

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

SONNIE WELLINGTON HEREFORD,)	
IV., et al.,)	
)	
Plaintiffs,)	
)	
AND)	CV-63-MHH-109-NE
)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff-Intervenor,)	
)	
v.)	
)	
HUNTSVILLE BOARD OF)	
EDUCATION, et al.,)	
)	
Defendants.)	

**NOTICE OF DEFENDANTS’ FILING OF
FOURTH CONSENT ORDER REPORT**

Introduction

Defendant, Huntsville City Board of Education (the “Board” or the “District”), files this day its fourth, annual Consent Order Report with the Court (hereinafter, collectively the “Court Report”). As it has done in the past, the District files this Notice to help the Court, and the citizens of Huntsville, better understand the Consent Order Reports. This Notice provides context and explains notable features of the Consent Order Report.

As the Court is well aware, the Consent Order (Doc. 450) requires many reports. Nearly all reports require data from the preceding school year. As such, the date range for the data in this year's reports is July 1, 2017, through June 30, 2018, and the data in most of these reports are from year three of the District's implementation of the Consent Order.

Changes from Year Three

The third year of implementation was considerably more stable than the previous two years, but there were many noteworthy changes that occurred during the 2017-18 school year and the start of the 2018-19 school year. The major changes are included below:

- Dr. Akin realigned his central office instructional staff under two Deputy Superintendents: Dr. Tammy Summerville as the Deputy Superintendent of Instruction and Christie Finley as the Deputy Superintendent of Strategy and Innovation. Both Summerville and Finley previously served as Director-level administrators prior to their promotion;
- Dr. Akin ensured that building up teacher morale was a focus of his tenure;
- Building on that, Dr. Akin proposed a teacher pay raise to the Board, which was approved in the spring of 2018;
- Shortly after approval of the teacher pay raise, Dr. Akin accepted a position as the Superintendent of the Gulf Shores City Schools;
- Following his departure, the Board selected Christie Finley to serve as the Interim Superintendent during the summer of 2018;
- After a successful interim period, the Board named Mrs. Finley as the permanent Superintendent during the fall of 2018;

- Approximately the start of school, the Board of Education learned from its auditor that District personnel had made some accounting and bookkeeping errors. After investigating and accounting for these errors, the Superintendent and Board learned that the District's general fund balance was significantly lower than expected;
- To correct the general fund balance shortfall and to successfully implement the teacher pay raise, the District is working to cut costs where possible. The Superintendent has shared with the community a desire to cut costs in ways that minimally impact the classroom. Similarly, the Superintendent has no plans to make cuts that would impair the successful implementation of the Consent Order; and
- The members of the Board of Education for Districts 2, 3, and 4 were successfully reelected during the fall of 2018.

Year Three Challenges

Every year of implementation has presented its own unique challenges, and last year was no different for the District. There are three challenges that merit further discussion: improving teacher morale; addressing student discipline; and working on stability following Dr. Akin's departure.

In last year's report, the District described the state of teacher morale in the District. Although there were likely many reasons for the decline in teacher morale, the District, led by Dr. Akin, began to take steps to empower teachers and to improve culture in all schools. Dr. Akin's District-level team was focused on supporting schools and giving principals the leeway to lead their schools. Dr. Akin

also began more frequent and candid communications with principals, faculty, and staff.

The culmination of his efforts to build teacher morale and to encourage teacher retention was a proposed teacher pay raise, which the Board approved in the spring of 2018. Although Dr. Akin accepted a job as the Superintendent of Gulf Shores City Schools, his successor, Christie Finley, has continued his efforts to improve teacher morale, as described below.

Since the implementation of the Consent Order, the District has consistently taken the position that the student discipline provisions of the Consent Order present the biggest challenge. The Cover Notice to last year's report detailed many of those challenges, but the issue that continues to be one of the most difficult for the District is correcting the misconceptions about student discipline. The misconception is often stated as "the Consent Order does not allow schools to discipline students for misbehavior" or "teachers' hands are tied when it comes to disciplining students."

As was stated in last year's Court Report, this view is not supported by the District's discipline data. To help the Court and community understand, the District has included a lengthy discussion of its student discipline data in the section for the report response to VII.I.4, below. Nevertheless, the District is committed to correcting this misconception through the use of improved

communications with family, clear training for teachers, and consistent implementation by school principals.

Dr. Akin's tenure as Huntsville City Schools' Superintendent was productive but short. As stated above, following the end of the Spring 2018 semester, Dr. Akin took a different job. While the Board and community wished him well on his new endeavor, the District was mindful of the recent issues of instability facing the District. The Board moved quickly to select an Interim Superintendent and, ultimately, a permanent Superintendent in Christie Finley. The District is hopeful that Ms. Finley – who served as one of Dr. Akin's Deputies – will pick up where he left off, especially as it pertains to improving climate and retaining teachers.

Recent Successes

Despite her brief time on the job, Ms. Finley has already taken steps to directly address the climate issues identified above. First, she has improved communications with both faculty and families. The Superintendent sends letters to teachers approximately once per week to inform teachers of major news items, upcoming activities, and opportunities for engagement. Additionally, the Superintendent has begun sending periodic update letters to families as well. Given the major news items pertaining to the District (*e.g.*, new strategic plan,

school safety, and budget concerns), the Superintendent has actively sought opportunities for communications with the community, families, and faculty.

One such opportunity has been the creation of a School Safety Task Force. Following the accidental discharge of a firearm by an elementary student on school campus this fall, the Superintendent set up five different “School Safety Forums” to hear feedback on how to keep schools safe. Using that feedback, the District has started working on a plan to improve safety in schools. One aspect of that plan is the creation of a School Safety Task Force. For more information about the Task Force, please visit: <https://www.huntsvillecityschools.org/about/our-district/school-safety-task-force>.

In addition to the five School Safety Forums, the Superintendent also recently held five different community conversations regarding the development of a new Huntsville City Schools strategic plan. One community conversation was held for each feeder pattern, and the Superintendent and her team are going to use that feedback to revise the proposed strategic plan. For more information about the strategic plan, please visit: <https://www.huntsvillecityschools.org/about/our-district/strategic-plan>. The Superintendent believes that the strategic plan – which will be tied to the Consent Order – will ensure that everyone in the District will be working towards a consistent goal.

Description of the Reports

This section of the Notice will list each Consent Order reporting requirement, in order, along with contextual notes, if any, as to that reporting requirement.

II. STUDENT ASSIGNMENT

D. Majority-to-Minority Transfers

II.D.8.a.: A report containing the following information for each application requesting a transfer effective for that school year: student identification number; applicant name; address; race; grade level; home/zoned school; school(s) to which transfer sought; each type of transfer requested; the outcome (including, for each transfer granted, identification of the school to which the transfer was approved); and the basis for the denial, if any.

Notes:

This reporting requirement is similar to the one required by the 1970 Singleton Order. (Doc. 65). The date range for this report is October 1, 2017 to September 30, 2018, due to the nature of the transfer process.

This year's report warrants further discussion for two reasons. First, as described last year, the District has continued its efforts to support its Majority-to-Minority ("M-to-M") Transfer Program. Each year, the number of new M-to-M transfers in the system has increased, and year 3 was no exception.

