better met this objective than modifying the numerical thresholds or adjusting weights between test scores and grades.

20. It has always been my intention to continue to research and pilot assessments/instruments for potential inclusion for both UHS sophomores and freshman admissions in the Spring of 2014 and beyond once we can move forward. This would include utilizing a sampling model of representative 7th, 8th , and 9th graders to evaluate alternative motivation/resiliency scales and test other non-cognitive assessments for implementation in the admissions process. The ability to test and evaluate potential instruments/assessments before use is critical to ensuring that the UHS admissions process remains equitable and transparent and consistently applied across all students. Simply put, the process of evaluation, implementation, data review, and modification will be a process, not a static determination. We will continue to adjust as appropriate based on the data, research, and the best interests of our students and families.

FURTHER AFFIANT SAYETH NOT.

Dated this 13th day of December, 2013

Juliet King

Juliet King, Ph.D.

State of Arizona)
) ss.
County of Pima)

SUBSCRIBED AND SWORN TO before me this 13th day of December, 2013, by Mary L. Elenes

Mary L. Elenes
Notary Public

My Commission Expires:

December 3, 2014

OFFICIAL SEAL
MARY L. ELENES
NOTARY PUBLIC-ARIZONA
PIMA COUNTY
My Comm. Exp. Dec. 3, 2014

ATTACHMENT A

Juliet King
2915 E. Helen St
Tucson AZ 85716
Email: jrl:3356@yahoo.com
Phone: 520-881-3025

Education

PhD Sociology University of Wisconsin-Madison, August 1999
Concentrations: Rural Sociology, Social Stratification, Economic Development
Dissertation: *Access to Health Care for American Indians and Alaska Natives*
Advisor: Dr. C. Matthew Snipp

MS Economics University of Wisconsin-Madison, December 1991
BS Economics/Psychology University of California – Berkeley, June 1988

Professional Experience

Self-Employed October 2004-May 2005

In Flagstaff for a limited time. Worked on family farm. Supplemented income as a temporary employee for two employment agencies, performing primarily administrative work.

Assistant Specialist in AES February 2003-May 2004
Department of Human and Community Development
University of California- Davis

Community and economic development researcher for the California Communities Program. Conducted research on issues pertinent to California communities with a special emphasis on rural California. Projects included an evaluation of the state faith-based workforce development initiative, food system assessments, and tourism. Organized annual conference. Participated in the CA rural development committee and several working groups (food security, agtourism).

Researcher – consultant April 2002-December 2002
Center for Urban Policy Research, Rutgers University
Co-authored monograph on the status and conditions of housing and related development on Native lands.

Center for Social Development, Washington University
Co-authored research report analyzing state IDA policies and its impact on Native communities.

Director of Research November 1998-April 2002
First Nations Development Institute
Fredericksburg, VA

Responsible for the establishment of the Native Assets Research Center (NARC) – the research and policy program of the organization. As Director, developed the strategy and direction for the organizations research and policy initiatives, established departmental priorities, work plans and budgets. Undertook original research on many diverse Native economic issues, including entrepreneurship, forestry, housing and agriculture. Wrote internal reports, made presentations, and served as liaison with funders, nonprofit agencies and policy-makers. Oversaw the development of First Nations resource and information clearinghouse, including the establishment of a Census Information Center. Supervisory oversight of NARC staff, consultants, and interns. Member of First Nations Grant Review Committee.

Consultant April 1998-August 1998
Ellsworth Associates
Mclean, Virginia

Assisted with data collection and case study analysis for a national descriptive study of Head Start State Collaboration Projects. Duties included conducting telephone interviews with State officials, Head Start Directors and others, and writing final case study analyses on each state program.

Research Associate November 1995-Dec1997
National American Indian Housing Council
Washington DC

Responsible for the establishment and management of the Indian Housing Research and Resource Center – the Council's research and informational services. Duties included management and implementation of all research projects conducted by the NAIHC, management and oversight of all information and educational resources concerning Indian housing and related issues. Participated in developing departmental and organizational strategic plans. Monitored and analyzed federal housing legislation and related issues. Wrote policy briefs. Supervised interns and consultants.

Research Assistant August 1992-May 1995

Department of Rural Sociology, UW-Madison
Madison Wisconsin

Worked with Professor C. Matthew Snipp on a national study of tribal gaming enterprises on Indian reservations. Work on the project included: creating and implementing a national mail and telephone survey, conducting on-site visits, collecting and maintaining secondary source material, compiling and analyzing statistical data, as well as writing text for publication.

Institute for Research on Poverty, UW-Madison
Madison Wisconsin

Worked with Professor Gary Sandefur on a statistical analysis of national survey data "High School and Beyond". Research examined the relationship between family status and socio-economic outcomes. Responsible for analyzing large national datasets using univariate and multivariate techniques.

Reports and Papers

Native American Housing on Indian Lands: the current state of knowledge and Practice. Co-author. Center for Urban Policy Research, Rutgers University.

State IDA policy and Native communities. Co-author. Center for Social Development. Washington University. Working paper. April 2003.

Tribal Colleges as a Catalyst for Native Civil Society. Co-author. Commissioned for a volume on Civil Society and the United States. Ed. Virginia Hodgkinson, Georgetown University 2000.

Native American Housing. Author. Encyclopedia of Housing. Ed. Willem Van Vliet, Sage Publications, April 1998.

Housing Report series: "Expanding Homeownership Opportunities in Native American Communities: role of private sector housing finance". "Nonprofit Housing Organizations in Native American Communities". "Profiles of Section 184 Applicants". "The Use of Proceeds of Sale". National American Indian Housing Council, 1997.

Committee Memberships

Race and Ethnic Advisory Committee, American Indian and Alaska Native Committee, US Census Bureau, 2004-
National Monitoring Team, US Forest Service Stewardship Contracting Pilot Projects 2001-2004
Steering Committee, Census Information Center Program, US Census Bureau 2000-2002
Selection Committee, "Enterprise Foundation Economic Development Initiative Grant for New Mexico Tribal Communities" 2000.
Reviewer, Small Business Innovation Research Program(SBIR) USDA 2000
Liaison, National Rural Funders Group
Planning Committee "Who Owns America? III Conference" University of Wisconsin-Madison Land Tenure Center, June 6-9 2001
Planning Committee "Why Rural Policy Matters" Rural Policy Research Institute, University of Missouri, October 16-18 2002

Professional Affiliations

Rural Sociological Society
J.P. Harrington Database Project, volunteer transcriber

ATTACHMENT B

School	Location	9th grade seats	Student count	% unrep	%frl	Eligibility to Apply	Admissions Criteria	Notes	Fee
2. Thomas Jefferson High School for Science and Technology (highlighted in ES)	Fairfax Co, VA	480 out of 3300	1792	4	2	Live in regional area; Alg 1 or higher	Take test in math and reading; Semifinalists determined by GPA(3.0) and overall test scores (65/100) and math score(30/50); 2 Essays (25%); 2 Teacher recommendations; Student information sheet comprise final components	2/3's of students need remediation; New to geog can apply in summer; test prep handbook - use Pearson; over 3000 applicants; Requires 3 reviewers. Admissions handled by sep. office Semi-finalists = 1500	Yes - process;
4. University High School	TUSD AZ	245	934	37	15		50 point system - based on test scores and 2 semester GPA in core classes		
30. Pine View (ES school)	Sarasota SD FL	242	2170	6	9	Residency; min score on IQ test	WISCIII, Woodcock Johnson; Renzulli required. Report cards and achievement tests	Gate School; Private testing; Handled by District	
7. Oxford Academy (ES school)	Cypress CA	199 out of approximately 700 applicants	731	16	27	District Residency; 2.5 total GPA over 2 years. No grades below C. Meeting CST in math/ eng.Must take pre-Alg or Alg	Oxford Entrance test (4 hours) - Eng, Math, essay. Created by teachers and Standards based. Scores rank ordered by geog.	Main entry point is 7th grade. Test prepping	
31. Whitney High	ABC Unified CA	176	1022	14	15	based on space availability	2.5 GPA; Standardized test scores; writing sample	MS entry	
27. Academic Magnet	Charleston CSD SC	165	606	13	7	District Residency; Algebra 1; 85%ile in reading and math - Explore	grades in core subjects; writing sample; teacher recs		$10 to take test if not in District
33. Carnegie Vanguard	Houston ISD TX	156	426	47	22		Stanford 10 and Naglieri; Teacher recs; 7th grade report card	GATE students do not test; contact for criteria	
16.Design &Architecture Senior High	Yonkers SD, NY	142	508	68	35		Audition, portfolio, sketchbook, interview	specialized	

School	Location	9th grade seats	Student count	% unrep	%frl	Eligibility to Apply	Admissions Criteria	Notes	Fee
32. Loveless Academic Magnet	Montgomery SD AL	138	445	34	10	Algebra 1	Personal Interview; attendance; academic grades		
25. High School for Dual Language & Asian Studies	NY City, NY	117	324	11	NA	residency; 50% chinese proficiency, 50% english proficiency	core class scores; standardized tests; attendance; writing sample	specialized	
3. School of Science and Engineering Magnet	Dallas Texas	105	407	77	60	District Residency; GPA(80) Score above 65 per on ITBS; Stan9	2 hour English exam (40%); math exam (40%); essay and interview (20%)	No information on rubrics; All district magnet schools have entrance requirements on Readistep	
8. Pacific Collegiate School	Santa Cruz CA	87	475	13	NA		Charter school - lottery		
34. International Community School	Lake Wash SD WA	77	380	3	NA		lottery	MS entry	
6. BASIS Tucson	Tucson AZ	69	165	27	NA		No criteria - Charter school	Steep decline in graduating class over 4 years	
10. High Technology High School	Monmouth CSD NJ	69	258	4	2	District residency; attend info. Session	min 75 points to qualify - GPA in core subjects and District standards based exam	1 of 4 career academies	
1. School for the Talented and Gifted	Dallas Texas	65	260	50	32	Residency in district	Min on National Assessment (82); GPA from 2 semesters (82); 82/100 portfolio - essay on topic; resume; project description; grades for 7th and Fall 8th; top 20 students selected on merit; rest filtered through geog	GPA and test minimums are similar; All district magnet schools have entrance requirements on Readistep	

School	Location	9th grade seats	Student count	% unrep	%frl	Eligibility to Apply	Admissions Criteria	Notes	Fee
IMSA	Chicago Il	none - 10th grade	200-250	13	ng		test scores - reviewed by Committee; 100 "outsiders" review apps with ruric. 5 admissions counselors - 16 people handle app	time-consuming	
School without walls (SWW)	DC	470-500		70	20	3.0 gpa in 7th and 8th grade; 7th grade reading, writing, math assessments used as screens.	67% given SWW test (adapted from outside assessments). 200 applicants interviewed by school panel as finalists	time-consuming	
Central High School Magnet	Louisville KY	300 out of 900		Historically Af-Am school. 87%			writing sample; recommendations; transcript; test scores. Review by teacher committee	Career Magnet academy students graduate with certifications ; not "top" school	
Liberal Arts and Science Academy	Austin Tx	300 out of 500-600 apps	880	27	20		5 part entrance rubric - MS grades; teacher recommendations; test scores; school aptitude exam; and TAK scores; essays	Shares campus; approx 66% of students come from 2 feeder magnets	
Jones College Prep	Chicago Il		823	57			7th grade grades; standardized test scores; entrance exam - 900 points total - 30% of seats awarded to top performers; 70% allocated based on scores relative to ses. Placement selected by computer	1 of 5 selective HS in Chicago system. Centralized admissions process. Income criterion - higher affluence, higher scores needed. automated	
Benjamin Franklin High School	New Orleans, LA	280 out of 700			30		grades and achievement test scores	Charter school. Under deseg order. Graduates approx 140	
Townsend Harris High	Queens NY	270 out of 5000. 1200 meet admissions	1100	18	40		Complicated screening processbased on NYC entrance test and screening criteria (e.g. geography)	Admissions handled as part of NYC magnet program	
Bergen County Academies	Hackensack NJ	275 out of 1450	1050	8			7th and 8th grade report cards; state achievement tests; teacher recommendations; customize math and English assessments; 500 app are interviewed. Use geographic criteria	School comprised of 7 magnet academies. Ad criteria differs for each one	

ATTACHMENT C

EXAM SCHOOLS

Inside America's Most Selective Public High Schools

CHESTER E. FINN, JR.
JESSICA A. HOCKETT

Exam Schools

Inside America's Most Selective Public High Schools

Chester E. Finn, Jr., and **Jessica A. Hockett**

Princeton University Press

Princeton and Oxford

Published by Princeton University Press, 41 William Street, Princeton, New Jersey 08540
In the United Kingdom: Princeton University Press, 6 Oxford Street, Woodstock, Oxfordshire OX20 1TW

press.princeton.edu

Library of Congress Cataloging-in-Publication Data
Finn, Chester E., 1944- author.
Exam schools : inside America's most selective public high schools / Chester E. Finn, Jr., and Jessica A. Hockett.
pages cm
Includes bibliographical references and index.
ISBN 978-0-691-15667-5 (hardcover : alk. paper)
1. High schools—United States—Case studies. 2. Public schools—United States—Case studies. 3. College preparation programs—United States—Case studies.
I. Hockett, Jessica A., author. II. Title.
LB1620.F46 2012
373.22'40973—dc23 2012015184

British Library Cataloging-in-Publication Data is available

This book has been composed in Verdigris MVB Pro Text

Printed on acid-free paper. ∞

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

For ou
Emma, Alexandra,
May they be

Chapter 3

Exploring a New Constellation

Although some schools on our list are nationally renowned and many are locally famous, these schools as a group or type within U.S. education have rarely been examined or analyzed. Hence little is known about their demographics, their teachers, their education programs, their selection processes, et cetera. Here we explore this unfamiliar constellation within the vast universe of American secondary education.

School Demographics

To obtain basic information about student demographics, we drew data from the federal government's 2009–10 Common Core database for the schools on our list and compared them with all U.S. public high schools (table 3.1). The results both confirm and challenge some hunches and assumptions about selective high schools.

As expected, academically selective schools represent a tiny fraction of U.S. public high schools and serve slightly fewer than one percent of all students. Female pupils outnumber male 55 percent to 45 percent, whereas in the larger high school universe they're nearly the same. (More girls *apply* to these schools as well—see p. 41.)

Viewed in its entirety, the population of students served by these schools is more racially "balanced" than the population of students served by all public high schools. No ethnic group comprises more than 35 percent of total enrollment. Observe, though, that there are propor-

Table 3.1: Stude
High Schools

Number of sch
Total enrollmer
Male[c]
Female
White
Black
Hispanic (nonw
Asian/Asian-Pa Islander/Hawai
Native America
Two or more ra

[a] Here and throu
list are reported a
Common Core of D
Rights, district an
Data were not alw
for some schools
totals of less than
[b] See note 4 of
[c] For 16 schools
reported as its tot
these cases, we o

tionally fewer wh
portionally more
As in America
bined population
terms, individual
of them, half or m
For an African
schools resemble
of black students

Table 3.1: Student Demographics, Academically Selective vs. All Public High Schools

	Academically selective public high schools[a]	*All public high schools*[b]
Number of schools	165	22,568
Total enrollment	135,700 (n = 165)	14,629,876
Male[c]	45% (n = 161)	51%
Female	55% (n = 161)	49%
White	35% (n = 161)	56%
Black	30% (n = 161)	17%
Hispanic (nonwhite)	13% (n = 161)	20%
Asian/Asian–Pacific Islander/Hawaiian	21% (n = 161)	5%
Native American	< 1% (n = 161)	1%
Two or more races	< 1% (n = 161)	< 1%

[a] Here and throughout this chapter, demographic data for the schools on our list are reported as obtained from the National Center for Education Statistics Common Core of Data, the U.S. Department of Education's Office for Civil Rights, district and school websites, and direct contact with administrators. Data were not always available for all 165 schools. In addition, demographic data for some schools did not reflect their total enrollments, resulting in percentage totals of less than 100% in some categories.

[b] See note 4 of chapter 2.

[c] For 16 schools on our list, there was a discrepancy between what the school reported as its total enrollment, and the sum of its male and female students. In these cases, we opted to use the latter sums as their total enrollment.

tionally fewer white and Hispanic students in these schools, and proportionally more black and (far) more Asian students.

As in American public education generally, however, while the combined population of the schools on our list is diverse in racial/ethnic terms, individual schools are often "imbalanced." In nearly 70 percent of them, half or more of the students are of one race (table 3.2).

For an African-American youngster, the integration picture in these schools resembles that of public schools generally. Fifty-one percent of black students in our schools have a majority of fellow students who

Table 3.2: Academically Selective Schools with Enrollment ≥ 50% of One Race ($n = 113$)

	White	*Black*	*Asian/Pacific Islander*	*Hispanic*
Number of schools with 50%–59%	19	6	5	3
Number of schools with 60–69%	14	6	3	6
Number of schools with 70%–79%	12	8	2	0
Number of schools with 80%–89%	7	8	1	0
Number of schools with 90%–100%	3	12	0	0
Totals	55	38	11	9

are black. For public schools in general, that's the case with 52 percent of African-American pupils. On the other hand, white students in academically selective high schools are somewhat better integrated. Again, 51 percent are in schools where a majority of their classmates are also white—but in U.S. public education generally that's true for 77 percent of white pupils.[1]

Location is part of the explanation. As shown in table 3.3, 55 percent of "our" schools are located in large cities, which tend to be diverse places but also places where minority youngsters are generally concentrated. Those ninety-three largish schools enroll 70 percent of all the students in our school population, including 83 percent of the black students in that population, 75 percent of the Hispanic students, and 71 percent of the Asian pupils. A substantial fraction of these urban schools are designated "magnet" schools in the federal database or by their own principals, indicating that racial integration was likely part of the reason for their creation. Indeed, several were historically black schools that became magnets in the hope of attracting white (and other) students to their specialized offerings.[2]

Judging by eligibility for federal free and reduced-price lunches (table 3.4), the pupils in academically selective high schools are only

Table 3.3: Student Ra

	La
Number of schools[a] ($n =$ 156)	
Total student enrollment	9
Male[b]	
Female	
White	
Black	
Asian/Pacific Islander	
Hispanic	

[a] This kind of location
[b] For 16 schools on ou
ported as its total enroll
cases, we opted to use t

slightly less poor th
tion. Note, though,
cause they do not re
state-sponsored res

Based on the in
on our list enroll fe
schools in general (t
ing no IDEA-eligibl
dents for whom spe

Although these c
somewhat surprisin
selective high schoo
ties. We therefore pi
plied with selective
position of students
in their academically

50% of One Race

c	Hispanic
	3
	6
	0
	0
	0
	9

with 52 percent students in aca- tegrated. Again, ssmates are also ue for 77 percent

table 3.3, 55 per- end to be diverse enerally concen- ercent of all the ent of the black lic students, and a of these urban al database or by n was likely part historically black white (and other)

ed-price lunches schools are only

Table 3.3: Student Race/Ethnicity by School Location (2009–10)

	Large city	*Midsize city*	*Small city*	*Large suburb*	*Rural/small town/exurban*
Number of schools[a] (n = 156)	93	19	9	27	10
Total student enrollment	93,803	14,459	4,821	16,950	5,198
Male[b]	43%	45%	48%	48%	47%
Female	57%	55%	52%	52%	53%
White	29%	46%	46%	54%	63%
Black	35%	26%	11%	12%	11%
Asian/Pacific Islander	21%	17%	31%	21%	12%
Hispanic	14%	9%	10%	11%	11%

[a] This kind of locational information was not available for all schools.

[b] For 16 schools on our list, there was a discrepancy between what the school reported as its total enrollment, and the sum of its male and female students. In these cases, we opted to use the latter sums as their total enrollment.

slightly less poor than those in the larger universe of U.S. public education. Note, though, that some schools on our list are excluded here because they do not receive federal funding for these programs. (They are state-sponsored residential schools, university-affiliated schools, etc.)[3]

Based on the incomplete data we were able to gather, the schools on our list enroll fewer students with disabilities than do public high schools in general (table 3.4). Forty-five of the 120 schools reported having no IDEA-eligible students. About 75 schools have five or more students for whom special-education services may be provided.[4]

Although these comparisons at the national level are important and somewhat surprising, it's also important to look at the extent to which selective high schools reflect the demographics of their own communities. We therefore picked seven large cities that are reasonably well supplied with selective high schools and compared the racial/ethnic composition of students in all their public high schools with those enrolled in their academically selective schools (table 3.5). In New York, Chicago,

Table 3.4: Eligibility for Free/Reduced-Price Lunch and Students with Disabilities

	Academically selective public high schools	*All public high schools*
Students eligible for free/reduced-price lunch ($n = 148$)	37%	39%
Students with disabilities (IDEA-Eligible) ($n = 120$)	3%[a]	12%[b]

[a] Data from http://ocrdata.ed.gov/. Data were not available for all schools. Percentage includes some schools that enroll elementary and middle school students.

[b] Based on the number of students with disabilities for ages 14–17 in 2009–10 (www.ideadata.org) and on 14,865,347 students in grades 9–12 in 2009–10 (www.nces.gov/ccd).

Boston, and Philadelphia, black and Hispanic students are underrepresented in the selective high schools, while white and Asian students are significantly overrepresented. In those four cities, we also see that roughly one-quarter to one-half of *all* Asian and white students who attend public high school are enrolled in the selective schools. Given that these systems enroll far more Hispanic and black students, such numbers suggest that selective high schools may function as a kind of refuge from lower-performing or less desirable schools for significant numbers of white and Asian students. In those cities, the selective schools may also provide an incentive for the families of such students to remain within the public-education system.

The selective high schools of Milwaukee and the District of Columbia come closer to approximating district demographics. We note, though, that several of the selective schools in each of these cities are low performing (see Great Schools ratings in appendix I) and enroll mostly black students. (This is also the case for a number of schools in Philadelphia and Chicago.)

The demographics of selective high schools in Jefferson County, Kentucky, do, in fact, nearly mirror those of their district. But here, too, individual schools reveal a different picture: One of the five selective schools is 80 percent black, while the other four are predominantly white.

Judging by eligibility for the federal free/reduced-price lunch program, we find (in the six cities for which we could obtain such data) that

Table 3.5: Student Demog

Chicago	*Nat Amer*
All students in [public] schools that include grade 12[a]	> 1
Students in 8 selective public high schools[b]	> 1
Proportion of subgroup enrolled in selective high schools	33
New York City	*Nati Amer*
All students in public schools that include grade 12	> 1
Students in 23 selective high schools	> 1
Proportion of subgroup enrolled in selective high schools	6%
Boston	*Nati Amer*
All students in public schools that include grade 12	> 1
Students in 3 selective high schools	> 1
Proportion of subgroup enrolled in selective high schools	20%

l Students with Dis-

ıblic	All public high schools
	39%
	12%[b]

ɔr all schools. Percentage
ıol students.
14–17 in 2009–10 (www.
'–10 (www.nces.gov/ccd).

ıdents are underrep-
: and Asian students
ties, we also see that
ıite students who at-
: schools. Given that
students, such num-
ın as a kind of refuge
or significant num-
he selective schools
ı students to remain

the District of Co-
ɔgraphics. We note,
h of these cities are
endix I) and enroll
ımber of schools in

erson County, Ken-
But here, too, indi-
e selective schools is
ıtly white.
:d-price lunch pro-
tain such data) that

Table 3.5: Student Demographics in Selected Urban Districts

Chicago	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in [public] schools that include grade 12[a]	> 1%	4%	50%	38%	8%	72%
Students in 8 selective public high schools[b]	> 1%	14%	30%	28%	27%	52%
Proportion of subgroup enrolled in selective high schools	33%	36%	6%	7%	31%	8%
New York City	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*[c]
All students in public schools that include grade 12	> 1%	15%	30%	36%	19%	N/A
Students in 23 selective high schools	> 1%	37%	12%	12%	39%	N/A
Proportion of subgroup enrolled in selective high schools	6%	24%	4%	3%	19%	N/A
Boston	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in public schools that include grade 12	> 1%	10%	39%	36%	14%	66%
Students in 3 selective high schools	> 1%	25%	23%	15%	35%	41%
Proportion of subgroup enrolled in selective high schools	20%	53%	13%	9%	55%	18%

Table 3.5 *(continued)*

Philadelphia	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in public schools that include grade 12	> 1%	8%	64%	15%	13%	76%
Students in 13 selective high schools	> 1%	16%	54%	8%	22%	51%
Proportion of subgroup enrolled in selective high schools	28%	42%	17%	11%	34%	14%
District of Columbia	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in public schools that include grade 12	> 1%	2%	81%	13%	5%	66%
Students in 4 selective high schools	> 1%	3%	85%	5%	7%	46%
Proportion of subgroup enrolled in selective high schools	29%	21%	16%	7%	24%	9%
Milwaukee	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in public schools that include grade 12	> 1%	5%	63%	19%	12%	77%
Students in 5 selective high schools	> 1%	7%	53%	17%	23%	62%
Proportion of subgroup enrolled in selective high schools	15%	31%	19%	20%	43%	17%

Table 3.5 *(continued)*

Jefferson County (KY)	*Native America*
All students in public schools that include grade 12	> 1%
Students in 5 selective high schools	> 1%
Proportion of subgroup enrolled in selective high schools	35%

[a] We noticed that about 21 high reduced-price lunch data for 200 other cities.) To be consistent wi table. It's almost certain that all for free or reduced-price lunch. those 21 schools' students from centage of 83% among the rema

[b] Free/reduced-price lunch da

[c] Free and reduced-price lunc NCES Common Core of Data for Education Department website v for us to conduct an analysis.

the academically select low-income students th erty gap" is at least 15 p percent of the youngste

Surveying the Schoo

To learn more about t compare them in differ plete a lengthy online s respondents that their follows we do not iden

...ispanic	White	Free/reduced-price lunch
15%	13%	76%
8%	22%	51%
11%	34%	14%

...spanic	White	Free/reduced-price lunch
13%	5%	66%
5%	7%	46%
'%	24%	9%

...anic	White	Free/reduced-price lunch
%	12%	77%
%	23%	62%
%	43%	17%

Table 3.5 *(continued)*

Jefferson County (KY)	*Native American*	*Asian*	*Black*	*Hispanic*	*White*	*Free/reduced-price lunch*
All students in public schools that include grade 12	> 1%	3%	37%	4%	61%	53%
Students in 5 selective high schools	> 1%	4%	34%	2%	60%	35%
Proportion of subgroup enrolled in selective high schools	35%	40%	23%	14%	27%	16%

[a] We noticed that about 21 high schools in Chicago, most of them charters, did not report free/reduced-price lunch data for 2009–10. (This didn't appear to be the case with charters in the other cities.) To be consistent with the other cities, we included those schools in our total in this table. It's almost certain that all those schools have significant numbers of students who quality for free or reduced-price lunch. Nevertheless, we show the data as reported (or not). Removing those 21 schools' students from the CPS enrollment total yields a free/reduced-price lunch percentage of 83% among the remaining CPS high school students.

[b] Free/reduced-price lunch data were not available for one of these selective high schools.

[c] Free and reduced-price lunch data for New York City public schools are not reported in the NCES Common Core of Data for the 2009–10 school year, and data available through the city's Education Department website were not reported as student counts, which made it impossible for us to conduct an analysis.

the academically selective high schools also enroll proportionally fewer low-income students than do all high schools in their districts. That "poverty gap" is at least 15 percent. On the other hand, observe that 35 to 62 percent of the youngsters in every city's selective high schools *are* poor.

Surveying the Schools

To learn more about the characteristics of schools on our list—and to compare them in different ways—we asked their administrators to complete a lengthy online survey (reproduced in appendix II). We promised respondents that their responses would remain confidential, so in what follows we do not identify schools or administrators by name.

Table 3.6: Demographics of Survey Responders vs. All Academically Selective Schools

	Schools responding to survey	*All academically selective public high schools*
Total enrollment	36,115 (n = 57)	135,700 (n = 165)
Male	45% (n = 55)	45% (n = 161)
Female	55% (n = 55)	55% (n = 161)
White	38% (n = 54)	35% (n = 161)
Black	27% (n = 54)	30% (n = 161)
Hispanic/Latino	12% (n = 54)	13% (n = 161)
Asian/Pacific Islander	21% (n = 54)	21% (n = 161)
Native American	< 1% (n = 54)	< 1% (n = 161)
Two or more races	< 1% (n = 54)	< 1% (n = 161)
Eligible for free/ reduced-price lunch	35% (n = 46)	37% (n = 148)

We received fifty-seven substantially complete surveys, which represents 35 percent of all schools on the list.[5] The demographics of responding schools are shown in table 3.6, alongside the corresponding figures for all schools on our list (for which also see table 3.1). Observe that the survey respondents closely resemble the larger school population.

