

Exhibit 1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 70-1069

UNITED STATES OF AMERICA,

Plaintiff,

v.

BOARD OF EDUCATION OF HENDRY
COUNTY,

Defendant.

**STIPULATION REGARDING FACULTY AND STAFF RECRUITMENT AND
STUDENT DISCIPLINE**

Plaintiff, the United States of America (the "United States"), and Defendant, Board of Education of Hendry County, also known as the School Board of Hendry County (the "District") (collectively, the "Parties") hereby stipulate as follows:

Faculty/Staff Recruiting and Hiring

1. The District has taken steps to increase recruitment of minority (including, but not limited to, black) faculty and staff, including administrators, instructional staff, and non-instructional staff. The District will formalize this plan as the Minority Recruiting Plan and will implement this plan through at least the 2018-19 school year. In particular, the District commits to the following:
 - a. The District will reach out to its contacts at student placement offices at universities in Florida and throughout the United States, including historically black colleges and universities such as Bethune Cookman University, Florida A&M University, Edward

Waters College, and Florida Memorial University, to identify and recruit minority candidates.

- b. The District will continue to make recruiting visits to college campuses and attend job fairs to recruit minority teachers.
- c. The District will continue to advertise and post job vacancies on the District website, Appletrac, and other sources and publications that reach diverse populations.
- d. The District will continue to implement its initiative to recruit more “homegrown” teachers, including its tuition reimbursement program.
- e. Beginning with the 2016-17 school year, the District will attend functions, career fairs, and promotional events coordinated by the Florida Fund for Minority Teachers.
- f. By January 1, 2017, the District will establish a Minority Recruiting Committee comprised of diverse administrators, instructional staff, and non-instructional staff who will meet with the Superintendent to discuss ways to increase minority recruitment and will participate in recruitment events. Committee members will assist with one or more recruiting visits to college campuses or job fairs.
- g. The District will encourage all principals to interview a diverse pool of applicants for all open positions and make available information about applicants’ race, if available.
- h. The District will monitor the diversity of faculty, administrators, instructional staff, and non-instructional staff at each of its schools at the end of each school year.
- i. The District will conduct teacher satisfaction surveys at the end of each school year to inform its retention efforts.
- j. The District will, for teachers leaving the school district, conduct exit surveys that, *inter alia*, will inquire about the teacher’s reason for leaving.

Student Discipline

2. The District has taken steps to address racial disparities with respect to student discipline. The District will formalize this program as the Student Discipline Improvement Plan and will implement this plan through at least the 2018-19 school year. In particular, the District commits to the following:
 - a. The District will continue to implement a Positive Behavioral Support program and provide schools and their staff with the training and resources to improve school climate, teach school rules and social-emotional skills, reinforce positively appropriate behavior, and put in place early intervention strategies.
 - b. No later than July 1, 2017, in addition to Positive Behavioral Support, the District will implement other evidence-based practices, such as restorative practices, and provide schools and their staff with the resources and support to further improve school climate, teach school rules and social-emotional skills, reinforce positively appropriate behavior, and put in place early intervention strategies.
 - c. No later than July 1, 2017, the District will develop a mechanism for teachers and other school personnel to document intervention and support strategies prior to using an office disciplinary referral.
 - d. Beginning in the spring of 2017, the District and individual schools, including the youth development academies, will collect and review discipline data, on at least a semester basis to: identify changes in rates of office disciplinary referrals and discipline consequences issued (e.g., in-school suspension, out-of-school suspension, arrests) on the basis of race/ethnicity.

- e. Beginning in the spring of 2017, the District will conduct an annual end-of-year review of its youth development academies to evaluate the academies' effectiveness. The District's review will include: number of students referred and enrolled, disaggregated by race; discipline consequences (e.g., in-school suspension, out-of-school suspension, arrests) by infraction, disaggregated by race; average length of time spent at the alternative schools, disaggregated by race; and availability and quality of supports provided to students. If the District review identifies any concern, such as disparities in referrals or discipline rates by race, the District will work with the alternative school to develop and implement changes to address the concerns by the start of the next school year.
3. The District will report annually to the United States and the Court on the District's implementation of the stipulation terms. The District will provide copies of the report to the United States and the Court no later than September 1 of each year, and the report will be based on information and data collected through June 30 of the prior school year. Each report shall include:
- a. The total number and percentage of employees in each school by race/ethnicity and position in each of the following categories:
 - i. full-time teachers;
 - ii. part-time teachers;
 - iii. principals and assistant principals;
 - iv. other school-based certified personnel, including guidance counselors, librarians, etc. (identifying positions and indicating FTE at school facility if not full-time); and
 - v. non-certified staff.

