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September 7, 2011

Honorable D. P. Marshall, Jr.  
United States District Court  
Eastern District of Arkansas  
600 West Capitol, Room B155  
Little Rock, AR 72201

Re: The ODM

Dear Judge Marshall:

Item 7 of the Court's Order of August 15, 2011 at page 11 solicits the party's views on how the Court and ODM should communicate and collaborate and, explains that the Court is attempting to learn how ODM has been functioning and how it should be functioning and requests the party's views on the ODM's role, responsibilities and operating procedures, both past and future.

The ODM was created by the United States Court of Appeals for the 8<sup>th</sup> Circuit when it disapproved the Office of the Metropolitan Supervisor and converted it to the Office of Desegregation Monitoring.

Thereafter, the ODM became fully staffed and was monitoring all three districts as well as, occasionally, the ADE itself. Under Judge Wright who presided for the decade of the 1990s, counsel recalls that the Court actually had meetings with the ODM, particularly with its head monitor and that the Court at that time solicited input, opinions and recommendations from the ODM and sometimes strongly suggested that the parties heed the recommendations of the ODM concerning their plan implementation.

Counsel recalls that the relationship changed abruptly when Judge Wilson took over the case. Counsel recalls that Judge Wilson did not verbally communicate with the ODM staff and required that all communications with them be in writing. There are probably some statements on the record concerning his views in that regard. Counsel does not recall the Court during that era relying on the ODM for advice or information, but it should also be remembered that the primary focus during that time was the effort of the LRSD to attain unitary status.

Honorable D. P. Marshall, Jr.  
September 7, 2011  
Page 2

Judge Miller's tenure was comparatively brief, and it is not actually known how he dealt with the ODM if at all.

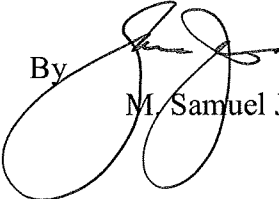
The PCSSD believes that the primary role of the ODM should be to monitor the PCSSD's implementation of Plan 2000 and to be prepared to adjust its monitoring after the opinion of the United States Court of Appeals for the 8<sup>th</sup> Circuit is rendered which could be fairly quickly after oral argument on September 19, 2011.

The PCSSD understands that the minimal staff of ODM is willing to meet with PCSSD and offer suggestions which will be welcomed but which should remain just that, suggestions.

It is believed that with the passage of time, the changes in the composition of the Court and the evolution of the law as regards desegregation, that it might not be wise for the PCSSD to initiate wholesale new initiatives until the ruling and directives anticipated from the Court of Appeals are received.

Cordially yours,

MITCHELL, WILLIAMS, SELIG,  
GATES & WOODYARD, P.L.L.C.

By   
M. Samuel Jones, III

MSJ:cw

cc: Ms. Rachel Kleinman  
Chris Heller  
Scott Richardson  
Stephen W. Jones

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**LITTLE ROCK SCHOOL DISTRICT**

**PLAINTIFF**

**VS.**

**NO. 4:82CV 00866 DPM**

**PULASKI COUNTY SPECIAL SCHOOL  
DISTRICT NO. 1, et al.**

**DEFENDANTS**

**LORENE JOSHUA, et al.**

**INTERVENORS**

**KATHERINE KNIGHT, et al.**

**INTERVENORS**

**NORTH LITTLE ROCK SCHOOL DISTRICT'S  
RESPONSE TO THE COURT'S AUGUST 15, 2011 ORDER REGARDING THE  
OFFICE OF DESEGREGATION MONITORING**

Comes now Separate Defendant North Little Rock School District (“NLRSD” or the “District”) by and through its counsel, Jack Nelson Jones and Bryant, P.A., and for its Response to the Court’s August 15, 2011 Order requesting the parties views about Office of Desegregation Monitoring’s (“ODM”) role, responsibilities and operating procedures, states as follows:

1. As NLRSD has been declared unitary in all other areas of its plan, the only area of its plan ODM should monitor is the staff recruitment section of NLRSD’s plan.
2. ODM’s responsibility is to objectively monitor compliance with the express terms of NLRSD’s staff recruitment plan. It is also ODM’s responsibility to collect documentation and data relating to the compliance with the plan and prepare compliance reports. ODM should provide feedback to the District on areas of the plan where there is inadequate evidence of compliance. Furthermore, ODM should be available to the District for

discussion regarding possible changes contemplated by the District or alternatives that, while not required by the plan, could increase the effectiveness of minority recruitment efforts.