School Type

Because academically selective public high schools come in many ages, flavors, sizes, shapes, and with unique histories, a variety of terms (referring, inter alia, to a school's attendance area, funding source, educational emphasis, target population, and enrollment type) can be used to characterize them. We listed some of these terms in a survey question and also invited respondents to suggest one or more additional terms to describe their schools (table 3.7).

Most respondents reported that they serve students who live within the boundaries of a single city or school district (table 3.8), but a full 38 percent have countywide, regional, or statewide "attendance zones."

Table 3.7: School Descriptors Used by Administrators ($n = 57$)

Terms provided on survey	
Magnet	29
District-sponsored	17
STEM	15
State-sponsored	11
Residential	8
University lab	2
Charter	2
Governor's School	2
Regional center	1
Respondent-generated terms	
Early college/early entrance to college	6
Screened	2
Selective-enrollment	2
Vocational/technology	2
Career academy	1
Exam	1
Choice	1
School for gifted students	1

Admissions and Recruitment

The application requirements, processes, and selection criteria that these schools employ are of obvious interest—and some sensitivity. This was certainly the most challenging area to elicit clear information about. Some school officials are uneasy about the practice of selectivity, possible allegations of "elitism," and the student diversity that does or does not result from the admissions process. After all, these schools are public, yet many students living in the attendance area are not able to enroll in them. Some youngsters apply and are admitted; others are

Table 3.8: Where Do Students Live Who Are Eligible to Apply to Your School? (n = 56)

Within a neighborhood or subdivision of a single city or school district	4 (7%)
Within the boundaries of a single city or school district	31 (55%)
Within multiple school districts in the same county or region	11 (20%)
Within the boundaries of the state	10 (18%)

not. Though the school's criteria are almost always public knowledge, the ins and outs of the selection process may not be obvious to would-be applicants and their parents, or to taxpayers and voters in the community. (How that process works was certainly unclear to *us* as we tried to parse the information about admissions requirements, procedures, and materials on various school and district websites—when we could even locate such information!)

How these schools handle admissions is also germane because many of them receive local, state, and national accolades based on various indicators of student performance (e.g., SAT/ACT scores, performance on state tests, number of AP exams taken and passed, graduation rates). One might predict that the selection methods and criteria that the schools use would yield students who are more likely to do well academically, which in turn raises questions about the *schools'* role in producing the results that come to define its reputation. (We examine these questions further in parts II and III of this book.)

The schools reported many different approaches, emphases, and criteria for admissions (table 3.9). A student's prior academic performance is the most widely used criterion, with nearly 80 percent of respondents saying that their process strongly emphasizes pupil academic records (e.g., grades). Applicants' scores on various tests also figure prominently. State- or district-administered tests appear to be the most widely considered, with nearly 60 percent of schools saying that they strongly or moderately emphasize scores on these assessments. About 40 percent of schools reported using tests developed specifically for their own use.

Table 3.9: Emphases ir

Students' prior academic record (e.g., grades)
Scores from state/district tests administered in prior grades
Scores from an entrance exam customized for your school or district
Application essay responses
Other standardized achievement test scores (e.g., California Achievement Test, Iowa Test of Basic Skills)
Teacher recommendation(s)
SAT/ACT scores
Interview
Other recommendation(s)
IQ test scores
Portfolio or other work submission
Sibling(s) attend school

Table 3.9: Emphases in Admissions Criteria [*n* = 56]

	Strongly emphasized in the admissions process	*Moderately emphasized*	*Slightly emphasized*	*Not a criterion*
Students' prior academic record (e.g., grades)	79%	16%	0%	5%
Scores from state/district tests administered in prior grades	43%	17%	6%	35%
Scores from an entrance exam customized for your school or district	40%	0%	9%	51%
Application essay responses	38%	17%	13%	32%
Other standardized achievement test scores (e.g., California Achievement Test, Iowa Test of Basic Skills)	32%	13%	11%	44%
Teacher recommendation(s)	30%	22%	15%	33%
SAT/ACT scores	24%	4%	8%	65%
Interview	17%	19%	10%	54%
Other recommendation(s)	13%	15%	13%	60%
IQ test scores	6%	4%	2%	88%
Portfolio or other work submission	4%	12%	6%	78%
Sibling(s) attend school	4%	16%	12%	67%

Eighteen schools reported taking SAT or ACT scores into consideration, a dozen of them in a major way. Open-ended responses indicate that some of those schools give students the option of submitting such scores but do not require them. Only six schools reported using IQ test scores in their selection process.[6]

The most widely used and emphasized *qualitative* criteria reported by schools are student essays (55 percent reporting strong or moderate emphasis) and teacher recommendations (52 percent reporting strong or moderate emphasis).

When asked (in open-ended questions) to identify additional criteria that are strongly emphasized in the admissions process, nine schools cited students' behavior and attendance records. Several respondents described these criteria as evidence of a student's maturity or ability to assume greater responsibility in a more challenging or flexible academic setting. Residential schools mentioned seeking evidence that the student has the emotional capacity to live away from home. One such process sounded highly individualized: "We ask students to shadow. They come in on a Sunday evening, stay with one of our Community Leaders and attend classes on Monday. The Community Leader then evaluates the prospective student."

Among other criteria that one or more schools strongly emphasize are a student's class rank, the *level* of previous courses taken, socioeconomic status, whether the student would be the first in his or her family to attend college, and the reputation of his/her previous school. Much as in admissions to selective colleges, some schools said they also ask candidates to submit evidence of involvement in extracurricular activities, leadership capabilities, and volunteer work. One administrator explained, "[We ask applicants to] submit a resume of honors won and community service done. Students [also] submit a project reflecting their creativity." Several schools also reported wanting to see a "passion for learning" or a strong interest in the school's focus area (e.g., STEM subjects).

Forty-one schools reported how many applications their schools received for the 2010–11 school year (n = 52,482 for the group). Many administrators who did not provide this information noted that appli-

Table 3.10:
(n = 28)

Total num
White app
Black app
Hispanic a
Asian app
Bi-/multir
Applicant
Applicant

cant data are not a
in the school distric
Not surprisingly, sc
7,000—are located

Thirty-four sch
these schools as a gr
cent female—a dist
identified schools (s

Table 3.10 indic
for 2010–11 for the
A comparison betw
cally selective publi
graphics in the sam
easy assumption th
cations of a diverse
(tables 3.2 and 3.5),
and their applicant

The percentage
offered admission
two-thirds of the s
applicants. Notabl
20 percent or less a

Table 3.10: Ethnicity of Applicant Pool for 2010–11 ($n = 28$)

Total number of applicants	23,363
White applicants	33%
Black applicants	32%
Hispanic applicants	15%
Asian applicants	18%
Bi-/multiracial applicants	1%
Applicants of another race/ethnicity	< 1%
Applicants whose race/ethnicity is unknown	< 1%

cant data are not accessible to them because admissions are handled in the school district's "central office" or some other separate location. Not surprisingly, schools that reported the most applications—up to 7,000—are located in urban districts.

Thirty-four schools reported the gender of their applicants. For these schools as a group, 44 percent of applicants were male and 56 percent female—a distribution that parallels the actual enrollment of all identified schools (see table 3.1).

Table 3.10 indicates the racial composition of the applicant pool for 2010–11 for the twenty-eight schools that reported those figures. A comparison between the enrollment demographics of all academically selective public schools in 2009–10 (table 3.1) and applicant demographics in the same year for these twenty-eight schools challenges the easy assumption that, as a group, these schools do not attract the applications of a diverse population of students. As we saw above, however (tables 3.2 and 3.5), the ethnic profiles of individual districts and schools and their applicant pools may be notably less diverse.

The percentage of students to whom responding schools ($n = 46$) offered admission speaks directly to their selectivity (figure 3.1). Nearly two-thirds of the schools reported accepting fewer than half of their applicants. Notably, all of the schools that report an acceptance rate of 20 percent or less are in urban areas or draw applicants from across an

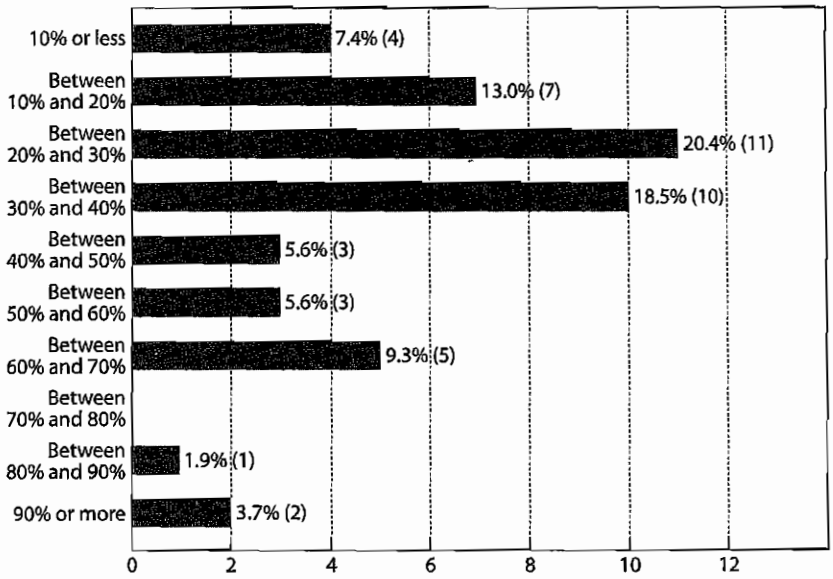
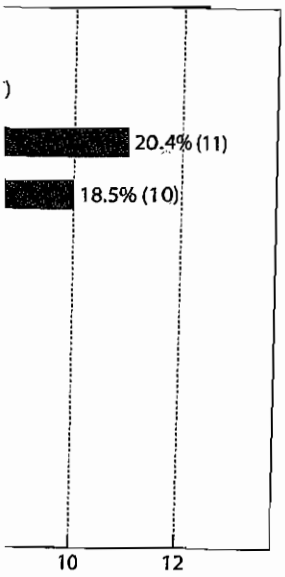


Figure 3.1: Acceptance Rates of Academically Selective Public High Schools ($n = 46$). (Survey question: To what percentage of applicants for the 2010–11 school year did your school offer admission?)

entire state. One of the two schools reporting a 90+ percent acceptance rate is among the "youngest" schools on the list. (The other offers admission to any student who wants to attend it who has passed a standardized test administered to all students in the district.)

Recruitment, Outreach, and Diversity

We asked respondents to note changes in their applicant pools over the past five years. Forty-one schools answered that question. Eleven reported receiving more applications over that period, with some linking that increase to factors such as media attention, awards, school performance, population growth, and the closing of underperforming schools in the area. One urban principal noted that 2010 was the first year that a majority of accepted students came from charter, private, and parochial schools—a pattern that perhaps speaks both to dissatisfaction with other available options and to the weaker economy.



e Public High Schools
icants for the 2010–11

0+ percent acceptance
. (The other offers ad-
who has passed a stan-
district.)

plicant pools over the
question. Eleven re-
od, with some linking
wards, school perfor-
erperforming schools
as the first year that a
private, and parochial
dissatisfaction with
y.

Responding schools also noted a number of changes in the demographics of their applicant pools. Most frequently cited were increases in the number of applicants who are female, Asian or Hispanic. Several schools reported a decrease in the number of white applicants in recent years. Three schools mentioned that they had begun accepting applications from foreign and/or out-of-state students who promised to move into the attendance zone should they be accepted.

One administrator reported that "the school's applicant pool over the past two years more closely approximates local demographics," alluding to the "representation" and "diversity" challenges that academically selective schools often face. Mindful of that challenge, we asked respondents to briefly describe any strategies that their schools or districts use to foster racial, ethnic, socioeconomic, gender, or geographic diversity. Several interesting themes emerged from the fifty-two responses.

Some were ambiguous or vague, whether intentionally so we cannot judge. For example, one respondent said, "Currently variables of diversity do not play an overt role in admissions decisions," and another that "[Applicants] are looked at through a diversity lens." Other responses suggested that there is attention paid to maintaining diversity in the admissions process but do not divulge specific strategies (e.g., "We try to match the ratio of the state's diversity to our school's diversity," and "We are all racially inclusive to foster diversity and grant admission in an effort to have a diverse school").

Sixteen schools reported that they use no strategies to foster diversity, with several citing exclusive reliance on quantitative evidence in making admissions decisions. "The numbers are the only thing used in admissions," said one administrator. Other respondents noted that their applicant pool is sufficiently diverse without extra effort. For example, "Diversity is not mandated for our school, but is always maintained without quotas or other mechanisms," and "Our admissions policy is background blind. We have always been successful in attracting a diverse student population across all descriptors."

Thirteen schools elaborated on their strategies for ensuring *geographic* diversity across the district or state (which probably also boosts their ethnic and socioeconomic diversity). Approaches include drawing

from a range of schools across the attendance area; limiting the number of students from any given neighborhood, town, zip code, high school zone, or congressional district; and limiting the number of students from any one feeder school. For example, one respondent explained: "Students are grouped by high school zone (= neighborhood) and ranked by the formula within their zones. Ranking is done in rounds, taking approximately the same number of students from each zone in each round, until all qualified students are ranked." Another reported: "We select by score earned on the portfolio submitted and by geographic area with a certain percentage coming from all four quadrants of the city."

Some respondents also mentioned recruiting students from public, private, parochial, charter, and independent schools. Since nearly all the schools on our list are already oversubscribed, such outreach suggests a purposeful effort to diversify and/or strengthen their applicant pools.

A smaller number of schools described fostering diversity by accounting for differences in applicants' academic preparation. One respondent explained: "Once the applicant pool is built, we examine [the applicant's grades, test scores, etc.] to identify students within their specific context. We understand that not all schools and districts in the state provide the same kind of learning environment and experiences. We also understand that access to additional programming is dissimilar across the State." Some schools described "summer bridge" programs or other support services that prepare prospective applicants or provisionally admitted students who may not have had access to challenging or high-quality educational opportunities.

Many schools pointed to recruitment efforts as ways to boost diversity in their applicant pools. Among the approaches noted were sending school representatives (e.g., counselors, students, parents) to feeder schools with underrepresented populations, high-poverty schools, or underperforming schools; hosting open houses and social events on campus and in homes of current students at times convenient for parents; offering weekly tours; and staging neighborhood recruitment events. Involving leaders, teachers, students, and parents from a range of racial and cultural backgrounds in these recruitment efforts was also viewed as a

Having scho
visit elementary/middl
school can

Using students, p
or alumni to commu
with prospective app

Placing brochures, fly
pamphlets in school
munity centers, libra
other public or private fa

Using email

Sending out recru
materials dire
prospective stu
homes or s

Developing anc
recruitment mate
languages other than E

Developing recrui
techniques in partn
with local organiz

Hosting scho
days for prosp
students and p

Other (please s

Figure 3.2: Recruitm
following recruitmen

way to invite a more
relying heavily on "
("That's one of our

Figure 3.2 depi
ment techniques.
were the most freq
is implied in the s
tributed through n
schools, although
English.[7]

Because larger
ment process, son

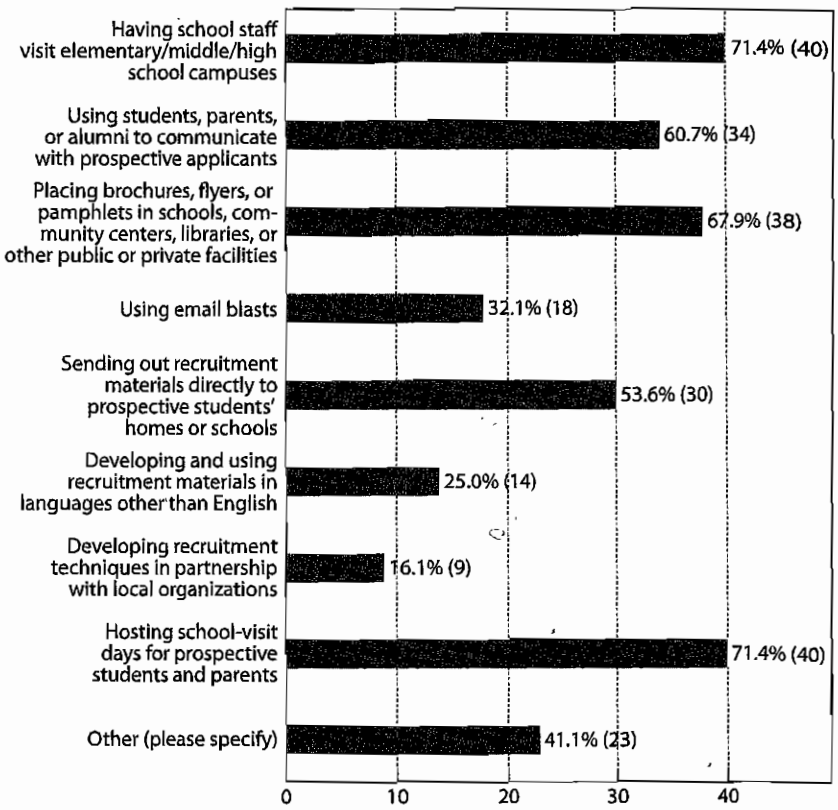


Figure 3.2: Recruitment Techniques (n = 56). (Survey question: Which of the following recruitment techniques does your school use? Check all that apply.)

way to invite a more diverse applicant pool. Several respondents reported relying heavily on "word of mouth" in and around the school community ("That's one of our strongest suits," commented one principal).

Figure 3.2 depicts responses to a separate question about recruitment techniques. School-to-school visits and open-house-style events were the most frequently cited strategies. A "word of mouth" approach is implied in the second option. Printed recruitment materials, distributed through multiple means, are widely used among responding schools, although few print these materials in languages other than English.[7]

Because larger cities tend to centralize the admissions and placement process, some schools in places like Chicago, New York, and

Philadelphia depend on district-level recruitment strategies and tools, such as online and print-based high school directories and citywide fairs that showcase all selective and/or choice-based schools in the district. Schools that draw from a statewide population mentioned holding recruitment meetings in various locations around the state. Two schools said they place notices in local newspapers.

Although a few schools cited Internet-based strategies such as e-newsletters and websites, no school suggested that it uses social media or networking tools to create awareness of and interest in applying to it. Some reported using e-mail as a recruitment tool ($n = 18$). Direct mailing, however, plays a significant role in recruitment for more schools ($n = 30$). One administrator explained that the school purchases lists from college-recruitment databases so as to send materials to prospective students. Another described how the school provides information to new families moving into the area via realtors and the city's visitor-information office.

Teachers

One assumption about academically selective public schools is that surely they are better resourced—which includes having more and "better" teachers.[8] As for *more* teachers, we found that the pupil-teacher ratio in the high schools on our list is actually a bit higher (17.3:1) than in all public high schools (15.1:1).[9]

But are their teachers different? As shown in table 3.11, the percentage with doctoral degrees is notably higher in these schools than in high schools generally (11 percent vs. 1.5 percent), as is the percentage with masters degrees (66 percent vs. 46 percent). We suspect that these percentages might be higher still if we had data from more schools.[10] Note, too, that students at a number of our schools take some courses from college professors, whose credentials probably don't turn up within our survey data.

As shown in table 3.12, nontrivial numbers of teachers in our schools also have experience in industry, extensive backgrounds in science or technology, and/or have taught at colleges or universities, though we

Table 3.1
Certificat

Teacher earned degree
Teacher earned (but not
Teacher attend a teacher progran

[a] U.S. D
Statistics,
Teacher Q
[b] Percer
teaching tl

have no data by
U.S. high school
emphasized "*ext*

Despite these
ers in our school
program is sligh
teachers who ent

Teacher Demo

Much as in U.S.
schools respondi
fourths (78 perce
in public high sch
that academically
portion of black (

Table 3.11: Teachers with Advanced Degrees or Alternative Certification [$n = 51$]

	Teachers in academically selective schools	*All public high school teachers*[a]
Teachers with an earned doctorate degree	11%	2%
Teachers with an earned masters degree (but not a doctorate)	66%	46%
Teachers who did not attend a traditional teacher-preparation program	16%	18%[b]

[a] U.S. Department of Education, National Center for Education Statistics, Schools and Staffing Survey (SASS), "Public School Teacher Questionnaire," 2007–8.

[b] Percentage of grades 9–12 public-school teachers who entered teaching through alternative certification.

have no data by which to gauge how this may compare with the overall U.S. high school teaching force. (Note, too, that several of our questions emphasized "*extensive* background.")

Despite these varied backgrounds, however, the percentage of teachers in our schools who did not attend a traditional teacher-preparation program is slightly lower than the percentage of all public high school teachers who entered via alternative certification (table 3.11).

Teacher Demographics and Selection

Much as in U.S. high schools generally, a thin majority of teachers in schools responding to our survey are female (56 percent). Over three-fourths (78 percent) are white, slightly lower than the 83.5 percent found in public high schools generally. The comparisons in table 3.13 suggests that academically selective public schools also have a slightly higher proportion of black (and slightly lower of Hispanic) teachers than are found

Table 3.12: Teacher Backgrounds in Academically Selective Public High Schools ($n = 51$)

Teachers that have a teaching certificate that is valid in your state	91%
Teachers who currently teach or have taught in college/university settings	11%
Teachers who currently teach or have taught in private schools	5%
Teachers with extensive backgrounds in business or industry	9%
Teachers with extensive backgrounds in science or technology fields	10%
Teachers with extensive backgrounds in nonprofit organizations	2%
Teachers with extensive backgrounds in the military	3%
Teachers with extensive backgrounds in other public-sector careers	2%
Teach for America corps member/alumnus/a	1%

in all public schools, not unlike their pupil demographics (see table 3.1). Similarly, teachers of Asian heritage constitute a larger percentage than they do in high schools generally.

One might reasonably expect schools that select their students on academic grounds also to apply different or more rigorous criteria when

Table 3.13: Teacher Demographics in Academically Selective vs. All High Schools

	Academically selective schools (n = 54)	*All public high schools*[a]
Male teachers	44%	42%
Female teachers	56%	58%
White teachers	78%	84%
Black teachers	10%	7%
Hispanic teachers	5%	7%
Asian/Pacific Islander teachers	6%	2%
Bi-/multiracial	< 1%	< 1%
Other	< 1%	< 1%
Unknown	< 1%	N/A

[a] Percentage of public-school teachers of grades 9 through 12, by field of main teaching assignment and selected demographic and educational characteristics: 2007–8. (Source: NCES *Digest of Education Statistics 2010*.)

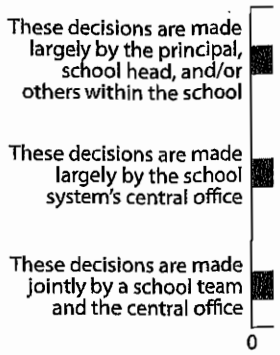


Figure 3.3: Responsibility
High Schools ($n = 56$). (S
comes closest to describ
school are made?)

selecting their teacher
respondents about the

Nearly two-thirds
teacher-hiring decisio
seems to defy the wid
have little say about wh
the schools on our lis
that some of them op
affiliated institutions,
systems that are not ti
with the additional n
decision-making resp
schools responding to
tonomy in the teacher

A few respondents
external factors. One
contract:

> We are held to the
> budgets, when perm
> if we have an openi
> have been "excessed

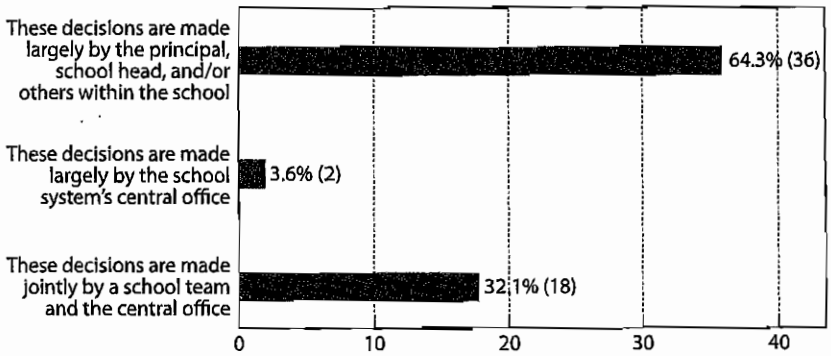


Figure 3.3: Responsibility for Teacher-Hiring Decisions at Selective Public High Schools (n = 56). (Survey question: Which of the following statements comes closest to describing how hiring decisions about teachers at your school are made?)

selecting their teachers. We explored this hypothesis by asking survey respondents about their hiring processes.

Nearly two-thirds of the fifty-six responding schools indicated that teacher-hiring decisions are made at the school level (figure 3.3). This seems to defy the widespread perception that public-school principals have little say about who teaches in their schools, and it may well be that the schools on our list are exceptional in that regard. Note, though, that some of them operate as independent state agencies, university-affiliated institutions, philanthropic or charter endeavors, or within systems that are not tightly controlled by the central office. Still, taken with the additional number of respondents indicating that they *share* decision-making responsibilities with the central administration, the schools responding to the survey do appear to exercise considerable autonomy in the teacher-hiring process.

A few respondents noted that their hiring process is guided by other external factors. One explained the influence of the teacher-union contract:

> We are held to the [district] policies regarding hiring. In years of lean budgets, when permanent teachers are losing positions in other schools, if we have an opening, we are limited to choosing from teachers who have been "excessed" from other schools. These teachers, according to

: Public High

our state	91%
niversity	11%
hools	5%
stry	9%
ology fields	10%
zations	2%
	3%
tor careers	2%
	1%

hics (see table 3.1).
er percentage than

t their students on
rous criteria when

s. All High Schools

e	*All public high schools*[a]
	42%
	58%
	84%
	7%
	7%
	2%
	< 1%
	< 1%
	N/A

by field of main teach-
icteristics: 2007–8.

the collectively-bargained agreement, have the right to choose the positions based on seniority.

Another respondent from a school that grants students both an associate's degree and a high school diploma described a somewhat different version of autonomy in the hiring process:

> Because [our school] grants a college degree, our [agreement] with the [district] gives [our school] the authority to appoint the principal and hire the faculty qualified to teach the college classes as well as the high school classes. If [teacher union] members are qualified, we consider them for positions. All faculty hired and paid through DOE funding become members of the [teacher union].

The criteria that schools stress in selecting teachers obviously signal what they value in their instructional staffs. Table 3.14 outlines the extent to which responding schools say they emphasize various criteria. Subject-matter knowledge, pedagogical knowledge/expertise, and the ability to relate to, understand, and/or engage adolescent learners are most strongly emphasized. Education level, type of teaching experience, and recommendations from previous employers are also taken seriously. In general, these results reflect what one might expect conscientious high school leaders—selective and otherwise—to seek when choosing their teachers, provided that they have the authority to make such decisions.

Respondents also cited other factors that matter to them. Some of these would likely count as evidence of a candidate's potential at any school (e.g., classroom management strategies, teaching philosophy and instructional skills, reflective nature, technology prowess, collegiality). Others may be peculiar to schools that take unusual pains in the selection process (e.g., demonstration lessons, teacher/student committee interviews).

Factors that are perhaps more specific to (or could be expected from) academically selective schools include experience or credentials as a practitioner in a relevant field (e.g., business, medicine, Ph.D. in

Table 3.14: Teacher-S

Subject-matter knowledge
Ability to relate to, understand, and/or engage adolescent learners
Pedagogical knowledge/expertis
Type of teaching experience
Education level
Recommendations from previous administrators or supervisors
Reputation of previous places of employment
Portfolio (e.g., samp unit/lesson plans)
Years of teaching experience
Recommendation from previous teaching colleagu

biology) and tra
of respondents v
relate to gifted s
with high-achiev
students. Howe
to be age-appro
hiring processes
pupils, as well a

Table 3.14: Teacher-Selection Criteria ($n = 55$)

	Strongly emphasized	*Moderately emphasized*	*Slightly emphasized*	*Not a criterion*
Subject-matter knowledge	93%	6%	0%	2%
Ability to relate to, understand, and/or engage adolescent learners	84%	11%	2%	4%
Pedagogical knowledge/expertise	68%	26%	4%	4%
Type of teaching experience	46%	40%	9%	6%
Education level	44%	47%	6%	4%
Recommendations from previous administrators or supervisors	33%	51%	15%	2%
Reputation of previous places of employment	31%	35%	27%	7%
Portfolio (e.g., sample unit/lesson plans)	15%	49%	20%	16%
Years of teaching experience	15%	44%	33%	9%
Recommendations from previous teaching colleagues	7%	47%	38%	7%

biology) and training in Advanced Placement instruction. A number of respondents volunteered that a candidate's ability to work with and relate to gifted students is important. According to one, "A program with high-achieving students needs faculty that can and will challenge students. However, teenagers are a unique entity and education needs to be age-appropriate and engaging." Several schools noted that their hiring processes strongly emphasize formal training in teaching such pupils, as well as considerable expertise in the subject matter (as one

respondent put it, a teacher's "passion as a scholar"). On the other hand, no one indicated that they seek teachers with a prior track record of boosting student achievement.

