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9   IN THE UNITED STATES DISTRICT COURT

10   FOR THE DISTRICT OF ARIZONA

11 Roy and Josie Fisher, et al.,	CV 74-90 TUC DCB (Lead Case)
12 Plaintiffs	
13 v.	**ANNUAL REPORT**
14 United States of America,	
15 Plaintiff-Intervenor,	CV 74-204 TUC DCB (Consolidated Case)
16 v.	
17 Anita Lohr, et al.,	
18 Defendants,	
19 and	
20 Sidney L. Sutton, et al.,	
21 Defendants-Intervenors,	
22 Maria Mendoza, et al.	
23 Plaintiffs,	
24 United States of America,	
25 Plaintiff-Intervenor,	
26 v.	
27 Tucson Unified School District No. One, et al.	
28 Defendants.	

1   Tucson Unified School District No. One ("TUSD"), by and through undersigned

2 counsel, and pursuant to Section I.D.5 of the Unitary Status Plan (Doc. 1450), files its 2013-

3 14 Annual Report, attached hereto as Exhibit A.

4

5   DATED this 1st day of October, 2014.

6

7   RUSING LOPEZ & LIZARDI, P.L.L.C.

8   s/ J. William Brammer, Jr.
                                     J. William Brammer, Jr.
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11   One, et al.

12 **ORIGINAL** of the foregoing filed via the CM/ECF
    Electronic Notification System and transmittal of a
13 Notice of Electronic Filing provided to all parties
    that have filed a notice of appearance in the District
14 Court Case, as listed below.

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EXHIBIT A

TUCSON UNIFIED SCHOOL DISTRICT NO. 1

Annual Report

for the

2013-2014 Academic Year

under the

Unitary Status Plan

Fisher, Mendoza, et al. v. Tucson Unified School District, et al.
United States District Court, District of Arizona
74-CV-00090 TUC DCB and 74-CV-00204 TUC DCB

submitted to:

Honorable David C. Bury, United States District Court

prepared by:

Tucson Unified School District No. 1

H. T. Sánchez, Superintendent

TUSD Governing Board:

Adelita S. Grijalva, President; Kristel Ann Foster, Clerk;

Michael Hicks; Cam Juárez; Dr. Mark Stegeman

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INTRODUCTION

The Unitary Status Plan is a comprehensive and ambitious roadmap.   Not only does it encompass traditional notions of "desegregation" (i.e., removing any remaining vestiges of prior *de jure* segregation and using available tools to enhance racial and ethnic diversity at schools), it also embraces principles of 21st century equity: expanding access to advanced learning, infusing curriculum and teacher training with culturally relevant information, reduction of disparities in discipline, and data-driven evaluation of programs.

Such wide-ranging efforts do not occur in a vacuum. Rather, they require a structured rollout spearheaded by the right people, with access to the best systems, and using well-considered plans.   Evaluating the District's 2013-14 USP work thus requires more than a narrative of implementation activities. Rather, it requires an understanding of both the unique obstacles faced at the outset and the groundwork done to improve the platform from which all implementation work must launch. This Introduction is intended to provide that context. Sections II through X of this Report then provide detail regarding specific efforts in the areas prioritized by the USP.

I.   A YEAR IN THE LIFE OF TUSD: Highlights from SY 2013-14

A.   Assembling a Leadership Team

Former superintendent John Pedicone resigned effective at the end of the 2012-13 school year.   His brief tenure was the latest in a series of short-term superintendencies at TUSD, and the lack of continuity over time had left some departments and programs in need of a reboot.   The Governing Board selected H. T. Sánchez to serve as the District's new superintendent, and Dr. Sánchez began his tenure in July 2013.

From his arrival, Dr. Sánchez was committed to addressing two overarching goals: 1) improving student achievement and 2) expanding equity throughout TUSD, both pursuant to the USP and beyond. Achieving these goals would require first the courage to undertake a comprehensive self-critical analysis and then the leadership to take the findings and address them through a systematic revision of almost every aspect of District operations, on the instructional and the business sides of the District. Only through structured systems, continually revised in the wake of data-based analysis, would the District maximize improvement. In addition, Dr. Sánchez made a firm commitment to Project Management as a means of moving

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the District forward, and hired a Director of Project Management to serve as a direct report to the Superintendent. The Unitary Status Plan, finalized approximately six months earlier, was the largest such program in place.   However, it would need the support of improved systems in virtually all areas of TUSD operations.

Creating change began with the selection of a diverse and highly qualified leadership team. The District's organizational chart was revised into a structure that divided its management into a business/operations side and an instructional/teaching and learning side, each led by a Deputy Superintendent. Dr. Adrian Vega, who is Hispanic, was selected as the Deputy Superintendent of Teaching & Learning.   Over the course of the 2013-14 school year, Dr. Vega's team grew to include four Assistant Superintendents (Elementary Leadership, Secondary Leadership, Curriculum/Instruction, and Student Services). Each of those Assistant Superintendents oversees Directors who implement the District's major initiatives in their appropriate areas.   Mr. Yousef Awwad, of Jordanian descent, was selected as the Deputy Superintendent of Operations. His leadership team consists of four Chiefs: Human Resources, Operations, Technology, and Finance.   As in Teaching and Learning, director-level employees are tasked with working to develop and implement the major projects underway at TUSD.   From the director level up to the Superintendent, more than half of the District's leadership team presently includes 12 Latinos, nine African Americans, and two Native Americans.   The District's leadership embodies its commitment to diversity in hiring and retention, and cultural responsiveness in pedagogy. ***Appendix I-1*** (2014-2015 Organizational Charts).

As discussed elsewhere in this report, antiquated technology, inadequate financial and personnel software systems, and the lack of a standardized curriculum cried out for aggressive reform work.   Like many other Arizona districts, TUSD had also experienced a substantial student exodus in recent years and was laboring under the strain of dramatic revenue cuts by the Arizona legislature.[1]   Arizona

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[1]   In 2000, a majority of Arizona voters approved Proposition 301, which requires the legislature to adjust the "base level" education funding formula each year in accordance with inflation. The "base level" provides all funding for the maintenance and operations of Arizona's schools.   Beginning with its 2010-11 budget reconciliation bill and continuing each year thereafter, the Arizona legislature has failed to adjust the "base level" for inflation. In ***Cave Creek S.D. v. State of Ariz.***, a number of districts challenged the state, arguing that Proposition 301 is protected under the Voter Protection provisions of the Arizona Constitution. Although the Arizona Court of Appeals has ruled against the State and remanded the matter to the trial court, when and how the deficit might be corrected remains unclear.   The loss to TUSD as a result of the State's non-compliance with the inflation-adjustment requirements of Proposition 301 is estimated at $15 million.

ranks among the bottom five states in the nation in per-pupil spending. The funding available to TUSD under A.R.S. § 15-910(g) does not fully cover all of the broad ranging programs and monitoring mandated by the order.   The challenge for the new team, then, was to move the District forward in integration, educational quality, equity and efficiency, all while operating with significant financial constraints.

B.   Getting to the Starting Line: Establishing the Foundation From Which Successful Efforts Can Launch.

One of the first tasks of the two new deputy superintendents (Adrian Vega and Youssef Awwad) was to meet with their leadership teams to identify and categorize the work that was being done and needed to be done in all of their program areas, including implementation and compliance under the Unitary Status Plan. The District's Desegregation Director served as a member of the Instructional Leadership Team (ILT) and the Business Leadership Team (BLT) throughout this process so that the goals and tasks of the USP were embedded into the end products: the ILT and BLT plans.

A consistent theme under the Unitary Status Plan is the need to preface successful work with a comprehensive review of the status quo.[2]   The Superintendent, with the support of the Governing Board, determined that the District must undertake a comprehensive self-critical analysis.   Outside consultants were hired to conduct an Efficiency Audit and a Curriculum Audit.   For each, the evaluative process involved a team of experts visiting virtually every department in the District, interviewing staff, reviewing data, visiting sites, and applying a critical eye toward every aspect of TUSD's instructional programs and business operations. The culmination of those analyses involved lengthy reports and presentations of finding to the Governing Board. The audit reports were also made available to the

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[2]   Compare, e.g. USP§IV(C)(2)(Labor Market Analysis as precursor to recruitment planning); USP§IV(F)(evaluation of data on retention as a precursor to corrective action); USP§V(A)(2)(b)(ALE program assessment prior to development of ALE Plan); USP§(V(E)(2)(mandating assessment and analysis of behavioral/academic supports on a site-by-site basis); USP§VI(B)(2)(review GSRR with expert before revising); USP§VII(B)(requiring Family Engagement Coordinator to first conduct "review and assessment of the District's existing family engagement and support programs, resources, and practices.");   USP§IX (requiring analysis and rating of existing facility and technology conditions prior to long-range planning); USP§X (requiring a "review and analysis" of District data collection and tracking systems to develop an Evidence-Based Accountability System).

public at the TUSD website, and are provided herewith as ***Appendices I-2***
(Efficiency Audit, without exhibits) ***and I-3*** (Curriculum Audit, without exhibits).

1.   Strategic Planning

With information gleaned from the ILT and BLT plans, along with preliminary
feedback from the curriculum and efficiency auditors, the District next undertook
the creation of its first-ever five-year strategic plan.   Committed to undertaking this
work in public, in a system inclusive of community voices, the Superintendent
opened the process with an all-day public meeting in which more than 200
attendees from diverse communities[3] came together to plan the District's future.
Held on February 25, 2014, the session included table discussions centered around
five strategic priorities: curriculum, diversity, facilities, finance, and
communications.

The all-day planning session was videotaped and posted online so that
members of the public could also contribute ideas and feedback. Once both
participant and online input were aggregated and digested, the District invited
participants (as well as new faces) to continue the work in a series of four Saturday
meetings held at the Professional Development Center at the former Duffy
Elementary School.   Over the course of those Saturdays, subcommittees took the
five big strategic priorities for each focus area that had evolved out of the February
sessions and broke them down into specific, time-measured goals and activities to
be undertaken over the course of the next five years.   These SMART (Specific,
Measurable, Attainable, Realistic, Time-bound) goals were designed to address both
the ongoing work under the Unitary Status Plan and the systemic deficiencies
identified in the curriculum and efficiency audits. In all, the plan contains 125 goals
over the five years. Although all of these District improvement goals will, by
definition, support the goals of quality, equity, and diversity that underlie the USP,
several specifically target USP priorities include:

In Curriculum:

- "TUSD will design an aligned, articulated and well-administered
  curriculum that supports academically high standards of learning for
  all children, integrates college- and career-ready skills, incorporates

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[3]   The community workshop that kicked off the strategic planning process
included central office staff, teachers, administrators, students, business and community
leadership.   Participants were African American, Hispanic, Native American, Asian, and
white.

fine and performing arts and is culturally relevant for our diverse student population. It will be reviewed and revisited regularly to meet the changing demands of our students and community."

- *"*TUSD will provide purposeful professional development that is collaborative and focused on providing teachers and administrators with the knowledge and skills necessary to implement: best practices for college and career preparedness, differentiation for diverse student needs, culturally responsive teaching strategies and cohesive communities of practice."

In Diversity

- "TUSD will actively recruit, hire, train and work to retain teachers, administrators and staff who reflect its student population."

- TUSD will ensure equitable access to advanced learning opportunities (e.g. honors, AP, IB, GATE, and college-prep programs) for all students." The year-four goal is to "Establish entry pathway expectations into the Advanced Learning Experiences."

In Facilities:

- "TUSD will develop and implement a long-range Master Facilities Plan that supports and enhances student learning and achievement and community partnerships."

- "Create a purposeful, pedagogically aligned technology plan that provides instructional support, curriculum standardization, and baseline resources including physical resources and professional development."

In Finance

- "TUSD will effectively communicate to and educate all stakeholders on the finances of the district."

In Communication

- "TUSD will respond to the community's diverse information needs with culturally responsive communications."

The District's full Strategic Plan is *Appendix I-4* (TUSD's Strategic Plan) hereto.

2.   Approval of a New ERP System.

During the course of their evaluation of virtually every aspect of TUSD operations, the efficiency auditors (Gibson Consulting Group) noted that "[t]he district has two separate enterprise resource planning (ERP) software systems for finance and human resources functions. This not only makes the support of these two applications extremely difficult, it also inhibits the district's ability to integrate and automate some of the key processes in finance and human resources." Not only are the two ERP systems not integrated, the more recently acquired ERP (Lawson) was never fully implemented.[1]   As a result, the District has relied too heavily on paper-driven processes that are difficult to manage, compromise the ability to gather and analyze data, and inhibit transparency by limiting the District's ability to produce meaningful reports, particularly in the area of finance and budget.

The current state of the two ERP systems severely impacts the District abilities in the areas of automation (workflow), accuracy and overall speed for the district to function within today's environments. Reliance on a paper-driven process for a school district of over 8,000 employees and 45,000 students is problematic in any scenario.   In this case, however, where implementation monitoring requires the review and analysis of reports on data sets ranging from position control, payroll and accounts payable to the development and submission of yearly budgets, the systems are simply unworkable.   In addition to the reliance of paper-driven as the mechanism for internal and cross departmental workflows, the District completely relies on the utilization of spreadsheets ranging from developing district budgets, financial analysis and forecasting to dashboard functionality to track the status of requests and actions within the paper-driven processes. The utilization of spreadsheets to develop and manage budgets, analysis and overall reconciliation inherently injects a high degree of error due to the human element by transferring the responsibilities on to the employees across the district to maintaining financial

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[1]   As the efficiency auditors wrote: "In 2008, TUSD decided to procure a new ERP system to replace their existing human resource and finance system. ... [T]he decision to procure a new ERP system was primarily to automate the district's manual reprocesses that the outdated and heavily customized old system could not handle. However, after implementing the finance and procurement modules in 2011, the district suspended the implementation of the new ERP system and remaining modules. The suspension was in large part due to the lack of functionality of the system, issues with overly complex district processes, and the lack of effective project management...." "Operational Efficiency Audit for the Tucson Unified School District," May 2014, p. 80.

and compliance protocols instead of the system maintaining the fiduciary standards and processing for the District.

At it May 27, 2014 meeting, the TUSD Governing Board approved the purchase and implementation of a new ERP by Infinite Visions that would encompass finance and human resources functions in the most efficient manner directed by industry best practices and compliance.   Infinite Visions ERP system is currently utilized by 93 percent of the school districts within Arizona along with implementations across the United States. It is specifically developed to service school districts, in contrast to current systems which were developed to service corporate enterprises. Infinite Visions ERP is continuously improved and maintained by Infinite Visions team of developers to meet the changes mandates for both state and federal entities. This allows Infinite Visions to maintaining the highest level of system functionality and integrity while providing the lowest cost solution available to districts today.

Most critical for USP purposes will be the role the new ERP plays in budgeting, tracking expenditures, and creating reports on a real-time basis through which the Special Master, Implementation Committee, Plaintiffs, and the public will be able to see and understand both how 910(g) funds are budgeted and how they are actually being spent.   In addition, because the finance components in the Infinite Visions ERP communicate seamlessly with Human Resources data, the new ERP will provide for better analysis and reporting on hiring, separations, and other data elements specifically relevant to USP implementation.   Finally, as discussed below in Section X, the ERP can work in tandem with a new Student Information System to make implementation of the USP's requirement for an Evidence-Based Accounting System (EBAS) a reality.

3.   Creation and Rollout of an Aligned Curriculum

One of the most significant findings of the curriculum auditors was that TUSD lacked a cohesive, aligned curriculum. ***Appendix I-3*** (Curriculum Audit) pp. 63-95. The auditors opined that the District lacked a written curriculum adequate to provide clear guidance for effective teaching and learning, thus requiring teachers to draw from varied sources to plan instruction.   The District also lacked a comprehensive curriculum management system to ensure that the District 1) had a quality *written* curriculum that is aligned to assessment and standards; and 2) had systems for ensuring that teachers consistently taught the established written curriculum. In a companion finding, the auditors recommended an overhaul of the District's approach to professional development for teachers related to curriculum implementation.

It is difficult, of course, to pursue equity of educational quality and opportunity without a systematic, district-wide approach to curriculum development and deployment.   To that end, the District spent all of 2013-14 in an aggressive push to develop a written curriculum aligned to standards and appropriate for systematic deployment.   First, it developed a Curriculum and Instruction Department headed by Assistant Superintendent Steve Holmes. The Curriculum department started the curriculum development process with an emphasis on the core subjects of English Language Arts and Mathematics, developing curriculum maps and a written scope and sequence to ensure that students at all sites—regardless of race, ethnicity, ELL status, or socio-economic background—would been exposed to teaching which reflects an underlying curriculum assigned to consistent standards.   Instructional improvement was tailored to Charlotte Danielson's Framework for Teaching (which also underlies the District's teacher evaluation instrument).

Not only was the development of a quality aligned curriculum important to the District and its students generally, it is a cornerstone of USP compliance. It is an important tool in seeking to close the achievement gap between students of color and their peers and likewise is the springboard from which USP-specific obligations for Multicultural Curriculum and Culturally Relevant Course both launch and improve.   The Curriculum and Instruction Department also set an ambitious professional development calendar.   The work of the C&I Department is set forth generally in materials filed herewith as ***Appendix I-5*** (Curriculum Presentation).

II.   Unique Challenges in Desegregating Tucson Schools

A. The Demographics of TUSD Over Time

In its history, TUSD enrollment has reached two peak enrollment years of over 63,000 students. The first peak occurred in the 1973-74 school year, just three years prior to the signing of the Stipulation of Settlement. That year, two-thirds (67%) of the District's students were white, approximately a quarter (26%) were Hispanic and only five percent were African American. After that first peak year, white enrollment began to decline rapidly. Over the next 11 years, District enrollment declined by more than 10,000 students. By 1984-85, white enrollment had declined to just 58 percent of total enrollment, while Hispanic enrollment had grown to account for nearly a third (32%) of all students. African American enrollment had held steady at five percent.

In 1985-86, enrollment began to grow again as the number of Hispanic students started to increase and the number of white students held steady. For the next 13 years, Hispanic enrollment growth accelerated. By 1997-98, District enrollment had once again broken the 63,000-student barrier, and Hispanic enrollment had increased to 42 percent, almost matching the proportion of white students (45 percent). African American enrollment had increased slightly, to seven percent of total enrollment. The following school year, enrollment began a decline again as charter schools, which first opened in 1995, began to grow rapidly.

Table 1. Annual Enrollment by Ethnicity: 1969-70 to 2014-15
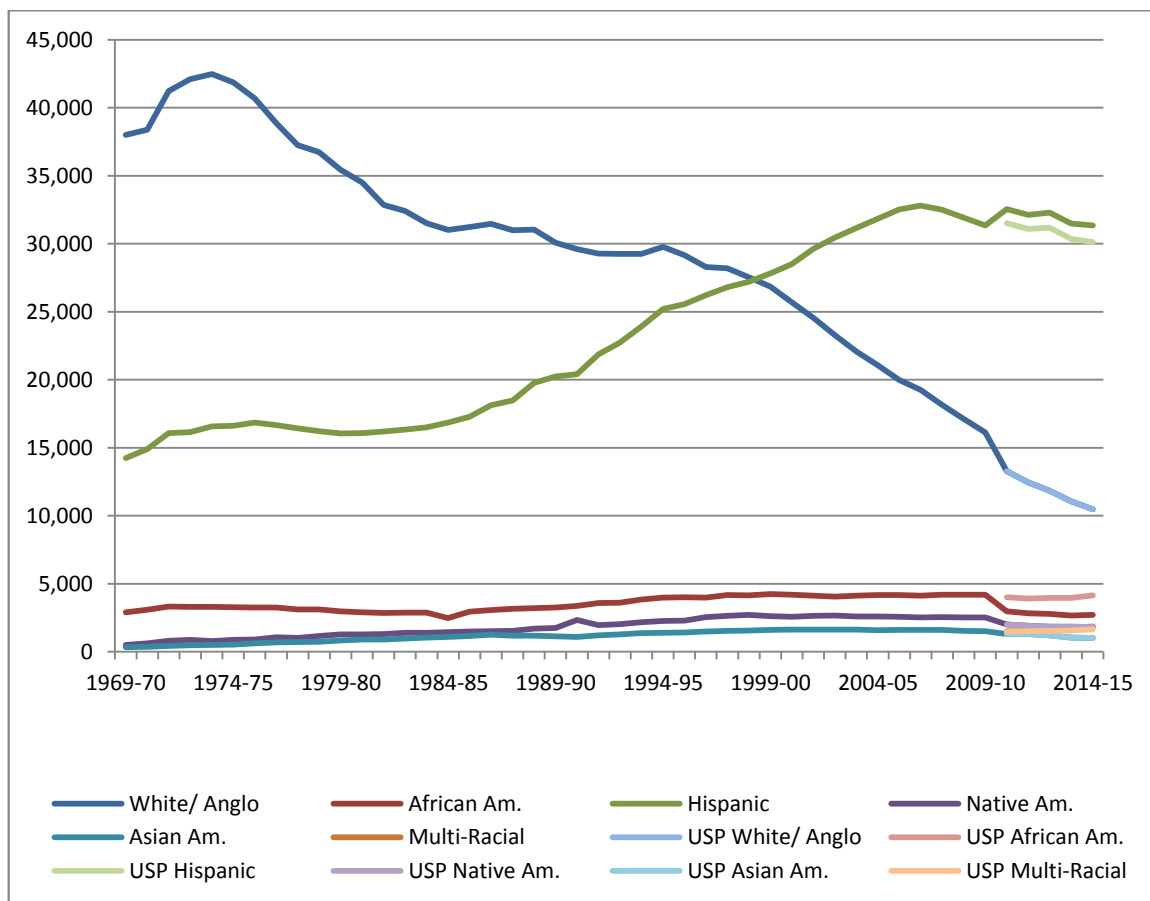
For the next nine years, District enrollment declined slightly as the number of Hispanic students continued to grow, and White enrollment resumed a rate of decline similar to that seen in the years prior to 1984-85. Then in 2007-08, the national recession brought a shock to Arizona public schools, and TUSD began experiencing a precipitous annual decline from that point forward.

Over the past eight years, District enrollment has declined by over 11,000 students, and the demographic shift that started 40 years ago continued to grow. White students now account for a lower percentage of TUSD enrollment (21 percent) than Hispanic students did when the Mendoza class joined the case in the mid 1970s (26 percent in 1973-74). Hispanic students now account for nearly two-thirds (64 percent) of the total student population.

Data suggest that even if student enrollment holds steady or increases, the overall racial and ethnic breakdown of the student body is likely to continue shifting apace. The City of Tucson and Pima County as a whole are both steadily growing more Latino each year. The District's student population is more heavily Latino in younger grades than at the high school level.   For example, in 2013-14, white students accounted for 33% of the outgoing 2014 graduating class but only 20% of the incoming Kindergarten (TUSD class of 2026). Those non-congruent graduation exit/kindergarten entry figures illustrate how the changing demographics of the Tucson community are affecting the diversity of TUSD schools. As Hispanic students replace Anglo students with each successive cohort, the District can expect white enrollment to continue to decline at a rate of about 1% a year, into the foreseeable future. As those elementary school students continue to age through the system, the District's overall racial and ethnic breakdown will shift accordingly.

The practical reality may be that there are simply not enough non-Hispanic students to close this gap based on the current standard for racial concentration under the USP.   Moreover, as discussed *infra*, the meaningfulness and accuracy of statistics regarding racial concentration in the District are compromised by the manner in which students are identified by race and ethnicity under law.   The data thus triggers two questions: 1) is the 70% threshold a reasonable measure given demographic trends; and 2) are students and families being fairly identified in terms of race and ethnicity?

On top of the overall shift in the racial and ethnic composition of the District, Tucson's geographic divide between Hispanics and other student groups presents a practical obstacle. In terms of student enrollment, the highest percentage of racial concentrations of Hispanic students is found overwhelming south and west. ***See e.g, Appendix II-1*** (Applied Economics Boundary Study).

As a practical matter, the east-west geographic divide means that creating significant movement in the racial composition of schools can only mean significant student cross-town travel. For example, for students at Cholla High School (79% Hispanic) to attend an integrated high school, the closest option is Catalina High

School[4] involving cross-town surface street travel. Students from Pistor Middle School seeking to study in an integrated middle school would have to travel 13 miles across town to Vail Middle School.

Many of the racially concentrated west-side schools are presently at or over capacity,[5] while east side schools are more likely to be under capacity.   Meanwhile, the District continues to gain enrollment on the west side. ***Appendix II-1***, **(*Applied Economics Boundary Study)*** Tucson Unified School District Demographic and Enrollment Analysis, Final Report Map 4. Without undertaking the kind of major construction project that would require a bond or override, the capacity challenge at west-side sites like Cholla High School and Pistor Middle School is likely to grow. That means that to the extent cross-district student mobility is a major tool in desegregating schools, the travel burden will be borne disproportionately by students on TUSD's heavily Latino west side if by anyone at all.

B.   When Is a School Desegregated?

At the time this case was filed in 1974, the District's 63,000 student population was approximately one-third minority and one-fourth Hispanic. By the time the parties were negotiating the USP in 2011, the student population was shrinking and the racial/ethnic breakdown had nearly reversed. The District's 51,000 students were approximately three-quarters minority and two-thirds Hispanic. The District's African American population has remained somewhat constant around six to seven percent.

The thresholds set forth in the Unitary Status Plan presently define "racially concentrated" and "integrated" schools using the following metric:

Racially Concentrated: Any school in which any racial or ethnic group exceeds 70% of the student population.

Integrated: Any school in which no racial or ethnic group is 15% greater or lesser than the District's overall average for that same racial/ethnic group at the relevant grade level (elementary, K-8,

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[4]   Both of the closer high schools – Tucson Magnet High School and Pueblo Magnet High School – are racially concentrated.

[5]   Grijalva and Vesey Elementary Schools, Pistor Middle School, Roskruge K-8, Cholla High School, and Tucson High School are all at over 100% of capacity, are racially concentrated, and are on the west side of this informal divide.

middle, or high school) and where no racial or ethnic group exceeds more than 70% of the student population.

USP §II(B). Curiously, the USP nowhere defines "desegregated," although the District would submit that it falls somewhere between the two definitions above. [6] The District has a number of schools that fall into neither definition above, but would seem to exemplify the spirit of desegregation.   For example:

School	White	Af. American	Hispanic
Santa Rita HS	42%	10%	38%
Wheeler Elem	35%	10%	47%
Marshall Elem	39%	6%	48%
Doolen MS	29%	11%	46%
Steele Elem	36%	9%	44%
Henry Elem	50%	6%	37%
Magee MS	47%	7%	37%

Meanwhile, for those sites that are racially concentrated, meaningful demographic change may be elusive. For example, Cholla High School is both racially concentrated (79% Hispanic) and the facilities are at capacity with a total enrollment of approximately 1600 students.   A significant combination of Latino student exodus, combined with growing white, African American, Asian, or Native American enrollment, would be required before the school would not be racially concentrated.   In the meantime, of course, Hispanic students leaving Cholla would only contribute to racial concentration if they enrolled at Pueblo or Tucson High, and the departure of a high number of non-Hispanic students from other District high schools could tip the balance at the sending school.   Although student recruitment efforts are underway to capture those who may be choosing charter,

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[6]   As noted in last year's Annual Report, The USP adopted the Supreme Court standard for desegregation that is required for unitary status. *See* USP § I.C.I. TUSD must meet three obligations in order to satisfy that standard: (1) fully and satisfactorily comply with the court's desegregation decree(s) for a reasonable period of time; (2) eliminate the vestiges of the prior *de jure* segregation to the extent practicable; and (3) demonstrate a good-faith commitment to the whole of the court's decrees and to the applicable provisions of the law and the Constitution. *Freeman v. Pitts,* 503 U.S. 467*,* 491-92 (1992); *Bd. of Educ. of Oklahoma City Pub. Sch., Indep. Sch. Dist. No. 89 v. Dowell*, 498 U.S. 237, 248-50 (1991). The affirmative duty to desegregate is a continuing responsibility, ending only when a school district is declared unitary, and "[p]art of the affirmative duty . . . is the obligation not to take any action that would impede the process of disestablishing the dual system and its effects." *Dayton Bd. of Educ. v. Brinkman*, 443 U.S. 526, 537-38 (1979).

private, or out-of-district offerings, the demographic realities suggest that significant demographic changes may prove elusive.

C.   How Do We Categorize a Student by Race/Ethnicity?

In 1997, the Office of Management and Budget published new standards for federal agencies on the collection of racial and ethnic data. The Department carefully balanced the needs of collecting comprehensive and accurate data in carrying out its responsibilities with the need to minimize burden as much as possible. Revising data collection standards that had been in place since 1977, the new model allows a respondent to self-identify his or her ethnicity, as well as select more than one racial designation. Those federal standards require the use of a two-part question, focusing first on *ethnicity* and then on *race*.

Beginning in the 2010-11 school year, school districts were required to begin using the new standards. Under that format, each individual student is reported in <u>exactly one</u> of the following seven categories:

1. Hispanic/Latino of any race

For individuals who are non-Hispanic/Latino only:

2. American Indian or Alaskan Native
3. Asian
4. Black or African American
5. Native Hawaiian or Other Pacific Islander
6. White
7. Two or more races

*Individuals included in Hispanic/Latino **will not** be included in any other category for reporting purposes. This ensures that when assessment data are disaggregated, the assessment scores of Hispanic/Latino students will not also be listed with any racial group.*

TUSD adopted these same federal standard reporting rules, with a small adjustment in nomenclature.[7]   Under these rules, a student who identifies *ethnically* as

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[7]   TUSD made a variation for students who mark only "Native Hawaiian or Other Pacific Islanders." Given that these students had previously self-reported as "Asian," they remain included in the "Asian" reporting group. TUSD continued to use the following racial/ethnic group names: White/Anglo, African American, Hispanic, Native American, and Asian American. The District also adopted the term "Multi-racial" rather than "Two or more races" for non-Hispanic students marking more than one race.

Hispanic is categorized as Hispanic, period. It is only those who identify as non-Hispanic who move on to specify a racial identification (including multi-racial).

In the spring of 2012, the Fisher representatives objected that the standard reporting rules were understating the number of African American students in the District. *Table 2* illustrates the difficulty in transitioning from one data collection system to another, and shows why the Fisher representatives had a reasonable concern. All TUSD students were asked to answer the new two-part race/ethnicity question at the start of the 2010-11 school year. Therefore, all continuing students had two unique sets of racial/ethnic data that could be compared. Comparing their previous responses to the single race/ethnicity question with their responses to the new two-part question as reported under the standard Federal rules shows that more than 1,000 students who had previously self-identified as African American were now being counted as either Hispanic (468) or as Multi-racial (554).

Table 2. Total District Enrollment by Ethnicity – 2010-11 School Year

Old Single Question vs. New Two Part Question (standard federal reporting)

Single Question	2010-11 School Year - New Two Part Question with Federal Reporting							
	White /Anglo	Af. Am.	Hisp.	Native Am.	Asian Am.	Multi-racial	Total	% of Total
White/Anglo	12,154	24	1,422	18	52	476	14,146	26%
African American	14	2,665	468	3	4	554	3,708	7%
Hispanic	247	32	27,831	72	13	23	28,218	53%
Native American	9	4	404	1,749	5	107	2,278	4%
Asian American	17	1	100	2	1,089	193	1,402	3%
No Answer - New Student	*842*	*242*	*2,325*	*163*	*130*	*147*	*3,849*	*7%*
Total	13,283	2,968	32,550	2,007	1,293	1,500	53,601	100%
% of Total	25%	6%	61%	4%	2%	3%	100%	

The data supported the Fisher plaintiffs' objections: students who would otherwise identify as African-American were being reported as "Hispanic" because of the default categorization that occurs when a student identifies ethnically as Hispanic/Latino. The parties reached an agreement to use a modified racial/ethnic reporting standard for USP purposes.

The District agreed to two changes designed to ensure that those students who consider themselves foremost African American could be identified as such. First, a new third question was added to the enrollment form that asks respondents reporting their ethnicity as Hispanic and their race as black, to indicate if they *primarily* identify as black, Hispanic, or both. For purposes of USP reporting, Hispanic/black students who identify primarily as black are counted as African American. Hispanic/black students who identify primarily as Hispanic are counted as Hispanic. Hispanic/black students who identify as both are counted as multi-racial. In addition, the District also agreed to count non-Hispanic students who mark "black" and one or more other race, as African American for USP reporting purposes.   Although the District continues to officially report student demographics in accordance with federal/ADE standards for most purposes, this adjustment to data collection has provided a critical opportunity for the District's African American population to be counted with greater accuracy. Data gathered in the manner described above is used for all USP purposes.

In 2013, the question of race/ethnic identification came up again.   In particular, for some oversubscribed, racially-concentrated popular magnet schools, some parents complained that their multi-racial children were being improperly classified as "Hispanic,"[8] which they feared would disadvantage them in the application/lottery process.   Still others complained that their schools were not as homogenous as some claimed.[9] The question, then, is whether USP demographic

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[8] For example, some of the Native American students in the District (particularly Pascua Yaqui) identify ethnically as Hispanic and racially as Native American. These students become "lost" demographically since they reporting system identifies them only as Hispanic.   The degree to which Native American children are undercounted by the current system is impossible to quantify.

[9] Some charged that certain racially-concentrated magnet schools were so far from the "integration" standard in the USP that their magnet status should be removed in favor of programs that had a greater statistical likelihood of achieving integrated status. Supporters of those schools (such as Davis and Carillo Elementary schools) objected that the system for reporting race/ethnicity over-identified mixed race students as "Hispanic" and thus exaggerated the degree of racial concentration at those sites.

reporting should be revised with regard to other groups in the same manner it was for African American students.

In an effort to collect data by which it can work with the parties and special master to evaluate the challenge of accurately identifying students, in the spring of 2014, the District made a further revision to its enrollment form. The so-called "third question" was revised to allow all students (not just Hispanic/black students) to report a *primary* racial/ethnic identity or to self-identify as multi-racial. *Appendix II-28* (TUSD Enrollment Form). The District is currently analyzing the responses from this new third question to determine if the data is informative to the Unitary Status Plan. However, per our agreement with the Special Master and the Fisher representatives, TUSD continues to use just the responses from Hispanic/black students for USP reporting purposes.

The risk that federal reporting guidelines on race and ethnicity may be skewing the stastical demographics of the TUSD student warrants data-based review.   Combined with the accelerating growth of the Hispanic student base within the District generally, any truly erroneous capture of multi-racial students who primarily identify as non-Hispanic could make it that much more difficult to evaluate the success of the District's efforts to desegregate racially concentrated schools.   TUSD hopes that this data will be available for analysis in the spring of 2015.

III.   USP Implementation and Compliance Work: An Overview of SY 2013-14

A.   The Development of Action Plans

As a starting point to guide the District's good faith efforts in connection with each of the *Green* factors, the USP requires development of specific plans and/or programs. Those "Action Plans" in turn provide the road maps for the District's specific compliance activity.   For example, the USP requires the District to develop a First-Year Teacher Plan, and the USP outlines the specific components that must be included within the plan.

As the District developed its Action Plans, it undertook a collaborative process that included soliciting the input and feedback, including objections, of the Plaintiffs and Special Master as the plans were developed.   The process for action plan development typically began with 1-3 months of staff conducting researching, analyzing best practices, assessing the District's capabilities and needs, and drafting a proposed plan. Staff vetted draft plans through various stakeholders (school leadership, relevant departments, District leadership, and focus groups). In many

circumstances, District staff reached out to nationwide experts and/or consultants to provide objectivity to the development process, and to tap into the skill, knowledge and experience of educators and others who have worked in the relevant fields.

After the completion of internal review, a draft plan would typically be presented to the Special Master and Plaintiffs for a 30-day review and feedback period.   After responding to request for information and analyzing feedback, staff incorporated suggestions, revised language, and/or altered key strategies. Oftentimes, staff met in person or by teleconference with the Special Master and Plaintiffs to talk through complex issues, and to work collaboratively to resolve differences. In many cases, this collective review and analysis resulted in extended deadlines by mutual agreement of the parties. On occasion in any effort to avoid the need for submission of disputes to the court, timelines were extended to allow further exchange of information among the parties.

Over the course of the 2013-14 school year, the District developed and finalized a number of Action Plans, including:

- Reduction-in-Force Plan
- First Year Teacher Plan
- Support Plan for Underperforming/Struggling Teachers
- Admissions Process for Oversubscribed Schools
- Admissions Process for University High School
- Facilities Conditions Index
- Technology Conditions Index
- Extracurricular Equitable Access Plan
- Aspiring Leaders Plan/Leadership Prep Academy
- 2013-15 Magnet Plan
- MASS Reading Improvement Plan

The District also finalized several other Action Plans although disputes as to some provisions remain pending for resolution either by the Special Master or the Court.   Even for these plans, the majority of the proposed strategies and activities described therein are not subject to any objection and are under way:

- Comprehensive Boundary Plan
- ALE Access and Recruitment Plan
- Comprehensive Magnet Plan
- Outreach, Recruitment, and Retention Plan (employees)

- Marketing and Outreach Plan (students)
- Dropout and Retention Plan

Two primary plans are left to be crafted: A multi-year technology plan and a multi-year facilities plan.

B.   The Implementation Plan Process

In addition to the Action Plans described above, the Special Master has requested that the District create documents the parties are calling "Implementation Plans."   An Implementation Plan describes the nuts-and-bolts activities TUSD staff will undertake to implement and execute an Action Plan.   Even for many of those areas where no Action Plan is required by the plain language of the USP, the District is developing Implementation Plans which will outline, as to each major USP activity: the person(s) responsible, main objectives of the work, key stakeholders for the project, major reporting dates, possible obstacles, and key milestones and timelines.

In the winter of 2013-14, District staff worked with the Special Master to develop a standard set of information for each activity. This information was then submitted to the Special Master and the Plaintiffs in the USR 2. *Appendix I-6* (TUSD USP Status Reports) includes copies of the USR 1 (July 2013) and the USR 2 (February 2014).   Based on the information in the USR 2, the Special Master developed an "Implementation Addendum" which was used to transmit the implementation status, and other key information, to the Court and the public for individual USP activities. In SY 2014-15, the District is following these implementation plans to implement USP activities, and the Special Master and the Implementation Committee are using the information provided in the plans to benchmark progress and monitor the District's good faith efforts.

C.   FERPA and USP Data Reporting – A Continuing Challenge

Programs and projects associated with USP implementation are evaluated on a number of levels, but primarily by data analysis.   Such data can include enrollment, achievement, discipline, or ELL status, all disaggregated in ways that help make the analysis meaningful under the USP.   As discussed in last year's annual report, the federal Family Education Rights Privacy Act ("FERPA") prohibits disclosure of personally identifiable student educational records (20 U.S.C. § 1232g; 34 CFR Part 99). In turn, courts and regulatory agencies have taken an expansive approach in determining what kinds of disclosures violate FERPA, even when such disclosures are in the form of disaggregated data tables without any student names.

The USP specifically notes that all required data reporting is subject to the constraints of FERPA. *USP §I(D)(9).*

In June 2014, the District received a letter from the Arizona Department of Education (ADE). In that letter, ADE objected to the District's public disclosure of scores associated with both AIMS and with Arizona's "Move On When Reading" requirement for promotion beyond third grade. In response to a newspaper inquiry, the District (like many other school districts statewide) shared results, disaggregated by site. The report showed that 42 TUSD third graders at 26 elementary schools (ranging from 1 to 4 students per school) were at risk of retention due to the new law.

However, as discussed in the District's Annual Report for 2012-13, data disaggregation can, if not handled carefully, result in the release of confidential information traceable to a particular student or small subset of students.   This year, the District has redacted certain disaggregated data where individual cells have an N value under 10.   TUSD understands that such redaction has been a source of frustration to the plaintiffs and Special Master. The District is doing its best to balance the competing interests of desegregation transparency and student privacy that are embodied in the USP and FERPA, respectively.

TUSD was one of a number of school districts to receive an inquiry letter from the Arizona Department of Education averring that the disclosure violated FERPA.   In particular, ADE was concerned that the District had disaggregated below an N-size of 10 and charged that such a breakdown could, when combined with other publicly available information, constitute the release of identifiable student data. *Appendix I-7* (Letter from Arizona Department of Education).

Based on the established guidance in this area, the District has been obligated to redact information from certain data tables that the USP otherwise requires be maintained for reporting. However, the District has disaggregated and retained all of this information, and it may be reviewed upon request by the Special Master and his Implementation Committee, or *in camera* by the court.   The District has chosen the "N < 10"[10] threshold in an effort to balance two competing legal obligations: that imposed by the plain language of the USP and that expected by regulators assigned to FERPA enforcement.   Unfortunately, the need for redaction under FERPA can, in certain circumstances, obscure the incremental steps toward progress in certain categories, particularly regarding gains by African American students, who are a proportionately small segment of the population at most school sites.

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[10]   This threshold is consistent with that applied by the Arizona Department of Education and has also received the approval of the United States Department of Justice in connection with discussions among the parties around the need for redaction.

IV.   <u>The Purpose and Structure of This Annual Report</u>

The primary purpose of this 2013-14 Annual Report is to set forth the implementation, compliance, and monitoring activities the District undertook from July 1, 2013 through June 30, 2014 under the Unitary Status Plan.   This report also presents data and information reflecting the outcomes of such activities from that school year. In addition to reflecting the District's good faith compliance efforts of the last fiscal year, information and data contained in this report will be used to set goals and expectations for the current and future school years, to align and calibrate funding and implementation activities to assure full compliance with the USP, and to provide for full transparency and accountability to the Court and the public.

The USP is organized into thirteen sections, ten of which are subject to the ongoing monitoring and reporting requirements. Sections II through X of this report describe a body of broad-ranging activities that the District has undertaken pursuant to the Order in the areas of: student assignment, transportation, hiring and retention of teachers and administrators, educational programming, student discipline, family and community engagement, extracurricular activities, facilities/technology, and accountability/transparency.   The end of each USP section sets forth specific data and document reporting requirements. The sections here each end with a corresponding reporting section noting the data and information provided in connection with those requirements, with references to appropriate appendices.

STUDENT ASSIGNMENT (USP § II)

I.   **Introduction: Desegregation via Student Assignment Strategies in the "School Choice" Era**

The USP directs that "[s]tudents of all racial and ethnic backgrounds shall have the opportunity to attend an integrated school." USP § II(A)(1). To achieve this goal, the District "shall use four strategies": attendance boundaries review and adjustment; pairing and clustering of schools; magnet schools and programs; and an integration-enhancing application process under open enrollment. *Id.*   As noted in last year's Annual Report, until unitary status is attained, the District must continue striving for "desegregation of the district to the extent practicable, and 'at the very least,' the District has a duty to not exacerbate racial imbalance caused by demographic changes." *Fisher v. Tucson Unified School District*, 652 F.3d 1131, 1135 (9th Cir. Ariz. 2011). However, two factors limit the kinds of demographic shifts that are likely using traditional student assignment methods.   The first is Arizona's statutory open enrollment mandate, and the second is the proliferation of charter schools. These two factors ensure that students cannot be moved from school to school simply with a change of a boundary.

Arizona state law allows students to apply for admission to any public school, based on available classroom space. A.R.S. § 15-816.01. Established in 1995, the Open School Enrollment law not only allows such inter-district and intra-district transfers regardless of attendance boundaries, it mandates that Districts provide a mechanism for students to be admitted, space permitting, to any public school of their choice.

In 1994, Arizona established charter schools as "public schools that serve as alternatives to traditional public schools." *Arizona Charter School Act*, ARS § 15-181. Approximately 11.7 percent of the public school students in Arizona attended a charter school as of 2011. Of the 124,836 students enrolled in a charter school in that year, 80 percent were enrolled in a Maricopa County (66%) or Pima County (14%) charter school. The charter school attendance rate has had an effect on schools across Arizona since they began to open in 1995. Starting in that year, TUSD enrollment growth began to slow. Between the peak enrollment year of 1998 and 2007, District enrollment remained flat or declined slightly year-over-year. But, as the recession intensified in 2008, TUSD enrollment began to decline rapidly. This rapid decline in enrollment was not specific to TUSD. Mesa Public Schools' enrollment declined at rates similar to TUSD between 2008 and 2011. Over that four year period, total public school enrollment in Arizona declined by 1.6 percent.

As a result of the expansive role of school choice in Arizona, TUSD--like many established school districts--has experienced declining enrollment. A large part of the decrease has been directly related to students choosing charter schools over traditional school districts. Compounding this, charter schools draw disproportionate numbers of white students. Within the District boundaries, the school-age population in 2010 was 30% White and 57% Hispanic. Charter schools in the same year and in the same area were 40% White and 42% Hispanic while TUSD schools were 25% White and 60% Hispanic. ***Appendix II-2* (PowerPoint Presentation to Governing Board March 25, 2014).** In addition, on the east side of Tucson, students have left TUSD schools to enroll in adjacent districts, such as Tanque Verde and Catalina Foothills.

Against that challenging legal backdrop, students cannot be moved from one site to another for desegregation purposes by the mere changing of attendance boundaries, but rather must have an affirmative desire to attend a school or program where their attendance can influence desegregation. Those who are not admitted to the programs they seek may leave TUSD entirely in favor of a charter school or adjacent school district. Decisions about boundary changes, magnet programs, and restrictive admissions policies must take into account these factors.

II. Student Assignment Implementation and Compliance: SY 2013-14

During the 2013-14 school year, the District undertook several major initiatives under the Unitary Status Plan in the area of student assignment. Those included:

A. Hiring/designating appropriate personnel;
B. Undertaking a major boundary review;
C. Development of a Comprehensive Magnet Plan;
D. Simplifying the application process and making it more accessible for families;
E. Creating a lottery process that would allow the use of race/ethnicity of non-neighborhood applicants as an admissions factor; and
F. Creating a professional development program to inform relevant staff of the stipulations of the USP and the admissions process.

As previously noted, enhancing integration through student assignment processes in Arizona is made much more difficult by the State's open enrollment statute (A.R.S. § 15-816.01), which allows students to apply for admission to any public school, based on available classroom space. Essentially, as long as there is

space at a school, students must be admitted to that school if they apply. Accordingly, admissions processes and boundary changes are most effective where the affected school is at or over capacity, or "oversubscribed."

The following highlights our work in these areas.

A.   Hiring/Designating Student Assignment Personnel

The Unitary Status Plan directs that the District hire or designate specific personnel to support work in the area of student assignment.   Specifically, the USP §II(C) requires the hiring or designation of a Director of Student Assignment and a Director of Magnet Strategy and Operations and appropriate support personnel for the District's magnet programs.

In 2013-14, Noreen Wiedenfeld served as the Director for School Community Services (renamed "Director of School Placement and Community Outreach"). In that capacity, she was designated and served as the Director of Student Assignment for the first part of the year. The District researched other school districts around the nation, found several districts that combined planning and student assignment functions into one director, and designated Bryant Nodine as the Director of Student Assignment for the latter part of the year. The appropriate job descriptions containing explanations of responsibilities for each of these positions, names of persons designated to the positions, and their credentials are attached in ***Appendix II-3 (List of Designees and Job Descriptions)***.

In addition, the District added a number of magnet coordinators to help facilitate the magnet program work under the USP.   *See USP §II(C)(2)*(requiringthe District to hire individuals to assist in effective implementation and operation of magnet schools). First, Adelle McNiece and Laurie Westfall were hired as Senior Program Coordinators in June 2013. Magnet Coordinators were hired or designated at most sites by August 2013. They are Marlene Zappia (Bonillas Elementary); Garrett Pierce (Booth-Fickett K-8); Caryl Crowell (Borton Elementary); Kathy Jensen and Natasha Conti (Cholla High School); Michele Harbour (Cragin Elementary); Michelle Hutton (Dodge Middle School); Krystal Scheid (Drachman Elementary); Kirstin Bittel (Mansfeld Middle School); Mary Jane Gray (Ochoa Elementary); Maria Abalos (Palo Verde High School); Laura Gallego (Pueblo High School); Erin Leis (Robison Elementary); Marcela Zepp (Roskruge K-8); Ilse Billings (Safford K-8); Kathleen Erickson and Sharon Ingram (Tucson High School); Shawn Blair (Tully Elementary); and Laura Caucci (Utterback Middle School).

A few schools did not have full-time magnet coordinators.   At those sites, teachers agreed to take on additional magnet work for which they received a

stipend to function in the role of magnet coordinator. The teachers who received a stipend for their coordinating work outside the classroom were Mary Kolsrud (Safford K-8) Cheryl Schrader-Gerkin (Davis Elementary), Walter Legan (Holladay Elementary), and Elsmarie DeMars (Carrillo Elementary).

B.   The Boundary Review Process

The District conducted a boundary review as required by USP §II(D)(3) which states, "[T]he District shall review its current attendance boundaries and feeder patterns and, as appropriate, amend such boundaries and patterns and/or provide for the pairing and/or clustering of schools to promote integration of the affected schools." The goal of the Comprehensive Boundary Plan is to improve integration in Tucson Unified School District's schools. This began in the fall of 2013 with four projects that served as the foundation for the planning effort:

First, the District established a written Boundary Review Process which included the roles and responsibilities of the various participants, established a schedule tied to the development of the Magnet Plan and included a structure to inform and engage the Special Master and Plaintiffs. The Boundary Review Process (approved by the Court on 8/28/14 at ECF 1660) then served as the roadmap for what followed. *Appendix II-5* (Boundary Review Process).