In fact, this year's report shows that 307 students who were offered a M-to-M transfer accepted, which is an increase of 39 from last year. This year, 38 students were denied a M-to-M transfer due to space, which is an increase of 16 over last

year's report. However, even with this increase, that number is still significantly lower than the 130 denied due to space reported in the District's November 15, 2016, report. The District believes that the increases in accepted students is largely driven by consistency in the M-to-M process. It is important to note that these increases have occurred despite the fact that M-to-M informational meetings were not as well attended as they had been in the past – as seen in Report II.D.8.b.3.

The second aspect of the Report to note is specific to Blossomwood Elementary School. At the time of its inaugural Court Report, Blossomwood's enrollment was 744 students of which 35.48% were Black, 55.24% were White, and 9.27% were Other. Last year's report showed that Blossomwood's enrollment had shifted to 704 total students of which 37% were Black, 51% were White, and 13% were Other. Stated differently, Blossomwood was still a majority White school last year. This meant that the M-to-M program would allow White students to transfer out of Blossomwood to majority Black schools. This also meant that Black students would be allowed to transfer into Blossomwood from majority Black schools, and 17 Black students accepted transfers into Blossomwood. However, 23 Black students were denied due to space despite there still being some availability still remaining in the school.

The reason for the denial due to space was that accepting those students would have converted Blossomwood from a majority White school to a no majority race

school. The District's system is designed to prevent the M-to-M process from changing a school's majority race as a result of the transfers, and that is why those students were denied a M-to-M transfer.

This issue will not present itself this year because as of this year Blossomwood is no longer a majority White school. This change occurred due to fluctuations in the live-in population (*i.e.*, student withdrawals, new students, etc.). For this school year, Blossomwood is a school with no majority race.¹ Report X.A shows that Blossomwood has 685 students of which 38% are Black, 48% are White, and 14% are Other. As such, any Black or White student whose race is in the majority at his or her zoned school may apply for a M-to-M transfer to Blossomwood. Also, because Blossomwood has no majority race, no student may transfer out of Blossomwood using a M-to-M transfer.

* * *

II.D.8.b.1.: Transfer wait list information maintained pursuant to Section II.D.2.b.12., as of the expiration date of the wait list. The District may report this information separately or as part of the Excel spreadsheet described in Section II.D.8.a.

Notes:

The District included this information on Report II.D.8.a. Any student who sought a M-to-M Transfer but was placed on a waitlist and remained on the waitlist

¹ For purposes of the M-to-M Transfer Program, the District treats majority as meaning at least 1 student over 50%.

as of its expiration are listed as “Denied Due to Space”. Students who were placed on the waitlist initially but were later offered a transfer will show as either “Offered and Accepted” or “Offered and Declined”, depending on their circumstances.

Compared to the Court Report for 2016-17, when the District had 130 students who were still on the waitlist when it expired, the District only had 38 students who were on the waitlist when it expired. That means that more students were able to attend the transfer school of their choice.

* * *

II.D.8.b.2.: Results of M-to-M surveys conducted pursuant to Section II.D.6.b.

Notes:

Following the inaugural Court Report, the District made improving survey² results a prime focus of its implementation of the Consent Order. To do so, the District worked with a third-party survey organization, called Panorama, to develop procedures to improve the quality of questions asked and the participant response rates. The District described the processes last year, and the following description is largely similar. Nevertheless, for transparency purposes, the District included a description of the survey processes in this year’s Cover Notice as well:

Procedures for District Student Surveys

² Please note that the letters “FP” are an abbreviation for “Feeder Pattern” on these surveys.

Students took advanced courses perception surveys and M-to-M surveys in school during class time beginning Tuesday, April 3 and ending Friday, April 13.

- The District supplied lists to school principals by Friday, March 23. The lists contained the following information for each student in grades 3-12: name; Student State Identification Number (“SSID”); and designated time for taking the surveys (a student’s English class is the designated class for taking surveys; if a student does not have an English class, his/her first period class will be used as the designated class).
- The District placed a link to surveys on each student’s laptop computer. Once students click on the link, they login to Panorama’s secure survey website using their SSID.
- When the students logged in, they saw a list of applicable surveys: 1) one advanced course perception survey for each student in grades 5-12 and 2) one M-to-M survey for each student who has been identified as an M-to-M student.
- The list of surveys was prepopulated based on the student’s SSID. Identification of teachers in a student’s schedule, M-to-M status, and advanced course survey eligibility had been predetermined and programmed into the survey software by Panorama.
- All surveys and responses were confidential. SSID were used by Panorama to link student information to school and demographic information, but not for any level of identifying purposes.
- **Important Notes:**
 - Final response rate on M-to-M survey was **92% (534 student responses); this is an improvement over last year.**
 - Final response rate on Advanced Courses survey for grade 5 was **94% (1775 student responses); this is an improvement over last year.**

- Final response rate on Advanced Courses survey for students in grades 6-12 who take no advanced courses was **78% (3777 student responses); this is an improvement over last year.**
- Final response rate on Advanced Courses survey for students in grades 6-12 who take Honors but not AP/IB Courses was **95% (4610 student responses); this is an improvement over last year.**
- Final response rate on Advanced Courses survey for students in grades 9-12 who take AP/IB Courses was **95% (1846 student responses); this is an improvement over last year.**

Procedures for District Parent Surveys

Parents were able to take the M-to-M surveys between Friday, February 16, 2018, and Friday, June 1, 2018. Parents were able to take advanced course surveys between Friday April 20, 2018, and Friday, June 1, 2018.

- For the advanced courses survey, eligible parents were identified from INOW and were notified via Schoolcast that they would be receiving a request to participate in a survey from Panorama. Then, parents were emailed directly by Panorama with a link to the survey.
- Parents received weekly reminder emails via Schoolcast and Panorama. A link to and information about the survey was also posted on the HCS website and online calendar every day during the survey window. Information about the survey was included as part of the recurring ETV information slides. Finally, information about the survey was posted weekly on the HCS Facebook page.
- For the M2M survey, eligible parents were identified from INOW and a link to the survey was included in Infosnap, which is part of the District's annual registration process. Parents were not required to take the survey in order to complete registration, but it was included in that process to ensure that parents were exposed to the survey opportunity.
- Parents could take either survey from any computer, tablet, or smart phone with internet access.

- Once parents clicked on the survey link, the survey appeared, and parents could take the survey. Identification of M-to-M parent status and advanced course survey eligibility was predetermined via information in INOW and programmed into the survey software by Panorama.
- Parents could take the surveys from any computer, tablet, or smart phone with internet access.
- Parent surveys were prepopulated based on their students' SSID. Identification of M-to-M status and advanced course survey eligibility had been predetermined and programmed into the survey software by Panorama.
- All surveys and responses were confidential. SSID were only used by Panorama to link parent responses to school and demographic information, and not for any level of identifying purposes.
- Last year's Court Report showed that these efforts resulted in a marked improvement in parent survey responses. Unfortunately, despite following a similar procedure for the most recent round of surveys, the participation rates were significantly lower.
- **Important Notes:**
 - Final response rate on M-to-M survey was **11% (57 parent responses); this is down from 37%**.
 - Final response rate on Advanced Courses survey was **3% (235 parent responses); this is down from 13%**.