3. It is not necessary for the Joshua Intervenors to be invited to each meeting between ODM and the District. Meeting with the District to obtain information is within the scope of ODM's purpose, and the Joshua Intervenors have no particular right to participate in these information gathering meetings. Moreover, the Joshua Intervenors' presence, in light of their adversarial position, may inhibit frank discussions between the District and ODM.

4. Compliance reports prepared by the ODM should be made available to all parties and filed with the Court. ODM should provide the District with draft reports to review before they are finalized and allow the District's comments and responses in an effort to avoid any misunderstandings or errors.

Respectfully submitted,

Jack Nelson Jones and Bryant, P.A.  
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2800 Cantrell, Suite 500  
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/s/ Stephen W. Jones

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**CERTIFICATE OF SERVICE**

I, Stephen W. Jones, attorney for Separate Defendant North Little Rock School District, certify I electronically filed the foregoing with the Clerk of the court using the ECF system which sent notification of such filing to the following:

Office of Desegregation  
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**/s/ Stephen W. Jones**  
Stephen W. Jones

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

LITTLE ROCK SCHOOL DISTRICT

PLAINTIFF

v.

LR-C-82-866

PULASKI COUNTY SPECIAL SCHOOL  
DISTRICT NO. 1, ET AL

DEFENDANTS

MRS. LORENE JOSHUA, ET AL

INTERVENORS

KATHERINE KNIGHT, ET AL

INTERVENORS

PLAINTIFF'S FILING REGARDING  
THE OFFICE OF DESEGREGATION MONITORING

Plaintiff Little Rock School District ("LRSD") for its Filing Regarding the Office of Desegregation Monitoring states:

1. **Role, Responsibilities, and Operating Procedures.** In approving the 1989 Settlement Agreement, the Court of Appeals for the Eighth Circuit stated that "a necessary condition of our holding that the plans are not facially unconstitutional is that the parties' compliance with them will be carefully monitored." *Little Rock Sch. Dist. v. Pulaski County Special Sch. Dist.*, 921 F.2d 1371, 1388 (8<sup>th</sup> Cir. 1990). Accordingly, the Eighth Circuit directed this Court to create the Office of Desegregation Monitoring ("ODM") for the purpose of monitoring the State's and districts' compliance with the 1989 Settlement Agreement. *Id.* at 1394.
2. In its 9 August 2011 report, ODM described its role as "monitoring the compliance of the Pulaski county school districts with the court orders and the desegregation

plans that form the substance of their settlement agreements.” *Docket No. 4606, p. 1*. ODM did not report any current monitoring of the State’s compliance with its obligations. ODM has in the past monitored the State’s compliance as well as that of the districts. In particular, ODM reported on the State’s failure to comply with its monitoring obligations, as set forth in the so-called Allen Letter (attached as Exhibit A). *Docket No. 3097, “Report on ADE’s Monitoring of the School Districts in Pulaski County,” filed December 18, 1997*. Since the Eighth Circuit directed this Court “to monitor closely the compliance of the parties with the settlement plans and the settlement agreement . . . to ensure compliance with the plans and the agreement . . . .” *LRSD v. PCSSD*, 921 F.2d at 1394 (emphasis supplied), ODM should continue monitoring the State, as well as NLRSD and PCSSD. *See also Id.* at 1390 (the district court will “carefully monitor” the State’s payment of settlement funds).

