

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS, PEORIA DIVISION

SA'DA AND TYJUAN JOHNSON, minors, by their)	
parent and next friend FELICIA JOHNSON, et al.,)	
Plaintiffs,)	
v.)	Case No. 00-1349
)	
BOARD OF EDUCATION OF CHAMPAIGN)	Chief Judge Joe B. McDade
COMMUNITY UNIT SCHOOL DISTRICT #4,)	
Defendant.)	

**DEFENDANT BOARD OF EDUCATION'S
REPORT TO COURT OF CONSENT DECREE TARGETS AND STEPS**

INTRODUCTION

In its July 31, 2006 Order, this Court directed the District to “submit a report as to what actions are being taken to insure compliance with the Second Revised Consent Decree” and to “explicitly identify and address its final targets,” “the procedural steps it intends to take to reach those targets,” and the assigned responsibilities and accountability for those targets, in each of eight areas set forth below. The Court further noted that it anticipated “the ‘targets and procedural steps’ have been or will be developed in consultation with Plaintiffs.”

The District wishes to assure this Court that it takes seriously its obligations under the Consent Decree and fully intends to meet those obligations. Everpresent for the District is the desire and will to improve the educational experience and outcomes for African American, and for all, students. That principle guides the District’s plans.

As a general matter, the District understands its final targets to be those set forth in the Consent Decree. The Decree also requires the District to “carry out the requirements” of the Education Equity Implementation Plan (EEIP), which sets forth procedural steps to meet the Consent Decree goals. As the Court anticipated in its Order, many of the procedural steps to reach the final targets have already been established in consultation with Plaintiffs, initially in the EEIP and subsequently through multiple ongoing collaboration mechanisms, set forth in

Exhibit A. Subsequent to the Court's Order, the parties discussed these topics during the Quarterly Meeting in August and at several day-long meetings with representatives, counsel and administrators. As a result, existing procedural steps have been supplemented by new steps designed to accelerate progress where it is not being achieved at the level the District intends and augmented by Plaintiffs' suggestions from the parties' collaboration meetings.

The District recognizes that Plaintiffs still have questions and comments but is pleased with the parties' ability to confer on these matters. In addition, while the District made its best effort to incorporate specificity in this report, due to space limitations, not all details are encompassed in this pleading. The District emphasizes that these procedural steps will be continually reviewed and updated and that it will continue to seek Plaintiffs' input.

I. Student Achievement,¹ Dropouts and Graduation Rates

A. Final Targets²:

The Consent Decree sets forth the following goals in this area (188 F.Supp.2d at 985):

- Seek to eliminate unwarranted disparities in the enrollment of minority students in upper level courses.
- Implement innovative, interactive, research-based curriculum and instructional practices that take into account students' diverse learning styles and provide training to teachers in such practices.

Part II, Section D of the EEIP sets forth "Flexible Goals" in this area:

- The District's third grade students will be able to read at grade level by the 2003-2004 academic year.
- The District's students will gain at least one grade level each academic year, as measured by standardized tests for math and reading.

¹ Due to space limitations, Alternative Education is not included in the body of the Report. However, the parties specifically discussed Alternative Education as a topic during the Quarterly Meeting and the collaboration meetings, and the District includes its Alternative Education plans as Exhibit B.

² The Consent Decree and EEIP do not include goals for Dropout and Graduation rates. The District addresses these areas through its Strategic Plan (Ex. C, 2.6, 4.1.5), Administrator evaluations (Ex. D, VIII(4)(7)(8)), and through the attendance outreach initiatives described herein. For example, the TAOEP program is geared toward reducing dropouts, and credit recovery programs resulted in eight African American students graduating on time that otherwise would not. Additionally, the District expects that the improved academic performance of African American students will contribute to higher graduation rates and reduced dropout rates.

- The District’s students enrolled in advanced core classes will be within racial fairness guidelines at each grade level in each school.
- By the 2003-2004 school year, the District’s course outcome and grade distribution for all students will approximate and be proportional to racial fairness guidelines.
- In accordance with state and federal requirements, the District’s students will have access to all programs within the District.