Building on the theme of willingness to teach in different ways or otherwise adjust to setting- and student-specific needs, two respondents described less conventional approaches to teacher selection:

> We oftentimes are more comfortable hiring someone who has not taught in a regular classroom, as our methods of instruction are atypical of the average high school.

> Aside from the criteria listed, we have an extensive curriculum and methods analysis questionnaire that we designed specifically for our setting and which is based on the particular concerns we have had with the recruitment process since our first year of operation. Responses to this questionnaire along with performance in multiple teaching auditions are strongly emphasized. The additional criteria we seek are flexibility, creativity, intuition, strong commitment to team teaching, and novel approaches to problem solving.

Although one item on our survey spoke to a candidate's ability to relate to adolescents, six respondents provided additional comments about this factor. Among these were "a passion for working with young people" and "teachers who care about students and want to develop positive relationships [with them]."

Exemptions and Waivers

Because many of the schools on our list occupy distinctive niches within their local communities, districts, or states, we were curious whether their teachers are fully subject to the provisions of teacher-union contracts. Most certainly are. We aren't sure how much to make of the exceptions indicated in figure 3.4. Colleagues at the National Council on Teacher Quality state that it *is* extraordinary to find, for example, that six of thirty-three responding schools are not (or not fully) subject to seniority-based staffing decisions. But these numbers are all small,

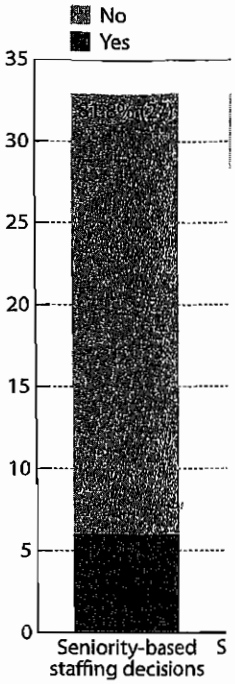


Figure 3.4: Exemptic
sions (n = 33). (Surv
or waivers [full or pa
contract in any of th

and it's hard to k
school universe.

In open-ende
emptions that ap
to time, includin
room duties, ext
the school day to

A handful of re
to hire teachers v
Ph.D. in relevant

> We follow the
> ever, we negot
> tract. We have

olar"). On the other
h a prior track record

ı in different ways or
: needs, two respon-
acher selection:

omeone who has not
instruction are atypi-

nsive curriculum and
d specifically for our
erns we have had with
eration. Responses to
ultiple teaching audi-
teria we seek are flex-
o team teaching, and

andidate's ability to
ldditional comments
working with young
nd want to develop

nctive niches within
re curious whether
s of teacher-union
nuch to make of the
e National Council
find, for example,
or not fully) subject
nbers are all small,

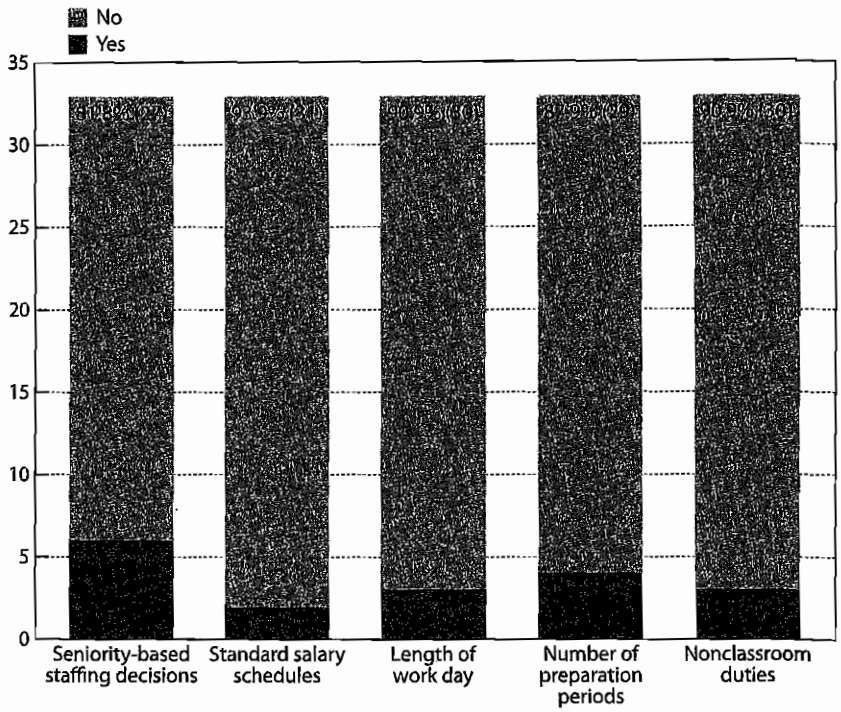


Figure 3.4: Exemptions or Waivers from Collective-Bargaining Contract Provisions (n = 33). (Survey item: Indicate whether your school has exemptions or waivers [full or partial] from the provisions of the collective bargaining contract in any of the following areas.)

and it's hard to know what to compare them with in the larger high school universe.

In open-ended responses, several administrators noted other exemptions that apply to their schools. Five described provisions related to time, including more (or less!) preparation time, fewer nonclassroom duties, extended teaching days, and flexibility in reconfiguring the school day to accommodate special activities and scheduling needs.

A handful of responding schools said either that they are not required to hire teachers with state certification or that other credentials (e.g., Ph.D. in relevant field) pre-empt certification, at least for several years.

> We follow the [collectively bargained] contract. As a new school, however, we negotiate with teachers at the school level apart from the contract. We have no formal exemptions, but we do not follow the contract

to the letter in many areas through negotiation with teachers at the school level.

In general, however, we were struck by how *few* of these schools reported that they have obtained waivers or exemptions from ordinary regulations and procedures. Survey questions 24 through 27 (appendix II) gave them ample opportunities to do so.

Curriculum and Instruction

What do these schools actually "do" with their students, and how different is it from what these youngsters might encounter at another high school? We examine these questions more closely in the school profiles in Part II (and reflect further on the matter of "differentness" in chapters 15 and 16), but several survey questions provide a glimpse.

Most responding schools reported offering at least some AP courses or the International Baccalaureate (IB) program—both of which are increasingly viewed as indicators of a school's academic rigor and quality. Several commented that they "only offer honors and AP courses." In effect, those schools consist entirely of what would be considered an "advanced track" within a comprehensive high school.

On the other hand, five schools noted that their students do *not* take Advanced Placement courses per se, either because they take actual college courses (at host colleges or through dual enrollment arrangements) or because they earn college credit for advanced courses taught in the school building by qualified instructors.

Numerous respondents highlighted *other* kinds of highly specialized and advanced courses, either in addition to or in lieu of AP courses or the IB program. Schools with a STEM focus and/or those with university affiliations, in particular, reported a wide array of upper-level science and math courses that few ordinary high schools—even very large ones—could offer. For example: Human Infectious Diseases, Chemical Pharmacology, Logic and Game Theory, and Vector Calculus.

Another recurring theme is an emphasis on independent research projects by students, ranging from classroom-supported guided-inquiry

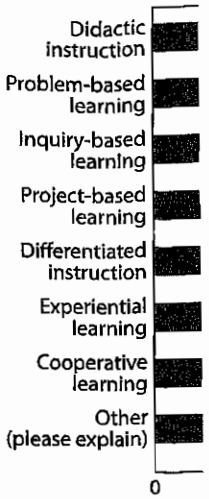


Figure 3.5: Pedagc
Schools (n = 56). [
approaches or stra
none of the terms
please select Othe

models to exten
orative research
mentorship and i
students rival th
or in the job mar

Notably, ma
ties that these sc
classroom—in sc
the school build
ships, and indep
tate this relative f
ration. First, a nu
that mimic the st
of respondents ir
lar guidelines or

We were inte
identify a term tha
of the classroom

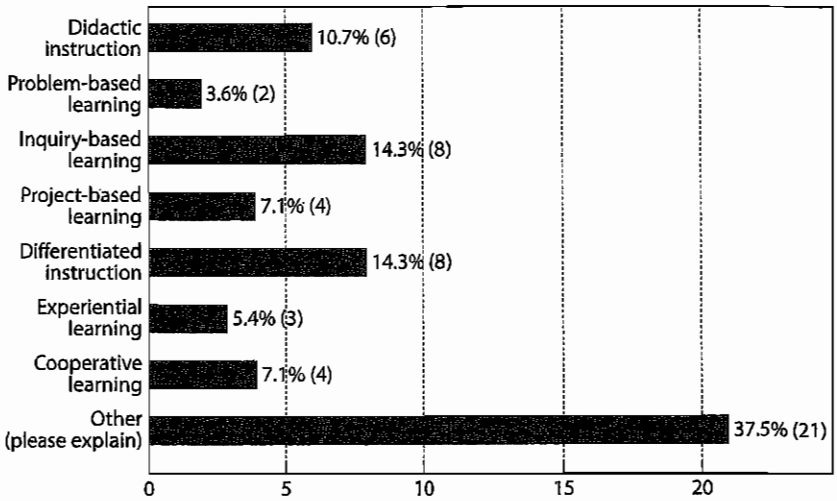


Figure 3.5: Pedagogical Approaches in Academically Selective Public High Schools ($n = 56$). (Survey question: Which term best describes the pedagogical approaches or strategies that guide most of the instruction at your school? If none of the terms are good descriptions—or a combination of terms applies—please select Other and briefly explain.)

models to extended team-based problem-solving challenges to collaborative research with university student and professors. Many of the mentorship and internship opportunities that these schools afford their students rival those typically offered through universities, fellowships, or in the job market.

Notably, many of the innovative and advanced-level opportunities that these schools provide to their students take place *outside* the classroom—in some cases (especially in junior and senior years) outside the school building itself, as students go off for internships, mentorships, and independent projects of many kinds. Two factors may facilitate this relative freedom to offer in-depth courses and individual exploration. First, a number of schools report using daily or weekly schedules that mimic the structure of a college schedule. Second, about 20 percent of respondents indicated that their school is not subject to state curricular guidelines or graduation requirements.[11]

We were interested in pedagogy, too, so we asked administrators to identify a term that best describes the approach or strategy that guides most of the classroom instruction at their school (figure 3.5). Predictably,

many chose "other" to explain that their teachers use a combination of the approaches we listed, as well as instructional strategies such as Socratic seminars. Several administrators noted that teachers' approaches vary by department (e.g., math, history) and by whether an instructor is teaching or has taught at the college level.

One respondent suggested that none of the listed approaches quite captures the essence of his/her school's instruction, explaining that, while its teachers use many of these strategies, their use is "tempered by our commitment to delivering a rigorous classical education for profoundly gifted pupils."

To be sure, we cannot know exactly *how* respondents construed the terms that we (or they) offered. What one administrator believes "differentiated instruction" entails, for example, might be quite different from how another understands it. Moreover, in many cases, the person completing the survey was not in a position that entailed much direct observation of classroom teaching (e.g., school counselor, admissions director).

Part II

Inside the Sc

"de-staffed" else-
ystems in Fairfax
'S.[18]

d three years ago,
gh that has since
ter additional re-
its regular FCPS
eing designated a
.e state and, as an
ars from Fairfax
countywide aver-
urses and science
ab safety and hav-
:s have more than
:nsome (all those
oom interactions
're studying.
ge, about $1,000
ıt that number is
instead of seven,
ndling six assign-
ontract.
out $23 million),
ling. The parents'
ms and activities
'ofit organization
:s available some
ash and in-kind)
any of those dol-
[19]

S. News gold-star
nce and Technol-
on serving high-
re.

Chapter 15

Similarities and Differences

Judging from our eleven site visits, there's no such thing as "the" academically selective American public high school. Each of them is distinctive—but they have important likenesses, too.

Certainly their varied histories and current demographics challenge allegations that these are bastions of privilege or tools of social stratification and racial segregation. Only five of them (Pine View, Ben Franklin, IMSA, Townsend Harris, and TJ) were even designed at the outset to serve a selected group of highly talented students. The other six began for different reasons and became academically focused and selective, gradually or quickly, in response to political forces or evolving community needs.

The five policy objectives outlined in chapter 1 (pp. 11–12) intersect with these schools' diverse origins. The histories of Jones College Prep, LASA, and Central were all tied in some way to racial desegregation. Developing talent in STEM-related fields drove the creation of IMSA, Thomas Jefferson (TJ), and Bergen County Academies. Four schools—Jones, School Without Walls (SWW), Central, and Oxford—initially served populations of students or purposes that weren't being satisfactorily addressed before becoming academically selective. Although only Oxford and Ben Franklin began as within-district efforts spurred by board and community members, nearly all of the schools were sustained or championed by local advocates.

In this chapter, we flag additional patterns among the schools we visited. While not every generalization applies to each school, their similarities are at least as notable as their differences.

Teaching and Learning Environment

By and large, all the schools we visited were serious, purposeful places: competitive yet supportive, energized yet calm. Behavior problems (save for cheating and plagiarism) were minimal, and students attended regularly. The kids wanted to be there—and were motivated to succeed. (That's scarcely surprising, considering how many of the schools screen for those qualities among their applicants.) Most classrooms we observed were similarly alive, engaged places in which teachers appeared to have uniformly high expectations for their pupils and planned instruction around the assumption that students can and want to learn.

We also noticed across schools that the use of time—by day and by week—was structured in ways that facilitate in-depth learning and prepare students for a college schedule. These included staggered start times, eight-hour days, class periods of varying lengths, fewer class meeting days within the week, and dedicated time for collaborative and independent research projects.

The schools' curricula and course offerings, however, reflected differing philosophies about what and how academically talented students should learn. All had taken a position regarding the role of Advanced Placement courses, making them (and prerequisite honors courses) the heart of the curriculum (e.g., Pine View, Oxford), or sprinkling in a few APs to augment the curriculum for some students (e.g., Central), or offering them alongside a more general curriculum (e.g., SWW, Jones), or making them major adjuncts to a more advanced or specialized curriculum (LASA, TJ), or even eschewing them altogether (IMSA).

The schools' principals hailed from various backgrounds, not just from within the school or district. As a group, however, they exhibited traits that one would expect of leaders of successful high schools that in some cases are the pride of their communities and in every case are closely watched: all were extraordinarily dedicated and hardworking individuals who were also politically astute. They had wrested (or inherited) a moderate degree of freedom for their buildings and those inside them, despite often operating within systems that had a fair share of bureaucratic oversight. Their teachers didn't have many formal waivers

from union contracts, yet principals said that they could usually "work things out."

These leaders oversaw instructional staffs that were similarly capable, consisting mostly of intelligent, dedicated individuals, well grounded in their fields, many with unconventional backgrounds and ample teaching experience. Turnover was reportedly low. Most teachers belonged to unions and were paid on the "contract scale" but many received additional compensation for longer days and extra duties. Regardless, they tended to come early, stay late, and design complex assignments and lesson plans that may have taken as much time to formulate and grade as for their students to complete.

Teachers in all the schools also acknowledged that working with eager and talented kids—often backstopped by engaged and supportive parents—was a kind of professional luxury. Yet they felt that their jobs weren't easier because they were teaching such students. Indeed, many remarked on how hard they had to work to "keep up" with kids who were mostly smart but far from alike. In fact, when we asked teachers in different schools to respond to two statements about the nature of their jobs (*It must be so easy teaching at that school—all the kids are smart, motivated, and have parent support* and *Teaching 25 of the same kind of kid in every class must be pretty nice*), they all pushed back. One said: "The best and the brightest are here. But there are also many kids who struggle. I've got to challenge everyone and provide support at the same time." Consistent with that view, few teachers evinced a "sink or swim" mentality about academics—and all of their schools provided "life preservers" for flailing students.

Several instructors at schools with more ethnically homogeneous populations also mentioned that having so many students from the same cultural background actually made some aspects of teaching more difficult, such as eliciting diverse perspectives during a classroom discussion.

Getting In

All the schools we visited attracted scads of qualified applicants, thanks in part to local and national media coverage of their students' and graduates' accomplishments and, in some cases, to districtwide choice

programs that either required all students to apply to high school or simply increased awareness of the range of alternatives within the system. Even the lowest-performing of the schools we visited (Central) had more applicants than it could accommodate. Given the demand, potentially the most controversial aspect of this kind of school isn't *that* it selects its students but *how* it selects them.

Familiar indicators of academic performance or potential, notably grades, test scores, and teacher recommendations, were the primary criteria for admissions. All eleven schools used these, and some employed additional variables (e.g., behavior records) to screen applicants or set minimal requirements for considering them.

They differed, however, as did schools on our wider survey, in the emphases they placed on conventional academic criteria and on additional evidence such as interviews and essays—when these were weighed at all.

Four schools (Oxford, Jones, TJ, SWW) fit within the traditional definition of an "exam school," that is, they developed or adapted their own admission test and required all of their eligible applicants to sit for it.[1] These assessments ranged from professionally designed to teacher created. Whatever their construction, neither parents nor school staff seemed to question their use, even though it wasn't clear whether the schools and districts gathered validity and reliability data on them, or whether and how often they changed.

Each school's admissions process tended either to rely primarily "on the numbers" or to emphasize a more holistic, student-by-student approach. Schools employing the former method stressed trying to make "objective" decisions—via committee or computer—about applicants by using combinations of minimum GPAs and test-score cutoffs, ranking applicants, assigning numerical values to nonacademic criteria, and the like. Oxford, Pine View, and Ben Franklin took this tack. Schools within vast urban systems with centrally controlled application-and-selection procedures (e.g., Jones, Townsend Harris) also crunched numbers while weighing such factors as applicants' addresses and rank-ordered preferences. Schools with a more holistic approach (e.g., IMSA, TJ, SWW) appeared to have the time, resources, philosophy, or political mandate to consider applicants more subjec-

tively and as individuals—though not until they met threshold eligibility requirements. Among the techniques they employed were complex (and sometimes secret) scoring rubrics, individual interviews, essays, and committee discussions akin to those used by selective colleges.

Given the high rejection rates across schools, we were somewhat surprised that few appeared to undertake (nor, so far as we could make out, did their districts undertake) regular internal or external evaluation of their admissions criteria and procedures. Indeed, in many cases, the process (and its results) seemed to go unquestioned. Those that did evaluate and continue to do so (e.g., IMSA, TJ) had at some point been prodded in this direction by outside forces (e.g., pressure to increase student diversity, challenges from parents whose children were denied admission). Schools without such data were hard pressed to answer fundamental questions about whether their system "worked," that is, whether it could actually distinguish applicants likely to benefit from the school from those who would not, and whether it might be unintentionally biased against certain applicant groups.

Who Goes There

In part because these kinds of schools are oversubscribed, the questions of who ends up in them and whether their pupil populations "look" anything like the communities from which they draw students provoke significant interest, especially for those who level charges of elitism.

Though some of the eleven schools we visited enrolled students predominantly of one race, more had students from multiple racial and ethnic groups, and several were more diverse than any other high school in their area (e.g., LASA, SWW, Jones, Ben Franklin). None, however, was a demographic or socioeconomic miniature of the place it served. In addition to such obvious explanations as uneven preparation at the elementary and middle school level, we discovered that a school's location can affect its diversity (by deterring would-be applicants) because of longer days that don't fit district bus schedules, because the school draws pupils from a wide area (e.g., a sprawling city, several counties),

or because attending it means living there (IMSA). Few students actually reside close to these schools—and getting there on foot is uncommon. (Every morning and afternoon, more than fifty buses pull up to Bergen County Academies to transport the school's 1,050 pupils around a big chunk of northern New Jersey.) Although leaders and teachers in all the schools were aware (if not concerned) that certain groups were over- or underrepresented in the student body, few questioned the admissions criteria or process. Rather, the responsibility for increasing ethnic, socioeconomic, and geographic diversity was placed squarely on recruitment. As one administrator put it, "We can only consider kids who apply."

Toward that end—and to enhance the quality of their applicant pools—most of the schools engaged in multifaceted outreach efforts in their communities, regions or states, seeking to inform potential students (and parents, teachers, counselors, donors, etc.) about the educational opportunity that they offer. Like most high schools, these institutions have little influence over their feeder schools. This makes outreach efforts both more important and more challenging as they (or their districts) strive to ensure that their applicant pools are demographically diverse, reasonably representative of their communities, *and* academically qualified.

Not surprisingly, the recruitment efforts of schools that drew applicants from multiple districts (e.g., Bergen County, TJ, IMSA) were especially vigorous, even exhaustive. In schools serving just one district, the central office was more likely to assume primary responsibility for recruitment. In the very large districts (e.g., New York, Chicago, Jefferson County), this was usually part of a broader outreach effort that involved educating parents and kids about a host of high school options.

Success and Sustainability

Townsend Harris excepted, the schools we visited were relatively young, at least in their academically selective form. They had passed the public-image and public-acceptability tests with flying colors, and most had sunk fairly deep roots in their communities, but none seemed entirely

immune from pressures that could eventually alter them, perhaps even threaten their existence.

Ironically, some of those pressures related to gauging their success with the students they selected. As of 2010–11, their effectiveness was evaluated mainly by the same measures that were used to judge the success of nonselective schools. Staff in our schools tended to dismiss these metrics and the prevailing "standards-testing-accountability" regime as irksome distractions with little meaning for their schools or pupils. In most cases, the curricula implicit in statewide assessments and kindred tests were more limited than those of the schools, and the cut-scores for passing them were too low to be meaningful. Leaders and teachers at several schools (e.g., Oxford, Pine View, LASA) were acutely aware, however, that enrolling some of the district's highest-performing students came at the cost of ongoing tension with other high schools, some of which were not making "adequate yearly progress" and suspected that they would have fared better had they not surrendered those pupils to the selective schools.

While few of our schools were seriously concerned about (or evaluated their own success by) state assessment results, none had developed its own metrics for gauging how much or how well its students learned in its classrooms. More often, the schools (and the proliferating ratings and rankings by media outlets) counted Advanced Placement tests taken and passed, or the number of seniors gaining admission to top colleges, as evidence of their success. Perhaps even more than the typical high school, our schools felt pressure from students, parents, and colleges to maximize AP credits—sometimes in ways that seemed to foster a "just pass the test" mentality and discouraged unconventional courses and instructional methods. Some also felt heavy pressure to ensure that their graduates attend not just any college but the best colleges.

The communities and political contexts in which many of these schools operate created pressure, too. Intermittent controversy over perceived elitism fed some apprehension about their futures as selective institutions. More immediate were budget cuts, which are painful for a school at any time but more so when major reductions are occurring in state and district revenues. Leaders of the schools we visited felt

doubly vulnerable as attention—and resources—were concentrated on low-performing schools and students. ("Smart kids will do fine, regardless, and in any case are not today's priority" was the undertone they picked up.) Many had become accustomed to having at least some extra resources, often for transportation or smaller classes. While some schools benefited from certain categorical funds (e.g., magnet dollars, STEM or tech-voc dollars), many didn't qualify for other state and federal programs such as Title I, bilingual education, and special education. Most engaged in supplementary private fund-raising to sustain resources for transportation, smaller classes, or other school features to which they and their students, parents, and teachers were habituated.

Despite such strains and challenges, the eleven schools we visited seemed to enjoy multiple sources of support that mitigated the budgetary distress and bolstered their resilience for the foreseeable future. Most, for example, benefited—politically and in other ways, such as fund-raising—from exceptionally devoted friends, sometimes in high places, including alums, local politicians, business and university leaders, even journalists. Many had ties with outside organizations, including universities, labs, and businesses, which brought expertise and some resources into the schools, afforded them some political protection, and supplied them with venues for student internships and independent projects.

Some schools were also viewed as magnets for economic development and talent recruitment, or otherwise boasted reputations as assets to their community or state. School board members and district leaders believed that their school's presence encouraged middle- and upper-middle-class families to stay in town and stick with public education.

Perhaps most importantly, these schools were blessed with overwhelming advocacy from the parents of their students, many of whom felt that their children were receiving a kind of private-school education at public expense. As long as parents strongly believe the schools provide safety (physical, emotional, intellectual), short- and long-term academic and career opportunities, and social benefits for their children, they will likely go a long way toward ensuring these schools' survival, if not their expansion or replication.

Chapter 17

Conclusions

The Goldilocks Question

Should America have more or fewer academically selective high schools, or do we have about the right number today? Would it be a good thing if additional communities and states had such schools and more young people attended them? As noted above, the schools on our list comprise fewer than one percent of all U.S. public high schools—and their students about the same.

Does that make them simply an eccentric corner of American secondary education that some places like and others shun, or are they a distinctively valuable element of the country's K–12 policies and practices that should be seriously considered for expansion? Recall that almost all the schools on our list are oversubscribed, with far more qualified candidates than they can accommodate. Recall, too, that half the schools for which we have start dates are creations of the past two decades, so we are not dealing only with aging holdovers from prior policy eras. For dozens of American communities, the establishment of such a school was a recent decision.

What about places that don't have any today or don't have enough to meet popular demand? Should they start some? Expand? Replicate? Should states, philanthropists, and possibly the federal government encourage this?

The answers depend greatly on the value one assigns to "whole schools" for smart kids versus AP courses and specialized programs such as the International Baccalaureate within comprehensive high

schools. We're pers
school version, but v

The benefits and
of different constitu
six such perspective

*If you are governor
being urged by leac
some, how should y*

First, note that such
wide residential inst
and part-time progr
as schools that serve
cials are best positio

You might, of co
Virtual School, nov
dents) to bring adva
more youngsters ar
high schools and dis
You could also emu
gan) and develop re
school options of ar
territory without re
But your business le
advanced secondary
schools have the ad
readily lend themse
those same firms. T
and make it a more
want advanced educ
children. This could
tured, could also be
basis. Your universit
with top-notch secon

schools. We're persuaded that there's much to be said for the whole-school version, but we're also mindful of some drawbacks.

The benefits and drawbacks change, however, from the viewpoints of different constituents within the education system. Here we consider six such perspectives.

If you are governor of a state with no selective high schools and are being urged by leaders of the high-tech business sector to launch some, how should you respond?

First, note that such schools can take several forms, including a statewide residential institution (like IMSA) or network of regional schools and part-time programs (like the Virginia Governor's Schools), as well as schools that serve individual cities, counties, or metro areas. State officials are best positioned to bring the first or second of these into being.

You might, of course, favor an online alternative (akin to the Florida Virtual School, now enrolling some 130,000 full- and part-time students) to bring advanced courses in a variety of subjects within reach of more youngsters around the state, or you could try to persuade existing high schools and districts to join forces to beef up their course offerings. You could also emulate several states (including Virginia and Michigan) and develop regional centers that offer part-day, summer, or after-school options of an advanced sort to students across sizable swaths of territory without removing them entirely from their local high schools. But your business leaders probably favor the "whole school" version of advanced secondary education, whether statewide or regional. Such schools have the advantages of critical mass and total immersion, and readily lend themselves to partnerships with and direct support by those same firms. They may help turn your state into a talent magnet and make it a more appealing place for companies and families that want advanced educational options for their own or their employees' children. This could boost economic development and, properly structured, could also benefit other children and educators on a part-time basis. Your universities may also welcome the arrival of more students with top-notch secondary-school preparation and the personal attributes

to fare well in college. Many families are apt to respond favorably, too, especially those with bright kids who are otherwise stuck in rural, small-town, and troubled urban schools with few advanced offerings.