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II.D.8.b.3.: District marketing efforts regarding the M-to-M program, including examples of marketing materials.

Notes:

After four years of performing marketing for the M-to-M program, the District feels both comfortable and confident in its processes. This report contains a description of the steps in that process and includes example materials. The growth in M-to-M numbers reflected in Report II.D.8.a are likely driven in some part by the success of the District's marketing efforts.

One important thing to note is that the M-to-M parent information sessions held in the fall of 2017 had almost no attendance. As such, for the fall 2018 M-to-M marketing, the District opted to add a M-to-M information table during other District events, such as the Superintendent's community conversations about the upcoming strategic plan. Preliminary feedback from the individuals who ran the information table is that the tables generated more interest and feedback than the 2017 parent meetings. The District will likely repeat this process for the 2019 M-to-M marketing campaign.

Despite the limited parental attendance at the fall 2017 meetings, the M-to-M numbers continue to be strong each year. It is unlikely that the poor attendance indicates that the overall marketing efforts have been underperforming.

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II.D.8.b.4.: Transportation schedules, to be filed under seal.

Notes:

This report, although sealed for the protection of students, demonstrates that all of the M-to-M buses meet the District's travel time guidelines. Given the geographic size of the City of Huntsville, this is not an easy task both as a matter of logistics and as a matter of cost. For example, the District had to split a route serving the elementary students of Williams School to successfully meet its travel time guidelines. Routes 46 and 59 were previously part of a single route that served Williams, but the total drive time of the route exceeded the District's travel time guidelines. Therefore, the District split the route into the two routes (46 and 59) included on this year's report.

* * *

F. MAGNET PROGRAMS

II.F.1.: For each magnet program, student applicant data for the previous school year that includes: the number of applicants, disaggregated by race; the number of students accepted, disaggregated by race; the number of students who are not accepted, disaggregated by race (including reason(s) for a student not being accepted); the number of students enrolled, disaggregated by race; and the number of students who withdrew or transferred out of the magnet program, disaggregated by race, (including the reason(s), to the extent available, for the withdrawal or transfer).

Notes:

To accurately report the requested data, the reasons for a student not being accepted in his or her desired magnet program have been split into different

categories: ineligibility; committee review score; and space. Each category has its own column on the report so that the data could be disaggregated by race. Also, when reading this report, it is important to understand the following:

- 1825 students completed applications, meaning that the magnet program received 1825 applicants. But, applicants can list up to two magnet programs in their application;
- There were 2980 applications across all magnet programs;
- The number of applications (2980) exceeds the number of applicants (1825) because some of 1825 applicants applied to more than one program.

Following the filing of one of the District's earlier Court Reports, the Court and the United States requested that the District improve the formatting of the portion of this report that addresses the reasons for withdrawals or transfers, disaggregated by race and school. The District previously improved the report by placing this information on a separate table and categorizing the reasons given by families to ensure consistency across the schools, and it has done so for this year's report as well.

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II.F.2.: A report of magnet marketing and recruitment efforts taken for the previous school year, including samples of brochures and advertisements, and where appropriate, the date and location of the marketing and recruitment.

Notes:

During the 2017-2018 school year, the District continued to engage in extensive marketing efforts for its magnet schools and programs. This report contains a description of those efforts and includes example materials.

Although not included in this year's report, the attorneys representing the United States recently had the chance to see the District's 2018 magnet fair, which took place at Lee High School. As the Court is well aware, the United States performs visits of the District's schools at least a two times each calendar year. The most recent site visit took place during the week of October 22, 2018. However, the attorneys for the United States arrived in Huntsville in time to observe the District's Magnet Fair and a Greenpower Race, both of which took place on October 20, 2018. Additionally, during their visit, the attorneys for the United States were able to see performances of plays by magnet students at both the Academy for Academics and Arts and Lee High School.

The District believes that this was a great opportunity for the United States to see a sampling of the District's unique offerings and events, firsthand.

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II.F.3.: A report of the magnet courses offered at each magnet school/program for the current school year.

Notes:

This report lists the current magnet courses offered at each magnet school/program. This year, the District hired a new Coordinator of Magnet

Programs to support the Deputy Superintendent of Instruction, who previously served as the Director of Magnet Programs. These two work collaboratively with other personnel from the departments of Elementary Instruction and Secondary Instruction to identify and protect magnet courses offerings. This is an ongoing process as the District improves its Magnet Programs.

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II.F.4.: The District’s efforts to review and respond to duplication of magnet courses in the District since the District’s previous annual report.

Notes:

This report is a narrative description of the efforts that the District is taking to protect the unique magnet course programming at the District’s magnet schools and programs.

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II.F.5.: A report that includes for each student enrolled in a dual enrollment course: the student's name or identification number; school attended; the magnet program attended, if any; grade; the name of each dual enrollment course; and the institution of higher education affiliated with each dual enrollment course.

Notes:

As described in previous Cover Notices, an accurate reading of this report requires understanding the difference between courses listed as “CTE” and “General Education” under the “Course Type” column. Section II.D.7.h of the Consent Order

(Doc. 450, pp. 33-34) requires the District to limit the number of dual enrollment courses that a student may take to one per year, unless the Superintendent approves the student taking additional courses. This limitation does not apply to career technical courses. To help the reader of this report identify the dual enrollment courses to which this limitation applies, the District has designated dual enrollment courses as either “General Education” or “CTE”. The dual enrollment courses that are limited by the Consent Order are identified as “General Education,” and those that are not are identified as “CTE”.

The District believes that dual enrollment courses are beneficial for both the student and the District, but the purpose of this limitation is to protect the College Academy magnet program at Jemison High School. As mentioned in previous reports, the District has not experienced any difficulties in generating and maintaining interest in the College Academy, and the District does not believe that its current efforts to support dual enrollment hinder the success of the College Academy.

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III. EQUITABLE ACCESS TO COURSE OFFERINGS AND PROGRAMS

III.M.1.a.: A list of all AP and IB diploma courses taught in each high school for the current school year and the enrollment in each AP or IB Diploma course in each high school for the current school year, disaggregated by race.

Notes:

This report lists each AP and, for Columbia High School, IB Diploma course taught at each school and the racial demographics of the students enrolled in each class. When reading the table, for each course, the number of students under the race columns represents actual students taking the listed course. However, a student may be included in multiple rows if that student is taking multiple AP or IB Diploma courses. In fact, many students are. This means that the row labeled “Non-Distinct Enrollment Count” for each school contains students who are counted multiple times.

District-wide the number of students taking AP courses is down from 2017-18, for both Black and White students. While Columbia, Grissom, and Jemison high schools saw an increase in AP and, for Columbia, IB enrollment, other schools like, Huntsville High School, saw a decrease in AP participation. The District is committed to growing its AP, IB, and Honors programs, but school staff are also focused on ensuring that students are adequately prepared for those courses. In other words, the District wants to ensure that the growth of AP participation is purposeful and gives the students taking those courses the greatest possible chance of success.