At the same time it was undertaking the USP-mandated boundary review, the District revised Policy JC (Student Attendance Boundaries) and its associated regulation (JC-R) to ensure these, too, aligned with the USP. *Appendix II-4* (Policies Revised pursuant to USP§ II). Staff researched other school districts' approaches to boundary changes, including best practices recommended by the Council of Educational Facility Planners International, and included the results of this research and the stipulations of the USP in the revisions. The policy and regulation set forth formation of the boundary committee, criteria to evaluate boundaries, and requirements for public notification and participation. They also dictate when boundaries need to be reviewed, the evaluation of boundaries using desegregation criteria, and the use of Desegregation Impact Analyses. It was approved by the Governing Board in February 2014.

The District commissioned a demographic firm, Applied Economics, to provide a detailed analysis of the enrollment dynamics affecting schools. Applied Economics is an Arizona-based economic consulting firm specializing in socio-economic and demographic analyses for school districts. The analysis included the ethnic composition of individual neighborhoods and projections of changes in neighborhoods. Applied Economics assisted in the project by providing demographic and residential development analyses, enrollment projections, and

attendance area planning. Key aspects of their data sets are the small area (square one-quarter mile) statistical estimates along with projections of variables such as population, housing units, enrollment and socio-economic factors including race/ethnicity.   *Appendix II-1* (Applied Economics Boundary Study).   The work of Applied Economics gave the District and the Boundary Review Committee a clear understanding of demographic patterns almost on a neighborhood-by-neighborhood basis.

In February, 2014 the District contracted with DLR Group to assist in the development of a boundary plan. DLR Group is a national, award-winning leader in K-12 facilities design. With offices in Phoenix and Tucson, DLR Group was selected based on its interest and experience with other districts under a desegregation court order. DLR Group has over 50 large school district master plans across the nation. The District decided to hire outside professionals to bring experience from a nationwide portfolio of projects, offer an unbiased assessment of the District's facilities and programs, and provide the skill level needed to fully inform, consult and involve stakeholders to build consensus. Such expertise was particularly important given the tight timelines; the goal was to complete the plan in SY 2013-14 to timely notify parents of the changes for SY 2015-16.

The milestones reached in the Comprehensive Boundary Plan (CBP) process include:

- Fall 2013: District commissions and receives a demographic study.
- January 2014: Governing Board reviews changes to Policy JC.
- February 2014: Governing Board approves changes to Policy JC.
- February 2014: Establish the Boundary Review Committee (BRC)[11] in accordance with Policy JC.
- February - July 2014: Implement the Boundary Review Process to create a Comprehensive Boundary Plan (CBP) for SY 2015-16. Multiple review meetings with Plaintiffs and Special Master.
- July - August 2014: Finalize the CBP and present to Governing Board for approval.

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[11]   The BRC was made up of 30 members. *See ECF 1614-2, p. 4 and Exhibit 25* thereto ("BRC Member List"). Of the 30 appointed members, 12 identified as Hispanic, 5 as African American and the remaining as White (8), American Indian (4) and Asian (1). Sylvia Campoy and Rosalva Meza serve as representatives of the Mendoza Plaintiffs and Gloria Copeland, Taren Ellis Langford, Lorraine Richardson, and James Schleble serve as representatives for the Fisher Plaintiffs. *Id.*

- August 2014: Submit the final CBP to the Parties and Special Master.

Appendix II-5 (Boundary Review Process Plan).

       To meet this timeline, the District created an Advisory and Leadership Team, composed of staff, outside professionals and community leaders to support the boundary committee by evaluating potentially affected areas, determining data needs and formats, establishing a process relative to potential changes, and developing a range of scenarios. ***Appendix II-6*** (Committees).   In February, the Advisory Leadership Team met to review a communication plan that identified the stakeholders and described how they would be notified and involved.

       Next, the team reviewed the existing data and evaluated approaches to integrating the district, specifically those called for by the USP (pairing/clustering, program changes, boundary changes, preference areas and transportation incentives). At the end of the first phase of its work, the team developed a range of scenarios, representing viable possibilities, to be presented to the Boundary Review Committee.

       Also in February, the District solicited applications for the Boundary Review Committee by a press release, posting information and applications on the front page of the TUSD website, by emailing persons involved in previous boundary planning efforts, and by seeking representation from groups representing persons of color. Applications were received in late March, and committee members were selected to maximize the representation of persons of color and parents, to equitably represent all areas of the District. To further diversify the committee, the District sent out a second solicitation for applicants. Representatives of both plaintiff groups were also added.

       The Boundary Review Committee met almost every week from March through June, in a variety of small and large group formats. First the group met to get to know each other and to review the USP, the meeting rules and the objectives of the project. They also worked to understand the demographics of the District and the issues that affect integration and reviewed the data sets and the criteria used to evaluate options. The committee reviewed the Advisory Leadership Teams' proposed scenarios and applied the data and evaluation criteria to them. During that process, the committee requested additional data as needed. They then created new options, informed by reviewing the proposed Comprehensive Magnet Plan and the direction of the Magnet Plan Committee. That led to the creation of more options and the evaluation and refinement of all proposals.

The committee then selected options to present in public meetings and invited the public to share their feedback. The committee also considered comments from the public and the Special Master and Plaintiffs. Finally, the committee refined and selected options to recommend to the superintendent. In all, the Boundary Review Committee developed over 30 formal options, which they evaluated with an extensive database of facility, academic, demographic and transportation information. (Examples of the information provided to the committee are included in the options presented in the final Comprehensive Boundary Plan document.) The number of options was reduced to six in the evaluation and prioritization phase of the project. These were included in the final Comprehensive Boundary Plan document as recommendations to the Superintendent. ***Appendix II-7*** (Comprehensive Boundary Plan).

The Special Master and Plaintiffs were provided information throughout the project. They not only attended (in person or telephonically) a series of four special meetings with District representatives and outside consultants but were also provided web access to all of the underlying maps and analysis that would inform the District's efforts:

- **March 28, 2014:** Review/discuss the scope of work, the process/schedule, and scenarios
- **April 16, 2014:** Review/discuss status of work, the process/schedule, and scenarios and recommendations
- **May 20, 2014:** Review/discuss the Comprehensive Magnet Plan (CMP), the status of the Boundary Review Committee work and the proposed timeline coordinating the Comprehensive Magnet Plan and the Comprehensive Boundary Plan
- **June 18, 2014:** Review/discuss the revised timeline and the options being considered by the Boundary Review Committee
- **July 9, 2014:** Review/discuss the options recommended by the Boundary Review Committee for presentation at the public meetings

The District reached out for public participation in several ways. In February, it issued a press release directing the public to the website and encouraging them to sign up to receive email notifications. Those who signed up were notified of key Governing Board meetings and the public meetings in July. Throughout the process, the District maintained a website to provide the public with updates. In late June and early July, the District issued a press release, posted signs at potentially affected schools, announced the meetings on the front page of the website and provided

phone and email notifications in English and Spanish (as appropriate) to all parents
with valid phone numbers (approximately 25,000) and emails (over 5,300). Three
meetings were held at different times and locations to encourage participation.
Appendix II-8 (Board Actions taken regarding the Comprehensive Boundary Plan)

At these meetings the public was presented the objectives of the project and
the resulting options for their consideration and feedback. Committee members
were stationed at each option to answer questions and the participants were given
comment cards and surveys to fill out. They also indicated support for or opposition
to various options using color-coded Post-It notes. At the same time, the District
initiated surveys of each of the options to obtain feedback from those who were not
able to attend the public meetings. These website-based surveys were announced
through over 40,000 phone messages and about 200 emails, each sent to parents
specifically targeted because they might be affected by the option. The surveys drew
over 900 respondents.

The options in the Comprehensive Boundary Plan advocate a variety of
strategies to improve integration, including boundary adjustments, programs, the
relocation of a school campus and transportation. The driving force behind each
recommendation is improved integration through increased student choice and
opportunities.

The CBP document includes the following:

- An executive summary including the recommendations of the BRC and
  the votes of the Governing Board;
- A presentation of the process, including the directives of the USP
  and the timeline;
- Each of the final options with information on the affected   schools, data
  used in the evaluation, racial/ethnic impacts, costs, pros and cons, and
  the votes of the BRC;
- The BRC review of the Magnet Plan;
- A complete list of options developed by the BRC;
- BRC voting results;
- Internet survey results;
- Desegregation Impact Analyses; and
- Advisory and Leadership Team recommendations.

The Governing Board considered the Comprehensive Boundary Plan options
on July 8, July 15 and on August 12, 2014. At the August 12 meeting, the Governing
Board approved most of the plan except Option B (dual-language at Manzo) based

on the size and location of the site. For Option E, the Early Middle Colleges, the Governing Board approved moving forward to prepare a comprehensive proposal for each possible site, tasking district staff with outlining a development and defining the vision for each campus. ***Appendix II-7*** (Comprehensive Boundary Plan), ***Appendix II-8*** (Comprehensive Boundary Plan Board Actions).

III.   Magnet ProgramsImplementation and Compliance: SY 2013-14

A.   The Development of a Comprehensive Magnet Plan

At the time the Unitary Status Plan was finalized, the District already had in place a number of Magnet Programs. Some of those programs were very successful while others were less so.   In Arizona's Open Enrollment environment, magnet schools/programs are particularly important because they provide the mechanism under which students may be attracted to schools beyond their neighborhood boundaries. Accordingly, the USP places a heavy focus on magnet programs.

Primarily, the USP provides that the District should develop a Magnet School Plan under which it would: " (i) consider how, whether, and where to add new sites to replicate successful programs and/or add new magnet themes and additional dual language programs, focusing on which geographic area(s) of the District are best suited for new programs to assist the District in meeting its desegregation obligations; (ii) improve existing magnet schools and programs that are not promoting integration and/or educational quality; (iii) consider changes to magnet schools or programs that are not promoting integration and/or educational quality, including withdrawal of magnet status; (iv) determine if each magnet school or school with a magnet program shall have an attendance boundary; (v) determine admissions priorities/criteria for each magnet school or program and a process for review of those criteria; and (vi) ensure that administrators and certificated staff in magnet schools and programs have the expertise and training necessary to ensure successful implementation of the magnet. The District undertook this process in two major steps.

In December of 2011, the District contracted with Education Consulting Services to conduct a comprehensive magnet review which included a review of each magnet school's student diversity, innovative programs, professional development, specialized staff and parent/community involvement. The study found that the district lacked the basic framework with which to support magnet schools, and most programs within the District were in need of substantial revitalization. The results of this study were reported in the 2012-2013 USP Annual Report.

In January 2013, the District hired Victoria Callison as Magnet Program Director. Ms. Callison brings over 30 years of program development and education experience and was the Magnet Grant Director who wrote for and implemented a $6.5M Magnet Schools Assistance Program (MSAP) grant for the District. ***Appendix II-3*** (List of Designees and Job Descriptions)

Knowing that schools needed to be educated about the critical components of magnet programs, the Director created a comprehensive evaluation tool that was designed to gather data by which to evaluate three-year trends of eight key components of magnet schools: enrollment/diversity, curriculum, professional development, key personnel, leadership, recruitment and marketing, staff retention, and student achievement. Each school created a site magnet leadership team that conducted the evaluation, and schools not only learned the components, but were also able to determine areas of strength and areas or components that were weak or non-existent. Schools developed plans to address components that were a challenge. ***Appendix II-9*** (Magnet Improvement Plans). The Director worked with principals to align the plans with the budget. This proved to be challenging because in the past, schools had not used supplemental funding for targeted magnet improvement.

The Unitary Status Plan directs the district to create a Magnet Plan by April 1, 2013. However, the initial plan (first presented to the Governing Board in February 2013) went back to the drawing board on several occasions throughout 2013 in an effort to address concerns raised by the Plaintiffs, the Special Master, the Governing Board, and the public.

The data gathered from the evaluations described above was used to create a process for the improvement of magnet schools. *USP § II(E)(3).* Because funding had not been targeted for specific schools or programs, most magnet schools did not have key personnel dedicated to the magnet school.   The Magnet Director worked with a committee of teachers and coordinators to create a plan based on the demographic data and facility studies done the prior year for school closures and on the research done on successful magnet programs. This was challenging because some of the District's most popular magnet programs were in the very schools that were the most racially concentrated. Early drafts of the plan recommended a combination of new sites (Mansfeld, Cragin, Dietz, Hudlow), revised magnets (Catalina, Utterback, Tully), and withdrawal of magnet status of four schools (Pueblo, Carrillo, Davis, and Roskruge). Also in February, the Magnet Director created a committee of select schools to research possible new programs and the revitalization of existing programs for the purpose of the Magnet School Assistance Program grant. The Director worked with the Superintendent's Cabinet in selecting two new sites for MSAP funding: Cragin Elementary and Mansfeld

Middle School. Schools selected for revitalization included Utterback Middle
School, Tully Elementary, and Cholla High School.

The Director presented the committee's proposed magnet plan and MSAP
proposal to the Governing Board as a study item on February 12, 2013. Feedback
from the Governing Board and Plaintiffs was not supportive of the initial plan. The
Governing Board did not support withdrawing the magnet status of any existing
program schools, preferring instead a process by which magnet schools could have
a window in which to improve.   At the request of the Plaintiffs, the Special Master,
and the Governing Board, the committee went back to the drawing board.
Appendix II-10 (Magnet Board Action Items).

District staff consulted with outside expert Maree Sneed, as well as Plaintiff-
identified expert Gary Orfield, to revise and develop version two of the Magnet Plan
to add new sites, replicate successful programs, and consider withdrawing magnet
status of schools not promoting integration. *USP§(II)(E)(3)(i) and (ii).* The plan
included the recommendation of eliminating Davis, Roskruge, Carrillo, Pueblo, and
Catalina from the Magnet program. The Magnet Department presented to the
Governing Board and Plaintiffs on June 11, 2013 as a study item. The Special Master
did not support the format of the plan, the cycle of improvement, and how
integration and student achievement were figured into the evaluation. The Plaintiffs
did not support the recommended new sites or the elimination of west-side sites.
The Governing Board wanted schools to have more time to improve before loss of
magnet status.

During one of his first Governing Board meetings, Dr. Sánchez saw first-hand
how impassioned people were about the magnet programs at their children's
schools. Under the direction of Dr. Sánchez, the District conducted five community
forums to solicit public input about the latest version of the Magnet Plan. Forums
were held at Ochoa Elementary, Robison Elementary, Pueblo High School, Davis
Elementary, and Tucson High School. A formal presentation provided background
information and provided the community with the parameters of magnet programs.
Community members and Governing Board members gave feedback, presented
ideas, and made suggestions on how to improve the Magnet Plan. To begin the
process of revising the Magnet plan, a timeline which included a public review
process, was presented to the Governing Board on July 23, 2013. ***Id., Appendix II-
10.***

With feedback from the Plaintiffs, Special Master, community and the
Governing Board, the Magnet Plan was again redrafted. The format was aligned to
the Unitary Status Plan and addressed strategies to add, relocate, or replicate
magnets. This plan addressed the evaluation process and defined each of the

possible magnet labels: successful, approaches, improvement, and elimination. These designations were determined by the numbers of students needed to integrate, magnet theme implementation, and student achievement.

Cragin Elementary, Dietz K-8, Mansfeld Middle, and Kellond Elementary were named as possible new magnets for 2015-16 and Roberts/Naylor K-8 and Santa Rita High School were named as possible magnets for 2016-17. Magnets identified as approaching standards were Bonillas Elementary, Drachman K-6, Holladay Elementary, Tully Elementary, Roskruge K-8, Safford K-8, Cholla High Magnet School, and Tucson High's Fine Arts magnet. Magnets named for improvement were Carrillo Elementary, Davis Elementary School, Robison Elementary, Utterback Middle, and Tucson High. Magnets to be eliminated included Tucson High's Math and Technology magnet strands and Catalina High because they had no specialized curriculum. The plan included an annual evaluation process, monthly reporting process, school-specific marketing, family engagement, and professional development. The plan was vetted through community forums held at Tucson High and Catalina. The Magnet Plan went before the Governing Board on September 24 as a study item and was approved on October 22, 2013. *Appendix II-10* (Magnet Board Action Items).

Although neither the Plaintiffs nor Special Master fully endorsed the Magnet Plan as adopted, they recognized that the plan could serve as a placeholder given that the District had not completed a boundary review. All parties agreed that evaluating school boundaries could not be functionally divorced from evaluating the locations and types of magnet programs, and the district was granted an extension in order to create a Comprehensive Magnet Plan.

In March, 2014 the Boundary Committee began the process of studying the demographics of the district, housing patterns, neighborhood density, and school capacity. At the same time, a Magnet Steering Committee[12] began work. This committee comprised district representation from four different departments, boundary committee representatives, community business representation, school administration, classroom teachers, parents, and students. *Appendix II-6* (Committees) This committee began in March by studying the same demographic information as the Boundary Committee. The committee reviewed past plans and comments from the Special Master and Plaintiffs. The committee met frequently to share ideas and review progress on the development of the plan.

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[12] The committee included 9 Hispanics, 3 African Americans, and 8 white members.

Taking recommendations from past community forums and from the Magnet Steering Committee, the format of the Comprehensive Magnet Plan (CMP) was changed. The CMP has two distinct sections. The first section, Magnet Operations, defines the processes, procedures, and schedules to evaluate and make changes to magnet schools. This section is meant to be enduring and provide the District guidance in decision making. This plan details the long-term goals of the CMP and outlines the organizational support structure of the District, the Site, and the Community. By providing specific strategies aligned to other District initiatives, and a defined marketing and recruitment plan, the CMP provides the framework necessary to implement a district-wide comprehensive program. ***Appendix II-12*** (Comprehensive Magnet Plans)

The plan also details criteria (weighted "pillars") for evaluating possible changes to/elimination of magnet programs.   That is, magnet schools and programs are scored in the areas of Diversity, Innovative Curriculum, Academic Excellence, High Quality Instructional Systems, and Community Partnership. The greatest weight (i.e., 35 possible points) is given to success in the area of Diversity/Integration.   The Plan makes up to 30 points (of the 100 total possible) available in the area of Academic Excellence.   The remaining possible 35 points are split among the remaining pillars.

The CMP details strategies to engage families in the educational process. Just as important, the CMP addresses the need for continuous curriculum development and theme integration. The CMP provides explicit direction on the evaluation of programs using metrics developed from research combined with the combined feedback of the Special Master, Plaintiffs, Governing Board, and community. Under the CMP, the evaluation of the magnet programs is the responsibility of cross-departmental teams to ensure that magnet programs are not isolated from other District initiatives. Using the pillars, emphasis is placed on integration and student achievement.

The CMP employs a cycle for magnet program evaluation in which schools are placed on a continuum of improvement. Instead of *successful*, *approaches*, *improvement,* and *elimination,* the CMP uses *exceeds*, *meets*, *approaches* and *elimination warning*.   Although the Special Master has indicated a preference for a faster, more aggressive cycle for re-evaluation and possible elimination of magnet programs, the District believes that these programs should have a reasonable opportunity to improve before being subject to elimination.   The process and timelines set out in the Plan also ensure a fair opportunity for certain programs such as those at Davis and Carrillo Elementary Schools, which have been both academically successful and provide particular opportunities for Tucson's heavily Latino west side, despite that both schools are presently racially concentrated.

Some aspects of the CMP may be reviewed and changed annually, depending upon the outcomes of the annual evaluation for each school. That annual evaluation at its core will focus on two things: is the school moving towards integration, and is it providing quality educational opportunity for the District's African American and Latino students? The Plan will act as a chronicle of magnet improvement by both documenting individual school successes or failures and documenting decisions made about those programs. The Plan provides for adding, relocating, or replicating magnet programs and documents strategies for site/program improvement.

Because of the interplay between site boundaries and magnet programs, the CMP was also a resource for the Boundary Review Committee. Ultimately, as discussed below, the Boundary Review Committee brought forward two recommendations impacting magnet schools: 1) move Dodge Middle School to a larger facility; and 2) create a transportation corridor from east to west and west to east. Ultimately, however, all groups were left with the same impression: no simple boundary solution could fundamentally change the trajectory of any particular magnet program in moving towards integration.

The Comprehensive Magnet Plan was reviewed at three community forums. Each was advertised through social media, and the District provided interpreters and child care. Forums were held in regional areas of town (east, central, south). ***Appendix II-11*** (Magnet Plan Public Forums). Comments from the Plaintiffs, Special Master, Community Forums, and Superintendent's Leadership Team were compiled, reviewed, and folded into the Plan where possible. The Magnet Committee created three renditions of the plan before completing the final draft in June, 2014. The CMP went before the Governing Board in July 2014 and was unanimously approved with minor amendments.[13]

As discussed above, the District did not close any magnet programs in 2014-15, instead relying on the structured system for evaluating the success of magnet programs. Schools and programs underperforming (either academically, in terms of racial concentration, or both) have a tight window for improvement. The highlights of the Plan include:

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[13]   The Governing Board rejected the recommendation to change Drachman Elementary to a K-8, left the current shared boundaries between Drachman and Carrillo in place, expanded the language in Pillar 1 to include other subgroups, and to further develop the family engagement strategy of recognizing holidays and celebrations. The revised, final plan was posted on the District internet site.

Cragin (New): Cragin Elementary School is located in the center of Tucson. No other magnet programs are within a four-mile radius. Cragin, although integrated, has capacity to accept 48 Hispanic students and still maintain integration. Cragin already exceeds the district average for African American students. Cragin has spent one year planning a Performing Arts, Julliard Approach Theme.   Cragin is also accessible to Latino students enrolled in racially-concentrated schools on Tucson's south and west sides.

Mansfeld (New): Mansfeld Middle School is located centrally, adjacent to the University of Arizona. Currently, there are no central or west side options for 6-8 magnet schools.

Dodge (relocated): Dodge Middle School will be relocated and expanded so that more students may attend an integrated school. The current application base for this school suggests that Dodge would continue to be integrated if the program were to expand.

In addition, the plan reflects the recommended mechanism and timeline under which all magnet schools and programs (existing and new) will be evaluated and, if not making meaningful progress on a variety of weighted pillars, will be at risk of losing their magnet status.   By this monitoring and review mechanism, the Comprehensive Magnet Plan ensures that each magnet site is progressing sufficiently towards desegregation and academic excellence.

B.   Internal Framework to Monitor and Support Magnet Programs

Simultaneously with its work on the Magnet Plan, the District began building an infrastructure under which it could provide a higher level of support to magnet schools. The Magnet Director worked with MSAP technical assistance to create on-line modules for professional development work for site-based magnet staff. The District also expanded its staffing to support magnet programs. First, it made arrangements for a designated magnet coordinator at each magnet site. For those sites that lacked magnet coordinators, select teachers were paid an additional stipend for the added work and work done off contract. The Magnet Department added two senior program coordinators to support the development of magnet programs, both with prior experience in magnet schools, program development, and instructional management.

Site-based magnet coordinators receive targeted training every month designed to both improve the quality of the magnet programming and discuss student recruitment to enhance integration. ***Appendix II-13*** (Professional

Development materials)   The Magnet Department developed a Magnet Improvement Plan template. Each school completed an evaluation and drafted an Improvement Plan based on the outcomes of its evaluation. Schools set measureable goals for integration, student achievement, professional development, and marketing and recruitment. A monthly reporting template will track progress toward specific goals outlined in the Improvement Plan.   The Department conducted over 148 school visitations and 357 classroom visits.   The Department conducted professional development at individual sites and participated in magnet leadership team meetings. During the summer, the Magnet Department conducted professional development opportunities for over 138 magnet teachers.

Throughout SY 2013-14, the District implemented improvement plans and monitored the following: 1) Site-level collaboration (through monthly reports from the sites to the Magnet Department); 2) Achievement data at magnet schools and programs; 3) The amount and scope of professional development taking place at each site; 4) Marketing and Recruiting efforts.

Although the USP emphasizes magnet programming as a student assignment tool, magnet schools and programs are also a mechanism by which the District brings specialized, quality programs to traditionally under-served students.   That is, magnet schools can also be an important component of the District's efforts to close the achievement gap between student groups. In 2013-14, by offering professional development and extra support to struggling students, magnet schools were able to improve academic instruction. This lead to positive academic outcomes for the District's Hispanic and African American student populations. For example:

- African American students in magnet schools outperformed district average by 19.8% in reading

- Hispanic students in magnet schools outperformed the district average by 3.9% in math

The District's Magnet Department prepared an Annual Report outlining the progress of magnet schools and programs in SY 2013-14. *Appendix II-14* (2013-14 Magnet Annual Report).

C.   Marketing and Community Outreach

For 2013-14, the District undertook an aggressive marketing campaign for its magnet schools and programs to attract new students to the schools and thus improve integration. The Magnet Department created a logo and branded that logo on brochures, posters, and magnets. Individual schools were also branded with

their logo. Brochures, pull-up banners, posters, note cards, and professional displays were created for each school. In a joint effort with School Community Services, Student Equity, Career and Technical Education, and Science Resource, magnets were marketed on the radio, television, in movie theatres, and several print-related media. Magnets were represented at both city-wide and neighborhood events including the Festival of Books and 4th Avenue Street Fair. The Magnet Department made 14 presentations to local businesses and faith-based organizations.   The success of the District's magnet marketing efforts was reflected in application data for the 2014-15 school year. The total number of Magnet applications received during the priority enrollment window increased from 2,733 in SY 2013-14, to 3,342 for SY 2014-15. *Id., Appendix II-14*

D.   Magnet Department Professional Development

As part of the process required by the USP to improve existing magnet programs, the Magnet Department had its senior coordinators participate in 120 hours of professional development through MSAP Theme Immersion and Theme Integration modules, eight MSAP (Magnet Schools Assistance Program) and MSA (Magnet Schools of America) webinars, both coordinators attended the MSA conference, and training was provided by the magnet director.   All site coordinators were required to attend monthly meetings facilitated by the Magnet Department staff. A total of 32 hours of training was provided. In addition, the Magnet Department provided 85 hours of professional development at individual school sites to teachers and leadership on magnet school requirements including Utterback Middle School, Ochoa Elementary, Pueblo High School, Carrillo Elementary, Tully Elementary, Cragin Elementary, and Holladay Elementary.

All totaled at magnet sites, the Magnet Department provided 159 hours of theme-based training to teachers, 227 hours in instructional training to teachers and coordinators, and 99 hours of leadership training to teams, site councils, and PTOs. Topics included theme visibility, marketing and recruitment strategies, theme development and immersion, as well as curriculum development and teaching strategies. All magnet school key personnel received at least five hours of professional development in instructional pedagogy. Eight schools were able to deliver the required thirty hours of training to teachers over and above what the magnet department provided. Site leadership teams met for a total of ninety-nine hours during the 2013-2014 school year.

Magnet schools that were rated a low C or D were given additional support. In connection with the obligation in USP§II(E)(3) to ensure that administrators and staff at magnet schools have the requisite expertise and training, cross-departmental teams conducted walk-throughs that focused on instructional delivery

and student engagement. Teams de-briefed with principals and then determined what additional resources the school needed.   The Magnet Department provided differentiated professional development including engagement, using data to inform instruction, engagement strategies, and monitoring and adjusting instruction. Schools where student achievement was lagging were given additional funding for tutoring or after-school programs or given support in leveraging their 21st Century after-school grants. ***Appendix II-14***

E.   Status of MSAP Grant Application

The USP also required the District to apply for a federal grant under the Magnet School Assistance Program (MSAP). *USP §II(E)(5).* The District filed an $11.5M grant. Unfortunately, the District did not receive the grant. Also during this time, the Magnet Department completed a comprehensive study of the outcomes associated with its previous MSAP grant (2010). ***See Appendix II-15*** (MSAP Denial) WestEd, a non-profit responsible for MSAP grant compliance monitoring, recognized this project as one of the best in the nation.

IV.   Application and Selection Process for Magnet Programs and Oversubscribed Schools

For a number of years, the District has used a fairly standard approach to school admissions under Arizona's open enrollment law. Each student is assigned to an attendance zone school based on the student's legal address. If a student does not apply to another school, the student will automatically be assigned to his or her attendance zone school. Otherwise, students could apply for admission to other TUSD schools via open enrollment. If applications exceeded the number of available seats, the District placed students using a lottery.[14] In this most recent school year, the District revamped its admissions process pursuant to the USP.

A number of the District's most successful schools are popular beyond their neighborhood boundaries. As a result, each year those sites receive open enrollment and/or magnet applications in greater numbers than they can accommodate. Perennial favorites include: Davis and Carrillo Elementary Schools, Dodge Middle School, and Tucson Magnet High School.   Several such sites are also racially concentrated. The USP directs the District to develop an application-based admissions process to govern admissions of non-neighborhood students at such

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[14]   Past lotteries extended a sibling preference, but were otherwise randomized. More recently the lottery used the movement from one broad area of the District to another (the Post Unitary Status Plan ABC Groups) to assign admissions priorities.

overenrolled ("oversubscribed") schools as well as admission to magnet schools or programs. A weighted lottery, the Order reasons, would enable the District to give admissions priority to students whose enrollment would enhance integration at the receiving program or school. During SY 2013-14, the District developed such a process and used it to govern admissions for the upcoming (2014-15) school year, pursuant to USP §II(G)(1). ***Appendix II-16*** (Admissions Process for Oversubscribed Schools).

A.   The Application Form and School Choice Calculator

Prior to the start of the Magnet/Open Enrollment process, the District developed an application to be used when a student wishes to enroll at a school other than his or her attendance zone school, either through open enrollment or as a magnet student. The District created a single application for school choice (open enrollment and magnet enrollment) and provided multiple venues at which families could submit applications.[15] During the transition to the new form, the existing open enrollment application continued to be accepted as well.   The forms ask each applicant to identify the top three schools/programs of choice and gathers the data (including race/ethnicity) needed to place the student through the lottery program. At the elementary and middle school levels, all students applying for a school apply as magnet students, thus the term "magnet schools." At the high school level, students apply for a specific magnet program--thus the term "magnet programs"-- and/or may apply to the school through open enrollment. ***See Appendix II-17*** (Application and Enrollment Forms).

The application form gathers more detail as to race/ethnicity so that applicants may be classified as to race/ethnicity under the USP. This demographic data gathering is also configured clearly into separate sections to be more user-friendly. Applications were placed on the District website, at School and Community Services, at the Duffy Family Center, and at all schools.

In addition, the District developed a School Choice Calculator so parents could evaluate schools understanding their transportation options. This calculator uses the student's attendance zone school, coupled with the student's race/ethnicity and the racial/ethnic compositions of all schools, to list the schools for which the student would be eligible for District-provided transportation, i.e., "incentive

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[15]   In the past, all applications had to be submitted directly to School and Community Services, at 1010 E. 10th Street. This year, accountability and routing procedures were set up so parents/guardians could submit this application at any district school, at School and Community Services, at the family center, online or by mail.

transportation." The School Choice Calculator was placed online in June 2014 (http://www.tusd1.org/contents/distinfo/deseg/schoolchoicecalculator.asp) and a hardcopy thereof is filed herewith as *Appendix II-18* (screenshot).

B.   The Admissions Process

USP §II(G)(2)(a)-(b) states "...The District shall...develop an admissions process – i.e., weighted lottery, admission priorities – for oversubscribed schools and programs..." The USP defines an oversubscribed school as "a school where more students are seeking to enroll than available seats in that grade and/or a school that is above its overall student capacity." The new student assignment process uses race/ethnicity as a selection criterion to assist in the desegregation of schools. *Appendix II-16* (Admissions Process for Oversubscribed Schools). The process was designed to enhance integration, to build on the existing "lottery" program, and to be understandable. It responds to the USP by making selective placements in such a way that race/ethnicity can be used as a selection criterion to enhance integration in oversubscribed schools.

Between August and October 2013 staff researched approaches used by other districts to draft the new student assignment process (lottery). It would place students using admissions priorities dictated by the USP:

- Siblings of students currently attending the school

- Students from racially concentrated schools whose enrollment will enhance integration at the receiving school

- Students who enhance integration at the receiving school

An initial draft of the process was shared with the Plaintiffs, Special Master, and Governing Board in early November 2013. On December 10, 2013, after review by the Special Master and Plaintiffs, the TUSD Governing Board approved the "Admissions Process for Oversubscribed Schools" that was developed pursuant to USP §§ II(G)(2)(a) and (b). Revisions reflecting the input of the Special Master and Plaintiffs resulted in a final version dated January 10, 2014. On May 27, 2014 the Governing Board approved Policy JFB thus adopting this admissions process as policy. *Appendix II-4* (Policies Changed Pursuant to USP § II).

The approved Admissions Process for Oversubscribed Schools describes the process and the rules for the admission of students who apply to a school outside their attendance boundary through open enrollment, or who apply to a magnet school or program through the magnet enrollment process. Following the direction

of the USP, the steps used in the lottery/selection process are designed to assign as many students as there are applications and seats available to improve integration at the receiving school. The new process includes the following provisions:

- A student wishing to enroll at a school other than his or her attendance zone school may submit an application to a magnet school/program or to any school through open enrollment

- If the school/program has more available seats than applicants, all students who apply will be placed

- If there are more applications than seats, students will be selected by a lottery process that allocates seats to meet the site's integration targets. Those targets are established to move each school and grade closer to the ethnic/racial composition of the District

- Regardless of race/ethnicity targets, District resident siblings of students currently at a school will be placed at that school before other students, and students that reside outside the District will be placed after resident students

This process is presented in the flow diagram reflected in ***Appendix II-16, p. 9*** (Admissions Process).

In this process, available seats are allocated by race/ethnicity to improve integration at each school. This allocation is done by projecting the demographics of neighborhood students for the entry grade and then determining how many students of each race/ethnicity should be admitted to fill remaining seats in order to bring the racial/ethnic composition of the pool of admitted students to the district average for that grade level (elementary, K-8, middle, high school).

After the process was approved, the District rewrote the lottery program in its student information system (Mojave). The first lottery was run in late January 2014 for all applications received from November 1 to December 15, 2013. It was run thereafter as needed. The first lottery, boasting the largest application pool, filled virtually all of the oversubscribed schools. After the first few lottery runs, the District evaluated the success of the process. Of more than 400 school/grade/program placement opportunities for which the District received applications, only nine sites or programs had at least 10 more applications than seats available. All of these were entry grades (K, 6, 9). The most encouraging results were at the elementary level; the kindergartens at Davis and Hughes

elementary schools and Miles K-8 were all positively impacted by the admissions process as follows:

- o All of the in-District white students applying to Davis Elementary School were admitted, increasing the percentage of entering white children from 13% in SY13-14 to 23% this year with a corresponding decrease in Hispanic students from 80% to 72%.

- o Conversely, at Hughes Elementary School, only two of 30 white applicants were placed. This decreased the percentage of whites from 47% to 31% and, with 14 of 18 Hispanic applicants placed, the percentage of Hispanic students increased from 37% to 54%.

- o At Miles K-8, the ethnic/racial composition of the kindergarten varied 20% and 30% from the District average for white and Hispanic students respectively. This year the new selection process moved both of those to within a few percentage points of the average.

The popular program at Dodge Middle School—already integrated—received applications representative of the middle school population. As a result, the race-priority placement had the same effect as a random placement.   At Miles K-8, use of the admissions process for entering sixth graders made little impact because of the make up of the existing fifth grade population. The Miles sixth grade had 26 on-time applications for seven available seats. While the race-priority placement ultimately resulted in six placements (four Hispanic, two multi-racial) the addition of these minority students to the projected promotion of the existing Miles fifth graders had a very limited impact.

At other sites, the composition of the applicant pool did not allow for a meaningful shift in demographics of the entering class. For example, the kindergarten at Bonillas Elementary, sixth grade at Pistor and Roskruge Middle Schools, and ninth grade Science magnet program at Tucson High all had more total applications than available seats.   However, because of insufficient white applications and a large number of Hispanic applications, the race-priority placement had no impact.   The results of the admissions process are reported in detail in *Appendix II-19* (School Choice Admissions Data).

In May 2014, the Governing Board approved Policy JFB, Enrollment and School Choice, to be consistent with the Admissions Process for Oversubscribed Schools. The Student Assignment section was revised to align with the Unitary Status Plan by replacing the student admission by "Post Unitary Status Plan ABC Groups" with the recently-adopted admissions process. Essentially revised Policy

JFB provides for student placement if capacity is available and if that placement meets integration targets. District resident pupils are placed before pupils that reside outside the District. ***Appendix II-4*** (Policies Changed Pursuant to USP § II).

The admissions process was evaluated in February 2014 and again in May 2014 to determine strategies for improvement. The analysis revealed that in some circumstances, the process as applied had unnecessarily limited the prospects for further desegregating some racially concentrated schools by unnecessarily capping the numbers of non-Hispanic[16] applicants. That is, the admissions process only provided admissions preference to students up to the point at which any *individual* race/ethnicity (white, African American, Asian, Native American, mixed) reached its District average. Once that average is reached, students of that race/ethnic group no longer had admissions priority. Students who might have enhanced integration (as a non-Hispanic student in a heavily Hispanic school) may have nevertheless been denied admission in the lottery. The District intends to adjust the lottery/priority process to address this consequence.

C.   Tracking Transfers To and From District Schools

The USP directs the District to evaluate data reflecting transfers of students to and from District schools. USP §II(H). Updated student transfer data is contained in ***Appendix II-20*** (Data Transfers to/From School District).[17] In addition to adding a racial/ethnic breakdown table for 2013-14 and a 2013-14 column in the summary table in the Appendix, a revised[18] 2012-13 racial/ethnic breakdown table and revised 2013 column was added to the summary table as well.

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[16] All of the District's racially concentrated schools are more than 70% Latino, so desegregation efforts at those sites require a preference for non-Hispanic applicants.

[17] The report documents all enrollment transactions for an entire year and no numbers are directly comparable to the beginning of year or end of year enrollment for the District. The same student may appear in multiple "In" and/or "Out" lines and in both the "In" and "Out" columns. The most current race/ethnicity data known for students was used and applied using current desegregation race/ethnicity assignment rules.

[18] Last year, to meet reporting deadlines, similar data was pulled from the student data system on August 2nd, the second day of the school year. However, it takes roughly two weeks at the beginning of each school year to fully document all summer transfers and no-shows in the student database. For 2014, this data extract, now reported in Appendix II-20, was delayed until August 15th to give school staff adequate time to process all relevant enrollment records from the start of school.

Enrollment figures prior to the start of the 2014-15 school year reflect that transfers to/from private schools (184 in/125 out) and home schooling (89 in/111 out) continued to have little impact on TUSD's overall enrollment. A slightly larger number of students transferred to/from non-TUSD public schools than transferred to/from charter schools. However, unlike charter school transfers, non-TUSD public school transfers continue to result in a net *inflow* of students into the District (3,145 in vs. 2,401 out). *Id., App. II-20*.

The racial/ethnic composition of this group of incoming non-TUSD public school students is roughly equivalent to that of the incoming Kindergarten class, suggesting that it is a representative cross-section of the larger Tucson community.   However, a slightly higher proportion of Anglo students (24% out vs. 20% in) and a slightly lower proportion of Hispanic students (60% out vs. 62% in) transferred out to non-TUSD public schools in 2013-14, contributing to a slight net loss of Anglo students.   *Id., App. II-20.*

Last year's report noted that the number of students lost to Charter schools had declined from previous years. Revised 2012-13 data now shows that the number of students leaving to charter schools was comparable to the previous year. There was little change in the pattern of charter entries/exits for 2013-14 as well. Roughly 2,000 TUSD students transfer to and from charter schools each year, with just a slightly larger number of students exiting than entering. *Id., App. II-20*

As the 2013-14 transfer data by ethnicity shows, White students account for 23 percent of the total enrollment of the District, yet account for 28 percent of the students transferring in from Charters and 25 percent of the students transferring out to Charters. This Charter transfer-ratio imbalance results in a slight net gain in White/Anglo students. *Id., App. II-20.*

Not including incoming Kindergarteners, 25% of all students entering the District during SY 2013-14 were White/Anglo. Not including the outgoing graduates, 25% of all students leaving the District in 2014 were White/Anglo. So, while there were slight imbalances in transfers by type of sending/receiving school, those differences in total had little to no impact on the racial/ethnic balance of the District as a whole.

D.   Student Marketing/Recruitment Strategies

Next, the USP directs the District to review and revise its marketing strategies for student recruiting. *USP§ II(I*). The District is charged with using certain strategies "to providing information to African American and Latino families and community members throughout the District about the educational opportunities"

within TUSD. *Id*. Although this section of the USP did not require a specific "Action Plan" for student recruiting, the District agreed to develop a Marketing and Outreach Plan in which it would describe the efforts it would undertake (and was already undertaking) in connection with this court-ordered obligation. ***Appendix II-21*** (Marketing and Outreach Plan)

The District's 2013-14 outreach focused on increasing TUSD's brand awareness, making TUSD opportunities more visible and understandable to current and potential students and families, and engaging the community on a personal level. These efforts extended to improving District family centers, making it easier for students and families to find information and to enroll online, and introducing a school choice calculator so families can better understand transportation incentives. The "Ask Me" campaign consisted of television commercials, Internet and print ads and radio spots in English and Spanish. All the ads feature TUSD students, parents, and staff each inviting the public to "Ask Me" about the great things the District has to offer. The campaign had two major focuses: Open enrollment and kindergarten open houses. In all, TUSD ran more than 1,000 television spots on local, cable TV and Spanish-language channels ran more than 900 radio spots in English and Spanish and mailed about 18,000 postcards to current and prospective students.

Many of the marketing efforts described in the Plan and in this report were well underway by the time the District reduced its marketing and outreach strategies to writing. In addition to the "Ask Me" campaign already underway, the Marketing and Outreach Plan promises other key deliverables that focus on including the creation of an Information Guide to be created and distributed before the next Open Enrollment period. The guide describes programs the District offers and profiles all 85 of the District's schools. Copies of the guide were sent to all Pre-K, kindergarten, fifth-grade and eighth-grade students in English or Spanish, depending on preferred language, were made available in all primary languages at Family Engagement Centers, and were provided in English and Spanish at school sites. ***Appendix II-22.*** In all, 20,000 copies were distributed. Additionally, the Information Guide is available online.

In 2013, the district's marketing efforts also targeted households on the edges of adjacent school districts with postcards promoting TUSD's school offerings. In addition, the District began a pilot program in 2013-2014 to transport students to Sabino High School from parts of Tanque Verde, Vail and Catalina Foothills school districts. At the beginning of the school year there were 117 students that were routed from outside the District.

Although it is too early to declare with certainty the degree to which the District's marketing and student recruitment efforts have been a success,

enrollment for the 2014-15 school year (ie., the first enrollment period following the roll-out of the admissions campaign) suggests that the campaign may have been a key factor in stemming the tide of declining enrollment.   While enrollment decreased from 2013-14 to 2014-15, initial data indicates the District lost fewer students than in the past many years. Final numbers will be available after the first 100 days of school. In addition, applications to magnet schools and programs increased significantly.

B.   Professional Development Related to Student Assignment

In compliance with the USP § II(J)1, the District has provided training and professional development to all TUSD employees involved in the student assignment/enrollment process. Starting in the fall of 2013, the Magnet Department and School and Community Services worked jointly to create a student assignment training and made this available through True North Logic, the District's online user-driven training/professional development system. *Appendix II-13* (Professional Development – Section 2)   The training introduced all office managers and site administrators to the USP objectives, the application process, and the selection program related to the revised student assignment process. The purpose of the training was to:

- Present the historical and legal factors that shape TUSD's open/magnet enrollment process;
- Relay the goals of the magnet and open enrollment process as they relate to the USP;
- Provide in-depth information and instruction regarding the TUSD enrollment process to help staff develop an understanding of the open enrollment/ magnet enrollment process and the new priority selection rules; and
- Define procedures for handling open enrollment/ magnet applications and the responsibility school officials have related to those applications.

The District's online training module regarding student assignment became available in the fall of 2013. It included an assessment component which required those taking it to demonstrate an understanding of the open enrollment/magnet lottery application process and the responsibility of school staff in handling enrollment applications. Upon completion of the training, participants were required to demonstrate mastery of the training content by completing on online assessment with a score of 80% or greater. The program also included internal tracking to ensure that all relevant district staff members completed the training. In

all, 1,781 staff successfully completed the approximately one-half hour training program.

In the fall of 2014 this training will be reviewed and revised as needed to reflect any changes/improvements to the student assignment and application processes. Also, the District will ensure that those who have already received the training will be informed of any relevant changes as they are approved. Employees who have not taken it--primarily new hires--will receive it.

V.   Mandatory Reporting

USP§II(K) requires the District to provide the following 16 sets of data as part of this report. This reflects progress made in the area of Student Assignment and provides documentation of the work discussed above in the areas of boundary review, magnet programs, admissions process development and implementation, evaluation of student transfer data, and student recruiting.

1. **A disaggregated list or table with the number and percentage of students at each school and District-wide, comparable to the data at [USP] Appendix C.**

The raw data required by Section II(K)(1)(a) is contained in *Appendix II-23*, filed herewith. These materials contain a list of TUSD schools, grouped by level, labeled according to Integration Status,[19] and reporting the number and percentage of students by ethnicity as enrolled on the 40th day of the 2013-14 school year (App. _, Table 1).   *Appendix II-23, Table 1* is comparable to Appendix C of the USP, which identified the baseline against which subsequent years' data might be measured to determine if the number of integrated or racially concentrated schools is increasing or decreasing.

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[19] The USP uses the following criteria to define schools as "Racially Concentrated" or "Integrated:"

Racially Concentrated School: A school where a single racial/ethnic student group makes up 70 percent or more of the school's total student population.

Integrated School: A school where each racial/ethnic student group makes up 69.9 percent or less of the school's total student population, and where each racial/ethnic student group's percentage of the total student population is within +/- 15 percent of the average enrollment for each racial/ethnic group (for the appropriate level: ES, K8, MS, HS).

NOTE: The District closed 11 schools at the end of 2012-13, repurposed one of the closed middle schools (Maxwell Middle) as a K-8 (Morgan Maxwell K-8), and converted two elementary schools into K-8s (Dietz and Hollinger). Given these closures and school conversions, data comparisons between 2012-13 and 2013-14 are unfortunately not "apples to apples." The shifts in enrollment and demographics for certain sites reflect one-time events related to the reshuffling of students in the wake of the closures.

Table 2 helps demonstrate the data analysis challenges stemming from the closures. It contains a table that summarizes the number of schools in each of the three integration status categories for the past three years, and the changes between the 2012-13 and 2013-14 school years. ***Appendix II-23, Table 2***   In the 2012-13 school year, the District operated 92 schools. Of these, 37 (or 40%) were Racially Concentrated, 23 (or 25%) were Integrated, and 32 or (35%) were Neutral (i.e., did not meet the definition for racial concentration or integration).

With the 2013-14 closure/conversion process, the District shrank to 82 schools. Table 2 reflects the closure/conversion process, which reduced the number of elementary schools by seven in 2013-14 and eliminated three Racially Concentrated elementary schools. The conversion of Hollinger into a K-8 school combined with the opening of Morgan Maxell K-8 increased the number of racially concentrated K-8 schools by two. While the closure of four middle schools helped to reduce the number of Racially Concentrated middle schools by two.   Finally, the closure of Howenstine High School, a racially integrated school, had no impact on reducing the number of Racially Concentrated high schools.

Of these, 34 (or 42%) were Racially Concentrated, 19 (or 23%) were Integrated, and 29 (or 35%) were Neutral. Therefore, the closure process resulted in a slight (2%) increase in the percentage of Racially Concentrated schools.

2. **Disaggregated lists or tables of all students attending schools other than their attendance boundary schools, by grade, sending school and receiving school, and whether such enrollment is pursuant to open enrollment or to magnet programs or schools.**

Simply put, Section II(K)(1)(b) seeks disaggregated data reflecting which students – and how many – seek out TUSD schools and programs other than their neighborhood schools.

Appendix II-19, Table 1 is separated into three sections: section 1(a) covers grades K-5, section 1(b) covers grades 6-8, and section 1(c) covers grades 9-12. ***Appendix II-19*** (Disaggregated data students attending other schools) Table 1

includes a cross-tabulation of neighborhood school versus enrolled school by school level. The gray diagonal bar in Table 1 includes students who live in a neighborhood and attend their neighborhood schools. Students outside of the gray diagonal bar are not attending their neighborhood school. ***Appendix II-19*** Table 2 summarizes the school choice applications and placements to the schools, disaggregated by school, program (Open Enrollment or Magnet), and ethnicity. ***Id.***

3. **Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials.**

The appropriate job descriptions containing explanations of responsibilities for each of these positions, names of persons designated to the positions, and their credentials are attached in ***Appendix II-3***, pursuant to USP Section I(D)(9). Note that no new positions were hired during SY 2013-14—all positions filled during that time were existing personnel designated into positions to support USP implementation and compliance.

