

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	C.A. No. H-84-2949
	)	
v.	)	
	)	
SPRING BRANCH INDEPENDENT	)	
SCHOOL DISTRICT, et al.,	)	
	)	
Defendants.	)	

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PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS  
IN CONNECTION WITH ITS DEPOSITION OF DEFENDANT  
SPRING BRANCH INDEPENDENT SCHOOL DISTRICT

Pursuant to Rules 30(b)(5) and 34 of the Federal Rules of Civil Procedure, plaintiff United States requests that defendant Spring Branch Independent School District ("SBISD") produce and make available the following items for inspection and selected photocopying, at the continuation of the deposition of SBISD commencing on November 10, 1986, at the office of Jeffrey A. Davis, Esquire, Reynolds, Allen & Cook, 3300 Allied Bank Plaza, Houston, Texas 77002.

### Definitions

Unless a contrary meaning clearly applies in the context, the following definitions shall apply to this Notice:

1. "DOCUMENTS" refers to:

(1) Any papers or writings of any kind, including but not limited to: records; files; folders; applications; correspondence; reports; studies; analyses; memoranda; letters; telegrams; calendars or diaries; minutes; pamphlets; notes; charts; tabulations; press releases; published books, articles, treatises or papers; photographs; accounting entries; accountant's work papers; receipts; vouchers; recording of minutes, conferences and telephone or other communications;

(2) Any drafts of any DOCUMENTS as defined in Paragraph (1), above;

(3) Any alterations, notes, comments or other material not included in the original of any DOCUMENTS as defined in Paragraph (1), above; and

(4) The data base and all output, either in printed or machine-readable form, of any computerized data recording, storage, analyzation and retrieval system (e.g., tapes, punch cards, microfilm, printouts), as well as the written information necessary to understand and use such data base or output.

2. The phrases "CURRENT AND PAST," "CURRENT AND FORMER," and similar phrases refer to the time period from the present dating back to 1964, or whatever subsequent year for which information as to the particular matter inquired into is available to SBISD. Applicable dates are requested for each matter or area of inquiry included in this Notice.

3. "TEACHING POSITIONS" include, but are not necessarily limited to, elementary classroom teachers, secondary classroom teachers, other classroom teachers, and guidance, psychological, and librarians/audiovisual staff -- the five categories of full-time staff listed at numbers 5 through 10 of the EEO-5 reports submitted by SBISD to the Equal Employment Opportunity Commission. "TEACHING POSITIONS" also include student teaching and substitute teaching positions.

4. "CLERICAL POSITIONS" include both clerical and secretarial positions.

#### REQUESTS

1. DOCUMENTS setting forth the CURRENT AND FORMER salary schedules for all positions and classifications in SBISD.

2. DOCUMENTS indicating all CURRENT AND FORMER schools in the district, and the number of TEACHING AND CLERICAL positions at each school, with applicable dates.

3. All DOCUMENTS relating to CURRENT AND PAST applicants

and applications for TEACHING AND CLERICAL POSITIONS including, but not limited to, DOCUMENTS which reflect each such applicant's name, address, telephone number, date of birth, social security number and other identifying information, race, national origin, educational background, employment history (including any prior service with SBISD as a substitute and/or student teacher), employment qualifications, date of application, and treatment within SBISD's recruitment and selection process, including but not limited to the data cards which were made a part of the application for employment with SBISD in approximately 1983.

4. All computer tapes reflecting any or all of the information itemized in Request No. 3, above.

5. All DOCUMENTS reflecting schedules or calendars of interviews for TEACHING AND CLERICAL POSITIONS conducted at SBISD which indicate the race of the person(s) interviewed.

6. All schedules or other DOCUMENTS relating to interviews for TEACHING AND CLERICAL POSITIONS conducted outside of SBISD which indicate the race of the person(s) interviewed, including but not limited to summaries of the number of persons interviewed and their race.

7. All DOCUMENTS relating to SBISD's CURRENT AND FORMER employees in TEACHING AND CLERICAL POSITIONS including, but not limited to, DOCUMENTS which reflect each such employee's name,

home and business address, home and business telephone numbers, race, national origin, date of birth, social security number, educational background, employment history (including any prior service with SBISD as a substitute and/or student teacher), date of application, employment qualifications, salary or wages, assignments, job classifications and pay grades, evaluations of job performance, and other information related to the terms and conditions of employment.

8. All computer tapes reflecting any or all of the information itemized in Request No. 5, above.

9. All DOCUMENTS relating to or reflecting annual personnel plans for TEACHING AND CLERICAL POSITIONS in the SBISD.

10. Official minutes and all other DOCUMENTS relating to regular or special meetings or executive sessions of the Board of Trustees of SBISD, including all digests of those minutes (as referenced in the Minutes of the April 12, 1967, Board of Trustees meeting, pp. 25-28).

11. All DOCUMENTS containing information about the procedures and standards, criteria or factors CURRENTLY OR FORMERLY utilized by SBISD to recruit, hire, assign, transfer, compensate, evaluate, discipline, fail to renew the contract of, or terminate persons for TEACHING AND CLERICAL POSITIONS,

including but not limited to DOCUMENTS which set forth, explain or clarify:

a. SBISD's procedures for announcing or publicizing vacancies or otherwise recruiting applicants for TEACHING AND CLERICAL POSITIONS, including the organizations and institutions which SBISD contacts or has contacted in an effort to locate or solicit applicants;

b. the procedure by which persons obtain and complete applications for TEACHING AND CLERICAL POSITIONS;

c. the process by which SBISD selects persons for hire, or assigns persons already hired, to various TEACHING POSITIONS, areas, fields and/or grade levels and various CLERICAL POSITIONS;

d. the standards, qualifications, criteria and other factors, including state certification and/or written employment tests, used by SBISD to recruit and select persons for hire for TEACHING AND CLERICAL POSITIONS, and the weight given the factors identified;

e. the process by which persons transfer from one TEACHING OR CLERICAL POSITION into another;

f. the standards, qualifications, criteria and other factors, including state certification and/or written employment tests, used by SBISD to assign or

transfer persons already hired to various TEACHING POSITIONS, areas, fields and/or grade levels and various CLERICAL POSITIONS, and the weight given the factors identified;

g. the identity and job titles of all CURRENT AND FORMER SBISD officers and employees who are involved or have been involved in the process of recruiting, selecting and assigning persons for TEACHING AND CLERICAL POSITIONS; and

h. SBISD's practices and policies with respect to compensation of employees in TEACHING AND CLERICAL POSITIONS.