3. In 2001, LRSD moved (*Docket No. 3531*) to prevent ODM personnel from testifying at its unitary status hearing arguing that ODM was an “agent” of the court citing *LRSD v. PCSSD*, 921 F.2d at 1386 (“Indeed, such monitoring by the District Court and its agents is essential.”). LRSD argued that allowing ODM to testify on disputed issues would be contrary to ODM’s long-standing role as an agent of Court and destructive of its collaborative and facilitating role. *Docket No. 3531, ¶ 3*. The Court (the Honorable Susan Webber Wright presiding) denied LRSD’s motion (*Docket No. 3533*), and ODM has been permitted to testify in adversarial proceedings before the Court. Thus, ODM personnel have been treated more like court-appointed experts, subject to depositions before trial and impeachment during trial, and their opinions have not always been accepted by the Court. *See, e.g., Little Rock Sch. Dist. v. Pulaski County Special Sch. Dist.*, 237 F.Supp.2d 988, 1053 (E.D. Ark. 2002)(“I must reject the last conclusion [by ODM] out-of-hand because it is no wise supported – factually or statistically.

It is a far reaching conclusion, but is purely speculative.”).

4. ODM personnel have also performed routine administrative tasks such as gathering data to produce reports such as the annual racial balance report. In most cases, ODM has simply gathered and reformatted data provided to by the districts or the State. The State now has a computerized data system in place and could more efficiently produce reports including desired data in a format ordered by the Court following input from the parties.

5. Following ODM’s 1997 report on ADE monitoring, ADE, LRSD and PCSSD agreed that the State’s monitoring plan should be modified and jointly moved to temporarily relieve the ADE from its obligations under the Allen Letter so that a new monitoring plan could be developed. *Docket No. 3220*. ADE moved for approval of a new monitoring plan on 1 February 2000. *Docket No. 3327*. Joshua and LRSD objected to the new plan, although both agreed that changed circumstances justified modification. *Docket Nos. 3334 and 3340*. LRSD argued that ADE’s “role should shift from one of monitoring to one of active participation in the district’s effort to eliminate the achievement disparity between African-American and other students.” *Docket No. 3340, p. 3*. The Court (Judge Wright) denied ADE’s motion to modify the Allen Letter stating, “The Court acknowledges that changed circumstances may warrant revision of ADE’s monitoring plan but finds that ADE has failed to demonstrate that [the proposed revised monitoring plan] is tailored to address the changed circumstances.” *Docket No. 3360*. Despite universal agreement that its monitoring plan should be modified, ADE gave up after this failed effort and continues to be bound by the Allen Letter. *See Docket No. 3360* (“Thus, the Allen [L]etter contains substantive terms of a consent decree, which relate to the vindication of constitutional rights.”).

6. As far as LRSD can determine, ADE has not produced a monitoring report as



required by the Allen Letter since 2 February 1998 (*Docket No. 3119*), although the Allen Letter required ADE to “provide a written report to the parties and the Court on a semiannual schedule . . . on February 1 (or nearest workday) and July 15 (or nearest workday).” *Allen Letter*, p. 8 (*Attached as Exhibit A*). ADE does still file a monthly “project management tool” (“PMT”) intended to “enable ADE to stay on track as it sets in motion both the development phase and the subsequent action steps that constitute the implementation phase.” *Docket No. 2045*, p. 5. The most recent PMT documents ADE’s failure to follow-through on developing a revised monitoring plan. It includes the following entry:

***XVIII. Work with the Parties and ODM to Develop Proposed Revisions to ADE’s Monitoring and Reporting Obligations***

On July 10, 2002, the ADE held a Desegregation Monitoring and Assistance Plan meeting for the three school districts in Pulaski County. Mr. Willie Morris, ADE Lead Planner for Desegregation, presented information on the No Child Left Behind Act of 2001. A letter from U.S. Secretary of Education, Rod Paige, was discussed. It stated that school districts that are subject to a desegregation plan are not exempt from the public school choice requirements. “If a desegregation plan forbids the school district from offering any transfer option, the school district should secure appropriate changes to the plan to permit compliance with the public school choice requirements”. Schools in Arkansas have not yet been designated “Identified for Improvement”. After a school has been “Identified for Improvement”, it must make “adequate yearly progress”. Schools that fail to meet the definition of “adequate yearly progress”, for two consecutive years, must provide public school choice and supplemental education services. A court decision regarding the LRSD Unitary Status is expected soon. The LRSD and the NLRSD attended the meeting. The next meeting about the Desegregation Monitoring and Assistance Plan will be held in August, 2002, after school starts.