B. Procedural Steps to Reach Final Targets

1. Continue Successful Initiatives As Evidenced By Test Outcomes

Academic achievement is the cornerstone of success in all Consent Decree areas. Students who are engaged in rigorous curriculum and experience academic success are less likely to face obstacles related to discipline or attendance. To that end, the District’s actions to align curricula, standardize grading practices, implement a comprehensive assessment system, increase access to upper level classes, improve academic supports, more fully implement AVID, enhance credit recovery programs, completely restructure the middle schools, and implement EEIP action steps have resulted in documented improvements for African American students.

Preliminary ISAT results for elementary and middle school students indicate significant gains over last year in all tested areas.³ Exs. E, F. For example, 80.4% of African American third-grade students performed at the “meets or exceeds” level on the math portion of the ISAT; an increase of 43.4% since SY2001. Fifth-grade African American students showed similar gains in math, with 67.1% performing at the “meets or exceeds” level, more than doubling from 25% in SY2001. Sixty-five percent of eighth-grade African American math students meet or exceed standards, a remarkable improvement of 42.5% from just last year. Every elementary and middle school achieved Adequate Yearly Progress (AYP). Ex. E. Stratton, Carrie Busey and Kenwood Elementary Schools were named *Spotlight Schools* by ISBE and Northern Illinois

³ This information is based upon preliminary 2006 AYP Status Reports, issued by the Illinois State Board of Education (ISBE). Ex. E. The District does not anticipate any changes that would alter its trend data analysis; however, the information is preliminary and is subject to change pending release of final information from ISBE. ISBE has not yet released high school information.

University; the District is one of only 26 Illinois school districts to boast three or more *Spotlight Schools*.⁴ Notably, Stratton earned an Academic Improvement Award for three consecutive years, and is one of only four schools in the entire State to do so. Stratton also is one of only thirty-eight schools in the State to be a double-award winner for both of the above distinctions.

Although grade distribution continues to be a challenge, incremental progress is being made. At the middle school level, the most frequent grade received by African American students during the Monitor's last reporting period was a "B," an improvement from "C" in prior years. Ltr.10.⁵ Similarly, the least frequent grade for African American students was "F" or "D," an improvement from prior years when "A" was the least frequent grade. Ltr.10-11. This year, the District will target middle and high school students for improved academic success and will plan an infusion of support for students to accelerate academic achievement.

The District's procedural steps to meet its Student Performance targets are to implement and monitor the action steps contained in the EEIP and the Strategic Plan, to continue the array of programs and initiatives identified in Exhibit G, and to continue staff development and training as set forth in Exhibit H. The District is achieving measurable results of improved access and academic outcomes for its African American students. These improvements become increasingly evident as younger students receiving the benefit of the comprehensive systemic changes implemented by the District move through the grade levels.

2. Eliminate Unwarranted Disparities in Upper Level Classes

The District is meeting its Consent Decree goal to eliminate unwarranted disparities in the enrollment of minority students in upper level courses. For example, in SY2005, African American Level III participation reached 39.2%, well within racial fairness guidelines and a

⁴ *Spotlight Schools* meet AYP, have at least 50% of students receiving free or reduced meals, and at least 60% of students meeting or exceeding ISAT standards.

⁵ Dr. Peterkin Letter to Judge 12/05/05, introducing Third Monitoring Report (3rd Rpt.), filed 1/12/06 docket #145.

dramatic improvement from 1997 when African American students comprised only 9% of Level III enrollment. Ltr.11; 3rd Rpt. 22, 400. Further, African American students participating in AP courses doubled from 5% in SY2003 to 9.6% in SY2005. Ltr.11. The District will continue monthly meetings of the Level III Task Force, which is in the process of finalizing a District-Wide Level III Support Plan and SY2007 Task Force objectives.

3. Continue Staff Development in Curriculum and Instruction

The District meets its target to align and implement innovative, interactive and researched-based curriculum and instructional practices. Although these changes were challenging to administrators and staff, the changes have become systematic and woven throughout the entire District as evidenced by improved student outcomes. The District's ongoing plan to meet its targets for Student Performance relies heavily on the continuation of such staff development initiatives. Ex. H.