During the 2013-14 school year, a mid-year change was made in the Director of Student Assignment position when Noreen Weidenfeld retired and Bryant Nodine was designated into the position on an interim basis pending completion of a hiring process for 2014-15.

In 2013-14, two Senior Program Coordinators and a Senior Graphic Designer assisted the Magnet Director in the effective implementation and operation of magnet schools and programs. The hiring process for "Magnet Coordinators" began in SY 2013-14, so ***Appendix II-3*** includes "others considered for the position." However, the positions were not filled until after July 1 so the information regarding "persons hired" to fulfill those functions will be included in next year's Annual Report.

4. **A copy of the 2011 and any subsequent Magnet School Studies.**

The District provided a copy of the 2011 external magnet study by Education Consulting Service in the 2012-13 Annual Report. ***Annual Report (2012-13), Appendix 12*** No new Magnet Studies were completed.

5. **A copy of the Magnet School Plan, including specific details regarding any new, amended, closed or relocated magnet schools or programs and all schools or programs from which magnet status has been withdrawn, copies of the admissions process for oversubscribed magnet schools and programs.**

   The District's Comprehensive Magnet Plan was created essentially in two steps. In October 2013 the Governing Board approved one plan (*Appendix II-24*) with an opportunity to develop a Comprehensive Magnet Plan (CMP). *See Appendix II-12.*

6. **Copies of any plans for improvement for magnet schools or programs developed by the District pursuant to this Order.**

   Appendix II-9 (Magnet Improvement Plans) includes each school's Improvement Plan. The new Improvement Plan template includes standards and a rubric by which to measure key indicator of success for magnet schools and programs. Attachment H to the Comprehensive Magnet Plan is a Rubric Score Sheet. Schools piloted a rubric to determine baseline scores and the District evaluated magnets using the magnet standards. Based on the evaluations, the District developed the improvement plans included in *Appendix II-9 (Magnet Improvement Plans).*

7. **Copies of any applications submitted to the Magnet Schools Assistance Program**

   The District submitted the Magnet Schools Assistance Program (MSAP) grant application on January 30, 2013. *See 2012-13 Annual Report, Appendix 15*. In the fall of 2013 the District learned that the grant was not funded. *Appendix II-15 (MASP Denial)* includes a copy of the letter from the U.S. Department of Education notifying the District that it did not receive the grant. However, MSAP grants are offered every three years and the District intends to apply for the grant in 2016.

8. **A copy of the admissions process developed for oversubscribed schools**

   See *Appendix II-16* (Admissions Process for Oversubscribed schools*).*

9. **Copies of all informational guides developed pursuant to the requirements of this Section, in the District's Major Languages**

The District has developed an informational guide that describes programs offered by the District and each of its schools in 2014. This will be submitted in the 2014-15 USP Annual Report. Additionally, school and program brochures were made available through the District Family Centers, at the central office, on the web, and at school sites to assist families in making informed decisions about which schools to enroll their children. ***Appendix II-22 (Informational brochures/flyers)***

Appendix 22 includes the following informational guides which were available for distribution through the Family Centers:

- Transportation
- ALE
- Student Support Services
- Dual Language Program
- Colleges and Universities
- Family and Community Outreach
- Preschool
- Infant and Early Learning Centers
- Tax Credit Information
- Community Education Programs
- Grad Link Information
- Recruitment and School Information
- Interscholastic Activities

10.   A copy of the enrollment application pursuant to the requirements of this Section, in the District's Major Languages

Other than English, there are six "Major Languages" spoken in the District: Arabic, Chinese (Cantonese/Mandarin), Nepali, Somali, Spanish, and Vietnamese. A language is designated as a "Major Language" when 100 families within the District speak the language. ***Appendix II-23*** includes copies, in all six major languages and English, of SY 2013-14 enrollment application and registration forms. The District uses slightly different versions of this enrollment application each year for Open Enrollment and Magnet Schools. The application was redesigned in 2013, but the information remained the same except for the dates at the top, Part C of the Race/Ethnicity question and the list of Magnet Schools and their themes. ***Appendix II- 23*** includes both "application forms" and "registration forms."

11.   A copy of any description(s) of software purchased and/or used to manage the student assignment process

No software was purchased in SY 2013-14 to manage the student assignment process. Rather, the process was managed as a part of TUSD's Student Information System (SIS), Mojave. Appendix II-24 includes various documents used in developing student-assignment programming changes to Mojave as well as documents relating to the actual implementation of these changes. ***Appendix II-25*** (Software Changes to Mojave)

12.   A copy of the data tracked pursuant to the requirements of this Section regarding intra-District student transfers and transfers to and from charters, private schools, home schooling and public school districts outside of the District.

Appendix II-20 includes student transfer data for the past nine years.

13.   A copy of the outreach and recruitment plan developed pursuant to the requirements of this Section.

Appendix II-21 contains the outreach and recruitment plan, including the "Ask Me" campaign, the Information Guide, the Open Enrollment/Magnet form and a list of community events the District attended/plans to attend.

14.   Any written policies or practices amended pursuant to the requirements of this Section.

Appendix II-4 includes revised policies JC and JFB.

15.   A link to all web-based materials and interfaces developed pursuant to the requirements of this Section.

During SY 2013-14, three different areas on the TUSD website were created or significantly modified to meet the requirements of the USP. USP § II(K)(1)(o) These are:

http://www.tusd1.org/contents/depart/schoolcommunity/info.html includes links to the TUSD Open Enrollment/Magnet application with the revised race/ethnicity question.

http://www.tusd1.org/contents/depart/magnet/index.asp includes a description of the magnet strands and the schools in each one.

http://www.tusd1.org/contents/distinfo/deseg/integrated.asp includes descriptions of the categories as well as the schools that meet the criteria for SY 2013-14.

http://www.tusd1.org/contents/distinfo/deseg/schoolchoicecalculator.asp includes the District's "school choice calculator" which allows families to determine whether they are eligible for incentive transportation to schools outside their neighborhood.

16.   A list or table of all formal professional development opportunities offered in the District over the preceding year pursuant to the requirements of this Section, by opportunity description, location held, and number of personnel who attended by position.

Appendix II-13 includes a table of all formal student-assignment-related professional development opportunities offered and attended in the SY 2013-14, and supporting documents and information, as required by USP § II(K)(1)(p).

TRANSPORTATION (USP § III)

I.   Introduction

It is axiomatic, perhaps, that transportation is a key component of school desegregation, particularly in a district like TUSD where there is a heavier concentration of students of one ethnicity in a geographic area (e.g., Tucson's heavily Hispanic west side). However, students are going to leave their neighborhood schools in meaningful numbers only where they have ready access to convenient and reliable transportation. To use transportation to more effectively entice students to sites and programs outside their neighborhood, that transportation should also include reasonable travel times. Accordingly, the Unitary Status Plan directs the District to use transportation services as a "critical component of the integration of its schools." *USP § III(A)(1).*   This section describes the District's 2013-14 implementation efforts in the area of Transportation.

Consisting of 230 square miles, TUSD's geographic reach is one of the largest of Arizona school districts.   Although there are larger districts--some as large as approximately 500 square miles—TUSD's approximately 48,000 students also gives it the second largest student population in the state. Accordingly, the TUSD Transportation Department must cover the entire district with intensive routing, which is not necessarily the case in some of the larger, less populous, geographic districts.   With sites far flung from Vesey Elementary to Sabino High School, TUSD's bus fleet averages 24,000 miles driven per *day* during the school year.

The District faces fleet issues as well. The pupil transportation industry standards for school buses are: a) an average fleet age of 7 to 8 years, b) route (daily buses) no older than 12 years, c) spare buses no older than 15 years. The TUSD fleet average model year is 2003.7, thus it is over 10 years on average. TUSD has 108 of its 316 vehicles older than 2002 model year (12 years old). TUSD has 51 buses older than 1999 (15 years old), of which 18 are older than 1991. A near- and long-term bus replacement plan is currently being considered to bring the district to the industry standards. The current cost of a new conventional school bus is over $115,000 per unit. Assuming the replacement of 50 full-size buses, a capital outlay of $5.75 million would be required.   In the meantime, it is important that the TUSD auto shop ensures an adequate supply of safe and reliable vehicles are available for daily service. Nonetheless, the District safely transports thousands of children each day.

Student transportation is one of the most expensive aspects of USP compliance (when analyzed on a cost/benefit basis).   Over the last 10 years, school

transportation departments have struggled to budget for skyrocketing fuel costs, and the District is likewise challenged in its efforts to recruit and retain drivers in a market where it cannot compete with the compensation offered by employers like Sun Tran and other transportation companies that offer full-time, year-round opportunities, often at a higher hourly rate.

Additionally, the complexity of coordinating bell schedules that provide the required instructional time for each student with bus arrival and departure times, USP related transportation requests, special needs transportation, efficient bus routes, activity and extracurricular busses (including interscholastic travel throughout the state) as well as the requirement that homeless students are guaranteed transportation to their school even if the student is being housed outside of our district, is daunting to say the least.

Planning and implementation of a complex and ambitious program such as that mandated by the USP causes TUSD's student transportation system to be more expensive than if transportation were provided to schools within defined attendance areas. Some buses must travel long distances across the district to transport a small number of pupils, making it difficult to efficiently use vehicles and manpower. As a result, TUSD operates more buses and for longer periods than would otherwise be necessary with defined attendance areas.   Furthermore, it is difficult to predict which students will need to be transported to which schools, thus it is challenging to effectively and efficiently plan for the USP service each fall.

The District's racial and ethnic demographics reflect a significant geographic divide across which students must travel—sometimes with lengthy travel times— for the District to realize meaningful change in racial concentration at certain sites. Finally, the facilities on the District's racially-concentrated (Hispanic) west side are more likely to be at or over capacity than are the more diverse campuses farther east. That means that if transportation of students is going to significantly alter the demographics of the District's schools, the transportation burden is likely to fall disproportionately on TUSD's Hispanic students.

Despite all of the above challenges, TUSD has made significant progress in planning and implementing the USP requirements for transportation as detailed below. However, promise of meaningful change by way of a transportation plan, no matter how ambitious, remains to be seen.

II.   Implementation and Compliance Activities in SY 2013-14

Under the USP, TUSD "shall utilize transportation services as a critical component of the integration of its schools." *USP § III(A)(1).* As part of that mission, the District must use transportation offerings in a manner that encourages students at racially concentrated schools to travel to integrated schools. *USP § III(A)(2).*   As a threshold matter, that "encouragement" includes a requirement that the District provide free incentive transportation to all students attending any of its 21 magnet schools/programs and to any student residing within the boundaries of a racially-concentrated neighborhood school to any school where the student's attendance will enhance integration. *USP § III(A)(3).*

Appendix III-1 reports on the number of students that were eligible for transportation (i.e., students for whom transportation was offered (routed)), by race/ethnicity and by the reason transportation was offered (Table 1). Also included is more detailed information broken down by school (Table 2). ***Appendix III-1*** (Transportation Offered)

For USP purposes, the District reports on eligible riders. At the end of May 2014, there were 23,618 students eligible for transportation. Of that number, 3,553 students had declined transportation, leaving 20,065 students who have been routed for transportation (including through District operated "yellow buses," as well as public transit options Sun Tran, and HandiCar).   In ***Appendix III-1,*** the "Deseg" column indicates the Desegregation-related transportation programs: ABC zones, incentive transportation from within the boundaries of racially concentrated schools, magnet transportation, transportation to UHS, and GATE. In total, there are 10,060 students eligible to receive desegregation-related transportation, and 7,644 of those students have accepted the service.   Over 7,500 students choose to travel, sometimes lengthy distances, to sites more integrated than their own or where they contribute to integration.

Compliance with these USP mandates requires two phases: planning and implementation.   During SY 13-14, TUSD's Transportation staff including the former Director and current Director, the Routing Manager and Project Manager collaborated with the Director of Interscholastics, the Director of School Community Services (Student Assignment) and directors from both Elementary and Secondary Leadership to develop and submit for approval five Action Plans focused on integration that also contained clearly articulated Transportation goals: Extracurricular Equitable Access Plan, Family Engagement Plan, Advanced Learning Experiences (ALE) Access and Recruitment Plan, Comprehensive Magnet Plan, and Comprehensive Boundary Plan.

The Extracurricular Equitable Access Plan and the ALE Access and Recruitment Plan have articulated goals to provide after-school transportation for extracurricular activities (including tutoring) for all integrated school and magnet students. The Family Engagement Plan has set goals to assure uniformity in services offered at all sites to include assistance with, and information about, Transportation Services. The Comprehensive Magnet Plan and the Comprehensive Boundary Plan were developed in tandem in order to assure uniformity in delivery of transportation services to magnet students and students attending integrated schools in TUSD. In addition, during the 2013-14 school year, the District developed four Action Plans which had substantial transportation components: Extracurricular Activities, Magnet Schools/Programs, Incentive Transportation for Open Enrollment, and Provision of Information about Free Transportation to Families. ***See generally USP Annual Report §§ II, VII, and VIII.*** Implementation activities and ongoing progress toward full compliance with Plan goals will be reported in the 2014-15 Annual Report.

As during SY 2012-13, magnet schools accounted for just under 25% of the total USP-related transportation offerings, A-B-C zones (the previous student assignment strategy) accounted for about 10% of the total, and Advanced Learning Experiences (Gifted and Talented Education, transportation to University High School) accounted for about 6.5% of the total. In general, in SY 2013-14, as in the prior year, about 40% of all transportation in the District was related to fulfilling desegregation obligations.

At the end of this reporting year (July 1, 2014), the District was only able to make a preliminary analysis of the impact of its implementation of the USP transportation requirements.   For the 2014-15 school year, the projections coming through from Mojave show similar numbers for 2014-15 as last year, except that the number of incentive students dramatically increases while ABC students decrease. As of May 23, 2014 Incentive Transportation replaced ABC zones. ABC students will be grandfathered until they leave their current school, but the number should continue to decline over the next few years. The District expects the total number of riders to increase initially and gradually taper off to previous levels as grandfathered students advance, but so far there has not been an increase.

A. **Transportation Services to Support Participation in Extracurricular Activities.**

The USP requires the District to "make decisions concerning the availability of transportation services" for extracurricular activities "in a manner that promotes the attendance of District students at integrated and magnet schools and programs." *USP § III(A)(2).* During SY 2013-14 TUSD achieved partial compliance with this

mandate, with the goal of reaching full compliance by the fall of SY 14-15. Full compliance would mean that every integrated and magnet school or program ("eligible school") which requested extracurricular transportation services would be provided at least one "activity bus." Enhanced compliance would mean that any eligible school with a demonstrated need for more than one activity bus would receive one.

In TUSD, transportation for student extracurricular activities (i.e. activities not required for graduation that take place after school hours, such as interscholastic sports, student clubs, tutoring, etc.) is handled by activity buses. Activity buses (sometimes called "late buses") are school buses that have arrival and departure schedules outside the normal school day. These schedules are customized to each eligible school's unique extracurricular schedule following the peak hours of the regular bus routes when buses become available. The District has historically relied upon school administrators to request an activity bus.   If no activity bus was requested, normally none was provided. This was due, in part, to the fact that TUSD's student information system historically lacked the capacity to monitor or track student activities beyond the regular class schedule, so it was left to school administrators to determine need and request activity buses.

Appendix III-II (Activity Buses) provides a list of activity bus assignments for SY 13-14. "Late Bus 13-14" shows the number of activity buses assigned to each school. If a school was not assigned an activity bus in a given year, this means that the school administrator did not request one.   During SY 13-14, 15 of the 34 eligible schools requested and received late activity buses.   The Extracurricular Activities Implementation Committee will annually consider the extracurricular activities offered at schools to determine the needs for activity buses to promote the attendance of district students at integrated and magnet schools and programs.

B.   Incentive Transportation

USP §III(A)(3) states that the District must provide transportation to all magnet schools as well as transport students from racially concentrated schools to *any* site where their attendance enhances integration.   During the 2013-14 school year, the District expanded its transportation offerings and related communications with an eye towards achieving these objectives.

During SY 13-14, free transportation was offered to all District students enrolled in magnet schools or programs (subject to District transportation policy which does not provide free transportation within a "walk radius" other than the students who meet the exceptions listed in TUSD Policy EEA). *Appendix III-3* (Magnet Letter, Flyers, and Brochures). While a comparison of data from SY 2012-

13 and 2013-14 indicate that magnet school ridership dropped .7% overall during SY13-14 from the previous year, the data also shows a slight increase in magnet ridership for African American (+.3%), Hispanic/Latino (+1.3%), Native American (+.4%), Asian/Pacific Islander (+.1%) and Multiracial (+.1) students from SY 12-13 to SY 13-14; only white student ridership dropped (-1.9%). Out of the total magnet school population, 5580 students were eligible for, and were offered, free transportation during SY 13-14. TUSD fully complied with this USP requirement during SY 13-14. *Appendix III-1* (Transportation Offered).

The USP also states that TUSD "shall provide free transportation" to "District students enrolled in non-magnet programs and schools that are racially concentrated when such transfers increase the integration of the receiving school." *USP § III(A)(3)(b).* The District defines "Incentive Transportation" as free transportation that is available to students who live within the boundary of a "Racially Concentrated" School who elect to attend a non-magnet school outside of their neighborhood boundary, under the open enrollment law, where their attendance enhances the integration of the receiving school.

During the 2013-14 school year, the District made incentive transportation available for 85 students coming from four closed schools that had been racially concentrated (Brichta Elementary, Menlo Park Elementary, Maxwell Middle School, and the old Wakefield Middle School). *Appendix III-1* (Transportation Offered). This was Phase I of the District "Incentive Transportation Implementation Plan" and it was begun in August 2013 and completed during SY 2013-14. Thereafter, as of June 30, 2014, the District was poised to fully implement Phase II for SY 2014-15 by providing incentive transportation for all students who live within the boundary of a racially concentrated school and who attend a school in which they enhance integration at the receiving school.

C.   Distribution of Transportation Information.

The USP states that TUSD "shall provide prospective and enrolled families with information regarding the availability of free transportation at school sites, at the Family Center(s), at the District Office, and on the website." *USP § III(A)(4).* During SY 2013-14 TUSD fully complied with this requirement. TUSD gave notice of eligibility for free transportation in the following ways:

- The 2013-14 open enrollment/magnet applications and school registration form all reference the availability of transportation. *Appendix II-23* (Registration and Enrollment Forms)*.* The District application and registration forms were available at all school sites, at the Family Centers, and the School Community Relations office in

English and Spanish. Copies in the remaining District predominant languages were available online at the District "Registration" website (Arabic, Chinese, Nepali, Somali, Vietnamese).

- A student accepted into a magnet program receives an "Acceptance form" stating: "Transportation provided for Magnet Schools/Programs in accordance with Board Policy EEA Guidelines...If eligible, will this student ride the bus?...." *Appendix III-3.* Magnet application and acceptance forms are all processed by the office of School Community Services. Staff are trained to go over the acceptance form with every enrolling parent to determine if transportation is needed. Staff also assist the parent in determining whether or not the student meets the guidelines for eligibility for free magnet transportation.

- In addition, during SY 2013-14 the Magnet Office and Duffy Family Center had a display containing individual fliers for each District magnet school. Each flier contained a description of the school along with notice language: "Students who are accepted as Magnet Students and live more than one and a half miles from the Magnet School are also eligible for free transportation." Representative samples of Magnet school fliers are attached, *Appendix III-3.*

- Beginning in the spring of 2014, the Transportation Department published a brochure providing notice to all students of the availability of free transportation, for qualified Magnet, GATE, incentive, and special programs students. The brochure provides contact information and an online website with a transportation eligibility calculator (for parents interested in incentive transportation). This brochure was mailed (in English and Spanish) to all families in May 2014 and posted online with links on the District's website. Hard copies in English and Spanish were made available at the School Community Services Welcome Center (central offices), all schools, and the Family Centers. *Appendix III-3.*

D. Private Contractor Compliance with Non-Discrimination Policies

The USP states that if TUSD contracts with a private party for the provision of transportation services, the District "shall not permit the private party to discriminate on the basis of race or ethnicity in the provision of any of the services that the private party provides." *USP §III(A)(5).* During SY 2013-14, TUSD contracted with TransPar Consulting for management services; those contract

employees interact directly with TUSD employees. In addition, TUSD contracted with two transportation services providers, Sun Tran and A&K Transportation (HandiCar), both of whom offered transportation services directly to students. Both contracts contain the following language:

- Tucson Unified School District does not discriminate on the basis of race, color, national origin, sex, sexual orientation, age, religion, or disability in admission or access to, or treatment or employment in, its educational programs or activities

- During performance of this Contract the Contractor agrees not to discriminate against any employee or applicant for employment on the basis of race, color, national origin, sex, sexual orientation, age, religion, or disability

- If required to provide services on school district property at least five (5) times during a month, contractor shall submit a full set of fingerprints to the school district in accordance with 15-512 of each person or employee who may provide such service. Alternately, the school district may fingerprint those persons or employees.

- All drivers must be well groomed and adhere to the standards set by TUSD Transportation.

- All drivers shall be knowledgeable of the contents of any agreement and the District's rules and regulations governing transportation. A TUSD Transportation Department handbook shall be provided to the vendor(s) receiving a contract award.

- Bidder shall be responsible for remaining fully informed of and in compliance with all federal, state and local laws, ordinances and regulations, which may in any manner, effect the fulfillment of the contract.

Appendix III-4 (Request for Proposal for Transportation Services).

TUSD has the right to remove from employment any employee of a private party contractor who engages in misconduct or otherwise violates TUSD's policies. TUSD's Policy AC (Non-Discrimination) extends to "all matters concerning … [d]istrict employees, students, the public, educational programs and services, and individuals with whom the Board does business" and prohibits "[d]iscrimination

based on disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin, as well as retaliation for opposition to such discrimination." Under Policy AC, alleged violations are reported to and investigated by TUSD's internal EEO Compliance officer. **Appendix III-5** (Policy AC).

III.   Transportation Monitoring: The Data Dashboard

Under the USP, the District was required to amend its data systems to ensure that it could track the transportation services received by any student. *USP § III(B).* By April 2013, transportation eligibility and routing were included on the student's dashboard through the parent portal on the TUSD Statistics website. This data is updated each night. In addition, if students were riding a yellow bus, their bus schedule was included. If they had SunTran bus passes, the fact that they were eligible for Sun Tran was noted, and if they had declined or failed to appear for pickup and transportation services had been discontinued, that was noted as well. By July 2013, the transportation information available on the student's dashboard was enhanced to include information identifying the program for which the student was eligible for transportation (GATE, Incentive, Magnet, etc). **Appendix III-6** (Parent Page).

Data system program enhancements during 2013-14 expanded the student information system to specify the student's extracurricular activities (tutoring, interscholastics, and student clubs). Mandatory staff training and the mandate to enter all student extracurricular information (for all grade levels) into the student information system during SY 2014-15 will allow TUSD to more effectively allocate activity buses beginning SY 2015-16 to align with site need.

IV.   Mandatory Reporting

USP § III(C) requires the District to provide data in the Annual Report regarding student use of transportation, disaggregated by school attended and grade level (elementary, middle, and high school).   **Appendix III-1** includes 1) District-wide data on transportation availability disaggregated by race and ethnicity; 2) transportation availability by site, disaggregated by grade level.

ADMINISTRATORS AND CERTIFICATED STAFF (USP § IV)

I.   Introduction:

The USP directs the District to "seek to enhance the racial and ethnic diversity of its administrators and certificated staff through its recruitment, hiring, assignment, promotion, pay, demotion, and dismissal practices and procedures." USP § IV(A)(1). As tools to achieve this objective, the USP outlines more than 30 varied implementation activities specifically geared towards the recruitment and retention of Hispanic and African American administrators and certificated staff. The District's implementation and compliance activities for 2013-14 are discussed below.   In addition, subsection II.(K), *infra*, describes the documents and data provided herewith in response to the USP's specific reporting requirements in this area, USP § IV(K).

When the parties negotiated the USP, the District already boasted a strong track record of diversity hiring.   In 2012, the District contracted Mary Dunn, Ph.D. of Economic Research Services Group (ERS) to conduct a statistical analysis to evaluate the racial/ethnic composition of District teachers and administrators as compared to statewide averages (as calculated from Arizona EEO-5 data).[20] The data revealed that the District employed African American and Hispanic teachers and administrators in numbers consistent with, or statistically significantly greater than, their representation among individuals who were likely qualified for and interested in the District's teacher and administrative positions. (Mary Dunn Baker, 2013). Dr. Dunn's LMA was provided as Appendix 27 to the 2012-13 Annual Report. A supplement thereto is provided herewith as *Appendix IV-1* (Supplemental LMA).

In terms of numbers, the District hired more African American and Latino candidates in 2013-14 than it did in 2012-13. The District advertised 66 more administrative vacancies in 2013-14 than it had in 2012-13, leading to increases in the numbers of African American administrators (+7) and Latino administrators (+30). The District also hired additional African American certificated staff (+10), and Latino certificated staff (+102). *See Appendix IV-2* (Teacher and Administrator Hiring, 2013-14).

The District advertised a total of 94 administrative vacancies in 2013-14 and filled 88 of them (five were canceled and one was re-advertised). Of the 88 hired,

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[20] EEO-5 reports can be used to calculate rates at which members of certain demographic groups are employed in particular occupations throughout the state.

the racial/ethnic percentages were as follows: African American, eight (9.1%); Hispanic, 39 (44.3%); Native American, three (3.4%), and white, 38 (43.2%).

The District advertised a total of 831 certificated positions advertised in 2013-14 (36 were cancelled and not filled). Of the 795 hired, the racial/ethnic percentages were as follows: African American, 22 (2.8%); Hispanic, 185 (23.3%); Asian/Pacific Islander, 15 (1.9%); Native American, ten (1.3%), white, 462 (58.1%); and Unspecified, 101 (12.7%).

The talent acquisition of qualified African American and Hispanic candidates will continue to enhance diversity throughout our schools. TUSD will continue to monitor and enhance its recruitment efforts to promote and increase the representation of African Americans and Hispanics in the District through implementation of its Outreach, Recruitment, and Retention Plan. ***See Appendix IV-3*** (Outreach, Recruitment and Retention Plan). As an additional layer of oversight, the Recruitment and Retention Advisory Committee meets four times per year (October, December, March, and May) and consists of a 15-member diverse group (six Hispanics, four African Americans, one Native American, one Asian and three Anglos) of community members, TUSD leaders, corporations, colleges/universities, teachers and administrators. ***See Appendix IV-4*** (Recruitment and Retention Advisory Committee Materials).

The teaching staff diversity at schools for school year 2012-13 was; 68.5% white, 3.0% African American and 26.0% Hispanic. In school year 2013-14, the teaching staff was: 66.9% white, 2.9% African American and 26.5% Hispanic. In school year 2014-15, the District begins its teaching staff diversity with: 67.3% white, 2.8% African American and 26.5% Hispanic. ***See Appendix IV-5*** (Teacher Demographics)

For school base administrative teams (Principals and Assistant Principals), the school year 2012-13 the diversity was: 47.4% white, 8.3% African American and 43.6% Hispanic. For school year 2013-14: 52.3% white, 7.0% African American and 39.1% Hispanic. There were 37 new school based administrators hired for school year 2014-15, resulting in the following breakdown: 46.0% white, 8.1% African American and 43.3% Hispanic.   ***See Appendix IV-6*** (Administrator Demographics)

The USP outlines strategies to further increase the representation of African American and Latino employees among its certificated staff and administrators. However, shifts in federal law in recent decades preclude the specific use of race or ethnicity in hiring, the extension of race-based incentives (such as signing bonuses) or other targeted measures that were used in decades past by employers seeking to

make rapid shifts in the demographics of their workforce. Accordingly, the programs and strategies the District must use at this point focus on strong recruiting of Latino and African American applicants, the use of systems to ensure that hiring processes provide a level playing field for all, and the requirement that selection panels include African American and Hispanic representatives.

In addition to hiring, recruiting and retention efforts, the USP requires the District to train all certificated staff and administrators in culturally responsive instruction, provide appropriate support to teachers and administrators, and evaluate them on measures which reflect the use of culturally responsive pedagogy and indicia of cultural sensitivity.

II.   Administrative and Certificated Staff Implementation and Compliance in SY 2013-14

During the 2013-14 school year, the District undertook several major activities in accordance with Section IV of the USP, including:

A)   Hiring/Designating Required Personnel;
B)   Applicant Pool Review and Analysis;
C)   Outreach and Recruitment;
D)   Review, Revision, and Monitoring of Best Hiring Practices;
E)   Assignment of Administrators and Certificated Staff;
F)   Retention;
G)   Reductions in Force;
H)   Evaluation;
I)   Professional Support; and
J)   Professional Development.

The following highlights our work in these areas.   The final section of this chapter includes the data reporting that is required by USP§IV(K).

A.   Hiring/Designating Required Personnel

The USP requires the District to hire or designate a specific employee to coordinate USP-related Human Resources efforts, and a director-level employee to coordinate recruitment. *USP §§IV(B)(1-2).* In the early part of the 2013-14 school year, Interim Chief Human Resources Officer Pam Palmo fulfilled both functions. Ms. Palmo coordinated and reviewed all USP-related human resources efforts, including recruitment.

In January of 2014, the District hired Anna Maiden as the Chief Human Resources Officer. Ms. Maiden has her BA in Business and Management and a Master of Education Degree in Educational Leadership from Northern Arizona University.   Prior to joining TUSD, Ms. Maiden had a long history of human resources experience. Most recently, she was the Assistant Superintendent of Human Resources and Organizational Development for the Sunnyside Unified School District. Prior to that she served as the Director of Human Resources in the Vail School District and has held other human resources positions in the Amphitheater School District. Ms. Maiden has experience in all aspects of human resources, recruitment, retention, benefits administration, employee relations and workers' compensation. She is a member of the National and local chapter of the Society of Human Resources Management and has been certified as a Professional in Human Resources (PHR)[21]. ***Appendix IV-7*** (Job Descriptions and Credentials) includes information regarding Ms. Maiden as well as her job description and responsibilities.

Ms. Maiden, assumed the USP Human Resources responsibilities from Ms. Palmo and immediately began the recruitment process for a separate director-level employee to fulfill the USP requirement for a "director level employee to coordinate recruitment." *USP §IV(B)(2).* Near the end of the 2013-14 school year, Ms. Maiden hired Janet Rico Uhrig, M.Ed., SPHR, as the Director of Talent Acquisition, Recruitment, and Retention. Ms. Rico Uhrig had previously served as the Director of Employee Services at local non-profit before moving to the University of Arizona (U of A) where she worked for ten years. At the U of A, Ms. Rico Uhrig conducted recruitment and retention activities as the Assistant Director of Chicano/Hispano Student Affairs, and collaborated on Career Development events, trainings and recognition for Asian American, Native American and African American students. Ms. Rico Uhrig graduated from the U of A with a degree in Political Science and Communication. She completed her Master of Education Degree in Counseling from Northern Arizona University. Ms. Uhrig obtained and held her Professional in Human Resources (PHR) certification from 2002-2011, and obtained her Senior Professional in Human Resources (SPHR) in December of 2011. She currently serves on the Board of Directors for the Society for Human Resource Management of Greater Tucson as the Diversity & Inclusion Committee Chair. ***Appendix IV-7*** (Job Descriptions and Credentials) includes information regarding Ms. Rico Uhrig as well as her job description and responsibilities.

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[21] "The Professional in Human Resources (PHR) certification demonstrates mastery of the technical and operational aspects of HR practices and U.S. laws and regulations." From the HR Certification Institute, available at: http://www.hrci.org/our-programs/our-hr-certifications/phr.

Richard Foster, for whom materials were submitted in last year's report, continues to serve as the "Director-level employee to coordinate professional development and support efforts." *USP §IV(B)(1).* Under his leadership, the District implemented comprehensive professional development relating to the Unitary Status Plan, culturally responsive pedagogy, a revised New Teacher Induction Program, support for struggling teachers, and an improved (and highly successful) leadership program which recruits specially targeted African American and Hispanic prospective administrators. The District's 2013-14 professional development efforts are described in detail below within those sections that relate to each of these tasks. *Appendix IV-7* (Job Descriptions and Credentials) includes information regarding Mr. Foster as well as his job description and responsibilities.

Additionally, the District continues to provide Teacher Mentors pursuant to USP section IV(I)(1), and trainers pursuant to USP section (IV)(J)(2). *Appendix IV-7* (Job Descriptions and Credentials) includes details, job descriptions and responsibilities for the Teacher Mentors and PD Academic Trainers.

B. Applicant Pool Review and Analysis

The USP requires the individual charged with coordinating USP-related HR efforts (in this case, CHRO Anna Maiden) to "regularly review the applicant pool to ensure that African American and Latino candidates, candidates with demonstrated success in engaging African American and Latino students, and candidates with Spanish language bilingual certifications, are included and being considered for selection by school sites and at the District level." *USP §(IV)(B)(1).* Below, the District describes the process of said review, and a summary of the data analysis stemming from the reviews.

Only by reviewing the racial and ethnic demographic information regarding its applicant pool can the District evaluate whether it is appropriately targeting its recruitment efforts. Also, by comparing the applicant pool to actual hires, the District can evaluate whether racial or ethnic disparities exist in the hiring process. The CHRO and staff conducted regular reviews throughout the 2013-14 school year. At the end of each semester, the District reviewed the racial/ethnic diversity of new hires.

The USP requires the District to report all administrative and certificated vacancies advertised and/or filled immediately prior to and during the preceding school year. *USP §(IV)(K)(1)(d)(i). Appendix IV-2* (Vacancies, Teachers and Admin 13-14) contains two spreadsheets delineating; school/department, date of vacancy, job title advertised, total number of applicants, number of applicants interviewed,

race/ethnicity of applicants interviewed, governing board approval date, effective date of hire, name, race/ethnicity of person hired, and comments column.

C.   Outreach and Recruitment

1.   Recruiting on a non-discriminatory basis

The USP requires the District to "conduct recruitment for all employment vacancies on a nondiscriminatory basis." *USP §(IV)(C)(1).* District policies and regulations contain language to protect against discrimination in recruitment (See Governing Board policies AC and ACA, and related regulations). These policies state unequivocally that District employees shall not discriminate against employees or applicants on the basis of race, color, religion gender, age, national origin, disability, marital status, gender identity and sexual orientation in any of its activities or operations. These activities include, but are not limited to, hiring and terminating staff, selection of volunteers and vendors, and provision of services.   The District is committed to providing and inclusive and welcoming environment for all members of our staff. To reaffirm this commitment, the District included the following USP language in the revised Outreach, Recruitment, and Retention Plan, described below: "[t]he District shall conduct recruitment for all employment vacancies on a nondiscriminatory basis." *Appendix IV-3.*

2.   Labor Market Analysis (LMA)

The USP describes steps the District has taken to "determine the expected number of African American and Hispanic administrators and certificated staff in the District" based on state-wide, regional, and national data. USP §(IV)(C)(2). As was reported above, the District contracted with Mary Dunn Baker, Ph.D (ERS Group) to develop the Labor Market Analysis during the 2012-13 school year. *See 2012-13 Annual Report, Appendix 27*. In September 2013, Dr. Baker provided a supplemental analysis titled "Racial (African-American) and Ethnic (Hispanic) Composition of TUSD's 2010 and 2012 Teachers and Administrators." *Appendix IV-1* (Supplemental LMA).

In the September 2013 report, Dr. Baker found, "[w]hen African-American and Hispanic availability for Teacher and Administrator jobs is measured using the aggregate 2010 EEO-5 Report for Arizona public schools, the data reveal that, in general, TUSD employed more African-American and Hispanic Teachers and Administrators than would be expected given the rates at which members of those demographics groups are employed in similar occupation throughout the state." *Id.*

Based on Dr. Baker's report, the District clearly employs more African American and Hispanic administrators and certificated staff than statistically-driven expectations would forecast for a school district in Arizona. However, the USP requires the District to consider the expected numbers of African American and Hispanic administrators and certificated staff based on regional and national data as well. In analyzing the initial Labor Market Analysis, the District developed several conclusions along with Dr. Baker.

First, compared to surrounding states, TUSD's labor force has lower-than-expected staff levels of African American administrators (central and site-based combined). However, a comparative analysis between the available relevant labor markets and TUSD reflected that the disparities are not statistically significant. Compared to surrounding states, TUSD's labor force has statistically significant, higher-than-expected levels of African American *central* administrators, specifically. Compared to the United States, TUSD's labor force has statistically significant, lower-than-expected levels of African American administrators (central and site-based combined). *Id.*

Second, compared to surrounding states, TUSD's labor force has statistically significant, lower-than-expected levels of African American certificated staff. This means that a comparative analysis between the available relevant labor market in surrounding states and TUSD reflected a negative disparity in the African American certificated staff workforce. Compared to the United States, TUSD's labor force has statistically significant, lower-than-expected levels of African American certificated staff. This means that a comparative analysis between the available relevant labor market in the U.S. and TUSD reflected a negative disparity in the African American certificated staff workforce. *Id.*

Third, compared to surrounding states and to the United States, TUSD's labor force has statistically significant, higher-than-expected levels of Hispanic administrators (central and site-based combined). Compared to surrounding states and the United States, TUSD's labor force has statistically significant, higher-than-expected levels of Hispanic certificated staff. *Id.*

Based on the 2012-13 LMA, there are significant disparities when comparing TUSD's African American certificated staff workforce with the relevant *national* labor markets as well as compared to the workforce in certain surrounding states (which include California and Texas, states with significantly higher African American populations).   There is a slight disparity when comparing TUSD's African American administrator workforce with the national market.   Some of these disparities are a reflection of economics; starting teacher pay in Arizona is among

the lowest in the nation,[22] and yet increased hiring of African American teachers and administrators requires significant out-of-state recruiting. Arizona (and particularly Tucson) does not have a large African American population, and two of the states included in the relevant region (California and Texas) have the highest concentrations of African Americans in the nation, along with Florida, New York, and Georgia.[23]

3. Development of the Outreach, Recruitment and Retention (ORR) Plan.

The USP requires that the District develop and implement a plan to recruit qualified African American and Latino candidates for administrator and certificated staff vacancies. *USP §(IV)(3)(a).* The USP mandates a number of elements that must be included in the plan: establishing a nationwide recruiting strategy; utilizing a racially and ethnically diverse recruitment team; creating a process for inviting retired African American and Latino administrations and certificated staff to be considered for open positions; incorporating strategies for building partnerships with local business; developing local programs to identify students interested in teaching careers; and encouraging and supporting Latino and African American staff who are interested in pursuing certification.

During the 2013-14 school year, the District developed and finalized an Outreach, Recruitment, and Retention Plan. While the USP does not directly require the development of a retention plan, it *does* require the District to, "adopt measures intended to increase the retention of African American and Latino administrators and certificated staff..." *USP §IV(F)(1).*   The District recognized that recruitment and retention efforts are linked and thus incorporated a retention section in its Outreach, Recruitment and Retention (ORR) Plan.

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[22] 2012-13 Average Starting Teacher Salaries by State, National Education Association. Available at http://www.nea.org/home/2012-2013-average-starting-teacher-salary.html. Reveals that of the fifty states plus the District of Columbia, only seven states (Idaho, Maine, Missouri, Mississippi, Montana, Nebraska, Okalahoma) have average starting teacher salaries that are less than the average teacher salary for Arizona, $31,874. Of the states in the southwest region, however, no state has lower average starting teacher salaries than Arizona.

[23] 2010 U.S. Census data indicates that the statewide African American population is five percent, but only when counting African Americans in any combination (including multiracial respondents).

The District circulated the first draft of the plan to the parties and Special Master on July 30, 2013. In September 2013, parties submitted comments and suggestions for improving the draft. In September and October of 2013, the Human Resource, Desegregation, Legal, and the Employee Relations departments reviewed and revised the plan. In November, the new leadership team reviewed the revised plan and provided further comment/direction. The District had hoped to submit the revised plan in early December, but felt it needed more development. The District reached out to consultants/experts Maree Sneed and leadership from Seminole County Public Schools in Florida.[24] The District also continued to reach out to the plaintiffs for ideas, feedback, and/or strategies that they felt should be included.

In December 2013, the District hired a new Chief Human Resources Officer (Ms. Anna Maiden) who was scheduled to begin work in January 2014. It was vital that Ms. Maiden understood and approved of the plan that she would ultimately be responsible for implementing. As such, the District notified the Special Master and Plaintiffs of its intention to submit the revised, final ORR plan by February 3, 2014.

On February 3, 2014, the District submitted a revised, final ORR plan to the Special Master and Plaintiffs. After receiving the plan, the Mendoza plaintiffs submitted a request for a Report and Recommendation to the Special Master, outlining various objections to the submitted plan. The District again reviewed the objections, met with various staff and leadership, revised the plan pursuant to the feedback, and submitted another revised version on March 24, 2014, along with documents responsive to information requests made by the parties. Based on this version, the parties submitted additional requests for information. In April 2014, the District provided responses to the additional requests for information and, on May 5, 2014, provided another revised plan. After further collaboration with the parties, the District made additional changes and submitted the most recent version on May 22, 2014. ***Appendix IV-3*** (ORR Plan). The District developed several new iterations in an effort to address party objections, and the Department of Justice had no objection to the plan. However, the Mendoza and Fisher plaintiffs requested a Report and Recommendation from the Special Master which was filed with the Court to request additional changes to the Plan.

The District designed the ORR Plan to increase recruitment efforts and attract African American and Hispanic applicants to the District. The plan offers a number

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[24] The District consulted with Mr. John Reichart (former Executive Director, Human Resources) who lead Seminole County's recruitment efforts for several years, and Dr. *Anna-Marie Cote (*Deputy Superintendent for Instructional Excellence and Equity).

of recruitment incentives for special subject areas, particular certifications and relocation reimbursement. The plan also requires that the recruitment team participate in job fair events at historically black and Hispanic universities across the country. Recruitment incentives range from $2500 for particular subject area expertise such as math, science, or special education. In addition, there are incentives for teachers with experience in culturally relevant curriculum and teachers with dual language/bilingual certificates or endorsements. There is a relocation reimbursement for up to $10,000 in moving expenses.

The current board policy and regulation GCO (Evaluation of Professional Staff) provides for incentive protections for teachers to move to hard to staff sites, which at times are those identified as racially concentrated. Those incentives provide security that employment will remain in place and no adverse employment action taken if student achievement or if the principal is rated as ineffective. Teachers would not be subject to District Initiated Transfer (DIT) or a Reduction in Force (RIF). In addition, so that experienced teachers would not be reluctant to take assignments at underperforming schools,[25] transferring teachers may use the higher of the student growth points (i.e., from either their old assignment or their new school) in their first evaluation cycle post-transfer.

4.   Implementation of ORR Plan Activities

As the District worked throughout the 2013-14 school year to develop the ORR Plan, it continued to conduct outreach and recruitment activities as described therein. These activities included: (a) the development, use and distribution of recruiting materials; (b) recruiting trips; and (c) advertising.

a.   Recruiting Materials

To carry out the commitment made in the Outreach, Recruitment and Retention plan, the District's Human Resources (HR) Department created a 60-plus page "Recruiter's Guide" (Guide) for the 2014-2015 school year. ***Appendix IV-8*** (Recruiter's Guide).   The District's HR Department designed the Guide to assist staff involved in the recruiting process. Since the HR Recruitment team does not take the same administrators on each trip, the Guide provides a consistent, quality presentation of the District.   In developing the Guide, HR staff sought input from other departments, and from the Recruitment and Retention Advisory Committee.

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[25]   By law, a portion of teacher compensation is tied to student performance on state mandated assessments.

The Guide covers many topics for individual participating in recruitment activities, such as: instructions for setting up and staging an event booth, completing necessary travel paperwork for compliance purposes, and details of District initiatives, salaries, and benefits, that should in turn be explained to potential candidates during recruitment activities.

The Guide also provides background information regarding the District and the Tucson community. Specifically, the District designed the guide to inform and promote Tucson to people not familiar with Tucson. The Guide highlights Tucson, Arizona, and TUSD in a way that encourages candidates to visualize the many assets Tucson offers, and its distinct status as a unique community that also offers many of the familiar things a larger, metropolitan city might offer.

In addition, the materials portray TUSD as a diverse community for students and families. The brochures and videos depict all ethnicities and the cultural aspects of various groups, and the many ways those aspects are celebrated throughout the District. Specifically, the materials demonstrate the rich culture of African Americans and Hispanics. The images selected for use are rich and engaging; the video clips are attractive, engaging and appealing. The District's recruitment flyers are updated every year with current district information. The Recruitment and Retention Advisory Committee contributed to the development of the flyers for the 2014-15 school year, and offered suggestions such as including a tag-line, 'What makes TUSD great,' and recommended additional pictures and community features.

The HR Department also worked to improve the interview questionnaire principals use to interview potential candidates at teacher hiring events. The improvements focused primarily on incorporating more specific questioning that dealt with culturally relevant curriculum, classroom technology, classroom management, and special education. ***Appendix VI-10*** (Recruiting Interview Questions).

b.   Recruiting Trips

Based on the District's review of best practices and discussions with external consultants, the best recruiting strategy is to have a key experienced administrator participate and recruit at events. When candidates ask specific questions, the answers they received are genuine coming from a first-person source. Diversity recruitment also promises to be more successful when the recruitment team itself is diverse. As a result, several African American principals participated in teacher recruitment events at colleges/universities in Chicago, Portland, and Nashville. In

Nashville, the job fair drew 1,200 attendees. The Portland, Oregon teacher fair attendance approached 3,000. At those events, a principal interviewed several student teachers and issued letters of intent in math and science.

The District recruiting team is making concerted efforts to better network with other recruiters to gain insight into successful approaches for recruiting Hispanic and African-American candidates. Local school district recruiters connect bi-annually to share information about vacancies they may have at their district, and to alert other districts when they have an overflow of applicants that can be referred.   During hiring season (fall and spring), recruiters stay in contact with one another about job fairs that are being held out of state.

The District recruiter visited numerous colleges and universities. Recruiting efforts in 2013-14 included visits to Hampton University, the Nashville Fall Career Fair, Northern Arizona University, the University of Southern Mississippi, Nashville Tennessee, University of Texas, San Marcos/San Antonio Fall Teacher Fair, National Alliance of Black School Educators Conference, Chicago State University, Colorado State, Oregon Professional Fair, and University of Arizona.

Recruitment travel focused on the critical needs areas (math, science, special education) and to specifically market the District to Latino and African American prospective teachers and administrators.   Recruitment also emphasized pursuit of candidates with Spanish language and bilingual certifications from across the country. As an ongoing effort, the District recruiter visits the University of Arizona's South campus bi-annually to speak with student teachers about the District and available positions.

As part of its efforts targeting African American and Hispanic educators, the District sent representatives to job fairs at several HBCU and HACU campuses. The fairs were very small in attendance and teachers interested in the subject areas of math, science and special education were even smaller. Most of those sites are far from the desert Southwest, and a number of potential applicants were not interested in making the move.

Attendance at the fall recruitment fairs was disappointing. For example, Hampton University had less than 100 students attend. At the National Alliance of Black School Educators (an administrator conference), the District purchased a vendor booth which generated very little interest. The job fairs in Texas were well-attended, but Texas's teacher salaries are significantly higher than those offered in Pima County. Spring recruitment events are usually better attended in anticipation of May graduation. District representative interviewed students at job fair sites in

Nashville, Chicago, Colorado, and Oregon. The District offered letters of intent to qualified individuals. In total, six letters of intent were issued during the spring recruiting season. Four of the six were accepted (1 Hispanic; 3 white).

c.   Advertising

In addition to in-person recruiting, the District attempted to target possible candidates by advertising job vacancies in publications operated by a variety of organizations and entities some of which were recommended by plaintiffs. These organizations included the American Association of School Administrators, Association of Latino Administrators and Superintendents, AZ Association of Business Officials, Arizona Department of Education, AZ Education jobs, Black Collegian, Equal Opportunity Publications, HACU, HBCU career.com, Hispanic Chamber of Commerce, Hispanic.Jobs.com, NABSE, National Association of African American Studies and Affiliates, National Society for Hispanic professionals and Phoenix Career Services. In selecting websites or publications in which it advertises vacancies, the District has targeted advertising venues particularly suited to recruiting African American and Hispanic candidates, as well as those with Spanish language bilingual certification.

d.   University of Virginia Collaboration

During the 2013-14 school year, the District entered into a partnership with the University of Virginia to increase the student achievement in six of its underperforming schools. Several of these schools are identified as Racially Concentrated under the USP, and the District expended extra efforts to find the right principals and administrative teams for these schools. The District engaged in intensive interviews with specifically trained administrators skilled at identifying the necessary skillset or characteristics of a successful principal for an underperforming school. The results of the interviews yielded one African American middle school principal, an African American dean of students and a Hispanic assistant principal at another middle school, one African American and one Hispanic assistant principal at a high school, and two Hispanic principals at two of the elementary schools identified to participate in this exciting program.