On the other hand, dollar costs accompany the creation of new schools, not to mention their continued operation—and this kind of school is apt to need additional investment in labs, equipment, and such. There will be governance issues—who, exactly, is responsible for operating these schools, which probably don't belong to traditional districts? There will surely be pushback from existing high schools, fretful about losing their strongest pupils and, perhaps, the enrollment that enables them to offer their own advanced courses. (If, for example, half the calculus-level math students in an existing high school leave for the new regional option, there might not be enough left to justify a calculus teacher in the old school.) Though the parents of kids who gain admission to the new school(s) will be appreciative, others may be embittered by rejection—and if you open still more selective schools to oblige them, you will incur further costs and objections from your established schools.

If you are a school board member in a sizable city with, say, five or more high schools but none that is selective, and you are petitioned by parents seeking such a school for their kids, what should you do?

The parents of gifted-and-talented youngsters—and other parents who have high hopes for their kids or simply crave an edge in the college-admission race—are determined folks who may well have reason to be dissatisfied with the advanced course offerings of existing high schools. They may also be dismayed by other aspects of those schools, such as safety, climate, dubious peer influences, or inadequate college counseling. Such concerns are often justified. High schools are the hardest to reform of our public-education institutions, and their graduation rates and 12th-grade scores have been flat or nearly so for decades. Some deserve the designation "dropout factories."

Devising school options that satisfy and placate such parents—probably including influential community residents—is not bad politics, and it has other pluses, too. It may make one's city more appealing to sophisticated employers and middle-class families, while strengthening

their ties to its public-education system. It may foster racial, ethnic, and socioeconomic diversity by drawing students of dissimilar backgrounds out of their neighborhoods into a shared school experience. It's apt to appeal to certain kinds of intellectually keen teachers. It may invite partnerships with local firms, especially the high-tech and scientifically oriented kind, as well as with cultural institutions and area colleges and universities.

But there are downsides, too. If other local high schools suffer from significant curricular and environmental shortcomings, opening a new school won't likely solve those problems. If your district has a stable (or declining) enrollment, opening a new school also means shrinking others. The principals (and some teachers, PTAs, etc.) of existing high schools will be loath to lose able pupils and education-minded parents. The status of other schools may slip on rankings such as those by *U.S. News* and the *Washington Post*. Colleges may focus their admissions on students from the selective high school. The pressure to improve—and offer more advanced courses at—existing schools may ease. There may be backlash from families whose daughters and sons do *not* gain entry to the new school. And there are sure to be costs and complexities associated with facilities, equipment, staffing, pupil transportation, admissions policies, and more. There may also be union issues if, for example, the new school seeks to operate on a longer day, to compensate its faculty in unconventional ways, or to reject teachers who assert a seniority-based right to fill its classroom openings. When all is said and done, you also face the risk that, after going through ample expense and hassle, the graduates of your selective high school may end up taking their knowledge and skills elsewhere after completing college. Your investment may well yield a public good for the country but not necessarily for your own community.

If you are a current or aspiring principal, and the superintendent gives you a choice between leading a selective or a comprehensive high school, what factors should influence your decision?

On the positive side, the selective high school is probably among the most visible and respected educational institutions in town, and leading it is apt to be a high-profile, high-status job and very possibly a

career booster for you. On the other hand, running that school may be mostly a matter of preserving it as is, along with its resources and (limited) privileges, its track record, friends, and community supporters, all at a time when few states or districts are putting great emphasis on students and schools like these. You may end up feeling that "there's no place to go but down." A comprehensive high school, by contrast, is more likely to require a tune-up if not a makeover, and the kids attending it are apt to be needier in multiple ways. What kind of challenge puts a glint in your eye?

Selective high schools are under the microscope, too, not so much to see whether they're improving as to see whether they're maintaining their reputations. Are they still at the top of the media rankings? Getting lots of graduates into high-status colleges? Still boasting a high pass rate on AP exams? Maintaining their active parent and alumni/ae bodies—and their private benefactors? Their sufficiently diverse student bodies? At the very least, you'll likely face many (and sometimes competing) demands to prove your school's worth.

Your school may be the object of envy and political pressure, too: from other schools that want to hold on to those pupils, from parents whose kids fail to get in, from resource-strapped budget directors seeking places to save money or ways to redirect it to broken schools and low-achieving youngsters, and from minority and civil rights groups fretful about diversity. Do you have the political acumen (and backbone) to withstand these forces?

Many selective schools also have strong-willed teachers, often veterans accustomed to doing things their own way and perhaps selecting their own colleagues. They may welcome compliant stewardship and resource management in the front office but may balk at other forms of leadership.

No high school principal's job is easy, but this one may be really hard.

If you are a teacher considering a career move and you learn that a selective high school in your area has a classroom opening in your field, should you apply for that position?

Teaching in an academically selective school is an appealing prospect for obvious reasons. Most of its students are smart, motivated to learn,

reasonably well behaved, and supported by their parents. If you're coming from a school that has struggled with accountability challenges, chances are excellent that you'll step into a place where "proficiency" is no big deal. You probably won't be teaching courses below the honors level. Your pay may include extra dollars for longer days or additional preparations (although the basic salary scale is the same as you'll find in other district schools).

Teaching any group of adolescents well is challenging, however, and academically able students are no exception. They will not necessarily be "easier" to teach, in that the job will call for much preparation, background knowledge, commitment, and, very often, extra time for longer days, independent projects, after-school conversations, and much individualized feedback and coaching on drafts, models, experiments, prototypes, and such. Despite the kids' obvious similarities—all were selected for admission and presumably met the threshold criteria—you should still expect to encounter students who vary significantly across many dimensions: academic background, interest in your subject, family situation, cultural heritage, and preferred ways of learning.

You'll also need the skills and resolve to address the social and emotional needs of young people who may, for the first time in their lives, face truly challenging courses, a fast-paced academic environment, peers who actually surpass them, or (in the case of residential schools) living away from home. And while most kids will have strong intellects and work ethics, they are also likely to be more concerned with their grades, AP scores, and college prospects than with the Platonic ideal of education for the sake of learning. What's more, their parents may be just as driven. (Watch what happens when you give these youngsters B grades!)

Some teachers thrive amid such challenges while others regard them as not worth the hassle—or as an invitation to stress and burnout. Do you know which kind you are? And do you have the background, preparation, prior experience, and principal and peer recommendations that will qualify you for a position in these schools? Openings are rare and, unless you have seniority rights within your school system (and sometimes even if you do), you may find the teacher-selection process quite competitive, indeed persnickety.

If you are the parent of an able middle schooler and your community has an academically selective public high school, should you encourage your daughter or son to seek admission to it?

The ultimate decision to apply to one of these schools hinges on a comparison of its quality and potential "fit" for your youngster with those of other public options from which you might realistically choose. Let's say you live in Chicago and have a high-achieving child with a keen interest in math and science. A neighborhood high school now offers a decent array of AP courses in those subjects. A charter school that's been getting good press for the colleges its seniors are admitted to is not far away. Your daughter's grades and test scores suggest that she has a good chance of getting into one of the district's top selective-admission schools, but there's no guarantee (and it's on the other side of town). Another possibility—again, she'd have to be admitted—is the state-sponsored residential school (IMSA). Still another option, if you can swing it financially, is to move into the attendance area of a top-notch suburban high school (e.g., New Trier, Stevenson). What should you do? Many practical considerations are obviously involved in this scenario, including the value you place on your child attending a demographically diverse school. All things being equal, here are some questions that might help you decide in favor of, or against, an academically selective school:

Is your child more apt to thrive in a high-powered, hard-charging environment full of other smart, motivated youngsters (some of them likely smarter than she is) or in a setting with all kinds of kids and perhaps greater opportunity to distinguish herself as an outstanding pupil? Is your child unusually able across the curricular board or just in one or two subjects? Is she willing to work really hard in an intense, competitive setting, very likely involving long hours, tons of homework, and perhaps a lengthy commute? (Have you checked out your transportation options to and from the selective high school?) If the school has a particular focus (in the STEM realm, in the humanities, et cetera), does this match your daughter's own interests and aptitudes? If she has special needs—not an unusual companion to high ability—you owe it

to her to find out whether the selective high school is set up to address them. You should also consider whether she is apt to miss some of the curricular or extracurricular opportunities that may be lacking at the selective school, such as a strong sports program or career-related offerings (e.g., journalism, photography, medical technology). Finally, you should gauge the odds of getting in and consider whether your child will deal successfully with rejection if she fails to win admission.

If you are a thirteen-year-old in a town with multiple high school options, including an academically selective school, how should you decide whether to apply?

First, think whether you have strong grades and test scores that will give you a decent chance of gaining admission to the selective school should you and your parents decide to apply there. Make sure you're taking (or have taken) any courses that the school requires of all applicants. (Sometimes this means algebra or an advanced science class.) Consider the logistics of attending the school, such as where it is and how you will get to and fro. Would you rather go to school closer to home and perhaps with more kids you already know? (Of course, plenty of your friends and classmates may also be considering the selective high school.)

You definitely ought to find out what your teachers and middle school counselors think about the "fit" between you and that school, as well as your other high school options. (Many communities have special programs, emphases, and opportunities of different kinds in a number of high schools. Be aware, too, that the selective high school may have an academic focus—such as science and math, or humanities and arts—that doesn't align with your own interests.) It wouldn't hurt to ask your parents, also. They probably know you better than you think—and going to the selective high school may also place some extra burdens on the family.

If none of those inquiries points you in a different direction, ask yourself whether you enjoy being in fast-moving classes with lots of smart kids—some of them maybe quicker or better prepared than you are—or whether you do better (or are more comfortable) with a

more deliberate pace and the opportunity to shine. Some selective high schools require students to take all or most classes at the honors or Advanced Placement level. Does that appeal to you, or would you prefer the *option* of taking advanced courses in some subjects but not others? Think about college admissions, too. Though good colleges likely know and appreciate the selective high school and its well-prepared graduates, they might value even more an outstanding pupil from a more ordinary school. (Keep in mind, too, that 50 percent of the kids in the selective high school are in the bottom half of their class!)

Finally, you will want to determine if any of the things that the selective high school de-emphasizes are important to you, whether that's a winning football team or the chance to take more career-oriented classes. Your interests and priorities are apt to change during high school, and you can change schools later if necessary, but you might not want to start off as a round peg in a square hole.

Back to 30,000 Feet

We return, finally, to the four big-picture questions with which we began.

Is the United States providing *all* of its young people the education that they need in order to make the most of their capacities, both for their own sake and for that of the larger society?

Have we neglected to raise the ceiling while we've struggled to lift the floor? As the country strives to toughen its academic standards, close its wide achievement gaps, repair its bad schools, and "leave no child behind," is it also challenging its high-achieving and highly motivated students—and those who may not yet be high achievers but can learn substantially more than the minimum?[1] Are we as determined to build more great schools as to repair those that have collapsed?

Is America making wise investments in its own future prosperity and security by ensuring that its high-potential children are well prepared to break new ground and assume leadership roles on multiple fronts?

And at a time when we're creating new school choices and individual learning opportunities of many kinds, as well as the means for many more families to avail themselves of those options, are we paying sufficient attention to *this* kind of choice: the academically selective high school, and the learning opportunities it offers to youngsters with the capacity and inclination to benefit from them?

Our investigation doesn't yield definitive answers to these tough questions, but we emerged from it with strong impressions. It's clear that the supply of academically selective high schools doesn't come close to meeting the demand in most communities that have them, and we presume that there's plenty of latent demand in many places that currently have none. At a time when American education is striving to customize its offerings to students' interests and needs, and to afford families more choices among schools and education programs, the market is pointing to the skimpy supply of schools of this kind. Moreover, if the best of such schools are hothouses for incubating a disproportionate share of tomorrow's leaders in science, technology, entrepreneurship, and other sectors that bear on society's long-term prosperity and well-being, we'd be better off as a country if we had more of them.

This challenge, however, goes far beyond the singular world of selective high schools. It's evident from multiple studies that our K–12 education system overall is doing a mediocre job of serving its "gifted and talented" youngsters—as well as many others. It is paying far too little attention to creating appealing and viable opportunities for advanced learning—and to helping students climb as high on those ladders as they can. What policy makers have seen as more urgent needs (for basic literacy, adequate teachers, sufficient skills to earn a living, etc.) have generally prevailed. The argument for across-the-board talent development has been trumped by "closing the achievement gap" and focusing on test scores at the low end. Nobody *wants* to retard the growth of high achievers or squash excellence for the sake of equity. Yet gains by those at the upper end have, on various measures, been weaker than those of youngsters below the "proficient" bar.[2] Absent a clear policy priority or mandate (as in special education or No Child Left Behind), many very

bright students are failing to realize their full potential. So are many youngsters who might not be described as very bright but who are capable of jumping higher academically than today's proficiency bars have been set for them.

American education could and should be doing much more to help every youngster achieve all that he or she is capable of. It should do this not only at the high school level and not just inside selective schools. But a major push to strengthen the cultivation of future leaders is overdue, and any such push should include careful attention to the "whole school" model. We see compelling reasons to include ample development of that model within the country's broader strategies for addressing the dual challenges of advanced learning and learners, reasons that become even more compelling if selective schools can model what all high schools should one day be.

We've known for decades that effective schools (of every kind) benefit when the entire team pulls in the same direction.[3] They are apt to be more successful than multipurpose schools that host a number of separate programs and plural education missions tailored for diverse populations and monitored by rival constituencies.[4] Nearly every one of the schools on our list is organized around a single coherent purpose.

It's also evident—and not just from our study—that "whole schools" can develop a critical mass of instructional tools and equipment, financial resources, reputations, alumni/ae, and outside supporters that is hard to assemble for a smallish program within a comprehensive school, particularly where the latter is itself small. (Thirty percent of U.S. high school pupils have fewer than nine hundred schoolmates.) And the critical-mass effect is visible in the curriculum (and extracurriculum), too. Instead of isolated honors and Advanced Placement classes, single-purpose schools can amass entire sequences at that level. They have enough students to teach multiple languages at the college level, to layer AP physics atop AP chemistry, biology, and calculus, and to offer both writing and literature. They can also develop their own courses and sequences that go beyond conventional AP offerings, do more with individual student projects, concentrate their counseling efforts on college

placement, and muster teams of eager students (and teachers) for science competitions and suchlike.

There are benefits on the faculty side, too. Judging from what we observed (or were told) in the schools we visited, the teaching team that can be assembled by such a school is apt to consist almost completely of instructors well matched to such students, able to project high expectations to them without hypocrisy, and with no grounds to quarrel over who "gets the honors classes" and who is "stuck" with average or remedial assignments.

Insofar as students benefit from peer effects in classrooms, corridors, and clubs, and insofar as being surrounded by other smart kids challenges them (and wards off allegations of "nerdiness"), schools with overall cultures of high academic attainment are apt to yield more such benefits.

Finally, a distinct, "whole" school that is high achieving can be viewed as a community asset. Having an entire school of this sort to show parents, colleges, employers, firms looking to relocate, real estate agents, and others can bring a kind of élan or appeal to a place that may also help with economic development, the retention of middle-class families, and more.

We're not naïve. Especially at a time when resources are tight, we don't expect hundreds more communities and dozens more states to rush to create many more academically selective high schools, even where the reasons for doing so may be compelling. Some may be loath to invest in education programs the eventual fruits of which get harvested by jurisdictions thousands of miles away. Some may already have a balanced array of options for high-achieving, high-potential kids. Some may be wary of "creaming" the ablest pupils from other high schools. Moreover, if attention focuses exclusively on the high school program without also addressing what happens to such kids in the "feeder" schools, it may amount to redistributing the current population of high achievers rather than cultivating more of them.

These are not trivial considerations. And of course it's essential to pay attention not only to how many such schools there are and how

many students enroll in them but also to what happens inside, that is, how well they serve their pupils beyond the admissions office. It's possible (alas) to have a school that is plenty selective at the front door but doesn't do a great job of teaching its students more or differently than they would encounter elsewhere. Actually *doing* a great job requires more than a choosy screening process. It also demands internal alignment of mission, philosophy, curriculum, personnel, and resources, as well as student identification, recruitment and selection. And it requires recognition that, even when all the kids are smart, they aren't identical. Batch-processed education doesn't work so well at this level, either. Part of nurturing talent is recognizing and addressing individual differences, strengths, needs, and shortcomings.

Yes, we visited some schools that America would benefit from cloning. We also saw some that perhaps should just stick to their current missions—and maybe even get better at them. (Fortunately, we didn't see any that left us wishing they would close on grounds that they're bad for kids.)

Whether we deploy many more "whole schools" of this kind or opt mainly for specialized courses and programs within ordinary schools, the kinds of rigorous and advanced education that selective-admission schools seek to provide and the youngsters that they serve need to rise higher in our national consciousness and our policy priorities. These kids and tens of thousands more like them are the seedlings of tomorrow's intellectual crops. They will—or could—fill tens of thousands of positions of leadership in science, technology, academe, business, communications, education, government, and public service. They need to be educated to the max and, for the many that aren't wealthy, they need to be educated at public expense in classes, courses, and schools designed to meet their needs and rise to the challenges that they present.

The United States has done a noble and necessary thing in pushing for a minimum standard of academic proficiency for every youngster in the land. But we downplay excellence at great cost, not only to our economic competitiveness but also perhaps to reform of the education system itself. Consider, once again, James Coleman writing twenty years ago:

> Policies that focus on high levels of achievement and rewards for high levels reverberate downward through the system, providing an incentive for students at lower levels to improve. Policies that focus on the lowest levels of achievement imply that incentives for improvement among those at the lowest levels cannot arise endogenously from within the system, but must be introduced from the outside. Meanwhile, those at higher levels of achievement dangle in the wind, without being seriously challenged to improve their performance.[5]

A dynamic education system, in other words, doesn't just set minimum standards but builds in incentives for students at every level. Selective-admission schools aren't the only way to incentivize or educate high-ability youngsters in the K–12 world, but they're a valuable part of a comprehensive strategy that the United States neglects at its peril.

ATTACHMENT D

Compendium of Selected Resilience and Related Measures for Children and Youth

Compiled by Darlene Hall, Ph.D., Reaching IN...Reaching OUT

The 38 measures described in this overview include those that assess aspects of resilience, life strengths, hardiness and protective/risk factors. Resilience-oriented measures are described on pages 1-9, general strength-based on pages 10-14, hardiness on pages 14-15 and protective/risk factors, pages 16-17. Measures of each type are organized by age group, from pre-school to adolescence/young adults.

A chart listing all measures in alphabetical order and by target age range is found on pages 18-19.

After the description of each measure, two sections with the following information are provided:

- The *conceptual category* or higher order categories of resilience measured by the instrument
  - a) individual attributes
  - b) family relationships/cohesion
  - c) external supports

- the *purpose(s)* for which the instrument has been created and evaluated
  - a) screening
  - b) profiling/assessing to plan for intervention
  - c) monitoring/measuring change (e.g., intervention impact)

Resilience-based measures:

Pre-school to age 5, only

***1. Devereux Early Childhood Assessment Program* (DECA)** (LeBuffe & Naglieri, 1998)

For more information, including research bulletins summarizing findings, see the Devereux Foundation, Early Childhood Initiative, www.devereux.org .

Description:

The DECA was developed in the US as part of an intervention program (Devereux Early Childhood Initiative) for 2-5 year olds and has a version for parents and teachers. It is based on the identification of 'resilience' and 'protective' factors captured in 37 items organized into 4 subscales:

- Initiative (child's capacity to use independent thought and actions to meet their needs)
- Self-control (child's ability to experience a wide range of feelings and to express those feelings in socially appropriate words and actions)
- Attachment (measures persistent relationships between child and significant adults)
- Behavior concerns

The DECA provides an individual and classroom profile. For each there are specific strategies appropriate for an individual child and for the class as a whole addressing their respective needs. The instrument can also identify children who may be developing behavioral problems. The DECA-C (clinical) is a 62-item questionnaire for use and interpretation by mental health and special education professionals to deal with behavioral concerns. It contains the same strengths-based items as well as 25 additional items dealing with behavioral concerns such as aggression, attention problems, emotional control, withdrawal/depression, etc. Recently a DECA program for infants and toddlers also has been developed. The DECA program promotes teacher-parent collaboration using their joint recognition of the child's strengths to create shared approaches to addressing challenging behaviors and increasing protective factors.

This measure and the associated program are based on a resiliency framework. The psychometrics are acceptable and the DECA program has been the subject of many studies (most unpublished) with promising results. The measure was standardized on more than 2,000 children in the US. The DECA program is widely used in Head Start programs across the US (the measure is also available in Spanish). It has been chosen as the "most suitable" among pre-school measures in a recent review of measures of socio-emotional functioning (Stewart-Brown & Edmunds, 2007). "It can be used for the early identification and profiling of problematic emotional and social functioning, as well as for monitoring progress made as a result of targeted intervention (p. 252)." An added advantage of this measure is its facilitation of "the identification of collective needs of a particular class, school or entire school district (p. 253)" as well as its intervention strategies and training program for teachers. The Devereux Foundation has also supported development of the DECA-Infant/Toddler Form (DECA-I/T) and the DESSA tool for school-age children (see below for measures for "Elementary school age and older").

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention, and monitoring/measuring change

Elementary school age and older

2. Devereux Student Strengths Assessment **[DESSA and DESSA-mini]** (LeBuffe, Naglieri & Shapiro)

(For more information about the DESSA, see the Devereux Foundation (www.studentstrengths.org).

Description:
The Devereux Student Strengths Assessment (DESSA) is a 72-item, standardized, norm-referenced behavior rating scale that assesses the social-emotional competencies that serve as protective factors for children in kindergarten through the eighth grade (ages 5-14). The DESSA can be completed by parents/guardians, teachers, or staff at schools and child-serving agencies, including after-school, social service, and mental health programs. The assessment is entirely strength-based, meaning that the items query positive behaviors (e.g., get along with others) rather than maladaptive ones (e.g., annoy others).

For each of the 72 DESSA items, the rater is asked to indicate on a five-point scale how often the student engaged in each behavior over the past four weeks. The same form is used for all ages and both parent and teacher raters. The measure is also available for administration and scoring online.

The DESSA is organized into conceptually derived scales that provide information about eight key social-emotional competencies. Standard scores can be used to calibrate each child's competence in each of the eight dimensions and guide school/program-wide, class-wide, and individual strategies to promote those competencies. The eight scales are as follows: self-awareness, social awareness, self-management, goal-directed behaviour, relationship skills, personal responsibility, decision making and optimistic thinking.

According their website, the DESSA was developed to meet or exceed professional standards for a high-quality, well-developed assessment instrument. The standardization sample, internal, inter-rater, and test-retest reliabilities as well as content, construct, and criterion validity evidence are discussed at length in the DESSA manual. The DESSA standardization sample consists of 2,500 children who are representative of the US population with respect to gender, race, Hispanic ethnicity, region of residence, and poverty status. The internal consistency (alpha coefficients) of each scale as well as the Social-Emotional Composite, for both teacher/staff and parent raters, exceeds the recommended standard of .80 for a scale and .90 for a total scale (i.e., the Social-Emotional Composite). The alpha coefficient for the Social-Emotional Composite is .98 for parents and .99 for teachers/staff. Test-retest reliabilities are also high with correlation coefficients ranging from .79 to .90 for parents and from .86 to .94 for teachers/ staff. Inter-rater reliabilities are also reasonable with median scale correlation coefficients of .725 for parents and .735 for teachers/staff.

A variety of validity studies are reported in the DESSA manual. In a criterion validity study comparing DESSA scores of students who had already been identified as having social, emotional, or behavioral disorders to their non-identified peers, each DESSA scale showed significant meanscore differences (all p values < .01), with a median effect size of .80.

The effect size for the Social-Emotional Composite was 1.31. These results show that the DESSA can differentiate between students with and without social, emotional, and behavioral problems. Using only the Social-Emotional Composite score, the group membership of 70% of students with social, emotional, and behavioral difficulties and 76% of their non-identified peers could be correctly predicted. The scales on the DESSA can be considered protective factors within a risk and resilience theoretical framework. High scores on DESSA scales were associated with significantly fewer behavioral problems for students at both high and average levels of risk. Nickerson and Fishman (2009), in an article published in the School Psychology Quarterly, reported strong convergent validity of DESSA scores with BASC-2 and BERS-2 scores (see the DESSA website for more psychometric details (www.studentstrengths.org).

In addition, the **DESSA-mini** is comprised of four 8-item parallel forms which are designed to be used on a universal (i.e. school- or program-wide) basis to determine the need for social-emotional interventions. The four 8-item forms are standardized norm-referenced behavior rating scales that screen for social-emotional competencies which serve as protective factors for children in kindergarten through the eighth grade. The DESSA-mini can be completed by teachers or staff at schools and child-serving agencies, including after-school, social service, and mental health programs.

The DESSA-mini is entirely strength-based, looking at positive behaviors as opposed to maladaptive ones. For each question, the rater is asked to indicate on a five-point scale how often the student engaged in each behavior over the past four weeks. Each of the four 8-item DESSA-mini scales is comprised of a sampling of the various scales found in the DESSA. The DESSA-mini yields a single score, the Social-Emotional Total (SET) score, which provides an indication of the strength of the child's social-emotional competence based on a comparison to national norms, and can be used to compare ratings between teachers or staff across time to monitor progress toward improving social-emotional competence.

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention, and monitoring/measuring change

3. Resiliency Scales for Children & Adolescents **(RSCA)** (Prince-Embury, 2005, 2006) available through PsychCorp)

Prince-Embury, S. (2006). *Resiliency Scales for Children and Adolescents: Profiles of personal strengths.* San Antonio, TX: Harcourt Assessments.

Prince-Embury, S. (2008). The Resiliency Scales for Children and Adolescents, Psychological Symptoms, and Clinical Status in Adolescents, *Canadian Journal of School Psychology, 23*, 41-56.

Description:
This measure is for use with children and youth from 9 to 18 years. It measures personal attributes related to resilience. The scales focus on strengths as well as symptoms and vulnerabilities. The reading level is Grade 3. They are composed of three stand-alone global scales and ten subscales.

- Sense of Mastery Scale: optimism, self-efficacy, adaptability (3 subscales, 20 items)
- Sense of Relatedness Scale: trust, support, tolerance (4 subscales, 24 items)
- Emotional Reactivity Scale: sensitivity, recovery, impairment (3 subscales, 20 items)

Screening is done through the personal resiliency profile. Results are quantified using the Resource and Vulnerability indices. Children are identified who have low personal resources and high vulnerabilities before they fall behind and become symptomatic.

Principal component and confirmatory factor analysis support a 3-factor model for both males and females in more than one study. The psychometrics are adequate. Alpha coefficients are high across three age ranges (9 – 11, 12 – 14 and 15 to 18) for both males and females (sample sizes 100 – 113) for all 10 subscales with the exception of the 3-item Adaptability scale for both sexes in the two lower age groups (i.e., α ranged from .52 to .64 in these four groups). Internal consistency was highest in the oldest age level with α's ranging from .79 to .95. In another study good test-retest reliability was found for two age bands, 9 – 14 (n = 49) and 15 – 18 (n = 65). For the three full scales this ranged from .79 to .88 and for the 10 subscales from .62 to .85. Although the measure is called a resiliency scale, it focuses heavily on behaviors of concern at the level of the individual, much as a problem checklist. The measure does not cover family or external resources and is used primarily for screening.

Conceptual categories: individual
Purpose: screening

4. Child & Youth Resilience Measure **(CYRM)** (Ungar, M. & Leibenberg, L., 2009) available from the authors at www.**resilienceproject**.org

> Ungar, M. & Liebenberg, L. (2009). Cross-cultural consultation leading to the development of a valid measure of youth resilience: the international resilience project. *Studia Psychologica, 51* (2-3), 259-269.

Description:
The CYRM is designed as a screening tool to explore the resources (individual, relational, communal and cultural) available to youth aged 12 to 23 years old that may bolster their resilience. The 58-item measure was designed as part of the International Resilience Project of the Resilience Research Centre, in collaboration with 14 communities in 11 countries around the world.

This new measure has acceptable psychometric properties and is the only measure to look at resilience across cultures. It contains items that are both consistent across cultures and unique to specific cultures allowing for introduction of culturally-specific items. Several studies have employed the CYRM and support the use of this measure for screening and group comparisons.

Conceptual categories: individual, family & external supports
Purpose: screening

5. Assessing Developmental Strengths questionnaires **(ADS)** (Donnon & Hammond, 2007)
Copyright © Resiliency Canada; available through Resiliency Initiatives (www.resiliencyinitiatives.ca)

> Donnon, T., & Hammond, W. (2007). A psychometric assessment of the self-reported youth resiliency: Assessing Developmental Strengths Questionnaire, *Psychological Reports, 100*, 963-978.