C. Assignment of Responsibilities and Accountability

The Deputy Superintendent will continue to monitor implementation of the action steps and analyze the outcomes and trends. Responsibilities are aligned vertically and horizontally throughout the District; Directors, Curriculum Coordinators, Principals, Content Area Chairs and Building Content Leaders are all monitored by their supervisor for compliance with established timeframes and procedures. Principals monitor teachers' implementation of programs and effective use of data assessments through classroom observations and meetings where teachers must bring disaggregated reports for discussion and review. School Improvement Plans are aligned with the Consent Decree and are monitored for progress toward the targets and corresponding accountability measures. Lastly, the Deputy Superintendent meets regularly with Principals and campus level administrators, who are held accountable for improved student achievement through the annual evaluation process. Ex. D, Domains I, III, VIII.

II. Enrollment and Attendance

A. Final Targets

The District meets its enrollment targets within the Controlled Choice framework.⁶ As the Monitor noted: “Controlled Choice has been implemented successfully at the elementary school level and African American enrollments have been within the +/- 15% flexible goal range.” Middle school choice implementation in SY2005 also resulted in enrollments within the flexible goal range in at least 6th and 7th grade. Ltr.4.

Attendance is addressed in the EEIP under “Student Performance.” The EEIP flexible goal is that “[t]he District’s student attendance rate at each school will be at least 95% for both minorities and non-minorities.” EEIP at 8.

B. Procedural Steps to Reach Final Attendance Targets

1. Implementation of Initiatives to Improve Attendance

As the Monitor reported, three of the eleven elementary schools met the 95% target for African American students, and the remaining eight elementary schools and two middle schools were within two percent of the goal. 3rd Rpt. App.C. However, one middle school and the two high schools require targeted assistance to improve attendance. *Id.*

Procedural steps to meet the 95% goal are set forth in the EEIP Action Steps (EEIP at 11-12), the Strategic Plan (Ex. C, 2.3), and other documents at Exhibit I. In May 2006, the District formed an Attendance Improvement Task Force, whose purpose is to improve the African American attendance rate, and which includes administrators, the FIC Director, attendance improvement staff, principals, a social worker, parents, community leaders and a member of the

⁶ “Enrollment and Attendance” is not a separately enumerated area of the Consent Decree. Enrollment is addressed in the student assignment sub-section of Controlled Choice and in each substantive section as it may relate to the enrollment of students in that area (e.g. gifted and talented participation).

Plaintiff class.⁷ In addition, chronically truant students receive special focus through the District's TAOEP program, with 70% of the 888 participating students improving their attendance.

2. Review Meetings at District and Campus Levels

Weekly, Student Services meetings are held at each high school and middle school with principals, deans, assistant principals, social workers, counselors and attendance specialists. Student Attendance will be a standing agenda item at those meetings this year, and the schools will be expected to review their data and monitor attendance improvement efforts. Further, entry of attendance data will be required on a weekly basis, so that current data will be available at these meetings for review. More detailed District analysis will also be provided to campuses every two weeks, rather than monthly as before.

Monthly, the Administrator for Special Projects will meet with the high school and middle school administrators to review their data and monitor attendance improvement efforts. Every other month, similar meetings will be held at the elementary schools. Additionally, District administrators meet with all Principals at least once a month, and attendance improvement will be an agenda item at these meetings.

3. Assignment of Responsibilities and Accountability

By October 31, 2006, the Administrator for Special Projects will develop a form for the campuses to document the above meetings. The Administrator for Special Projects will also develop a system by the end of first semester SY2007 to monitor and audit school level compliance with District attendance improvement procedures and to measure the efficacy of those procedures. In addition, the Deputy Superintendent and Assistant Superintendent for

⁷ Plaintiffs' counsel recently stated she was unaware of Plaintiffs' participation on this Task Force. The District believed that a participating African American community member was serving in his capacity as a Plaintiff representative. The parties will follow-up to clarify Plaintiffs' presence on this Task Force.

Achievement and Pupil Services will place greater accountability on Principals to meet the 95% attendance goal. The appraisal evaluates implementation of attendance improvement initiatives and disaggregated attendance rates. Ex. D, V(3)(4), VIII(6).

