

Exhibit C-3

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Sent: Tue, Apr 8, 2014 10:36 am
Subject: Renewed Request for Report & Recommendation Re Recruitment Plan

Dear Special Master Hawley,

On Feb. 10, 2014, Mendoza Plaintiffs submitted a Report & Recommendation regarding the District's Administrator and Certificated Staff Outreach, Recruitment and Retention Plan ("Recruitment Plan"). On Feb. 13, 2014, TUSD requested the opportunity to resolve the issues before seeking court intervention. On Feb. 18, 2014, Mendoza Plaintiffs agreed to defer the Report & Recommendation for a reasonable time to permit further discussion among the parties. More than one month later, on March 24, 2014, TUSD provided Mendoza Plaintiffs with a revised Recruitment Plan, a Report entitled "Racial (African-American) and Ethnic (Hispanic) Composition of TUSD's 2010 and 2012 Teachers & Administrators" by Mary Dunn Baker, Ph.D., dated September 30, 2013 ("Baker Report"), and a list of the members of the 2013-14 Recruitment/Retention Advisory Committee with racial and ethnic designations as requested by Mendoza Plaintiffs. Having reviewed the materials provided by the District on March 24, Mendoza Plaintiffs now renew their request for a Report & Recommendation on the Recruitment Plan for the following reasons:

- 1) The Baker Report fails to answer or address any of the questions or concerns raised by Mendoza Plaintiffs related to the Report on Feb. 12, 2013, again on Sept. 6, 2013 and on Feb. 10, 2014. Mendoza Plaintiffs object to the District's reliance on a flawed and incomplete Labor Market Analysis as the basis for the Recruitment Plan as set forth in their request for a Report & Recommendation on Feb. 10, 2014, a copy of which is attached.

2) Mendoza Plaintiffs object to the composition of the 2013-14 Recruitment/Retention Advisory Committee as it includes only one Latino member out of a total of 15 members. The USP requires the input of "a racially and ethnically diverse recruitment team" to "develop a plan to recruit qualified African American and Latino candidates for open administrator and certificated staff positions." USP, IV, C, 3. In the TUSD District, given its racial and ethnic composition with Latinos comprising approximately 60% of the student enrollment, the inclusion of a sole Latino on a committee of 15 is not reasonable or acceptable. Further, it is noteworthy that while the Committee includes representatives from the African American Studies, Pan-Asian Studies, and Native American Studies Departments, it fails to include a representative from the Mexican American Studies Department. In conversation among the parties and the Special Master on March 25, 2014, when the Special Master commented on the lack of diversity of the Committee, the District responded that it could only include on the Committee the representatives that the entities it had solicited had tendered. Mendoza Plaintiffs consider this response unacceptable and assert that the District has an affirmative duty to seek out appropriate members for Committees such as this. Mendoza Plaintiffs further note that the only identified "community" member is Asian. Surely there is a Latino community member who also could have been asked to serve on the Committee. The importance of informed Latino presence on the Committee is confirmed by the District's history. In 2012, Mendoza Plaintiffs objected to the District's failure to adequately recruit Latino administrators and certificated staff. Further, when it was apparent that the District was not sufficiently informed about how to go about doing that, Mendoza Plaintiffs provided guidance. This is the sort of input that should come from the Committee but cannot if the Committee is not appropriately constituted.

3) The revised Recruitment Plan fails to address the objections raised by Mendoza Plaintiffs in their initial request for a Report & Recommendation. The only revisions made in response to Mendoza Plaintiffs' initial request for a Report & Recommendation are the following:

a. In response to Mendoza Plaintiffs' Objection No. 4 that the Recruitment Plan must demonstrate that members of the recruitment team are comprised of school-level and District-level administrators, certificated staff and human resources personnel, the District added language indicating that these groups are represented on the advisory committee. (Revised Recruitment Plan at 4.) b. In response to Mendoza Plaintiffs' Objection No. 6 that administrators were omitted from the recruiting goals for in-person recruiting, the District added "administrators" to the in-person recruiting goals and strategies. (Revised Recruitment Plan at 9.)

These revisions fail to adequately address Mendoza Plaintiffs' objections to the Recruitment Plan and they therefore renew their objections and request for a Report & Recommendation to the Special Master

4) Mendoza Plaintiffs also ask that the Special Master's Report and Recommendation expressly address the District's dilatory and unacceptably slow action with regard to the Recruitment Plan and the Mendoza Plaintiffs' inquiries. As noted above, the Mendoza Plaintiffs first asked for explanations relating to the Labor Market Analysis in February 2013. No responses were provided until March, 2014 (and, as noted above, those responses were incomplete.) It now appears that some of the issues the Mendoza Plaintiffs raised were addressed in a report to the District that was prepared in September 2013; yet the District did not share that report for six months -- until it provided its limited response to the Mendoza Plaintiffs' initial request for a Report & Recommendation.

Thank you.

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