

**UNITARY STATUS ADVISORY AND OVERSIGHT COMMITTEE**  
**2015-2016 ANNUAL REPORT**

**I. Procedural Background, History and Creation of Committee**

After desegregation litigation<sup>1</sup> 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 six (6) meetings on the following dates:

- October 21, 2015
- October 28, 2015
- December 16, 2015
- March 2, 2016
- May 18, 2016
- July 27, 2016

The initial meeting on October 21, 2015 was dedicated to provide new Committee members with an overview of Orange County Public Schools as well as to educate new members on the applicable provisions of Florida's Government in the Sunshine provisions. New members were

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<sup>1</sup> 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.

also provided an opportunity to ask any questions about the USAOC's processes, procedures and mission. The presentation and responses were provided by OCPS General Counsel, Diego "Woody" Rodriguez

The first full meeting of the Committee took place a week later on October 28, 2015 and was primarily held as an organizational meeting. Upon proper motions, the Committee re-elected Marlin Daniels, as its Chairman and Jeanette Gabay, as its Vice-Chairman, for the 2015-2016 OCPS fiscal year. Other perfunctory motions were adopted including the adoption of Robert's Rules and placing a 3 minute time limit on public comment consistent with the time allotted for members of the public addressing the School Board.

As an overview of upcoming school construction projects and possible rezonings, the Director for Planning, Governmental Relations and Student Enrollment, Carol McGowin, along with OCPS Chief Facilities Officer, John Morris, and OCPS General Counsel, Woody Rodriguez were present to make a brief presentation to the Committee. Carol McGowin presented maps regarding the potential impacts for rezoning based on the construction of a new Grand Avenue School K-8 located in Parramore and John Morris was available for questions regarding the construction schedule of all schools identified in the Unitary Status Agreement.

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, USAOC members were provided opportunities to ask questions and seek answers from OCPS 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 December 16, 2015 USAOC meeting, a subcommittee was created with the intention of assigning various members of the USAOC with the task of contributing portions of the annual report. A meeting of a subcommittee as well as the Chair and Vice-Chair to review and amend the first draft annual report was held on July 11, 2016. A revised draft of the report was then sent to all USAOC Members prior to the July 27, 2016 meeting.

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 December 16, 2015, Committee members were presented with an overview of Orange County Public Schools as an organization. The presentation was led by OCPS Chief of Staff, Dr. Cathy Pope.

A recruitment, retention and talent acquisition update was presented by OCPS Senior Executive Director, Human Resources Ron Pilgrim and OCPS Human Resources Directors Stephanie Heron and David Azzarito. The presentation explained the factors that influence hiring and retention (including retiring employees). The HR team also addressed ongoing recruitment and hiring efforts, especially to increase the pool of available candidates based on any disparities in gender and racial demographics. The HR team also highlighted the ongoing recruitment of prospective minority candidates at universities such as Florida International University, Bethune Cookman, Florida A&M University and Stillman College and the recruiting team's efforts at job fairs such as at the Teachers of Color Job Fair in Atlanta among others. The presenters also briefly discussed the district's ongoing efforts with Teach America.

Dr. Pope and Mr. Pilgrim then entertained questions from Committee members.

### **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. Scott Fritz, Chief Academic Officer and James Larsen, District Title IX Coordinator presented their findings and annual report to the Committee at the March 2, 2016 meeting.

Mr. Larsen provided the Committee with an update pertaining to extracurricular activities for the 2015-2016 school year, as stipulated in the Agreement. He also described the headway that has been made since the last report to the Committee. Mr. Larsen advised that substantial improvements have been undertaken by the District to digitize the District's athletics information, electronic notifications, parental communications and electronic logging of District clubs. The Committee complimented Mr. Larsen on the automation of the District's efforts in complying.

Mr. Larsen entertained questions from Committee members.

### **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 was led by John Morris, OCPS' Chief Facilities Officer at the May 18, 2016 Committee meeting. Mr. Morris described which schools included in the Settlement Agreement were completed, which were under construction, which were in the design or planning stages, etc. Mr. Morris also reviewed the milestones in relation to the settlement agreement.

Mr. Morris indicated which Unitary Status schools were remaining and indicated that schools included in the Agreement are automatically given priority above all others that are slated for building. All OCPS schools identified in the Settlement Agreement are on track for construction per the Agreement. Because of the renewal of the sales tax in 2014, Mr. Morris added that all schools identified in the Unitary Status Agreement will be completed by August 2018. Mr. Morris then entertained questions from the Committee pertaining to the schools in the Agreement.


### III. Conclusion

At the July 27, 2016 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.



Marlin Daniels  
USAOC Chairman

July 27, 2016  
Date



Jeanette Gabay  
USAOC Vice Chairman

July 27, 2016  
Date