III. Participation in Gifted and Talented Programs

A. Final Targets

The Consent Decree sets forth the following goal for Gifted Education Programs:

- Seek to eliminate, to the greatest extent practicable, unwarranted disparities in the assignment of minority students to gifted programs and to operate such programs in an educationally sound and non-discriminatory manner. (188 F.Supp.2d at 984.)

Part II, Section C of the EEIP sets forth “Flexible Goals” in this area:

- The District will initially identify eligible students for each of the gifted and talented programs, cluster/enrichment and self-contained classes, within racial fairness guidelines at each school level.
- The District will enroll students in gifted programs, cluster/enrichment and self-contained classes, within racial fairness guidelines at each school level.⁸

B. Procedural Steps to Reach Final Targets

The District meets its final targets in elementary enrichment programs and is making incremental progress each year in its targets for gifted courses. Ex. J. The District continues to follow the EEIP (Ex. K) and Strategic Plan (Ex. C, 2.2) as its procedural steps to meet the targets. In addition, the District will heighten focus this year on the following: 1) tracking the efficacy of the enrichment program through enrichment students’ academic progress (via ISAT scores); 2) increasing recognition of successful African American students in the Gifted program to provide role models for other students and reduce perceptions of racial isolation for program students; 3) developing networking opportunities for African American gifted and enrichment students moving into middle school honors programs; 4) after-school tutoring options for middle

⁸ The District learned that Plaintiffs expect the elementary enrichment programs enrollment should be 70% African American. The District believes the enrollment goal is that set forth in the EEIP. Regardless, the District continues to emphasize increased participation of African American students in elementary enrichment programs.

school honors students; 5) increasing African American staff teaching gifted classes; and 6) continuing staff development regarding giftedness (Ex. H, 6, 12-13, 20). Further, the parties agreed to institutionalize the numerous activities and procedures the Director of Gifted/Talented has implemented over the years. During SY2007 the Director will develop and recommend Board policy and administrative procedures for Gifted and Enrichment programs.

C. Assignment of Responsibilities and Accountability

Appraisals of campus level administrators specifically evaluate their implementation of interventions to reduce unwarranted disparities in placement of students into gifted and talented programs. Ex. D, III(5). As the Director codifies Gifted/Enrichment policies and procedures this year, specific assignment of responsibilities at the campus level, monitoring and accountability mechanisms will be included in the written documents.

IV. Special Education

A. Final Targets

The Consent Decree sets forth the following goal for Special Education Programs:

- Seek to eliminate, to the greatest extent practicable, unwarranted disparities in the assignment of minority students to special education programs and to operate such programs in an educationally sound and non-discriminatory manner. (188 F.Supp.2d at 984.)

Part II, Section B of the EEIP sets forth “Flexible Goals” in this area:

- In accordance with federal and state law requirements, the District will refer and identify students in each special education category for each school level within racial fairness guidelines.
- The District will sample the evaluations and placements for students in identified special education categories each academic year in order to facilitate and monitor the implementation plan.

B. Procedural Steps to Reach Final Targets

1. Eliminate Unwarranted Disparities in Student Assignment

During SY2005, the District established a Special Education Task Force (SETF), which includes participation by Plaintiff members and counsel, to review special education equity

issues. During SY2006, the SETF identified specific objectives and corresponding timelines (Ex. L), and the District is meeting the established timeframes. The District also incorporated equity goals for special education in its Strategic Plan. Ex. C, 2.1. The District also implements the EEIP Action Steps (Ex.M) and supplementary procedural steps (Ex.N). Although the District is meeting racial fairness guidelines in some category designations in some school levels, it will continue to implement these guiding documents to meet its targets in all category designations.

A central part of the EEIP action steps are interventions and the Building Support Teams (BSTs), which are a first-line referral from classroom teachers for students in need of additional assistance. BST interactions may lead to a referral for a Special Education eligibility review, and ultimate placement. Because of the BST's role as a "gatekeeper" to special education, in addition to its important role as a support to regular education teachers in helping students who are struggling, the analysis of BST data and procedures through the SETF will increase as a focal point during SY2007. The SETF will continue its review of BST data and will review the comprehensive Program Evaluation of BSTs. With the SETF this year, the District will also explore possible interventions for BSTs and campuses to implement before referring students for special education, as well as identifying or improving the documentation of such interventions. Additionally, the District will reconvene the program evaluation team that studied the BST process to plan for further implementation of its recommendations.