Description:
This group has developed three self-report measures to assess developmental strengths: the CR:ADS (for children from ages 9 to 12/13 years), the YR:ADS (for youth, ages 13 to 24 years) and the AR:ADS (for adults, 18 years and older). In addition, a measure has been developed for significant adults to report their perceptions about the child or youth (APC/Y: ADS). All measures focus on the 31 Developmental Strengths areas identified in Resiliency Initiatives' "Resiliency Framework" which covers 12 internal and 19 external strengths across 10 factors (covering individual assets, family assets and social supports). The measure also includes items concerning risk areas and demographics. The significant adult questionnaire has 62 items. The measures are very flexible and can be modularized so they can be modified to meet the evaluation needs of a program or community.

"Results from the resiliency assessment and evaluation protocol provides the basis for the early identification and development of short-term and long-term strategic plans of action specific to youth, adults and families as well as a way to evaluate the effectiveness of interventions provided by any type of community or treatment agency." (Resiliency Initiatives website)

The YR:ADS measure has been administered to thousands of youth. Psychometric evaluation to date of the youth measure is promising. One large study with junior high students has reviewed the 10-factor structure of the measure as well as its predictive validity by comparing the number of strength areas reported with risk and pro-social behaviors. Test-retest reliability ranges from .72 to .90. More psychometric evaluation is needed to address test-retest reliability and construct validity of the tool.

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention

6. Resilience and Youth Development Module **(RYDM of the California Healthy Kids Survey)** (Constantine & Benard, 2001; Constantine, Benard, & Diaz, 1999)

Constantine, NA., & Benard, B. (2001). California Healthy Kids Survey Resilience Assessment Module: Technical report. Berkeley, CA: Public Health Institute. For more info see http://ies.ed.gov/ncee/edlabs/regions/west/pdf/REL_2007034.pdf

Description:
The Healthy Kids Survey (HKS) is a comprehensive student self-report tool for monitoring the school environment and student health risks. The resilience and youth development module (RYDM) is one module of the survey, which assesses environmental and internal assets associated with positive youth development and school success. Environmental assets refer to meaningful and pro-social bonding to community, school, family, and peers. Internal assets are personal resilience traits, such as self-efficacy and problem-solving skills

The Healthy Kids Survey and the resilience and youth development module were designed as an epidemiological surveillance tool to track aggregate levels of health risk and resilience. The module increasingly is being used in evaluation work to assess student-level changes over time.

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention

[A psychometric evaluation summary]:
Hanson, T. L., & Kim, J. O. (2007). *Measuring resilience and youth development: the psychometric properties of the Healthy Kids Survey.* (Issues & Answers Report, REL 2007–No. 034). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West. Retrieved from http://ies.ed.gov/ncee/edlabs
This report is available on the regional educational laboratory web site at http://ies.ed.gov/ncee/edlabs.
"For the secondary school module, the results are consistent with the instrument's current use as an epidemiological tool and with its conceptual foundation. It provides comprehensive and balanced coverage of eight environmental resilience assets and four internal resilience assets; its subscales exhibit good internal consistency and are associated with student risk factors in expected ways. And if certain items are dropped, the module also demonstrates measurement equivalence across racial/ethnic groups, males and females, and grades. The secondary school RYDM scales exhibit low test-retest reliability, however, which suggests that the module is not well suited for examining student-level changes over time. The instrument was not designed to examine individual differences across students and should not be used this way. Moreover, two of the six internal assets that the secondary school module was designed to measure—cooperation and goals/aspirations—could not be assessed validly. Several measures would benefit if additional items were included in derived scales to increase domain coverage."

"The elementary school module was designed to assess seven environmental resilience assets and three internal resilience assets, but it can reliably assess only two environmental assets and one internal asset. Most of the scales measured by the elementary school instrument have poor psychometric properties. The elementary school instrument should thus be modified considerably to make it suitable for research."

[Another psychometric review on this measure can be found at]:

Furlong, Michael J., Ritchey, Kristin M., O'Brennan, Lindsey M. (2009). Developing Norms for the California Resilience Youth Development Module: Internal Assets and School Resources Subscales. *The California School Psychologist.*

Adolescents, only

***7. The Adolescent Resilience Questionnaire* (ARQ)-revised** (Gartland et al., 2006)

Gartland, D., Bond, L., Olsson, C., Buzwell, S. & Sawyer, S. (2006). (available from the first author) Centre for Adolescent Health, Royal Children's Hospital, Melbourne, Australia
www.ahda.org/downloads/ISSBD2006Gartland.pdf

Description:
The ARQ is the result of a research project with teens with chronic illness, focus groups of teens and secondary school students (ages 11-19). It not only looks at strengths within the adolescent, but also the family, peer group, school and community. This tool measures a young person's ability to reach positive outcomes despite life challenges.

The revised self-report measure has 74 items and contains 13 subscales in 5 domains measuring the resources available to an adolescent both internally and externally:

- Self: Negative cognition (optimism reversed), confidence in self and future, meaning/introspection, empathy/tolerance, & social skills
- Family: Connectedness & availability
- Peers: Connectedness & availability
- School: Engagement & supportive environment
- Community: Connectedness

Initial psychometrics were favorable and further work is planned.

Conceptual categories: individual, family & external supports
Purpose: screening

8. Brief Resiliency Checklist **(BRC)** (Vance and Sanchez)

See http://resiliencyinc.com/assessment/
And http://www.dhhs.state.nc.us/MHDDSAS/childandfamily/bestpractice/risk-resiliency-vance.doc

Description:
The BRC is an assessment instrument that has been designed to document the presence of all risk and protective factors within a given child or family. It was tested on large high-risk cohorts. It lacks research evidence on appropriateness for use with adolescents. Unable to obtain further information.

Conceptual categories: individual, family & some external supports
Purpose: screening, profiling for intervention (?)

9. Resilience Scale for Adolescents **(READ)** (Hjemdal et al., 2006)

> Hjemdal, O., Friborg, O., Stiles, T. C., Martinussen, M. & Rosenvinge, J. H. (2006). *Measurement and Evaluation in Counseling and Development,*

Description:
Development of the READ for adolescents began in 2004 as a direct derivation of the Resiliency Scale for Adults (RSA). It contains items from all three higher order categories of resilience. It contains 5 factors: (1) personal competence, 2) social competence, 3) structured style, 4) family cohesion, 5) social resources. The RSA's response set was changed to a Likert-type scale as the semantic differential used in the RSA proved too difficult for teens. A parent/significant adult version of the scale (READ-P) is available.

Psychometric evaluation reveals Cronbach alphas for the 5 factors on the READ ranged from 0.85-0.69. Gender differences were found with girls reporting higher levels of social resources and boys reporting higher scores on personal competence which is consistent with other studies. However, no gender differences were found for the total READ scores. In a recent study READ was used as a possible predictor for depression among teens. Both teens and parent filled out the measure (parents completed READ-P). The READ total score and all READ factors significantly predicted depressive symptoms with personal competence being the best predictor (17% of the variance). READ-P scores did not predict depressive symptoms; young people were a better source of information regarding resilience as well as predicting depressive symptoms. READ also predicted social anxiety symptoms. Further validational work is underway using prospective designs with repeated measures as well as cross-cultural studies. Several projects are underway in French-, Spanish- and Portuguese-speaking countries.

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention

10. Resiliency Scale (RS) (Jew, Green & Kroger, 1999)

Jew, C.J., Green, K.E., & Kroger, J. (1999). Development and validation of a measure of resilience. Measurement and Evaluation in Counseling and Development, 32, 75-89.

Description:
The Resiliency Scale for children and adolescents is based on the cognitive appraisal theory of Mrazek and Mrazek (1987), which emphasizes 12 essential skills that are important for coping adequately with life stress (rapid responsivity to danger, precocious maturity, disassociation of affect, information seeking, formation and utilization of relationships for survival, positive projective anticipation, decisive risk-taking, conviction of being loved, idealization of aggressor's competence, cognitive restructuring of painful events, altruism and optimism and hope. The scale comprises 35 items distributed on three factors: (a) Future Orientation (alpha = .91), (b) Active Skill Acquisition (alpha = .79), and (c) Independence/Risk-Taking (alpha = .68). Each scale is rated on a 1 to 5 scale from strongly disagree to strongly agree. Subscales are reported but there is no total score.

The scale was developed using three adolescent populations: 9th grade students, rural grade 7-12 students and residents of an adolescent psychiatric treatment facility. This scale shows promising psychometric properties. Cronbach alphas for the three factors is 1) Future Orientation (alpha = .91), 2) Active Skill Acquisition (alpha = .79), and 3) Independence/Risk-Taking (alpha = .68). The subscales correlate with a measure of coping from .4 to .6. Jew and Green found the scale effectively differentiates between institutionalized and non-institutionalized adolescents as well as between self-reported "at-risk" versus "not-at-risk" students. The scale focuses on individual dispositional attitudes and does not include any of the other higher order categories of resilience (family support /cohesion and external support systems) previously identified by resiliency researchers.

Conceptual categories: individual
Purpose: screening

11. Adolescent Resilience Scale (ARS) (Oshio, Kaneko, Nagamine & Nakaya, 2003)

Oshio, A., Nakaya, M., Kaneko, H.,& Nagamine, S. (2003). *Psychological Reports, 93*, 1217 - 1222

Description:
This scale was developed in Japan and consists of 21 items divided into three factors: (a) Novelty Seeking, (b) Emotional Regulation, and (c) Positive Future Orientation. Chronbach Alphas for the total scale (.85) and three factors were all acceptable (Novelty Seeking .79; Emotional Regulation .77; Positive Future Orientation .81). In a validational study (*n*=207; males and females, ages 19-23), as well as the ARS, subjects were given a 30-item negative events scale (Yes/No) and a 28-item general health questionnaire (4-point Likert scale). Correlations averaged about .75 among the resilience total and subscales. There were no significant correlations between the resilience items and negative life events, but correlations between -.26 and -.49 with the general health measure. Subjects were then divided into three clusters on the basis of the Negative Event and General Health scores: Cluster 1- Well-adjusted, Cluster 2-Vulnerable and Cluster 3-Resilient. Differences were found between clusters for all Resilience scores with clusters 1 and 3 much the same and better than 2. The conclusion drawn was that "Construct validity is supported"

1. Well Adjusted Means:	NE 10.51	GH 1.87
2. Vulnerable	NE 19.57	GH 2.66
3. Resilient	NE 22.20	GH 1.91

Conceptual categories: individual
Purpose: screening

12. The Resiliency Attitudes and Skills Profile **(RASP)** (Hurtes & Allen, 2001)

Hurtes, K.P., & Allen, L.R. (2001). Measuring resiliency in youth: The Resiliency Attitudes and Skills Profile. *Therapeutic Recreation Journal, 35* (4), 333-347.

Description:
This 34-item scale was designed to measure resiliency attitudes in seven dimensions (insight, independence, creativity, humour, initiative, relationships and values orientation) in youth ages 12-19 years for recreation and other services providing interventions.

Conceptual categories: individual
Purpose: screening

Adolescents & Adults

13. Resilience Scale **(RS)** (Wagnild & Young, 1993) available from www.resiliencescale.com

Wagnild, G.M., & Young, H.M. (1993). Development and psychometric evaluation of the Resilience Scale. *Journal of Nursing Measurement, 1,* 165-178.

Description:
The 25-item RS measures the degree of individual resilience through five components: equanimity, perseverance, self-reliance, meaningfulness, and existential aloneness. All items are scored on a 7-point scale from 1=disagree to 7=agree. A 14-item version (RS-14) is also available. The scale is simple to read and administer. It is derived from interviews with "resilient" individuals and measures personal attributes associated with resilience.

The RS has good psychometric properties and has been used successfully in many studies in several languages involving adults (including caregivers, first-time mothers, residents of public housing, immigrants, students, etc.) and adolescents. The scale has had strong reliability and validity support and has been used by thousands of researchers across the world over for more than 15 years. "Correlations with other instruments include those measuring morale (.54, .43, and .28), life satisfaction (.59 and .30), health (.50, .40 and .26), perceived stress (-.67 and -.32), symptoms of stress (-.24), depression (-.36) and self-esteem (.57) (O'Neal, 1999)."

Conceptual categories: individual
Purpose: screening

14. The Connor-Davidson Resilience Scale **(CD-RISC and CD-RISC2)** (Connor, K.M. & Davidson, J.R.T., 2003)

Connor, K.M. & Davidson, J.R.T. (2003). Development of a new resilience scale: The Connor-Davidson Resilience Scale (CD-RISC). *Depression and Anxiety, 18*, 76-82.

Description:
The CD-RISC is a self-report measure aimed at adults and older adolescents. As described the authors (2003), "Resilience may be viewed as a measure of stress coping ability and, as such, could be an important target of treatment in anxiety, depression and stress reactions. The CD-RISC is comprised of 25 items, each rated on a 5-point scale, with higher scores reflecting greater resilience. The scale has been administered in several studies to groups in the community, primary care outpatients, general psychiatric outpatients, a clinical trail of generalized anxiety disorder, and two clinical trials of PTSD. The scale demonstrated good psychometric properties and factor analysis yielded five factors. A repeated-measures ANOVA showed that an increase in CD-RISC score was associated with greater improvement in treatment for those with PTSD." It demonstrates good test-retest reliability and internal consistency. "The scale exhibits validity relative to other measures of stress and hardiness, and reflects different levels of resilience in populations that are thought to be differentiated among other ways, by their degree of resilience." The authors suggest that "resilience is quantifiable and influenced by health status (individuals with mental illness have lower levels of resilience than the general population" and "resilience is modifiable and can improve with treatment and great

improvement in resilience corresponds to higher levels of global improvement." According to the authors, this is "the first demonstration that increased resilience, as operationally defined, can be associated with a pharmacologic intervention." Several studies, including those in other countries (e.g., Turkey, China), have confirmed the psychometrics if not the five-factor structure.
In a recent UK psychometric review of resilience measures using stringent quality assessment criteria (Windle, 2010), the CD-RISC was rated in the top four in respect to its psychometric properties. In terms of it conceptual adequacy, however, it only looks at one higher order category of resilience (i.e., individual dispositional attitudes) of the three that are generally accepted by researchers, thus excluding family support/cohesion, and external support systems.

In 2007 (Sills & Stein, 2007), a 10-item version was created to address the unstable factor structure in three samples of US college students (n=500). The unidimensional scale that emerged has demonstrated good internal consistency and construct validity. The CD-RISC2 is an abbreviated version consisting of two items taken from the CD-RISC and designed for clinical assessment purposes. Based on recent studies, it appears to have sound psychometric properties and may be useful to identify patients who may be vulnerable to the development of neuropsychiatric disease.

Conceptual categories: individual
Purpose: screening, profiling for intervention, and monitoring/measuring change

The psychometric properties of the following two resilience measures will not be discussed in this compendium.

15. The Ego Resilience 89 Scale **(ER 89)** (Block & Kremen, 1996)

Block, J., & Kremen, A. M. (1996). IQ and ego resiliency: Conceptual and empirical connections and separateness. *Journal of Personality and Social Psychology, 70,* 349-361.

Description:
This simple 14-item unidimensional self-report scale is designed to measure ego resiliency (a stable personality characteristic) in older adolescents/young adults (study groups: 18 and 23 years).

Conceptual categories: individual
Purpose: screening

16. Ego Resiliency (Bromley, Johnson & Cohen, 2006)

Bromley, E., Johnson, J.G. & Cohen, P. (2006). Personality strengths in adolescence and decreased risk of developing mental health problems in early adulthood. *Comprehensive Psychiatry, 47* (4), 315-324.

Description:
This 102-item self-report scale was designed to measure ego resilience in older adolescents and young adults (study groups: 18 and 23 years).

Conceptual categories: individual
Purpose: screening

Strength-based, hardiness and protective/risk factors measures:

Strengths-based

Preschoolers, only

17. Infant and Toddler Social and Emotional Assessment **(ITSEA)** (Briggs-Gowan & Carter, 1998; Carter, Little, Briggs-Gowan & Kogan, 1999)

> Briggs-Gowan, M.J. & Carter, A.S. (1998). Preliminary acceptability and psychometrics of the Infant-Toddler Social and Emotional Assessment (ITSEA): A new adult-report questionnaire. *Infant Mental Health Journal, 19*, 422-445.

Description:
The items in the ITSEA were developed from clinical observation and existing checklists and piloted in a pediatric clinic. It is completed by parents at home. It can be used with children from 1 to 3years and could be used by educators in pre-school settings. There are 5 scales: competencies, empathy, pro-social and peer relations. The measure includes attentions skills as well as compliance. There are strength-based items, but the measure focuses primarily on problem behavior. A drawback is the length of time to complete it.

Conceptual categories: individual
Purpose: screening (?)

18. Penn Interactive Play Scale **(PIPPS)** (Fantuzzo, Suttonsmith, Coolahan et al., 1995)

> Fantuzzo, J., Suttonsmith, B., Coolahan, K.C., Manz, P.H., Canning, S., & Debnam, D. (1995). Assessment of preschool play interaction behaviors in young low-income children – Penn Interactive Play Scale. *Early Childhood Research Quarterly, 10,* 105-120.

Description:
This is a 36-item measure to be completed by preschool teachers for use with 3- to 5-year-olds. The measure contains items on emotional behavior, desirable social actions and lack of social connectedness. Its major drawback is the length of time to administer it.

Conceptual categories: individual
Purpose: screening, profiling for intervention (?)

19. Social Skills Rating Scale **(SSRS-T)** (Lyon, Albertus, Birkinbine & Naibi, 1996)

> Lyon, M.A., Albertus, C., Birkinbine, J., & Naibi, J. (1996). A validity study of the social skills rating system-teacher version with disabled and no-disabled preschool children. *Perceptual and Motor Skills, 83,* 307-316.

Description:
This measure is an adapted version of the SSRS for older children (see "School Age" next section).

20. The Adaptive Social Behavior Inventory (ASBI) (Hogan, Scott & Baven, 1992)

> Hogan, A.E., Scott, K.G., & Baven, C.R. (1992). EPPE Project. Adaptive Social Behaviour Inventory Child Questionnaire. *Journal of Psycho-Educational Assessments, 10,* 230-239.

Description:
This measure is a 30-item teacher rating scale to assess social competence in 3 to 5 year olds.

It has 3 scales: express, comply and disrupt. They measure cooperation and conformity, peer sociability, and antisocial behavior. It was developed on the basis of items used in other instruments and its purpose if to identify children with emotional and behavioral difficulties.

Conceptual categories: individual
Purpose: screening

21. The Early Development Instrument (EDI) (Offord, Janus & Walsh, 2001) available through the authors

> Offord, D., Janus, M., & Walsh, C. (2001). *Population-level assessment of readiness to learn at school for 5-year-olds in Canada.* Ontario: The Canadian Centre for the Study of Children at Risk, McMaster University.

Description:
The EDI is a teacher rating scale assessing readiness to learn in preschool children in five areas: physical health, social competence, emotional health, cognitive development and communication skills. It was developed with an early years action group and practitioners.

Conceptual categories: individual
Purpose: screening

School Age (including Adolescents)

22. Social Skills Rating Scale (SSRS) Student Form (Gresham & Elliot, 1990)

> Gresham, F. M., & Elliott, S. N. (1990). *Social Skills Rating System (SSRS)*. Bloomington, MN: Pearson Assessments.

Description:
The **Social Skills Rating System** (SSRS) Student Form (Gresham & Elliot, 1990), another more widely used and respected assessment tool, assesses several personal strengths characteristic of resilience. This measure assesses social skills, problematic behaviors and academic competencies. The instrument includes 10-item scales measuring cooperation (alpha=0.68), assertion (alpha=0.59), empathy (alpha=0.75), and self-control (alpha=0.66). Stability reliabilities for these scales average 0.58 (Gresham & Elliot, 1990). Thus, both internal consistency and stability reliabilities for the SSRS student form are below conventional levels of adequacy. It was designed as a screening tool to identify children from 5-18 years with behavior problems. It is reasonably brief and easy for teachers and parents to complete. A version for 3- to 5-year-old children has also been developed (see Lyon et al., 1996).

Conceptual categories: individual
Purpose: screening

23. Interpersonal Competence Scale (ICS) (Cairns, Leung, Gest & Cairns, 1995)

> Cairns, R.B., Leung, M.C., Gest, S.D. & Cairns, B.D. (1995). A brief method for assessing social development: structure, reliability, stability and developmental validity of the interpersonal competence scale. *Behavior Research and Therapy, 33,* 725-36.

Description:
The ICS is an 18-item measure for children and youth from 8-16 years, and can be completed by teachers in a few minutes. It measures: social competencies, emotional behaviors and academic competencies.

Conceptual categories: individual
Purpose: screening

***24. Strengths and Difficulties Questionnaire* (SDQ)** (Goodman, 1997) see www.sdqinfo.com/ for more information and to download forms

> Goodman, R. (1997). The Strengths and Difficulties Questionnaire: A research note. *Journal of Child Psychology and Psychiatry, 38,* 581-86.

Description:
The SDQ is a brief screening tool for 3-16 year olds. It exists in several versions to meet the needs of researchers, clinicians and educationalists in several languages. Each version includes between one and three of the following components: 1) 25 items on psychological attributes; 2) an impact statement that asks whether the informant thinks the young person has a problem; and 3) Follow-up questions–these versions contain the 25 items (modified to read "within the last month") plus 2 additional follow-up questions about the effect of interventions.

All versions of the SDQ ask about 25 attributes, some positive and others negative. These 25 items are divided between 5 scales (5 items each):

1) emotional problems
2) conduct problems
3) hyperactivity/ inattention
4) peer social relationships
5) prosocial behaviour

Scales 2, 3, & 4 are added together to generate a "total difficulties" score. 10 items deal with strengths.

The same 25 items are included in questionnaires for completion by parents and teachers of 4-16 year old (Goodman 1997). A slightly modified informant-rated version is available for parents or nursery school teachers of 3- and 4-year-olds. Twenty-two of the items are identical, the item on reflectiveness is softened and two items on anti-social behavior are replaced by items on oppositionality. Self-report versions are available for children and youth 11-16 depending on their level of understanding and literacy. The questions ask about the same 25 traits, though the wording is slightly different (Goodman et al, 1998).

The measure has been used many times in studies around the world with good psychometric properties. It measures favorably with the Achenbach and other longer child problem-related scales. Its advantage is its brevity and ease of use by non-psychometricians as well as coverage across the age spectrum. While primarily problem-focused, it does include strengths related to resilience.

Conceptual categories: individual, external supports
Purpose: screening

***25. Behavioral and Emotional Rating Scale* (BERS)** (Epstein & Sharma, 1998)

> Epstein, M. (1999). The development and validation of a scale to assess the emotional and behavioral strengths of children and adolescents. *Remedial and Special Education, 20*, 5, 258-262.)

Description:
For ages 6 to 19 years, this 52-item scale was developed to provide parents and professionals with a standardized, norm-referenced, reliable and valid instrument to measure strengths. Many studies have been completed showing the BERS possesses strong psychometric properties and does not discriminate on the basis of race or ethnicity. It measures strengths in five areas: interpersonal strengths, family involvement, intrapersonal strengths, school functioning and affective strengths

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention

***26. Search Institute Surveys—Profiles of Student Life -Attitudes and Behaviors Questionnaire* (ABQ)**
(Price, Dake, & Kucharewski, 2002 for Search Institute)

Price, J. H., Dake, J. A., & Kucharewski, R. (2002). Assessing assets in racially diverse, inner-city youths: Psychometric properties of the Search Institute asset questionnaire. *Family and Community Health, 25*, 1–9.

Description:
Search Institute's surveys focus on "40 Developmental Assets" that their research shows are linked to positive outcomes. They are separated into external and internal assets and further sub-divided into four main areas including:

External: support, empowerment, boundaries and expectations, constructive use of time
Internal: Commitment to learning, positive values, social competence, positive identity

Surveys are available for youth (ABQ for Grades 6-12), middle childhood (Me and My World –MMW for Grades 4-6) to assess overall functioning of students in a school or educational organization. The Developmental Assets Profile is available to look at individuals (11-18 years) and small groups. Other surveys are designed to assess learning and working environments in schools and adult-youth engagement in the community. The adolescent survey has been administered to more than 1.5 million students.

"The Search Institute's Attitude and Behavior Questionnaire (ABQ), the most commonly used asset assessment in the United States, is a 152-item questionnaire designed to assess 40 developmental assets among students in grades 6–12—including social competence, self-esteem, and social support in the school and home environments (Price, Dake, & Kucharewski, 2002). The instrument averages 2.3 items per subscale (asset), with 13 of the 40 Search Institute assets measured by just one item. Price et al.'s psychometric analyses of the ABQ indicated that the items assess eight developmental assets—with average internal consistency of 0.50 and stability reliabilities of 0.45 (Price et al., 2002). Thus, the ABQ has relatively poor psychometric properties. In addition, the ABQ is not built upon a strong theoretical approach and assesses only one environmental asset in the school domain (caring school climate)." [From Appendix D of Hanson, T. L., & Kim, J. O. (2007). *Measuring resilience and youth development: the psychometric properties of the Healthy Kids Survey, p. 53-54* (Issues & Answers Report, REL 2007–No. 034). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West. Retrieved from http://ies.ed.gov/ncee/edlabs]

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention

***27. Emotional Quotient Inventory* (EQ-i:YV)** (Bar-On & Parker, 2000; Bar-On, 2000) Available from Multi-Health Systems.

Bar-On, R. & Parker, J.D.A. (2000). Bar-On emotional quotient inventory. Youth version (Technical Manual). New York: Multi-Health Systems.

Bar-On, R. (2000). Emotional and social intelligence: Insights from the Emotional Quotient Inventory (EQ-i). In Handbook of emotional intelligence. Ed. R. Bar-On and J.D.A. Parker. San Francisco: Jossey-Bass.

Description:
The youth version of the EQ-I was derived from a literature review and the authors' clinical experience and aims measurement of emotional and social intelligence. Both self-report and observer report forms are available for youth and children as young as six years. The EQ-i:YV for 7-18 year olds is available in 30- and 60-item versions. The measure can be used to assess individuals as well as whole classrooms or schools. It is also available in a 133-item adult version.

The 60-item measure has two validity scales (positive impression and inconsistency index) and 5 primary scales:

- Intrapersonal—ability to understand and express feelings and needs
- Interpersonal – ability to identify and respond to feelings of others
- Stress management – ability to manage and control emotions
- Adaptability – flexibility, reality-testing and problem-solving
- General mood – optimism and happiness

The 30-item version deletes the general mood scale and inconsistency index. The measure was developed and standardized on nearly 10,000 children in the US and Canada and age and gender norms are available from 7-18 years

as well as for other countries including the UK. Each scale can be used separately and strategies are available to improve emotional and social competence in areas where there are low scores.

Conceptual categories: individual
Purpose: screening, profiling for intervention

***28. The Emotional and Behavioral Development Scale* (EBDS)** (Riding, Rayner, Morris et al., 2002)

> Riding, R., Rayner, S., Morris, S., Grimley, M. & Adams, D. (2002). Emotional and Behavioral Development Scales. Birmingham, UK: Assessment Research Unit, School of Education, University of Birmingham.

Description:
This 21-item teacher rating scale can be completed is less than 5 minutes and is appropriate for children from 5-16 years. It was designed from the responses of educational psychologists working with emotionally and behaviorally disturbed children. The measure has three scales (7 items each): development, emotional behavior and academic performance.

Conceptual categories: individual
Purpose: screening

Adolescents, only

***29. Strengths Assessment Inventory-Youth Version* (SAI-Y)** (Rawana, E.P., Brownlee, K. & Hewitt, J., 2009)

> For more information contact *lcnorth@lakeheadu.ca*

Description:
This strength-based assessment tool was designed to measure strengths in domains related to naturally occurring structures in the environment including:

- Contextual domains (child's interaction with others): peers, family/home, school, employment, community
- Developmental domains (child's individual functioning): personality, personal and physical care, spiritual/cultural, leisure and recreation

This 123-item measure is designed to assess strengths in children and youth from 10-18 years old. The self-report measure is at a Grade 4 reading level; a version for significant others has been developed as well. It can also be completed on line and a profile is generated. The measure comes from the "Risk-Need Measure" taking 6 domains relating to internal strengths and excluding two areas (history of criminality and substance use). The measure is under psychometric evaluation, for more information contact the first author.