For each procedure, process, standard, policy, practice, qualification, criteria or other factor identified, provide DOCUMENTS showing the dates of promulgation and utilization by SBISD.

12. All reports or other DOCUMENTS which summarize recruitment efforts undertaken, number of applications distributed, number of applications received or interviews conducted with respect to TEACHING AND CLERICAL POSITIONS in the SBISD.

13. To the extent that this information is not provided in response to Request No. 8 above, provide all DOCUMENTS that contain information about SBISD's practices and policies with respect to requiring persons seeking or holding TEACHING

POSITIONS to be certified by the State of Texas in grade levels and/or subject areas corresponding to those for which teachers are employed within the school district. Please furnish, among other relevant data, all DOCUMENTS containing information about:

a. the various grade levels and/or subject areas in which teachers may be certified by the Texas Education Agency or other responsible governmental entity in the State of Texas;

b. the minimum standards, criteria or requirements for state certification in the various grade levels and/or subject areas identified in response to (a) above;

c. a description of the various grade levels, subject areas or other fields for which teachers are employed by SBISD, and the corresponding grade levels and/or subject areas of state certification, if any, which are required by SBISD, and/or of the Texas Education Agency or other responsible governmental entity, of persons seeking or holding these various TEACHING POSITIONS within the district; and

d. any circumstances in which SBISD, and/or the Texas Education Agency or other responsible governmental entity, permits exceptions to the certification requirements identified in 9(a)-(c) above.



14. To the extent that this information is not provided in response to Request No. 8 above, provide all DOCUMENTS that contain information about SBISD's practices and policies with respect to requiring persons seeking or holding CLERICAL POSITIONS to meet requirements, including certification, imposed by the State of Texas or some governmental entity other than SBISD.

Please include, among other relevant data, all DOCUMENTS containing information with respect to CLERICAL POSITIONS similar to that sought in Request No. 9 (a)-(d) above with respect to TEACHING POSITIONS.

15. To the extent that this information is not provided in response to Request No. 8 above, provide all DOCUMENTS that contain information about any selection devices (including, for example, written employment tests, written applications, oral interviews, or references), CURRENTLY OR FORMERLY utilized by SBISD or contemplated to be utilized by SBISD, to select, assign, compensate, evaluate, terminate or in any way effect the terms and conditions of employment of persons for TEACHING POSITIONS, and the weight given each selection device identified.

Please furnish among other relevant data, copies of all current and past application forms for TEACHING AND CLERICAL POSITIONS, and identify the dates of use of those forms.

16. All DOCUMENTS related to or reflecting any salary surveys for TEACHING AND CLERICAL POSITIONS conducted by SBISD.

17. All DOCUMENTS pertaining to the supplying of student teachers to SBISD by any educational institution, including but not limited to all current and past agreements entered into by SBISD and any educational institution, or requests by SBISD to any educational institution or requests by any educational institution to SBISD, to supply student teachers, with applicable dates.

18. All CURRENT AND FORMER affirmative action plans or equal employment opportunity programs, by or for SBISD, together with the names and job titles of any SBISD officers or employees involved in or responsible for promulgating or implementing these plans or programs, with applicable dates.

19. All DOCUMENTS relating to the promulgation or implementation of any affirmative action plans or equal employment opportunity programs identified in response to Request No. 13 above, with applicable dates.

20. All DOCUMENTS to and from the Equal Employment Opportunity Commission or the Department of Education (formerly the Department of Health, Education and Welfare), or any other federal or state agency, relating to compliance or suggestions

for compliance with federal or state equal employment opportunity laws and regulations and/or affirmative action requirements, with applicable dates.

21. Copies of all grievances and complaints of employment discrimination filed against SBISD by any person or governmental entity, including state and federal agencies.

22. DOCUMENTS relating to all grievances and complaints of employment discrimination identified in response to Request No. 16 above.

23. DOCUMENTS that contain information about CURRENT AND PAST enrollment, average daily attendance, and racial composition of students in SBISD schools, with applicable dates, including student attendance records for the years up to 1975.

24. All DOCUMENTS relating to the operation at any time by SBISD of a dual school system based on race with one set of schools or separate classrooms to which black students and teachers were assigned and another set of schools or separate classrooms to which white students and teachers were assigned, or other system for transporting or otherwise transferring black students residing within SBISD's boundaries to schools in other school districts, or any other action or series of actions having the purpose or effect of precluding black students residing within SBISD's boundaries from attending schools in SBISD.

25. All reports or other DOCUMENTS submitted by SBISD to the Texas Education Agency since 1965, including but not limited to annual performance reports and reports regarding substitute teachers employed by SBISD.

26. All newsletters or similar DOCUMENTS issued by SBISD, including but not limited to the "Board Report" and "Perspectives".

27. The EEO-5 reports made by SBISD to the Equal Employment Opportunity Commission for the years 1985 and 1986.



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