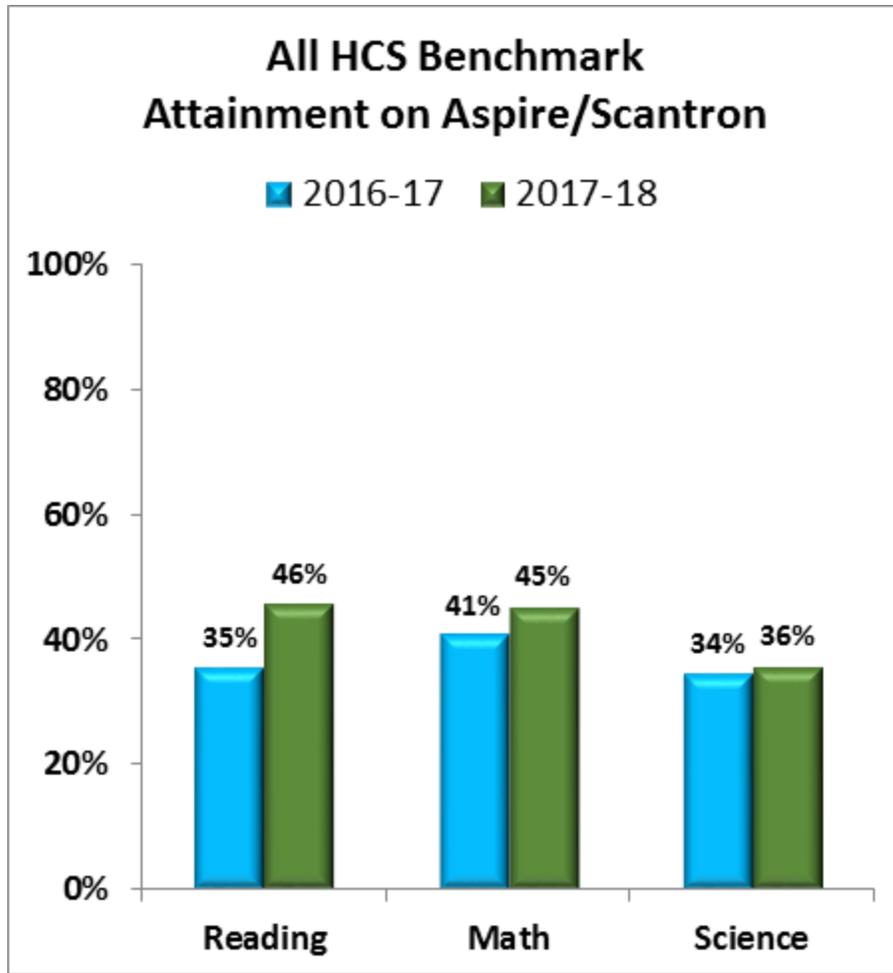
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III.M.1.b.: Academic proficiency of students in English and Math in the District and by school, as measured by the State assessments for the previous school year, disaggregated by race.

Notes:

This report includes data as to two different assessments: the Scantron for grades three through eight, and the ACT for eleventh grade. Both assessments are tools for determining student proficiency in a content area. As described in last year's report, the State of Alabama has discontinued the use of the ACT Aspire test in favor of Scantron. This change is significant because the Scantron assessment does not have an English subtest. Instead, it has a reading subtest. In prior Court Reports, the District has reported on student performance on the ACT Aspire math and English tests. For this year, and any other year the District gives Scantron, the District will report math and reading performance. As such, the District's reports on proficiency will rely on the results of the Scantron test.

Fortunately, the State of Alabama Department of Education has developed a method for comparing proficiency scores on the ACT Aspire and the Scantron assessment. The most recent year of proficiency data is a good news story for the District. More students achieved academic proficiency last year than in the previous academic year in all subtests – again, except English, which is not a Scantron subtest – as shown below:



Additionally, given the improvement in student performance, the District expects to have many schools come off of the failing schools list this year.

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III.M.1.c.: A list of teachers hired or assigned by each high school to teach an AP or IB Diploma course in the current school year, the course(s) taught by each teacher, the number of sections taught by each teacher, and the credentials of each teacher.

Notes:

This report contains extensive information regarding the District’s AP and IB Diploma course teachers. While the creation of this report serves as a useful tool for

tracking comparability of AP and IB teachers, it has also served as a tool for tracking the retention of teachers in the District. As described in last year's report, to better support Black students in AP performance, the District has made retaining AP teachers at Columbia, Jemison, and Lee high schools a priority.

The District provides AP teachers incentives based on the number of their students' who pass the AP exams, weighted based on the student's projected pass rate (i.e. – teachers receive a smaller incentive for students whose proficiency data shows a likelihood of success than they do for students whose data does not). For AP teachers at Columbia, Jemison, and Lee, the District provides a "Retention Bonus." The District pays this bonus, which was \$2,000, to the AP teachers at those three schools who decided to remain at their school from year to year. The initiative appears to have been successful in retaining teachers at those three schools.

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III.M.1.d.: A report for each school that includes the employee number of each teacher, his or her race, professional degrees, certifications, years of experience (3 years or less and more than 3 years) and course or courses taught.

Notes:

As explained in prior Court Reports, the District reformatted this report to make it easier to understand. The District divided the teachers into separate spreadsheets based on their school and further divided teachers between those who teach 15 or fewer courses and those who teach more than 15, if applicable. The

result of these changes is that most schools have two applicable spreadsheets. The spreadsheets for 15 or fewer classes taught should be easier to read than the reports from the first year of reporting.

Like previous years, some teachers still occupy multiple rows on the spreadsheet. The reason for this is that these teachers have multiple certifications, and the District's tracking software for certified staff creates multiple rows for a single teacher to account for each of that teacher's certification. The rest of the information on the row should be identical to all other rows with the same teacher's name.

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III.M.1.e.: A list of professional development activities required by Section III conducted in the previous year, including the date, duration, subject matter, presenter, and number of individuals in attendance by group (e.g., principals, teachers, etc.).

Notes:

This year's report is, like last year's, extensive. Implementing the Consent Order requires extensive professional development and training for District employees. For example, the District offered over 200 total hours of culturally responsiveness training across all schools. While this report is extensive, it only covers the professional development required as part of Section III of the Consent Order. Professional development related to other aspects of the Consent Order are not included in this report.

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III.M.1.f.: A list of parent/guardian outreach activities conducted in the previous school year, including the date, duration, and approximate number of individuals in attendance, and estimate of participation levels by race.

Notes:

One of the key features of the Consent Order is a focus on parent/guardian and family outreach. This report demonstrates the scope of the parent/guardian outreach performed by the District pertaining to Section III of the Consent Order. For the 2017-18 school year, two areas of outreach bear specific mention: parent workshops and the upcoming changes to the iRegister event.

Parent workshops continue to be well attended. This year, the attendance rose again, driven largely by families of Black students and Other students. In last year's report, the District showed a total of 1,205 participants, with 554 being Black and 465 being Other. This year's report shows that there were 1,313 participants, with 573 being Black and 610 being Other.

