

UNITARY STATUS ADVISORY AND OVERSIGHT COMMITTEE
2016-2017 ANNUAL REPORT

I. Procedural Background, History and Creation of Committee

After desegregation litigation¹ that lasted almost forty (40) years, a Settlement Agreement between Plaintiffs and Orange County Public Schools (“OCPS”) was executed by the parties on October 12, 2010 (the “Settlement Agreement”). In settling the litigation, the Settlement Agreement, as more particularly described therein, required OCPS to take certain actions with respect to three (3) main issues: (i) the diverse recruitment of OCPS personnel; (ii) the disclosure of extracurricular activities at middle schools and high schools; and (iii) the construction, renovation, replacement and utilization of OCPS facilities, including portables.

In an effort to ensure the public’s confidence and trust in compliance with the terms of the Settlement Agreement, the School Board of Orange County, Florida voluntarily adopted Policy BDF, Unitary Status Advisory and Oversight Committee, which created the Unitary Status Advisory and Oversight Committee (the “USAOC” or “Committee”), and which outlined the Committee’s purpose, composition, procedural duties and responsibilities.

Also as a result of the Settlement Agreement, OCPS Policy JJ, Extracurricular Activities, was amended and OCPS Policy GCE, Recruitment and Retention of a Diverse Employment Staff, was implemented, to include information supporting the Settlement Agreement’s objectives.

In 2013, at the suggestion of School Board Member Kat Gordon, the composition of the USAOC was increased from eight (8) to sixteen (16) members. The composition of the USAOC, as revised, now consists of one voting member and one alternate member appointed by each of the elected members of the School Board. In addition, the policy was modified to allow for the terms of service to be staggered, to reduce the amount of Committee member turnover from year to year. It should be noted that since the changes were implemented, participation and engagement by the USAOC has increased, and quorum has been met on each and every occasion.

In the 2015-2016 Fiscal Year, the USAOC has held five (5) meetings on the following dates:

- November 2, 2016
- February 22, 2017
- April 12, 2017
- May 31, 2017
- July 26, 2017

Because there were no new members on this year’s USAOC, the annual introductory meeting to educate new members on the applicable provisions of Florida’s Government in the Sunshine provisions was not necessary.

The first full meeting of the Committee took place a week later on November 2, 2016 and was conducted as an organizational meeting. Upon proper motions, the Committee elected

¹ The original case was styled as *Evelyn R. Ellis, Areta G. Pritchett, Danny Curry and Zerena Curry, Claudia Ware, Lutricia Henderson, Syrial D. Kinsler and Winston K. Kinsler, Pamela Woodley and Everett L. Wilson v. The Board of Public Instruction of Orange County, Florida*, with case number 6:62-cv-01215-ACC-GJK in the Orlando Division of the United States District Court for the Middle District of Florida.

Kran Riley, as its Chairman and Jim Daniels, as its Vice-Chairman, for the 2016-2017 OCPS fiscal year. Prior procedures were re-adopted by acclamation.

As an overview of upcoming school construction projects and possible rezonings, the OCPS General Counsel, Woody Rodriguez made a brief presentation updating the USAOC on the construction schedule for the Parramore PS8 and Maxey Elementary.

As in prior years, each subsequent meeting highlighted one of the three areas from the Settlement Agreement that requires more monitoring and supervision by the USAOC members. At each meeting, OCPS staff provided a report and presentation to USAOC members who were then provided opportunities to ask questions and seek answers of staff. Committee members were provided with all OCPS reports in advance of the Committee meetings. These reports are all available to the public on the Committee's website.

At the initial meeting on November 2, 2016, a subcommittee was created with the intention of assigning various members of the USAOC with the task of contributing portions of the annual report. The subcommittee members as well as the Chair and Vice-Chair were invited to the meeting to review and amend the first draft annual report. That subcommittee meeting was held on June 28, 2017. A revised draft of the report was then sent to all USAOC Members prior to the July 26, 2017 meeting for their comments and input.

This report to the School Board satisfies the requirements for an annual report pursuant to School Board Policy BDF and provides the School Board with the Committee's opinion with regard to OCPS's compliance with its performance obligations under the Settlement Agreement.

II. Report on OCPS Performance Under Settlement Agreement and Related Recommendations

Human Resources

The Committee's opinion is that OCPS is in compliance with the recruitment obligations of the Settlement Agreement.

The Committee finds that OCPS has complied with the provisions in the Settlement Agreement with respect to the hiring and recruitment of a broad and diverse applicant pool including geographic, gender, racial and ethnic diversity.