D.   Review, Revision, and Monitoring of Best Hiring Practices

The talent acquisition of qualified African American and Hispanic candidates in 2014-15 continued will continue to ensure diversity throughout our schools. As an additional layer of oversight, the Recruitment and Retention Advisory Committee meets four times per year (October, December, March, and May) and consists of a

15-member diverse group (six Hispanics, four African Americans, one Native American, one Asian and three Anglos) of community members, TUSD leaders, corporations, colleges/universities, teachers and administrators. The USP promotes a more equitable, systematic, and uniform approach to the application and interview process by requiring: (1) interview panel diversity; (2) maintenance of a centralized, electronic applicant database (and efforts to encourage applicants to apply for positions for which they are qualified); (3) the use of a standardized interview instrument; and (4) identification of the reasons that candidates decline employment offers made by the District. *USP §IV(D)(1-4).* The District implemented each of these changes in the 2013-14 school year. The District also engaged in a partnership with the University of Virginia that led to the hiring of additional African American and Hispanic administrators.

1.   Interview Panel Diversity

The USP requires the District to "ensure that interview committees for the hiring of administrators and certificated staff include African American and/or Latino members." *USP §IV(D)(1).* In the fall of 2013, the District revised its Interview Panel Form to ensure (and document) that all interview panels include African American and Latino participants. ***See Appendix IV-9*** (Hiring and Interview Panel Materials)*.* In the 2013-14 school year, every interview panel conducting interviews for administrator vacancies included African American and/or Latino members. For hiring of certificated personnel, the data collection for interview panels began in January 2014. Of the 289 interview panels monitored, only 11 did not have the participation of Latino and/or African American committee members. Of those 11, six provided written documentation to explain the deficiency.[26] ***See Appendix IV-11*** for demographic details of District interview committees.

2.   Centralized Electronic Applicant Database

USP§ IV(D)(2) requires the District to "maintain a centralized electronic database of all applicants for administrative and certificated staff positions," and to

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[26]   Human Resources sent an email to each of the administrators responsible for the selection process in those five instances. The email requested written documentation that explains the reason(s) for not complying with this USP requirement. Human Resources will continue to take an assertive role in monitoring that interview panels include African American and/or Hispanic members. Assistant Superintendents will be notified of noncompliance with this USP requirement.

"encourage applicants to apply for individual positions and to apply for the pool." Throughout the 2013-14 school year, the District utilized a centralized electronic applicant system called SIGMA. Because the system was outdated, and its capacities were limited, HR conducted tests to determine if the system could adequately support USP-related (and other) hiring, retention, and related activities. After testing, the District determined that it needed to implement updates and conduct further testing during the first semester of 2013-14. HR staff conducted tests by extracting data on specific positons, then analyzing the data to ascertain whether or not the data was reliable. After staff updated the SIGMA system, staff conducted research to identify qualified applicants that had applied for the test positions, but were not selected for follow-up and/or interviews. Based on the testing and analysis, HR determined that it had to replace the SIGMA system.

In early 2014, the District purchased a new software system to house applications and supporting materials called "Applitrack." AppliTrack is a web-based hiring and recruiting tool that allows the District to be more effective and efficient to meet our strategic priorities and USP requirements. Applitrack also expedites screening and hiring and allowing applicants to log in and see real-time data on their status. The tool enables HR staff to cast a wider net to find high-quality applicants. And, once an application is in the system, staff can utilize the tool to manage the entire application process including interview management and tracking efforts. These improvements will help the HR Department to improve its overall systems, and to improve candidates' experiences.

Applitrack include some of the following features: allows applicants to import their basic data with a single click (contact info, references, education, work history, etc.); provides custom screen views for visually comparing applicant data and simple point-click filtering; reduces typing time and errors with clickable auto-filters for quick screening; and allows for reviewing the entire applicant's file (including uploaded resumes, references, transcripts, interview results, etc.) in one window.

In December of 2013, the District developed and began distributing an "Encourage to Apply" letter for qualified applicants. *Appendix IV-33* (Letter and list of those who were sent the invitation). Through the former SIGMA system, the District had the ability to contact, via email, qualified candidates from previous vacancies to apply for current job openings, if interested. But, as part of the review of SIGMA in 2013-14, HR staff reviewed this process as relates to hard to fill positions (already in existence), and assessed SIGMA's functionality to apply this process to all administrative and certificated staff vacancies. The District developed a flowchart documenting the current application and review process for hiring.

Appendix IV-34 (HR Process Flow Chart). The Applitrack system will make it much easier, and efficient, to communicate with qualified applicants and encourage them to apply for positions for which they are qualified.

3.   Standardized Interview Content

The USP requires interview committees to "utilize a standard interview instrument with core uniform questions to be asked of each candidate that applies for that position and a scoring rubric." *USP §IV(D)(3).*   As noted above, core interview questions were established for recruiting trips. *Appendix IV-10.*   In addition, the District has processes for ensuring that those applicants competing for the *same* position are asked identical questions.   However, the District does not use the same questions for all identical types of positions (ie., "teachers" or "principals") District-wide because it would give an unfair advantage to candidates who are interviewing for multiple positions of the same type.   That is, using identical questions for all principal vacancies – for example – would ensure that anyone applying at multiple sites would know the questions in advance.   Accordingly, the District's system operates as follows:

For administrators, the District addressed this potential risk by centralizing the first round of interviews.   That is, no matter which school had the advertised vacancy, a small team of administrators interviewed *all* candidates centrally, for the first round of screening. Those interviews revolved around core questions and concepts that were used throughout the spring hiring season for principals and assistant principles. The academic leadership team met before hiring began and discussed the types of questions they would ask principal/assistant principal candidates.

In addition to standard questions, administrator candidates engaged in an exercise where they were asked to assess hypothetical data.   Each candidate was given data for a specific grade level; e.g., elementary, middle and high school as well as demographics; e.g., high percentages of African American or Hispanic students. In addition to the core questions and exercises, interviewers asked specific questions relative to the school and need for a particular skillset such as experience working with either an African American or Hispanic population or if they were bilingual in Spanish. This model (core questions plus individualized questions specific to the site/need) is being analyzed for possible replication and application to the interview process for certificated staff.

For teacher hiring, the process is different. Hiring administrators are given specific instructions regarding the interview process. Administrators may select

interview questions from a folder of HR pre-approved questions.   When teachers are interviewed by the site interview panel, all applicants must be asked the same questions. *Appendix IV-9* (Hiring Packet Instructions)

4.   Identifying the Reasons Candidates Decline Offers.

The District has implemented systems designed to gather information reflecting the reasons why those offered positions within the District do not accept them. *See USP § IV(D)(4).* Data on this subject can be elusive; many times candidates are not interested in discussing their reasons and/or may not be fully candid. Nevertheless, the District prepared for such data gathering by implementing a revision in SIGMA, the District's on-line application system.

During the 2013-14 school year, programmers added disposition codes to categorize the reasons given when a candidate declines an offer. The six disposition codes are as follows: Declined Interview (DPI), Declined Accepted Other Position (DPO), Declined No Reason Given (DPN), Declined Personal Reasons (DPP), Declined Salary (DPS) and Decline Location of Site (DPL). HR staff gathered and reviewed this data to determine what changes, if any, are needed to the District's recruiting and hiring process. The new Applitrack applicant tracking software will make this data gathering much easier and will ensure the District is able to obtain the necessary information to report under the USP and to improve its recruitment processes. *Appendix IV-12* contains data identifying the reasons candidates declined employment offers during the 2013-14 school year.

E.   Assignment of Administrators and Certificated Staff

Recognizing that students benefit from seeing diversity in campus faculty and administration, the USP outlines strategies for the District to undertake that are designed to evaluate how teachers and administrators of different ethnicities are distributed around the District and to develop processes for assigning diverse administrative teams at sites. The USP requires District staff: (1) to track and report data on site administrators and certificated staff; (2) to identify significant disparities between staff and student make-up; (3) to reassign personnel between schools, when appropriate and feasible; (4) to make efforts to assign and attract a diverse administrative team at sites with more than one site-based administrator; (5) to make efforts to increase the number of experienced teachers and reduce the number of beginning teachers at Racially Concentrated or low-performing schools; and (6) to develop and implement a pilot plan to support first-year teachers serving in low-performing schools*. USP §IV(E).*

1. **Track and Report Data on Administrative and Certificated Staff.**

In negotiating the USP, all parties recognized the advantage students gain by being able to see themselves, their heritage, and their communities reflected in the faces of their teachers, principals, and school district leadership.   TUSD's student population is far more diverse than its teaching ranks. Accordingly, USP section IV(E)(1) recognizes that all District schools must "seek to have a racially and ethnically diverse staff," and requires the District to "track and report information on school-based administrators and certificated staff by race and ethnicity."

Appendices IV-5 and IV-6 includes a multi-year comparison of teachers and administrators, respectively, between 2011-12, 2012-13, and 2013-14. *Appendices IV-14 and 15* breaks down – on a school-by-school basis --demographic data for administrative and certificated staff. The administrative and certificated spreadsheets include: employee's name, current position, department/school, district hire date, effective hire date, race/ethnicity, years of experience,[27] certification approved areas and endorsements. The District undertook a review of the data in *Appendices IV-14* and *IV-15* during the spring of 2014.

2. **Identify Significant Disparities (and Adjust Accordingly)**

The USP requires the District to "identify significant disparities (i.e., more than a 15 percentage point variance) between the percentage of African American or Latino certificated staff or administrators at an individual school and district-wide percentages for schools at the comparable grade level (Elementary School, Middle School, K-8, High School)." *USP §IV(E)(2).* The District must also "take into account the percentage of African American and Latino students on each school campus" and "assess the reason(s) for the disparities and shall review and address, to the extent relevant and practicable, its hiring and assignment practices" accordingly. *Id.* *Appendix IV-14* (Teacher Demographics) and *Appendix IV-15* (Administrator demographics) reflect the demographic breakdown by site for teachers and administrators as compared to the relevant District-wide benchmarks. Those sites/groups where the disparity exceeds 15% are noted in red.

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[27] Data for this appendix is extracted from PeopleSoft and the "years of experience" outside TUSD is only available if it had been provided upon original hire.

a.   Administrators

Because sites often have only one or two administrators (the District's largest school, Tucson High, has five), the comparison of the district wide averages for administrator racial/ethnic identification to the team at any particular site is not a particularly helpful analysis considering assignment by race or ethnicity.   Rather TUSD's goal is to maximize administrator diversity between and among sites.

b.   Teachers

In the elementary schools, African Americans represented 2% of the total teachers.   That is, there are only 24 African American teachers among 49 elementary school sites.   Seven sites: Banks, Borman, Cavette, Davidson, Holladay, Howell, and Wheeler each have two African American teachers and all others have none or one.   Again, given the small numbers at issue it is difficult to ascribe a significant meaning to the difference between a site with 2 African American teachers and a site with none.

Also at the elementary level Hispanic teachers (303 total) represented 29% of total elementary teachers. Eleven elementary schools had a higher number of Hispanic teachers than would be expected (i.e., exceeded the 15 percentage point variance) and 13 elementary schools had fewer Hispanic teachers than would be expected (under the 15 percentage point variance) when compared to the 29% average. Also two elementary schools did not have any Hispanic teachers (Collier and Henry Elementary Schools).   The sites with the highest percentage of Hispanic teachers are almost all racially concentrated west-side schools.   Davis Elementary (82% Hispanic faculty) is a Dual-Language Magnet School.

At K-8 Schools, the African American teachers represented 5% of the total K-8 teachers.   These African American K-8 teachers are largely concentrated at three sites: Booth-Fickett (four), Lawrence (four), and Safford Magnet (five). At K-8 schools, Hispanic teachers represented 36% of total K-8 teachers. Three K-8 were unrepresented in Hispanic teachers when compared to the 36% average, and those with higher concentrations (Morgan Maxwell, McCorkle, and Roskruge) are also racially concentrated with heavily Latino student populations.

In the middle schools, African American teachers represented 3% of the total number of middle school teachers (10 teachers, 11 middle school sites). There were three middle schools that had no African American teachers assigned (Valencia, Magee and Gridley) while one site had three African American teachers (Doolen). Also at the middle school level, Hispanic teachers (representing 20% of the total)

are well distributed among the campus with two exceptions: a slightly elevated percentage at Valencia and a low percentage at Gridley.

TUSD's high school represent some of the most balanced demographics of all in terms of distribution of African American and Latino teachers.   At that level, 3% of the teachers are African American teachers. No site has an over- or underrepresentation of African American teachers outside the +/- %15 tolerance band set by the USP.   For Hispanic teachers (19% at the high school level), only Pueblo has an overrepresentation, and University High School has too few.   UHS also has no African American teachers, and bringing diversity to that teaching staff would be a quality adjunct to the recruitment efforts of African American and Latino students there.

Although there is no noteworthy "red flag" in terms of the disparities in staffing assignments, TUSD wants and needs more African American and Latino teachers. The Human Resources department will continue to monitor teacher assignments and make every effort to improve the representation of African Americans and Hispanics throughout district schools. This effort will minimize the disparities identified in SY 13-14.

3.   Diverse Administrative Teams

The USP directs the District to "make efforts to assign and attract a diverse administrative team to any school with more than one site-based administrator." *USP §V(E)(4).*   **Appendix IV-15**   (Administrator demographics) reflects the racial and ethnic identification of TUSD administrators by site.   During the spring semester of the 2013-14 school year, the District evaluated the diversity of administrators at schools with more than one administrator. The information provided to the Chief Human Resource Officer (CHRO) indicated that, for the most part, the sites with more than one administrator had teams with a suitable mix of administrators.

In several instances, where the District could address the lack of diversity through assignments, it did so. For example, at the start of the school year Secrist Middle School had a white female principal and a white female assistant principal. When the principal retired mid-year, the District transferred a Hispanic male to serve as interim principal.[28]   Based on an analysis of the data, the District also recognized that Booth-Fickett K-8 lacked diversity in its administrative ranks: the administrative team consisted of three white males. In the spring of 2014, the

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[28]   This interim principal was the successful candidate to permanently receive the job as principal of Secrist.

principal was promoted to a director position at the central office. Before the interview process began, the Chief Human Resources Officer reviewed the demographic information with leadership so that during the selection process, the interview teams were aware of the need to diversify the site's administrative team, while being mindful to select the most qualified candidate to support students. The District has hired a new principal (Hispanic, male) at Booth-Fickett for the 2014-15 school year. The District will continue to monitor assignments throughout the 2014-15 school year in order to improve the diversity of administrative teams throughout the District.

4.   Teacher Assignment at Racially-Concentrated or Underperforming Schools.

USP §V(E)(5) requires the District make efforts to increase the number of experienced teachers and principals at racially-concentrated and underperforming schools and avoid assigning first year teachers and principals to such sites. HR staff assessed the assignments of beginning teachers and first year principals to Racially Concentrated and underperforming schools.

In SY 2013-14, 2308 teachers were assigned to schools throughout the District. Of those 40 were beginning teachers. Nine were assigned to racially concentrated schools, 12 to racially concentrated and underperforming schools and three accepted assignment to underperforming school.

Table A: Teachers with 1 Year of Less Experience Assigned in SY 13-14

Schools with Special Emphasis	Beginning Teachers SY 13-14
Racially Concentrated School	9
Racially Concentrated and Underperforming Schools	12
Underperforming Schools	3

A total of 130 school administrators were assigned throughout the district in SY 2013-14. Of those, 11 were first year principals and two were assigned to racially concentrated and underperforming schools. One first year principal accepted an assignment to a racially concentrated school and one to an underperforming school.

Table B: First Year Principals Assigned in SY 13-14

Schools with Special Emphasis	First Year Principals SY 13-14
Racially Concentrated School	1
Racially Concentrated and Underperforming Schools	2
Underperforming Schools	1

The District will continue to monitor assignments to racially concentrated and underperforming schools and minimize the assignments of beginning teachers and first year principals to those schools.

5.   Develop a First-Year Teacher Pilot Plan

The USP directs the District to "develop a pilot plan to support first-year teachers" serving in underperforming schools. *USP §V(E)(6).* The District unveiled its pilot plan at the beginning of the 2013-14 school year, submitting the proposed plan to the Special Master and Plaintiffs for review in July of 2013.   After receiving and considering feedback from the Special Master and Plaintiffs, the District finalized the plan in October of 2013.

Appendix IV-16 (First Year Teacher Pilot Plan) includes a copy of the pilot plan, which provides support beyond what the District already provides in its New Teacher Induction Program.   Those supports include additional mentoring hours each week, the opportunity to make site visits to observe best practices from exemplar teachers, and an additional training session involving video-recording a demonstrative lesson.

The district evaluated the program at the end of year through survey responses, achievement comparison data, and an analysis of teacher logs.   The pilot showed some positive results - the subject group made greater gains than the control group on the ATI Benchmark and AIMS, especially in reading. A greater number of statistically significant differences between the two groups may have been found had the two groups been more equivalent in terms of the number of teachers in each group and less equivalent in terms of their intervention. *See Appendix IV-16*.

F.   Retention

Recognizing that successful recruitment, hiring, and assignment is only meaningful in the long-run if new hires remain with the District for successive contract years, the USP outlines "measures intended to increase the retention of African American and Hispanic administrators and certificated staff." *USP §IV(E)(1).* These measures include: (1) evaluating and addressing disparities in attrition rates; (2) conducting annual teacher job satisfaction surveys; and (3) conducting bi-annual focus groups. The following describes the efforts the District undertook in 2013-14 in the area of retention.

1.   Review of Attrition Rates.

The USP requires, on an ongoing basis, the evaluation of Latino and African American administrator and certificated staff attrition rates, and an assessment of the reasons for identified disparities (including corrective action where appropriate). *See USP §IV(F)(1)(a).* The attrition data revealed no disparities in the attrition rates of African American and Latinos when compared to other racial groups. ***Appendix IV-18*** (Attrition Rates)*.* As a result of these findings, the District did not initiate corrective action plans. Although the District would like to reduce attrition District-wide, it is pleased to see that no particular group is leaving at a rate higher than others. HR will continue to monitor this situation and evaluate it annually to ensure we are aware of status on a continuing basis.

2.   Evaluating Teacher Job Satisfaction.

a.   Teacher Surveys

The USP obliges the District to survey "teachers each year using instruments to be developed by the District." *USP §IV(F)(1)(b).* For a number of years, the District has performed a school quality survey given to all students, parents, and staff. Teacher responses to this survey have provided insight into teachers' overall job satisfaction. In the 2013-14 school year, the District revised the staff version of the School Quality Survey, adding three questions specifically related to employee job satisfaction: "Overall, I am very satisfied with my school," "I am very satisfied with my current position in TUSD" and "I want to continue employment with the District." ***Appendix IV-19*** (School Quality Survey)*.* The District's Accountability and Research Department reported the findings April of 2014.

The good news is that an overwhelming majority of employees – across all racial and ethnic groups, either "agree" or "strongly agree" with both of the two new added statements. Native American employees were the most positive in regard to their job satisfaction, with 94.1% responding agree/strongly agree to the "I am very satisfied with my current position" inquiry. Hispanic employees rated the second-highest (88.5%) in the district and African American employees (85.8%) rated the third highest in the district. The least positive responses to the job satisfaction question came from Asian/Pacific Islander employees (78.6%), followed by white employees (80.9%). ***Appendix IV-19*** (School Quality Survey)*.*

Regarding teacher interest in continuing their employment with the District, Native American employees were again the most positive respondents (98.1% agree/strongly agree) followed by Hispanic (97%) and Asian/Pacific Islander employees (96.8%). The least positive responses to the continued employment question came from white (92.3%) and African American teachers indicated their interest in continuing employment with the District. (95.2%). ***Appendix IV-19*** (School Quality Survey)*.*

The findings suggest that the District provides an environment where instructional personnel at schools and in their current assignments are satisfied, overall, with TUSD. Most respondents, regardless of their race/ethnicity, acknowledged that they want to continue employment at TUSD. This was the first year the District administered the revised inquiry; next year the District will be able to compare findings and assess any trends about school and job satisfaction and continue employment with the District.

b.   Conduct Biennial Focus Groups

USP § IV(F)(1)(c) directs the District to improve retention by "[c]onducting biannual focus groups of representative samples of District certificated staff to gather perspectives on the particular concerns of these staff in hard-to-fill positions … and/or who have been hired to fulfill a need specifically identified in this Order." The District began forming biannual focus groups during the 2013-14 school year. As the program is a new initiative, there are no comparable findings from previous years. Any findings these groups identify will be brought forward in future Annual Reports. ***Appendix IV-20 (***Focus Group Findings) reports on the input of a representative sample of District certificated staff to gather perspectives on the particular concerns of these staff in hard to fill positions (e.g. ELL, math, science, and special education). The key objective is to gain an understanding of the perspectives of our critical-needs positions (hard-to-fill teachers and USP-designated positions) and utilize their inputs to help HR incorporate and make recommendations to the

school leadership staff about their perspectives. The District anticipates having comprehensive focus group input in 2014-15, which can then be re-evaluated against input from a subsequent panel in 2016-17.

G.   Reduction in Force (RIF)

The USP requires the development of a plan "which takes into account the District's desegregation obligations for any reductions in force ("RIF") or other employment actions requiring the dismissal of administrators and/or certificated staff members who have been hired to fulfill a need specifically identified in this Order." *USP §IV(G)(1)*. In addition to developing the RIF plan, the USP specifically requires the District to provide certain protections to employees hired to fulfill a specific need identified in the USP, implement measures to ensure appropriate RIF notifications; methods to identify employees protected from a RIF; and strategies for RIF recall. *USP §IV(G)(2-5).*

The Reduction in Force Plan is available in *Appendix IV-21* (RIF Plan). District staff developed the RIF plan over the summer of 2013, and submitted a proposed draft to the Special Master and the Plaintiffs in July of 2013. After receiving comments and feedback, the District finalized the revised version in November of 2013, and presented it to Governing Board on December 10, 2013 (the plan was approved). Since the Board approval of the RIF Plan, the District made three rounds of additional revisions to address some issues raised by the Plaintiffs and/or Special Master.   There were no reductions in force in the 2013-14 school year.

H.   Evaluation

USP §IV(H)(1) calls for the District to "review, amend as appropriate, and adopt teacher and principal evaluation instruments to ensure that such evaluations, in addition to requirements of State law and other measures the District deems appropriate…" As noted in previous reports, the District selected its current evaluation instrument, aligned to the Danielson framework, in April 2013. The District undertook an evaluation and review of its evaluation instruments to ensure that they satisfied the requirements of USP § IV(H), and made no amendments in connection with that analysis (as one focus of the revisions included those components identified in the USP). *Appendix IV-22* (Teacher Evaluation Instrument/Process) *Appendix IV-23* (Principal/Administrator Instrument/Process)*.*

In addition, in the winter of 2014, the District conducted a follow-up review to ensure that the instrument adequately imbedded the expectations of the USP, including cultural responsiveness. A District committee worked with a consultant from the Danielson group to analyze the evaluation instrument's Framework for Teaching to identify the CRP components imbedded in the District's current evaluation model and create professional development around those elements.   A summary of that review was prepared by Danielson Group consultant Ann Cummins Bogan, and is attached hereto in ***Appendix IV-24.*** (Cummins Bogan Memo).

I.   Professional Support

The USP requires the District to provide support for teachers and prospective administrative leaders through: (1) amendments to its New Teacher Induction Program; (2) development and implementation of a plan to support underperforming and struggling teachers; (3) development and implementation of a plan to identify and develop prospective administrative leaders; and (4) training for principals to build and foster Professional Learning Communities (PLCs). *USP §(IV)(I)(1-4).*

1.   Amend the New Teacher Induction Program

The USP requires the District to amend its New Teacher Induction Program ("NTIP") to ensure that beginning teachers were trained for active participation in their professional learning communities and be trained on culturally responsive pedagogy. *USP §IV(I)(1).*

The NTIP is a formal program for new teachers providing tailored support through one-on-one mentoring and professional development in order to advance teacher practices and improve student learning. Participating teachers learn habits of mind to continuously assess and adjust their instruction, ultimately working towards independence from their mentors. NTIP caseloads are 1:15 to enable teacher mentors to support new teachers for two hours per week. Teacher mentors and new teachers are involved in modeling/demonstrating lessons, co-teaching, planning, data-gathering via observation, data-analysis of gathered data, data driven decision-making, analysis of student work and understanding the cultural needs of the class make-up. Teacher Mentors address all the components above through weekly meetings with new teachers. Professional development is job-embedded, and relevant to the new teacher's classroom, students and site.

The TUSD Induction/Mentoring Program has three components: 1) a 4-Day New Teacher/Administrator Induction, 2) Mentor Support, and 3) Professional

Development. Each component builds beginning teachers' capacity to be reflective practitioners and collaborative members of their professional learning communities (PLCs). Each element of the program also encourages teachers to engage thoughtfully with students from diverse racial, ethnic, cultural, and linguistic backgrounds using culturally responsive pedagogy. Participation in study groups and seminars includes PLC study groups in which the participants stay together the entire year and focus on a decided plan of action to address the specific needs identified.

The Induction/Mentoring Program offers professional development throughout the year. Teachers have the opportunity to participate in study groups and seminars (focused on PLCs) focusing on planning, classroom management, instruction and professional growth, which are the four domains of the Danielson Framework for Teaching.   Seminars and study groups are designed to move participants' teaching practices forward on the Danielson Framework. The district goal is for teachers to be at the proficient level or beyond by the end of their third year in the Tucson Unified School District. In addition, new teachers will develop a network in which they can meet and collaborate with other teachers to problem solve, share information, and exchange ideas. The purpose of professional development through the Induction/Mentoring program is to encourage teachers to become autonomous, reflective practitioners who are building capacity toward teacher leadership.

2.   Underperforming and Struggling Teacher Plan.

The USP requires the development and implementation of a plan "to support underperforming or struggling teachers regardless of their length of service." USP §IV(I)(2). In October of 2013, the District finalized an assistance/support plan for underperforming and struggling teachers (retitled the "Teacher Support Plan"). The District submitted the proposed plan to the Special Master and Plaintiffs for review and feedback and, in November of 2013, revised the plan pursuant to received feedback. In December of 2013, the Governing Board approved the Plan.

The Plan was not just an extension of the formal teacher evaluation or discipline process. The District designed the plan to facilitate early identification of struggling teachers and provide them the support, training, and guidance they needed to be successful in the classroom, whether or not their formal evaluations reflected inadequate classroom performance. *See Appendix IV-25* (Teacher Support Plan). The Plan sets forth a support process which includes access to designated support providers such as teacher coaches/mentors, and provided for

targeted professional development activities.   To ensure alignment, support efforts are aligned with the 2013 Danielson Framework for Teaching.

In the 2013-14 school year, the District utilized this process several times, identifying and referring nine teachers for targeted support. The principal, in collaboration with the teacher and the designated "coach," designed a plan of action to address the targeted support and determined the length of support. Additionally, site principals were provided with this plan and process to use as a tool to support teachers at the site-level (so, there may have been additional teachers who received targeted support at the site-level beyond the nine that received support that included central support through the PD Director and/or staff).

Of the nine teachers who received targeted support under the plan, three have separated from the District prior to the end of the 2014-15 school year; one took a leave of absence. Of the remaining six who are still employed with the District, five of them earned a final classification of "Effective"; one earned a final classification of "Developing"; and one earned a final classification of "Ineffective." The one that earned a classification of "Ineffective" is on a plan for improvement beginning in the 2014-15 school year.

3.   Prospective Administrative Leaders Plan

USP §IV(I)(3) obliges the District to "develop and implement a plan for the identification and development of prospective administrative leaders, specifically designed to increase the number of African American and Hispanic principals, assistant principals, and District Office administrators."

In the summer of 2013, the District finalized its Prospective Administrative Leaders Plan and submitted it to the Special Master and Plaintiffs for review and feedback in July of 2013.   After receiving feedback and incorporating revisions, the District finalized the Plan in November of 2013.

The Plan's focus was to describe how the District would identify and develop prospective leaders from within its own ranks, with an emphasis on preparing African American and Hispanic staff for administrative and leadership positions. Through this "grow your own" program, the District could take the "best of the best" from within its own ranks and help them become outstanding TUSD leaders. *Appendix IV-26* (Prospective Administrative Leaders Plan) (including participation information and information on the related Leadership Prep Academy).

In the fall of 2013, the District unveiled the "Leadership Prep Academy," designed with a specific focus on developing the capacity of aspiring principals (and assistant principals) in the areas of leadership and administration based on the ISLLC (Interstate School Leaders Licensure Consortium) Standards.[29] The initial class was comprised not only of volunteers but of promising Hispanic and African American candidates who were specifically recruited to participate.

The Academy consisted of seven sessions, two required readings, and included presentations from District leaders on topics relevant to aspiring administrators. The intention of the program is that those who completed it would be well-positioned to compete for principal and assistant principal positions in TUSD and elsewhere. For the 2014 cohort, that intention became reality.   Of the 29 (including three African Americans and 11 Hispanics) participants last year, 17 secured administrator positions with the District for the 2014-15 school year (including five Hispanics and one African American). An additional Hispanic LPA graduate accepted a position with a neighboring school district.

4.   Training for Principals to Build Provide Professional Learning Communities (PLCs)

Administrators received PLC training via Instructional Leadership Academy Professional Development sessions which met the 2nd and 4th Thursdays of the month for a total of 14 times throughout the 2013-2014 school year. Superintendent Dr. H. T. Sanchez led the professional development sessions, and modeled and facilitated strategies for conducting PLCs at the site level. The highlighted areas of the attached agendas reflect the PLC process. Trainers modeled the process for conducting data-analysis and developing campus plans, discussed strategies, and concluded with a reflection on the process and next steps for sites. *See, e.g. Appendix IV-27* (ILA Agendas).

J.   Professional Development

Under the USP, professional development is a key component of expanding diversity and inclusiveness within teacher and administrator ranks and providing a culturally responsive environment for students. First, all administrators and certificated staff must be trained on the elements of the USP. *USP§V(J)(1).*   Next, the

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[29] The ISLLC standards are model standards used nationwide to guide, prepare, and evaluate school leaders—including principals, their supervisors, and superintendents.

District is required to hire or designate trainers , and through those trainers ensure that all administrators, certificated staff, and paraprofessionals receive ongoing training on culturally responsive pedagogy, non-discrimination, and a number of specific content areas set forth in USP §V(J)(2-3). The following describes the District's work in this area in the 2013-14 school year.

1.   Develop a Plan for USP Dissemination and USP Training

The USP requires the District to develop a plan "to ensure that all administrators and certificated staff are provided with copies of [the USP] and are trained on its elements and requirements…" *USP §IV(J)(1).* Over the summer of 2013, the District developed a plan to provide USP training for, and to disseminate the USP to, all administrators and certificated staff. The District shared the plan with the Special Master and Plaintiffs for review and feedback in July of 2013, and finalized the plan in September of 2013.

Pursuant to the District's plan, all administrators and certificated staff received copies of the Unitary Status Plan electronically before August 1, 2013. Also, prior to the start of the 2013-14 school year, most site administrators received training on the elements and requirements of the Unitary Status Plan. Training for all administrators and certificated staff was made available in September of 2013, during the first quarter of the 2013-14 school year.

The Director of Desegregation worked with the Professional Development department to develop the USP training as an online module.   The training highlighted the components of the USP and the District's responsibilities for meeting its requirements. ***Appendix IV-28*** (Training Module: Understanding the Unitary Status Plan).   The module utilized an end of module assessment in which every employee needed to pass in order to receive credit for module completion. The module was re-released three more times during the first semester of school year 2013-2014 (the online system requires trainings to be posted for a set time period). The District is reviewing the online module for updates and the revised training will be available for new employees starting in the first quarter of the 2014-15 school year.

The District housed the training module on the online Professional Development Management System. While the training was active, staff pulled reports every two weeks to monitor compliance. Staff provided these reports to central leadership, including Elementary and Secondary Leadership and Director of Desegregation to follow up with the personnel who had not taken the training.   Staff posted notices in both the elementary and secondary newsletters (for site

administrators), curriculum connection (for certified staff), email blast and reminder notices to department heads/leads (operations, facilities, business).

a. Hire/Designate Trainers for All Necessary Professional Development.

Throughout this report, the District describes specific staff members who were hired or designated to provide USP-related training. In many cases, the District identifies internal trainers with the skill, knowledge, and experience to train others through a train-the-trainer model. This ensures that the District is utilizing its own talent in an efficient and effective manner, and building the capacity of internal staff.

There is some overlap, but in most cases there are small, dedicated cadres that are utilized for specific trainings. The majority of USP-required training was provided via online training modules hosted on our Professional Development Management System. Identified content experts a worked with the PD Department to develop the trainings to ensure that the information was accurate, digestible, and would be presented in ways that would reach the target audiences.

Some training was developed as in-person training, such as the Supportive and Inclusive Learning (SAIL) training. The Acting CRPI director, and other relevant staff, developed and facilitated the training. Likewise, the initial training for CRC teachers was developed and facilitated by the then Director of Culturally Relevant Pedagogy and Instruction. The District worked with outside consultants who facilitated the interactive white board training. Likewise, consultants from the Danielson group facilitated the three-day Danielson training for administrators. In-House staff facilitated the Danielson training for teachers using a train-the-trainer model. Identified personnel attended the three-day Danielson training for administrators, and two additional days of training in which they were instructed on how to facilitate the content. Facilitators were paired up and scheduled to facilitate at sites. The facilitators conducted a total of six sessions throughout the fall semester of 2013. All sites and central departments received a total of 12 hours of Danielson Framework for Teaching training.

b. Provide Ongoing Professional Development

The USP requires the District to ensure that "all administrators, certificated staff, and paraprofessionals receive ongoing professional development, organized through the director of culturally responsive pedagogy and instruction and the coordinator of professional development…" *USP §IV(J)(3).*

In the 2013-14 school year, the District ensured that identified staff received ongoing professional development in the following areas as set forth in USP §IV(J)(3)(b) and as described throughout this report: diversity and non-discrimination; changes to professional evaluations; culturally responsive pedagogy, proactive approaches to student access to ALEs; discipline and behavioral systems; recording, collecting, analyzing, and utilizing data to monitor student academic and behavioral progress; working with students with diverse needs; and providing clear, concrete, and accessible strategies for applying tools gained in professional development to classroom and school management, including methods for reaching out to network(s) of identified colleagues, mentors, and professional supporters to assist in thoughtful decision-making.   Specific information regarding professional developments in those categories is provided in the appropriate sections of this report.

III.   Mandatory Reporting

USP §IV(K) requires the District to provide the following 21 sets of data as part of this report to reflect progress made in the area of Administrative and Certificated Staff. The information required in subsection K is contained in various appendices filed herewith, as noted below.

1.   Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials.

Persons hired or assigned to fulfill the requirements of this section include: Pam Palmo, Interim Chief Human Resources Office (first semester); Anna Maiden, Chief Human Resources Officer (second semester); Richard Foster, Director of Professional Development; and various Teacher Mentors and Professional Development Academic Trainers. *See Appendix IV-7* (Job Descriptions and Credentials)*.*

2.   A copy of the Labor Market Analysis, and any subsequent similar studies.

Last year, the District provided the original Labor Market Analysis undertaken pursuant to the USP as Appendix 27 to the 2012-13 Annual Report. Since that time, Mary Dunn Baker, Ph.D., Managing Director ERS Group has

undertaken a supplemental analysis which is contained in ***Appendix IV-1*** (Supplemental LMA) of this 2013-14 Annual Report.

3.   A copy of the recruitment plan and any related materials.

The District's final version[30] of its Outreach, Recruitment, and Retention Plan is filed herewith as ***IV-3*** (ORR Plan). The District also developed and utilized other materials in its outreach and recruitment efforts. ***Appendices IV-4*** (Advisory Committttee)***, IV-8*** (Recruiter Guide)***, and IV-10*** (Interview Questions) include related materials such as the including: Recruiters' Guide, advertising, in- person recruiting, and Financial Incentives.

4.   For all administrator and certificated staff vacancies advertised and/or filled immediately prior to and during the school year, a report identifying the school, date of vacancy, position, number of applicants, number of applicants interviewed, race/ethnic breakdown (where given by applicant), date filled, person selected, and for any vacancy that was not filled, the reason(s) the position was not filled.

Appendix IV-2 (Teacher and Administrator Hiring 2013-14) is a summary of all vacancies advertised in the SY 2013-14. The effective hire date for some of the positions advertised in SY 2013-14 is July 2014, and those hires will be noted accordingly. There are two spreadsheets delineating; school/department, date of vacancy, job title advertised, total number of applicants, number of applicants interviewed , race/ethnicity of applicants interviewed, governing board approval date, effective date of hire, name, race/ethnicity of person hired, and comments column.

Administrative vacancies that were advertised in the SY 2013-14 totaled 94 and of those 88 were hired. Five position postings were cancelled without being filled, and one position was re-advertised. Of the 88 hired, the demographic breakdown is as follows: eight African American (9.09%), 39 Hispanic (44.32%), three Native American (3.40%) and 38 white (43.19%). In SY 2013-14, 46 were hired and the remaining forty two selections are scheduled to be hired in the SY 2014-15.

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[30]   The District circulated several versions of the Recruitment Plan to the Plaintiffs and Special Master over time. That collaborative work resulted in the version of May 22, 2014 which resolved most, but not all, of the disputes between the parties about the scope and content of the plan.

The District advertised 831 certificated in the 2013-14 school year.   Of those postings, 36 were cancelled and the position not filled. That left 795 positions that filled. The racial/ethnic breakdown of the pool of successful candidates is as follows: 22 African American (2.77%), 185 Hispanic (23.27%); 15 Asian/Pacific Islanders, (1.89%); 10 Native American (1.26%), 462 white (58.10%), and 1o01 applicants for which no race was specified (12.71%). Of the 795 hired during 2013-14, 530 began work that year and 265 are scheduled to start employment with TUSD in the SY 2014-15.

5.   Lists or tables of interview committee participants for each open position, by position title and school site.

Appendix IV-11 (Interview Committee Demographics) contains responsive information and documents reflecting the racial/ethnic composition of interview panels for administrative and certificated hiring. The data reflecting interview panels for *administrator* vacancies was collected for all of SY 2013-14. However, the collection of similar data for certificated interview panels began the second semester.

6.   Lists or tables of all administrators and certificated staff delineated by position, school, grade level, date hired, and total years of experience (including experience in other districts), and all active certifications, with summary tables for each school and comparisons to District-wide figures.

Appendix IV-13 breaks down demographic and experience data for administrative and certificated staff. The administrative and certificated spreadsheets include: employee's name, current position, department/school, district hire date, effective hire date, race/ethnicity, years of experience,[31] certification approved areas and endorsements.

7.   Lists or tables of administrators or certificated staff who chose voluntary reassignment, by old and new position.

Appendix IV-31 (Certified and Admin DITs) provides responsive information regarding District Initiated Transfers (DIT) for SY 13-14. The spreadsheets denote the pre-DIT assignment, new assignment, and the race/ethnicity of each individual

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[31] Data for this appendix is extracted from PeopleSoft and the "years of experience" outside TUSD is only available if it had been provided upon original hire.

on the list. A total of 73 certificated staff chose voluntary reassignment/DIT. The racial/ethnic breakdown of those certificated staff who transferred is: one African American (1.37%), 19 Hispanic (26.03%), three Asian/Pacific Islanders (4.10%), 49 white (67.13%) and one non-specified (1.37%).

8.   Lists or tables of administrators and certificated staff subject to a reduction in force, by prior position and outcome (i.e., new position or dismissal).

While there was no reduction in force during the 2013-14 school year, ***Appendix IV-30*** provides a list of individuals who remained on the Reduction in Force (RIF) list from prior years. In SY 12-13, a total of 33 administrators and 165 certificated staff were subject to a RIF.   Those high numbers reflect the closure of a number of school sites effective at the end of the 2012-13 school year.   The District began the 2013-14 school year with 29 individuals on the RIF list from the previous school year. Of those, 12 were recalled and placed in positions throughout TUSD. Seventeen were removed from the RIF list and the outcomes for each are noted in the "Current Status RIF List" column of Appendix IV-31. In SY 13-14 the District did not implement a RIF.

9.   Copies of the District's interview instruments for each position type and scoring rubrics.

Appendix IV-9 (Interview Materials) includes the documents for the two primary hiring packets that Human Resources use for administrative and certificated interviews. The administrative interview packets are used for principal, and assistant principal. The other packet is for certificated positions.

10.   Any aggregated information regarding why individuals offered positions in the District chose not to accept them, reported in a manner that conforms to relevant privacy protections.

Appendix IV-12 (Declined Offers) provides information as to why candidates offered positions with the District declined the job offers. In SY 2013-14, disposition codes were added to SIGMA the on-line application system to identify why candidates decline job offers. The six disposition codes added in SIGMA were: Declined Interview (DPI), Declined Accepted Other Position (DPO), Declined No Reason Given (DPN), Declined Personal Reasons (DPP), Declined Salary (DPS) and Decline Location of Site (DPL).

11.   The results of the evaluation of disparities in hiring and assignment, as set forth above, and any plans or corrective action taken by the District.

See Section E (2), *supra*. ***Appendices 14 and 15*** also includes a summary of disparities of more than 15 percentage points, followed by supporting data.

12.   A copy of the pilot plan to support first year teachers developed pursuant to the requirements of this Section.

Appendix IV-15 includes a copy of the pilot plan. *Appendix IV-15* also contains a presentation of the end-of-year evaluation of the program (including survey responses, achievement comparison data, and an analysis of teacher logs).

13.   A copy of the District's retention evaluation(s), a copy of any assessments required in response to the evaluation(s), and a copy of any remedial plan(s) developed to address the identified issues.

Appendix IV-16 provides the attrition information that breaks down the employees that separated from the District by race/ethnicity and the reason for separation. The separation codes include as options (1) resignation, (2) termination, and (3) retirement. The attrition assessment summary of the attrition is provided for both administrative and certificated staff.   There is no remedial plan as no disparities were identified.

14.   Copies of the teacher survey instrument and a summary of the results of such survey(s).

The District has performed a school quality survey given to all students, parents, and staff for a number of years. Teacher responses to this survey, provide insight into their overall job satisfaction. *Appendix IV-19* includes a copy of the teacher survey instrument, with the summary of responses for each question (general responses, and responses disaggregated by race). This data can be found in more detail at: https://tusdstats.tusd1.org/paweb/Utility/SQS/SQS_Summary.aspx

15.   Descriptions of the findings of the biannual focus groups contemplated in (IV)(F)(1)(c).

For SY 2013-14, the District began the process of forming the biannual focus groups. The program is a new initiative for this school year and therefore no findings are available from previous years. Any findings these groups identify will

be brought forward in future Annual Reports. *Appendix IV-20* reports on conducting biannual focus groups of representative samples of District certificated staff to gather perspectives on the particular concerns of these staff in hard to fill positions (e.g. ELL, math, science, and special education).

16.   A copy of the RIF plan contemplated in (IV)(G)(1).

Appendix IV-21 includes the Reduction in Force (RIF) Plan. Since the approval of the RIF Plan three revisions were incorporated and approved on; January 10, 2014, February 27, 2014 and March 20, 2014.

17. Copies of the teacher and principal evaluation instruments and summary data from the student surveys contemplated in (IV)(H)(1).

Appendices IV-22 and *IV-23* contain the evaluation instruments. The summary data from the student surveys has not yet been incorporated into the evaluation process. Although the District evaluation committees have investigated how to effectively survey students, viable methods have not been identified. How to survey the very young students or how to logistically survey all high school students for each of their teachers and collect the data efficiently and effectively are just a sample of the challenges of this requirement.

18.   A description of the New Teacher Induction Program, including a list or table of the participating teachers and mentors by race, ethnicity, and school site.

See above (IV)(I)(1). The New Teacher Induction Program (NTIP) is a formal program for new teachers providing tailored support through one-on-one mentoring and professional development in order to advance teacher practices and improve student learning. *Appendix IV-17 (*NTIP) reflects the participating teachers and mentors by race/ethnicity and school site.

19.   A description of the teacher support program contemplated in (IV)(I)(2), including aggregate data regarding the numbers and race or ethnicity of teachers participating in the program.

See (IV)(I)(2) above. The Teacher Support Plan (*Appendix IV-25*) outlines a program for all teachers within the school district -- regardless of length of service -- who may be underperforming or struggling. Teachers may be referred to the program either for having been identified as having inadequate classroom

performance (underperforming), or as being identified as needing support (struggling). Underperforming Teachers referred for inadequate classroom performance are placed on a 45-instructional day plan for improvement, in accordance with Governing Board policy GCO. Struggling Teachers needing support (but not identified as having inadequate classroom performance) receive targeted professional development, and other research-based supports identified by the supervising administrator as appropriate.

> **20.   A copy of the leadership plan to develop African American and Latino administrators.**

See (IV)(I)(3) above. The District's Prospective Administrative Leaders Plan is contained in ***Appendix IV-26.*** That Plan was finalized in July 2013 as required by the USP. Under new leadership for SY 2013-2014, the District unveiled the "Leadership Prep Academy." ***Appendix IV-26*** consists of materials reflecting the structure, content, and participants in the Leadership Prep Academy.

> **21. For all training and professional development provided pursuant to this section, information on the type, location held, number of persons who attended by position; presenter(s), training outline or presentation, and any documents distributed.**

Appendix IV-32 contains the materials responsive to this request and contains a copy of the online PowerPoint on Workplace Diversity. This training was web based and was delivered to 187 classified personnel, 51 administrators, and 557 certificated staff members

QUALITY OF EDUCATION (USP § V)

I.   Introduction: Closing the Achievement Gap.

Gaps in achievement by ethnicity (Caucasians vs. African Americans or Hispanic/Latinos) and socioeconomic (SES) status (higher income vs. lower income families) are large, persistent, and troubling to our nation (*Education Week*, 2007; National Governors Association, 2005). These disparities are apparent in multiple sources of performance data including grades, standardized test scores, placement in advanced course, dropout rates, and college-completion rates. These inequalities have been steady over decades and transcend geography.

Specifically, African Americans, Latinos are severely underrepresented among the nation's highest achieving students, by virtually all traditional academic achievement measures, including GPA, class rank, and standardized test scores. **[Olszewski-Kubilius, P. & Thomson, D.**, *Gifted Child Today*, **Vol. 33, No. 4, pp. 58-64 (Fall 2010)].**   TUSD is no exception to this national trend.

The USP dictates the expansion of a variety of District programs and the development of tools specifically designed to address the achievement gap for African American and Latino students.   For this reason, the District is focused on implementing the following:

   I.   Develop a comprehensive plan to expand access to Advanced Learning Experiences for African American and Latino students;

   II.   Seek alternative program models for best supporting English Language Learners;

   III.   Revamp Dual Language Models across the district to support best practices for second language acquisition;

   IV.   Implement a data gathering process to ensure a meaningful review of Exceptional Education placement;

   V.   Institute a systemic process for providing targeted academic and behavioral supports to African American and Latino students to include data monitoring, and engagement and outreach efforts;

   VI.   Build and sustain supportive and inclusive learning environments; and

VII.   Provide a data report that reflects progress made in the area of
Quality of Education pursuant to USP Section V throughout the
2013-14 school year.

II.   Implementation and Compliance Activities in SY 2013-14

A.   Expanding Access to and Support for Advanced Learning Experiences for African American and Latino Students.

USP § V(A) provides a roadmap to the District's efforts to expand access to its
Advanced Learning Experience programs, to target African American and Latino
students for recruitment, and to provide supports enabling student success in those
programs. An Advanced Learning Experience, or "ALE," is a TUSD program that
serves students who demonstrate the observable or potential skills and readiness
for participation in an accelerated, rigorous, and enriched curriculum.   The
District's ALE offerings include: 1) Gifted and Talented Education (GATE); 2)
enrollment at University High School; 2) Advanced Academic Courses ("AACs") such
as Honors, Advanced Placement and pre-Advanced Placement offerings; 3)
International Baccalaureate ("IB") programs; and 4) Dual Language programs.

Expanding access to the rigors and rewards of ALE programs for African
American and Hispanic students is one of a collection of strategies the District is
employing to close the achievement gap while also meeting USP mandates. Efforts
in 2013-14 emphasized the expansion of access to ALEs for African Americans and
Latinos through student recruitment and outreach, accompanied by strategies to
improve the quality of programming across all ALE offerings. These efforts included
the following:

1. Hiring of an ALE Director;
2. Review and Assessment of Existing Programs;
3. Development of the ALE Access and Recruitment Plan; and
4. Implementation of ALE Access and Improvement Strategies

1.   The Hiring of an ALE Director

The USP requires that the District hire or designate a coordinator for its ALE
programs. *USP § V(A)(2)(a).* The District hired Martha G. Taylor as Director of
Advanced Learning Experiences in the spring of 2013. Ms. Taylor began working in
this position on July 1, 2013. ***Appendix V-1*** (Job Description, ALE Director).

Ms. Taylor was tasked with overseeing the development a comprehensive
plan to expand and improve Advanced Learning Experiences in the district and

ensure equitable access to those programs by African American and Latino students. *USP §V(A)(1).* Ms. Taylor is also responsible for the active recruitment of Hispanic and African American students into ALEs and the diligent monitoring of the quality and cultural responsiveness of such programming.