In previous years, the iRegister event has been one of the signature events for the District's academic outreach and recruitment efforts. At its peak, the iRegister event had an approximate attendance of 1,600, but the attendance numbers have shrunk over the past couple of years down to 882. While 882 is still a great turnout for the event, the District has reformulated how it intends to handle iRegister this

year. The District intends to do the following in lieu of a single large event at the Von Braun Center:

- The District will use the features of *Canvas*, the District's learning management system, to share course offerings to every rising 6th - 12th grade student.
- The District team will build a module for each grade level and upload to *Canvas*, (*i.e.* course offerings, video clips, Power Point presentation).
- The District team will ensure that every elementary and middle school receive appropriate professional development on how to deliver the content to the students.
- The District will still continue to offer a Career Expo to every 8th grade student.
- The District will ensure that every middle and high school will have a special evening event to make parents aware of the course offerings for the 2019-2020 school year.
- The District will open 2019-2020 Course Registration on February 11, 2019, and close it on March 8, 2019.
- The District will standardize all content in *Canvas*, school flyers, and course registration forms for each grade level.
- The District will make all of the information available to parents via its website.

The reason for these proposed changes is two-fold. First, The District wants to have an opportunity to reach every student and not merely those students who are able to attend iRegister. Second, the District wants to cut expenses where possible,

due to its budget concerns, and this new plan allows the District to cut the rental cost of the Von Braun Center.

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III.M.1.g.: A list of student support services offered in the previous school year pursuant to Section III.H.

Notes:

This report shows the support services used by school leaders, teachers and other certified staff during the 2017-2018 school year. In previous years, the report responsive to III.M.1g has focused solely on math supports, as per the Consent Order. (See Doc. 450, p. 50). However, the Consent Order requires the following: “[i]n the 2017-18 school year, the District will begin implementing support services for English Language Arts (“ELA”) similar to the support services outlined in Section [G].1.a.” (Doc. 450, p. 50). As such, this is the first report responsive to III.M.1.g that contains support information about both math and ELA, but, for consistency’s sake, the District used the same formatting for ELA supports as it did for prior reports about math supports.

* * *

III.M.1.h.: A report for the previous school year of the results of the survey required by Section III.I.7.³ and action steps taken based on the survey results.

³ The Consent Order contains a typo in this reporting requirement. It should read “Section III.H.7.” instead of III.I.7. However, to ensure that this document matches the Consent Order, the language from the Consent Order has been used.

Notes:

For information about the District’s process for conducting surveys, please see the description provided for II.D.8.b.2., above. Please note that the letters “FP” abbreviate “Feeder Pattern” on these surveys. The District uses these results to tailor its marketing efforts to the students. For example, one of the greatest barriers identified by the surveys appears to be the perceived difficulty of advanced courses. Also, the surveys show that teachers are likely important for both advanced course recruitment and student success in advanced courses. The District uses this information to address student apprehension in its marketing for AP and Honors courses.

* * *

III.M.2.: The District will provide the data reviewed and the plans developed pursuant to Section III.M. to the United States. The District will provide a summary of the data reviewed and the plans developed pursuant to Section III.M. to the Court.

Notes:

The District will provide the data and plans developed during its self-monitoring process to the United States. Report III.M.2. is a narrative summary of the plans and data.

* * *

IV. EXTRACURRICULAR ACTIVITIES

IV.H.1.: A list of extracurricular activities offered in the District, by school and core activity category where applicable.

Notes:

This report shows the extracurricular clubs and activities of each school.

* * *

IV.H.2.: School participation rates and targets in the Elementary School Core Activity and the Middle/Junior High School Core Activities and any actions taken by the District to support schools in meeting participation targets.

Notes:

Last year, the District improved this report by correcting an issue in the calculation of the participation rates for clubs. As a reminder, the District was using the whole school population to determine participation rates instead of the eligible student population. For example, the District was including sixth grade students in the participation calculation for National Junior Honor Society even though only seventh and eighth grade students are eligible. This artificially reduced the District's participation rates.

This year, as was promised in last year's report, school principals working with their faculty and staff as well as District personnel set higher, more aspirational participation rate goals. These rates were at the school level and unique to each

school. The District has continued this approach, and it will be reflected in next year's Court Report. As it does every year, the District has included a narrative summary of the actions taken to help schools meet their participation targets.

This year is also the first year the District had any school fail to have any participants in a Middle School Core Activity. Last year, McNair Junior High School did not have any students on the Math Team or Academic Team.

* * *

IV.H.3.: A description of measures taken by the District to make students aware of academic clubs and related extracurricular opportunities.

Notes:

This report shows the District-wide measures for making students aware of academic clubs and related extracurricular activities. In addition to these measures, each school leader informed students about these activities with guidance from the District. The method for informing students about the extracurricular activities varied from school to school, and included posters, school-wide announcements, and half-days to allow students to learn about and participate in clubs.

Of note is the District's expansion and evolution of the Power Hour program. Power Hour is a period during each school day when students have the flexibility to eat lunch, participate in activities, meet with teachers, or complete school work. It is offered in each high school as a way to provide academic supports and to help

encourage participation in extracurricular clubs and activities. The District gives each high school the autonomy to implement Power Hour, and this allows each Power Hour to be shaped to the needs of the school. Power Hour has proven to be an effective program, and the District plans to continue it.

* * *

V. FACULTY

V.D.1.: A list of the members of each committee involved in the recruitment, hiring, assignment, retention, or promotion of administrators, faculty, and certified staff. The list will include: name of committee; each committee member's name; his or her race; position (title and location) and date(s) on which he or she served on the committee.

Notes:

This report shows the names of the individuals who served on the District's various committees used to recruit, hire, assign, retain, or promote administrators, faculty, and certified staff.

* * *

V.D.2.: Documentation of any exigent circumstances pursuant to Section V.A.1.

Notes:

This report shows an area that continues to be a success for the District. The Consent Order requires the District to use selection committees composed of individuals who reflect the District-wide racial composition of certified teachers.

Exceptions to this requirement must be based on exigent circumstances. During the reporting period, these committees conducted 647 interviews, and there were only 9 times that an interview committee failed to match the racial demographics of the District's certified teachers.

* * *

V.D.3.: The total number of certified administrators, by race and position, in the District's central office.

Notes:

For purposes of this report, administrator means either a coordinator or director level position. The demographics of certified administrators in the District's central office is 31% Black, 58% White, and 11% Other, which approximates the District-wide demographics for teachers.

* * *

V.D.4.: The total number and percentage of teachers and administrators, by race and by position, in each school facility operated in the District. For reporting purposes, principals will be identified separately from assistant principals.

Notes:

To help better understand this report, it is important to understand that the Consent Order requires that the report distinguish between principals and assistant principals for reporting purposes. Many schools have only a single principal and

assistant principal or Teacher on Special Assignment (“TOSA”, who operates as an assistant principal). When there is a single person filling a category, the report will always show that 100% of the individuals in that category are White, Black, or Other depending on the individual’s race.

The District continues to make the recruitment and promotion of Black administrators a priority. This report shows that the percentage of Black administrators in all capacities is similar to or higher than the percentage of Black certified teachers:

- **Certified teachers:** 28.15% Black 69.33% White 2.53% Other
- **Principals:** 28.21% Black 58.97% White 12.82% Other
- **Asst. Principals:** 58.33% Black 38.89% White 2.78% Other
- **TOSAs:** 68.75% Black 31.25% White 0.00% Other

* * *

V.D.5.: A list of each certified staff member, such as administrators and faculty, transferred, including: his or her name; race; position; self-reported years of experience; school to which he or she was previously assigned; school to which he or she was transferred; effective date of the transfer; indication of whether the transfer was requested by the certified staff member or initiated by the District or both; and the reason(s) for the transfer.