*Docket No. 4615*, p. 355. To LRSD’s knowledge, this meeting never occurred, and ADE has taken no additional steps to provide meaningful monitoring reports to the Court or the parties.

7. All parties agreed in 2000 that changed circumstances justified modification of Allen Letter. *Docket Nos. 3327 (ADE), 3333 (PCSSD), 3334 (Joshua) and 3340 (LRSD)*.<sup>1</sup> Since that time, LRSD has been declared unitary; NLRSD and PCSSD have been granted partial

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<sup>1</sup> NLRSD filed no opposition to ADE’s motion.

unitary status; new schools have been built and old ones closed; the State has implemented a computerized data system; the State has established a separate system of school choice in Pulaski County in the form of open-enrollment charter schools; the State has taken over PCSSD; and based on traditional measures, no progress has been made on eliminating the racial achievement disparity. Based on the significant change in circumstances since ADE developed the Allen Letter, ADE should be ordered to prepare and submit for Court approval a comprehensive monitoring plan that reflects the current status and obligations of the parties. ADE's revised monitoring plan should include ADE assuming ODM's responsibilities for preparing reports such as the annual racial balance report. ODM should be directed to assist and facilitate preparation of ADE's revised monitoring plan.

8. **Communication between ODM and the Court.** After Judge Wright ruled that ODM personnel could testify at its unitary status hearing, LRSD moved to disqualify Judge Wright based on *ex parte* communications between ODM and the Court. *Docket No. 3542*. At that time, it was routine for ODM to meet with Judge Wright in chambers before hearings and to walk out of chambers with Judge Wright as hearings began. Thus, LRSD was faced with the prospect of having to cross-examine ODM personnel without knowing what they might have said to the Court in chambers. *See Docket No. 3542, ¶ 9(a)*. While Judge Wright denied LRSD's motion to disqualify (*Docket No. 3544*), she ultimately recused and, to LRSD's knowledge, ended the practice of having *ex parte* contact with ODM. The Court should continue this practice and have no substantive *ex parte* communications with ODM. *See Edgar v. K.L.*, 93 F.3d 256, 259-60 (7<sup>th</sup> Cir. 1996) (disqualifying judge following *ex parte* meeting with court appointed experts); and *Liddell v. Bd. of Educ. of the City of St. Louis*, 105 F.3d 1208, 1211-12 (8<sup>th</sup> Cir. 1997) (noting with approval a ruling by the district court that court-ordered negotiations

between the settlement coordinator and the parties “would be confidential from the court and outside parties.”). *Ex parte* communications with ODM may create an appearance of impartiality under 28 U.S.C. § 455(a)(1) and may result in the Court having “personal knowledge of disputed evidentiary facts concerning the proceeding” within the meaning of 28 U.S.C. § 455(b)(1).

Respectfully submitted,

LITTLE ROCK SCHOOL DISTRICT  
Friday, Eldredge & Clark  
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*/s/ Christopher Heller*

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CERTIFICATE OF SERVICE

I certify that on September 7, 2011, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the parties of record.

*/s/ Christopher Heller*

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H. WILLIAM ALLEN  
SANDRA JACKSON

NINA MOSER  
LEGAL ASSISTANT

May 31, 1989

Re: Little Rock School District  
vs. Pulaski County Special School  
District No. 1, et al, NO. LR-C-82-866

John W. Walker, Esq.  
Christopher Heller, Esq.  
Stephen W. Jones, Esq.  
M. Samuel Jones, Esq.  
Richard W. Roachell, Esq.