- b. The total number and percentage of employees in the District by race/ethnicity and position in each of the following categories:
- i. central office administrators and staff (identifying the position held by each);
 - ii. other certified personnel not assigned to the central office and not reported in response to any preceding request (e.g., curriculum supervisors, etc.); and
 - iii. other non-certified staff not reported in response to any preceding request.
- c. A list of all recruitment activities, including the names of all colleges, universities, and job fairs visited, the dates of those visits, the names, race, and job titles of the district representatives who visited, and any other activities or efforts, including advertisements, used to recruit minority administrators, instructional staff, and non-instructional staff.
- d. A list of the members of the Minority Recruiting Committee by position and race/ethnicity;
- e. A list of all full-time teacher, principal, assistant principal, and central office administrator vacancy announcements for that school year;
- f. For each vacancy, the number of applicants by race; the number of interviewed applicants by race; and the race of the hired applicant;
- g. A record, in a searchable, electronic format (e.g., Excel), for that school year that lists, by school, the total number of *individual* students by race/ethnicity and grade who were disciplined, separately reporting the number of students who received one or more: (i) in-school suspensions; (ii) out-of-school suspensions; (iii) expulsions; and (iv) placements in an alternative program; and indicate the infraction(s) for which the penalty was imposed.
- h. A summary of the District's annual review of the youth development academies, including whether any issues were identified and, if so, what changes will be made.

- i. A summary of the results of the teacher satisfaction surveys and exit surveys. Copies of the surveys will be made available upon request from the United States.


Final Termination

4. Absent evidence of racial discrimination in the District's faculty and staff recruitment or student discipline practices, the Parties agree that full and good faith compliance with the Plans through June 30, 2019 (i.e., the end of the 2018-19 school year) should support a finding that the District has attained unitary status in the areas of faculty, staff, and within school segregation related to student discipline and that the Court may withdraw its supervision and dissolve the permanent injunction with respect to these remaining areas. The District may move for full unitary status and dismissal no sooner than 90 days after submitting its September 1, 2019 report for the 2018-19 school year provided the report is complete and timely and the United States has not voiced any objection.

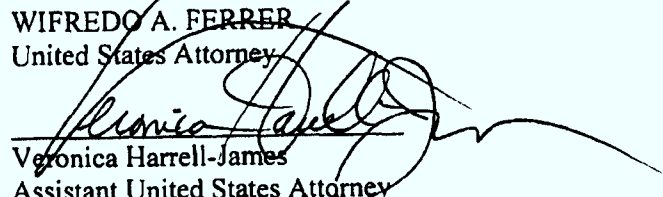
VANITA GUPTA
Principal Deputy Assistant Attorney General
Civil Rights Division

EVE L. HILL
Deputy Assistant Attorney General
Civil Rights Division

SHAHEENA A. SIMONS, Chief
Educational Opportunities Section



EMILY MCCARTHY, Deputy Chief
ANDREA HAMILTON, Trial Attorney
U.S. Department of Justice
Civil Rights Division
Educational Opportunities Section
Patrick Henry Building, Suite 4300
950 Pennsylvania Ave., NW
Washington, D.C. 20530
(202) 514-4092

WIFREDO A. FERRER
United States Attorney



Veronica Harrell-James
Assistant United States Attorney
Florida Bar No. 644791
United States Attorney's Office
99 N.E. 4th Street, Suite 300
Miami, Florida 33132
Tel: (305) 961-9327
Fax: (305) 530-7139

Attorneys for Plaintiff



Michael R. McKinley, Esq.
Wotitzky, Wotitzky, Ross & McKinley, P.A.
223 Taylor St., Suite 121
Punta Gorda, FL 33950
(941) 639-2171

Attorney for Defendant

Dated: January 13, 2017