2.   Reviewing and Assessing Existing Programs

Evaluating the status quo is a critical component of strategically planning to improve any program, and ALEs are no exception. The District thus undertook a review and assessment of existing ALE offerings, including the number of students enrolled in each ALE program disaggregated by grade level, race, ethnicity, and ELL status, the resources available to students, and the potential barriers to African American and Latino student success. *USP §V(A)(2)(b).* Martha Taylor interviewed ten high school principals, ten middle school principals, and 14 K-8 principals, along with other school-based personnel to compile data from each site on existing ALEs, personnel, and relevant support services.

In addition, she met with the Coordinator of Gifted Education, the Director of Language Acquisition (Dual-Language Programs), the Director of African American Student Services, the Director of Mexican American Student Services, and a Project Manager from Accountability and Research, and the Director of Desegregation. The ALE Department used the findings and recommendations in the Review and Assessment as the basis for developing the ALE Access and Recruitment Plan. ***Appendix V-2*** (ALE Review and Assessment).

3.   Developing an ALE Access and Recruitment Plan

Drawing on the findings and observations contained in the Review and Assessment, the District developed an ALE Access and Recruitment Plan as required by USP §V(2)(c). The District created ten subcommittees to help develop the Plan: Parent Complaint Process; Best Practices: Professional Development; Gifted and Talented Education (GATE); Advanced Placement; University High School; Dual Language; Advancement Via Individual Determination (AVID); Algebra 1; and Recruitment. The committees met for several months in order to complete the writing of the Plan. In addition, committee members consulted with numerous experts (12) in the field on best practices. The experts consulted included:

- Tommie Anderson (Gifted Education), Director of Talented and Gifted Programs (Retired), Pulaski County Special District, Little Rock, AR.

- Donna Ford, Ph.D. [32] (Gifted Education and minority students). Dept. of Special Education, Vanderbilt University.

- Lisette T. Rodriguez, Ph.D. (Gifted Education/ Hispanic students). District Supervisor, Advanced Academic Programs, Miami Dade County Public Schools, Miami, FL.

- Mary Boehm (Advanced Placement). President, A+ College Ready – A National Math and Science Initiative, Montgomery, AL.

- BJ Henry (Advanced Placement). Asst. Principal, Elizabethtown High School Elizabethtown Independent School District, Elizabethtown, KY.

- Gina Thompson (ALEs for all students). Deputy Superintendent, Yuma Union High School District, Yuma, AZ.

- Carol Burris[33] (Detracking*). Principal, South Side High School, Rockville Centre School District, Rockville Centre, NY.

- John Knudson-Martin Ph.D. (Detracking), Associate Professor of Education, Eastern Oregon University, La Grande, OR.

- Gerald Denman (Equity in Education), Chief Equity and Achievement Officer, Puyallup School District, Puyallup, WA.

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[32] Publications include: "Reversing Underachievement Among Gifted Black Students" (1996, 2010); "Multicultural Gifted Education" (1999, 2011); "In Search of the Dream: Designing Schools and Classrooms that Work for High Potential Students from Diverse Cultural Backgrounds" (2004); "Teaching Culturally Diverse Gifted Students" (2005); "Diverse learners with exceptionalities: Culturally responsive teaching in the inclusive classroom" (2008); "Providing Access for Culturally Diverse Gifted Students: From Deficit to Dynamic Thinking" (2010); "Recruiting and Retaining Culturally Different Students in Gifted Education" (2013; Nominee for 2014 NAACP Image Award for Literature-Instruction).

[33] Publications include: "Detracking for Excellence and Equity" (2008); "Opening the Common Core: How to Bring ALL Students to College and Career Readiness" (2012); "On the Same Track: How Schools Can Join the 21st Century Struggle against Re-segregation" (2014).

- Robert L. Jarvis, Ph.D. (Equity in Education), Director of K-12 Outreach; Penn Center for Educational Leadership, Graduate School of Education University of Pennsylvania, Philadelphia, PA.

- Mika Pollock, Ph.D.[34] (Equity in Education), Director of the Center for Research on Educational Equity, Assessment, & Teaching Excellence, University of California, San Diego

- Kevin Welner, Ph.D., J.D.[35] (Equity in Education), Education Foundations, Policy & Practice; University of Colorado, Boulder, Director: National Education Policy Center (NEPC).

See Appendix V-3 (ALE Access and Recruitment Plan, Section VII "Best Practices: Consultation with Experts").

The District submitted the draft plan to the Special Master and Plaintiffs for review on March 3, 2014. Between March and May 2014, the District collaborated with the Special Master and Plaintiffs to negotiate changes and revisions to the plan. On May 31, 2014, the District submitted a revised plan. *Id.* Over the summer, the parties continued to work collaboratively to address the few remaining issues, and the District has begun implementing the aspects of the plan where no disputes remain. *Appendix V-4* (Description of Changes to ALEs). Although objections remain pending regarding such plan details as the specific targets for increased ALE participation by African American and Latino students, most of the ALE Plan was approved by the parties and Special Master and implementation is underway.

As required by the USP at Section V(2)(e), The ALE Access and Recruitment Plan committee developed a Parent Complaint Process. Information regarding the complaint process was disseminated at all school sites and Family Centers, and made available on the District's web site*. Appendix V-5* (ALE Parent Complaint Process and Complaint Form).

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[34] Publications include: "Colormute: Race Talk Dilemmas in an American School" (Winner - 2005 AERA Outstanding Book Award); "Because of Race: How Americans Debate Harm and Opportunity in Our Schools" (2008); "In Everyday Antiracism: Getting Real about Race in School" (2008; Winner-2008 Outstanding Book Award).

[35] Publications include: "Closing the Opportunity Gap: What America Must Do to Give All Children an Even Chance" (2013); "Legal Rights, Local Wrongs: When Community Control Collides with Educational Equity" (2001).

4.   Implementation of ALE Access and Improvement Strategies

Many of the "best practices" identified for the ALE Plan were already under way during the 2013-14 school year. As the District developed the written Plan, it simultaneously enacted strategies to increase access and enrollment to ALEs for African American and Hispanic students.   Accordingly, as detailed below and in relevant appendices, the District made substantial headway in 2013-14 in recruiting African American and Latino students into a variety of ALEs, improving access for all students, and aggressively working to reshape and expand its dual language offerings. The following is a summary of the District's activities.

a.   Expanded Marketing of All District ALEs.

At the start of the school year, a mailing was sent to all TUSD eighth graders informing them of ALE opportunities in high school, including information about University High School (UHS), and International Baccalaureate (IB) programs. The District also sent a mailer to all TUSD families with information about GATE ("Gifted and Talented Education") testing, encouraging parents to have their students tested. The District shared recruitment information with principals, counselors, Learning Supports Coordinators, teachers, students and parents, including information about programs, testing, and support for students enrolled in ALEs. More specifically, the African American and Mexican American Student Services Departments emphasized ALE recruiting materials and program information in communications to students and parents (via email, newsletter, and at family outreach events).

TUSD created brochures with information about ALEs, AVID (Advancement Via Individual Determination), and Dual Language, along with five different flyers inviting students to enroll in ALEs.   Furthermore, staff developed a separate flyer for parents with information about strategies for supporting students enrolled in ALE classes or programs.   The African American and Mexican American Student Services Departments, School Community Services, and Principals at the high school and middle school level distributed these flyers to students and parents, focused primarily on African American and Latino students and parents. *Appendix V-6* (ALE Marketing and Recruitment Materials).

The District supplemented the distribution of recruitment materials with year-long personal outreach to individual African American and Latino students, along with presentations and professional development for District personnel. These targeted efforts were the coordinated in collaboration with the ALE Department, the GATE department, school counselors, LSCs, the Language Acquisition Department, the African American Student Services Department, and

the Mexican American Student Support Department.   In a December 2013 email, District leadership reminded secondary school principals, counselors, and LSCs of the necessity for aggressive outreach to African American and Latino students to enroll in ALEs.   *Appendix V-7* (Martha Taylor email).   Finally, ALEs were promoted in a series of parent/community informational meetings:

- *Dual Language:* Pistor Middle School (November 21, 2013); Mission View Elementary (January 23, 2014); Davis Bilingual Magnet (April 29, 2014);

- *International Baccalaureate:* Cholla High Magnet School (October 1, 2013 and October 29, 2013); Safford K-8 Magnet School (October 15, 2013); Pistor Middle School (October 21, 2013);

- *GATE:* Doolen Middle School (January 9, 2014); Vail Middle School (January 14, 2014); Pistor Middle School (January 16, 2014); White Elementary (February 26, 2014); Lineweaver Elementary (March 3, 2014); Hollinger K-8 (March 4, 2014); Kellond Elementary (March 6, 2014);

- *UHS:* Roskruge Middle School (August 27, 2013); Utterback Middle School (August 29, 2013); University High School (September 5, 2013); University High (February 4, 2014).

Appendix V-6 (ALE Marketing and Recruitment Materials).

b.   ALE-Specific Professional Development and Student Support.

The USP requires that the District provide professional development so that staff can better identify and support African American and Latino students in ALE enrollment and participation. *USP §V(A)(2)(d)(iv).* In 2013-14, District collaborated with the College Board to provide professional development to District leadership and site personnel. Trainers provided information and strategies covering: preparing all students for the PSAT, using the results of the PSAT to guide students into ALEs, and increasing equity and access for AP courses. In addition, the District expanded its AP Desert Summer Institute (free to TUSD teachers) to include sessions for both AAC and GATE teachers. All three strands (AP, AAC, GATE) included a new component that addressed culturally relevant curriculum. Finally, the GATE Department offered two additional sessions (15 hours) to support

teachers in earning their gifted endorsement. These sessions were offered for free to TUSD teachers. *Appendix V-8* (ALE Professional Development).

Recruitment is only truly successful if combined with support programs to retain students in ALEs. Accordingly, during the 2013-14 school year, the ALE Department planned various supporting programs for rollout in 2014-15. First, each comprehensive high school will provide a math and writing after-school tutor for AP students. LSCs, teachers, and principals have been informed of the need for individual outreach to African American and Hispanic AP students to make sure they are informed of this support and take advantage of it if necessary. Second, each AP teacher in the District will be able to provide a four-hour AP test-preparation class for their own students in the spring of 2015. Third, where possible, African American and/or Latino teacher mentors will be provided at all sites for students enrolled in GATE or AACs.

c.   Expanded Student Participation In AVID.

AVID (Advancement Via Individual Determination), is a college-readiness system that is designed to increase school-wide learning and performance by targeting those students in need of a more individualized approach. The AVID College Readiness System (ACRS) is designed to accelerate student learning by targeting those with average student achievement and assisting them with greater achievement. One key aspect of AVID is the requirement that each AVID student enroll in at least one ALE course. This means that recruitment of African American and Hispanic students into AVID results in two key USP-related benefits: increased enrollment and increased support for African American and Hispanic students in ALEs.

ALE Director Taylor supervised the AVID program at six middle and high schools sites. She met bi-weekly with site coordinators to ensure that the program was implemented with fidelity at each site. During the second semester, she informed AVID coordinators of the need to aggressively recruit students for the AVID elective class in order to grow the program. The specific focus of the recruitment was to encourage African American and Hispanic students who fit the AVID profile (low-income, first in family to attend college, minority ethnicity, "C" grade point average) to participate. As a result of these efforts, African American and Hispanic AVID enrollment grew by *177* students (seven additional classes) between SY 2013-14 and SY 2014-15. These increases are expected to translate into additional students enrolled in--and successfully completing--ALE courses. *Appendix V-9* (AVID Enrollment Data).

d.   GATE Access and Improvement Efforts.

The USP next directs the District to increase the number and quality of GATE offerings while using marketing to increase African American and Latino participation. *USP §V(A)(3).* The District reinstated its historic practice of sending a GATE mailer to all District families of students in grades K-7 (except for those already enrolled in self-contained GATE). The student-friendly mailer informed parents of the specific traits of students who have been successful in GATE programs, reminded them of upcoming GATE testing dates, and encouraged them to consider testing for their student.

The District also broadened recruitment for the dual-language self-contained GATE program at Hollinger K-8. By the fall of 2013, student enrollment in the Hollinger program had dropped to 39 students (all in grades 3-5). The GATE department, with support from the Language Acquisition Department, conducted a targeted recruitment effort for students who qualified for the program. The effort included individual phone calls, school visits, and meetings with the site principal. In addition, all students who qualified for self-contained GATE were given the option, in their acceptance letter, to choose their GATE home school or to choose Hollinger's dual-language program.   By the end of the registration/enrollment period, there were a total of 70 students with 18 students placed in a combined 1st/2nd grade classroom, for a total increase of 31 students scheduled to participation in SY 2014-15.

Based on the analysis done by a committee of GATE Staff, the ALE Department revised testing procedures and assessments for GATE services. The Department eliminated the use of the Otis-Lennon School Ability Test (OLSAT) for kindergarten students, and expanded the use of the Cognitive Abilities Test (CogAT) to include kindergarten. The CogAT version 7 is now used for grades K-8.   In addition, the GATE Department collaborated with the Language Acquisition Department to make changes for assessing ELL students. For first and second grade, the instructions for the CogAT7 (which is entirely pictorial) will be given in Spanish to current ELL students. For ELL students in grades 4– 7, the District will administer the Spanish language verbal sub-test of the Aprenda Assessment, published by Pearson, in place of the CogAT 7 verbal subtest. Students will also take the CogAT 7 math and nonverbal subtests with Spanish directions.   The CogAT 7, for math and non-verbal assessments, will also include directions given in Spanish. Finally, the Raven assessment, a nonverbal assessment of reasoning ability, will be given with directions in Spanish, as needed. This modification to the assessment process will ensure that our ELLs are comprehensively assessed for greater assurance of their placement in Gifted Programs.

The USP directs that GATE teachers to be properly certified or in the process of obtaining a gifted endorsement. USP §V(a)(3)(iv).   The GATE Department employed several strategies to improve the numbers of gifted endorsed teachers in the District. The GATE Department contacted all affected teachers, and their principals, and informed them of options regarding the requirements to earn their endorsement. GATE staff and Principals worked together to encourage teachers to complete the work necessary to become endorsed. In support of these efforts, the District provided 45 hours of free staff development through the Desert Summer Institute and additional trainings, which then could be used toward a gifted endorsement.   The District developed and implemented a professional development component to Summer Institute's GATE strand that specifically addressed culturally relevant curriculum. This component will help GATE teachers relate and respond better to the increased numbers of African American and/or Latino students they will encounter as the District continues targeted recruitment. The goal is not only to recruit African American and/or Latino students into GATE, but to ensure their success once enrolled.   The 2013-14 effort to increase certification looks promising. By the end of the reporting period (July 1, 2014), the District had added 30 additional teachers with a gifted endorsement, and this number is expected to increase once the Arizona Department of Education (ADE) processes additional paperwork. ***Appendix V-10*** (GATE/AP Endorsements).

e.   AAC Access and Improvement Efforts

For the 2013-14 school year, the District implemented an open-access policy for all AACs to ensure that any interested student could enroll in an AAC (space permitting). The District eliminated past practices such as minimum prerequisite grades, GPA cutoffs, and required teacher recommendations that may have unnecessarily impeded access by African American and Latino students. In the spring of 2014, leadership from Secondary Education and from the ALE Department communicated this to principals, counselors, and LSCs and revised the 2014-15 course catalogs to remove any reference to such restrictive requirements.   The District's approach to all AACs is "open access"; any interested student may enroll in an AAC, space permitting. Targeted students--with an emphasis on African Americans and Latinos--are encouraged to "give an AAC a try," and AAC-specific flyers shared information on the requirements and work involved in these courses.

Learning Supports Coordinators (LSCs) spearheaded the active recruitment of targeted students throughout the first semester up until class selection/registration in early 2014, with an emphasis on recruiting African American and Latino students. LSCs then followed up with students regarding ALE

enrollment. Support staff from both the African American and Mexican American Student Services Departments supported these efforts, particularly with regard to conducting targeted outreach to African American and Latino students and families.. At the middle school level, leadership encouraged principals to include an advanced level class section at each grade in math and/or language arts, where possible.

To improve the quality of AP courses and to bring cohesion across the district, leadership directed all AP teachers to take the College Board AP training every three years. This training (the AP Desert Summer Institute) was offered free to District teachers in the summer of 2014. The District incurred the cost of $675 per teacher. In addition, the District revised the institute to include a strand to support teachers in Pre-AP classes (Honors/Advanced/Accelerated), and a new strand for GATE endorsement. Finally, a new component for Culturally Relevant Curriculum was added to all three strands. Additionally, three professional development sessions were provided for staff during SY 2013-14 (See section D-2), All of these professional development sessions contained information about equal access and identification of potential students. ***See Appendix V-8*** (ALE Professional Development)

The District provided AP support through a two-week AP Summer Boot Camp at three high schools – Rincon, Tucson High, and Sahuaro.   This first-year effort involved camps at three high schools, all filled to capacity. Special recruiting outreach resulted in 26 African American and 94 Latino students participating (out of a total enrolled 195 students). ***Appendix V-11*** (AP Summer Boot Camp Enrollment).

f.   University High School Recruitment and Revised Admissions Process

Among the District's ALE opportunities, University High School (a selective exam school) has been nationally recognized.   It has regularly ranked among the top high schools in the nation. University High School boasts a rigorous college-prep curriculum and a diploma that opens doors to some of best universities in the country.   Historically, however, admission and enrollment at University High School ("UHS") has not reflected the demographics of TUSD, a majority minority district. Accordingly, no District program regarding ALE access would be complete without addressing the need to recruit and retain more African American and Hispanic students at the school.   Although District efforts in the area began several years ago, USP implementation has resulted in an even more vigorous effort. Specific Recruitment efforts for UHS are outlined above. The following details efforts to

increase minority enrollment and success at UHS through 1) additional student recruiting efforts; and 2) a revised admissions process.

i.   Targeted Recruitment for University High School

Outreach and recruitment of students for UHS has been a key component of the UHS admissions process for several years. More effective recruitment has resulted in increased enrollment for African American and Hispanic students for SY 2014-15. UHS continues to look for additional ways to expand this outreach. Below are some highlights of activities conducted in SY 2013-14:

Fall 2013

- UHS informational material and application to all 8th graders.
- Informational breakfast for counselors and LSCs.
- UHS LSC visited all TUSD middle schools and to selected non-TUSD middle schools, to promote the school.
- Radio interviews and newspaper ads.
- Six Parent Information Nights.

Spring 2014

- Counselor meeting to discuss changes to UHS admissions criteria for this year, including the use of short-answer essay questions.
- Workshop for Counselors and LSCs with information regarding UHS admissions and policies/procedures for CogAT testing.
- Student-parent informational meetings throughout the district'
- Annual Multicultural Breakfast;
- Freshman Orientation Night for all qualified applicants.
- Recruitment follow-up with qualified candidates through personal contact (targeted efforts for African American and Latino students).
- Campus tours for potential students and parents.

ii.   Revised Admissions Process

A key development in SY 2013-14 was the revision of the UHS admissions process. A large constituent group had the opportunity to participate in discussions and overview of the admissions process at the start of the revision process. The District contacted multiple experts and conducted additional research into best

practices.   Additionally, the District consulted with several experts in the field regarding admission requirements, primarily at "exam" schools (schools with admission determined, at least in part, by a required exam), and best practices. The District consulted with the following experts:

- Dr. Angela Hockett (co-author, Exam Schools)
- Dr. Chester Finn (co-author, Exam Schools)
- Kenneth Bonamo - Principal of Scarsdale High School, Scarsdale, NY
- Kelly Lofgren - Admissions Coordinator, Illinois Math and Science Academy (IMSA)
- Jeannie Franklin – Director, Department of Enriched and Innovative Programs Montgomery County Public Schools, Rockville, MD
- Dr. Lannie Kanevsky- Professor of Education, Simon Fraser University, B.C., Canada

The District researched and examined the practices at the following "exam" schools:

- Illinois Mathematics and Science Academy (IMSA), Aurora, IL
- Thomas Jefferson High School for Math & Technology, Alexandria, VA
- Liberal Arts and Science Academy High School, Austin, TX

In discussions with multiple experts, and with an analysis of current "Exam School" practices, the ALE Department and relevant staff came to a general consensus that the use of multiple measures and varied methods of analyzing student academic abilities for admissions is a best practice that yields a more complete picture of the student's ability to be successful in and ALE. Certain factors were identified as having the most impact on school diversity: expanding the size of the school, improving recruitment, and improving feeder patterns.

The District also sought (and received) feedback from the Governing Board, the Plaintiffs, and the Special Master. The final version of the revised process was presented to the Governing Board, and approved, on October 22, 2013. *Appendix V-12* (Revised UHS Admissions Process)[36]. Based on objections from the parties, the Court modified the admissions process in December 2013. On December 16, 2013,

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[36] On December 16, 2013, the Court ordered the District to further revise the process pursuant to a Report and Recommendation from the Special Master. The District revised and implemented the changes prior to January 31, 2014.

the court ordered that the District implement an alternative UHS admissions process that incorporated the recommendations of the Special Master, rejecting the use of a motivational instrument (the CAIMI) and directing that the District use short-answer essays as part of the admissions process. *Appendix V-13* (Further Revisions to the UHS Admissions Process).

All students tested who scored the minimum 50 points under the traditional process were accepted into UHS for SY 2014-15. All students who scored between 43-49 admission points were given an opportunity to write responses to a short answer essay assessment to earn additional points, which could then make them eligible for acceptance. The District also developed a process and a rubric to score the essays using qualified and trained readers. 106 students were invited to respond to the short essay questions and 88 students elected to complete the essays. Based on the essay results plus their prior admissions data, six additional African American students and 25 additional Hispanic students were admitted. *Appendix V-14* (Summary and Analysis of UHS Admissions Revisions; Application Form).

5.   ALE Data and Outcomes for 2013-14

Due to the District's targeted recruitment efforts in 2013-14, the District experienced positive growth in the numbers of African American and Hispanic students enrolled in ALEs. Overall, the District has enrolled 560 more Hispanic students, and 66 more African American students in at least one ALE course or program in 2014-15 compared to 2013-14. *See Appendix V-15* (ALE Year-to-Year Comparison). See also *Appendix V-16* (ALE Enrollment by School),*Appendix V-17* and *Appendix V-18* (ALE Enrollment by Program).

a.   Advanced Academic Courses.

Between 2012-13 and 2013-14, the percentage of African American students enrolled in AACs increased from 24.8% to 26.5%, while the percentage of Latino students enrolled in AACs decreased from 32.6% to 30.5%.[37] *Appendix V-19* (AAC

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[37] The AAC data for 2013-14 is difficult to compare directly to the AAC data for 2012-13: the 2012-13 data is based on standard ethnicity coding; the 2013-14 data is based on desegregation ethnicity coding. Based on the re-coding, some students (who are bi-racial, African American and Latino) were coded as Latino in 2012-13 but were re-coded as African American in 2013-14.

Data)[38].   The number of Latino students in Cholla's IB program increased from 93 in 2012-13, to 123 in 2013-14; African American participation more than doubled from six students to thirteen students in the same time frame. *See 2012-13 Annual Report, Appendix 5* (AAC Data)*; and see Appendix V-19* (AAC Data).

Advanced Placement programs showed similar improvement, with student growth   (see **Appendix 47**, Table 5).Between 2012-13 and 2013-14, the percentage of African American students enrolled in Pre-AP courses (as a percentage of their total enrollment in grades 6-10) increased from 24% to 26%, while the percentage of Latino students enrolled in Pre-AP courses (as a percentage of their total enrollment in grades 6-10) increased from 28.7% to 30.4%. *Compare 2012-13 Annual Report, Appendix 5* (2012-13 AAC Data) *and* *Appendix V-19* (2013-14 AAC Data).

Between 2012-13 and 2013-14, the percentage of African American students enrolled in AP courses (as a percentage of their total enrollment in grades 11-12) increased from 23.9% to 28.6%, while the percentage of Latino students enrolled in AP courses (as a percentage of their total enrollment in grades 11-12) remained relatively steady, increasing slightly from 31% to 31.1%. *Compare 2012-13 Annual Report, Appendix 5* (2012-13 AAC Data)*; and see Appendix V-19* (2013-14 AAC Data). In the 2014-15 school year, the numbers of African American and Latino students in Advanced Placement courses increased for both groups for a total of 130 additional students taking at least one AP class. *See Appendix V-15* (ALE Year-to-Year Comparison).

Between 2012-13 and 2013-14, the percentage of African American students enrolled in Dual-Credit courses (as a percentage of their total enrollment in grades 11-12) increased from 4.1% to 4.8%, while the percentage of Latino students enrolled in Dual-Credit courses (as a percentage of their total enrollment in grades 11-12) increased from 3.4% to 3.7%. *Appendix V-19* (AAC Data).

b.   GATE

Between 2012-13 and 2013-14, the percentage of African American students enrolled in GATE (as a percentage of their total K-12 enrollment) increased from 6.1% to 8.8%, while the percentage of Latino students enrolled in GATE (as a percentage of their total K-12 enrollment) increased from 7.5% to 9.3%. *Appendix*

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[38] *Appendix V-19* is comparable to USP Appendix E "AAC Data."

V-20 (GATE Data)[39].   As a percentage of all GATE students, African American student participation rose from 3.7% to 6.4%; Latino student participation rose from 48% to 48.7%. *Id.* Participation in Self-Contained GATE, particularly, more than doubled for African American students from 2.1% to 5% (from 22 students to 56 students). *Id.*

B.   **Seeking Alternative Models for Supporting English Language Learners.**

1.   **Arizona Department of Education Reading Block Extension**

The USP requires the District to pursue an Arizona Department of Education Office of English Language Acquisition Services (OELAS) approved reading block extension. *USP §(V)(B)(1)* The Reading Extension Option would reduce the amount of time English Language Learners are segregated from other students and would provide more access to additional academic courses.

On April 15, 2013, Language Acquisition Director Ignacio Ruiz, sent a formal written request to Kathy Hrabulek, Associate Superintendent (ADE K12 Literacy) for approval for the implementation of a reading extension option for English Language Development (ELD). *See 2012-13 Annual Report, Appendix 57.* On May 24, 2013, Kelly Koenig, Deputy Associate Superintendent (OELAS) stated that any request for an alternate model requires approval from the ELL Task Force, which provides approval until the authority is transferred to the Arizona State Board of Education when HB 2425[40] becomes law. *Appendix V-25* (OELAS Emails 1, Hrabluk). TUSD's request was forwarded to the ELL Task Force, but the Task Force failed to take action on it prior to the date on which authority for such requests was transferred to the State Board of Education.

On September 2013, TUSD sent the extension request to the Arizona State Board of Education. *Appendix V-26* (OELAS Extension Request). Between October 2013 and January 2014, the District heard nothing. On February 10, 2014, Mr. Ruiz again emailed Ms. Koenig for an update. *Appendix V-27* (OELAS Emails 2, Koenig). Ms. Koenig responded and stated she had heard nothing, but suggested Mr. Ruiz communicate with Christine Thompson, Executive Director of the Arizona State

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[39] *Appendix V-20* is comparable to USP Appendix F "GATE Data."

[40] HB 2425 repealed the Arizona English Language Learners Task Force (ELL Task Force), and transferred the Task Force's authority, powers, duties and responsibilities to the State Board of Education (SBE).

Board of Education – which he did. *Id.* Mr. Ruiz left messages at the State Board office on February 11, 2014, March 20, 2014, March 26, 2014, and April 3, 2014.

On April 2, 2014, Mr. Ruiz communicated again with Ms. Koenig in an attempt to make progress on approval for a Mixed SEI class; she responded positively to the request. *Appendix V-28* (OELAS Emails 3, Koenig). On April 4, 2014, Ms. Thompson responded and sent the District an "Application for Alternate Proposed Program for English Language Learner Students." This Application form represented a new mechanism for re-submitting the District's original request of nearly a year earlier. However, upon further, Mr. Ruiz determined that it was not feasible to submit the application by April 11, 2014, or perhaps at all. The application document was very extensive and Mr. Ruiz wanted to be sure that the District submitted the correct information, and that District leadership was made aware of the changes that would need to be incorporated in regards to personnel, salaries, program configuration, etc.

Mr. Ruiz began to investigate an alternate strategy: the degree to which OELAS was authorized to approve an extension without the need to go to the State Board. Ms. Koenig stated that OELAS would be open to allowing a heterogeneous grouping for the reading block for elementary schools. *Id.* The District could still implement the four-hour ELD requirement for all students in that classroom.   Ms. Koenig also stated that the SBE was convening a sub-committee to re-visit ELL programs in the state. Later, Ms. Koenig invited Mr. Ruiz to serve on one of the working committees. *Appendix V-29* (OELAS Emails 4, Koenig).   Throughout the summer of 2014, Mr. Ruiz served on the working committee for secondary schools. *Appendix V-30* (SEI Models Review Committee Documents).

Based on the foregoing, the District did not submit the application to the Arizona State Board of Education. Instead, the District undertook an evaluation of options consistent with Ms. Koenig's approval.   After analyzing both options, Mr. Ruiz determined that first option (reading extension) was not viable, but the second option (mixed SEI) was viable. Under the first option, all sites would have a reading exchange during the reading block, where students of the same or similar reading ability would be grouped together. This option would have kept ELL students separated as they generally are at the lower-level reading levels, and would have been grouped together. This would not meet the intent of the USP. Under the second option, ELLs and non-ELLs (of varying reading levels) would be integrated and would receive interventions and supports differentiated for the individual student. The District decided to pursue the mixed SEI option, and received a waiver by OELAS to implement the second option at various elementary schools for SY 2014-15. See section V(F)(a) below. The District would still be free to pursue an

alternate model proposal through the process established by the SBE in the event that the alternative models are not viable for the needs of TUSD students. ***See Appendix V-31*** (Summary of Alternative Approaches for 2014-15)

C.   Revamp Dual Language Models To Support Best Practices In Language Acquisition.

The USP recognizes that "Dual Language programs are positive and academically rigorous programs designed to contribute significantly to the academic achievement of all students who participate in them and *which provide learning experiences comparable to the advanced learning experiences*..." USP§V(C), (*emphasis added).* On May 28, 2013, in advance of the 2013-14 school year, the TUSD Governing Board similarly recognized the potential impact of Dual Language programs for students by officially recognizing Dual Language as on par with other Advanced Learning Experiences (ALEs). ***Appendix V-32*** (Governing Board Agenda, May 28, 2013).

USP§V(C) challenges the District to "build and expand its Dual Language programs in order to provide more students throughout the District with opportunities to enroll ...." To meet this objective, in 2013-14 the Department of Language Acquisition worked to develop a new dual language education model for implementation in SY 2014-15. The new model begins as an immersion model in the early primary grades and gradually moves to a 50-50 model by 4th grade. The model is designed to strengthen the dual language program into one that focuses on bilingual and bi-literacy skills from the early grades. The District believes that a quality immersion program will attract more students and the program will develop and sustain growth based on interest and positive parent and student response.

The District also initiated an incentive to encourage new and current staff with bilingual endorsements to teach in such programs. All bilingual teachers, beginning in the 2014-15 SY, will benefit from a teacher aide for four hours a day, an increase from two hours a day previously. In addition, the District agreed to continue to fund the Grow our Own program, using Title III monies for tuition reimbursements for teachers who choose to pursue a bilingual endorsement.

To support bilingual teachers in the classroom, and to expand the dual-language program, the Language Acquisition Department developed the new Two Way Dual Language (TWDL) Handbook. This handbook is a comprehensive overview of the new model and supports teachers and administrators as they work to correctly implement the new model. In addition, the Department provided the dual language site teachers and administrators with professional development on

the TWDL model and implementation goals for the 2014-15 school year. In addition, Language Acquisition presented the TWDL Symposium in spring 2014, which featured professional development from national experts in field. The Language Acquisition Department sent invitations to all bilingual-endorsed teachers in TUSD in order to build interest and share information about the new TWDL model.

The District implemented several innovative programs to enhance teacher recruitment.   By partnering with the National Hispanic Cultural Center, the District was able to recruit two teachers from Spain for dual-language vacancies (dual language GATE/mainstream science at Pistor Middle School, and Kindergarten dual-language immersion at Hollinger K-8).   The Language Acquisition Department also forged a partnership with the University of Arizona. The department presented to education classes and encouraged current UA students to earn a bilingual endorsement, highlighting TUSD job opportunities in bilingual education. The Department also met with professors and their students and encouraged them to pursue a bilingual endorsement in addition to their SEI endorsement. ***Appendix V-33*** (Dual-Language report).

D. Develop Appropriate Criteria for Exceptional Education Placement

The USP requires that the District set criteria under which it will gather and evaluate Exceptional Education referrals and placements to ensure that African American and Latino students, along with English Language Learners, are not being inappropriately referred to, evaluated for, or placed in Exceptional Education programs. *USP §V(D)(1).* The Exceptional Education (ExEd) Department has developed Standards of Practice for Speech-Language Pathology, Occupational and Physical Therapy, Adaptive Physical Education, Hearing and Visual Impairments, Social Work & Counseling, all areas of School Psychology, and ExEd evaluation referral, evaluation, and eligibility. These standards were created using the Arizona Department of Educations guidance documents called Arizona Technical Assistance and Support (AZ-TAS).   Additional guidance was found using the evaluation standards that professional organizations have developed for each provider group (for example the National Association of School Psychologists). These standards are designed to create consistency and uniformity within the various areas of ExEd and particularly to avoid overrepresentation of African Americans, Latinos, and ELLs in ExEd.

In 2013-14, the District also implemented a uniform system of intervention for academics and behavior called Multi-Tiered System of Supports (MTSS). MTSS is

designed to provide a systematic and equitable approach to providing supports and interventions for all students. MTSS also provides an intervention framework to assist struggling students at the Tier 1 and 2 levels, which will reduce the number of referrals to ExEd.

TUSD school psychologists have adopted new standards of practice for identifying students with specific learning disabilities for more accuracy and consistency.   Additional focus is placed on multi-tiered systems of support prior to referrals for ExEd evaluation. These, and other evidence-based standards developed in SY 2013-14 are being piloted in SY 2014-15, are designed to reduce the over and/or under representation of African American, Latino, and ELL populations in ExEd.

As part of the District's strategic plan, the ExEd Department undertook a major initiative to adopt inclusive practices and models at all school sites over the next three years. Scientifically-based research conclusively supports the fact that students with disabilities perform at higher levels both academically and behaviorally when educated within the general education setting. The ExEd Department will gather data relative to student achievement and behavior at all school sites in order to gauge the impact of inclusive practices throughout the District.

Based on analyses conducted during the 2013-14 SY, the ExEd Department has hired program coordinators for the 2014-15 SY in several key areas – compliance, data collection/technology, and assessment/assistive technology. These staff will provide professional development and additional oversight at school sites relative to District goals and USP-related goals.

Additionally, TUSD is implementing a data "dashboard" which will allow staff to easily retrieve, disaggregate and analyze data. This tool will assist the ExEd Department staff in conducting meaningful review of the impact of placement policies and practices, and allow the Department to adjust to any discrepancies which may come to light involving students with disabilities in a seamless, ongoing manner.   Although the USP requires monitoring and review on an annual basis, the ExEd Department intends to evaluate its student data on a quarterly basis to more aggressive address patterns of disproportionality.

Appendix V-34 (Exceptional Education Report) provides tables which delineate ExEd representation by school site, race/ethnicity, ELL status, service delivery model, grade level, and disability category. *Appendix V-34* also provides information relating to referrals for initial Exceptional Education (ExEd) evaluations

for students in grades K-12. Overall, 13.7% of all District students have an Individualized Education Program (IEP). Although this percentage is comparable to the national average, it is higher than the Arizona state average of 12%. The percentage of students with IEPs remains within reasonable range of District representation for each racial and ethnic group. However, white, African American, and Native American students are slightly over-represented among the District's ExEd population. Under-representation remains evident for Hispanic and Asian Pacific Islander students in specific disability categories. ***Id.***

E.   Student Engagement and Support

Section V(E)[41]of the USP envisions an approach in which TUSD uses "transformative strategies that are designed to change the educational expectations of and for African American and Latino Students." As components thereof, the USP promotes a number of specific activities: (a) student support services focused on academic intervention and dropout prevention; (b) culturally relevant curriculum including a particular emphasis on African American and Latino communities; (c) professional development on culturally responsive teaching and engaging African American and Latino students; (d) establish support services for African American and Latino students; and (e) parent and community engagement.   The following sections describe TUSD's 2013-14 efforts in each of these areas.

1.   Academic and Behavioral Supports, Assessment, and Plan

a.   Hire or designate an academic and behavioral supports coordinator.

The USP requires that the District hire or designate staff to serve as its "Academic and Behavioral Supports Coordinator" (ABSC), responsible for reviewing and monitoring the District's academic and behavioral supports. USP §V(E)(2). In July 2013 the District designated Brian Lambert. ***See 2012-13 Annual Report, Appendix 51*** (Quality of Education HR Data, Brian Lambert). As part of District reorganization, and to increase the focus and enhance the impact of USP-related activities, the District has designated the four Student Services Directors (Directors of African American, Mexican, Native American, and Asian Pacific Islander Student

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[41]   As a result of a typographical error, the USP has two sections labeled V(E): 1) Student Engagement and Support; and 2) Maintaining Inclusive Environments.

Support Services Departments) as the ABSCs for SY 2014-15. This information will be reported in the 2014-15 Annual Report.

b.   Academic and Behavioral Supports Assessment

One of the first items the USP requires of the ABSC is an assessment of existing programs and resources. USP §V(E)(2)(b) requires analysis—on a site-by-site basis--to identify additional needed programs, establish goals for increased graduation rates, and create systems for identifying students in need of support. In the fall of 2013, Brian Lambert conducted a review and assessment of the academic and behavioral supports in TUSD. He collected data from central departments and from school sites detailing the various programs and services in existence for academic and behavioral support.   He and his team gathered, reviewed, and assessed the data and developed recommendations for the Graduation and Dropout Plan. Please see the review and assessment in *Appendix V-35* (Student Support Review and Assessment) for a comprehensive analysis of the data and for the recommended targeted schools for SY 14-15.

c.   Student Retention Through Graduation

At the high school level, claims of "success" must start with supporting and retaining students through graduation. To that end, the USP directs creation of a Dropout Prevention and Retention Plan along with a host of other activities to ensure that specialized personnel (such as dropout coordinators) are working to identify students at risk, provide them services, facilitate credit recovery, and otherwise maximize the prospects for African American and Latino students to successfully complete high school.   Accordingly, the USP outlines a host of activities that the District shall undertake to increase resources for academic and behavioral support with the overarching goal of helping students remain in school and succeed through graduation.

i.   Crafting a Dropout Prevention and Retention Plan

In late 2013 and early 2014, the District's Student Equity Department worked to develop a Graduation and Dropout Prevention Plan as required by USP §V(E)(2)(b)(i). Development began with a review of the findings of the review and assessment, an analysis of the need measures, and an analysis of the USP requirements (including a focus on retention in 3rd and 8th grades). Mr. Lambert coordinated staff subcommittees to focus on various plan components: family engagement; dropout; student identification & selection; language accessible

support; credit recovery programs; ninth grade academies; alternative to suspension; national expert/program review; and individual student instructional support (before, after and during school). Each subcommittee submitted specific recommendations. In addition, TUSD leadership constructed a framework for district wide student instruction and support. The subcommittee recommendations were integrated into this framework to produce a district wide plan to increase achievement, increase graduation, and decrease dropouts and retentions.

In developing the Dropout Prevention and Retention Plan, the USP requires the District to consult national experts on dropout prevention. *USP § V(E)(2)(b)(i)(IX)*. District staff consulted with national experts as it developed the Plan during the 2013-14 school year. In addition, the District researched, cited, and incorporated various national experts' work into the Plan. In developing and refining the plan, and in developing an implementation plan, the District consulted directly with the following experts:

Jerry Weast. Dr. Weast's main area of interest is "Educational Disparities" and he is "widely respected for his expertise in crafting coherent strategies to sequence change efforts and currently advises and collaborates with foundations and school district leaders to improve the quality of public education across the United States."[42] As a superintendent in Maryland, Dr. Weast led "the Montgomery County Public Schools to achieve both the highest graduation rate among the nation's largest school districts for four consecutive years and the highest academic performance ever in MCPS as the non- English-speaking student population more than doubled and enrollment tipped toward low socioeconomic demographics." Based on his skill, knowledge, and experience in actually improving graduation rates with traditionally-challenged student populations, Dr. Weast now consults school districts – like TUSD – as an expert in the area of school reform, particularly regarding improving graduation rates and implementing dropout prevention.

Rose Owens-West: Dr. Owens-West is the director for the federally-funded Region IX Equity Assistance Center, and her work includes addressing "equity issues to close achievement gaps, and develop and follow effective implementation plans."[43] Dr. Owens- West also "works with state departments of education to

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[42] See description at University of Pittsburgh, School of Social Work, Center on Race and Social Problems, available at: http://www.crsp.pitt.edu/person/jerry-weast-phd

[43] See description, available at: http://www.wested.org/personnel/rose-owens-west/

develop policies and programs to address issues such as chronic absenteeism, and improving outcomes for underserved and under-represented students." The EAC website lists her "areas of expertise" as "school and district improvement, high school redesign, multicultural education, organizational development, parent and community engagement in education, and program evaluation." Dropout prevention is a subset of a number of her areas of expertise, as evidenced by her work:

- Presentation at the Nevada Indian Education Conference in 2014, "Implementing Early Warning for Dropout Prevention in Nevada"
- Presentation at the Nevada Indian Education Conference in 2013, "Supporting Students for Graduation: The Early Warning System for Dropout Prevention"
- Presentation at the National High School Center 2007 Summer Institute, panel outlining "the national, research, and state perspectives on implementing best practices in building systems of support for high school improvement."
- Co-Authoring "High School Reform: National and State Trends," 2005

Lenay Dunn: Provides technical assistance to school districts through federally-funded Region IX Equity Assistance Center, and her work includes addressing educational policy implementation, equity, educational opportunity, systemic reform, program evaluation, and research and evaluation methods. In 2007, she co-authored "California High Schools That Beat the Odds in High School Graduation" California Dropout Research Project Report #6, December 2007.

The District submitted the draft plan to the Special Master and Plaintiffs for review on March 3, 2014. Between March and May 2013, the District collaborated with the Special Master and Plaintiffs to negotiate changes and revisions to the Plan. On May 23, 2014, the District submitted a Revised Plan incorporating feedback from the Special Master and Plaintiffs. ***Appendix V-36*** (Dropout Prevention and Graduation Plan).   Over the summer the parties continued to work collaboratively to address the few remaining issues. In August 2014, the Special Master and Parties agreed not to proceed with a Report and Recommendation to the Court to resolve outstanding issues. The District has agreed to make final revisions to the plan by October 1, 2014. In the interim, the District will implement the May 23, 2014 version of the Plan in SY 2014-15 and make any necessary adjustments as needed.

**ii.   Implementation of Dropout Prevention
Activities**

Throughout the year, while the District developed its formal Dropout Plan, it engaged in activities—some USP specified and some not--designed to lower dropout rates and increase graduation rates.   For example, in the fall of 2013-14, the District rolled out a Credit/Dropout Recovery Program as part of its dropout prevention efforts. GradLink 2 provides access to online courses and in-person support for students who had recently left high school and are close to finishing. The program was developed in partnership with the City of Tucson and Mayor's Office as a means to help those who recently left school obtain their TUSD diplomas. In our current job market, a high school diploma is important for future success. GradLink2 provides a mechanism for those students who are lacking just a few final credits (and who may not wish to return to a full-time high school environment) to obtain the credits they need and obtained their diploma.   It provides:

- Access to online courses and tutoring
- Computer labs open in the evening
- Counselor assistance
- Certified teacher assistance onsite during lab hours
- Laptops for checkout in certain circumstances

GradLink 2 is regionally located at three of our high school campuses: Pueblo, Tucson High, and Palo Verde. Extended hours are available to provide maximum flexibility for student with other life commitments such as raising a family of working full time.   Many of the District's other efforts were specifically tied to USP requirements as follows:

In 2013-14, the District designated Deborah Ferryman as the Dropout Coordinator for the District.   During the 2013-2014 school year, the District implemented several strategies to identify African American and Latino students, including ELL students, most at-risk of being retained – even as more specific strategies were being developed as part of the Dropout Prevention and Retention Plan. These strategies included: the Multi-Tiered System of Support (MTSS), the Student Support Services Online Request form, and the Watchpoint pilot.

The MTSS model is a way to systemically formalize academic and behavior intervention team support for identified students. Site teams, led by the site administrator and/or LSC, established teams to identify at-risk students and address their academic and/or behavior needs based one or more criteria (reading, writing, math, attendance and suspensions). Schools developed an MTSS plan

identifying the methods for the site's MTSS team to identify at-risk students for targeted support. The District allocated additional support staff to sites based on various criteria, such as: Arizona Department of Education (ADE) school label, student achievement on state exams per school, disparities in academic achievement results, attendance, and grades.

The Student Services departments, in conjunction with schools, piloted an online request for services form. School sites utilized the form throughout the year to identify students in need of supports, and to request additional help from Student Services. To support the growing need for behavior supports, Student Services Behavior Specialists provided behavior intervention based on individual school site requests. Behavior specialists supported schools by developing a behavior protocol, and providing training about the behavior support process.

All Student Support Services staff who were part of academic intervention teams participated in specific training to identify students at-risk of retention. Specialists were trained on the use of data systems used to monitor the academic and behavioral progress of African American and Latino students.   The District constructed and piloted a Student Identification and Intervention System (SIIS), otherwise known as the WatchPoint system, during the 2013-14 school year. That work is discussed elsewhere in this report.

In the summer of 2014, 2,022 high school students participated in Summer Credit Recovery programs at 10 sites (Catalina, Cholla, Palo Verde, Project MORE, Pueblo, Rincon, Sahuaro, Santa Rita, Southwest Center and Tucson High). Recovery courses offered included, but were not limited to: English, Algebra, Geomerty, Government, World History, AP-prep courses, Biology, and others.   Of the 2,022 Summer Credit Recovery Program participants, approximately 10% (197) were African American, and approximately 60% (1,205) were Latino.

In the 2013-14 school year, TUSD implemented various special efforts to involve at-risk students in school programs. The District assigned a dropout prevention specialist to each high school to assist identified at-risk students, to conduct outreach to their families to participate in parent conference meetings, and to present information about discipline practices (PBIS/GSRR/Restorative Practices).   Learning Supports Coordinators (LSCs) supported dropout prevention specialists in engaging at-risk students (and their families) by making parent contacts, recruiting students to participate in special workshops and projects, recruiting students to participate in after-school tutoring, referring students to Project MORE's weekend academy, facilitating after-school recovery programs, offering weekend or after-school tutoring on Wednesdays (during early-out times),

inviting students to attend AIMS Prep programs during Fall and Spring Break, facilitating mentoring opportunities between staff mentors and students, providing home visits, facilitating restorative conferences and circles, drafting behavior plans,

In the spring of 2014, AASSD and MASSD Specialists called the families of Latino and African American 8th grade students to encourage them to register for summer school. Throughout the school year, schools used an online form to request assistance from MASSD and AASSD Behavior Specialists to address particular students' behavior problems. The Behavior Specialists worked with the school's intervention team to develop and monitor a behavior plan to assist principals, teachers and students. Over the course of the year, the teams worked together to develop behavior plans for 98 at-risk Latino and African American students. From December 10, 2013 to May 8, 2014, MASSD and AASSD held parent quarterly informational events in various schools.   The focus of the parent quarterly sessions was to enhance and support the academic success of at-risk Latino and African American students, and to provide parents with information and training.

During the 2013-14 school year, TUSD high schools and middle schools used Abeyance Contracts as a positive alternative to suspension. So, even where policy may authorize a long-term suspension, oftentimes students received a maximum three-day suspension with further discipline held in abeyance. Hundreds of instructional days/hours were "saved" through the use of such contracts as an alternative to suspension. Project MORE utilized abeyance contracts for all level 4 and 5 offenses. Some schools reduced or eliminated potential suspensions in exchange for active participation in Restorative interventions and/or practices. At Project MORE, for example, students are held accountable and are willing to participate in correcting harm done rather than being suspended. Students that participate in conflict resolution through the LSC and/or Principal typically received shortened suspensions of one or two days.

The Life Skills Alternative to Suspension Program (LSASP) offered suspended students a "time-out" to re-group. The student was given a chance to focus on his/her academics in the core areas, and to experience success, gain self-confidence, reflect on past behaviors, set goals, attain better grades, be part of a smaller learning community, and know that he/she is safe. Additionally, students are given a chance to review their progress in meeting their graduation requirements, and returns to their home schools more confident and better prepared to be successful. Through the program, students are part of a smaller, structured environment that promotes social norms and rules, the implementation of a standards-based, cognitive-behavioral curriculum, and services that enhance positive social-emotional

development and physical-emotional needs. ***See Appendix V-37*** (LSASP Information).