The District collaborates with a member of the Plaintiff class to provide cultural diversity and social justice training to student service coordinators, deans, counselors, attendance specialists, special education teachers and social workers, as well as training in culturally sensitive assessment for administration of tests and interpretations of results with school psychologists and social workers. Ex. H, 8, 15-17, 23-25; Ex. L, item 2.

2. Target to Sample Evaluations and Placements

The District believes it is meeting the flexible goal to sample evaluations and placements for students in identified special education categories. Annually, consultants conduct audits of the District's Special Education placements, as does the District internally. These audits include random file reviews to check adherence to criteria, adequate documentation and appropriate placement. The parties agreed that the District will provide copies of the external audit reports to Plaintiff representatives through the SETF. Additionally, an objective of the SETF is to conduct file reviews of African American and non-African American special education students with comparable designations. Ex. L, Item 1(b).

C. Assignment of Responsibilities and Accountability

During SY2007, the Special Education Department will work with principals and classroom teachers to monitor individual progression through the BST and special education referral process. The Special Education Director will implement a comprehensive monitoring program to oversee the appropriate use of criteria in determining eligibility, the provision of special education services through the IEP process, and the appropriate allocation of personnel to meet student needs. Through the SETF, BST procedures, documentation and accountability mechanisms will be reviewed and enhanced. Exhibit N further details the forms/tracking systems for accountability, as well as the various committees and meetings of the Department that provide monitoring of special education. Lastly, appraisals of campus level administrators specifically evaluate their implementation of interventions to reduce unwarranted disparities in placement of students into special education programs. Ex. D, III(5).

V. Student Discipline

A. Final Targets

The Consent Decree sets forth the following goals in this area (188 F.Supp.2d at 984):

- Seek to provide educational tools and alternative resources that eliminate unwarranted disparities in student discipline and attendance at alternative schools.
- Seek to use discipline as an intervention strategy only and as a means to improve student performance and academic behavior.

Part II, Section A of the EEIP sets forth “Flexible Goals” in this area:

- The District will reduce the total number of student suspensions in the District each year by an amount consistent with District-wide and building goals through the use of the PBIS process.
- The District will dispense discipline to students in each category of discipline within racial fairness guidelines for each school level.
- The District will dispense discipline to students such that minority and non-minority students receive comparable discipline for comparable misconduct.

B. Procedural Steps to Reach Final Targets

1. District Emphasis on Improving Student Discipline

Since 2002 there has been a noticeable decrease in disciplinary incidents and actions at the elementary level (3rd Rpt.233-237, 288-291), but disciplinary data at the secondary level shows mixed results. The District recognizes student discipline to be a critical area and has made a commitment to explore and implement new ways to approach this challenging issue. For example, the District has a Discipline Advisory Committee comprised of administrators, teachers, parents, community members, and high school students, which has met each spring to review the Student Code of Conduct. As discussed with Plaintiffs, the District will use the Discipline Advisory Committee, or a sub-group thereof, to meet regularly to review discipline data, trends, initiatives and campus plans, beginning this fall.

As part of its review of discipline data trends, the District identified a notable increase in the incidents of tardies, which can result in escalating disciplinary consequences. The District has discussed this with Plaintiffs and during the first semester SY2007 will explore alternative methods to address tardies. The District will also review the procedures for documenting and processing tardy students at both high schools to create consistency in the procedures.

2. District and Campus Level Meetings to Monitor Data

The Office of Achievement and Pupil Services, with the IT Department, has initiated a comprehensive review of discipline data submitted in the end-of-year Quarterly Reports to identify causes of data variances and to establish a system of check-and-review to eliminate data reporting inaccuracy in the future.

Discipline review and analysis will now be a standing agenda item for weekly Student Services meetings (described in the Attendance section above). Additionally, weekly entry of campus discipline data will be required, so that current data will be available at the meetings.