Conceptual categories: individual, family & external supports
Purpose: screening, profiling for intervention (?)

Hardiness measures

Adolescents and adults

There are several well-tested measures of hardiness that are appropriate for use with adolescents as well as adults. These will only be described briefly in this section.

***30. Personal Views Survey III and III-R* (PVS III)** (Hardiness Institute, 1985)

> Maddi, S.R. (1997). Personal Views Survey II. In C.P, Zalaquett & R.J. Wood (Eds.). *Evaluating stress: A book of resources* (pp. 293-309). Lanham, MD: Scarecrow Press, Inc.

Description:
This measure is based on the original work of Kobasa who hypothesized that "highly stressed people who stay healthy possess to greater extent than highly stressed persons who get sick: a) the belief they can **control** or influence the events of their experience, b) an ability to feel deeply involved in or **committed** to the activities of their lives, and c) the anticipation of **change** as an exciting challenge to further development measuring commitment, control and challenge (Kobasa, 1979a, p. 415)." These three components comprise *hardiness* a "personal stance that facilitates coping effectively with stressful circumstances (Maddi, 1997)."

The PVS III selects the best 30 items from the PSV II (Maddi, 1997; an earlier version with 45 items). Responses range from 0 to 4 (complete disagreement to complete agreement). It can be administered independently or as part of the HardiSurvey, a 106-item survey (or shorter revised HardiSurvey-R) that not only looks at hardy attitudes but also the resources of work support, family support and hardy coping as well as vulnerability factors such as stress, strain and regressive coping. The measure provides scores for commitment, control and challenge as well as a total score. The PSV III-R is the revised version containing 18 items. The measure can be used for a range of ages, from adult to adolescents in the general population as well as in institutionalized groups.

A number of studies have shown the PVS measures to have adequate internal consistency (.70-.75 for commitment, .61-.84 for control and .60 to .71 for challenge. Factor analyses have confirmed the three components of hardiness. These measures and their predecessors have been shown to correlate with several standardized measures: low anxiety (.30 and .32 on the STAI), negative affectivity (-.46 on the Hopkins Symptom Checklist) and overall personality issues (.40 to .50 range with MMPI) among others.

Conceptual categories: individual
Purpose: screening, profiling for intervention

***31. Cognitive Hardiness Scale* (CHS)** (Nowack, 1989)

Nowack, K.M. (1989). Coping style, cognitive hardiness, and health status. *Journal of Behavioral Medicine, 12*, 145-158.

Description:
This scale purports to measure hardiness more directly, i.e., 1) commitment as opposed to alienation, 2) attitudes toward life changes as challenge as opposed to threats, and 3) beliefs in one's sense of control over significant life outcomes. The scale consists of 30 items on a 1 to 5 scale (strongly disagree to strongly agree). A total score as well as three subscales are provided.

Conceptual categories: individual
Purpose: screening, profiling for intervention (?)

***32. Psychological Hardiness Scale* (PHS)** (Younkin and Betz, 1996)

Younkin, S.L., & Betz, N.E. (1996). Psychological hardiness: A reconceptualization and measurement. In T.W. Miller (Ed.), *Theory and assessment of stressful life events. International Universities Press stress and health series* (pp. 161-178). Madison, CT: International Universities Press, Inc.

Description:
The PHS consists of 40 items answered on a 5-point Likert scale from 1 (strongly disagree) to 5 (strongly agree). It was a response to shortcomings identified by the authors in earlier measures of hardiness that divided hardiness into three components. They propose a unidimensional instrument designed to measure hardiness directly rather than indirectly (through negative indicators).

Conceptual categories: individual
Purpose: screening

Protective & Risk Factors Measures

33. Baruth Protective Factors Inventory (BPFI) (Baruth and Carroll, 2002)

Baruth, K.E., & Caroll, J.J. (2002). A formal assessment of resilience: The Baruth Protective Factors. *Journal of Individual Psychology, 58*, 235-244.

Description:
This measure was designed for adults but has been used with adolescents although there is a lack of research evidence to support use with this age group. "A formal psychological inventory to identify resiliency factors in individuals was developed by Baruth and Carroll (2002). The Baruth Protective Factors Inventory (BPFI) is a 16-item scale that delineates four protective factors: (a) Adaptable Personality, (b) Supportive Environment, (c) Fewer Stressors, and (d) Compensating Experiences. The authors noted that further reliability and validity testing of this instrument is indicated and specifically found that the items developed for the Fewer Stressors subscale did not correlate highly with the other three subscales. This latter finding appears to support Ratican's (1992) observation that the level of stress exhibited by trauma survivors did not necessarily correspond with the amount or severity of trauma experiences and Rutter's (1987) assertion that exposure to mild prior stressors might facilitate resiliency later on (from Bogar, C. B. 2006. Resiliency determinants and resiliency processes among female adult survivors of childhood sexual abuse. *Journal of Counselling and Development*)."

Conceptual categories: individual, family
Purpose: screening

34. Communities That Care Youth Survey (CTC) (Arthur, Hawkins, Pollard, Catalano, & Baglioni, 2002)

Arthur, M. W., Hawkins, J. D., Pollard, J. A., Catalano, R. F., & Baglioni, A. J. (2002). Measuring risk and protective factors for substance use, delinquency, and other adolescent problem behaviors. *Evaluation Review*, *26*(6), 575–601.

Description:
"The CTC was designed to assess an array of risk and protective factors among adolescents aged 11 to 18, including family attachment, peer pro-social involvement, and opportunities for pro-social involvement and recognition of pro-social involvement in the school, family, and community domains (Arthur, Hawkins, Pollard, Catalano, & Baglioni, 2002). The instrument contains an average of 3.3 items per protective factor measured, with a mean alpha of 0.75 (Arthur et al., 1996). The protective factor scales have demonstrated respectable internal consistency on large national samples (Beyers, Toumbourou, Catalano, Arthur, & Hawkins, 2004). Although the content of the CTC survey overlaps with the resilience and youth development module, its coverage of environmental and internal assets is more limited. Just two are used to measure opportunities for pro-social involvement and just three for recognition of pro-social involvement in the school domain. These constructs exhibited internal consistency reliabilities of 0.55 and 0.60. No test-retest reliabilities have been reported." (Taken from Hanson, T. L., & Kim, J. O. (2007). *Measuring resilience and youth development: the psychometric properties of the Healthy Kids Survey.* (Issues & Answers Report, REL 2007–No. 034). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West.)

Conceptual categories: family & external supports (risk and protective factors)
Purpose: screening

35. Child Development Project (CDP) (Battistich, 2003; Battistich, Schaps, Watson, Solomon, & Lewis, 2000; Battistich, Schaps, & Wilson, 2004)

Battistich, V. (2003). Effects of a school-based program to enhance prosocial development on children's peer relations and social adjustment. *Journal of Research in Character Education*, *1*(1), 1–17.
Battistich, V., Schaps, E., & Wilson, N. (2004). Effects of an elementary school intervention on students' "connectedness" to school and social adjustment during middle school. *Journal of Primary Prevention*, *24*(3), 243–261.

Battistich, V., Schaps, E., Watson, M., Solomon, D., & Lewis, C. (2000). Effects of the child development project on students' drug use and other problem behaviors. *Journal of Primary Prevention, 21*(1), 75–99.

Description:
"Several environmental and internal asset scales have been developed for the **Child Development Project (CDP)** (Battistich, 2003; Battistich, Schaps, Watson, Solomon, & Lewis, 2000; Battistich, Schaps, & Wilson, 2004). The items, designed for students in grades 3–6, assess sense of school community (18 items, alpha=0.81), trust and respect for teachers (6 items, alpha=0.79), positive teacher-student relations (3 items, alpha=0.63), and peers' positive involvement in school (5 items, alpha=0.78). The CDP instrument also assesses personal and social attitudes consistent with resilience theory, including concern for others (10 items, alpha=0.80), efficacy (9 items, alpha=0.81), and global self-esteem (3 items, alpha=0.79). The domains covered by CDP are consistent with Benard's (2004) resiliency framework, and the protective factor scales demonstrate respectable internal consistency reliability, particularly given that the instrument targets elementary school students. However, with 147 items, the instrument is too lengthy for widespread administration in California school settings." (Taken from Hanson, T. L., & Kim, J. O. (2007). *Measuring resilience and youth development: the psychometric properties of the Healthy Kids Survey.* (Issues & Answers Report, REL 2007–No. 034). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory West.)

Conceptual categories: individual, family & external supports (risk and protective factors)
Purpose: screening, profiling for intervention

Three additional measures are listed below but will not be discussed in this compendium.

***36. Rochester Evaluation of Asset Development for Youth* (READY)** (Klein et al., 2006)

Klein, J. D., Sabaratnam, P., Auerbach, M. M., Smith, S. M., Kodjo, C., Lewis, C., Ryan, S., & Dandino, C. (2006). Development and factor structure of a brief instrument to assess the impact of community programs on positive youth development: The Rochester evaluation of asset development for youth (READY) tool. *Journal of Adolescent Health, 39*, 252–260.

37. Individual Protective Factors Index (Springer & Philips, 1995)

Springer, J. F., & Philips, J. L. (1995). *Individual protective factors index: A measure of adolescent resiliency.* Folsom, CA: EMT Associates.

38. Youth Asset Survey (YAS) (Oman et al., 2002)

Oman, R. F., Vesely, S. K., McLeroy, K. R., Harris-Wyatt, V., Aspy, C. B., Rodin, S., & Marshall, L. (2002). Reliability and validity of the Youth Asset Survey (YAS). *Journal of Adolescent Health, 31*, 247–55.

Resilience Measures

SCALE (# in compendium)	AUTHORS	AGE
Adolescent Resilience Questionnaire **(ARQ)-revised** *(#7)*	(Gartland et al., 2006)	11-19 yrs.
Adolescent Resilience Scale **(ARS)** *(#11)*	(Oshio, Kaneko, Nagamine & Nakaya, 2003)	teens
Assessing Developmental Strengths questionnaires **(ADS)** *(#5)*	(Donnon & Hammond, 2007)	CR: 5-8 yrs.; YR: 7-12 yrs.; AR: adults
Brief Resiliency Checklist **(BRC)** *(#8)*	(Vance and Sanchez)-	Teens
Child & Youth Resilience Measure **(CYRM)** *(#4)*	(Ungar, M. & Leibenberg, L., 2009)-	12 -23 yrs.
Connor-Davidson Resilience Scale **(CD-RISC/CD-RISC2)** *(#14)*	(Connor, K.M. & Davidson, J.R.T., 2003)	Adults/ older teens
Devereux Early Childhood Assessment Program **(DECA)** *(#1)*	(LeBuffe & Naglieri, 1998)	2-5 yrs.
Devereux Student Strengths Assessment **(DESSA/ DESSA-mini)** *(#2)*	(LeBuffe, Naglieri & Shapiro)	5-14 yrs.
Ego Resilience 89 Scale **(ER 89)** *(#15)*	(Block & Kremen, 1996)	18+ yrs.
Ego Resiliency *(#16)*	(Bromley, Johnson & Cohen, 2006)	18+ yrs.
Resilience and Youth Development Module **(RYDM) of the California Healthy Kids Survey** *(#6)*	(Constantine & Benard, 2001; Constantine, Benard, & Diaz, 1999)	elementary/ secondary students
Resilience Scale **(RS)** *(#13)*	(Wagnild & Young, 1993)	adults/ older teens
Resilience Scale for Adolescents **(READ)** *(#9)*	(Hjemdal et al., 2006)	13-18 yrs.
Resiliency Attitudes and Skills Profile **(RASP)** *(#12)*	(Hurtes & Allen, 2001)	12-19 yrs.
Resiliency Scale **(RS)** *(#10)*	(Jew, Green & Kroger, 1999)	children/ teens
Resiliency Scales for Children & Adolescents **(RSCA)** *(#3)*	(Prince-Embury, 2005, 2006)	9-18 yrs.

Hardiness Measures

SCALE	AUTHORS	AGE
Personal Views Survey III and III-R **(PVS III)** *(#30)*	(Hardiness Institute, 1985)	teens/adults
Cognitive Hardiness Scale **(CHS)** *(#31)*	(Nowack, 1989)	teens/adults
Psychological Hardiness Scale **(PHS)** *(#32)*	(Younkin and Betz, 1996)	teens/adults

Strength-based Measures

SCALE	AUTHORS	AGE
Adaptive Social Behavior Inventory (ASBI) *(#21)*	(Hogan, Scott & Baven, 1992)-.	3-5 yrs
Behavioral and Emotional Rating Scale **(BERS)** *(#25)*	(Epstein & Sharma, 1998)	6-19 yrs.
Early Development Instrument **(EDI)** *(#21)*	(Offord, Janus & Walsh, 2001)-	5 yrs. and under
Emotional and Behavioral Development Scale **(EBDS)** *(#28)*	(Riding, Rayner, Morris et al., 2002)	5-16 yrs.
Emotional Quotient Inventory **(EQ-i:YV)** *(#27)*	(Bar-On & Parker, 2000; Bar-On, 2000)	7-18 yrs
Infant and Toddler Social and Emotional Assessment **(ITSEA)** *(#17)*	(Briggs-Gowan & Carter, 1998; Carter, Little, Briggs-Gowan & Kogan, 1999)	1-3 yrs.
Interpersonal Competence Scale **(ICS)** *(#23)*	(Cairns, Leung, Gest & Cairns, 1995)	8-16 yrs.
Penn Interactive Play Scale **(PIPPS)** *(#18)*	(Fantuzzo, Suttonsmith, Coolahan et al, 1995)	3-5 yrs.
Social Skills Rating Scale **(SSRS-T)** *(#19)*	(Lyon, Albertus, Birkinbine & Naibi, 1996)	< 5yrs.;
Search Institute Surveys— Profiles of Student Life - Attitudes and Behaviors Questionnaire **(ABQ)** *(#26)*	(Price, Dake, & Kucharewski, 2002 for Search Institute)	Grades 4-6 & 6-12
Social Skills Rating Scale **(SSRS)** *(#22)*	(Gresham & Elliot, 1990)	5-18 yrs.
Strengths Assessment Inventory-Youth Version **(SAI-Y)** *(#29)*	(Rawana, E.P., Brownlee, K. & Hewitt, J., 2009)	10-18 yrs.
Strengths and Difficulties Questionnaire **(SDQ)** *(#24)*	(Goodman, 1997)	3-16 yrs.

Protective/Risk Factors Measures

SCALE	AUTHORS	AGE
Baruth Protective Factors Inventory **(BPFI)** *(#33)*	(Baruth & Carroll, 2002)	adults/teens?
Child Development Project **(CDP)** *(#35)*	(Battistich, 2003; Battistich, Schaps, Watson, Solomon, & Lewis, 2000; Battistich et al., 2004)	Grade 3+
Communities That Care Youth Survey **(CTC)** *(#34)*	(Arthur, Hawkins, Pollard, Catalano, & Baglioni, 2002)	11-18 yrs.
Individual Protective Factors Index *(#37)*	(Springer & Philips, 1995)	teens
Rochester Evaluation of Asset Development for Youth **(READY)** *(#36)*	(Klein et al., 2006)	teens
Youth Asset Survey **(YAS)** *(#38)*	(Oman et al., 2002)	teens

ATTACHMENT E

7/30/2013 4:47:00 PM

UHSresponsetoMendoza

(1) The USP expressly states (on page 30 in Section V, A, 5, a) that the District "shall consult with an expert regarding the use of multiple measures (e.g., essays; characteristics of the student's school; student's background, including race, ethnicity and socioeconomic status) for admission to similar programs…"

No reference is made in the description of the working group's process to consultation with such an expert. Did it occur and, if so, who was the expert and what advice was given? (We see the reference to consultation with an expert (Dr. Lannie Kanevsky) out of Canada who has been studying resiliency and motivation but do not understand his area of expertise to be that which is expressly required by the USP.)

Re-drafting the UHS admissions policy is in process and we have not finished consultation with all experts. We have identified and made arrangements to consult with Dr. Chester Finn and Dr. Jessica Hockett – authors of the book "Exam Schools" with respect to their research of 165 schools nation-wide with selective admissions policies. In their study, Dr. Finn and Dr. Hockett examined admissions policies and processes of many schools, including the 11 case-studies described in their book. In our discussions with these consultants, we will gather information about the use multiple measures, discuss "best practices", and what their research suggests about the proposed addition of an academic resiliency scale.
Due to the tight timeline requirements of the USP to implement a measure this school year, we had to postpone the consultation with these experts while we researched and consulted with Dr. Kanevsky on the use of an academic resiliency scale. This was a necessary first step in being able to implement revised procedures in the time-frame laid out by the District and USP.

(2) The USP expressly states (at the same cite set forth above) that the District shall review best practices used by other school districts in admitting students to similar programs.

No reference is made in the description of the working group's process to review of best practices or any review of processes followed elsewhere. Did this occur and, if so, what practices were reviewed and what was the working group's assessment of those practices (and were they included in its deliberations in any way, specifically with respect to the focus on resilience)?

Given that final revisions to the USP were not completed until March 2013 and that the USP requires that amended procedures be implemented for incoming students 2014-2015 (for freshman this is Fall 2013), the review of best practices and proposed admissions policy changes are being done concurrently for compliance. The application and admissions process for Freshman entering UHS in 2014-2015 occurs in the Fall 2013. There is not enough time to complete the research, consult, pilot new measures and implement new procedures in a consecutive order.

(3) The USP says the District "shall pilot these [new] admissions procedures for transfer students seeking to enter UHS during the 2013-14 school year and shall implement the amended procedures for all incoming students in the 2014-15 school year" (again at the same cite set forth above, going from page 30 to page 31).

With the delay in the development of the new admissions process beyond the April 1, 2013 date set in the USP, the District apparently decided to forego a pilot process for the first year (which should have been 2013-14) and apply the new admissions process to all incoming students immediately for the 2014-15 school year. Mendoza Plaintiffs do not necessarily object to such a change assuming the adoption of an admissions process that comports with the USP and full compliance with USP Section V, A, 5 but would like to know on what basis the District determined to forego a pilot test of the new admissions process and proceed immediately to full implementation.

The pilot process was given up in order to meet the timelines set by the District and the USP. Since the final revisions to the USP were not completed until March 2013, it was not possible to implement a new admissions process for students seeking to enter UHS during the 2013-2014 school year. UHS sends out acceptance letters for freshman the first week of January. The admissions process for incoming sophomores opened in May 2013. This did not allow enough time to conduct research, consult with experts, implement new admissions criteria, work with our site council and community, and inform applicants. Similarly, the application process for incoming Freshman for the 2014-2015 school year opens on August 1, 2013 and as a result we have had to forego any pilot process in order to meet the deadline set for implementation by the USP. UHS would very much like to conduct a well-planned and executed pilot process for all proposed changes to the admissions policy but the current time frame established to research, consult, pilot and implement does not make it possible.

ATTACHMENT F

UHSresponseto83-JK (2)

9/5/2013 9:44:00 AM

(1) The USP expressly states (on page 30 in Section V, A, 5, a) that the District "shall consult with an expert regarding the use of multiple measures (e.g., essays; characteristics of the student's school; student's background, including race, ethnicity and socioeconomic status) for admission to similar programs…"

No reference is made in the description of the working group's process to consultation with such an expert. Did it occur and, if so, who was the expert and what advice was given? (We see the reference to consultation with an expert (Dr. Lannie Kanevsky) out of Canada who has been studying resiliency and motivation but do not understand his area of expertise to be that which is expressly required by the USP.) Did it occur and, if so, who was the expert and what advice was given?

Principal Packard, A.P. Cislak, Ms. Taylor, the ALE Director, and Dr. King conducted interviews with both Dr. Finn and Dr. Hockett, co-authors of the study and published book "Exam Schools – Inside America's Most Selective Public High Schools". Their study, sponsored by the Thomas B. Fordham Institute and the Task Force on K-12 Education at Stanford University's Hoover Institution, identified and surveyed 165 high schools nation-wide that have student selection policies. The survey findings and in-depth case studies of 11 schools are described in the book "Exam Schools." The interview protocol is attached.

Key advice:

- Using Multiple Measures is essential - nothing should be based on 1 test score, creating a "do or die" situation
- Avoid complacency about the admissions procedures – as Drs. Finn noted he was surprised at the level of complacency on the part of the schools with respect to analyzing and evaluating their admissions policy and Dr. Hockett noted that one of the best practices was to be reflective.
- While admissions policies are important to look at, other aspects are important in attracting a diverse population.
    - Recruitment and Outreach: Both Finn and Hockett emphasized the importance of outreach, particularly through community organizations, to widen the application pool as well as providing summer programs.
    - Role of Feeder Schools: Both Drs. Finn and Hockett reiterated the importance of feeder schools in building student preparedness. As stated in their book 'if attention focuses exclusively on the high school program without also addressing what happens to such kids in the "feeder" schools, it may amount to redistributing the current population high achievers rather than cultivating more of them' (p. 199)
- Create an educational system that builds incentives for students at all levels - offer enrichment programs, summer programs, and extra opportunities to learn things. Involve families and teachers particularly for low income but smart students.
- Open more schools of this type: Finn and Hockett conclude their book by suggesting that, given the limited supply of highly academic high schools, perhaps a solution is to have simply more of them. As they write, "we see compelling reasons to include ample development of that model [high achieving whole schools] within the country's broader strategies for addressing the dual challenges of advanced learning and learners, reasons that become even more compelling if selective schools can model what all high schools should one day be (pg.198)".

In addition, several additional experts were contacted and interviewed by Ms. Taylor (see Expert Analysis section in attached UHS admissions revision for more details).

(2) The USP expressly states (at the same cite set forth above) that the District shall review best practices used by other school districts in admitting students to similar programs.

No reference is made in the description of the working group's process to review of best practices or any review of processes followed elsewhere. Did this occur and, if so, what practices were reviewed and what was the working group's assessment of those practices (and were they included in its deliberations in any way, specifically with respect to the focus on resilience)?

An initial review was conducted that looked at the top-rated AP High Schools across the country (summarized in Exam Schools – Current practice section Review of top-rated AP High Schools). It was clear from this review that schools used a variety of admissions criteria, that many used the same measures as UHS (test scores and grades), and that in several cases, the admissions process was much more competitive. For example, it was surprising to see that many schools screened students (usually with a standardized test score) before they allowed them to take the entrance test. Others relied on an extensive process involving personal essays, interviews and auditions.

The findings from the initial review were supported by the published findings in the "Exam Schools – Inside America's Most Selective Public High Schools", written by Dr. Chester Finn and Dr. Jessica Hockett. Their study found the "familiar indicators of academic performance or potential, notably grades, test scores, and teacher recommendations, were the primary criteria for admissions. Out of 56 schools responding to their survey (response rate of 35%), for instance, 95% strongly or moderately emphasized a students' prior academic record (e.g. grades), and 60% used scores from state or district administered tests, with an additional 45% using a standardized achievement test (e.g. CAT, ITBS, Stan 10). Student essays were among the most emphasized "qualitative" criteria used (55%) followed by teacher recommendations (52%) (p. 39-40). All eleven case study schools used these types of measures, and some employed additional variables to screen applicants or set minimal requirements for considering them (p. 162).

The Finn-Hockett study categorized the diverse admissions processes among the 11 schools profiled into two categories – accordingly "each school's admissions process tended either to rely either "primarily on the numbers or to emphasize a more holistic, student-by-student approach (p, 162)". Examples in their sample included Oxford Academy, Ben Franklin and Pine View (Gifted school) who used multiple measures quantitatively, and those who used "complex (and sometimes secret) scoring rubrics, individual interviews, essays, and committee discussions" (e.g. Thomas Jefferson, Schools Without Walls, and Illinois Mathematics and Science Academy(IMSA). However, even those that relied on a "holistic" approach used tests and grades as well.

Entrance Tests used: As noted above, almost all schools reviewed use some form of test. The majority of tests used were achievement tests as opposed to an abilities test such as the CoGAT. Although Drs. Finn and Hockett did not look at the type of tests used for the case studies, the initial review and the Finn/Hockett study found that tests include state-assessments (CAT, ITBS), SAT/ACT scores, customized standards-based tests. No school was identified that uses the Cognitive Abilities Test (CogAT) for admissions. However, as indicated in the supporting documentation, Pine View School for the Gifted uses well-known GATE tests such as the Renzulli, the WISC-III, and the Woodcock Johnson, and Carnegie Vanguard in Texas uses the Naglieri in conjunction with the Naglieri.

Non-Academic and "subjective" (qualitative) assessments (personal essays, statements, teacher recommendations): While neither Dr. Finn nor Dr. Hockett knew of a school using a student motivation scale such as the one proposed, Dr. Hockett noted that schools were interested in looking at ways to measure motivation. She reported, for example, that IMSA was trying to use the types of classes students took as an

indicator of motivation, while other schools were focusing on a student's interests and accomplishments (e.g. Thomas Jefferson's use of personal essays). The most common way, however, that schools were addressing this aspect was to use grades as a proxy indicator. Based on these interviews, the UHS working group is comfortable with proceeding with piloting the CAIMI which is designed to directly measure a student's motivation for learning.

As a result of the deliberations with experts, UHS has identified two additional practices to pilot for incoming Sophomores this year. The first is to develop an assessment that measures seven non-cognitive variables identified by Sedlacek and Brooks. These researchers argue that there are seven factors, including a student's self-concept, leadership, and nontraditional knowledge that are often not accounted for in college admissions processes, particularly for African-American students. The UHS working group would like to look at these variables more closely and pilot a rubric or measurement tool.

The second measure is to collect teacher recommendations. Both Drs. Finn and Hockett noted that while many schools collect teacher recommendations, few use them seriously. They recommended that if teacher recommendations are used that they be evaluated using trained personnel and a pre-determined rubric. (For supporting documentation on all of these measures see the attached UHS admissions revisions and appendices)

(3) The USP says the District "shall pilot these [new] admissions procedures for transfer students seeking to enter UHS during the 2013-14 school year and shall implement the amended procedures for all incoming students in the 2014-15 school year" (again at the same cite set forth above, going from page 30 to page 31).

With the delay in the development of the new admissions process beyond the April 1, 2013 date set in the USP, the District apparently decided to forego a pilot process for the first year (which should have been 2013-14) and apply the new admissions process to all incoming students immediately for the 2014-15 school year. Mendoza Plaintiffs do not necessarily object to such a change assuming the adoption of an admissions process that comports with the USP and full compliance with USP Section V, A, 5 but would like to know on what basis the District determined to forego a pilot test of the new admissions process and proceed immediately to full implementation.

The pilot process was given up in order to meet the timelines set by the District and the USP. Since the final revisions to the USP were not completed until March 2013, it was not possible to implement a new admissions process for students seeking to enter UHS during the 2013-2014 school year. UHS sends out acceptance letters for freshman the first week of January. The admissions process for incoming sophomores opened in May 2013. This did not allow enough time to conduct research, consult with experts, implement new admissions criteria, work with our site council and community, and inform applicants. Similarly, the application process for incoming Freshman for the 2014-2015 school year opened on August 1, 2013. The plan for the piloting and application of a new admissions process for the 2014-2015 Freshman and Sophomores classes is attached and details the implementation and piloting of all proposed new measures (see attached UHS admissions revision).

(4) What do we know about the implications of varying weights/points? This is a relatively easy simulation to do with the existing student population

A dataset of 2127 student test scores and GPAs for the past three years was created to address this question. Currently the weight given for GPA and test scores is split at 67% and 33% respectively with GPA weighted higher. The tables below look at the mean percentage of possible test or GPA points received for students that met or do not meet the admissions criteria. As shown, the mean percentage of possible points by ethnicity is similar for all students who meet the admissions criteria. For those students who do not meet however, the

mean percentage of possible points received by the test scores is significantly lower for African Americans, and Hispanics. As a result, varying the weights and points between GPA and test scores would not impact the distribution across sub-populations.

