

**BEST PRACTICE RECOMMENDATIONS FROM THE CONNECTICUT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES TO THE WATERBURY
BOARD OF EDUCATION**

The Waterbury chapter of the NAACP approached the Connecticut Commission on Human Rights and Opportunities ("Commission" or "CHRO") to investigate the Waterbury Board of Education's hiring practices. The NAACP believes that the Board of Education has a pattern and practice of discriminating against minority teachers in the recruitment, hiring and retention process as part of its standard operating procedures.

At the April 13, 2016 Commission meeting, the CHRO Commissioners voted to hold a fact finding hearing to investigate the hiring practices of the Waterbury Board of Education. Two fact finding hearings were held in Waterbury, one on May 31, 2016 and the other on June 7, 2016. Witnesses were interviewed by the Commissioners and Commission staff. The public was permitted to sign up to testify and did in fact testify during both days of the hearing.

In addition, the Commission requested documents pertaining to its hiring practices from the Waterbury Board of Education; in response to this request from the Commission, the Waterbury Board of Education provided numerous documents for review. Further, Commission staff met with the State Department of Education several times regarding best practices.

The City of Waterbury has a disproportionate number of African American and Hispanic students compared to its teacher population who identify as African American and/or Hispanic. While almost eighty (80) percent of the students are African-American and/or Hispanic, a much lower percentage of the teachers are members of these groups. However, the legal analysis of whether Waterbury's hiring practices are discriminatory

must be based on a statistical analysis of the teacher population in Waterbury as it relates to the available labor market – not the student population. In assessing discrimination based on statistical evidence, the composition of the employer's work force is compared to the composition of the population of those who meet valid job qualifications in the relevant labor market. Based on the available statistics of the Waterbury teacher workforce, as it relates to the available workforce, at this time the statistical evidence does not support a finding that the Waterbury Board of Education engaged in systemic discrimination. While the issue raised by the Waterbury Chapter of the NAACP is that the teaching staff does not resemble the students being taught, the legal analysis needs to be whether the teaching staff is statistically different from the availability of teachers in the relevant labor market. We consider the State of Connecticut as the relevant labor market because it provided a larger applicant pool.

According to information provided by the State of Connecticut Dept. of Education for the 2014-15 school year, three and one-half percent (3.5%) of Connecticut teachers are African American, three and one-half percent (3.5%) are Hispanic, and slightly over ninety-one percent (91.1%) are White. In the Waterbury School District, three and one half percent (3.5%) or 59 teachers are African American, slightly over seven percent (7.1%) or 119 are Hispanic and slightly over eighty-eight percent (88.1%) or 1492 are White. This puts Waterbury in line with the rest of the state average with respect to African American teachers, while Hispanic teachers are employed at twice the rate of Hispanic teachers statewide.

With respect to teacher retention, in 2011/12, Waterbury had a 61.9% "within school" retention rate and an 81.5% "within district" retention rate for minority teachers,

as compared to a 55.3% “within school” and 76.2% “within district” retention rate for Caucasian teachers. In 2012-13, the rates were 64.5% “within school” retention and 80.8% “within district” retention rate for minority teachers, and 59.9% “within school” and 77.5% “within district” retention rate for Caucasian teachers. In 2013-14, the most recent year for which we received statistics, the rates were 52.8% “within school” retention and 75.3% “within district” retention rate for minority teachers, and 61.2% “within school” and 79.1% “within district” retention rate for Caucasian teachers. Waterbury has the highest rate of teacher retention in general as compared to all of the following school districts: Bridgeport, Hartford, New Britain, New Haven, Norwich, West Haven, and Windham.

While statistical evidence is only one way of measuring discrimination, other analysis is more commonly performed on a case-by-case basis. For example, when an African-American or Hispanic teachers is not hired or has a non-renewal of a contract, the factual situation including relevant comparative data (how did this particular individual compare to others of a different protected status) is analyzed. This analysis was not conducted here, as we do not have a particular complaint from an individual who alleges he or she was treated in a discriminatory manner. Rather, we are looking at systemic discrimination.