HAND DELIVERED

Dear Counsel:

In accordance with III.A. of the Pulaski County Desegregation Settlement Agreement of March, 1989, we are enclosing an Arkansas Department of Education plan for monitoring implementation of compensatory education in the three school districts.

The settlement agreement does not provide for filing or even submission of this document to the Court at this time. However, we are sending copies to both Judge Woods and Mr. McCutcheon so that they may be aware that this requirement of the settlement agreement has been met. We anticipate that the enclosed plan may be modified after receiving your comments and after we learn more about the monitoring role that will be undertaken by Eugene Reville.

Sincerely yours,

ALLEN LAW FIRM



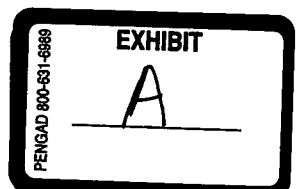
H. William Allen

HWA/nm

Enclosure

cc: The Honorable Henry Woods  
The Honorable Aubrey V. McCutcheon, Jr.

bcc: Dr. Ruth Steele  
Sam Bratton, Esq.  
→ Sharon Streett, Esq.  
Marion J. Starling, Jr., Esq.



ARKANSAS DEPARTMENT OF EDUCATION  
PULASKI COUNTY DESEGREGATION MONITORING

The Pulaski County School Desegregation Case Settlement Agreement (the Agreement) provides for the State of Arkansas, through the Arkansas Department of Education (ADE), to monitor the implementation of compensatory education programs by the school districts in Pulaski County.

The ADE defines compensatory education programs as those programs which are directed at improving the academic performance of black students whose academic achievement has been adversely affected by racial discriminatory practices within the school. The state believes that the compensatory effects of the programs should be measured by the extent to which disparities in educational achievement between minority and majority students are reduced.

Although the Agreement identifies compensatory education as the primary area for monitoring, the state's monitoring responsibility is necessarily broader in order to ensure an equitable education for all students and demonstrate fiscal accountability to the tax payers of Arkansas. Monitoring responsibilities for desegregation effectiveness by necessity must permeate all elements of schooling to ensure equal opportunities through special state funded remedial programs.

Therefore, it shall be the goal of the ADE to provide extensive monitoring and evaluation of the Agreement. The primary focus of the process shall be a continuous assessment of the remedial effectiveness of programs supported partially or fully by special state funding resulting from Little Rock School District vs. Pulaski County Special School District, et al., No. LR-C-82-866. The programs and services receiving special funding include:

1. Compensatory Education
2. Magnet Schools
3. Magnet School Transportation
4. Majority to Minority Transfers

The Agreement commits the state to:

1. Direct funding to the districts (within the limits provided in the Agreement)
2. Principles of desegregation
  - a. Remediation of racial academic achievement disparities

- b. Standardized test validation
  - c. Racial balance in special programs
  - d. Minority recruitment and employment
3. Site selection criteria for school construction or expansion
  4. Staff development release days for the three districts through 1990-1991
  5. Twenty million dollars loan to Little Rock School District to develop programs for remediating achievement disparities and for other programs and initiatives which facilitate desegregation
  6. Selection of an agreed standardized test to satisfy the loan forgiveness of the Agreement

Further, Section III-A of the Agreement states:

1. The ADE shall provide regular written monitoring reports to the parties and the court.
2. Monitoring by the state shall be independent of that of the other parties.
3. As a last resort, ADE may petition the court for modifications or changes in such programs being implemented by the districts (but not for a reduction in the agreed level of state funding).
4. Any recommendations made by ADE shall not form the basis of any additional funding responsibilities of the state.

Although, the ADE monitoring shall be independent of that of the other parties, the districts are advised to establish an internal monitoring plan. The purpose shall be to determine and document that:

1. The desegregation plan was, or is being implemented on a timely basis,
2. Inequities do not exist and/or do not recur; and
3. All students are afforded an equitable education.