Notes:

This report shows a variety of reasons why the Board transferred an employee or why an individual requested a transfer. As has been the case in with other building

closures, an important thing to note is the reason: “Westlawn Closing.” At the end of the 2016-2017 school year, the Board closed Westlawn Middle School. Even though most of the teachers at Westlawn Middle School continued at Morris P-8, they had to be “transferred” to the new facility under Alabama law. As such, those teachers appear as “transferred” for this report.

* * *

V.D.6.: A description of the measures the District is taking to ensure the equitable selection of Black principals pursuant to Section V.A.2.

Notes:

The measures listed on this report are designed to ensure that qualified applicants are equitably selected for available principal positions. Many of the efforts are designed to give qualified teachers a chance to gain leadership experience.

* * *

V.D.7.: A list of all recruiting/job fairs in which the District participated, including the date and location of each such fair.

Notes:

This report shows the job fairs in which the Board participated along with the date and location of each fair.

* * *

V.D.8.: A list of each central office certified administrator hired, including the administrator’s name, race, position, date of hire, and starting salary (including step and grade).

Notes:

This report shows all individuals the Board selected to fill a central office coordinator or director position who were not previously employed at the central office. It also includes individuals who were employed by the Board – in a non-central office position – at the time they were selected for their central office coordinator or director position. While such individuals are not “hired” for the first time, they are “hired” to be central office administrators.

* * *

V.D.9.: A list of each central office certified administrator promoted, including the administrator’s name, race, prior position and salary, and new position and salary.

Notes:

This report shows all individuals who already worked at the central office who were promoted to a higher central office coordinator or director position.

* * *

V.D.10.: A list of each certified staff member, such as administrators and faculty, who received incentive pay, including his or her name, race, position (title and location), salary grade and step, and incentive amount.

Notes:

This report shows the information required by the Consent Order. As a reminder, the letters “TS” are listed under the salary grade and step columns for

teachers. This is in place of a grade and step because teachers are not on a grade and step. Also, there are many teachers who have no information under the columns labeled: “Position”; “Location”; “Salary”; “Grade”; and “Step”. The reason for this is that the teacher did not work for the District when the District paid the incentive.

Incentive pay accrues throughout the year but is not paid out until later. If a teacher no longer works for the District, he or she will still receive the payment. However, the report will have blanks in the above-listed columns because the teacher no longer works for the District.

* * *

V.D.11.: A list of certified staff members, such as administrators and faculty, who were demoted, suspended, or dismissed/terminated, including each person’s name, race, position/title, and date of demotion, suspension, or dismissal/termination.

Notes:

This report shows that most teachers who were dismissed from employment for the Board were probationary (non-tenured) teachers. As probationary teachers, these teachers have not worked for the Board for three consecutive years. On this document, these teachers have the designation of “Non-Tenured, Not Returned.” As explained in last year’s report, some non-tenured teachers who were told in the spring of 2018 that they would not be returned for the 2018-2019 school year are not included on this document. The reason these teachers are not included is that these

teachers were ultimately returned for the 2018-2019 school year, and suffered no interruption in the teacher tenure process.

* * *

V.D.12.: A list containing information about each candidate submitted to a school for consideration to fill a vacant position, including: candidate's name; his or her race; an indication of whether he or she was screened at the District level; his or her certification(s), if any; his or her self-reported total years of experience; school and vacant certified position for which his or her name was submitted; date on which that submission occurred; candidate(s) selected by the principal to fill the vacant certified position; and candidate(s) placed in the position.

Notes:

This report contains a considerable amount of information, and for some applicants, the only information is the self-reported information. For applicants who were not recommended for a position, the District does not perform a follow-up information verification. These individuals will only have self-reported information.

* * *

V.D.13.: A list of all candidates nominated for the TOSA program, or any similar program, and for each eligible candidate: candidate's name; his or her race; school to which he or she was assigned; grade level(s) and/or course(s) he or she taught; individual who nominated him or her; an indication whether he or she accepted any invitation to interview; members of his or her interview committee; and an indication whether he or she was selected to participate in the TOSA program or any similar program.

Notes:

This report shows that the District did not screen any new TOSAs. As explained last year, the District is phasing out the TOSA Program. Instead, the District intends to use assistant principals.

* * *

VI. FACILITIES

VI.C.: The District's progress on the construction of Morris Pre-K-8 School, Jemison High School, McNair Junior High School, Grissom High School, Whitesburg Pre-K-8 School, and Hereford Elementary School, and the District's progress on the renovation of AAA.

Notes:

To date, the District has completed all tasks in the Facilities section of the Consent Order. The District wants to ensure that the Court is kept informed of the status of facilities work in the District, so it has included a report showing information about two major construction projects started in the 2017-18 school year. First, as part of the settlement of a Title IX lawsuit, the District has completed improvements to the Huntsville High School softball facilities. Second, Jemison High School has a relatively new tennis team – the team was created during the 2016-17 school year– so the District has begun construction of six new tennis courts. The courts will be available for the start of the Spring 2019 season.

* * *

VI.C.: The District's progress on the renovation of Martin Luther King, Jr. Elementary School

Notes:

As a reminder, the District completed the renovations of Martin Luther King, Jr. Elementary School significantly ahead of the December 2016 deadline.

* * *

VI.C.: The District's progress towards removing remaining portable classrooms.

Notes:

This report shows that the District has no portables in use during the 2018-2019 school year.

* * *

VI.C.: Implementation of the District's Playground Plan.

Notes:

This report shows the playgrounds the District built during the reporting period. For the applicable reporting period, the only school to receive new playground equipment was Dawson Elementary School as part of a new outdoor classroom.

* * *

VI.C.: Implementation of the District's SMALLab Plans.

Notes:

The Consent Order requires the District to "ensure that each existing school with grades seven and eight and each school with grades seven and eight that is built as part of the District's Construction Plan is fitted with a SMALLab and that all

SMALLabs are of comparable quality.” (Doc. 450, p. 71). As a reminder, the District has completed this requirement.

* * *

VII. STUDENT DISCIPLINE, POSITIVE SCHOOL CLIMATE, AND EFFECTIVE CLASSROOM MANAGEMENT

VII.I.1.: The District’s Student Code of Conduct implemented after the effective date of this Consent Order or after the previous annual report.

Notes:

The documents responsive to this reporting requirement are the Behavioral Learning Guide (“BLG”), the Elementary Matrix, and the Secondary Matrix. These documents are revised versions of the documents filed last year. The District received considerable feedback on the Behavioral Learning documents from principals, assistant principals/TOSAs, students, teachers, families, the DAC, members of the community, and the United States. The District used that feedback to make small changes over the previous Behavioral Learning documents.

The District continues to view the Behavioral Learning documents as “living” documents. They continue to improve as the District learns from the implementation of its positive school climate plan, and they continue to evolve to meet the needs of schools and the community.