During the meeting on February 22, 2017, USAOC members were presented with a recruitment, retention and talent acquisition update by OCPS Senior Executive Director, Human Resources Ron Pilgrim in conjunction with OCPS Associate General Counsel, John Palmerini. The presentation helped explained the factors that influence hiring and retention (including retiring employees). Senior Executive Director Pilgrim also addressed ongoing recruitment and hiring efforts, especially to increase the pool of available candidates based on any disparities in gender and racial demographics.

Mr. Pilgrim and Attorney Palmerini then answered general questions from USAOC members regarding recruiting and the hiring of personnel.

Facilities

The Committee's opinion is OCPS is in compliance with the facilities construction, renovation and replacement obligations of the Settlement Agreement.

The key focus of the facilities component remains on the timeliness and due diligence of the District to construct, replace or renovate the schools identified in the Settlement Agreement. The Settlement Agreement identifies certain schools that are subject to improvements or construction, when financially feasible, and places an emphasis on monitoring the schedule of long-term capital improvements as it relates to these schools. There were three categories of schools: (i) four (4) schools already scheduled for construction as of 2009; (ii) six (6) schools that had, as of 2009, been appropriated funding for improvements to be made between 2012 and 2016; and (iii) seven (7) schools that had not been allocated any funding as of 2009.

Discussion on the District's compliance and obligations is normally led by John Morris, OCPS' Chief Facilities Officer. However, at the April 12, 2017 Committee meeting, Mr. Morris was ill and OCPS General Counsel, Diego "Woody" Rodriguez presented on his behalf. Attorney Rodriguez described which schools included in the Settlement Agreement were completed, which were under construction, which were in the design or planning stages. Attorney Rodriguez also reviewed the milestones in relation to the settlement agreement.

The location of Maxey Elementary and the new Academic Center for Excellence (ACE) formerly referred to as the Parramore PS8 were also addressed since both schools are being rebuilt on new sites. However, as pointed out by USAOC Chair Kran Riley, the intent and spirit of the Settlement Agreement has been met by OCPS in that all students that currently attend Maxey Elementary and Grand Avenue Elementary will be provided with a newly built school with state-of-the-art facilities and technological advances. To that end, OCPS has complied with, met and even exceeded the requirements of the Settlement Agreement.

Attorney Rodriguez indicated which Unitary Status schools were remaining and indicated that all schools included in the Settlement Agreement are automatically given priority above all others in the construction schedule. All OCPS schools identified in the Settlement Agreement are on track for construction by the start of the 2018-19 school year. Attorney Rodriguez then answered questions from the USAOC members pertaining to the schools in the Settlement Agreement.

Extra-Curricular Activities

The Committee's opinion is that OCPS is in compliance with the extracurricular activity notification obligations of the Settlement Agreement.

Since its inception, the monitoring of notices regarding extracurricular activities has continued without any issues or concerns. James Larsen, Executive Area Director, Minority Achievement Office, presented the annual report to the USAOC members at the May 31, 2017 meeting.

Mr. Larsen provided the Committee with an update pertaining to the website and the notification procedures for extracurricular activities for the 2016-2017 school year, as stipulated in the Agreement. He described the transformation of the OCPS website and how the District is monitoring the inclusion of information regarding extra-curricular activities. Mr. Larsen described how the District efforts to digitize athletics information, electronic notifications, parental communications and electronic logging of District clubs.

The report included a review of the District's efforts to provide each high school student with a laptop. This was accomplished this year and in the next two years, each middle school student will also have a school laptop provided by the District. Mr. Larsen also described the

process of approving new clubs, sponsor requirements and how, in certain instances, non-OCPS students, such as charter school and private school students, can participate in District clubs and athletics.

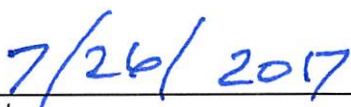
Mr. Larsen then answered questions from USAOC members.

III. Conclusion


At the July 26, 2017 meeting, the Committee reviewed the draft report and approved a motion confirming that OCPS remains in compliance with the provisions in the Settlement Agreement. This final report, including any proposed changes, was adopted by the Committee at that same meeting.



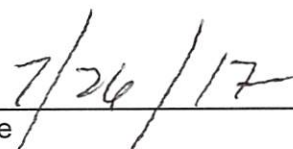
Kran Riley
USAOC Chairman



Date



Jim Daniels
USAOC Vice Chairman



Date