Summary Table of Means **Meets**
N=552 (No missing data in dep. var. list)

Ethnicity	TEST_PER	GPA_PER	TOTAL_PE
G_1:1	89.09	92.67	114.83
G_2:2	84.26	90.28	110.50
G_3:3	86.68	91.90	112.98
G_4:4	88.89	88.89	112.00
G_5:5	89.80	93.54	115.84
G_6:6	93.72	93.96	118.26
All Grps	88.43	92.45	114.32

Summary Table of Means **Do not meet**
N=1575 (No missing data in dep. var. list)

Ethnicity	TEST_PER	TEST_PER	GPA_PER	GPA_PER	TOTAL_PE	TOTAL_PE
	Means	N	Means	N	Means	N
G_1:1	28.42	382	46.92	382	49.13	382
G_2:2	11.44	101	44.33	101	38.10	101
G_3:3	17.20	956	44.68	956	41.46	956
G_4:4	15.37	47	17.49	47	20.89	47
G_5:5	18.46	59	59.42	59	52.75	59
G_6:6	24.82	30	50.56	30	49.80	30
All Grps	19.69	1575	45.05	1575	43.07	1575

(5) Grades are pretty good indicators of success.

A student's 9th grade GPA in core subjects was calculated and included in the data set. A total of 1114 students had both 8th and 9th grade GPA. The correlation between 8th grade calculated GPA and 9th grade GPA was 0.53.

(6) Resiliency, in theory, should be a good predictor. Is there information on consequential validity of this measure?

Robert Williams in his book review article for the Journal of Psychoeducational Assessment on the Children's Academic Intrinsic Motivation Inventory (CAIMI) notes that "no consistent gender or racial differences were found in the CAIMI scores. The only consistent group difference occurred across grade levels (Williams, Journal of Psychoeducational Assessment 1997 15:161). We will check to see if there is any more recent research.

(7) "the working group is proposing the use of an academic resiliency scale as an additive measure for student admissions – students will receive additional admissions points based on their resiliency towards the required number of 50. Students will still need to meet the minimum of a 7 composite stanine on the CogAT and have a minimum GPA of 3.0 to receive admission points but adding the resiliency scale will assist students whose GPA

may not have been high enough to meet the required admission points."

As the proposal says, it is meant to identify students who have the capability to achieve in challenging situations provided they get support. Adding the resiliency measure in this way seems to treat it an relatively unimportant. This proposal seems to not go very far and assumes that the validity of the CogAT measure is very high. Is this what your expert recommended? If the resiliency measure is valid, why not use it additively? Evidence that the validity of the CogAT measure is very high.

We are proposing to pilot the use of the resiliency measure and use it additively (see attached UHS admission revisions) .

Dr. Lohman and the developers of the CogAT detail the evidence for the validity and reliability of the test in the "CogAT Form 6 Research Handbook" (Lohman & Hagen, 2002) and the "Cognitive Abilities Test Form 7 Research and Development Guide (Lohman, 2012). [I can attach a scanned version of the chapters if necessary]

(8) While I like the idea of the resiliency measure in principle, I would have expected the group to do more empirical work looking at weights, etc, and simulating the effect of different measures on student achievement at UHS. And what is the correlation of CogAT scores and grades? Is there a plan for how this new approach, whatever it is, will be evaluated?

A primary purpose of the admissions criteria is to identify students who are prepared to complete the highly challenging and rigorous criteria of UHS classes as opposed to select only students who are going to be successful. As a result, looking at different measures that determine student achievement at UHS is not currently the focus of the admissions revisions. It is for this reason that the school is looking at multiple measures, such as a motivation scale that may capture a student's motivation for learning that is not reflected in either test scores or grades.

The correlation between CogAT scores and 9th grade grades for the sample size of 1114 is .31. The low correlation indicates that the CogAT test and GPA are not measuring the same underlying abilities.

Yes. An evaluation of the use of the motivation scale will be completed as well an analysis of the impact of using the latest CogAT test version – version 7 for freshman admissions will be completed. An evaluation plan with time-line will be drawn up.

(9) ...the results of this "pilot" may be too late to influence the admissions for 2013-14. If the resiliency measure has evidence of consequential validity, it seems that the new measure should be used and that the possibility of changing the weights on current measures next year should be explored—as suggested above. Should we assume that the pilot for transfer students will proceed?

Yes. UHS will pilot the use of any new measures for sophomores in the Spring of 2014. Juniors and Seniors are not admitted under a weighting system.

(10) It is difficult to comment on the efficacy vel non of the proposed use of academic resiliency measures in admissions without knowing how that measure would impact actual admissions. While the measure seems difficult to assess independent of confounding socioeconomic variables, its consideration is not inherently objectionable. Rather than focusing on maintaining a high admissions bar, the Fisher Plaintiffs believe UHS would better direct its efforts at educating a broader spectrum of potentially high-performing students by ensuring that the students it does admit receive the support they will need to succeed at UHS.

An efficacy study for all new instruments used for freshman and sophomore admissions will be conducted to determine its impact on actual admissions.

As the table indicates, UHS has been increasingly successful at retaining students at UHS. Student retention rates for instance rose from 83% in 2009-2010 to 90% in 2011-2012. Anglo students tend to have lower retention rates than other students.

UHS Retention for incoming 9th graders - EOY enrollment						
	2009-2010		2010-2011		2011-2012	
	9th enrolled	**Graduates**	**9th enrolled**	**11th grade**	**9th enrolled**	**10th grade**
Anglo	126	101	125	103	129	117
Af-Am	5	5	2	2	3	3
Hisp	64	54	89	82	70	65
Nat Am	3	3	2	2	0	0
Asian	27	24	30	27	27	25
multiple	9	9	6	6	14	10
Total	234	196	254	222	243	220

UHS agrees with the Fisher plaintiffs about the essential need of providing support services for all students. Support services at the school currently include writing and math centers, a conference period where students can get individual assistance for 2 days a week, tutoring, a dedicated counselor for each grade level and a peer mentoring program ("Penguin to penguin"). With 100% of UHS students passing AIMS at the end of their sophomore year, a 100% graduation rate, and 100% of students attending a post-secondary institution (university or military), all students who remain at UHS will succeed.

(11) Like Professor Hawley, the Fisher Plaintiffs question the assumed validity of the CogAT. The Fisher Plaintiffs believe that such testing instruments are culturally biased and serve as a de facto barrier to the representative admission of low SES AA and MA students to UHS.

No assessment is without bias. Dr. Lohman, the developer of the CogAT, acknowledges this clearly when he writes that "the belief that one can measure reasoning ability in a way that eliminates the effects of culture is a recurring fallacy in measurement. Culture permeates nearly all interactions with the environment (The Role of nonverbal ability tests in identifying Academically Gifted Students: An Aptitude Perspective, Lohman 2005. Gifted Child Quarterly Vol 49, #2, pg. 115)".

It is clear from the data above that African-American and Hispanic students perform less well on the CogAT than Whites, Asians, and Multi-race. However, this finding alone does not necessarily mean that the test is invalid. Lower student test performance may be due to other factors that are highly correlated with race/ethnicity such as geographical residence, income or feeder school. Using regression techniques, the analysis of the 2127 UHS applicants found that ethnicity explained 11% of the variance of the composite score percentile ranking, while the middle school attended explained 19% of the variance. This finding is consistent with that of Finn/Hockett, who note that the degree to which the feeder schools academically prepare children impacts what a high school can do in addressing diversity. As Dr. Finn commented "it would be a whole lot easier if the feeder system was doing a better job to get students prepared".

Based on our findings above with respect to test scores and GPA, we will be completing additional analyses to better understand the factors that explain the lower performance among students and

develop strategies on how these can be remedied. One advantage of the CogAT is that it is possible to build ability profiles of students to design interventions.

(12) "In the discussion of the working group, the memo we were provided says (on page 4) that "some measure of resiliency or motivation may address the concerns that were raised related to GPA." It then references the work of Dr. Lannie Kanevsky and says that Dr. Kanevsky pointed the working group to Drs. Godfried (sic), in particular the Measure of Academic Intrinsic Motivation and the Children's Academic Intrinsic Motivation Inventory ("CAIMI") that they developed . Based on our review, it appears that the referenced instruments measure motivation as distinct from "resilience." (This is based on a review of the web site of the publisher of the CAIMI, Psychological Assessment Resources, which states that the purpose of the CAIMI is to measure motivation for learning in general and across specific learning areas.) It also appears from a review of the Sandoval-Hernandez and Cortes article cited by the District in the memo we were provided (at page 4) that motivation may be one factor to be considered in assessing resilience but that it is not coextensive with resilience. What is meant by a "resiliency" test, how the District intends to identify and validate such a test, and how that test should factor into the overall admissions process? Therefore, Mendoza Plaintiffs would like to better understand what it is that the District is seeking to measure ("resilience" or only the motivation factor within "resilience") and whether it has been directed to any instruments besides those developed by Drs. Gottfried.

Our discussion with Dr. Lannie Kanevsky provided a foundation for which to look at the concept of academic resiliency and begin to operationalize it. She explained how the concept of resiliency has been considered in the academic literature – either used "clinically" (e.g. to identify at-risk or vulnerable individuals who may require interventions or "positively" – to identify sources of strength and motivation. This was helpful in considering what the value added would be within the admissions process, as well as setting a direction for looking at various instruments that sought to identify strengths rather than deficits.

This was supported by the study conducted by Sandoval-Hernandez and Cortes (Sandoval-Hernandez and Cortes – Factors and conditions that promote academic resilience: A cross-country perspective). As the Mendoza plaintiffs point out the model of academic resiliency proposed in this study is much larger than the proposed focus on motivation Their theoretical model encompasses four dimensions – the personal, family, school and community and in their study of the relationship between educational resiliency and academic achievement they use a variety of indicators to measure the impact of each dimension. Their model provided a basis for further defining academic resiliency to the student's personal dimension and the two elements associated with it– self-confidence and effort/motivation in education – elements that they found in their study were strongly correlated with student achievement in reading.

Dr. Lannie Kanevsky directed us to several resources beyond the Gottfrieds work, including Masten's "Ordinary magic: resilience process in development"and the work of Catherine Dwerck who developed a 4 item inventory called Mindset.

In addition, members of the working group looked at the published academic literature to find instruments that were designed to measure student motivation in academic settings and that emphasized positive strengths rather than vulnerabilities. Other criteria included an instrument that had been used over a period of time in multiple educational settings and where reliability and validity had been looked at. There were also practical considerations such as finding instruments that can be easily administered in groups and where scoring rubrics had been developed and tested. Other possible instruments identified included the Student Motivation Wheel and Student Motivation Scale (cited in Martin & Marsh, Academic Resilience and the Four C's: Confidence, Control, Composure, and Commitment), the Resiliency Scales for Children & Adolescents (RSCA) – a profile of person strengths, published by Pearson and the Academic Motivation Scale developed in France by Robert Vallerand and translated extensively for use in other countries.

For the proposed implementation and use of the CAIMI in the admissions process see attached UHS admission revision.

(13) Mendoza Plaintiffs reiterate that before they can agree to the inclusion of "resilience" in the factors to be considered in the UHS admissions process, they need to better understand what the District intends to measure and how. Further, as more fully explained by Dr. Hawley in his comments of August 8, before they can agree that "resilience" be added to the existing admissions process, the District needs to provide a more complete review and justification for the existing process.

(13) Mendoza Plaintiffs reiterate that before they can agree to the inclusion of "resilience" in the factors to be considered in the UHS admissions process, they need to better understand what the District intends to measure and how. Further, as more fully explained by Dr. Hawley in his comments of August 8, before they can agree that "resilience" be added to the existing admissions process, the District needs to provide a more complete review and justification for the existing process.

Please see UHS admission revisions for complete details on the proposed motivation scale and procedures for implementation.

It is clear from the review of existing admission practices and discussions with experts that schools use a variety of measures for high school admissions, and that no school has devised a perfect system. The inability for any one measure or sets of measures alone to improve diversity, whether one is doing it by the numbers or assessing student's individual-by-individual, is also clear. Schools with complex "holistic" approaches where student profiles are created from quantitative and qualitative data have proven to be no better at ensuring an ethnically diverse student body than those that use a "market-basket" of factors (e.g. test scores and grades). This is due to the fact that improving diversity at an "exam school" cannot be accomplished by focusing only on a school's admission process. For example, although incremental, UHS has seen an increase in the number of 8th grade Hispanic TUSD students qualifying for freshman admissions from 63 in 2010-2011 to 75 2012-2013 even though there have been on changes to the admissions criteria. Much of this occurred because of better outreach and recruitment efforts – a factor that Finn/Hockett find both "more important and more challenging as they (or their districts) strive to ensure that their applicant pools are demographically diverse, reasonably representative of their communities *and* academically qualified".

The analysis conducted so far on the existing admissions criteria reveals that improvements should be made and additional measures piloted. As noted there are disparities across ethnicities in terms of student test performance. These will certainly be examined and addressed. However the degree to which adjustments can be made while ensuring that students are adequately prepared for the challengeof highly rigorous and demanding curriculum cannot be determined without testing multiple types of measures. It is for this reason that the District is proposing the use of additional measures, specifically the CAIMI (student motivation scale), a non-cognitive assessment, and the collection of teacher recommendations. The use of these additional measures will be evaluated to determine whether they add value and improve the existing process.

RUSING LOPEZ & LIZARDI, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800
Facsimile: (520)529-4262

J. William Brammer (State Bar No. 002079)
wbrammer@rllaz.com
Oscar S. Lizardi (State Bar No. 016626)
olizardi@rllaz.com
Michael J. Rusing (State Bar No. 006617)
mrusing@rllaz.com
Patricia V. Waterkotte (State Bar No. 029231)
pvictory@rllaz.com
Attorneys for Tucson Unified School District No. One, et al.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

AFFIDAVIT OF MARTHA G. TAYLOR

CV 74-204 TUC DCB
(Consolidated Case)

AFFIDAVIT OF MARTHA G. TAYLOR

STATE OF ARIZONA)
) ss.
County of Pima)

Martha Taylor, being duly sworn upon her oath, deposes and states as follows:

1. I am above the age of 18 and am competent to make this affidavit.

2. I am employed as the Director of Advanced Learning Experiences (ALE) for Tucson Unified School District and have worked in that capacity since July 2013. My responsibilities include direction and oversight of all District Advanced Learning Experience programs and/or sites including gifted and talented education programs, advanced academic courses, our International Baccalaureate magnet schools, and University High School.

3. My prior experience in this area includes 15 years working in Gifted Education as both a teacher and administrator and six months working in ALE programs for TUSD. *Resume,* ***Attachment A.***

4. Within a week of my appointment as ALE Director in mid-July 2013, I met with the UHS staff responsible for UHS admission criteria (Dean Packard, Principal; Amy Cislak, UHS Assistant Principal; Juliet King, Research Project Manager who manages UHS Admissions) in addition to Desegregation Department personnel. I received background briefings from staff at that time. In addition, Juliet King provided her analysis of exam schools around the country, as well as background on the CAIMI test, and a copy of the book *Exam Schools (2012)* written by Finn & Hockett. We relied upon the research in *Exam Schools* because it was recent, and because it provided results and analysis from the only nationwide, exhaustive, comprehensive study of exam-based selective high schools. I participated in follow-up interviews with Drs. Finn and Hockett. Both in *Exam Schools* and in our interviews, the authors reported that no exam school has found a definitive answer for how to successfully raise the numbers of traditionally underrepresented students in such programs.

5. Thereafter, I was charged with interviewing experts we selected for follow-up based on our background research.[1] I personally interviewed five experts on the issue of high school selective admissions and entrance examinations (Kelly Lofgren, Dr. Angela Hockett, Dr. Chester Finn, Jeannie Franklin, and Kenneth Bonano).

---

[1] This "exam school" research also dovetailed with additional interviews I conducted in my capacity as ALE Director designed to increase underrepresented populations in all TUSD advanced learning programs.

6. Our review of the research, in concert with the findings from our interviews with experts, revealed the following guiding concepts: 1) every school and expert we spoke to gave conflicting recommendations, 2) there was no unanimity as to which path forward to take other than the very important guidance that we needed to expand our admissions criteria to include not only cognitive but non-cognitive assessments, and 3) there was little data-based evidence provided to us by any of the exam schools which showed that any particular alternative (non-cognitive) admissions criteria have significantly improved ethnic or racial makeup of any of these exam schools.

7. In the research that resulted in the publication of *Exam Schools*, Drs. Finn and Hockett examined 169 exam schools. Their survey found an overall lack of diversity: "Individual schools are often imbalanced. In nearly 70% of [the surveyed schools] half or more of the students are of one race." Finn & Hockett, *Exam Schools*, Chap. 3, p.29. The authors then selected 11 schools for in-depth case studies . Those findings indicated that while some schools were making progress, "none, however was a demographic or socioeconomic miniature of the place it served." Finn & Hockett, *Exam Schools*, Chap. 15, p. 163.

8. The research continues to indicate entrance exam high schools are currently "on their own" when it comes to devising the right mix of cognitive and non-cognitive assessments that can reasonably be expected to increase minority student enrollment.

9. Dean Packard, current UHS principal, and Amy Cislak, UHS Assistant Principal, maintained ongoing contact with the public, and with parent and student stakeholders, and provided that input as part of our analysis and recommendations. They provided knowledge and expertise of the UHS curriculum, programmatic requirements, as well as public communications and outreach. Dr. Juliet King provided four years of prior experience coordinating the UHS Admissions process, including test administration, gathering the resultant data, and analysis of that data. During this time, minority freshman enrollment has increased at UHS.

10. Multiple drafts of the draft UHS Admissions Plan were circulated. An interactive process lasted from July 2013 through October 22, 2013 when the final draft of the revised UHS Admissions Plan was presented to TUSD's Governing Board for approval. It was our well-considered assessment that our final recommendations were concordant with the USP's mandate of 'multiple measures' and were supported by the background research we had undertaken. We decided upon non-cognitive measures based on best practices of other districts in keeping with the unique needs of UHS (a large public school with over 1000 applicants a year). To that end, we expanded UHS admissions criteria to include short essay, teacher evaluation, and motivational resiliency assessments.

11. We are now in the process of piloting the following non-cognitive indicators in the UHS Admissions process for the 2014-15 school year: 1) short-answer essays (as a structured alternative to the concept of a long personal essays), and 2) structured teacher evaluations (preferable to teacher recommendation letters). Short-answer essays correlate more effectively to concepts such as *leadership, problem-solving,*

overcoming hurdles, creativity, etc. and also are prepared without assistance in a testing environment (instead of at home, where essays can be crafted by others). Teacher evaluations provide more focus than recommendation letters because they elicit a targeted response to those unique qualities needed for success in a demanding academic environment such as UHS.

12. In addition, we have continued to emphasize the vital importance of piloting a resiliency motivation test which will ultimately provide additional points toward admission to UHS. The instrument for this school year is the CAIMI. This test has demonstrated ease and cost-effectiveness of administration.

13. Given the timing of the working group's efforts, there was not a new process under which sophomore entrants applied to UHS for the 2013-2014 school year. At the time I started as ALE Director, the UHS sophomore admissions process had begun the previous May, as necessitated by the August start of the 2013 school year. As the working group learned throughout this process, researching, vetting, sharing, and revising any admissions process for UHS requires a number of months from inception through approval by the Governing Board.

14. UHS is not just a school for academically *gifted* students; it is also a school for academically *motivated* students. Our data from past years indicates that the CoGAT is a good indicator of the level of academic aptitude that students need to have in order to be successful in an extremely academically rigorous environment such as UHS. It is also an indicator for how well-prepared students are academically. Whereas grades can reflect a certain level of academic achievement, they are not a reliable indicator of a student's motivation to learn. This is why we want to see if the CAIMI will help us capture those highly motivated students whose grades or test scores may not reflect these characteristics.

15. Although the CAIMI is being used this year to see how it helps identify students not ordinarily identified for UHS admission, we continue to find and examine *other* motivational tests we can pilot in smaller scale studies (such as Student/Youth Resiliency Test by the United Nations) and a Pearson resiliency motivational test.

16. In piloting the short-answer essays and teacher evaluations in the spring of 2014 with a representative sampling of 9th graders, we will confirm whether the data supports using those assessments with sophomore applicants for admission in the 2014-15 school year. Data gathered from the sophomore class will then inform our use of the short-answer essays and teacher evaluations (along with points to be assigned) when we conduct 8th grade UHS admissions testing for enrollment in the 2015-16 school year. In other words, we already are conducting long-range planning to evaluate effectively both the motivational/resiliency tests, non-cognitive assessment (short-answer essays).

17. In addition, as required by the USP, we are already planning to test *all TUSD* 7th graders in May 2014 with the CogAT (approximately 3700 students) in order to open up the

UHS process to all TUSD 7th graders (not just those affirmatively seeking out UHS admissions) in the 2014-15 school year.

18. Under my leadership the ALE department and UHS are committed to a transparent and continuously improving model for increasing minority student enrollments at UHS *and in all ALE programs*. I cannot emphasize enough that recruitment and retention of students for *all* ALE programs, starting in pre-K and Kindergarten through elementary and middle school, have a direct effect on what is going to happen at UHS.

19. Ultimately, increasing access to UHS is dependent on many factors. Admissions criteria, although important, are not dispositive (as noted by our experts as well). Other factors to consider in the larger context include but are not limited to: raising the level of instruction for all students beginning at pre-K and kindergarten, including culturally relevant curriculum at all grade levels, improving teacher training in higher order teaching strategies, and maximizing parental and community outreach to support student academic success. Once these factors are institutionalized, I sincerely believe that the percentages of qualified African-American and Latino students are likely to increase in all advanced learning programs, including University High School.

FURTHER AFFIANT SAYETH NOT.

Dated this 13 day of December, 2013

Martha G. Taylor

State of ~~Arizona~~ TEXAS)
County of ~~Pima~~ TERRANT) ss.

SUBSCRIBED AND SWORN TO before me this 13 day of December, 2013, by Martha G. Taylor.

Irma Taube

Notary Public

IRMA TAUBE
Notary Public, State of Texas
My Commission Expires
August 01, 2016

My Commission Expires:

August 01, 2014

ATTACHMENT A

Martha Gabusi Taylor

1930 N. Forty-Niner Dr. ♦ Tucson, AZ 85749 ♦ 520-271-3862 ♦ marthagabusitaylor@gmail.com

EDUCATION

- **University of Arizona James E. Rogers College of Law**
  Juris Doctorate: May 2010
- **University of Phoenix**: Principal Certification Program (2004)
- **University of Arizona**
  M.A. College of Education – History Education (2003)
  M.A. College of Education – English Education (1994)
  B.A. College of Education – English Education (1984)

EDUCATION CERTIFICATIONS: Arizona

- Administrator Certification – Principal: expires 2014.
- English 7-12; Social Studies 7-12; Gifted K-12: all expire 2014.
- Provisional Structured English Immersion: expires 2012.

EDUCATION EXPERIENCE

Diocese of Tucson - St. Ambrose School: A Notre Dame ACE Academy

Principal (2009-2011): Solely responsible for the academic and administrative duties required in a PreK-8th school with 270 students.

- Academic: created new middle school model with reconfigured schedule and more rigorous math and language arts requirements; implemented new math program for grades K-8; implemented new reading program grades Pre-K-5th; implemented Renaissance STAR reading and math assessment program; implemented Renaissance Accelerated Reader program for reading comprehension support; provided extensive faculty training for all new academic programs; wrote and received grants totaling over $100,000.00 – used for science laboratory equipment, new playground, athletic equipment, and redesign of computer lab; monitored and administered all Title I support services in reading and math; initiated Title I summer school for reading and math support; monitored and administered Title II funds; wrote accreditation report that resulted in six-year accreditation status with North Central Association and National Catholic Education Association.
- Budget and Finance: worked with pastor of parish on school budget of 1.2 million annually. Responsible for: oversight of annual budget creation and regular review; oversight of payroll, accounts receivable and accounts payable; Title I/Title II funds; fundraising.
- Faculty & Staff: responsible for hiring, firing and oversight of faculty and staff of thirty employees; created collaborative system of decision-making with faculty; responsible for weekly professional development of 2.5 hours each; implemented school climate model (with University of Notre Dame); wrote weekly staff memo; required extensive off-site professional development for faculty.
- Parent Outreach & Communication: wrote bi-weekly school newsletter; implemented and administered RenWeb parent communication system; oversight of school website; created series of parent meetings/forums; successfully marketed school through increased visibility through television, radio and newspaper press releases and articles about the school.; met monthly with Advisory School Board and formed close working relationships with its members; met monthly with school parent organization.
- Students: Increased enrollment of school by 20%; solely responsible for all discipline matters for all students; implemented new discipline system for the middle school; created principal-student forum for 8th grade
- Community Partnerships Developed partnerships with local and national organizations including University of Arizona. Rincon Optimist Club, University of Notre Dame, Reading Seeds, San Miguel High School, Pima Community College, Tucson Urban League, Phoenix Suns Foundation,

Tucson Unified School District: Doolen Middle School

Instructional Coach (2005-2006): Mentored classroom teachers in lesson design, teaching strategies, data analysis, use of technology, and classroom management; visited classrooms regularly and had focused conversations with teachers, as necessary; developed, led and implemented weekly Professional Development for staff of seventy-five on various topics including but not limited to curriculum development, teaching strategies, block schedule, student discipline, student assessment and achievement, special education, data analysis, technology, English-language learning; participated and chaired committees responsible for the hiring of school personnel including principals, teachers and school staff; responsible for curriculum development and implementation; responsible for staff support and morale-building activities; Chair of Site Council (twice).

- Budget and Finance:; responsible for Title I budget of $100,000 to develop and implement Title I funded school-wide program in reading and math for at-risk and ELL students; worked with the principal on school-wide budget analysis and implementation; handled fund-raising and finances of yearly student-trips with budgets in excess of $50,000.

Administrative Intern (2004-2005): handled all aspects of assistant principal duties including scheduling, curriculum development, discipline, teacher mentoring, budget analysis and implementation.

Teacher (1994 – 2005): developed and taught block-schedule advanced English and U.S. history curriculum in 8th grade Gifted and Talented Education program; chair of teaching team; chair of numerous school committees on curriculum, team teaching, student discipline, professional development, special education, student assessment and achievement, data analysis, technology, pyramids of interventions for students, and other areas; participation in TUSD Leadership Academy – 2005; trained at Yale University in the School Development Program regarding school reform; utilized parent volunteers in the classroom and in major fund-raising activities.

Diocese of Tucson: St. Cyril Elementary School: (1986-1994)

Teacher: Taught seventh and eighth grade English in mixed-grade classes; worked in multi-disciplinary teaching team.

Martha Gabusi Taylor

1930 N. Forty-Niner Dr. ♦ Tucson, AZ 85749 ♦ 520-271-3862 ♦ marthagabusitaylor@gmail.com

LEGAL EXPERIENCE

Rule 38D Certified-Student Practice Rule (Spring,2008- Spring, 2009): Certified to practice in court under the supervision of a licensed attorney; represented clients in Pima County Juvenile Court.

Amphitheater Unified School District - Office of Legal Counsel (Spring 2009)

- Assisting district's legal counsel.

UA Law Child Advocacy Clinic (Spring 2008 – Spring 2009): Appear in court under Student Practice Rule and have full responsibility, with supervision, of dependent minors (10 cases) in juvenile court. My duties include visiting and interviewing clients and their caretakers, appearing in court and representing clients, attending Child and Family Team meetings, writing memos and motions, working with Child Protective Services and affiliated agencies, working with the Attorney General's staff and private legal counsel.

Tucson Indian Center (Fall 2008 – Spring 2009): Coordinated scheduling and staffing of legal referral clinic; trained volunteer law students; met with clients.

U.S. Dept. of Education, Office for Civil Rights / Denver, CO (June - December 2008)
Conducted legal research and analysis in administrative, education, and civil rights law; researched state and federal legislative histories; assisted in the investigation of complaints of discrimination regarding Title VI (prohibits discrimination based on race, color, national origin), Section 504 and Title II (prohibit disability discrimination), Title IX (prohibits sex discrimination), and the ADA (prohibits age discrimination); assisted with on-site mediation sessions; assisted with interviews of parties to complaints; assisted with major Compliance Review involving access to gifted and talented and advanced placement programs for minority students and students with disabilities.

Southern Arizona Legal Aid (Summer 2007): Assisted Legal Aid attorneys in administrative and legal duties including scheduling clinics, calculating child support, and tracking and compiling data and statistics. Staffed Child Support Legal Clinic and Domestic Relations Legal Clinic; interviewed clients and determined legal course of action.

Juvenile Teaching Clinic (Spring 2007): Designed and taught intensive workshop on legal rights and responsibilities to minors incarcerated in the Pima County Juvenile Detention Center.