* * *

VII.I.2.: A list of professional development activities required by Section VII, including the date, duration, subject matter, presenter and number of individuals in attendance by group (e.g., principals, teachers).

Notes:

According to the Consent Order, “[t]he District will provide initial and annual refresher professional development, which may be online, for teachers and administrators on the revised Student Code of Conduct.” (Doc. 450, p. 77). The Consent Order also calls for two faculty meetings per semester on topics pertinent to the Behavioral Learning documents (BLG and Matrices) and the implementation of positive school climate practices (Positive Behavior Interventions and Supports (“PBIS”) and Restorative Practices). The Order also calls for other staff training pertaining to the implementation of these programs.

This report shows that several hundred professional development sessions took place District-wide during the 2017-18 school year. These sessions covered topics such as PBIS, the Behavioral Learning documents, appropriate restraints, equity in student discipline, and culturally responsive classroom management, and were for certified and non-certified employees.

* * *

VII.I.3.: The information provided to parents/guardians pursuant to Section VII.

Notes:

This report shows the District's efforts to reach out to parents/guardians during the 2017-2018 school year. As was done in the past, the District conducted parent/guardian outreach presentations for each feeder pattern. These presentations included a detailed description of the District's Elementary and Secondary Behavioral Learning Guides and the other initiatives pertaining to the District's positive school climate program. Of note is the high attendance at the Whitesburg P-8 event. That event took place shortly after a student discipline incident at Grissom High School ("GHS"). Although the Whitesburg P-8 event had been previously scheduled, the timing of the GHS event led to increased interest in the Behavioral Learning documents and related District practices.

* * *

VII.I.4.: For each school, the total number and percentage of students receiving a disciplinary referral, disaggregated by race, in-school suspension, out-of-school suspension, expulsion, school referrals to law enforcement and alternative school placement and plans/strategies developed and implemented as a result of the District's review in Section VII.G.⁴

Notes:

During the 2017-18 school year, the District implemented the Elementary and Secondary Behavioral Learning Matrices and the Behavioral Learning Guide. Additionally, schools were tasked with implementing other tools such as PBIS,

⁴ The requirement for the District to meet and review is found in Section VII.H. (See Doc. 450, p. 83) As such, this reporting requirement should read "VII.H." instead of "VII.G."

Restorative Practices, and BLOOM – the District’s customized discipline and intervention tracking software. Recurring themes in the District’s implementation of the student discipline section of the Consent Order have been both the challenge of implementing the Consent Order, with fidelity, and in addressing misconceptions about the District’s approach to student discipline.

In past Court Reports and during the status conferences before the Court, the District has identified the concerns it has heard about teacher reluctance to punish students following the implementation of the Consent Order. Although there was certainly some truth to this concern, it is not reflected in District’s student discipline data now or in prior years. To demonstrate this misconception in prior reports, the District has included a version of the tables on the following page. This year, in addition to the latest year’s data, the District has added new schools to the table: Blossomwood Elementary and Jones Valley Elementary. When reading the following chart, it is important to remember that the first column shows student discipline data for the school year immediately preceding the Consent Order’s implementation. In other words, the first column contains data prior to the rezoning of students and the implementation of new discipline approaches.

Schools	Percentage of Black Students with at Least 1 ODR ⁵			
	2014-2015	2015-2016	2016-17	2017-18
Columbia High	32%	31%	52%	37%
Grissom High	27%	36%	30%	35%
Huntsville Middle/Junior High	71%	62%	49%	50%
Huntsville High	38%	35%	53%	61%
Johnson/Jemison High	26%	47%	25%	34%
Lee High School	32%	22%	41%	24%
McNair Junior High	31%	35%	39%	43%
New Century Technology High	6%	1%	8%	4%
Blossomwood Elementary	2%	21%	35%	23%
Jones Valley Elementary	3%	31%	33%	32%

Schools	Percentage of Black Students with at Least 1 ISS ⁶			
	2014-2015	2015-2016	2016-17	2017-18
Columbia High	12%	14%	30%	32%
Grissom High	20%	30%	26%	24%
Huntsville Middle/Junior High	20%	29%	30%	36%
Huntsville High	28%	23%	34%	55%
Johnson/Jemison High	10%	7%	1%	11%
Lee High School	22%	10%	15%	15%
McNair Junior High	5%	4%	8%	30%
New Century Technology High	3%	1%	2%	3%
Blossomwood Elementary	0%	15%	21%	18%
Jones Valley Elementary	0%	22%	17%	27%

Schools	Percentage of Black Students with at Least 1 OSS ⁷			
	2014-2015	2015-2016	2016-17	2017-18
Columbia High	13%	13%	13%	16%
Grissom High	14%	16%	16%	26%
Huntsville Middle/Junior High	25%	40%	31%	37%
Huntsville High	13%	11%	13%	30%
Johnson/Jemison High	16%	23%	15%	31%
Lee High School	21%	13%	26%	15%
McNair Junior High	23%	28%	27%	33%
New Century Technology High	1%	1%	1%	1%
Blossomwood Elementary	2%	9%	12%	13%
Jones Valley Elementary	3%	10%	10%	21%

⁵ ODR is the abbreviation for “Office Discipline Referral.”

⁶ ISS is the abbreviation for “In-School Suspension.”

⁷ OSS is the abbreviation for “Out-of-School Suspension.”

The above tables show, for the most part, an increase in the number of Black students who receive ODR, ISS, and OSS over time at the sampling of schools included on the table. The most significant difference, however, is in the student discipline data for Blossomwood and Jones Valley elementary schools between the 2014-15 school year (pre-Consent Order) and the 2015-16 school year (year one of implementation). Instead of having little to no discipline reported for the 2015-16 school year— as stated in the misconceptions about student discipline – the 2015-16 school year saw a large spike in reported student discipline. This was likely driven by the blending of new students and the application of the District’s new approach to student discipline.⁸

What is clear is that the District, despite its best efforts to implement the provisions of the Consent Order, still has a gap between the percentage of White and Black students receiving disciplinary consequences. The District remains committed to closing the gap and improving its implementation of the Consent Order. One such improvement was the District’s implementation of a new intervention called the Restorative Panel Meeting (“RPM”) during the 2017-18 school year. These restorative meetings are held at the District-level and are reserved for serious disciplinary infractions. These meetings give students a chance

⁸ The information for Blossomwood and Jones Valley elementary schools comes from the District’s previously filed Court Reports. (See docs. 463-5; 507-8; 572-3).

to learn from their mistakes and to partake in the creation of improvement plans for the future.

During the 2017-18 school year, the District held 84 RPMs. Of the students who participated in the RPM process, only 10 students later were being recommended for expulsion or alternative school. This means that the RPM serve as a successful intervention for approximately 88% of the students who participated. In light of the success of the RPM intervention, the District expanded the use of these restorative meetings both at the District-level and school-level.

One other aspect of the data table bears mentioning: this year is the first year that the District differentiated between expulsions and referral to alternative school in lieu of expulsion. When students are expelled – meaning that they are not allowed at any school in the District, including the alternative school – they will appear on under the columns pertaining to expulsion. If a student is placed at alternative school in lieu of expulsion, the student should only appear under the columns pertaining to alternative school. This differentiation is important because the District rarely uses expulsion. Except for the most egregious circumstances, the District tries to rely on alternative school over expulsion.