2.   Data Dashboard (Watchpoint)

The USP requires the District to make changes in its data dashboard system. Specifically, to facilitate the kinds of monitoring needed so that individual students could be readily identified for academic and behavioral supports, the USP requires that the District make revisions to its data dashboard system to ensure that students with academic, attendance, and behavioral problems would be automatically flagged.   *USP § V(E)(3).*

During 2013-14, the District implemented a pilot of the flagging system described in the USP (aka "WatchPoint"). In the summer of 2013, a cross-departmental subcommittee finalized development of the WatchPoint pilot. In early fall, staff developed and provided professional development to all selected pilot sites. In addition to the development of WatchPoint, the District developed corresponding procedures and documentation for sites to use to respond when a student was is identified in the system, including calling on specialists from Dropout Prevention, African American Student Services, and Mexican American Student Services. These revised procedures were incorporated into professional development and delivered to site administrators and LSCs at the pilot schools. This training also included methods for documenting interventions provided to students into either the Mojave Intervention Block or Grant Tracker.

From the pilot, the District learned the following lessons that will be applied to efforts to identify struggling students and provide interventions in the future:

- Using the current criteria, too many students were identified by the WatchPoint system, especially for middle and high schools – and particularly through the "grades" criteria. At Valencia and Pueblo, at one point, both schools had more than half of their students identified. TUSD plans to modify the criteria, both for attendance and grades, for SY 2014-15, and also to align the interventions to the Multi-Tier System of Support (MTSS).

- The WatchPoint system needs better alignment with other district initiatives and systems, and better training related to coordinating and documenting interventions. The alignment with the MTSS will help in this regard.

- It is possible that elementary and K-8 schools need different criteria/thresholds than middle and high schools. For example, elementary schools identified less than 1% of their students through the attendance criteria (middle schools identified over 11%).

The results of the pilot, including supporting data and surveys, are included in **Appendix V-38** (WatchPoint Report).

3.   Hiring/Designating Required Personnel

In Section V(E)(4), the USP requires that the District hire or designate certain personnel specific to student and family support, including a Director of Support Services for African American Student Achievement, a Director of Support Services for Latino Student Achievement, a Director of Culturally Responsive Pedagogy and Instruction, and a Director of Multicultural Curriculum.   The first two positions (supporting African American and Latino students) continue to be filled by the same personnel as identified in last year's annual report (Jimmy Hart and Maria Figueroa).   The following reflects SY 2013-14 developments as to the other positions.

a.   Hire or Designate a Director of Culturally Responsive Pedagogy and Instruction ("CRPI Director").

In April 2013, the District designated Dr. Augustine Romero as the CRPI Director.   In the initial months of USP implementation, Dr. Romero served as both the CRPI Director and the Multicultural Curriculum Director. In September 2013, the District designated an acting CRPI Director, Tsuru Bailey-Jones, to continue the work initiated by Dr. Romero. Mrs. Bailey-Jones worked directly with Dr. Romero, with the newly-hired Assistant Superintendent of Curriculum and Instruction, Steve Holmes, and with certificated staff at each of the high schools that were piloting CRC courses in SY 2013-14.   In March 2014, the District designated the current CRPI Director Salvador Gabaldon. Over the summer of 2014, the District hired Dr. Clarice Clash as the Senior Director for Curriculum Development to work with Mr. Gabaldon.

b.   Hire or Designate a Director of Multicultural Curriculum

In April 2013, the District designated Dr. Augustine Romero as the Multicultural Curriculum Director.   In the initial months of USP implementation, Dr. Romero served as both the CRPI Director and the Multicultural Curriculum Director.

In September 2013, the District designated an acting CRPI Director, Tsuru Bailey-Jones, to continue the work initiated by Dr. Romero. Dr. Romero continued his work developing a plan to integrate multicultural curriculum into District courses. Over the summer of 2014, the District hired Dr. Clarice Clash as the Senior Director for Curriculum Development, and Mrs. Desiree Cueto as the Multicultural Curriculum (MC) Director. ***Appendix V-41*** (Credentials and Job Description, CRPI and MC Directors).

4.   Professional Development

Among its many professional development requirements, the USP includes a directive that the District training its administrators and certificated staff in culturally responsive teaching and the maintaining of supportive and inclusive learning environments. USP§V(E)(5).   Beginning in the fall of SY 2013-14, the District developed training on Supportive and Inclusive Learning (SAIL) to build on the culturally relevant components and equity components of the teacher evaluation training. An interdepartmental team developed the SAIL training to stress professional responsibility to create supportive and inclusive learning environments and to focus on learner-based approaches that emphasize students' cultural assets, backgrounds, and individual strengths. The training was aligned with the Teacher Evaluation, and was to serve as an introduction to the fundamentals of supportive and inclusive learning environments.

The acting Director of Culturally Responsive Pedagogy and Instruction (CRPI) and relevant staff finalized the SAIL training module in February, and conducted the training with administrators and key staff in March and April 2014. The District has solicited a diverse training cadre from the March and April trainings. This cadre is diverse in ethnicity, gender, age, and job function. In April 2014, the Acting CRPI Director, Tsuru Bailey-Jones, handed off the plans and training modules to the Director of CRPI, Salvador Gabaldon, who was hired in March 2014. Over the summer and throughout SY 2014-15, the District is implementing a train-the-trainer model to expand the impact of the training on a larger scale.

Using a trainer-of-trainers model, the original plan for providing professional development during SY 2013-14 called for Site Administrators and Curriculum Facilitators to serve as faculty trainers. The first part of the year was spent developing the initial three-hour training module, which was reviewed by a committee established by the Acting CRPI Director, Tsuru Bailey-Jones. The module, revised in response to the committee's recommendations, introduced the following five key components of culturally responsive education:

1. Creating an inclusive and supportive environment;
2. Developing a close, trusting relationship between teachers and students;
3. Addressing the issue of conscious and subconscious bias;
4. Acknowledging and accessing students' cultural and academic strengths; and
5. Promoting a school-family-community partnership

Central and site administrators completed the initial training in the spring, and staff incorporated a few additional revisions based on feedback received from participants.

   While professional development staff and the acting CRPI Director were preparing the culturally responsive training, the Assistant Superintendent for Curriculum and Instruction, Steve Holmes, began planning the process for rolling out the new curriculum adopted by the District. The process would also require a significant amount of professional development. After a series of discussions between the groups, it became obvious that rather than competing for the limited amount of time available for professional development, the two initiatives would be joined in a way that reinforced each other's content.   Staff developed a new training plan during June and July, with input from the newly appointed Director of Multicultural Curriculum, Desiree Cueto. Over the course of twelve hours of professional development, trainers will introduce a series of newly-developed curriculum maps designed to highlight the use of multicultural materials and simultaneously illustrate culturally responsive instructional strategies that successfully promote student engagement.   This revised and expanded training was poised to roll out as of July 2014.

   In the fall of 2013, staff outlined the initial plan to develop and implement the professional development on creating supportive and inclusive learning environments for African American and Latino students with an emphasis on curriculum, pedagogy and cultural responsiveness ("SAIL" training)*.* ***Appendix V-42*** (SAIL Training Plan). The trainings shall focus on learner –based approaches that emphasize students' cultural assets, backgrounds, and individual strengths*.* The revised professional development plan is described above. ***Appendix V-43*** (SAIL Training)

5.   Engaging Latino and African American Students Through Curriculum.

Section V(E) of the USP promotes engaging African American and Latino students though revisions to curriculum. Specifically, the USP envisions curriculum changes that integrate racially and ethnically diverse perspectives and experience (a multicultural curriculum) as well as the creation of specific classes designed to reflect the history and culture of African American and Latino communities (culturally relevant courses).   The following describes the District's efforts in both areas in 2013-14.

a.   Multicultural Curriculum

One of the primary challenges to developing the multicultural curriculum in SY 2013-14, was the lack of a standard curriculum for the District generally. In SY 2013-14, much of the work in this area was focused on building the foundational curriculum for the District. Dr. Augustine Romero worked with Assistant Superintendent for Curriculum and Instruction, Mr. Steve Holmes, and with Professional Development Academic Trainer Kathy Chavez to develop a framework which incorporates a curricular review process to meet state and national standards (PARCC and Common Core) for academic rigor, professional development standards, monitoring protocol for continuous improvement and a protocol for identifying certificated staff who demonstrate best practices and a collaboration matrix to share these best practices among administrators, certificated staff and paraprofessionals. The District piloted multicultural social studies courses at Sahuaro and Rincon, and is currently evaluating the results of the pilots to inform wider expansion into additional schools.

b.   Culturally Relevant Curriculum

Throughout SY 2013-14, the District expended great effort defending, refining, and improving its culturally relevant curriculum (CRC) and supporting CRC teachers and students. The District also responded to inquiries from the Arizona Department of Education and collaborated with ADE in the development of curriculum maps for both its culturally relevant and mainstream strands of its English Language Arts, Government, and History courses. ***Appendix V-44*** (ADE CRC Communications).

As a starting place, the District needed to develop an aligned curriculum to deploy for its CRC courses, and it needed to do so under the brightest of spotlights. Against the backdrop of a particularly ugly legal battle with the Arizona Department of Education,[44] in early 2012 the TUSD Governing Board had voted to disband the District's Mexican American Studies courses. As a result of this same history, another challenge was recruiting talented teachers willing to endure the political controversy and public spotlight associated with the classes. (When one teacher mentioned to her English department colleagues that she was considering teaching a CR course, she was advised to "stay away—those classes are too political.").

Moreover, an ever-vigilant state Department of Education subjected the curriculum development process for the CRC courses to a steady stream of investigative efforts. As the Court is aware, ADE has sought to intervene in this desegregation case for the very reason that it viewed the USP's requirements for culturally responsive curriculum as a violation of its sovereignty and a potential violation of state statutes regarding ethnic studies. Since the issuance of the USP, ADE has sent 4 different "investigative" letters to the District's curriculum department, required 3 in-person meetings with District staff, and has made arrangements to observe class instruction, all while continuing to suggest that any misstep in the crafting or deployment of culturally-relevant or multicultural curriculum could result in a new round of enforcement proceeds. *Id.*

An initial version of the CRC curriculum was finalized in the summer of 2013 and approved by the Governing Board. The District then began piloting CRC courses at three high schools (Cholla, Pueblo, and Tucson High) and multicultural courses at Sahuaro and Rincon. After the 2013-14 SY, the District surveyed students and teachers to obtain and analyze information about the pilot from SY 2013-14, and about expectations for SY 2014-15. Revisions put in place for SY 2014-2015 in response to lessons learned in SY 2013-14 are as follows:

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[44]   By the spring of 2011, TUSD had provided an ethnic studies curriculum for well over a decade when the Arizona Department of Education commenced an investigation into the course.   At issue was ADE's allegation that the District's Mexican American Studies curriculum (which included strands in History, Government, English Language Arts, and Chicana/o Art) violated ARS § 15-112(A) (statute prohibiting courses which "[p]romote resentment toward a race or class of people; or [a]re designed primarily for pupils of a particular ethnic group.").   The District's Governing Board was faced with a mandate under which it had to terminate the classes or lose substantial funding.

- Preparing a protocol that expands recruitment of students and promotion of CRC classes during registration in spring 2015 (i.e., when students are choosing their class for 2015-16).

- Expanding the number of professional development sessions offered in support of those teachers responsible for CRC classes.

- Collecting and analyzing student surveys, with regard to attitude toward academics, knowledge base, enthusiasm about school, family/home engagement in the student's education, and how students view their own culture and other cultures before/after taking the classes.

- Collecting and analyzing teacher surveys to guide future PD sessions

- Recruitment of highly qualified teachers who have completed CRC training or who have otherwise demonstrated an understanding of cultural responsive coursework.

Appendix V-45 (CRC Enrollment Data) includes an analysis of CRC enrollment. In SY 2013-14, 451 students enrolled in eighteen separate CRC courses that were offered throughout the three high schools (by the end of the year the number had increased to 466). In addition, two other high schools (Sahuaro and Rincon) each piloted one course of U.S. History taught from a multicultural perspective.   In the winter of SY 2013-14, when students began selecting classes for SY 2014-15, all TUSD high schools offered CRC courses. Five high schools enrolled sufficient numbers of students to make classes viable. Although these are the same schools that participated in SY 2013-14, the total number of participating students has increased by nearly 50% (from 451 to 675) and additional sections have been added in response to demand. *Appendix V-46* (CRC Outreach and Recruitment Materials).

> 6.   **Services to Support African American and Latino Student Achievement**
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> a.   **Leadership/Personnel**

Director Maria Figueroa is responsible for: (a) overseeing the MASSD, (b) developing and implementing a process for providing a series of academic interventions for struggling/disengaged Latino students, (c) establishing academic intervention teams to provide targeted support to Latino students, (d) hosting

quarterly informational events for Latino students and families, (e) providing learning support and mentoring opportunities, and (f) providing professional development to relevant staff.

Mr. Jimmy Hart is the Director of the African American Student Services Department (AASSD), and as such is responsible for the same activities listed above for Director Figueroa as well as facilitating the implementation of the African American Academic Achievement Task Force (AAAATF) Recommendations.[45]

a.   Academic Interventions for Struggling/Disengaged African American and Latino Students

In August 2013, the Directors of Student Services looked at various data indicators from SY 2012-13, including: enrollment, AIMS scores, and school letter grades – both overall and for African American and Latino students. Based on this data, the Director assigned support staff to various sites to provide academic, behavioral, and other support. As part of those efforts, the District funded and sustained Learning Supports Coordinators (LSC) to focus on reducing disparities in three key areas: academic achievement, access to Advanced Learning Experiences (ALEs), and discipline. The District provided supplemental funding for the Exceptional Education department to continue to address special education placement and pre-placement support (Psychologists, Compliance Techs), and to address issues related to behaviors that often lead to increased drop out rates (Social Workers).

In 2013-14, the District transitioned away from the process used in SY 2012-13 for providing academic intervention for struggling African-American and Latino students (Response to Intervention, "RTI"). The new process was based on a model known as the Multi-Tiered System of Supports ("MTSS").   It was crucial that the District's processes for providing academic and behavioral interventions and supports to all students were aligned with the processes that were specifically

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[45]   The USP contains a specific requirement that the District continue to fund and sustain support services for African American students. USP§V(E)(7)(a).   In SY 2012-13, the District allocated approximately $1M to fund the African American Student Services Department (AASSD). In SY 2013-14, the District sustained this funding.   In SY 2012-13, the District allocated approximately $535,000 to fund the Mexican American Student Services Department (MASSD). In SY 2013-14, the District increased this funding to $850,000.

targeted towards African American and Latino students. The first step in the MTSS was providing district-wide training in implementing the MTSS model. District and site level administrators were trained in the MTSS model. The District also provided training for all Learning Support Coordinators (LSC), and for all African American Student Services Department (AASSD) and Mexican American Student Services (MASSD) staff in implementing the model at specific sites and specifically targeting African American and Latino students who were identified as struggling and/or otherwise disengaged. *Appendix V-47* (Academic Intervention Processes for Struggling African American and Latino Students) which integrates the AAAATF Recommendations.

All AASS and MASS specialists, and/or groups of specialists, received training in the MTSS model, Data Review, Grant Tracker Documentation, Mental Health Issues, Supportive and Inclusive Learning Environments & Common Core (list is not all inclusive). Additional specialized training for some staff included Achieve 3000 Reading and Youth Mental Health First Aid.

AASSD and MASSD staff provided direct daily support at identified schools, varying efforts based on site need. For example, some sites, led by the Learning Support Coordinator or an administrator, met bi-weekly while other sites met weekly. Furthermore, AASSD team members served as a contributing member of all MTSS implementations at the site served on a daily basis (i.e., Teacher Assistance Team, Child Study Team). The Department Directors assigned specialists to work directly with sites using the following criteria: (a) student's academic achievement on state exams per school, and (d) disparities among students within their service populations and those others (i.e. Anglo students) in academic achievement and ALE opportunities. The Directors also considered factors like the school's student enrollment, and whether race-based disparities were reflected in student discipline. Students were also identified through the use of on online request for services form. The form was particularly helpful for those that did not receive direct daily support.

An academic and/or behavior support team implemented each school's MTSS process. In schools where AASSD or MASSD specialists were assigned, the specialists assisted with identifying and coordinating Tier 2 and Tier 3 academic and/or behavior supports in partnership with the site LSC and site administrator. AASSD and MASSD staff also provided behavior intervention support, based on need and availability, to reduce over-representation and/or misrepresentation of students to Special Education and/or discipline at all schools. *Appendix V-48* (Academic Intervention Teams) includes details about the academic intervention teams, including a list of Academic Intervention Teams, , and Intervention Team schedules.

b. Family Engagement

During the 2013-14 school year, the Mexican American Student Services Department (MASSD) and the African American Student Services Department (AASSD) held separate quarterly parent informational events at various schools and community locations.   The focus of the sessions was to enhance and support the academic success of African American and Latino students and to provide parents with information and training.   The events included: 1) Parent-Community & Superintendent Meet/Greet and Updates; 2) Parent/Student Workshops and Informational Sessions; and 3) Parent-Community Advisory Committee meetings.

The AASSD and MASSD teams communicated quarterly events to parents by: 1) e-mail (monthly to parents whose e-mail was provided during the school registration process); 2) personal invitations to families by mail, 3) parent phone calls, and 4) personal invites by hand at school sites. Also, monthly e-mail and parent phone calls were used to inform parents of additional district opportunities like advanced learning experiences and summer school/summer enrichment. Parents were sent invitations (in both English and Spanish) via MASS Academic Specialists with students, in form of a post card in bulk-mail, and flyers were posted in schools with assigned MASS specialists.

To maximize parent participation, these sessions took place outside of the school day and were connected to student-related events like student recognition or on days when there were parent-teacher conferences. The MASSD Director arranged for translators to be secured from Language Acquisition and head phone sets from Title I to make all sessions available in English and Spanish to parents. All agendas were offered in English and Spanish.

Appendix V-49 (Latino Student and Family Outreach and Marketing Materials) includes copies of outreach and marketing materials developed to promote activities described in Section V, targeted towards Latino students and families. *Appendix V-50* (African American Student and Family Outreach and Marketing Materials) includes copies of outreach and marketing materials developed to promote activities described in Section V, targeted towards African American students and families. *Appendix 51* (Event Materials) materials and documentation of the quarterly events, and other events, held throughout the year for Latino and African American students and their families.

c.   Training for Staff Responsible for Interventions

USP §§ V(E)(7)(regarding African American student support) and (8)(regarding Latino student support) both direct the District to ensure that the staff responsible for behavioral and academic intervention are properly trained.

During SY 2013-14, all AASD and MASSD staff received training prior to working with students and continued to receive during throughout the year. Initially, mandatory TUSD trainings and USP required trainings for Specialists were conducted in August 6 & 13 and September 20, 2013. These trainings included an introduction to the MASSD Reading Improvement Plan, staff handbook, school assignments, TUSD professional boundaries, and signing up for professional development through the District PD portal, True North Logic. Staff also received training on the use of data, on Mojave, and on tracking support services through Grant Tracker.

Training included the use of data systems to monitor the academic and behavioral progress of African American and Latino students. In September and again in November of 2013, AASD and MASSD staff received USP-required data training covering the use of TUSD stats and Mojave to locate student data on suspensions, interventions, attendance and grades. The training focused on using TUSD stats and Mojave. ***Appendix V-52*** (MASSD and AASSD Training) includes information about training and professional development required by USP section V.

Five MASSD specialists from five pilot schools (Pistor Middle, Maxwell K-6, McCorkle K-8, Hollinger K-8 & Valencia Middle Schools) received additional training on Reading Software Program Achieve 3000. The trainings were conducted by Achieve 3000 staff in October 2013, November 2013, and January 2014.   In September 2013, Mr. David Rodriguez trained MASS specialists on ways to navigate the *Southern Arizona Regional College Access Center for Pima County* website. Staff was also trained on ways to help students complete FAFSFA forms for college acceptance and financial aid.

d.   Implementing the Recommendations of the African American Academic Achievement Task Force (AAAATF).

Appendix V-53 (AAAATF Recommendations and Development) includes a copy of the recommendations of the African American Academic Achievement Task Force (AAAATF) as submitted to the District in July 2013. In September 2013, the

District created a committee for the implementation work. The committee was made up of staff members, and members of the African American Student Services advisory council. *Id.* The committee developed a draft by October 31, 2013, but the members felt they needed to align the plan to the then-developing Instructional Leadership Team (ILT) Plan. *Id.* AASSD Director Jimmy Hart submitted a more refined version on December 20, 2014 to the Assistant Superintendent for Curriculum and Instruction, the Executive Director of Student Equity, the Academic and Behavioral Supports Coordinator, and the Director of Desegregation for further review.   The committee continued to refine the plan and completed a final version on March 11, 2014.   After receiving final approval from leadership, Mr. Hart and the Director of Desegregation developed an outline of all AAAATF-related activities that had occurred in SY 2013-14, and plans for implementation in SY 2014-15. *Id.*

On June, 26 2014, AASSD advisory board members met with members from the African American community to give an update on the progress of the AAAATF recommendations. The update provided an overview of strategies to implement the recommendations (e.g., TUSD partnership with the University of Arizona, College of Education program to recruit and prepare African American and Latino educators interested in pursuing a master degree in education leadership; annual review of African American student enrollment in advanced learning experiences courses, exceptional education and CTE enrollment). Mr. Hart, in conjunction with other departments, is developing implementation activities for SY 2014-15 based on the District's cost estimate and allocation of $500,000 to implement the recommendations.

e.   Build and Sustain Supportive and Inclusive School Environments

The USP directs the District to take a number of steps to build and sustain supportive and inclusive learning environments.   Those steps include reviewing referral and placement protocols, policy review and revision, and directing principals to develop strategies to highlight the contributions of diverse groups. See generally, *USP § V(E).*

1.   Review Referral, Evaluation, and Placement Policies

To ensure that student placement practices and procedures are consistent with the letter and spirit of the USP, the District is directed to review its referral, evaluation, and placement policies, along with associated data. USP § E(1).

In SY 2013-14, the District reviewed and revised criteria to use in reviewing referral, evaluation, and placement of students in exceptional education classes or programs. See detailed description in section V(D), above. The District also considered using the criteria for reviewing and analyzing student placement in other situations, such as with ELL student placement.

In the First Semester of SY 2013-14, the District memorialized the criteria in the Exceptional Education (ExEd) Procedures Manual, and conducted a comprehensive review of the Manual and other referral, evaluation, and placement policies. The results were consistent with prior analyses in that that ExEd placement policies are not resulting in the racial or ethnic segregation of students. ***Appendix V-34*** includes copies of the revised criteria from the 2013-2014 Procedures Manual Chapter 5, Eligibility Categories.

In the Second Semester, the District reviewed ELL student placement policies and developed a process (with ADE approval) to integrate ELL classrooms with non-ELL students into "Mixed SEI" classrooms. In the summer of 2014, Mr. Ignacio Ruiz (Director, Language Acquisition Department) worked with the Arizona Department of Education's Office of English Language Acquisition Services (OELAS) to obtain approval for an alternative approach that would allow the District to integrated ELL classes with non-ELL students ("Mixed SEI Classes").

2.   Policy Review

On December 10, 2013, the District amended policies A (District Mission, Vision and Values) and BG (Board Governance and Operations) to reflect its ongoing commitments to inclusion and non-discrimination in all District activities. Policy A was amended to include the following language:

> *The District is committed to inclusion and non-discrimination in all District activities. At all times, District staff should work to ensure that staff, parents, students and members of the public are included and welcome to participate in District activities.*

Policy BG was amended as follows to insure that any new or revised policies comply with Policy A:

> *Any new or revised policy will be considered to insure compliance with Policy A - District Mission, Vision and Values.*

On July 2, 2013, the District revised policy ADF – Intercultural Proficiency, so it is more inclusive and not just the obligation of a single department, but of the entire District. Policy ADF states clearly the District's commitment to multicultural education:

> *"Tucson Unified School District is committed to creating and fostering a systemic educational ecology that respects the cultural diversity and inherent cultural wealth of the various TUSD communities and cultures that TUSD serves."*

> *"In recognition of intercultural proficiency, the Governing Board shall promote the concept of active and positive multiculturalism within its schools. ... All staff are held accountable for implementation of multicultural education within their areas of responsibility."*

District staff, along with policy expert Shakti Belway and the WestEd Equity Assistance Center, reviewed and analyzed Policy JICK (formerly JICFB).   Revised Policy JICK is pending board adoption, and a copy of the proposed draft is contained in *Appendix VI-5. Appendix V-54* includes copies of revised policies A, BG, and ADF which were revised in SY 2013-14 as part of the District's efforts to build and sustain supportive and inclusive environments.

3.   Develop Strategies to Highlight Contributions of Diverse Groups

The USP requires that principals at each school site develop strategies to highlight the contributions of diverse communities by including such things as public displays, classroom events, and library materials.   USP § V(E)(3). At the beginning of SY 2013-14, the Desegregation Director sent a memo to Assistant Superintendents to distribute to sites and principals, outlining this requirement. *See Appendix V-55* (Email re Contributions of Diverse Groups). The District implemented many strategies to highlight the contributions of diverse groups throughout the school year. The Equity Departments supported schools in celebrating and recognizing cultural events (Lunar Year celebration, Black History month, Cesar Chavez march, etc.), and by providing lesson plans, training for teachers, and in-class presentations related to culturally responsive practices and approaches to teaching diversity. The Fine Arts Department also increased efforts to make multicultural materials available to teachers to use in classrooms through

the Educational Materials Center (EMC)[46]. In SY 2013-14, Fine Arts made a concerted effort to increase the visibility of the EMC to sites and teachers, and to encourage sites to take advantage of this resource as a strategy to highlight the contributions of diverse groups. Finally, all sites have made increased efforts to ensure that hallways, public spaces, and libraries contain public displays and materials that highlight the contributions of diverse communities, as is evident by walking through any TUSD school. Throughout 2013, multiple staff members engaged in monitoring site compliance with this requirement and in gathering best practices to share with other sites. In SY 2014-15, the District will continue to develop strategies to highlight contributions of diverse groups.

III.   Mandatory Reporting

USP section V(F)(1)[47] requires the District to provide the following twenty-one sets of data as part of this report to reflect progress made in the area of Quality of Education. Descriptions and analyses of these data are outlined in detail below.

> **1.   A report, disaggregated by race, ethnicity and ELL status, of all students enrolled in ALEs, by type of ALE, teacher, grade, number of students in the class or program, and school site.**
>
> *Appendices V-15 through V-17* include reports, disaggregated by race, ethnicity, and ELL status, of all students enrolled in ALEs.
>
> **2.   The information set forth in Appendices E, F, and G, for the school year of the Annual Report set forth in a manner to permit the parties and the public to compare the data for the school year of the Annual Report with the baseline data in the Appendices and data for each subsequent year of activity under the Order.**

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[46] The Fine Art Departments' EMC provides a range of professional cultural artifacts and fine arts materials for teachers and schools to use in classrooms and in displays throughout site hallways, libraries, and other public areas. The collection includes online material and video catalogs, textiles, exhibits, art prints, costumed figures, and library panels. Materials can be checked out by schools and Fine Arts Department staff is available to assist in understanding and/or presenting the materials to students.

[47] The USP mistakenly includes two sections labeled "V(E)" so the section for reporting that should be V(G) is labeled V(F) in the USP. The Parties and Special Master are aware of this mistake and will seek to correct it for future reporting purposes.

Appendix V-19 includes AAC Data, comparable to USP Appendix "E". *Appendix V-20* includes GATE Data, comparable to USP Appendix "F". *Appendix V-21* includes UHS Data, comparable to USP Appendix "G".

3.   Copies of all assessments, analyses, and plans developed pursuant to the requirements of this Section.

The following appendices include copies of assessments, analyses, and plans Developed pursuant to USP Section V: *Appendix V-2* (ALE Review and Assessment); *Appendix V-3* (ALE Access and Recruitment Plan); *Appendix V-12* (Revised UHS Admissions Process); *Appendix V-13* (Further Revisions to the UHS Admissions Process); *Appendix V-26* (OELAS Extension Request); *Appendix V-35* (Student Support Review and Assessment); *Appendix V-36* (Dropout Prevention and Graduation Plan); *Appendix V-42* (SAIL Training Plan); *Appendix V-47* (Academic Intervention Processes for Struggling African American and Latino Students); and *Appendix V-53* (AAAATF Recommendations and Development)

4.   Copies of all policies and procedures amended pursuant to the requirements of this Section.

Appendix 54 includes copies of Policy A (District Mission, Vision, and Values), BG (Board Policy Process), and ADF (Intercultural Proficiency).

5.   Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials.

The following appendices include copies of job descriptions and details for the relevant position: *Appendix V-1* (Job Description, ALE Director); *Appendix V-41* (Job Descriptions and Credentials for the MC Director and CRPI Director); and *Appendix V-58* (Job Descriptions and Credentials for LSCs, and for College and Career Readiness Coordinators).

6.   Copies of all recruitment and marketing materials developed pursuant to the requirements of this Section in the District's Major Languages, with a list or table of all location(s) in the District in which such materials are available.

Appendix V-6 includes copies of ALE recruitment and marketing materials. *Appendix V-46* includes copies of CRC recruitment and marketing materials. *Appendix V-49* includes copies of recruitment and marketing materials for Latino students and families. *Appendix V-50* includes copies of recruitment and marketing materials for African American students and families.

> **7.   Copies of the new and/or amended admissions and testing criteria, policies, and application form(s) for University High School together with a report of all students who applied to University High School for the school year covered by the Annual Report showing whether or not they were admitted and if they enrolled, disaggregated by race, ethnicity, and ELL status.**

Appendix V-12 contains a copy of the Revised UHS Admissions Process, and *Appendix V-13* contains supplementary information about subsequent revisions to the process pursuant to Court Order.

> **8.   Descriptions of changes made to ALE programs pursuant to the requirements of this Section, by ALE type and school site, if made at the site level, including, but not limited to, copies of any new testing and/or identification instruments and descriptions of where and how those instruments are used and copies of any new or amended policies and training materials on ALE identification, testing, placement, and retention.**

Appendix V-4 includes descriptions of changes to ALEs in the 2013-14 school year. No policies were revised as a result of the changes to ALE

> **9.   Copies of any new or amended complaint processes for students and/or parents related to ALE access together with a report disaggregated by race, ethnicity, ELL status, grade level, school and program of all students and/or parents who made a complaint and the outcome of the complaint process.**

Appendix V-5 contains a copy of the ALE Parent Complaint Process and Complaint Form.

10. **Lists or tables of any certificated staff who received additional certification(s) pursuant to the requirements of this Section.**

Appendix V-10 includes information about GATE and AP teacher certifications and endorsements.

11. **Copies of relevant communications regarding the OELAS extension and the result(s) of such communications.**

Appendices V-25 through V-31 includes copies of relevant communications regarding the OELAS extensions, and the results of such communications.

12. **A report listing each dual language program in the District including the school, grade(s) and language in which the program is offered and setting forth the efforts made to encourage new and certificated staff with dual language certifications to teach in such programs and the results of such efforts.**

Appendix V-33 is a Dual Language report, including relevant data and information.

13. **Copies of flyers, materials, and other information advertising for and distributed at any outreach meetings or events held pursuant to the requirements of this Section.**

Appendices V-6 (ALE), *V-46* (CRC); *V-48* (Latino Students and Families); and *V-51* (African American Students and Families) contain copies of flyers and other outreach and marketing materials distributed at outreach events or meetings.

14. **A report on all amendments and revisions made to the data dashboard system and copies of all policies and procedures implemented to ensure that action is taken when a student is automatically flagged for attention by the system.**

Appendix V-38 includes information pertaining to amendments and revisions to the District's data systems related to the pilot for the WatchPoint "flagging" system.

15.   A disaggregated report on all students retained in grade at the conclusion of the most recent school year.

Appendix V-40 includes a disaggregated report related to student retention.

16.   Description of the college mentoring program, including the school sites where college mentors have been engaged and the type of support they are providing.

Appendix V-56 (MASSD College Mentoring) includes a summary of mentoring opportunities, and information related to college mentoring programs targeted towards Latino students. *Appendix V-57* (AASSD College Mentoring) includes a summary of mentoring opportunities, and information related to college mentoring programs targeted towards African American students.

17.   A description of the process for providing academic intervention for struggling African American and Latino students.

Appendix V-47 includes descriptions and information related to the academic intervention process for struggling African American and Latino students.

18.   A description of the academic intervention teams that have been established, what roles they have in improving student academic success and what schools they are in.

Appendix V-52 includes a description and information related to academic intervention teams.

19.   Copies or descriptions of materials for the quarterly events for families described in this Section, including where the events were held and the number of people in attendance at each event.

Appendix V-51 contains information related to quarterly events, and other events, for Latino and African American students and families.

20.   For all training and professional development required by this Section, information by type of training, location held, number of personnel who attended by position, presenter(s), training outline or presentation, and any documents distributed.

Appendices V-8 (ALE Professional Development); *V-42 and V-43* (SAIL Training); and *V-52* (AASSD and MASSD Staff Training) include professional development details.

21.   A report setting forth the number and percentage of students receiving exceptional (special) education services by area of service/disability, school, grade, type of service (self-contained, resource, inclusion, etc.), ELL status, race and ethnicity.

Appendix V-34 includes a report on Exceptional Education services.

STUDENT DISCIPLINE (USP § VI)

I.   Introduction – the Crisis of Disparity in Discipline

In recent years, the issue of disparities in student discipline has been grabbing national headlines. Meanwhile, excessive reliance on exclusionary discipline is associated with a variety of negative outcomes including lower academic achievement, increased drop-out rates, an expansion of the so-called "school to prison pipeline" for those student groups disproportionately targeted with suspension and expulsion. Although excessive discipline has harmed all groups, research nationwide confirms that unjustified approaches to discipline harm historically disadvantaged groups – including African American and Hispanic students – more often than their white counterparts. Researchers believe that the disproportionality in discipline cannot be explained by higher rates of misbehavior or by the challenges associated with poverty. A national survey of more than 72,000 K-12 schools by the U. S. Department of Education's Office of Civil Rights shows profound gaps between how different student groups experience school discipline. The greatest hardship is borne by African American males, but statistics reflect a burden on all minority groups. In January 2014, the U. S. Department of Education issued a variety of statements, reports, and guidance highlighting this national problem. See, e.g., http://www2.ed.gov/policy/gen/guid/school-discipline/index.html

Consistent with the latest research-based evidence on addressing discipline disparities (and reducing the adverse outcomes produced by excess exclusionary discipline for all students), the USP acknowledges that "the administration of student discipline can result in unlawful discrimination when students are disproportionately impacted or treated differently by virtue of their race or ethnicity" and "that the punitive use of serious disciplinary sanctions for low-level offenses creates the potential for negative educational and long-term outcomes for affected students."   *USP § VI(A)(1)* It thereafter directs the District to consider its student behavior policies and discipline practices "as part of the District's overall goal of creating an inclusive and supportive environment in District schools" by ensuring "that students remain as often as practicable in the classroom settings where learning happens." *USP § VI(A)(2)*

In its January 2014 "Guiding Principles" publication, the U. S. Department of Education encouraged school districts to revisit their student disciplinary protocols with three priorities in mind:

(1) Create positive **climates and focus on prevention**;
(2) Develop **clear, appropriate,** and **consistent expectations and consequences** to address **disruptive student behaviors**; and
(3) Ensure **fairness, equity**, and **continuous improvement**.

See Appendix VI-1, also available at: http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf. In its report and guidance materials, the Department of Education described how schools could meet their obligations under federal law to administer student discipline equitably and without excess reliance on exclusionary discipline.   TUSD is proud to be on the cutting edge of that work. By January 2014, the District was well underway in developing and implementing many of the strategies described in the guidance letter, which reflect the same "best practices" analysis that underlies Section VI of the USP.

II.   Implementation and Compliance Activities in SY 2013-14

In the 2013-14 school year, pursuant to USP §§VI(A-G), the District undertook a number of implementation and compliance activities in the area of student discipline. Preliminary data reflects gains in reducing disparities.   The major initiatives for 2013-14 in the area of student discipline included:

A)   Continuing to strengthen implementation of Restorative Practices and Positive Behavioral Intervention and Supports;

B)   Reviewing and Revising discipline policies, including the Guidelines for Students Rights and Responsibilities (GSRR) handbook and due process protections;

C)   Hiring or Designating staff to implement Restorative Practices, PBIS, and other strategies (and to monitor and evaluate the same);

D)   Engaging families and the community as partners;

E)   Providing professional development regarding Restorative Practices, PBIS, the GSRR and other strategies;

F)   Monitoring and evaluating the District's progress and data; and

G)   Gathering and reporting data as required under the USP

The following highlights TUSD's work in these areas during the 2013-14 school year.

A.   Restorative Practices and Positive Behavioral Interventions and Supports (PBIS)

The USP requires that the District "continue and strengthen" two critical approaches to classroom management and student behavior: "Restorative Practices" and Positive Behavioral Interventions and Supports ("PBIS"). The District has used these strategies for managing student behavior at varying levels for several years. *USP §(VI)(B)(1)*

"Restorative Practices" is a conciliation-style approach to student misconduct and/or conflict that is an educational companion to the "restorative justice" movement in criminal cases. The approach seeks to develop good relationships and restore a sense of community. Restorative Practices focus on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions. It provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offense, and make amends or find a resolution. The hope is that it will surround the affected parties with a community of care, in which all share in the resolution of the problem. Restorative Practices provide a proactive approach for building community based collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions and helps to build a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after making amends.

Positive Behavioral Interventions and Supports ("PBIS") is an evidence-based, proactive, data-driven framework that includes a range of tiered interventions designed to prevent problem behavior while simultaneously teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors

- Providing appropriate behavioral supports and/or services to students
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

To improve Restorative Practices and PBIS, the District has designated personnel, provided professional development, and revised its policies, practices, and the student handbook to align with these strategies.

All school sites are assigned a Learning Supports Coordinator (LSC), each of whom serves as the site's Restorative and Positive Practices Site Coordinator ("RPPSC"). The RPPSCs are responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

B.   Reviewing Discipline Policies, including the Guidelines for Student Rights and Responsibilities (GSRR)

1.   GSRR Revisions

The USP requires the District to "evaluate and revise" the GSRR: to limit exclusionary discipline; to require non-nondiscriminatory, fair, age-appropriate consequences; to provide opportunities for students to learn from their behavior and continue to participate in the school community; and to prohibit law enforcement officers and/or school safety officer involvement in low-level discipline. *USP §VI(B)(2)(a).*

Although certain District policies set forth the procedural framework to be applied for suspensions and expulsions, the bulk of the District's disciplinary policy is embedded in the student handbook, "Guidelines for Student Rights and Responsibilities" ("GSRR"). The GSRR categorizes various kinds of misconduct, assigns levels to each, and provides for a range of disciplinary options that may be permitted for student misconduct at each particular level. The GSRR also aligns the categories of misconduct to those required by the State of Arizona for reporting purposes.

After the USP was adopted, the District undertook a start-to-finish re-examination of the GSRR to align it to the language and spirit of the Order. The evaluation focused primarily on the following objectives: (1) limiting exclusionary

consequences to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices, as appropriate; (2) requiring the administration of consequences in a non-discriminatory, fair, age-appropriate, and and proportionate manner; (3) requiring that consequences are paired with meaningful supportive guidance (*e.g.*, constructive feedback and reteaching) to offer students an opportunity to learn from their behavior and continue to participate in the school community; and (4) ensuring that law enforcement (including School Resource Officers, and school safety personnel) are not involved in low-level student discipline. *See USP §VI(B)(2)(a).*

The District designated Mr. Jim Fish, Executive Director of the Department of Student Equity and Intervention as the USP-required "Restorative and Positive Practices Coordinator" (RPPC). In that capacity, Mr. Fish managed and facilitated the GSRR review and revision process. The District formed a review committee including members of the community, administrators, and district level staff from a variety of departments including but not limited to Exceptional Education and Guidance and Counseling.   The committee made significant revisions to the document: minimizing exclusionary discipline, reiterating a commitment to Positive Behavior Intervention and Supports (PBIS) and Restorative Practices (RP), and reconsidering Due Process for ExEd students.

 In May and June of 2013, the District finalized its internal evaluation and revision of the GSRR. Instead of relying solely on a single consultant, the District contacted four different experts: Mr. Robert Spicer, Chicago Public Schools (a consultant experienced in implementing Restorative Practices), Ms. Shakti Belway – who also assisted with reviewing due process policies (UCLA Civil Rights Project; One Voice; and acting as an independent consultant on improving systems that serve children, including leading a multi-state effort to improve school district discipline to reflect best practices), Dr. Laura K. Bosworth (University of Arizona, PBIS Expert), and Dr. Adam Voight (Equity Assistance Center/WestEd, with experience researching/implementing restorative and positive practices). The evaluation and revision included written reviews of the GSRR to ensure alignment, individual phone conversations, and a conference call on June 21, 2013, with all of the consultants to finalize the revisions.

On June 21, 2013, the District provided the first draft of the revised GSRR to the Parties and Special Master for review and feedback. After receiving feedback and incorporating appropriate changes, staff submitted a final version to the Governing Board for approval on July 23, 2013. The Board approved the final

version. Subsequently, the Special Master and Plaintiffs requested additional substantive changes for clarity and to align the GSRR with the USP.

Such changes required Governing Board approval and, in the spirit of good faith and collaboration, the District revised the GSRR and submitted the revised final version to the Governing Board for adoption on August 13, 2013. Primary sticking points involved the classification level of certain violations and defining the circumstances under which the District could involve law enforcement in student misconduct. Based on these additional discussions and attempts at collaboration, staff again revised the GSRR, but the Governing Board rejected the new revisions at its meeting of August 27, 2013. This meant that the District would finalize and distribute the previously-approved version (from August 13, 2013), as written.

Staff submitted the approved GSRR to the Language Acquisition Department for translation to Spanish on August 28, 2013. In September 2013, the Fisher Plaintiffs filed a formal objection to the GSRR requesting a Report and Recommendation from the Special Master to the Court. On September 20, 2013, the Special Master submitted a Report and Recommendation to the Court recommending that the Court take no action on the Fisher Plaintiffs objection. No action was taken by the Court. Staff submitted the English and Spanish versions to the TUSD Print Shop for printing in early October 2013. ***Appendix VI-2*** (2013-14 GSRR)

Setting forth parameters in the GSRR, like all aspects of student discipline, involve competing interests and opinions. Exclusionary consequences, in particular, must be managed in such a way that the need of all students for a peaceful and safe learning environment is balanced against the need to avoid excess reliance on excluding misbehaving students. Accordingly, in the spring of 2014, Mr. Fish again formed a committee to assess the successes and failures of the previous year's revisions. The committee recommendations were imbedded into the GSRR and forwarded to the Governing Board for adoption in order to assure that the GSRR was available for parents and students by July 31, 2014, the first day of the 2014-15 school year. The 2014-15 GSRR was adopted by the Governing Board on June 10, 2014, and was translated into Major Languages (Vietnamese translation is still pending). ***Appendix VI-3*** (2014-15 GSRR). The revisions have been submitted to the Plaintiffs and Special Master for review and comment and the parties are working collaboratively to resolve any outstanding issues.

2.   Policy Revisions

The USP requires the District to consult "with relevant experts [to] evaluate and revise, as appropriate, its due process protections for student discipline." *USP §VI(B)(2)(b).*   During the 2013-14 school year, TUSD continued its consultation with experts relating to the procedural due process requirements of its discipline polices. Specifically, Policy JK and its accompanying regulations set forth the procedural steps that District personnel must follow to pursue exclusionary discipline. This set of regulations includes: due process, appeals procedures, limitations on the number of days to ensure that students are not unnecessarily removed from the educational setting for extended periods, and safeguards to ensure that information and evidence are presented to a neutral factfinder. Policy JICK addresses student bullying and harassment.

TUSD contracted with Dr. Lenay Dunn with the Regional IX Equity Assistance Center at WestEd, and Ms. Shakti Belway with the UCLA Civil Rights Project to review and comment on the discipline policies. In addition, the District shared potential policy revisions with the Special Master and Plaintiffs, received feedback, and analyzed the feedback as part of its policy assessment. Although the District discipline policy JK provided required due process, some revisions have been drafted to clarify the disciplinary process. In addition, the drafts are ready for Board consideration and scheduled for vote on October 14, 2014. *Appendix VI-4* (Draft Governing Board Policy JK and its accompanying Regulations); *Appendix VI-5* (Draft Governing Board Policy JICK and its accompanying Regulation).

C.   Hiring/Designating Appropriate Personnel

The USP requires the District to hire or designate an employee to serve as the Restorative and Positive Practices Coordinator (RPPC). The RPPC is responsible for working with school sites to assist in the ongoing implementation of Restorative Practices and PBIS. USP §VI(C)(1). On April 1, 2013, the District designated Mr. James Fish, the Executive Director of Equity and Intervention, as the District's Restorative and Positive Practices Coordinator (RPPC). Shortly thereafter, Mr. Fish hired Brian Lambert as the USP-required Academic and Behavioral Supports Coordinator (ABSC). As a result of Mr. Fish's resignation and Mr. Lambert's appointment as the Principal at Hollinger K-8 School, the District is now in the process of hiring a Senior Director of Desegregation Compliance and Student Equity who will oversee the four Student Services Directors (who have been designated as the ABSCs for the 2014-15 school year). This individual will assume the responsibility of the District's Restorative and Positive Practices Coordinator. The District is committed to ensuring the responsibilities of the RPPC are assigned to

one or more individuals even during times of transition such as we are experiencing currently (Mr. Eugene Butler is currently designated as the RPPC).

The District must also hire or designate employees at each school to serve as the Restorative and Positive Practices Site Coordinators (RPPSCs). The RPPSCs are responsible for assisting instructional staff by guiding them in effectively communicating school rules, reinforcing appropriate student behavior, and using constructive classroom management and positive behavior strategies. RPPSCs are also responsible for ensuring that these behavior management strategies are language accessible to students and families, and in developing corrective action plans for their assigned sites in conjunction with the RPPC, as necessary. *USP §VI(C)(2).*

The District has assigned Learning Supports Coordinators (LSCs) to each school and has designated LSCs as the USP-required "Restorative and Positive Practices Site Coordinators" (RPPSCs) for the sites to which they are assigned. The LSCs are Masters-level educators who are tasked with "[s]upport[ing] school leaders to implement a restorative school culture and climate and student advocacy component of the TUSD Unitary Status Plan" and to "[i]dentif[y] problems and provides rapid problem solving structures ensuring use of restorative practices, advocacy, equity and access for all students with particular focus on underserved populations." *Appendix VI-6* (LSC job description). The LSCs worked with their school sites to train the staff on RP and PBIS and conducted weekly school discipline team meetings to assist the school site in using data to self monitor its discipline practices.

The USP requires the District to hire or designate trainers to assist staff in implementing Restorative Practices and PBIS. *USP §VI(E)(2).* On June 24, 2013, the District designated Holly Colonna (Director, Guidance and Counseling) and Karen Ward (Program Manager, Guidance and Counseling) as the Restorative Practices and PBIS trainers for the 2013-14 school year. In 2013-14, the LSCs (RPPSCs) were under the Guidance and Counseling Department. In their roles, Ms. Colonna and Ms. Ward developed and facilitated Restorative Practices and PBIS trainings to the RPPSCs in a train-the-trainer model. RPPSCs then provided training and support to staff at their assigned sites to assist site staff in implementing these practices.

D.   Parent and Community Engagement

The USP requires the District to make the Guidelines for Student Rights and Responsibilities (GSRR) available and accessible to parents through distribution, and at various locations and online (including timely translations of documents and

informational programs). *USP §VI(D)(1).* The USP also requires the District to develop and deliver informational programs for parents and students related to their roles and responsibilities as described within the GSRR. *USP §VI(D)(2).*

The distribution of the Guidelines for Student Rights and Responsibilities (GSRR) was delayed as the District pursued collaboration with the Special Master and Plaintiffs. The parties spent several months aligning, reviewing, and re-aligning the GSRR to match the USP provisions and the spirit of the USP, while providing safeguards for student safety and flexibility for administrators. Generally, the District distributes the GSRR to students and parents at registration. Because student registration was well over by the time the printed GSRR was available for distribution, the GSRR was delivered to the schools during the fall break in the first week of October 2013, and distributed to students to take to their parents in the first week of the second quarter.

The USP requires that in addition to distributing copies of the GSRR to students and their families, the District develop and deliver an informational program that can assist students in understanding the GSRR, PBIS, and Restorative Practices. *USP §VI(D).* To meet this obligation, the District developed two separate PowerPoints, one for a student presentation, one for a parent presentation. Schools held assemblies for students to go over PBIS, Restorative Practices, and the GSRR. The LSCs adjusted these PowerPoints to be age/grade appropriate. The parent presentation included the student presentation along with two additional topics. The goal of the parent presentation was to inform the parents as to what their children had seen and to add additional information about due process, appeals and how to resolve concerns. This PowerPoint presentation covered the following topics:

- Positive Behavioral Intervention and Supports – what they are and what it looks like at our school
- Restorative Practices – believing in individuals especially when they make poor decisions
- Guidelines for Students Rights and Responsibilities – when they apply and how to read and understand the violations and consequence levels
- Due Process and Appeals – Fairness and communication with parents
- Resolving Concerns – what steps to take to register complaints and to resolve concerns

Appendix VI-7 (GSRR Parent and Student Presentations).

