not available from the school at which the position is open, administrators, Directors, or teachers from other schools or the central office; and
 - 2) Ensure that the committee interviews, of those who verified availability and interest in the open position, all qualified black applicants and any white applicants determined to be one of the best qualified applicants.
 - b. In the event the qualified applicants for a position are all of 1 race, the Principal is not required to utilize the committee for interviews or to interview more than 1 qualified applicant.

D. Recommendations

1. Principal - Once the interviews of all applicants determined to be available and interested in the position have been conducted, the principal will complete the following:
 - a. Determine the most qualified applicant;
 - b. Submit to the Director of Human Capital for review, a recommendation which meets the following specifications:
 - 1) Be in writing;
 - 2) Include the specific reasons why the recommended applicant was determined to be the most qualified; and
 - 3) Include verification that the proper employment procedure was followed.

- c. The principal will also provide any other information requested by the Director of Human Capital or the Superintendent.
 2. Director of Human Capital
 - a. Review the principal's recommendation to verify that:
 - 1) All steps of the employment process have occurred and
 - 2) The recommendation is supported by the documentation;
 - b. Request further information from the principal, if necessary to verify either the process or recommendation; and
 - c. Forward the verified recommendation to the Superintendent with all related documentation.
 3. Superintendent - Upon receipt and review of the verified recommendation, the Superintendent can either:
 - a. Approve the recommendation and ensure proper notice to the principal and applicant that the applicant is hired as a teacher in the District (NOTE: A qualified applicant is employed as a teacher in the District and may be assigned to any position for which he is qualified at any school in the District. The initial hire for a particular vacant position only guarantees that assignment at the initial time of hire); or
 - b. Deny the recommendation and ensure proper notice to the principal that he may submit his second recommendation.

In the event an interview committee was utilized by requirement above and the Superintendent denies the recommendation of a black applicant then the Superintendent must provide a reason for such denial to the principal. The documentation of the Superintendent's reason for the denial of such recommendation shall be retained for 3 years.

VI. Employment

The employment of teachers in the St. Martin Parish School District shall at all times be accomplished in accordance with applicable Louisiana law, particularly LA.REV.STAT. § 17:81 (3) and (4). This administrative procedure complies with the current legal state law requirements for employment of teachers and is subject to modification, as necessary, to ensure compliance with legal requirements for the employment of teachers.

Upon approval of a recommendation for employment of a teacher, the Superintendent will ensure that all proper notices and contracts are completed so that the employment is valid and binding under the law.

VII. Reporting

A. Required Reports

The Director of Human Capital shall ensure compliance with the reporting requirements for employment-related reports as provided in desegregation case. Until superceded or supplemented by a subsequent order, the Director shall maintain such data that is required to complete an Employment Report and a Faculty and Staff Report for filing in the desegregation case on or before the stated dates and continuing as required by the Court.

Within 30 days of the entry of the Consent Order

October 15, 2016

October 15, 2017

May 15, 2018

B. Reporting Periods

The October 15th reports will include information for the period of October 1 to September 30. The May 15th report will include information for the period of October 1, 2017 to April 30, 2018.

C. Report Contents

1. The Employment Reports will include the following information:
 - a. A list of all vacancies for teacher positions;
 - b. A copy of all published advertisements for each vacancy;
 - c. A list of all applicants for each vacancy, identified by name, race;
 - d. Identification of all applicants interviewed, hired, and transferred for each vacancy; and
 - e. Documentation of all offered and encouraged intra-district transfers and assignments, identified by race, school, and the reason the transfer was accepted or denied.
2. The Faculty and Staff Reports will include the following information:
 - a. The number of faculty and staff per job category and by race at each school; and
 - b. The self-assessment of progress toward the diversity goal at each school as prepared by each principal in declaration form, which shall state whether the school falls within or outside of the diversity goal and describe the reasonable steps taken to address the failure to meet the diversity goal.