### MONITORING

The monitoring process shall be conducted to ensure effectiveness of court order remedies and will include site visitations, review of plans, review of statistical and administrative data as well as perceptual responses from school personnel, patrons and students. Further, monitoring visits should provide evidence that the school site is representative of the pluralistic nature of the American Society.

Monitoring teams shall be selected by the Director, Arkansas Department of Education (ADE), General Division. The teams shall include ADE personnel and may include others as designated by the Director.

Monitoring visits shall be conducted according to a schedule established by the ADE. The monitoring process shall include announced and unannounced visits. Monitors shall record events and conditions during site visits. Monitors shall observe and report findings only.

Each district shall include in the six-year plan and annual school improvement plans appropriate objectives to achieve compliance with each court order related to the Agreement. The ADE shall monitor the six-year plans and annual school improvement plans to determine progress toward achieving educational equity. District plans should provide evidence of compliance with court orders and a process to ascertain progress.



The ADE shall identify relevant data necessary to formulate conclusions and recommendations. Data should provide:

1. Evidence that policies, procedures, rules and regulations are developed and implemented to facilitate desegregation.
2. Evidence that plans related to reducing achievement disparity between black and non-black students are progressively successful.
3. Evidence that student assignments to schools, classes and programs at each organizational level are made without bias.
4. Evidence that staff development days authorized as a result of the Agreement are used to facilitate the desegregation process.
5. Evidence that travel time to and from schools is not disproportionate among black and non-black students and the percentage of black students transported for desegregation is not significantly greater than the percentage of non-black students transported for desegregation.
6. Evidence that guidance and counseling is designed to meet the needs of a diverse student population.
7. Evidence of internal procedures for ensuring that materials for appraising or counseling students are non-discriminatory.
8. Evidence that curricular content and instructional strategies are utilized to meet the diverse needs of the student population served.
9. Evidence that personnel is recruited, employed and assigned in a manner to meet the goals of a desegregating school district.
10. Evidence that procedures related to extracurricula and cocurricula activities are developed and implemented to identify and eliminate conditions that result in participation that is disproportionate to the student population.
11. Evidence of diverse representation on appointed districtwide and school-based committees.
12. Evidence of efforts to ensure that parent attendance at school functions is not disproportionate to the student population.

13. Evidence of success related to Majority to Minority transfers.
14. Evidence that magnet schools are an effective interdistrict remedy for racial balance.

The collection of data shall include at least the following:

A. Enrollment/Attendance

1. Enrollment by race, gender, school, grade, transported, nontransported and instructional programs.
2. Enrollment by race, gender, grade, transported, nontransported and instructional program for each magnet school.
3. Number of non promotes by race, gender, grade, school, teacher, transported and nontransported.

B. Test Data

1. Arkansas Minimum Performance Test results by race, gender, grade, school and socioeconomic status (SES).
2. Number of eighth graders failing to attain mastery after the first, second and third administration of test by race, gender, SES and school.
3. Number of eighth graders that are non promotes for failing to attain mastery after third administration of test by race, gender, SES and school.
4. Metropolitan Achievement Test - 6th Edition or other national normed tests as may be adopted by the ADE. Results should be given by race, gender, grade, school, SES and teacher.
5. Number of 11th and 12th graders by race, gender, school and guidance counselor who take the PSAT, SAT or ACT.

C. Staff

1. Number of Full Time Equivalent (F.T.E.) classroom teachers by race, gender, school, years of experience.
2. Number of F.T.E. school-based administrators by job category, race, gender, school, years of experience.
3. Number of F.T.E. counselors by race, gender, school, years of experience.

4. Number of F.T.E. kindergarten teachers by race, gender, school, years of experience.
5. Number of F.T.E. librarians by race, gender, school, years of experience.
6. Number of F.T.E. department heads by race, gender, school, years of experience.
7. Number of F.T.E. secretaries by race, gender, school, years of experience.
8. Number of F.T.E. central office positions by job category, race, gender, school, years of experience.