District leadership directed principals to hold two parent meetings--one each semester-- to present this information.   The District provided interpreters to assist limited English proficient families, and LSCs documented the dates on which these meetings were held. ***Appendix VI-8*** (LSC documentation).

The Directors of Student Equity (MASS, APASS, NASS, AASS) held district-wide parent meetings at least quarterly to discuss a variety of issues relevant to their population. At these meetings, staff members informed parents of the role of the support services department for student support, including advocacy for a student faced with a disciplinary action. These departments provided advocacy during suspension hearings as well.

Additionally, per the USP, the District translated the GSRR into Arabic, Chinese, Nepali, and Spanish. These translations are available on the TUSD website. The Spanish language version is printed concurrently with the English language version and available in hard copy at the sites and distributed to the students to take home. The other translations are available in hard copy upon request at the site where the staff is able to print the online translation. As a result of a backlog in translation services, the translation of the GSRR into Vietnamese is still underway but will be available in the 2014-15 school year. To further ensure parental access and understanding, on December 9, 2013 the Asian Pacific American Student Services Department (which also supports all refugee students) held a discipline meeting for parents, interpreted in the following languages: Nepali, Swahili, Somali, and Arabic.

Finally, in an additional effort to engage with the community regarding discipline issues, two Director-level representatives from TUSD serve on a community wide task force (Court, School and Law Enforcement Collaborative Task Force).   This community wide effort to reduce the number of juveniles referred into the court system was specifically designed to assist schools in reducing the number of calls to law enforcement. Dani Tarry, Family Engagement Coordinator, and Jeff Coleman, Director of School Safety, attended on behalf of the District.   The task force worked on developing guidelines for school officials as to when a call to law enforcement was required and when school officials should avoid calling law enforcement, instead handling the matter internally.

E.   Professional Development

1.   RPPSC Training

The USP requires the District to "ensure that all schools provide the necessary training and hire the requisite RPPSCs" and that the RPPSCs (LSCs) receive relevant training. *USP §VI(E)(1).* On July 31, 2013, all Learning Supports Coordinators (LCSs) attended a full day training session that included the GSRR, PBIS, and Restorative Practices. ***Appendix VI-9*** (LSC Training PowerPoint). Karen Ward, a Masters level counselor experienced in PBIS and Restorative Practices, conducted the training.   Ms. Ward is a "Trainer of Trainers" in PBIS and has presented extensively across the nation and has evaluated other districts in their implementation of PBIS. The District's counseling department surveyed all LSCs to determine the training needs of the group. Some LSCs had had previous training and were very comfortable in managing the implementation of PBIS at their school sites; others had less experience and needed additional support. As a result, training sessions were differentiated based on the LSC's level of skill, expertise, and experience with PBIS. LSCs were able to select the training session that they believed met their needs.

The beginner class, held on September 16, 2013, covered the following expectations: creating a planning and implementation team at each school; developing three to five school-wide procedures/expectations; developing a behavioral expectations matrix; and conducting staff training/orientation. Staff offered this training again in October of 2013. ***Appendix VI-10*** (PBIS Training Schedule)*.* On September 20, 2013, all LSCs attended a follow-up training session to discuss the level of implementation of PBIS at their sites and continuing support for PBIS. ***Appendix VI-11*** (PBIS Training 1) An experienced level class, held on October 15, 2013 and again on December 13th, 2013, covered the following expectations: designing a process for teaching the behavioral expectations to all students; teaching the behavior expectations based on the matrix created in the first class; and developing a plan for acknowledging and recognizing appropriate behaviors. ***Appendix VI-12*** (PBIS Training 2). Another advanced class for LSCs, held on January 13, 2014, covered the process of designing a consequences system for reducing inappropriate behavior to teach rather than punish with respect to the TUSD discipline policy, and state and federal law. ***Appendix VI-13.***

2.   Training for Administrators and Certificated Staff

Pursuant to the USP, the District must "hire or designate trainers to assist all administrators and certificated staff to implement Restorative Practices, PBIS and

the standards established in the revised GSRR. The trainings shall take place before the commencement of the 2013-2014 school year." As discussed above, the final version of the GSRR was not agreed upon until August 27, 2013. Therefore, it was not possible to develop and provide training until after that date. During the month of September, District staff finalized the discipline training and scheduled the first training (for administrators) during the first administrator meeting in October.

At the Instructional Leadership Academy (ILA) on October 3, 2013, site administrators received training on the GSRR, PBIS and Restorative Practices. Brian Lambert, the Academic and Behavioral Supports Coordinator, in conjunction with Jim Fish (RPPC) and Charlotte Brown (Compliance Liaison), conducted the training. This 45 minute presentation focused on the District's commitment to PBIS and Restorative Practices, the changes to the GSRR for the 2013-14 school year, and team exercises to evaluate various factual scenarios and use the GSRR in simulated situations. *Appendix VI-14* (ILA agenda, and handouts)*.* This commitment and the changes to the GSRR were further reiterated and clarified by Superintendent Sanchez at the December 5, 2013 Administrative meeting. *Id.* Additionally, administrators received a copy of the PowerPoint used in the LSC July 31, 2013 training to inform them of the LSC responsibilities for the 2013-14 school year relating the role of the LSC specifically regarding the USP. *Appendix VI-9* (LSC Training PowerPoint)

During the 2013-14 school year, LSCs conducted training for site staff (teachers, paraprofessionals, and support staff) on PBIS and Restorative Practices. As part of that training, LSCs assisted site staff in developing each school's PBIS matrix. Following completion of the matrix at the training, LSCs reported back to Guidance and Counseling.

3.   Communicating Roles and Responsibilities

The USP also requires the District to communicate to administrators and teachers their roles and responsibilities in creating and supporting positive classroom environments and schools. *USP §§VI(E)(3, 5).* In addition to the "training the trainer" events described above (at which principles were instructed to pass the information to their staff), Equity Department emailed an outline of the roles and responsibilities for administrators, and for teachers, to elementary and secondary leadership. In turn, the communication was to be shared with teachers so they would be made aware of their roles in creating and supporting positive classroom environments and schools. Elementary leadership posted the roles and responsibilities in their Friday Communique on September 20, 2013. *Appendix VI – 15* (Elementary Communique). Secondary leadership posted the document in their

Newsletter "The Express" on Friday, September 13, 2013. *See Appendix VI-16,* (Roles E-mail); *Appendix VI-17* (Secondary Leadership Newsletter, "The Express")**.**

The USP mandates corrective action if an individual teacher fails to adhere to the District's discipline policies or practices, engages in discrimination in such practices, and/or administers student discipline in a racially or ethnically disparate manner. *USP §VI(E)(4).*   Academic leadership has advised principals that on a case-by-case basis and as the facts warranted, they must take corrective action if a teacher engages in discriminatory practices or failed to adhere to discipline policies or practices.

The USP directs the District to provide all administrators and certificated staff with training on how to create supportive and inclusive environments. *USP §VI(V)(E)(5)(a)*. During the 2013-14 school year, the District's acting Director of Culturally Relevant Pedagogy and Instruction (in conjunction with the Department of Student Equity and Intervention, and the Department of Teaching and Learning), developed the "Supportive and Inclusive Learning" (SAIL) initiative relating to both academic and behavioral supports. The mission for this initiative is as follows:

> *"Each member of the TUSD community has a responsibility to create equitable learning environments emphasizing students' cultural assets, background and individual strengths.*
>
> *Each student is respected, included and valued in a culture of high expectations for behavior and learning."*

The interdepartmental team and an outside consultant from the Danielson Group[48], developed the content for the SAIL training to stress professional responsibility to create supportive and inclusive learning environments and to focus on learner-based approaches that emphasize students' cultural assets, backgrounds, and individual strengths. The team aligned the training with the Teacher Evaluation, and the training served as an introduction to the fundamentals of supportive and inclusive learning environments.

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[48] The Danielson Group seeks to advance the understanding and application of Charlotte Danielson's concepts in the educational community, connect them to other areas of knowledge, and enhance professional practices of educators so as to positively impact student learning. During the 2012-13 and 2013-14 school years, the District worked directly with the Danielson Group to improve teacher evaluation systems and strategies for improving instruction.

Staff presented the SAIL training to the Instructional Leadership Team and Business Leadership Team in March 2014. Then, throughout March and April of 2014, staff conducted subsequent trainings for Department of Student Equity and Intervention staff, LSCs, Teacher Mentors, and Principals and Assistant Principals.

The SAIL training built upon the Danielson Framework[49] as a tool to reflect on practice and develop action steps to build supportive and inclusive learning environments. The training included a component on analyzing discipline data, the importance of assessing varying types of disparities in discipline (especially race/ethnicity and gender), and ways to interpret the data. *See USP §VI(F)*, Monitoring. The training also focused on classroom and student management strategies, the importance of effectively communicating with students and families, and creating an inclusive classroom environment built on respect and rapport. These classroom strategies are crucial for creating an inclusive and supportive environment which, as recognized by the USP, is central to the goal of ensuring that "TUSD students are not subject to discriminatory disciplinary practices based on their race, ethnicity or ELL status." *See USP §VI(E)(5).* ***Appendix VI-18*** (SAIL Training).

F.   Monitoring

1.   Reporting System

The USP requires the District to identify any changes in the data reporting system necessary to meet reporting and evaluation requirements. *USP §VI(F)(1).* To ensure reporting of Restorative Practices, PBIS, and other elements of GSRR implementation, the District expanded its use of the Grant Tracker System (used to monitor grant-related activities by matching staff activities to specific schools and/or students).   Additionally, the District continued to utilize the Mojave system to document disciplinary actions at school sites. It is important to note that teachers make referrals of students to administrators but only administrators impose discipline. The Mojave system allows staff members to enter "interventions" into a student's record, but administrators must further document restorative or positive measures used by staff to support a student. A review of these systems in 2013

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[49] The Danielson Framework for Teaching is a research-based set of components of instruction, aligned to the INTASC standards, and grounded in a constructivist view of learning and teaching. The complex activity of teaching is divided into 22 components (and 76 smaller elements) clustered into four domains of teaching responsibility: Planning and Preparation; Classroom Environment; Instruction; and Professional Responsibilities.

revealed inconsistencies; some of which still remain to be fully addressed but will be corrected during the 2014-15 school year.

LSCs may enter their discipline-related activities in both Mojave and Grant Tracker. Most LSCs chose either one venue or the other, resulting in data that is not easily aggregated for analysis and thus is insufficiently reliable.   Both systems have deficiencies: 1) the intervention data held in Mojave cannot be tallied by type of restorative event as can the Grant Tracker data; however, 2) the Grant Tracker data cannot be disaggregated by race or ethnicity.   The District is continuing to work towards more efficient and accurate data collection methods in the 2014-15 school year.   Despite these technological challenges, the District monitored the following LSC-facilitated activities relating to discipline:

- Restorative circles
- Restorative conferences
- Restorative consequences
- Restorative Practice
- PBIS – organization and planning
- PBIS – teaching behavior expectations
- PBIS recognitions

2. Review of Discipline Data

The USP requires the District to "collect, review, and analyze discipline data from each school on at least a quarterly basis" and, based on the review, develop corrective action plans where necessary. *USP §VI(F)(2).* During the 2013-14 school year, the primary responsibility for ensuring fair and equitable administration of student discipline, including monitoring all suspensions and expulsions, rested in the District's Office of Student Equity and Intervention. This Department staff consisted of the Directors of Student Services, including the Directors of African American Student Services (AASS), Mexican American Student Services (MASS), Native American Student Services (NASS) and Asian-Pacific American Student Services (APASS), as well as the Academic and Behavioral Support Coordinator, Dropout Prevention Coordinator, and the Coordinator for Family and Community Outreach. The Student Services Directors together with the Academic and Behavioral Support Coordinator reviewed discipline data quarterly and noted areas of concern to communicate to the Leadership for further action. Additionally, the Directors provided advocacy and support for students and parents in specific situations involving student behaviors and/or discipline.

Appendix VI-19 (Quarterly Analyses) contains a summary of the number of schools by level and quarter that were noted with concerns as well as a summary of the schools listed with no concerns (and an exemplar of the data reviewed each quarter). The main area of concern at the Elementary School level was a lack of information due to a failure of some sites to input discipline data.   Because student discipline is less common at the elementary level (and exclusionary consequences particularly rare), elementary administrators sometimes fail to remember to enter data relevant to student disciplinary events. The elementary sites will be receiving additional training and reminders as needed. This "failure to record" problem was not as prevalent in the higher grades.

In analyzing the 2013-14 data, the District must give itself mixed reviews. However, this first full year of data monitoring provides a road map under which leadership (collaboratively including Student Equity, Elementary Leadership, and Secondary Leadership) may better target the District's efforts. For example, there were 992 fewer short term suspensions in 2013-14 than there were in 2012-13, and 94 fewer long term suspensions in 2013-14 than in 2012-13. *See Appendix VI-20* (Discipline Data). The number of in-school suspensions has remained constant between 2011-12 and 2013-14. In-school discipline declined significantly between the 2011-12 and 2012-13 school years, but increased in the 2013-14 school year. *Id.* This shift – a decrease in out of school suspensions and a corresponding increase in in-school discipline actions – is a direct result of a shift towards keeping students in school where possible, and dealing with behavioral issues through Restorative Practice and/or PBIS techniques. Hispanic students made up the greatest proportion of the reductions in suspensions between 2011-12 and 2013-14.

However, African American students remain overrepresented in discipline in general. In light of a slightly decreasing African American enrollment, the percentages of African American student representation in discipline appear to be increasing. *Id.* Clearly, more work needs to be done in this area.
Since the 2011-12 school year, the District has made significant progress with Hispanic students, reducing the numbers of in-school discipline, in-school suspensions, suspensions and long-term suspensions between the 2011-12 and 2013-14 school years. Hispanic students are under-represented in in-school discipline, in-school suspension and short-term suspensions. However, in the 2013-14 school year, Hispanic students were over-represented in the area of long- term suspensions in that 66% of the long-term suspensions were imposed on Hispanic students while Hispanic student District enrollment is 62%. *Id.*

3.   Replicating Best Practices, Including Meetings Among Site Personnel.

The USP requires the District to seek to replicate best practices based on the data and analyses from the quarterly reviews. *USP §VI(F)(3)* Based on the quarterly reviews conducted in the 2013-14 school year, the District's Student Services Directors are working with the designated RPCC (Assistant Superintendent Eugene Butler, Jr.) to research practices at sites that were identified in the 4th Quarter review as sites that may serve as models for others.

The USP requires principals to meet on a regular basis with the school-site discipline team to review data, discuss corrective action plans or action items, and explore ideas for improvement. *USP §VI(F)(4).*   School principals met with the school's discipline team to review and analyze discipline data (suspensions, detentions, referrals, etc.) and discuss impacts on individual students, groups, teachers, etc. Discipline teams also used data to consider prevention strategies, assess and identify root causes, and propose alternative strategies. Each site's administrator was responsible for organizing the meetings and ensuring that the Learning Support Coordinators (LSCs) participated as a team member. Each site was to report implementation to the Guidance and Counseling Department, and LSCs were to submit evidence of such meetings (agendas, minutes, etc.). *Appendix VI-8* includes an "LSC Monitoring Chart" that documents the disciplinary team meetings (and parent training dates for the GSRR) as reported by site LSCs.   The Appendix also includes a sampling of site meeting agendas and minutes documenting the monthly reviews. *Appendix VI – 21* (Discipline Meeting Samples)*.* The meeting minutes reflect the change that is occurring throughout the District as sites review discipline data and implement USP-aligned strategies.[50]

4.   Corrective Action Plans: Framework and Schedule

The USP requires the District to develop a framework and schedule for creating any necessary corrective action plans and implementing them in a timely manner. USP §VI(F)(5). In March 2014, after staff completed the second quarterly

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[50]   As reported for 2013-14, strategic approaches at sites included "PBIS Stores" at high schools where students can redeem "positive behavior" tickets for items, extra recreation time for students to spend with Principals for exhibiting positive behaviors, posters throughout schools to reinforce PBIS/RP lessons, Restorative Practice training for classified staff to ensure a positive climate beyond the classroom; and the implementation of restorative circles to reduce conflict.

review and analysis, Mr. Brian Lambert (ASBC) worked with Mr. Jim Fish (RPCC) to develop a draft framework and schedule for conducting quarterly data reviews, and for creating necessary corrective action plans and implementing them in a timely manner. Mr. Lambert and Mr. Fish modeled the Draft Framework on the ILT and BLT Plans (which later became the District's Five Year Strategic Plan). The Framework defines the roles of various stakeholders, sets timelines for completion, and acknowledges that corrective action plan tools still needed to be developed and aligned with the Teacher Support Plan. ***See Appendix VI-22, Draft Framework and Schedule.***

The difficulty in implementing the Draft Framework was that the District was in a transition period: central and site leadership was changing; the audit findings were leading to significant reorganization, and more than a third of District schools were getting new administrative leadership for the 2014-15 school year. District leadership recognized the importance of this USP obligation, and its potential impact on students, but sought ways to balance that consideration against the multiple moving parts and transitions of the spring semester. After reviewing the draft framework, Deputy Superintendent Vega convened a meeting with Assistant Superintendents Teri Melendez (Elementary Leadership) and Dr. Abel Morado (Secondary Leadership), Executive Director of Equity Jim Fish, High School Director Herman House, ASBC Brian Lambert, and Desegregation Director Samuel Brown. The cross-departmental team discussed strategies and potential approaches to remain compliant with the USP while simultaneously addressing the realities of the situation (i.e. developing corrective action plans in the spring for principals who were either leaving or changing schools versus waiting for the fall to develop corrective action plans with the new – and newly relocated – principals).

Leadership has directed that the quarterly analyses be provided to central directors and assistant superintendents who supervise school principals in order for the directors to hold the principals accountable for equity at their sites.   Equity directors are working with educational leadership directors to further develop what was initiated as the draft framework to ensure timely communication between Student Equity and instructional leadership with clear direction for follow-up and, if needed, creating corrective action plans. Site discipline teams have met regularly to review data, explore options to address trends, and strengthen each school's commitment to Restorative Practices and PBIS. As a result, the District has significantly reduced disciplinary actions – particularly exclusionary disciplinary actions – for all students. Still, although the data shows improvements for all students, the District will work diligently to reduce and/or eliminate remaining disparities.

Finally, The USP requires the District to post student discipline data on TUSD Stats, subject to FERPA requirements. *USP §VI(F)(6).* The District continues to post student discipline data on TUSD Stats (https://tusdstats.tusd1.org) as required by USP.

III.   Mandatory Reporting

USP §VI(G) requires the District to provide the following seven sets of data as part of this report to reflect progress made in the area of student discipline.

> 1. **Copies of the analysis contemplated above in (VI)(F)(2), and any subsequent similar analyses. The information provided shall include the number of appeals to the Governing Board or to a hearing officer from long-term suspensions or expulsions, by school, and the outcome of those appeals. This information shall be disaggregated by race, ethnicity and gender.**

Appendix VI-19 (Quarterly Analyses) contains quarterly analyses from all four quarters of the 2013-14 school year, and an exemplar showing the types of data reviewed. *Appendix VI-23* (Appeals) contains information related to appeals from long-term suspensions, and expulsions.

> 2. **Data substantially in the form of Appendix I for the school year of the Annual Report together with comparable data for every year after the 2011-2012 school year.**

Appendix VI-20 (Discipline Data) contains discipline data substantially in the form of USP Appendix I with data from the 2011-12 school year through the 2013-14 school year.

> 3. **Copies of any discipline-related corrective action plans undertaken in connection with this Order.**

Appendix VI-22 (Draft Framework and Schedule) includes a copy of the draft Framework and Schedule for developing corrective action plans. Note: there were no corrective action plans undertaken in the 2013-14 school year.

4.   **Copies of all behavior and discipline documents, forms, handbooks, the GSRR, and other related materials required by this Section, in the District's Major Languages.**

Appendix VI2 (2013-14 GSRR), *Appendix VI-3* (2014-15 GSRR), *Appendix VI-47* (Complaint Form) contains a copy of the 2013-14 Exhibit for Policy JICK-E1 "Student Violence, Bullying, Intimidation, Harassment Complaint Form" (proposed revision to the form is included in *Appendix VI-7*).

5.   **Copies of any Governing Board policies amended pursuant to the requirements of this Order.**

Appendix VI-4 (Draft Governing Board Policy Policy JK and Regulations; *Appendix VI-5* (Draft Policy JICK and regulations).   Both revised policies will be presented to the Governing Board for approval in October 2014.

6.   **Copies of any site-level analyses conducted by the RPPSCs.**

Appendix VI-8 (LSC Documentation) and *Appendix VI-21* (Discipline Meeting Samples) include documentation showing the dates and schools of RPPSC (LSC) site-level analyses during monthly discipline team meetings, and exemplars of meeting agendas/minutes from each level (ES, K8, MS, HS).

7.   **Details of each training on behavior or discipline held over the preceding year, including the date(s), length, general description of content, attendees, provider(s)/instructor(s), agenda, and any handouts.**

Appendix VI-25 (Training Summary) includes details of each training, as described above.

FAMILY AND COMMUNITY ENGAGEMENT (USP § VII)

I.   Introduction: Engaging Families and Communities in Student Success

The USP recites a well-recognized educational priority in noting that "[f]amily and community engagement is a critical component of student success." *USP §VII(A)(1).* The U.S. Department of Education recognizes that family and community engagement initiatives, when effectively implemented, "build and enhance the skills, knowledge, and dispositions of stakeholders to engage in effective partnerships that support student achievement and development and the improvement of schools." http://www2.ed.gov/documents/family-community/partnership-frameworks.pdf. To that end, the USP mandates a cross-departmental approach to family and community engagement which requires TUSD to adopt strategies to accomplish the following: 1) increase family and community engagement in schools (including developing and implementing outreach to families); 2) provide information to families about the services, programs, and courses of instruction available in the District; 3) seek input from families about how best to meet the needs of their children; and 4) collaborate with local colleges, universities, and community groups to provide families information and guidance designed to improve the educational outcomes of African American and Latino students (including ELL students).

Family and Community Engagement is a broad mission, infused into the work of virtually every school and administrative department in TUSD.   In addition to the activities outlined in Section VII of the USP, the District engages families and the community through a variety of other initiatives and activities, including those associated with other sections of the USP, through the Title I department, and through the Governing Board and District leadership.   Accordingly, what follows below will give an overview in general terms of the District's family and community engagement activities in 2013-14, followed by a more specific discussion of those activities undertaken pursuant to Section VII of the USP.

During the 2013-14 school year, the District undertook several major initiatives under the Unitary Status Plan in the area of family and community engagement, including: a) Hiring or designating a Family Engagement Coordinator; b) Reviewing and assessing existing family engagement programs, resources and practices; c) Developing a Family and Community Engagement Plan; d) Gathering and reporting data as required under USP § VII(E)(1). In addition, the District continued and expanded its family and community engagement work associated with a host of other active District initiatives.   This report contains a description of TUSD's implementation efforts under USP Section VII as well as an overview of ongoing family and community engagement activities.

II.   Implementation and Compliance Activities in SY 2013-14

Throughout the 2013-14 school year, District staff collaborated with outside organizations, external consultants and experts, and the Special Master and Plaintiffs.   The goal of this work was to develop and refine strategies to improve upon the District's outreach and for families and students in Tucson generally, with a special emphasis on African American and Latino students, families, and communities.   These efforts were guided by the requirements of USP§VII.

A.   Hiring/Designating a Family Engagement Coordinator.

The USP requires the District to "hire or designate a District Office employee to be the Family Engagement Coordinator " who "shall be responsible for the review and assessment of the District's existing family engagement and support programs, resources, and practices, focusing on African American and Latino students, including ELL students, and families, particularly students who are struggling, disengaged, and/or at risk of dropping out, shall participate in the development and implementation of the outreach and recruitment plan in (II)(I)(i) above, and shall develop and implement the plan described below." *USP §VII(B)(1).*

In the 2013-14 school year, the District designated Noreen Wiedenfeld (Director of School Community Services) to serve as the Family Engagement Coordinator (FEC).   **Appendix *VII-1*** (Wiedenfeld Credentials)*.* In her role as the FEC, Mrs. Wiedenfeld: coordinated the review and assessment of family engagement programs, resources, and practices; participated in the development and implementation of marketing, outreach, and recruitment strategies as a member of a cross-functional team; and initiated the development of the Family and Community Engagement Plan . She also participated in the development of the Admissions Process for Oversubscribed Schools, described in USP §II(G)(2).   In the spring of 2014, Mrs. Wiedenfeld announced that she would be leaving the District. The District designated Dani Tarry as the Family Engagement Coordinator during the transition period from April 2014 through July 2014.

B.   Reviewing and Assessing Programs and Resources.

The USP requires that the creation of a family and community engagement plan be preceded by a comprehensive analysis of existing family engagement work in the District. *USP§VII(C)(1)(B).* In the fall semester of 2013, the FEC, assisted by a project manager and other support staff, began collecting information about the District's existing family engagement programs, resources, and practices. The

collection of this data was complicated by the fact that family engagement was occurring at many different levels (central, site-based, program-based), and from many different areas (school leadership, Desegregation, Title I, 21st Century Grant, etc.). The team divided the collection of data into stages.

First, after an initial survey to schools in August 2013 identified the types of family engagement being practiced at school sites throughout the District, the team identified information gaps and developed a second survey. In October 2013 the team conducted a second survey aimed at collecting more detailed information about family engagement practices, including: detailed descriptions of activities, frequencies of occurrence of certain events, locations, personnel assigned, funding sources, and target audiences. The second survey sought information from school sites and central departments. *Appendix VII-2* (Review and Assessment).

A related component of the fall 2013 review and assessment was a specific review of family engagement activities that focused on programs, resources and practices for African American students and families, including ELLs, and Latino students and families, including ELLs.   Third, the team reviewed parent and family utilization of "TUSDStats", the District's online information and communication tool. This review disaggregated parental and/or family use of TUSDStats by race and ethnicity, by school, and by grade level. Finally, the team conducted an external review of best practices nationwide, and compared those practices to the District's existing practices. *Appendix VII-2* (Review and Assessment).

District staff analyzed the information that had been gathered, reviewed, and assessed, and developed recommendations for addressing identified deficiencies, and for incorporating best practices into existing practice.   Recommendations included: 1) creating and implementing district-wide strategies (as opposed to isolated pockets of excellence); 2) providing robust and pervasive communication; improving data collection and analysis (including improving access and knowledge of TUSDStats to increase parent utilization); 3) building school capacity to engage families; monitoring for effectiveness; and improving marketing and outreach through the family centers and other avenues. *Appendix VII-2* (Review and Assessment).

The District also worked throughout the year to learn from families about how best to meet the needs of their children. African American and Mexican American Student Services held monthly meetings with parent/community advisory councils, and Title I schools held monthly District Advisory Council (DAC) meetings, primarily for the purpose of learning from parents and from the community about how best to meet the needs of students. Based on strategies outlined in the Family

and Community Engagement Plan, this work will be much more systematic in the 2014-15 school year.

C.   Developing a Family and Community Engagement Plan.

The USP requires the District to develop and implement several plans and activities related to family and community engagement.   Those action plan requirements include expanding existing Family Centers, tracking data on family engagement, reorganizing and/or increasing family engagement resources, collaborating with colleges and universities, and providing access to enrollment tools at Family Centers. *See USP §§ VII(C)(1)(a) and (c-f)*. Rather than creating multiple plans, the District developed a single Family and Community Engagement Plan that included sections on all of the activities described in Section VII of the USP.

Once the District completed the review and assessment described above, the Family Engagement Coordinator (FEC) and other staff began developing the Family and Community Engagement Plan. The District incorporated the recommendations made by the team that reviewed and assessed the existing family engagement programs into the Family and Community Engagement Plan finalized at the end of March 2014. *Appendix VII-3* (Family Engagement Plan).

Additionally, during its development, the District consulted with Margit Birge who serves as a Program Associate with the Region IX Equity Assistance Center at WestEd. Margit Birge provides technical assistance to districts and schools in family engagement and school climate. She shared her thoughts on what could be improved in the proposed plan, but also shared the following:

> *I am impressed by the work you've done to gather data on your current programs and practices, and design a comprehensive districtwide plan to engage families. You've used well-respected research from the Harvard Family Research Project and the National Network of Partnership Schools at Johns Hopkins University, and I applaud your effort to shift the district work from involvement to engaging families in "learning-centric" opportunities.*

Appendix VII-10 (Birge feedback).

On March 31, 2014, the District submitted the first draft of the proposed plan to the Special Master and Plaintiffs for review *Appendix VII-3* (Family Engagement Plan) Over the next six weeks, the District provided additional information to the Special Master and/or Plaintiffs (as requested), and received feedback which was

incorporated into a revised plan. The revised plan reflected the work of the District and the collaboration with, and feedback from, the Special Master and Plaintiffs, and the feedback received from Margit Birge.

After filing the revised plan in May, the District received additional objections, and worked throughout the summer to collaborate with the Special Master and Plaintiffs to resolve differences. As a result, the Special Master and Plaintiffs agreed not to file a Report and Recommendation with the Court, and the District agreed to develop a final revised plan by October 2014.

The USP describes several Family Engagement Activities as requirements under the District Family Center Plan. USP §VII(C)(1)(a-e).   Even while the Plan was still in development, the District engaged (or continued to engage) in those specified activities including: (a) operating existing family centers in 2013-14; (b) planning additional family centers for 2014-15; (c) tracking family engagement (including through revisions to Mojave); (d) learning from families about how best to meet the needs of their children; (e) collaborating with colleges and universities to provide parents with information about the college recruitment process; (f) providing access at Family Centers for families to complete and submit open enrollment/magnet applications online; and (g) disseminating information to families in all of the District's major languages.

D.   Operating Existing Family Centers.

In the 2013-14 school year, the District operated two Family Centers at centrally-located sites: District central offices (1010 East Tenth Street); and the former site of Duffy Elementary school (401 North Irving Avenue). Both Family Centers provided information about various opportunities for students (Advanced Learning Experiences (ALEs), Dual-Language programs, Magnet programs and schools, etc.). Both Centers provided information, resources, and supports to students and families including open enrollment/magnet application information and forms, and transportation information.   The Duffy Family Center also includes a clothing bank and serves as the District's main location for Child Find (exceptional education screening for preschool students).

The District equipped both Family Centers with internet access and multiple computers to ensure that parents could complete applications online and submit them online. Staff also provided paper applications at the Centers, and received training on assisting families with the student assignment process.

E.   Developing Additional Family Centers.

In the winter of 2013-14, during the development of the Family and Community Engagement Plan, District staff began work to identify and begin developing plans to expand family centers beyond the two locations noted above. The District considered locations that would accessible to various student populations, but also considered other factors such as socioeconomics and low academic achievement. Superintendent Sanchez, working in close conjunction with staff, developed a vision for the family centers that would provide services to families and students in an efficient and effective manner, and would connect families with the resources they needed for their student(s) to be successful.

The District's Southwest Center served as a model for the vision that would be replicated throughout the city. During the 2013-14 school year, staff from the Native American Student Services Department (NASSD) were located at the Southwest Center. Staff members were geographically closer to the higher concentrations of the target populations they served, facilitating the provision of direct services, including services in the evenings and on weekends. The vision for the 2014-15 school year is to replicate the Southwest Center model to locate staff from African American, Mexican American, and Asian Pacific American Student Services at family centers that were closer to areas with higher concentrations of their target student populations. All family centers will continue to serve all students, but strategically locating the support staff allows for greater targeted outreach. In general, District staff began identifying potential sites that were central, south, and east/southeast that correlated to higher populations of Asian/Pacific American and refugee students, Mexican American students, and African American students, respectively.

Throughout the spring and into the summer of 2014, cross-functional teams conducted walk-throughs and assessments of potential sites. The assessment teams reported back their findings to leadership and to the Superintendent, who then had further discussions about site location, services to be offered, outreach strategies, and cost estimates. During the 2014-15 school year, new Family Centers will open as part of the District's implementation of its Family and Community Engagement Plan. *Appendix VII-3* (Family Engagement Plan)

F.   Family Engagement Data Tracking.

USP §VII(C)(1)(b) directs the District to implement a plan to track data regarding family engagement. Public response to family engagement efforts was largely tracked by retaining sign-in sheets reflecting attendance at events and visits

to family centers.   Family communications sent through ParentLink are tallied and data reflects whether the call was actively answered or went to voice mail. Although the USP recommends modifications to Mojave through which the District can monitor family engagement at a student-by-student level, the District is about to begin phasing out Mojave in favor of a new Student Information System (SIS). Accordingly, integrating family engagement tracking into the SIS will be addressed at the time of that conversion.

G.   **Collaboration with Colleges and Universities**.

USP §VII(C)(1)(e) directs the District to both collaborate with colleges and universities in student/family outreach but also to provide information about college admissions/recruitment.   Throughout the 2013-14 school year, the District collaborated with Pima Community College, the University of Arizona, and other non-State colleges and universities to provide parents with college recruitment and enrollment information.   Flyers, and other materials distributed throughout the 2013-14 school year including, but not limited to: College Night, the Black College Tour; Parent University; information on the college recruitment and application process; and scholarship information.

H.   **Translation and Interpretation Services (Including Disseminating Information in the District's Major Languages).**

The USP requires TUSD to continue to budget for translation and interpretation services, and to disseminate information in the District's Major Languages. USP §§VII(C)(1)(g) and (D). The District translated USP-related information primarily into Spanish, but also into the District's other Major Languages throughout the 2013-14 school year. The District also provided interpretation services throughout the 2013-14 school year at school sites upon request, and at school and districtwide events.

Throughout the 2013-14 school year, the District provided interpreter support for families at events including, but not limited to: Board Meetings; Title I meetings (such as District Advisory Council (DAC) and Academic Parent Teacher Team (APTT)); School Community Partnership Council (SCPC); MASSD Community/Informational Meetings; 21st Century Program parent meetings; Advanced Learning Experience Site and community meetings; IB site informational meetings; and site-sponsored parent workshops. In most cases, sites or departments will request interpreter services based on their anticipated attendees or upon parent request prior to meeting. For translation services, the District seeks

to send out information for District-sponsored events in the Major Languages, as appropriate to the site and/or event.

III.   Other Family and Community Outreach Efforts, SY 2013-14

A.   Community Engagement by District Leadership.

TUSD's Governing Board members are active and engaged. Throughout the school year they visit schools, meet with families, attend public and community events, and engage community members to develop dialogue and create a sense of togetherness. Once a month, Board Members provide the community with a "Board Member Activity Report" to share details about the district-related activities that they participated in during the previous month. These reports, and the dialogue created through an active and engaged Governing Board, provide families and community members with access to District leaders, accountability, and hands-on experiences with those that make the District's toughest decisions.

At the start of the 2013-14 school year, the new Superintendent Dr. H.T. Sánchez, made a commitment to the community to be visible, to visit with community members often and in meaningful ways, and to keep an open dialogue about issues important to families and community members. Throughout the school year, Dr. Sánchez kept this commitment by meeting regularly with other civic leaders (local school superintendents, city and county officials, etc.), members of the African American, Latino, Native American and other communities, and business leaders. Most notably, Dr. Sánchez engaged over 200 community members in the crafting of the District's five year strategic plan.

In the fall of 2013, District leadership initiated an Adopt-A-School program. The program was aimed at bringing together District leadership, parents and members of the community to take on projects outside the realm of general maintenance. District operations staff members participated to assist students, families, community members, and other District staff by guiding the work. The Adopt-A-School program was developed after District staff was mobilized during an emergency effort. In July 2013, monsoon winds tore off part of the roof at Van Buskirk Elementary just before school was to begin. Deputy Superintendent Yousef Awwad asked District leaders to forego a scheduled meeting, to instead rally their staffs and help fix up the school. The work was completed that day. The Adopt-A-School program aimed to repeat that type of shared effort and build on the sense of community at schools across the district. The events brought staff, families, and community volunteers closer together, and helped to strengthen a true sense of community among all involved.   In 2013-14, "Adopt-A-School" workdays were held

at Holladay Magnet School, Davis Bilingual Magnet School, Pistor Middle School, and Santa Rita High School.

B. Family Engagement Through Technology

TUSDStats. Teachers are expected to maintain students' academic information on TUSDStats, an online tool that allows parents access to up-to-the-minute information about their child's academic progress. The TUSDStats Parental Login Page gives parents ready access to popular links, assessment and demographic data, school ratings, special programs, surveys and research, School Council information, Resources, Links, and FAQs. (Available at https://tusdstats.tusd1.org/paweb/utility/Accounts/Login.aspx)

When parents establish an account they gain access to a world of data that can help them better understand their child's academic experience. TUSDStats allows parents to view daily gradebook data for middle and high school students, allowing parents to track progress and find out if their child is missing assignments or is struggling in particular subjects. Parents can also view daily attendance data and view their child's overall attendance averages by quarter. Also, parents can view their child's attendance for each class next to the grade they received for that class. Parents can also monitor their child's performance on class quizzes, tests, benchmark tests, and state assessments.

During the 2013-14 school year, the District investigation and bgan to implement a communication system called ParentLink. The district will use this system to notify parents about important information and events. Messages are sent through phone and email. Schools will also use this system for attendance notification. The results of use of this system to communicate with parents reveal more than a 90% success rate in contacting parents. *Appendix VII-5* (ParentLink Presentation).

C. Family Engagement Pursuant to Other USP Activities

During the 2013-14 school year, the District developed five interrelated USP Action Plans and activities, all with significant family and community engagement components.   (Family and Community Engagement Plan), (Comprehensive Magnet Plan), (Advanced Learning Experiences Plan), (Marketing, Outreach, and Recruitment Plan), Dropout Prevention and Graduation Plan. The District was mindful to align family engagement activities under these Action Plans with the District's other family engagement work (such as under Title I) to maximize the impact for African American and Latino students and families.   The following

provides an overview of the District's family engagement work guided by all of these resources.

The District's Comprehensive Magnet Plan (CMP) recognizes that "[f]amily engagement in magnet programs is paramount" to their success, and devotes an entire section of the plan to family engagement.   Under the CMP, each site's Magnet Improvement Plan outlines the process and schedule to address the following components and measureable strategies: welcoming all families into the school community; communicating with all stakeholders; developing a magnet school community; developing student advocacy; and collaborating with the community. To build on the site efforts, the CMP provides for city-wide recruitment and informational events an efforts; ensuring that magnet sites create at least one family engagement goal; providing training on Action Parent Teacher Teams (APTTs); and piloting APTTs. "Family and Community Partnerships" is one of five key pillars by which the effectiveness of a magnet program will be evaluated. Schools are thus held accountable for ensuring strong partnerships between school personnel, students, parents, and the greater community.   The magnet-specific family engagement efforts are detailed in Section V.

The USP requires the District to revise its marketing and student recruitment strategies. *USP §II(I)(1) and (K)(1)(m).* At the end of the 2012-13 school year, and throughout the summer of 2013, a District committee comprised of the Communications Director, the Family Engagement Coordinator, the Magnet Director, and the Desegregation Director reviewed and developed recommended revisions to the District's marketing, outreach, and recruitment strategies. *USP §(II)(1)*. In the fall of 2013, after consulting with additional staff and leadership for feedback, the recommendations served as the basis for the development of the Marketing, Outreach and Recruitment Plan (Outreach Plan). ***Appendix VII-6*** (Outreach, Recruitment and Retention Plan).   That Plan requires the Director of Student Assignment to collaborate with the Family Engagement Coordinator (and other relevant staff) to "engage with community groups and community members to share information and involve local stakeholder organizations in the enrollment process." ***Id.***

The Outreach Plan also includes an entire section on "Outreach to 5th and 8th Grade Families" as those families have children who are changing schools in the subsequent school year (in most cases, except for students remaining at their K8 school for 6th grade). The Outreach Plan requires the Family Engagement Coordinator to send information to all 5th and 8th grade students to "ensure that their parents/guardians have an opportunity to be aware of open enrollment options," and to "monitor outreach events (open houses, etc.) and notify families of

5th and 8th grade students of events appropriate to them." *Id.* The Outreach Plan also provides for the development of an Information Guide to inform families of offerings available at each school site, distributed to families directly and available at school sites, the central office, and through the Family Centers.

The USP requires the District to review and analyze student support programs, resources, and practices, and to develop a dropout retention and prevention plan. *USP §V(E)(2)(a) and (2)(b)(i).* The Dropout Plan's section describing "Supports and Interventions" is divided into three sub-sections: Graduation Support Systems; Family Engagement; and Professional Development. The Family Engagement section describes the District's approach to implementing different types of family engagement, modeled on the Multi Tiered System of Supports (MTSS).   The Dropout Plan describes how the District will implement both general and targeted family engagement efforts to connect with students and families, and as a vehicle to improve academic achievement, reduce dropout rates, and increase graduation rates.   Section V above describes the creation and distribution of material related to Advanced Learning Experiences (ALEs), Student Support Services, Fine Arts, and Dual-Language Section VI above describes parent information sessions related to student discipline and the student handbook (GSRR). Other materials created and distributed to families related to Student Assignment, Transportation, may be found in the USP Annual Report Sections relating to those topics.

D.   Family Engagement Through Title I.

The vision for Title I Family Support during the 2013-2014 school year focused on outreach to families that emphasized the importance of academic family engagement. The District strategically located Title I services and staff in Title I schools with higher Latino student populations.   Title staff designed services to highlight the value and importance of supporting student success through on-going, two-way communications about student progress emphasizing academic and social supports to enhance the academic life of students.

During the 2013-2014 academic year, over 1,400 Title I families received family engagement services through the offerings made available through Title I Family Support.   This count is based on a tally of individual event sign-in sheets and does not include parents who attended multiple classes such as English to Support Student Learning (ESSL) or on-going academic content workshops offered monthly in at school sites.

Title I Family Support staff received professional development about the need to specifically target services to enhance outreach to Latino and African American families.   Staffing of the Title I Family Support Department reflected representation from the Latino, African American, and Caucasian communities with over half of the staff being bilingual. Training for staff included successful completion of the following professional development opportunities: "USP: Understanding the Unitary Status Plan"; "USP: Student Assignment"; "USP: TUSD Hiring Protocols and Workforce Diversity;" and participation in the Multicultural Conference sponsored by the African American Student Services Department in October 2013.   Title I Family Support Staff met monthly to discuss issues around equitable practices, utilizing journal articles as well as texts such as: "Black & White: The Confrontation between Reverend Fred L. Shuttlesworth and Eugene 'Bull' Connor" by Larry Dane Brimner.

Beginning in July 2013, staff received monthly training extending staff knowledge about effective practice for engaging parents to boost student achievement. Additional, specialized and individualized training was provided for school staff members new to the job of Community Representative. As evidenced by training agendas, school family support staff received information and training on about USP requirements related to family engagement. Finally, Title I utilized monthly evaluations to assess the learning of participants and their intention for implementing shared strategies and practices.

All Title I schools sent teams of personnel to a "Title I Summer Summit" in July of 2013.   At that training, Title I leadership and shared information regarding family engagement and support services. Thereafter, the District's Title I department communicated through weekly communications to inform Title I school personnel about staff training and family engagement opportunities for parents. *Applause and Bravo* are monthly publications that reflect some of the trainings for school staff and parents at school events and monthly parent meetings. *La Voz* was a written publication created with and by Title I parents, most of whom are second language learners to communicate to other Title I parents and school personnel their understanding about what makes an effective school, advice for other parents and book recommendations.

Parent and Family services offered during the 2013-14 school year included: academic content workshops offered on a monthly basis to those Title I schools that requested service, reaching 407 families at 15 Title I schools. Topics included educational goal setting, literacy and math strategies and understanding magnet options specifically through science, technology, engineering and mathematics.

On-going weekly services for parents included English to Support Student Learning (ESSL) whose weekly lessons included information about understanding the USP.   Staff provided ESSL services at four schools serving parents representing 12 schools. Staff integrated information about college readiness, and requirements for GATE, IB, UHS, Open Enrollment, AP Classes, and Magnet Options into the curriculum.

Staff collaborated with the African American Student Services Department (AASSD) and other District departments to engage in parent recruitment for participation at Parent University (a collaborative event sponsored by AASSD, Pima Community College and other District departments).   Parents were frequently encouraged to attend this event during the weekly ESSL classes and at the monthly parent meeting for the District Advisory Council (DAC). Title I Family Support sponsored and provided childcare to all participating families to ensure equitable access. Translation services were also provided from the Language Acquisition Department.

In order to promote academic success for children in third grade, staff conducted home visits, phone calls and outreach through classroom teachers for families whose students were identified as at-risk to participate in Move On When Reading class at several sites. School family support staff received training about how to provide these services in their school community.

Title I staff, in collaboration with Mexican American, African American, Asian Pacific American, and Native American Student Services, worked throughout the year to inform parents about the value of multicultural curriculum, and the student and parent resources available through each respective department. The primary communication vehicle was the District Advisory Council (DAC), a monthly parent-led organization. Through this monthly event, parents received information about student rights and responsibilities, restorative practice, support services available through various departments, and promoting a college-bound mentality in students. Staff also shared information about Common Core and PARCC to develop an understanding of the future of learning and the changing expectations. Staff also shared information with families about different language learning options, including transition requirements and dual language programs.

HIPPY. The Home Instruction for Parents of Preschool Youngsters (HIPPY) program is a home visitation model and Title I program. It promotes school readiness for parents of preschool and school age children. Through the program, parents attended a monthly group meeting to receive information and understand the different learning options at TUSD. *Strong Mothers* is a project exploring parent

involvement in education through culture, values and experiences, was an opportunity for staff to better understand how to appeal to Latina women to partner in schools for the education of their children.

E. Family Engagement Through 21st Century Community Learning Centers.

TUSD is also home to nine grant-funded 21st Century Community Learning Centers.   All but one of these is located in a racially-concentrated school.[51] The purpose of those Community Learning Center grants is to establish community centers that provide students with standards-based academic and enrichment classes during out-of-school time as well as family activities designed to engage adult family members in their students' learning and achievement goals. This work supports student and family engagement.

During the 2013-14 school year, the District engaged in an "APTT Family Engagement Pilot Project" (Academic Parent-Teacher Team) at ten schools. The pilot provides on-going training and technical support on the Academic Parent-Teacher Team model facilitated by Dr. Maria Paredes, one of the foremost recognized authorities in effective family engagement in the country.

Through the pilot, 36 District participants received monthly professional development to create a data-driven systems approach to meaningfully engage families in student learning. "Trainer of Trainer" certificates were awarded to all participants who fulfilled the monthly training requirements. The pilot significantly expanded the District's internal capacity to implement the APTT model of parent-teacher collaboration across the district.

APTT is a systematic approach to parent-teacher communication that is focused on improving student learning inside and outside of the school. Every year, parents are invited by the classroom teacher to participate in three 75-minute team meetings (all parents in the class are present) and one 30-minute individual session (the student, the teacher, and the student's family).

During APTT meetings, teachers share foundational skills and demonstrate concrete activities parents can do at home to help students master those skills. Parents practice the activities with other parents in the class and each family sets

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[51] Van Buskirk Elementary, Maldonado Elementary, White Elementary, Drachman K-6, Pueblo Gardens K-8, Mission View Elementary, Pueblo Magnet High School, and Holladay Elementary.

60-day academic goals for their student. When parents attend APTT meetings, they go home feeling informed, clear about their role, and committed to improving their child's learning outcomes.

IV.   Mandatory Reporting

USP§VII(E)(1) outlines the following four items to be included in the Annual Report related to Family and Community Engagement:

> **1. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials.**

Appendix VII-7 contains relevant job descriptions and information regarding the person hired or assigned to fulfill the responsibilities of the position.

> **2. Copies of all assessments, analyses, and plans developed pursuant to the requirements of this Section.**

The District has provided a copy of the fall 2013 Family Engagement Review and Assessment; feedback/assessment on the Family and Community Engagement Plan from the expert consultant (Margit Birge) (*Appendix VII-10*); and copies of the proposed and revised Family and Community Engagement Plan. *Appendix VII-2* (Review and Assessment) *Appendix VII-3* (Family Engagement Plan), *Appendix VII-4* (Revised Family Engagement Plan)

> **3. Copies of all policies and procedures amended pursuant to the requirements of this Section.**

Appendix VII-8 (Policies) contains a copy of revised policy KE, Public Concerns and Complaints. The Governing Board revised Policy KE to clarify the complaint process, to reaffirm the District's commitment to effective communication with parents and community members, and to direct parents and community members to Policy AC, Discrimination for information on filing discrimination complaints.

4. Analyses of the scope and effectiveness of services provided by the Family Center(s).

Appendix VII-9 (Family Center Data) contains an analysis of the scope and effectiveness of Family Center services. The data used in the analysis, and a copy of the Family Center Sign-in Form, is included in *Appendix VII-9* (Family Center Data)*.*

EXTRACURRICULAR ACTIVITIES (USP § VIII)

I.   Introduction

Section VIII of the USP requires that the District provide all students the opportunity for interracial contact in positive settings of shared interest. Section VIII further requires that the District assure equitable access to extracurricular activities to all students without regard to race, ethnic background, or ELL status. In addition, the District is expected to provide a range of extracurricular activities at each school so that students may participate in sports, develop leadership skills, and pursue curricular interests and programs. Where after-school tutoring is offered on a voluntary basis, the tutoring is to be offered on an equitable basis. Finally, the District is expected to provide transportation to support student participation in extracurricular activities in keeping with Section III of the USP.