Monthly, the Assistant Superintendent for Achievement and Pupil Services will meet with each high school and middle school to verify and evaluate data for accuracy and to ensure that they are conducting the type of data entry and ongoing analysis of discipline trends that the District requires. These meetings will include a review of: 1) how many disciplinary incidents occurred; 2) the types of incidents; 3) patterns in which teachers are issuing discipline; 4) whether discipline is issued equitably; and 5) whether the discipline is proportional to the offense. Additionally, a random check of disciplinary actions will occur to detect any unwarranted disparities in the administration of student discipline. Every other month, the Assistant Superintendent will conduct similar meetings and reviews at each elementary school. Central office administrators also meet with all Principals at least once every month, and discipline will recur as an agenda item at these meetings.

3. Initiatives to Reduce Disciplinary Incidents

Exhibit O sets forth a number of ongoing and new initiatives to support African American students and reduce disciplinary incidents. For example, this year the District will continue peer mediation programs established at the high schools and will pilot a peer justice program at Central High School to offer an alternative to suspension for tardiness, truancies, and

similar infractions. (Ex. P). The District also implements its discipline Strategic Plan (Ex. C, 4.1, 4.2). Each of the schools has adopted positive behavior modification models: elementary and middle schools use the Positive Behavior Interventions and Supports (PBIS) program, and the high schools use the Positive Behavior Facilitation (PBF) program. Ex. O. Dr. Howard and Garden Hills were recently recognized at the State level for their successful implementation of PBIS and have been invited to present their success at the next legislative session.

4. Staff Development

Appropriate staff development is critical to support students, enhance teachers' classroom management skills, minimize disciplinary incidents, and reduce unwarranted racial disparities in subjective categories of discipline. Last year, the District offered special credits⁹ to encourage campus staff to attend additional staff development. To date, almost 100 District personnel have been certified in the PBF model. The District also will continue to collaborate with the regional PBIS coordinator to provide new member, target intervention, and wrap-around training. The District's staff development plan focuses on classroom management, de-escalation, and behavior change technique training. Ex. H, 6, 18, 25. The Office of Achievement and Pupil Services has identified schools that need focused intervention and assistance to address climate issues. Staff development at these campuses will focus on enhanced PBIS and PBF training to ensure implementation integrity of the model programs.

C. Assignment of Responsibilities and Accountability

By October 31, 2006, the Assistant Superintendent for Achievement and Pupil Services will develop a form for the campuses to document the above meetings. The Assistant Superintendent will require greater emphasis in the campus plans to cultivate school climate, reduce disciplinary incidents and any unwarranted disparities, as well as greater monitoring and

⁹ Continuing education credits are offered, as well as "Board credits" which go toward movement on the salary schedule, all of which incentivize participation in the trainings during non-contract time.

accountability at the school level. Additionally, the Deputy Superintendent and Assistant Superintendent will place greater accountability on Principals to monitor student discipline. Administrators are assessed on their student management and their efforts to eliminate unwarranted disparities in discipline referrals, suspensions and expulsions. Ex. D(V).

VI. Staffing, Hiring and Recruitment Results

A. Final Targets:

The Consent Decree sets forth the following goal for Hiring, Staff Placement, Retention:

- Seek to achieve a substantial level of racial diversity of certified and classified staff District-wide and at each school level in order to facilitate educational equity. (188 F.Supp.2d at 985.)

Part II, Section F of the EEIP sets forth “Flexible Goals” in this area:

- The District’s diversity goal for classified staff is a minority representation at least equal to the proportion of African Americans qualified for jobs not requiring certification in the availability pool.
- The District will hire African American certified and classified staff in accordance with their availability in the Champaign labor market.
- The District will establish at least four at-large teaching positions for assignment to vacancies in schools for diversity purposes in consultation with building principals.
- The District will monitor all hires, transfers and terminations of staff and maintain, through aggressive action, diverse personnel in all schools.

B. Procedural Steps to Reach Final Targets

The District is meeting its targets in this area, as set forth in its annual AAEO reports.