D. Policy and Program Information

1. Administrative chart indicates titles, names, responsibilities and reporting responsibilities.
2. Policies and regulations related to student entrance and exit criteria for course offerings and special state funded programs including:
  - a. Magnet Schools
  - b. Compensatory Education
  - c. Majority to Minority Transfers
  - d. Transportation
3. Student assignment policies, rules and regulations.
4. District policies, rules, regulations and written administrative directives governing:
  - a. Class Assignment
  - b. Testing
  - c. Guidance and Counseling
  - d. Extracurricular Activities
  - e. Student Rights and Responsibilities
  - f. Library Usage
  - g. Student Records
5. Copies of current negotiated agreements with all employee groups.

E. Budget Information

Quarterly (or monthly, if available) financial reports including:

1. Cost of operating all elementary programs, junior high school programs, and high school programs by funding source (local/regular state/federal and special state desegregation funding).

2. Transportation cost and funding source.
3. All legal fees reported by type of services.
4. Compensatory Education Program cost
5. Magnet school cost

F. Student Discipline

1. Number of discipline referrals by school and teacher reported by race, gender, grade, subject and teachers' years of experience.
2. Student suspensions, exclusions and expulsions according to type of infractions, length of punishment by race, gender, school and teacher.

G. Perceptual Data

Results of survey to ascertain perception toward school quality, school services, district and building leadership, special state funded programs and educational equity summarized by race, gender, attendance zone, school and grade.

H. Majority to Minority Transfer

Number and percentage of students by gender, race, school and grade level, by sending and receiving district.

Analysis of data shall be conducted by appropriate ADE personnel and other persons as designated by the ADE director. Additional data may be required of the districts, as deemed necessary by the ADE for the monitoring reports.

A schedule for submitting the data shall be established by the ADE. Since the monitoring is massive and encompassing, the ADE shall establish monitoring priorities as follows:

1. Programs and services supported by special state desegregation funding including compensatory education, magnet schools, majority to minority transfers and related transportation.
2. Low achieving schools.
3. Schools with new principals.
4. Any situation identified as unusual.
5. Expanded monitoring as resources permit.

Monitoring activities shall be coordinated by the ADE Equity Assistance Center. The site visitation will be conducted by a team of no less than two members and no more than five members. At least one team member will be an education professional from the ADE. The Equity Assistance Center may conduct random monitoring to ensure the quality of monitoring procedures.

Since data analysis is essential to the monitoring process, the state requests the Court to instruct the three districts to provide the ADE all data necessary to implement the monitoring activities.

#### REPORTING

The ADE shall provide a written report to the parties and the Court on a semiannual schedule initially. These initial reports will be on February 1 (or nearest workday) and July 15 (or nearest workday) of each year or as directed by the Court. The Equity Assistance Center shall be responsible for the written monitoring reports.

The written report shall contain a description of the progress of the desegregation process in Pulaski County. Programs and services receiving special state funding resulting from Little Rock School District vs. Pulaski County Special School District, et al., No. LR-C-82-866 shall receive reporting priority. The reports will contain both financial and program information.

The ADE Desegregation Assistance Team shall provide technical assistance and support as necessary to implement monitoring and reporting responsibilities. Current team members are:

#### Administration

Emma Bass  
Sterling Ingram  
Robert Shaver

#### Student Services

Brenda Matthews  
Margie Powell  
Sue Swenson  
Sue McKenzie

#### Gifted/Talented

Martha Bass

#### Special Education

Diane Sydoriak  
Benny Abraham

#### Federal Programs

Clearence Lovell  
Elizabeth Gaston

#### Staff Development

Cayle Teal  
Jackie Dedman

#### Incentive Schools

Carolyn Elliott  
Glenda Peyton  
Marie Parker

#### Staff Attorney

Sharon Streett

#### Early Childhood

TBA

#### Vocational Education

Jean McEntire

#### Curriculum

Lynda White  
Horace Smith  
Janita Hoskyn