Although there was no finding of a discriminatory policy or systemic discrimination here, the Waterbury Board of Education and the Commission understand the value of having a diverse school faculty. In order for the Waterbury Board or Education to bolster its minority teacher recruitment and retention, the Commission recommends the following best practices to the Waterbury Board of Education. The Waterbury Board of Education agrees to review and where possible implement these recommendations. The Waterbury

Board of Education will provide an update to the Commission on their progress with these recommendations at the Commission's regularly scheduled meeting in November 2017 and May 2018.

1. The position of Supervisor, Talent and Professional Development is or will be filled on or before May 31, 2017. The City will post the contact information of the Supervisor of Talent and Professional Development on the District and City Website;
2. The City will hire a competency/equity trainer under the supervision of the Supervisor of Talent and Professional Development; and will continue to provide cultural competency training to current staff and educators no less than annually;
3. The City will dedicate at least one Full Time Employee or equivalent ("FTE") to administratively assist in the recruitment of teachers, with a particular emphasis on hiring minority teachers;
4. The City will review City Ordinance(s) as they relate to the Civil Service System procedure in teacher promotions to administrative positions in the elementary system and propose an amended procedure to the City's Civil Service Commission, as well as the Board of Education ("BOE"), and the City's legislative body, the Board of Aldermen ("BOA"), having jurisdiction to amend or modify City ordinances; and applicable Collectively Bargaining Agreements.
5. The City shall provide that all promotional opportunities in the Educational system, are transparent, open and accessible to all qualified individuals;
6. The City will establish a partnership with in-state colleges, universities and programs, that have alternate routes to certification in teaching as well as teacher

certification programs. The purpose of the pipeline is to establish a partnership to provide opportunities for local students prior to their graduation. This allows students to develop a direct path to these teaching degree programs from the community. The goal is to train teachers who will then return to the Waterbury community to teach.

7. The City will establish a partnership with historically black colleges and universities that have alternate routes to certification in teaching as well as certified teaching programs.
8. The City will establish a "Future Teacher Club" in the middle school and a "Pathways to Teaching" club in high school. These clubs will train students who are interested in teaching. It will also provide guidance as to which courses to take and inform them of other opportunities that they should experience in order to pursue teaching as a major in college, and eventually as a career. If connected with the partnership programs (see recommendation --12), these students will move along a continuous pathway toward professional certification.
9. The City will review available data to set a reasonable target for minority teacher recruitment and retention, given the availability of qualified candidates. It will monitor the goals and goal achievement, determining which programs are successful and unsuccessful, so that the focus is targeted towards the successful programs no less than annually.
10. The City will seek to provide financial incentives for students interested in pursuing a career in education, including but not limited to maintaining connections to in-state colleges and university to provide reduced tuition,

scholarships, etc., to students coming from Waterbury. The City will make efforts to create a "Waterbury Promise", or similar program.

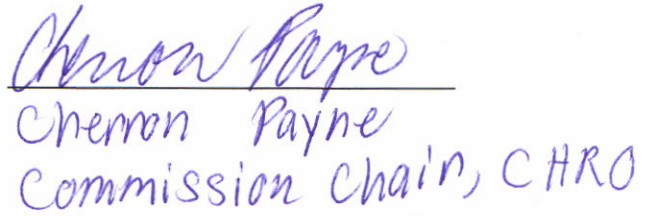
11. The City will create a mentor program between high school students and current/former student teachers in order to familiarize high school students with a college level degree program;
12. The City will increase its efforts to involve staff and educators when addressing improving the school climate;
13. The City will seek funding/grants for stipends, programs etc. that will increase local participation in educational training programs, teacher and staff development.
14. The City will monitor the success of these programs so that energies are focused on those that prove to add value. The City will create an Advisory Committee made up of a diverse and representative panel of stakeholders that shall include a member of the local chapter of the ~~NCAAP~~^{NAACP}; a member the Hispanic Community; the Superintendent of Schools; Education Human Resources Director; the Supervisor of Talent and Professional Development; minority educations and liaisons from the Boards of Education and Aldermen;
15. The Advisory Committee will meet on a regular basis and report the progress of the best practice recommendations as set forth herein;
16. The City agrees to report back to the Commission on their progress on these recommendations at the first Commission meeting occurring within six months and twelve months of the signing of these recommendations.

By its Mayor,



Neil O'Leary

Connecticut Commission on Human
Rights and Opportunities,



Cherron Payne
Commission Chair, CHRO