Ex. Q. Notably, the District hired 20 African American teachers for SY2006, which is a 25% increase over the prior year and the largest number of African American teachers hired in a single year. Both the number and percentage of African American teachers/administrators have increased for three consecutive years. The District continues to sustain and implement initiatives to enhance minority recruitment and retention. Ex. R; Ex. C, Strategy 5. The District’s Grow-Your-Own program provides tuition and books for District support staff who are attending college to become teachers, and seven of the ten participants are African American. Ex. S. The

District recently formed a Minority Teacher Retention Committee, which includes a Plaintiff representative, to supplement the work of the Novice Teacher Retention Committee that supports first-year teachers.

C. Assignment of Responsibilities and Accountability

During SY2007, the Assistant Superintendent for Human Resources will develop written procedures to institutionalize the numerous initiatives, procedures and tracking systems she has implemented. Continual monitoring will occur through progress reports on the Strategic Plan, AAEEEO data, departmental reports and Quarterly Reports to the Monitor. Exhibit R sets forth the interventions used when a school is not meeting District hiring expectations. Finally, campus level administrators are evaluated on Personnel Management, supervision of school staff, and their progress to recruit, hire and retain a diverse teaching staff. Ex. D(IV).

VII. Controlled Choice

A. Final Targets

The Controlled Choice requirements of the Consent Decree encompass seven subtopics, and the targets for each are too extensive to set forth here, so the District refers to the Consent Decree and Controlled Choice Memorandum. The District has successfully met most of the targets under Controlled Choice, and the District's plan remains the ongoing implementation and monitoring of the Consent Decree requirements. A few items warrant special discussion here:

1. Application and Assignment

As set forth in the Enrollment section above, the District meets its targets for student assignment to schools within racial fairness guidelines. Moreover, the system of choice is successful. The kindergarten lottery for SY2007 received the largest number of participants since the program's inception in 1998. Significantly, more than 95% of the families participating received one of their top three choices of schools, with the vast majority of those receiving their first choice.

2. Stratton Elementary School

The District is also meeting its targets with regard to Stratton Elementary as a special desegregation school. This Court previously granted the District's unopposed motion to permit the graduated enrollment of Stratton's fourth strand, by adding one grade level each year (and two the last year) to complete the four full strands by SY2009, and the District remains on track to meet that target. Even more substantially, Stratton is an academic success story. The Monitor commented on the palpable changes in academic focus, achievement levels, and environment observed at Stratton during his visit. 3rd Rpt. 46. The District maintains Stratton's student/teacher ratio at 20:1 or better and has infused Stratton with educational input programs and resources to accelerate student learning. Stratton's academic success repeatedly earns it recognition from the State, as described in Section I above.

3. Seat Capacity

The District previously reported to the Court its detailed accomplishments and ongoing efforts to satisfy the specific seat capacity requirements of the Consent Decree. (Motion 09/28/05, Docket #130,131). The District met requirements of the Seat Capacity sub-section of the Consent Decree by securing funding, completing the renovation of the old Sunbeam Bakery and relocating the pre-school program there from Marquette; substantially opening and enrolling Stratton strands; and completing the comprehensive facility study.

A sub-section of the Seat Capacity requirement is for the District to add two elementary strands in north Champaign, conditioned upon the District's good faith effort to obtain necessary funding. The District's Motion detailed its historical efforts in this regard, its timeline to add the seats and its plan to secure funding through a referendum. Despite these efforts to add the seats, the referendum failed on March 21, 2006. The District has secured an external post-referendum analysis to inform its decisions regarding future referendum possibilities.

During the April 2006 Quarterly Meeting, the parties discussed the need for additional seating to be created in an educationally sound manner, and a member of the Plaintiff class provided information about a “Great Campus” idea. At subsequent PIC meetings, members of the Plaintiff class presented information to PIC members about the Great Campus idea. As initially presented, the Great Campus idea does not appear to include the two elementary strands required under the Consent Decree. Meanwhile, the District has identified alternatives, such as reconfiguring existing facilities in north Champaign or purchasing a facility currently operating as a private school in north Champaign. The District communicated with Plaintiffs and PIC about these developments.

