

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

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 2:70-cv-00010-BSM

COTTON PLANT SCHOOL DISTRICT #1, et al.

DEFENDANTS

CONSENT ORDER ON FACULTY AND STAFF

Plaintiff United States of America (“United States”) and Defendant England School District (the “District”) (collectively “the Parties”) agree to the following terms to ensure the District hires faculty and staff in a nondiscriminatory manner. The terms address public comments in response to the District’s 2022 motion for unitary status that raised concerns about the District’s hiring practices, and provides the District with the opportunity to demonstrate to the Court and the public that it should be declared unitary in this area.

1. The District maintains that it has conducted, and agrees it will continue to conduct, hiring for all vacancies on a nondiscriminatory basis.

2. The District will develop non-discriminatory written procedures to follow when hiring to fill Covered Position¹ vacancies. These procedures will require use of standardized interview questions or rubrics for each vacant position.

3. The District annually will train all personnel involved in recruitment and hiring on the relevant policies, procedures and practices.

4. The District will request that all applicants for all Covered Position vacancies self-identify their race and will provide a field/space on the District application form for that purpose.

¹ For purposes of this Order, “Covered Position” includes all Certified Employees including all administrators and certified teachers.

5. Whenever hiring for a Covered Position, the District will
 - a. Track the race of i) all applicants, ii) the applicants selected for an interview, iii) the applicants who accepted an offer to interview, iv) all applicants offered the position, and v) the applicant ultimately hired; and
 - b. Document in writing how it determined which applicants to interview and which applicant(s) to offer the position.
6. The District will maintain an effective District-wide diverse recruitment and retention team.
7. The District will advertise all Covered Position vacancies on the District's website, on multiple online employment sites, on social media, and using appropriate local sources of publicity (including churches, businesses, etc.).
8. The District will develop a recruiting partnership with the University of Arkansas at Pine Bluff, Philander Smith College, and Arkansas Baptist College. The District may also develop a recruiting partnership with other colleges or universities in Arkansas that offer Education as a major.
9. On or before September 1 and February 1 of each year this Order is in effect, the District will file with the Court a Status Report that includes:
 - a. The demographics of each District school, broken down by race;
 - b. A breakdown, by school and by race, of current District employees that separately lists i) administrators, ii) other Certified Employees; and iii) Classified Employees;
 - c. For each Covered Position vacancy filled during Status Report Period,² the data the District is required to track by Paragraph 5(a) above. To protect privacy, for

² For purposes of this Order, the "Status Report Period" shall be the previous six months for the first Status Report and the period since the previous Status Report for all subsequent Status Reports.

each Covered Position Vacancy filled during the Status Report Period, the District will file under seal the information it is required to document under Paragraph 5(b) above;

- d. The written procedures the District follows when hiring to fill Covered Position vacancies and all standardized interview questions or rubrics used in each hiring process for a Covered Position vacancy that occurred during the Status Report Period;
 - e. The names and job titles of the members of the District's recruitment and retention team and a description of the activities they undertook during the Status Report Period;
 - f. Print outs or screen shots that demonstrate the District's compliance with Paragraph 7 above for each Covered Position hiring process that occurred during the Status Report Period;
 - g. Documents sufficient to demonstrate the effective implementation of the partnerships with colleges and universities required by Paragraph 8 above and all notices required by Paragraph 11 below.
10. At the first District School Board meeting that occurs at least two weeks after the filing of each Status Report required by this Order, the District will:
- a. Update the public about its efforts to comply with this Order and its desegregation obligations, and present a summary of the information contained in the most recent Status Report;
 - b. Answer questions from attendees about that update and about the information in the most recent Status Report; and

- c. Provide an opportunity for members of the public to share with the Board relevant information about this Order and the Status Report.

11. The District will appropriately publicize the meetings described in Paragraph 10,³ and will provide an opportunity for interested parties to submit the information described in Paragraph 10(c) to the District both before and after the Board meeting.⁴

12. The information required in the Status Reports does not limit the United States' ability to request additional documents or other information concerning the District's implementation of this Order. The Parties shall confer in good faith regarding any dispute over the request for any such documents or other information before involving the Court.

13. After the District files its September 1, 2026 Status Report, the Parties will meet and confer within 60 days about the readiness of the District to move for unitary status. After the meet and confer process, if the District believes it is ready to move for unitary status, it will follow the process for public comment set forth in the Court's November 8, 2022 Order, and consider the comments submitted in response before making any motion for unitary status.

SO ORDERED, ADJUDGED AND DECREED THIS 23rd day of February, 2024.



Honorable Brian S. Miller
United States District Judge

³ The District will post a notice on its website and on social media at least two weeks before the Board meeting that indicates the date and time of the Board meeting, describes the opportunity for public comment, and includes a link to its Status Report, except for any information filed under seal.

⁴ The District will allow submissions by email, through its website or by mailing or hand delivery to the District office.