In 2013, Interscholastics Director Herman House, African American, with an extensive educational background, created a position for a Coordinator of Interscholastics whose primary responsibilities would be to ensure compliance with the USP in the area of interscholastics and extracurricular activities. Subsequently, Steven "Red" Morrow (white) was hired at the beginning of the 2013-2014 school year. Mr. Morrow is an experienced educator with an extensive background in athletics. He has coached at the high school level for 15 years , worked as a PGA golf Pro, and currently serves as an evaluator for PAC 12 umpires. He has also served as the President of the Sahuaro Youth Soccer league. His duties include organizing and managing interscholastics activities in the middle and elementary schools. His primary role is to ensure the USP initiatives are being followed and that all schools are providing equal access to these activities, particularly to African American and Hispanic students.

In the early part of SY 2013-14, the Interscholastics Director working with the Project 7 USP committee with representatives from Fine Arts, Student Equity, Transportation, Guidance and Counseling and Principals from both the elementary and high school levels developed TUSD's Extracurricular Equitable Access Plan ("EEA Plan"). The Plan was submitted to the Special Master and Plaintiffs for review March 3, 2014 and was subsequently finalized and approved March 20, 2014. ***Appendix VIII- 1*** (Extracurricular Equitable Access Plan).   The District's main focus for SY 13-14 was the development and approval of this EEA Plan as well as identifying the immediate needs of the District for the expansion of its extracurricular activities in the elementary schools.

II.   Implementation and Compliance Activities for SY 2013-14

Making meaningful improvements in creating opportunities for interracial contact via extracurricular activities would first require data gathering. What is available to our students now?   What activities are of particular interest to our students? Accordingly, the first step for the Director of Interscholastics and the Coordinator for Interscholastics involved finding the answers to these two questions.

In October 2013, as a needs assessment, the District sent a survey to all elementary schools, K-8s, middle schools, and high schools to identify the current range of extracurricular activities at each school, including tutoring services. The survey, which was direct to site administrators for response, was designed to obtain information about student access to activities.   It included both interscholastics competition (sports) as well as non-competitive extracurricular activities (i.e., clubs, fine arts, intramurals and social groups). The assessment determined which activities were already established, and identified any additional processes, support, and/or resources necessary to establish additional activities.

Every school in TUSD was offering some sort of after-school activity during SY 2013-14. Middle and high schools offered a wide range of activities sports, club, and fine arts activities. The options were more limited at the elementary level. ***Appendix VIII-2*** *(S*urvey Monkey Responses); ***Appendix VIII-3*** (Survey Monkey Analysis).

Next, to identify shared interests, a leadership academy is planned for middle school and high school student leaders where we will engage students in identifying and then planning extracurricular activities of shared interest. The high school student leaders will attend a leadership academy on November 12, 2014. In December, the high school student leaders will participate in a joint conference with middle school leaders to discuss how they will roll out the extracurricular plans at their schools.

Understanding that extracurricular activities are more limited at the elementary level, the Interscholastics Department focused its 2013-14 support efforts on elementary schools.   During the year, the Coordinator of Interscholastics worked with individual schools to identify supplies and supports needed for expansion of sports and club activities at the elementary school level. Each school that requested some assistance in expanding their programs received assistance from Mr. Morrow. Five of the eighteen schools who requested assistance are

racially concentrated. *Appendix VIII-4* (Equipment supplied). Mr. Morrow continues to focus on elementary school supports during SY 2014-15.

All students are invited to participate in all activities. In order to better monitor student participation in extracurricular activities, the Interscholastics Department determined it was necessary to develop a database showing all students who are currently involved in extracurricular activities. Previously, only high schools monitored participation in interscholastics and even high schools did not monitor participation in clubs. A new database could be used to determine if that school's student participation, by race/ethnicity/ELL status, was equivalent to that school's percentage enrollment by race/ethnicity/ELL status.

A.   Monitoring

Section VIII(B)(1) of the USP directs TUSD to identify any changes necessary to Mojave to enable it to report on participation in extracurricular activities, to include (a) sports, (b) social clubs, (c) student publications, and (d) co-curricular activities such as science, math, language clubs, or after school tutoring. The District must then make any necessary changes. During the summer of 2013, the Interscholastics Department worked with the Technology Services Department to expand the architecture of the Mojave student database to include elementary and middle school students as well as high school students. The framework for data entry was completed in time for the start of SY 2013-14.

The Mojave database was expanded to include the full range of budgeting and activity needs for high school, middle school, and elementary schools. The range of activities being tracked was expanded from only tracking sports, to also tracking club activities, including "academic" club activities such as after-school tutoring. This Mojave expansion effectively covers activities (a)-(d) required under the USP.

The implementation of the Mojave changes resulted in data entry greatly expanded available data that was included in the SY 2012-13 Annual Report (limited to high school interscholastics). However, it is also clear from a review of the 2013-14 data that--although staff was informed of this new requirement--not all school sites consistently input student extracurricular information into the new Mojave page. A training module has been developed and will be implemented through TrueNorthLogic in the 2014-15 school year.   The failure to enter the extracurricular data was particularly true at the elementary level and middle school levels where staff had not been entering this type of information in the past. The database is therefore somewhat incomplete. *Appendix VIII-5* (Participation Data). However, even though the data is partial, and therefore unreliable to the extent it *is* partial,

initial numbers prove for interesting analysis when looking at district-wide averages:

2013-14 District-wide Participation by Race/Ethnicity in Extracurricular Club and Sports activities

	High School Clubs	High School Sports	High School Fine Arts
White	35%	28%	44%
African American	7%	10%	5%
Hispanic	41%	53%	41%
Multi-racial	5%	3%	3%
ELL		2%	

	K-8 School Clubs	K-8 School Sports	
White	31%	19%	
African American	6%	10%	
Hispanic	55%	62%	
Multi-racial	4%	3%	
ELL		2%	

This initial data indicates that District-wide numbers reflect African-American student participation in both clubs and sports in numbers consistent with enrollment at that level; it also indicates that Hispanic students are underrepresented in both sports and clubs. As more complete data is entered into the database, the District will be able to get a clearer picture of true numbers, as well as drill-down capabilities to the school level to identify those schools needing corrective action.

B. Transportation Support for Student Participation in Extracurricular Activities

See Section III of this Annual Report for details concerning the District's compliance in this area.

III.   **Mandatory Reporting**

a.   **As part of its Annual Report, the District shall provide a report of student participation in a sampling of extracurricular activities at each school. The activities that are reported each year shall include at least two activities from each of the four categories described in section (B) above: sports at schools at which they are offered, social clubs, student publications (where offered) and co-curricular activities. The data in the report shall include District-wide data and data by school, disaggregated by race, ethnicity and ELL status. The Parties shall have the right to request additional data or information if the Annual Report indicates disparities or concerns.**

     Appendix VIII-5 includes responsive data in the form of charts reflecting student participation data.   Different reports are disaggregated to reflect breakdowns by site, by extracurricular activity, and of course by race/ethnicity/ELL status.

FACILITIES AND TECHNOLOGY (USP § IX)

I.   Introduction

In connection with the Unitary Status Plan's overarching commitment to ensuring equity for students, Section IX of the USP directs the District to evaluate its schools using self-designed metrics in the areas of technology and facilities and then develop a multi-year plan for repairs and improvements based on that data.   The District must effectively inventory the condition of facilities and technology at all schools as the first step toward developing long-range Facilities and Technology Multi-Year Plans, and every school must be assessed at least every two years to assure that its infrastructure equitably supports student learning. USP§IX(C).

During SY 2013-14, TUSD completed all initial planning for comprehensive data gathering and collection in keeping with USP requirements. The Facilities Conditions Index (FCI), a pre-existing facilities scoring rubric in TUSD, was modified in response to USP direction and Plaintiff input. *Appendix IX-1* (Facilities Conditions Index)*.*   In addition, the Technology Conditions Index (TCI) was drafted and adopted; the TCI assesses both the current state of capital equipment (hardware and software) but also assesses the effectiveness of school staff at integrating technology in the classroom. *Appendix IX-2* (Technology Conditions Index)*.* Finally, a cross-departmental team developed an initial draft of the Educational Suitability Score rubric (ESS) in the spring of 2014. *Appendix IX-3* (Educational Suitability Score Rubric)*.*

The ESS will allow the District to assess the educational effectiveness of school facilities under an educationally relevant set of guidelines rather than the engineering standards upon which the FCI is based. Implementation plans were drafted for the FCI and ESS rollout, and for the Multi-Year Facility Plan. Implementation plans were drafted for the TCI and Multi-Year Technology Plan. Timelines were set for drafting and adoption of both a comprehensive Multi-Year Technology Plan, and Multi-Year Facilities Plan by the end of SY 2014-15. Based on the currently accepted timelines, TUSD is on track to present a draft Multi-year Technology Plan and Multi-Year Facilities plan to Special Master and the Plaintiffs in Spring 2015 for comment. These Multi-year plans will be informed by the analysis of data gathered during winter-spring 2014-15 (FCI, TCI, ESS).

II.   Implementation and Compliance Activities in SY 2013-14

A.   Facilities Conditions Index

For several years, the District has used a Facilities Conditions Index (FCI) rating system to document the condition of major components of its facilities, such as roofing and mechanical systems, on a school by school basis. The FCI provides an overview of the relative condition of those components and a composite overall condition rating of the facility. The District's then-existing Facilities Condition Index (FCI) was modified in SY 2013-14 to align with the requirements of the USP by adding (i) the location, number and condition of portable classrooms, and (ii) the existence and repair status of heating and cooling systems to the scoring categories applied to school sites.

In the summer of 2013, a draft revised FCI was submitted to the Special Master and parties for review and feedback in July 2013.   The District incorporated their feedback and suggestions, and submitted a new revision in October 2013. This successful collaboration resulted in a final version that was used in the fall of 2013 to assess and score each of the District's school sites. ***Appendix IX-4*** (2013-14 FCI Results).

Once the assessment was completed, the Architecture and Engineering Department, which manages the FCI rubric, used the assessment to prioritize preventative maintenance and repair projects in compliance with the USP as follows: any school with an FCI score under 2.0 (health and safety concerns) took first priority; thereafter any racially-concentrated school with an FCI score under 2.5 received priority. Initial data suggests that the FCI, as written, is an effective tool for guiding future expenditures in keeping with USP mandates.   ***Id.***

In addition to operational decisions during SY 2013-14, TUSD also used the FCI to guide the selection of schools for the Adopt-A-School initiative, and for making budget recommendations for SY 2014-15. During SY 13-14 seven racially concentrated school campuses were nominated and three of these school campuses were selected for the Adopt-A-School initiative. During designated weekends, community volunteers and TUSD volunteers pitched in to conduct basic repairs on the campuses of Holladay Elementary, Davis Elementary, and Pistor Middle School. The District's Adopt-A-School program also joined forces with a volunteer clean-up effort already planned at Santa Rita High School. Adopt-A-School was recommended in the spirit of the USP; 75% of schools completed under the program

were racially concentrated campuses with low FCI scores. The first Adopt-A-School for the FY 2014-15 school year is Bonillas Elementary, from the original list.

In addition, TUSD also used FCI scores to address inequities in facility conditions when developing the Operations budget for SY 2014-15. Marcus Jones, Architecture and Engineering Program Manager sought input from the specialists assigned to each of the component systems measured under the FCI (electrical, roofing, surfaces, etc.). Each specialist provided a list of the schools with the 10 worst conditions in their area of expertise. All lists were then gathered and ranked by priority: racially concentrated schools with low ranking FCI scores and schools with critical safety needs were selected for priority attention. Based on cost estimates to address the needs of these high-priority schools, Mr. Jones made budget recommendations for SY 2014-15.

B.   Educational Suitability Score (ESS)

The USP requires TUSD to develop an Educational Suitability Score ("ESS") for each school that evaluates: (i) the quality of the grounds, including playgrounds and playfields and other outdoor areas, and their usability for school-related activities; (ii) library condition; (iii) capacity and utilization of classrooms and other rooms used for school-related activities; (iv) textbooks and other learning resources; (v) existence and quality of special facilities and laboratories (*e.g.*, art, music, band and shop rooms, gymnasium, auditoriums, theaters, science and language labs); (vi) capacity and use of cafeteria or other eating space(s); and (vii) current fire and safety conditions, and asbestos abatement plans." USP § IX(A)(1). The ESS is designed to work in conjunction with the FCI, but rather than addressing the condition of the facility structure itself, the ESS focuses on the facility's educational space and its suitability to serve the educational mission.

Immediately after completing the amended FCI in October 2013, the District formed a committee to begin working on the ESS.[52] The committee researched

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[52]   The ESS committee brought together a diverse cross-departmental team: Sue Heathcote – Committee Lead, Sr Project Manager, Facilities; Martha Taylor – Director, Advanced Learning; Amy Cislak – Asst. Principal, University High School; Brian Lambert – Program Manager, Student Equity; Holly Colonna – Director, Guidance, Counseling, Prevention; Karen Ward – Counselor; Bob Kramer – Ed. Tech. Integration Specialist; Chuck McCollum – Coordinator, Career Technology Education; Karl Oxnam – Resource Teacher, Career Technology Education; Herman House – Director, Interscholastics; Red Morrow – Program Coordinator, Interscholastics; Joan Gilbert – Program Coordinator, Science; Carolyn Eldridge – Director of Elementary Schools/K8s; Joan Ashcraft – Director, Fine Arts Department; Susan Pearson – Textbook Specialist.

similar tools used by other districts to use as a baseline for understanding the unique needs of TUSD along with the unique requirements of the USP. Those resources were: Kentucky Department of Education, Wyoming Department of Education, the Boston Public Schools, and the Houston Independent School District which was seen as the most appropriate program model for TUSD.   The committee used the research to help develop draft criteria to evaluate the seven components identified by the USP then developed a first draft of the ESS. ***Appendix IX-3*** (Educational Suitability Score).

The District decided to expand the ESS beyond minimum USP mandates by including additional critical educational spaces, such as exceptional education resource classrooms and self-contained classrooms. Recognizing that the non-instructional spaces at schools also plays a critical role in the overall suitability of a school, the Committee added to the checklist these needed auxiliary spaces for counseling, tutoring, health services, etc.

In January and February 2014, the committee piloted the first draft of the ESS at Safford and Booth-Fickett schools and made further revisions.   Once a final document is approved by the Special Master and parties, it will be piloted again at selected schools, and will be ready to roll out District-wide in winter 2014-15. The active ESS scoring for all schools will start, and the active database of information is being compiled. Because the ESS is a new instrument for which no ready-made template existed before, it will likely remain subject to constant review and update based on how well it identifies the needs of district schools. However, TUSD anticipates that it is currently on schedule to reach full compliance in this Section by the end of SY 2014-15 with its first biennial assessment of District schools using the combined FCI/ESS scoring rubrics to create its initial draft of a Multi-Year Facilities Plan.

C.   Technology and Technology Conditions

USP §IX(B)(1-4) requires the District to "develop a Technology Conditions Index ("TCI"), which rates technology and technology conditions in schools...and provides a composite score for each school...." The TCI scoring "shall include, at a minimum" four key areas: (i) student access to computers and other learning devices along with the location of computers and learning devices on campus, (ii) the availability of wireless and broadband Internet in schools (iii) the availability of research-based educational software or courseware, and (iv) teacher proficiency in facilitating student learning with technology. Under this section of the USP, the finalized TCI score is then to be incorporated into an every other year review that will provide data for a multi-year Technology Plan to prioritize basic

maintenance/repairs for all schools and Racially Concentrated Schools that score below the District average on the TCI to assure equitable distribution of technology repairs, enhancements and improvements. Because the TCI also assesses the proficiency of classroom personnel in supporting technology in the classroom, the Technology Plan will then inform the ongoing mandatory professional development under USP §IV(J)(3).

Initial review indicated that no other district in the country had created or implemented a Technology Conditions Index (TCI). The District evaluated prospects for finding an outside consultant with sufficient background or expertise in this area to justify floating a Request for Proposals. Preliminary discussions with several vendors confirmed that they lacked the background and expertise to design and implement a TCI instrument and that TUSD would merely be paying them to develop that expertise. Therefore it was decided that a more cost effective approach would be to develop the instrument in-house. At that point TUSD hired Charlene Wright, Data Analysis/Programmer, for the purpose of creating a TCI Instrument based on USP specifications. Ms. Wright had extensive experience in data analysis and Excel programming.   Ms. Wright began working for TUSD in September 2013 and immediately started gathering data and setting up a TCI instrument that could track USP sections (i)-(iv) above, calculate a TCI score for each USP subsection, calculate a combined TCI score for each school, and display those scores at the school and classroom level (Server TCI, Classroom TCI, Lab TCI, etc). The working prototype was ready by February 2014, when the finalized TCI was submitted to Plaintiffs and Special Master*. **Appendix IX-5** (TCI) The TCI concept as articulated in the USP was, like the ESS, novel and cutting edge, with no well-established model to follow.   The TCI was tendered to the parties and approved without objection or controversy.

Thereafter TUSD school-level data was entered into the prototype and a first run for subsection (i) (based on Technology Services' (TS) automated Help Desk *Track-It!* Data)[53] along with TS manually-collected asset management data (counts and locations for computers at all schools) was run June 2014. Between September 2013 and June 2014, it took over 28 iterations of the TCI instrument to assign weightings and troubleshoot the instrument to produce scoring that was reflective of the reality in the schools. Initial weighting for the instrument was also designed to set a bar for TCI scores below which immediate intervention would be required.

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[53]   The Track-It! data was primarily used to get computer specifications (amount of RAM, speed of processor) for different models; further specification information was found by searching the internet for manufacturer's official documentation (in which case copies of that documentation were downloaded for preservation).

Weighting may change as remaining data is entered, weighted, analyzed, and then checked for accuracy through comparing the "reality in the schools" with data collected.

Under the TCI Action Plan, prior to the beginning of each academic school year, Technology Services will import data (hardware/software inventories, network infrastructure data) along with teacher technology proficiency information into the TCI Instrument. The TCI will then aggregate these data sets and produce an index score for each school. The District will analyze this data to calculate a district average. The District average will be used as the standard against which individual schools will be assessed to identify any deficiencies and will be used in the creation/modification of the District's Strategic Technology and Professional Development Plans, with priority given to Racially Concentrated Schools identified by the USP.   Technology Services may repeat the process prior to the end of the academic school year to capture the District's improvement efforts as directed by the beginning-of-year TCI assessment. During SY 2013-14, the District made substantial progress toward full implementation of the TCI Action Plan, lacking only some additional teacher proficiency data before it can score school sites.

By the end of SY 13-14, TUSD had programmed in three TCI subscores for every school: Server, Classroom, Computer Lab. ***Appendix IX-6,*** (TCI Data).   The TCI instrument will be complete after all remaining subscores are added, data is entered, and scores are weighted for accuracy. This is not a static process. TUSD staff anticipate that it will take one to two years of adjustment and correction to achieve TCI scoring that has the appropriate refinement in drill-down capacity to review classroom by classroom the access to technology in the school. This is a reasonable timeline given that TUSD is developing the first instrument of this kind in the nation.

The biggest compliance challenge at this point is no longer the TCI instrument itself, but assuring reliable quality and scope of the data being collected and entered into the TCI Instrument. TUSD's asset management system currently relies on employees at the school sites self-reporting asset information (e.g., number and location of computers and other pieces of technology). During SY 2013-14 TUSD began the transition toward automated technology asset tracking process through use of bar codes. When that transition is complete, scanned bar codes will feed data directly into the database that informs the TCI Instrument. In the meantime, the reliability of TCI data is considered to be part of a continuously improving process. Budgeting needs for fully automating the technology asset control process will be included in the 2014-15 draft of the Multi-Year Technology Plan, a finalized copy of which will be included in the 2014-15 Annual Report.

Looking at only distribution, location, and quality of computers at school sites, the data in ***Appendix IX-6*** (TCI Data) indicates that by the end of SY 2013-14, 20% of racially concentrated schools scored below a "3" and 18% of non-racially concentrated schools scored below a "3"[54] on the TCI instrument. These initial numbers are encouraging in that overall disparities appear to be relatively small. The table below compares the mean TCI scores between racially concentrated and non-racially concentrated schools across elementary, middle, K-8/K-12, and high school categories:

Preliminary Data--Average TCI scores SY 13-14 (computers only)

	Racially Concentrated	Not Racially Concentrated
Elementary	3.29	3.60
Middle, K-8 & K-12	3.34	3.44
High School	3.00	2.18

This table indicates that preliminary TCI scores for racially concentrated high schools average considerably higher than their counterparts (+.82), while trailing behind at the middle school level (-.10) and at the elementary level (-.31). Most encouraging is the fact that average scores for all racially concentrated schools are at or above the 3.0 threshold. While this preliminary data represents only partial TCI scoring, it does allow for some transparency as to progress made toward USP compliance in SY 2013-14, and is presented here with that understanding.

In summary, during SY 13-14 the basic foundation of planning, development, testing of, and initial weighting for, the TCI Instrument were completed, and TUSD is currently on target during SY 2014-15 to begin to meet full compliance with this Section of the USP (i.e. conduct biannual assessment of items (i)-(iv) above, and utilize that data to inform a Multi-year Technology Plan).

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[54] The 2013-14 TCI weighting defines a score of "3" as being in Acceptable Condition: "Technology rated at 3 has had proper preventative maintenance and attention to work orders keeps it in acceptable condition. The hardware is compatible with essential TUSD technology and network environment. It is supportable, with replacement parts available from the manufacturer. Accessories are available. The software works and is relevant. Any safety and/or ergonomic issues are very minor. The technology supports the educational mission." **Appendix IX-5** (TCI).

As of the end of June 2014, the TCI instrument contained data on TUSD computers, and their location (subsection (i)). Other learning devices such as interactive whiteboards, handheld student response systems, digital projectors, etc., will be added to the TCI instrument prior to the first formal data run. By the end of SY 2013-14 this remaining data about "other learning devices" had also been manually gathered, but had not yet been analyzed, weighted, or incorporated into the TCI instrument. This USP mandate under subsection (i) was, therefore, mostly completed during SY 13-14 and should be fully completed in time for the first formal TCI data analysis anticipated by the end of the 2014-15 school year.

By June 30, 2014, TUSD had input the location of all computers in all schools and weighted the TCI instrument accordingly. The attached TCI instrument scores the number of computers per classroom, and per computer lab (i.e. by location), and rates the specifications of that equipment (processor speed, quality and resolution of monitor), etc., for both an individual data set score, and an overall school score. ***Appendix IX-6*** (TCI Data)

As of summer 2014, Technology Services staff inventoried each school site for the availability of wireless internet on every school campus, and connectivity speed by campus. The data from this spreadsheet is currently being entered into the TCI scoring instrument and weighted to develop a wireless/broadband TCI score for each site in time for the 2014-15 district-wide TCI scoring.

In early SY 2013-14, TUSD's Instructional Technology team conducted an inventory of Board-approved research-based educational courseware/software. Initial queries indicated that approximately 400 Board-approved software titles were in use at the start of the 13-14 school year. The team reviewed all titles and screened out those titles that simply presented digital resources, keeping only titles that were deemed to be interactive educational software. This initial screening still indicated that approximately 200 software titles were in use, many with only a handful of licenses scattered sporadically across the district. This data is being entered into the TCI instrument.

The District aligned its measure of teacher proficiency in facilitating student learning with technology to the Arizona Educational Technology Standards, or AETSS. The AETSS framework is founded upon two key inputs: 1) teacher self-assessment and self-paced professional learning informed by 2) trained third-party feedback based on Arizona Department of Educational observational protocols as they align with TUSD's adopted curriculum. This allows for teacher training through experience, while allowing the District to focus training dollars on evaluators who in turn train teachers through classroom observation and feedback. The AETSS

standards were subsequently adopted under the District's TCI Action Plan.
Appendix IX-5 (TCI Action Plan)

Because the AETSS instruments are growth focused–that is, designed to measure teacher improvement over time--the more progress teachers at a given school make on the TIM/TIM-0, the higher the school score for this TCI dataset. The District will also use this dataset to inform Professional Development planning to better gauge a teacher's proficiency with facilitating learning using technology.

III.   **Mandatory Reporting**

The USP requires certain documents and data be included in the District's Annual Report for Section IX.   Responsive information is as follows:

   a. **Copies of the amended FCI, ESS and TCI**

Appendices **IX-1, IX-2,** and **IX-3** hereto contain the amended FCI, draft proposed ESS, and final TCI, respectively.

   b. **A summary of the results of the FCI, ESS, and TCI analyses conducted over the previous year**

Appendix **IX-9** contains a brief narrative summary of the FCI and TCI preliminary results from SY 2013-14.

   c. **A report on the number and employment status (e.g., full-time, part-time) of facility support staff at each school (e.g., custodians, maintenance and landscape staff), and the formula for assigning such support**

Appendix **IX-10** contains a summary of the various types of facility personnel employed in the District generally as well as a breakdown by site.   Finally, it sets for the formula for assigning facilities support.

   d. **A copy of the multi-year facilities plan and multi-year technology plan, as modified and updated each year and a summary of the actions taken during that year pursuant to such plans**

The actual multi-year facilities plan and multi-year technology plan as prescribed by the USP have not yet been created.   Per the USP, the District must

first gather and analyze relevant data using the TCI, FCI, and ESS. The multi-year plans should be finalized in time for inclusion in next year's annual report. In the meantime, however, Appendix **IX-7** is a multi-year technology plan adopted in 2012 that provides background on the District's general current direction in the area of technology. Appendix **IX-8** is the facility-specific portion of the District's 5 year strategic plan.

> e. **For all training and professional development provided by the District, as required by this Section, information on the type of training, location held, number of personnel who attended by position, presenter(s), training outline or presentation, and any documents distributed.**

Appendix IX-11 includes the materials reflecting the Professional Development offered in the Spring of 2014 on Promethean ActivInspire by the Department of Instructional Technology.

ACCOUNTABILITY AND TRANSPARENCY (USP § X)

I.   Introduction – Improving Systems in Pursuit of Equity

One of the recurrent themes in the Unitary Status Plan is the notion that systems beget equity.   That is, to expand opportunity for African American and Latino students, to improve their instruction, to increase their access to quality programs, and even to use student assignment tools to promote integration – all of these things require a structured, planned, strategic approach followed by dedicated execution of plan.   Repeatedly, the USP directs the District to precede such planning with a full review of existing systems and programs and then requires an ongoing review of actual data which would then guide further planning. In many ways, the work mandated by Section X goes to the very heart of that theme. USP § X directs improvements through which the District can better gather and evaluate data and systems. By improving various data systems, TUSD will have better capabilities to evaluate programs and its operations will better reflect a level of transparency which will enable stakeholders to understand its budgetary operations related to desegregation.

Section X governs two separate but interrelated concepts: 1) development of an "Evidence Based Accountability System" (EBAS) so that TUSD may better use data in an interactive review structure to evaluate programs and undertake improvements to address segregation and improve academic outcomes for African American and Latino students; and 2) development of a process to establish, manage, and report on the budgeting of funds available under ARS § 15-910(g).   As corollaries thereto, Section X requires a Notice and Request for Approval (NARA) procedure for changes affecting student assignment or physical plant, directs the District to maintain a Unitary Status Plan web page for the public, and mandates collaboration with the Special Master and Plaintiffs. *USP §§X(A-E).*

This section of the District's 2013-14 annual report will outline activities taken under Section X in each of these areas.

II.   Implementation and Compliance Activities in SY 2013-14

A.   Developing the Evidence-Based Accountability System (EBAS)

The USP describes EBAS as "a system to review program effectiveness and ensure that, to the extent practicable, program changes address racial segregation and improving the academic performance and quality of education for African American and Latino students, including ELLs." *USP §(X)(A)(1).* Research reflects that such systems can take between three to seven years to be fully developed because of planning, acquisition of technology, and programming timelines. The District, as part of developing EBAS systems, has made critical amendments to its current data systems to provide EBAS-like functionality. This new functionality may then support USP-related implementation, monitoring, reporting, and evaluation activities. The District's EBAS work has involved five specific set of activities: (1) review and analysis of current capacity; (2) hiring/contracting for appropriate experts to add or amend data systems; (3) changes to current data systems to provide EBAS-functionality; (4) training and evaluation of staff on the use of EBAS functions; and (5) reporting.

1.   Review and analysis of current capacity

The USP requires the District to "hire or designate a District Office employee to conduct a review and analysis of the current capacity of Mojave and any other District data collection and tracking system." *USP §X(A)(2).* In May of 2013, the District completed an assessment of District data systems. The 2012-13 Annual Report includes a description of the assessment and a copy of the report produced by the external evaluator who assisted the District in the completing the review and analysis.

The systems and functionalities that the District must upgrade to accomplish the objectives of EBAS include 1) tracking academic and behavioral data; 2) ensuring compatibility (and ensuring the ability to run reports) with the District's system for tracking personnel data and information; and 2) automatically producing alerts/flags to indicate when students do not meet pre-determined goals or expectations for academic or behavioral concerns. The Review and Analysis identified strengths and weaknesses in the District's data collection and monitoring systems, and proposed solutions. The previous administration had set in motion a strategy of hiring an outside firm (or subcontracting with a group of specialized outside firms) through a Request for Proposal (RFP) process to add or amend the District's data systems pursuant to the USP.

2.   Hire or contract for appropriate experts to add or amend the District's data systems

Following the review and analysis of existing systems, the USP requires the District to "hire or contract for appropriate experts to add to or amend the District's data system(s) to allow it to perform the functions described in Section (X)(A)(1-5)." *USP §X(A)(2).*   During the 2012-13 school year, the District had designated Mr. John Gay as the District employee charged with conducting the review and analysis of the current capacity of the District's data systems (an activity that was completed during the 2012-13 school year, and reported in the 2012-13 Annual Report). Mr. Gay left at the end of the 2012-13 school year. In the summer of 2014, as the new administration began to take shape under the leadership of Dr. Sánchez, the District hired Chief Technology Officer Damon Jackson to fulfill the responsibilities associated with oversight of EBAS.

In the summer and early fall of 2014, as the new administrative team transitioned into their roles, Mr. Jackson reassessed the District's current capacity and revised the District's approach to align with the strategy and direction of the new administration. Rather than contract for outside consultants who would only have temporary involvement in the work, the District sought to turn its attention inward and to hire, designate, and reassign staff to build internal capacity as it developed new systems that would provide EBAS-functionality.   The District replaced, hired and reassigned employees to assist in amending the District's data systems to allow it to perform the functions described in Section (X)(A)(1-5). Mr. Jackson's primary initiative under this new approach was to build a data dashboard that would fulfill a main function described in Section X: tracking academic and behavioral data. ***See Appendix X-1*** (Credentials and Job Descriptions, EBAS support).

The District reassigned high level technology personnel to specific roles to assist in the process.   Rick Foster (Acting Director of Information System) was designated to lead the effort to build the data dashboard that would be the cornerstone of the EBAS system; David Scott (then-Director of Accountability and Research) was assigned to work on the dashboard team in the role of data integrator/data analyst; Karen Jones, manager of the District's Mojave Student Information System took on the detailed programming work in dashboard development; Rick Haan, formerly assigned as a data analyst in the desegregation department was moved to Technology Services to lead the management of the Mojave Student Information System and TUSDStats (both of which provide reports for USP); and Dynah Aviedo was assigned to provide training and support to district employees in the use of the dashboard. ***Id.***

In addition, the District hired Daniel Newton as a Database Administrator and data integration specialist to assist in moving data into the data warehouse to support the dashboard and Slava Linestky (Research Project Coordinator) to work on personnel systems. *Id.* Finally, the following individuals were reassigned to work on EBAS-related activities and development: Rob Hugo (Senior Programmer); Jamie Scullie (Senior Programmer); Maura Morin (Computer Systems Specialist); and Scott Morrison (Director of Project Management). In 2013-14, through the personnel identified above, the District made great strides in developing the dashboard, deploying the first phase of the dashboard, and providing initial training to central and site administrative leaders and staff.

3. Current Data Systems and EBAS functionality

a. Infrastructure Deficiencies.

The District first had to address the foundation upon which reliable data systems and networks are built: its datacenter. As of the beginning of the 2013-14 school year, TUSD's datacenter has numerous hazards and substandard conditions. The current datacenter experiences flooding at various times, cannot sufficiently cool the environment which requires box fans to move the heat, has staff that sit in a dusty area along with equipment, lacks filtering or humidity control, and has experienced fires from equipment that is over a decade old. TUSD is in the process of moving all systems to a datacenter colocation facility that will house the district's datacenter. Before implementing new systems, the District must finish moving systems to its colocation facility.

Next, the District ascertained that many of its operations were limited by legacy systems that had reached their end of their life cycle and in many cases were no longer supported by their manufacturers. The District began the work of upgrading these legacy systems, as feasible, by consolidating them into two core systems in conjunction with a data warehouse providing the underpinning infrastructure for the reporting platform of present day and historical data.

However, not all systems could be upgraded. One problem area was the District's Enterprise Resource Planning (ERP), comprised of multiple sub-systems that were independent of each other with no common communication backbone or depository infrastructure (i.e. data warehouse to provide a congruent reporting platform). In the spring of 2014, the Governing Board approved acquisition of a new ERP and that implementation process began in June 2014 with anticipation

completion in July 2015.   The implementation of the new ERP system involves installation at the new datacenter colocation facility.

More examples of legacy systems in operation are the Mapcon, Mapnet and WINSNAP applications. Mapcon supports the Operations and Facilities departments; Mapnet supports Transportation. Both applications utilize a version that was implemented in 2002. The Food Services Department uses an application that was installed in 2000 called WINSNAP. These applications do not provide current generation compatibility or functionality and are a continual source of frustration for day-to-day operations and reporting. Other improvements under way include network services, SharePoint, and email, all of which are being updated from Server 2003 and Exchange 2003 to Office 365, Server 2012R2, SharePoint 2013, and Exchange 2012.

Next, the analysis revealed a hiring process that was excessively paper-driven and thus incompatible with the kind of data retention and analysis that was required by the USP. As noted in Section IV of this Report, in early 2014, the District purchased a new software system to house applications and supporting materials called "Applitrack." The Applitrack system will interface with the new ERP system and provide EBAS-functionality for position management that do not currently exist.

A primary system that would feed the EBAS is the Student Information System (SIS). District staff created the current SIS (Mojave) in 2001, and therefore District staff provides all of the necessary support for this application. A herculean effort is required to make changes or update the system. For example, when a new version of a browser (Internet Explorer, Chrome, Firefox, etc.) is released, it takes months for the team to program the changes to support the new browser version. Another example, when the District made changes to the student assignment lottery process in the winter of 2013-14, staff members barely managed to support the changes in Mojave and were only able to do so by working more than 60 hours a week to complete the changes. As noted above, the State of Arizona is in the process of updating its reporting standards which will require all Student Information Systems to change from the former standard (SAIS) to a new standard (EDFI) by the 2015-16 school year. The District cannot update Mojave to the EDFI reporting standard and will have to acquire a new SIS. The District also began planning for the conversion of its Student Information Systems (SIS), with a goal of completing that implementation by the summer of 2016.

The deficiencies in the District's SIS affect a broad range of functions.   The back-end of Mojave utilizes a Structured Query Language (SQL) 2003 database which is end of life and does not provide current generation visibility into

performance and management. The current gradebook does not reside in Mojave which is a major inefficiency and obstacle to data collection and classroom function. Currently, Elementary teachers write their grades by hand and then manually enter grades into Mojave. The District only requires that these grades be entered once per quarter, leading to inconsistent data as some teachers enter grades once per week, others enter it a few times or only once per quarter. It is not uncommon for a student to find they are failing a subject a week or two from the end of the quarter. Secondary teachers use an application called "Making the Grade" written in the mid-90's in a programming language called Foxpro. Making the Grade information populates TUSD Stats, a web based reporting tool, but is not transferred to Mojave. The District began planning for the conversion of its Student Information Systems (SIS), with a goal of completing that implementation by the summer of 2016.

b.   2013-14: Reporting With Existing Systems.

During the initial development phases in the 2013-14 school year, the District continued to provide current reporting data from the legacy systems and continued to provide limited functionality enhancements as feasible to Mojave and other systems to assist with further reporting and analysis. District staff implemented changes to existing data systems to allow it to perform the following functions, as described in USP section (X)(A)(2)(a-c):

- Track individual student demographic, academic, and behavioral data (Data Dashboard);

- Be compatible with and run reports concurrently with the District's data system(s) for tracking personnel data and information (Data Dashboard and Applitrack)

- Automatically produce alerts, flags, and other programmed signals to indicate when students do not meet pre-determined goals or expectations for academic performance or behavioral concerns. *See Appendix V-38* (WatchPoint Report)

- Monitor and track extracurricular activity participation for Elementary, K8, and Middle School students; and for High School students involved in identified non-athletic activities.

- Develop student schedules through a central scheduler. *See Appendix X-2* (Tyler Scheduler)

- Monitor and track more appropriately students' racial/ethnic identities (third ethnicity question changed and asked of all students using Mojave)

- Change business rules to accommodate new rules and priorities in the lottery/student placement block pursuant to the revised Admissions Process for Oversubscribed Schools (**See Appendix II-25** for details of the lottery-related changes to Mojave)

The District has made progress in creating a data dashboard. Staff structured a reporting tool that provides multiple graphical views to current and historical data. This solution has the potential to fill part or possibly all of the EBAS requirements. Reports that previously would take staff multiple hours can be done in a few minutes and continually updated with current data. The capability exists to create cubes and views for staff, parents, and all stakeholders. Even with the dashboard only emerging, the District has taken – and will continue to take – steps to train relevant staff on the dashboard's EBAS functionality.

4.   Evaluate Staff on Use of EBAS Functionality

The USP requires the District to "evaluate relevant personnel on their ability to utilize the EBAS as contemplated pursuant to Section (IV)(H)(1)." *USP §X(A)(4).* Student Support Services staff, LSCs, and other relevant instructional personnel are evaluated on their ability to use the current student information systems. No formal evaluation has yet been established to evaluate the ability of relevant personnel to utilize the data dashboard as staff is still being trained on its use. The dashboard has been used by Principals and instructional leadership to improve classroom size and student schedules. A discipline component of the dashboard will be released in the fall of 2014. The District will develop measures to evaluate the ability of relevant personnel to use the data dashboard.

B.   Developing the USP Budget

Under the USP, the District is required to "propose a methodology and process for allocating funds that are available to it and its schools pursuant to A. R. S. § 15-910(G) and that accounts for the requirements of this Order ("USP Expenditure Plan") prior to commencing the budget process for fiscal year 2013-2014." *USP§X(B)(1).*   In January 2013, prior to commencing the budget process for fiscal year 2013-14, the District submitted a proposed methodology and process for developing the USP Budget. In the summer of 2013, the Court approved the 2013-14 USP Budget pursuant to the following conditions:

- The District, Plaintiffs, and Special Master shall work together to develop, by December 2013, research based criteria for determining when desegregation dollars may fund all or part of a program to justify expenditures of desegregation money in next year's budget and facilitate the independent audit and program reviews and assessments required under the USP.

- The District shall assess the reading support element of Mexican American Student Services provision of the USP pursuant to research based criteria, and based on this assessment develop the MASS reading improvement plan to be implemented for the Fall term 2013-2014. USP §§ (V)(E)(2)(a)-(b).

- The District, Plaintiffs, and Special Master shall work together to develop, by December 2013, research based criteria to be used in the assessment of student support programs to be implemented as soon as possible,

- The Court shall approve the lump sum budget proposal for the District's Magnet Plan, contingent on agreed revisions to the Magnet Plan, and subsequently review the level and purposes of expenditures for individual schools and make any necessary revisions to the budget.

In compliance with the Court's Order, District staff developed a "MASS Reading Improvement Plan" over the summer of 2013. The District submitted the proposed plan to the Special Master and Plaintiffs in September 2013. *Appendix X-3* (MASS Reading Improvement Plan).   Throughout the fall and into the winter of the 2013-14 school year, the District worked with the Special Master and the Plaintiffs for several months to develop "USP Budget Criteria" and "Student Support Criteria" to be used in the development of the 2014-15 USP Budget. In November the proposals were shared with the Special Master and Parties, and were revised pursuant to feedback and collaboration. In February 2014, the District finalized both sets of criteria. *Appendix X-4* (USP Budget Criteria); *Appendix X-5* (Student Support Criteria). The USP Budget Criteria also included a proposed methodology for developing the 2014-15 USP Budget. *Id.*

In the spring of 2014, the District submitted a timeline to the Special Master and to the Plaintiffs' budget expert, Dr. Vicki Balentine, outlining the process for developing the 2014-15 USP budget. In May 2014, the District submitted the first draft of the USP budget for 2014-15 to the Special Master and Plaintiffs. On June 2,

2014, the District re-submitted a draft budget in a format requested by the Special Master and Plaintiffs, and included a copy of the 2012-13 USP Budget Audit Report and the Budget Criteria Worksheet (showing the analysis of budget items, or groups of items, using the agreed-upon criteria). *Appendix X-6* (Proposed USP Budget [910g funds] and Supporting Documents). On June 12, 2014, the District submitted a revised version of the Budget Criteria Worksheet and a draft budget showing non-desegregation funds that support USP-related activities. *Appendix X-7* (Proposed USP Budget [non 910g funds] and Supporting Documents). On June 26, 2014, the District facilitated a meeting with the Special Master and Plaintiffs to review the proposed budget, to answer questions, and to collaborate and get feedback.

During the month of July 2014, the District provided several responses to requests for information from the Special Master and Plaintiffs in an effort to further collaborate on the development of the budget. On July 25, 2014, the District facilitated another meeting with the Special Master and Plaintiffs to review the proposed changes to the budget (pursuant to their feedback), to answer questions, and to collaborate and get additional feedback. The District continued to revise the budget based on feedback from the Special Master and Plaintiffs and presented the changes to the Governing Board on August 12, 2014. The Governing Board approved the changes and, on August 14, 2014, the District submitted the final 2014-15 USP Budget to the Special Master and Plaintiffs, along with a description of the major changes. *Appendix X-8* (Final 2014-15 USP Budget and Supporting Documents).   Several issues remain pending based on objections filed by the Plaintiffs.

C.   Filing Notices and Requests for Approval (NARAs)

The District must provide the Special Master with a Notice and Request for Approval (NARA) "of certain actions regarding changes to the District's assignment of students and its physical plant." *USP§X(C)(2).* Over the course of the 2013-14 school year, the District submitted a NARA for the following three items: two for the purchase, lease and/or sale of District real estate (Pasqua/Yaqui land exchange and the Sale of Wrightstown Elementary School); and one for a construction project that would result in a change in student capacity of a school or significantly impact the nature of the facility (the addition of portables to accommodate USP-related UHS expansion). *Appendix X-9* (2013-14 NARAs). The Court granted all three requests. *Id.*

D.   Maintaining a USP Web Page

Pursuant to USP §X(D)(1), the District continues to maintain a USP Web Page "to serve as a resource to the community, parents, District employees, parties, and students." The page includes updated links to the USP, to Action Plans created pursuant to the USP, to Annual Reports (and other status reports), and to USP budgets and budget information.

E.   Collaborating with the Special Master and Plaintiffs

USP § I(D)(1) outlines a process for the District to follow in soliciting the input of the Special Master and the Plaintiffs for "all new or amended plans, policies, procedures, or other significant changes." *USP§I(D)(1)*. Throughout the 2013-14 school year, the District worked on a continual basis to collaborate with the Special Master and Plaintiffs on the development of plans, to ensure that the Special Master and Implementation Committee had access to staff and information, and to respond timely to requests for information from the Special Master and the Plaintiffs.

The USP requires development of approximately a dozen plans, as well as other major activities such as preparation of a budget and boundary review. The District has worked diligently to complete the bulk of the required plan development. The collaborative process is broadly specified in USP § (I)(D)(1), however TUSD has also stipulated to an additional voluntary process giving Plaintiffs and the Special Master more in-depth involvement ("Stipulated Process for Parties' Review"). *See* ECF 1581 and *Appendix X-11* (Order on Stipulated Review Process). The Stipulated Process for Parties' Review lasted anywhere from 30-60 days to over 120 days in some cases (the development of the Outreach, Recruitment and Retention Plan lasted more than a year). The Stipulated Process[55] is as follows:

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[55]   In addition to utilizing the process above, TUSD has proposed--and the parties have used--detailed timelines that provide *even more* opportunity for feedback and involvement. In the Boundary Review, for example, TUSD created a special website available to Plaintiffs' counsel and the Special Master that was updated with comprehensive information. TUSD also arranged several lengthy meetings between the parties and the Special Master specific to the Boundary Review.

Day 0: District sends the Plaintiffs and Special Master a Plan that constitutes its "final draft," approved at the appropriate level of leadership (superintendent or Governing Board).

Days 1-30: Period for inquiry or objection/critique.

Days 31-60: Voluntary Resolution Period. The Resolution Period may be extended by written agreement.

Days 31-45: TUSD responds in writing either revising plan or explaining reasons in favor of the current draft.

Days 46-52: Plaintiffs reply regarding remaining concerns and the basis for these concerns.

Days 53-60: Plaintiffs, the District, and the Special Master use whatever means appropriate – calls, redlined drafts, etc. – to attempt to resolve any remaining issues.

Day 61: If an R&R is requested, the Special Master will prepare it within 20 days.

Hundreds of emails have been exchanged in both answering substantive questions, providing data, or adopting suggested changees. In addition to email communications, TUSD drafted written responses to hundreds of requests for information, documents, analysis and meetings.   Timelines demonstrating the extent of collaboration under the Stipulated Process are attached hereto as *Appendix X-12* (Action Plan Timelines).

In addition to utilizing the Stipulated Process for Parties' Review, TUSD has proposed (and the parties have used) detailed timelines that provide even more opportunity for feedback and involvement in plans. The Boundary Review Process ("BRP") is one example. TUSD created a special boundary review website available to Plaintiffs' counsel and the Special Master that was updated periodically with information and materials.   TUSD also arranged several lengthy meetings between District personnel, Plaintiffs' counsel, and the Special Master to provide updates and address any specific comments or questions regarding the boundary review. These meetings lasted for several hours each and occurred on March 28, 2014, April 16, 2014 and May 20, 2014. In addition, on April 23, 2014, TUSD provided the Fisher Plaintiffs with responses addressing nearly thirty comments they had made.

The vast majority of USP–required plans now have been approved by the Special Master and Plaintiffs following these collaborative processes, where TUSD successfully addressed all of Plaintiffs/Special Master comments and made the requested revisions to the TUSD plans.   Successful completions to date include:

1.   Guidelines for Student Rights and Responsibilities
2.   USP Implementation and Distribution Plan
3.   Mexican American Student Support Reading Improvement Plan
4.   First Year Teacher Support Pilot Plan
5.   2013 Magnet Plan
6.   Facilities Condition Index
7.   Criteria for Assessing Overhead Costs
8.   Budget Process
9.   Prospective Administrative Leaders Plan
10.   910G Expenditure Criteria
11.   Criteria for Assessing Student Support Programs
12.   Underperforming and Struggling Teacher Support Plan
13.   Admission Process for Oversubscribed Schools
14.   Report on Student Transfer Data
15.   Technology Condition Index
16.   Reduction in Force Plan
17.   Extracurricular and Equitable Access Plan
18.   Marketing and Outreach Plan
19.   Family Engagement Plan

In addition to the Action Plans described above, District staff worked collaboratively through constant communication, teleconferences, and face-to-face meetings to resolve the vast majority of differences related to the following items: the Comprehensive Magnet Plan, the Comprehensive Boundary Plan, the Boundary Review Process, the 2014-15 USP Budget, the Stipulated Party Review Process, and revised due dates for various plans.

III.   **Mandatory Reporting**

USP §§X (A)(5) and X(F) contain the annual reporting obligations under Section X.   The information below is designed to provide the required information.

1.   Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials

Appendix X-1 includes copies of job descriptions and details for persons hired or assigned to support EBAS implementation.

2.   A description of changes made to Mojave to meet the requirements of this Section, including descriptions of plans to make changes to the system in the subsequent year.

Section II(A) above includes a description of changes made to Mojave to meet the requirements of this section, and descriptions of additional changes planned for the 2014-15 school year. *Appendix X-2* includes a copy of proposed changes to the District's class scheduling program.

3.   The number and nature of requests and notices submitted to the Special Master in the previous year; broken out by those requesting (i) attendance boundary changes; (ii) changes to student assignment patterns; (iii) construction projects that will result in a change in student capacity of a school or significantly impact the nature of the facility such as creating or closing a magnet school or program; (iv) building or acquiring new schools; (v) proposals to close schools; and (vi) the purchase, lease and sale of District real estate.

The number and nature of the notices and requests for approval submitted in 2013-14 is included in section II(C) above. *Appendix X-9* includes copies of the filed notices and requests for approval, and the resulting Court Orders granting each request.