

**Resolution Agreement**  
**Clay County School District, FL**  
**OCR Docket #04-10-1197**

The Clay County School District (District) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this voluntary Resolution Agreement (Agreement) to resolve the above-referenced complaint and to ensure continued compliance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Sections 2000d *et seq.*, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the bases of race, national origin, or color.

The Agreement reflects voluntary actions to be taken by the District to ensure continued compliance with Title VI. The Agreement does not constitute an admission of wrongdoing or liability by the District pursuant to any federal law, including Title VI. The District shall provide data and other information in a timely manner. During the monitoring of this Agreement, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has complied with the terms of this Agreement and is in compliance with the provisions of the Title VI implementing regulation at 34 C.F.R. Section 100.3(c)(3), which was at issue in this case.

**Voluntary Actions**

1. The District will continue its recruitment program for the purpose of increasing the number of qualified black applicants for teacher and administrator positions within the District by developing a recruitment plan to include recruitment at additional Historically Black Colleges and Universities (HBCUs) and the other actions set forth below. Specifically,
  - a) By **May 3, 2011**, and thereafter, concurrently with notices being sent to other recruitment sources for each school year, the District will notify colleges and universities, including HBCUs that are not currently being identified, and community-based African-American organizations such as the Urban League and the NAACP, of available teacher and administrator positions.
  - b) Beginning immediately, the District will continue to participate in recruitment fairs that have historically attracted significant numbers of black candidates.
2. By **March 31, 2011**, the District shall identify the sites within the state and the sites out-of-state within a reasonable distance that are the best sources for black applicants. The District will include those sites as the highest priorities for recruitment.
3. By **April 29, 2011**, the District will conduct training for the Superintendent, all school board members, all principals, and any other individuals who have any role in recruiting or promoting teachers or administrators. The training will cover the discrimination prohibitions of Title VI at 34 C.F.R. Section 100.3(c)(3), the importance of workforce diversity, the possible disparate impact of the employment criteria utilized for any particular vacancy, and the appropriate use of selection factors and interview techniques in the recruitment process.

4. During the 2010-2011 school year, the District will consult with an outside expert, such as a race relations or diversity professor at a local college, business school, or law school, to obtain implementable alternatives for increasing diversity in the recruitment of its teachers and administrators. The purpose of the consultation is for the expert to share with the District the recruiting methods that have been effective in increasing the workforce diversity of other employers, the tangible options available to the District for increasing the diversity of its own teacher and administrator pools, and the community resources available to the District in achieving these goals.
5. For each of the next three school years beginning with the current 2010-2011 school year, the District will conduct a self-assessment to determine the overall success of its efforts to increase the diversity of its teacher and administrator pools. This self-assessment will include, but not be limited to, a review of any reports required to be submitted to the U.S. Equal Employment Opportunity Commission, such as the EEO-5 Report (Elementary-Secondary Staff Information Report). The self-assessment will include a comprehensive comparison of the racial demographics of the District's current teacher and administrator pools to the racial demographics of these groups in the relevant qualified labor market.

### **Monitoring**


The District will provide OCR with the following to show that all items agreed to above have been implemented:

- A.. By **June 30, 2011**, the District will provide OCR with a copy of its recruitment plan. By **June 30<sup>th</sup>** of each school year beginning in 2011 for a period of three years, the District will provide OCR with a list of the HBCUs and other organizations contacted, a description of the method of notification, and any copies of notifications. The District will identify any recruitment fairs in which it participated, as described in Voluntary Action #1 above.
- B. By **May 15, 2011**, the District will inform OCR of the in-state and out-of-state sites that it has selected as its highest priorities for recruitment of black applicants, as described in Voluntary Action #2 above.
- C. By **May 15, 2011**, the District will provide OCR with the following to show that the training described in Voluntary Action #3 above has been conducted: (1) the name, position, and qualifications with respect to knowledge of Title VI of the person(s) conducting the training; (2) the name, position, and assigned school (if applicable) of each person attending the training; (3) a copy of the training itinerary and any training materials disseminated; and (4) the date of the each training session.
- D. By **November 30, 2011**, the District will provide OCR with the date and summary of each consultation with the outside expert described in Voluntary Action #4 above, including the expert's specific recommendations to the District for increasing its

teacher/administrator diversity, those recommendations that the District proposes to implement or is currently implementing, and a timetable for the implementation of these recommendations.

- E. By **November 30<sup>th</sup>** of 2011, and by November 30 for each year thereafter until November 2013, the District will submit to OCR a copy of the results of its self-assessment as described in Voluntary Action #5 above, as well as any plan established to remedy identified deficiencies in the District's efforts to increase teacher/administrator diversity.

The District agrees to comply with the terms of this Agreement until OCR has released it from monitoring. OCR will not close the monitoring until it determines that the District has fulfilled the terms of this Agreement and is in compliance with the provisions of the Title VI implementing regulation at 34 C.F.R. Section 100.3(c)(3), which was at issue in this case.



Mr. Ben Wortham, Superintendent  
Or Designee  
Clay County School District, FL

3/1/11  
Date