Additionally, the Consent Order requires that the District report “plans/strategies developed and implemented as a result of the District’s review in

Section VII.[H].” (Doc. 450, p. 85). This reporting requirement references the District’s obligation to work:

with the individual schools, [to] collect and review discipline data for each school, including any alternative school, on at least a semester basis to: identify changes in rates of office referrals and discipline consequences issued (e.g., in-school suspension, out-of-school suspension) and changes in racial disparities, if any; and to monitor for appropriate implementation of the Code of Conduct and effectiveness of student plans developed by PSTs. Based on this review, **the District will develop and implement strategies to address issues regarding implementation of the Student Code of Conduct or other school-level and District-level issues identified for improvement, such as racial disparities.**

(Doc. 450, p. 83) (emphasis added). The District implements this requirement in a number of ways: holding a monthly District-level report to identify trends; holding periodic principal meetings to allow for collaboration between school leaders on academic and student discipline; and requiring school-based self-monitoring plans designed to address these issues.

Therefore, in addition to the spreadsheet included in response to this reporting requirement, the District has submitted examples of the plans and strategies the schools have developed for use in the 2018-19 school year.

* * *

X. MONITORING, REPORTING, AND OVERSIGHT

X.A.: The District will provide the United States a copy of its student enrollment database electronically in Microsoft Excel or similar format and will file with the Court a report of its student enrollment, disaggregated by school and race.

Notes:

This report shows the student enrollment disaggregated by race and school as of October 2, 2018.

* * *

X.G.: The District will provide the United States and the Court with its annual budget and a list of District expenditures related to the implementation of the Consent Order for the previous school year.

Notes:

This report contains the District's annual budget for the 2018 fiscal year. This report also contains a list of some of the expenditures related to the implementation of the Consent Order. As explained in previous years, there is almost no aspect of the District's budget that does not, in some part, touch on the implementation of the Consent Order. Nevertheless, to be as informative to the Court as possible, the District has tried to include the largest Consent Order costs in the list of expenditures.

The Introduction of this Cover Notice identified the District's current budget and fiscal concerns. The report responsive to X.G. contains both a spreadsheet and a copy of a two-page budget certification document. The bottom of the "General" column on page two of the certification document shows the following for the recently completed fiscal year:

Ending Fund Balance - September 30: \$13,211,038.09

Pursuant to the Alabama Administrative Code requires the District to have one-month's operating budget in reserve at the close of the fiscal year. The one-month reserve for the District is \$18,646,388 which is \$5,435,250 more than the \$13,211,038⁹ shown above. The District is currently working on ways to cut costs so that it can replenish this shortfall.

* * *

WHEREFORE, and in consideration of the foregoing, the Board submits the following Evidentiary Submission of the Fourth Consent Order Report:

EXHIBIT II.D.8.a.: Documents responsive to § II.D.8.a. of the Consent Order

EXHIBIT II.D.8.b.1.: Documents responsive to § II.D.8.b.1. of the Consent Order

EXHIBIT II.D.8.b.2.: Documents responsive to § II.D.8.b.2. of the Consent Order

EXHIBIT II.D.8.b.3.: Documents responsive to § II.D.8.b.3. of the Consent Order

EXHIBIT II.F.1.: Documents responsive to § II.F.1. of the Consent Order

EXHIBIT II.F.2.: Documents responsive to § II.F.2. of the Consent Order

EXHIBIT II.F.3.: Documents responsive to § II.F.3. of the Consent Order

EXHIBIT II.F.4.: Documents responsive to § II.F.4. of the Consent Order

EXHIBIT II.F.5.: Documents responsive to § II.F.5. of the Consent Order

EXHIBIT III.M.1.a.: Documents responsive to § III.M.1.a. of the Consent Order

EXHIBIT III.M.1.b.: Documents responsive to § III.M.1.b. of the Consent Order

⁹ This amount is the budgeted year-end balance and is not the actual number. The actual number can fluctuate throughout the fiscal year as new costs accrue or planned costs are cut.

EXHIBIT III.M.1.c.: Documents responsive to § III.M.1.c. of the Consent Order

EXHIBIT III.M.1.d.: Documents responsive to § III.M.1.d. of the Consent Order

EXHIBIT III.M.1.e.: Documents responsive to § III.M.1.e. of the Consent Order

EXHIBIT III.M.1.f.: Documents responsive to § III.M.1.f. of the Consent Order

EXHIBIT III.M.1.g.: Documents responsive to § III.M.1.g. of the Consent Order

EXHIBIT III.M.1.h.: Documents responsive to § III.M.1.h. of the Consent Order

EXHIBIT III.M.2.: Documents responsive to § III.M.2. of the Consent Order

EXHIBIT IV.H.1.: Documents responsive to § IV.H.1. of the Consent Order

EXHIBIT IV.H.2.: Documents responsive to § IV.H.2. of the Consent Order

EXHIBIT IV.H.3.: Documents responsive to § IV.H.3. of the Consent Order

EXHIBIT V.D.1.: Documents responsive to § V.D.1. of the Consent Order

EXHIBIT V.D.2.: Documents responsive to § V.D.2. of the Consent Order

EXHIBIT V.D.3.: Documents responsive to § V.D.3. of the Consent Order

EXHIBIT V.D.4.: Documents responsive to § V.D.4. of the Consent Order

EXHIBIT V.D.5.: Documents responsive to § V.D.5. of the Consent Order

EXHIBIT V.D.6.: Documents responsive to § V.D.6. of the Consent Order

EXHIBIT V.D.7.: Documents responsive to § V.D.7. of the Consent Order

EXHIBIT V.D.8.: Documents responsive to § V.D.8. of the Consent Order

EXHIBIT V.D.9.: Documents responsive to § V.D.9. of the Consent Order

EXHIBIT V.D.10.: Documents responsive to § V.D.10. of the Consent Order

EXHIBIT V.D.11.: Documents responsive to § V.D.11. of the Consent Order

EXHIBIT V.D.12.: Documents responsive to § V.D.12. of the Consent Order

EXHIBIT V.D.13.: Documents responsive to § V.D.13. of the Consent Order

EXHIBIT VI.C.: Documents responsive to § VI.C. of the Consent Order

EXHIBIT VII.I.1.: Documents responsive to § VII.I.1. of the Consent Order

EXHIBIT VII.I.2.: Documents responsive to § VII.I.2. of the Consent Order

EXHIBIT VII.I.3.: Documents responsive to § VII.I.3. of the Consent Order

EXHIBIT VII.I.4.: Documents responsive to § VII.I.4. of the Consent Order

EXHIBIT X.A.: Documents responsive to § X.A. of the Consent Order

EXHIBIT X.G.: Documents responsive to § X.G. of the Consent Order

RESPECTFULLY SUBMITTED this 15th day of November.

/s/ J.R. Brooks

J.R. Brooks

Christopher M. Pape

Maree F. Sneed

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CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following counsel for the parties in this case:

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/s/ J. R. Brooks

J. R. Brooks