At the Quarterly Meeting on August 25, 2006, the parties discussed the seat capacity issue with the Monitoring Team in light of this Court’s July 31, 2006 Order. Understanding the Court’s desire that the parties work together to identify how to proceed in this regard, the parties discussed this during its collaboration meetings. The parties’ plan is to engage in “intense negotiations” to identify a resolution to add the two elementary strands or to agree to a modification of the Consent Decree to establish another approach. These meetings will occur after the hearing in mid-October and continue until mid-December, concluding before the District’s Winter Break begins. Plaintiffs are exploring various proposals, including formulation of the Great Campus idea, and these will be addressed as part of this process. The District will also continue to gather its options if the parties are unable to reach agreement. In January 2007, the parties will update the Monitor and the Court as to the results of this process.

4. Other Controlled Choice Areas

The District continues to meet its targets in other areas of Controlled Choice and follow the Controlled Choice Plan. For example, each elementary school has a theme (Ex. T), and the District’s Family Information Center retains its pivotal role in providing information to families

about Controlled Choice and school selection, as well as serving as a community center. As discussed with Plaintiffs, the Superintendent will develop and recommend a Board policy this year to reflect the District's desegregation obligations under State law. The parties also discussed overrides in the student assignment process.

VIII. Information Technology

A. Final Targets

Information Technology (IT) is not an enumerated area under the Consent Decree, although it is addressed in the EEIP, which states, "Monitoring implementation of the Plan begins with collecting and maintaining the 'right' baseline data, proceeds to data analysis, moves to preparation and submission of a report on the data. . . . The parties envision quarterly reports on selected areas and an annual report covering all areas." The District recognizes that the use of accurate and reliable data is central to the analysis and monitoring of Consent Decree areas.

B. Procedural Steps to Reach Final Targets

From 1998 (when the Equity Audit of IT was conducted) to date, the District has effected marked improvements in IT. Initially, the District was unable to produce its own data and relied wholly on the Monitor's Data Specialist. The District also struggled for a comprehensive approach to IT because it was using various data programs. Since then, the District implemented Pentamation as its information database to manage and integrate student, human resources, and financial information in a single package, and continues to increase its capacity to extract data.

As its data collection and extraction capacity has increased, so has the District's ability to report out, using the templates created by the Monitor's Data Specialist and patterned after the Monitoring Reports. Indeed, the Quarterly Report submitted by the District to the Court Monitor has increased in size from 641 pages in June 2004 to more than 1,700 pages in July 2006, and each Quarterly Report covers all areas. The District recognizes that this increased capacity to

extract and report also requires increased capacity to check the integrity of the data and to analyze the information to effect substantive systemic changes. At this point in the Consent Decree, the goals for IT are to refine, tighten and enhance all procedures for accuracy, reliability and accountability. The District discussed data issues with the Monitoring Team and Plaintiffs, including at the August 2006 Quarterly Meeting, and agrees with the import of strengthening this area. To that end, the District's IT plan includes restructuring the IT Department, working with the Monitoring Team to transition to an improved accountability, and establishing clear expectations throughout the District that the entry, extraction and analysis of data in a timely, accurate and meaningful way is a heightened priority. Additional details are set forth in Ex. U.

C. Assignment of Responsibilities and Accountability

The Superintendent has clearly communicated the importance of accurate data collection, and the IT department will be monitored closely to ensure implementation of effective systems. The District will also use the expertise of the Monitor's Data Specialist to assist in transitions and modifications to systems for transparency and accuracy in the reporting process. Further, as described previously, administrators will closely monitor the regular and accurate data entry and analysis at the school level, particularly in the areas of Discipline and Attendance.

CONCLUSION

The District expresses its appreciation to the Monitoring Team and Plaintiffs for their collaboration and assistance in developing this Report and throughout each academic year. The District also conveys its appreciation for the commitment of the Board of Education and the hard work and dedication of the District's administrators, teachers, staff and students. The District believes the mechanisms for success are in place, and the District will encourage renewed efforts by all stakeholders as it steps up monitoring and accountability.

Respectfully submitted,

BOARD OF EDUCATION OF CHAMPAIGN
COMMUNITY UNIT SCHOOL DISTRICT #4

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Dated: September 22, 2006

CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2006 I electronically filed the foregoing Defendant Board of Education's Report to Court of Consent Decree Targets and Steps using the CM/ECF system which will send notification of such filing to the following:

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