AWARDS & HONORS

- Dean's Recognition Award — 2009
- UA Law Deans Achievement Scholarship — 2006-2009
- UA Law Student Rep.: Morris K. Udall Inn of Court — 2008-2009
- UA Law Ares Fellow – Professor Brent White: selected by Professor White to mentor first-year law students and to work as teaching assistant in small class section.
- Volunteer Lawyer's Program – Student of the Month — 2007, July
- YWCA Woman on the Move Award — 2004
- Ray Davies Humanitarian Award (Educational Enrichment Foundation) — 2003
- Gilder-Lerhman Fellowship - study of American slavery — 2002
- James Madison Fellowship - study of the U.S. Constitution; awarded by the U.S. Congress; studied at Georgetown University — 2001
- Jewish Labor Committee Holocaust Educator Award (study in Poland and Israel) — 2000
- Pima County Middle Level Educator of the Year Award — 2000
- Who's Who in America's Teachers (nominated four times by former students)

COMMUNITY SERVICE

Mayor's Appointee	City of Tucson Human Relations Commission	2005-2009
Board Member	Jewish Community Relations Board	2004-2007
Board Member	Zambian Children's Fund	2005-2006
Chair, Member	Holocaust Ed. Committee, Jewish Federation of So. AZ	2004-2007
Member	YWCA Diversity Education Program (*Time to Talk*)	2000-2002
Member	Social Outreach Committee, St. Pius X Catholic Church	1995-2006

TECHNOLOGY

Competent in: Word, Excel, Power Point, Making the Grade, on-line legal research.

TRAVEL

Canada, Czech Republic, Belgium, England, France, Ireland, Israel, Italy, Mexico, Netherlands, Switzerland

RUSING LOPEZ & LIZARDI, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800
Facsimile: (520)529-4262

J. William Brammer (State Bar No. 002079)
wbrammer@rllaz.com
Oscar S. Lizardi (State Bar No. 016626)
olizardi@rllaz.com
Michael J. Rusing (State Bar No. 006617)
mrusing@rllaz.com
Patricia V. Waterkotte (State Bar No. 029231)
pvictory@rllaz.com
Attorneys for Tucson Unified School District No. One, et al.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

AFFIDAVIT OF R. DEAN PACKARD

CV 74-204 TUC DCB
(Consolidated Case)

AFFIDAVIT OF R. DEAN PACKARD

STATE OF ARIZONA)
) ss.
County of Pima)

R. Dean Packard, being duly sworn upon his, deposes and states as follows:

1. I am above the age of 18 and am competent to make this affidavit.

2. Since July 2013, I have been employed as the Principal of University High School (UHS). My other professional activities include working as a consultant with the College Board as a national trainer, a trainer of trainers and a writer for the College Board Pre-AP program.

3. I have 17 years of experience in education. My prior experience includes 3 years as Assistant Principal at Tucson High Magnet School, Eight years teaching mathematics at Tucson High Magnet School, six years teaching math, economics and technololgy at Amphitheater High School. My résumée is appended hereto as ***Attachment A.***

4. In July 2013 after my appointment to UHS, I joined the working group that was evaluating possible revisions to the admissions process at UHS as required in connection with the Unitary Status Plan.

5. As the Principal for UHS I had primary responsibility for assuring clear and open communications with the public about those efforts, and with parent, student and faculty stakeholders concerning USP implementation at UHS.

6. Two different organizations reflect the more structured UHS stakeholder presence. First, we have a site council organized under A.R.S. § 15-351 (requiring each school to form a representative committee of parents, teachers, staff, community members, students, and administrators for consultation on school decision-making). Secondly, we have a very active University High School Parent Association (UHSPA). On top of that are the families of potential future UHS students, our UHS graduates, our active UHS Alumni and Foundation, the public at large, District administration, and the Governing Board.

7. From the time I came to UHS as principal in July 2013, either I or my designee reported at Site Council meetings concerning status updates, latest information and changes to the UHS admissions process. At those meetings we actively sought input from interested individuals to take back to the Internal Working Group which was developing and revising the process. The topic was also of great interest to the UHSPA, and in their meeting of August, 2013 I discussed with them the current thinking on the plan, including the proposed use of a resiliency/motivation test to supplement the historic use of the CoGAT and GPA in the school's admissions.

8. As a result of our ongoing and intensive community outreach, we received and ongoing input from a variety of passionate stakeholders, including current and prospective UHS parents and students, UHS faculty and staff, and the public. As the Principal of University High School it was my job to assure that all input received was carefully considered and used to improve and finalize the UHS Admissions Plan in keeping with the will of the community.

9. Public input was overwhelmingly in favor of maintaining the current admissions criteria (CoGAT/grades) while also supplementing those with additional measures. One example concerns the question of whether or not to include a personal essay in the admissions process. Many UHS stakeholders believe that a take-home essay would raise the risk that the essay would reflect the work of persons other than the applicant. We then examined the possibility of short-answer essay questions, which had the advantage of being monitored during test administration.

10. At all times I perceived the process to be interactive and cooperative. I was in communication with the public, UHS families, families of prospective students, District leadership, and our Desegregation Department. By the time the final draft of the UHS Admissions process was ready to go before TUSD's Governing Board, the working group believed that its diligent efforts had considered and addressed the concerns of the Plaintiffs and Special Master as we understood them.

11. I attended Governing Board meetings at which we brought evolving iterations of the UHS Admissions Process to the public. Those Board meetings occurred on July 30, 2013, again on September 10, 2013, and finally on October 22, 2013. On each occasion I reported to the Governing Board concerning the interactive process taking place between the working group, various stakeholders, the public, and the Plaintiffs and Special Master. Based on the public comments received at the Governing Board meeting, and the exhaustive interactive process described above, by the final October 2013 Governing Board meeting, I was

under the impression that no further objections existed to the revised UHS Admissions process.

FURTHER AFFIANT SAYETH NOT.

Dated this 13 day of December, 2013

R. Dean Packard

State of Arizona)
) ss.
County of Pima)

SUBSCRIBED AND SWORN TO before me this 13th day of December, 2013, by Mary L. Elenes

Mary L. Elenes
Notary Public

My Commission Expires:
December 3, 2014

OFFICIAL SEAL
MARY L. ELENES
NOTARY PUBLIC-ARIZONA
PIMA COUNTY
My Comm. Exp. Dec. 3, 2014

ATTACHMENT A

Dean Packard

1625 S. Avenida Regulo Tucson, AZ 85710
Phone: 520-248-8599 E-Mail: deanpackard@yahoo.com

Education/Certification

Education

Administrative Certification, Northern Arizona University	**2009-2010**
M.Ed. - Educational Leadership, Northern Arizona University	**1998-2000**
Teacher Certification, University of Phoenix	**1995-1996**
BA- Economics, Math minor, University of Arizona	**1989-1993**

Administrative and Leadership Experience

Assistant Principal Tucson Security and Instruction High Magnet School - July 2010 – Present

Supervise, evaluate, train, and coordinate professional development for teaching staff. Coordinate and train the instructional coaches and peer observation and peer coaching.

Coordinate testing for the school including AIMS, ACT, PSAT, ATI, and Explore.

Train school and district staff in restorative practices, essential elements of instruction and response to intervention.

Use data to facilitate the development of school wide plans that focus on improved instruction, curriculum, literacy programs, response to intervention for students, and community partnerships.

Coordinate student discipline and level II and III interventions for over 750 students.

Supervise the schools Grant programs and technology.

Evaluate the implementation of the SpringBoard program in English and Mathematics. Establish benchmark testing to evaluate the success of the implementation.

Lead Trainer College Board SpringBoard Mathematics Program- 1998- Present

Develop trainings nationally for middle and high school teachers on the use of balanced teaching methods, strategies and the implementation of SpringBoard Mathematics.

Coordinated national trainings with up to 10 trainers. Interface with district and school administration to prepare facilities.

Mentored and evaluated trainers to enhance the training experience for the district.

Train the Trainers Mentor/Evaluator 2002-2011

Helped develop an evaluation tool for the hiring of national trainers for the SpringBoard program.

Facilitated and Mentored Lead trainers as they supervised, and evaluated potential trainers.

Mentored and coached potential trainers, and determined if they were qualified to become national trainers.

Amphitheater High School Science Academy Liaison 2000-2002

Worked with administration in the design and implementation of school wide staff development.

Facilitated science academy meetings with one fourth of the faculty.

Facilitated trainings on the implementation of the academy program and curriculum development.

Amphitheater High School Technology Coach 2000-2002

Facilitated the design, implementation and evaluation of Amphitheater High Schools technology plan.

Designed and delivered student and teacher trainings in the use of technology.

Coordinated technology distribution to certified staff; maintained proper function of staff computers and network operations at Amphitheater High.

Arizona Technology Access Program Information Coordinator

In charge of computer operations for a grant funded assistive technology project.

Database development and maintenance, web page development, budget analysis, LAN management.

Facilitated computer training for staff and statewide consumer requests.

Staff liaison for Arizona Families online project.

Founding Board Member for The Ben's Bells Project

Helped in the development of the Ben's Bells Project. Ben's bells mission is to inspire, educate and motivate each other to realize the impact of intentional kindness and to empower individuals to act according to that awareness, thereby changing our world.

Teaching Experience

Tucson High Magnet School **August 2002-May 2010**

Mathematics Teacher-Algebra, Honors Algebra, Geometry, Pre-Calculus, Honors Pre-Calculus, AP Calculus

Worked with professional learning community development within the math department.

Trained the math department and acted as a mentor on the implementation of discovery learning strategies and methodologies to enhance student learning.

Amphitheater High School **January 1997-May 2002**

Mathematics/Technology/Economics Teacher- Title 1 Math, Pre-Algebra, Algebra, Geometry, Pre-Calculus, A+ Computer Training, AP Economics.

Created the curriculum for and obtained district approval for a new course for students that would qualify them to take the A+ computer certification.

Implemented Pacesetter mathematics to increase the number of minority students taking Calculus in high school.

Private Contractor with The College Board **2000-Present**

National Trainer: Math With Meaning, Administrator Training

Trained middle and high school teachers and administrators on mathematics content and pedagogy to enhance student learning in mathematics, and the administrator role in the implementation process.

National Trainer: Pacesetter Pre-Calculus

Trained Pre-Calculus teachers on how to use investigative teaching strategies to improve student understanding and increase access to AP Calculus for more minority students.

FCAT Trainer-Florida Partnership

Trained Algebra 1 and Geometry teachers in mathematics content and pedagogy that improves student test scores without teaching to the test.

Trained teachers on the development of materials to enhance non-traditional teaching methods within their classrooms.

Writing Experience

Curriculum writer for the SpringBoard Mathematics Program

One of a small team of teachers that developed and wrote SpringBoard mathematics books 1st-3rd editions for middle school mathematics through Pre-Calculus. This program is the College Boards Pre-AP program designed to increase the number and diversity of students that are prepared for success in college.

Pacesetter Assessment Development Team

Worked with The Educational Testing Service (ETS) do design the Pacesetter National Performance Assessment.

Publications

SpringBoard Mathematics, Middle School Level 3, Algebra 1, Algebra 2, Pre-Calculus

Packard, Dean, Isaac, R. Mark, Bail, Joseph, (2001) Asymmetric Benefits in the Voluntary Contribution Mechanism, *Research in Experimental Economics*, Volume 8 pages 99-115

Conference Presentations:

AP Annual Conference. July 14-18, 2010 in Washington, D.C

NCTM-National Conference Los Angeles

The College Board Western Regional Conference-Las Vegas

The College Board SpringBoard Conference - San Antonio

Four-time presenter Southern Arizona MEAD Conference-Tucson

The College Board Western Regional Conference 2011- San Francisco

The College Board Western Regional Conference 2011 - Austin

Coaching Experience

Amphitheater Middle School Girls Basketball Coach
Randolph Soccer Club Soccer Coach
Frontier Little League Baseball Coach

Awards

Finalist Circle K Outstanding High School Faculty	2003-2004
William Sears Vision in Action Award	2007
Compass Healthcare Dynamic Duo Award	2007
Tucson Parks and Recreation Commissioners Award	2007
Governor's Arts Award – Community	2009
El Tour De Tucson Man of the Year Award	2009

RUSING LOPEZ & LIZARDI, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800
Facsimile: (520)529-4262

J. William Brammer (State Bar No. 002079)
wbrammer@rllaz.com
Oscar S. Lizardi (State Bar No. 016626)
olizardi@rllaz.com
Michael J. Rusing (State Bar No. 006617)
mrusing@rllaz.com
Patricia V. Waterkotte (State Bar No. 029231)
pvictory@rllaz.com
Attorneys for Tucson Unified School District No. One, et al.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

AFFIDAVIT OF LISA ANNE SMITH

CV 74-204 TUC DCB
(Consolidated Case)

AFFIDAVIT OF LISA ANNE SMITH

STATE OF ARIZONA)
) ss.
County of Pima)

Lisa Anne Smith, being duly sworn upon her oath, deposes and states as follows:

1. I am above the age of 18 and am competent to make this affidavit.

2. I am an attorney duly licensed to practice law in the State of Arizona, and I am the Managing Shareholder in the Tucson office of DeConcini McDonald Yetwin & Lacy, P.C., one set of attorneys hired by the Tucson Unified School District ("TUSD") in this matter. I make this affidavit in support of the Objection and Response to Special Master's Report and Recommendations Regarding University High School.

3. In our capacity as attorneys for TUSD, attorneys from this firm, including me, were involved in negotiating objections received from Plaintiffs and the Special Master in connection with the review and revision of the admissions process for University High School ("UHS") in order to satisfy Section V(A)(5) of the Unitary Status Plan ("USP").

4. After District representatives and counsel reviewed and discussed comments, concerns, and suggestions from and with the Plaintiffs and the Special Master over a period of ten months, a formal version of the UHS admissions plan was approved by the TUSD's Governing Board on October 22, 2013 (the "Plan").

5. The Mendoza Plaintiffs, Fisher Plaintiffs, and the Special Master thereafter each submitted written objections and/or comments to the Plan.

6. Samuel E. Brown, the Desegregation Director for TUSD, ("Sam") and the UHS Internal Working Group reviewed and analyzed the objections to the Plan. On November 13, 2013, I sent a document to the parties entitled UHS Responses, which responded to the Mendoza Plaintiffs' objections. ***Attachment A***. This document was prepared by Sam. I sent a follow-up email two minutes after that initial email addressed solely to counsel for the Mendoza Plaintiffs requesting a conversation to discuss the Mendoza Plaintiff's remaining objections to the Plan. ***Attachment B***.

7. On the evening of November 13, 2013 – the same day that I sent TUSD's response to the Mendoza Plaintiffs' objections – the parties received a stand-alone email from the Special Master. ***Attachment C***. In this email, the Special Master (1) stated that the parties have agreed to his alternative plan, (2) that the Special Master would be

submitting a report and recommendations to the Court, and (3) requested objections to the Special Master's proposal.

8. On November 14, 2013, the Mendoza Plaintiffs responded to TUSD's email requesting a meeting to discuss the Mendoza Plaintiffs' objections to the Plan. ***Attachment D***. The Mendoza Plaintiffs advised they were "puzzled" as a result of receiving the Special Master's email regarding his intent to submit a report and recommendations to the Court on the same day as receiving the District's responses to objections. This is understandable, as the parties had not yet had any opportunity to attempt to resolve the expressed objections. The Mendoza Plaintiffs also acknowledged TUSD's "very complete" responses to their objections. Sam responded to the Mendoza Plaintiffs' email and requested by email a list of the Mendoza Plaintiffs' unresolved objections to the Plan. ***Attachment E***. I never saw or received a response to this latter email.

9. On November 15, 2013, with Sam's input and approval, I forwarded a revised version of the Plan (the "Revised Plan"), including supplemental Appendix L, to the Special Master and Plaintiffs. With those documents, I submitted a 9-page Memorandum specifically identifying how the revisions addressed the parties' objections and responding to each additional party objection that was not specifically resolved by the Revised Plan ("Memorandum"). ***Attachment F.***

10. I heard nothing further from the Plaintiffs or the Special Master regarding the Revised Plan or the Memorandum. I received no copies of any correspondence between the Plaintiffs and Special Master indicating any further objections, concerns, or requests for a report and recommendations from the Special Master, nor was I advised that anyone within TUSD had either.

11. On November 22, 2013, I received the Special Master's Report & Recommendation ("R&R") via email, contemporaneously with his communication submitting it to the Court clerk.

12. Given that neither I nor TUSD had received any further objections to the Revised Plan or had received a response to the Memorandum from any party or the Special Master, I had assumed that there were none. Accordingly, I sent an email to the Special Master on December 6, 2013 requesting information regarding further objections or concerns from the Plaintiffs to the Revised Plan or any response to the Memorandum. ***Attachment G.*** I also specifically asked the Special Master if the Plaintiffs had requested that he prepare the R&R after November 15, 2013 or if the request had only come prior to November 15, 2013. The Special Master responded on December 9, 2013 but did not specifically address my concerns or questions. ***Attachment G.***

13. I sent a follow-up email to the Special Master on December 9, 2013 again reiterating my questions regarding the timing of the Plaintiff's request for the R&R and Plaintiffs' objections to the Revised Plan. ***Attachment H***. The Special Master responded on December 9, 2013 but again avoided answering my questions. ***Attachment H***.

14. I sent a third email to the Special Master again requesting information regarding the Plaintiffs' objections to the Revised Plan or a response to the Memorandum. ***Attachment I***. The Special Master directly responded to these questions, but he did not provide any correspondence providing evidence of Plaintiffs' objections to the Revised Plan. ***Attachment I***.

15. On December 10, 2013, I specifically requested any correspondence from the Plaintiffs to the Special Master regarding the Plaintiffs' unresolved concerns. ***Attachment J***.

16. The Mendoza Plaintiffs, who were sent copies of all the above correspondence (including Attachments A-H, K), interjected by email on December 10, 2013. ***Attachment K***. The Mendoza Plaintiffs indicated their belief was that the R&R satisfied their concerns; however, in answering my questions regarding the Plaintiffs' objections, the Mendoza Plaintiffs stated, "we did not need to tell Dr. Hawley that the District's memorandum on November 15 and Appendix L failed to resolve all of our concerns and objections." Such an assertion implies that they, in fact, did not voice concerns or objections to the Revised Plan or to the Memorandum.

17. Rather than provide the specific correspondence from the Plaintiffs describing their concerns and further objections to the Revised Plan and the Memorandum in response to my December 10, 2013, email, the Special Master simply deferred to the Mendoza Plaintiffs' reply dated December 10, 2013, and attached as ***Attachment J*** hereto and to the R&R.

[Signature Page Follows]

FURTHER AFFIANT SAYETH NOT.

Dated this 13th day of December, 2013

Lisa Anne Smith

State of Arizona)
)
County of Pima) ss.

SUBSCRIBED AND SWORN TO before me this 13th day of December, 2013, by Lisa Anne Smith.

Notary Public

OFFICIAL SEAL
RHONDA L. LETZKUS
NOTARY PUBLIC-ARIZONA
PIMA COUNTY
My Comm. Exp. Jan. 8, 2017

My Commission Expires:

1-8-2017

ATTACHMENT A

From: Smith, Lisa Anne <lasmith@dmyl.com>
Sent: Wednesday, November 13, 2013 9:44 PM
To: Willis D. Hawley; Nancy Ramirez-MALDEF; LoisD. Thompson; Jr.' 'Rubin Salter; Zoe Savitsky; Anurima Bhargava; Samuel Brown
Subject: Response to Mendoza objections to UHS admissions plan
Attachments: UHS Responses.docx; ATT00001.htm

Please see the attached document, which responds to the Mendoza objections to the UHS admissions plan. I will respond to the additional Fisher objections tomorrow.

LisaAnne

Sent from my iPhone

Mendoza Comments/Responses

Mendoza Comments	TUSD Responses
… concerned about the District's failure to comply with the USP's express provisions relating to UHS, which mandated the creation of revised admissions procedures so that they could have been piloted for transfer students for the 2013-14 school year. Having missed that opportunity, the District now has adopted a pilot admissions process for enrollment in 2014-15 for all entering freshmen and sophomores.	We could not pilot this process for the sophomore admissions process in May 2013 when the USP was only approved in March 2013. The sophomore/Junior/Senior is a 3-month process and applications are open in April. Parents/Students must be informed late-February in advance if changes are to occur in the admissions criteria. As a result, we did adopt a pilot admissions process to meet this requirement.
With respect to [the motivation] test, the Revision is incomplete. It states that the CAIMI or "other relevant measures" will be employed but does not state the basis on which the decision to use some "other relevant measure" will be made. Neither, in the form approved by the Governing Board, does it state what weight will be given to the results of this motivation test.[1] **Mendoza Plaintiffs believe that these omissions must be addressed.**	We added "other relevant measure" because of plaintiffs' concerns that we would consider the use of the CAIMI only. It was our intention to pilot the CAIMI this semester and then, based on our evaluation, determine its continued use. If it fails to identify our targeted populations, we will consider other relevant measures for the Spring admissions process. An evaluation plan will be completed by December 1 2013.
The USP expressly states that the District "shall administer the appropriate UHS admission test(s) for all 7th grade students." The Revision does not confirm that this will occur. **The District should be required to commit to this testing.**	We will administer the appropriate UHS admissions tests to all 7th graders in the Spring of each school year.
Plaintiffs and the Special Master questioned the weights assigned to CogAT scores and grades in the admissions process and suggested that an evaluation be undertaken to determine the correlations, if any, between (1) CogAT scores and the grades achieved by UHS students in their classes and (2) the GPAs of entering students and the grades they achieve in their UHS classes for the purpose of determining how strong each of these factors is as a predictor of success at UHS and/or whether the weights assigned to these factors should be modified. In the Expert Reports attached to the final Revision, the same point is made. Kenneth Bacon writes: "I would urge you to analyze the correlation of the different elements of the admissions process with student performance in the high school every year to determine their appropriate point values and inclusion in the process overall." **Such requirement, with results broken out by the race, ethnicity and ELL status of the students, should be expressly included in the Review section of the Revision**	As we have indicated before, correlations between the CogAT and student ending grades at UHS indicate that there is no direct correlation with students that score below a 9 stanine on the CogAT or related to GPA. However the combination of the two scores on GPA and CogAT scores has yielded success rates on PSAT, SAT, ACT, AIMS, and AP test scores. We have also provided an analysis of 3 years of UHS applicant data that shows that simply adjusting the weights between grades and CogAT scores will make no difference in outcomes by ethnicity. Right now, all ethnic groups receive the same amount of points from GPA. UHS will establish an admissions committee to review the admissions process and evaluation results. Results will be broken out by ethnicity and ELL status, as required for all other Desegregation data. The District agrees with, and will follow, the recommendation of Mr. Bacon to "analyze the correlation of the different elements of the admissions process with student performance in the high school every year to determine their appropriate point values and inclusion in the process overall." As Mr. Bacon points out the most efficient approach is to do this analysis "every year." The District again, however, questions looking at the admissions criteria solely with respect to "success" at UHS. We believe that this is a limit to accessibility and would rather focus on thinking about student's preparedness for completing rigorous coursework, motivation to learn, and cognitive thinking skills to ensure their success.

[1] An earlier, draft version suggested that "up to five points" would be added to a student's score but no comparable reference is included in the final Revision. This seems to be implied by Appendix J but it should be included as an explicit provision of the revised admissions process so that there is no confusion or debate later on with respect to how the results of the motivation test are being used. The language has been restored.

The experts noted inconsistency in the treatment of the weight to be given advanced courses such as honors or pre-AP for the purposes of an admission score and suggested that the inconsistencies should be resolved. **Mendoza Plaintiffs object to any resolution of this inconsistency that results in additional weight being given for such courses at least until the District demonstrates that it has met its obligation under the USP to increase the number and percentage of African American and Latino students enrolled in such courses.**	We recognize this point and will determine the process for a transcript analysis based on an evaluation of the Year 1 Sophomore admissions pilot.
The Revision contains a section entitled Recruitment and Retention which simultaneously states that recruitment and retention are not part of the admissions plan and then states that efforts are in place to improve recruitment and to further develop and improve student support systems. Absent is an acknowledgement of the specific outreach and recruitment efforts mandated by the USP. **The District should be required to confirm that these mandated recruitment efforts are in place.**	UHS has completed multiple activities with respect to recruitment. Please see the ALE access and recruitment plan for details. This plan has not yet been submitted and is not due until Jan. 1, 2014.
With respect to recruitment and retention, one of the experts retained by the District (Jeannie Franklin in Appendix K) made specific suggestions for the use of a pre-selection committee and a school advocacy tool. **Having received such recommendation from its expert, the District should report whether it is intending to implement those suggestions and, if not, why not.**	The UHS Recruitment, Retention, and Admissions sub-committee determined that the use of a pre-selection committee or a school advocacy tool would not be included at this time as they have had only marginal success in Maryland. As detailed in the ALE access and recruitment plan UHS is currently using many strategies for recruitment and retention. We will however incorporate the intention of a school advocacy tool in our existing recruitment work, insuring that recruiting of non-traditional students is included.
Mendoza Plaintiffs lodge a separate objection to the use of Illinois Mathematics and Science Academy ("IMSA") as the comparison school to UHS for the purpose of the power point presentation made to the Governing Board and the public with respect to the UHS admissions process. (The power point was included in the Governing Board agenda items for its October 22, 2013 meeting.) Mendoza Plaintiffs lodge their objection to the use of IMSA as the single comparison school for the purposes of Governing Board (and public) presentation because they believe that comparisons between the two schools are extraordinarily hard to make and that the information presented in the power point is misleading. …. **Mendoza Plaintiffs therefore object to any conclusions about the demographics of UHS and/or Tucson that the District purports to base on a comparison with IMSA.**	As evident in the audio of the Presentation, the comparison to IMSA was made only to point out (a) that as we have had success with Latino enrollment, IMSA has had success with African American enrollment, and (b) this is not a problem unique to TUSD and that we will continue to work learn from, and share ideas with, other similar schools as this process proceeds. Apparently, the Mendozas read the power point but did not listen to the presentation. Which, again, points out the significant problem with providing written materials from which the Plaintiffs draw conclusions either because they failed to listen to the audio that went along with the material, or because there is no way to always convey contents of phone or in-person conversations or discussions on paper. *Note: in the audio, we state clearly that we compared several schools but that Aurora was just the one we selected for this presentation.

ATTACHMENT B

From: Smith, Lisa Anne <lasmith@dmyl.com>
Sent: Wednesday, November 13, 2013 9:46 PM
To: Nancy Ramirez-MALDEF; LoisD. Thompson; Samuel Brown
Subject: UHS Admissions Plan

Sam wanted me to let you know that he would be happy to talk with you about your objections to the UHS admissions plan, most or all of which we believe can be resolved to your satisfaction. Please let us know if you would be willing to have a conversation about this.

LisaAnne

Sent from my iPhone

ATTACHMENT C

From: Willis D. Hawley <wdh@umd.edu>
Sent: Wednesday, November 13, 2013 7:03 PM
To: Rubin Salter, Jr.; Nancy Ramirez; Thompson, Lois D.; Bhargava, Anurima (CRT) (Anurima.Bhargava@usdoj.gov); 'Savitsky, Zoe (CRT)' (Zoe.Savitsky@usdoj.gov); Smith, Lisa Anne; Stamps, Sesaly O.; Brown, Samuel
Subject: UHS admissions

The private plaintiffs have both objected to the District's proposed admission criteria for UHS. I proposed an alternative plan to which the private plaintiffs agreed. The District has decided to stay with its proposed plan. Pursuant to the requirements of the USP, I will be submitting a report and recommendations to the Court as soon as I can. The recommendations in this report will look very much like the proposal I made to the District. Should the District wish to send me its objections to my proposal, I will include it in my report.

Willis D. Hawley
Professor of Education and Public Policy
University of Maryland
Director, Teaching Diverse Student Initiative
Southern Poverty Law Center

ATTACHMENT D

From: Thompson, Lois D. <lthompson@proskauer.com>
Sent: Thursday, November 14, 2013 9:56 AM
To: Smith, Lisa Anne
Cc: 'Brown, Samuel'; Nancy Ramirez
Subject: FW: UHS admissions

Lisa Anne,

I am writing in response to your email of last night in which you conveyed Sam's offer to discuss the Mendoza Plaintiffs' objections to the UHS admissions process. Nancy and I are happy to have that discussion, which we think should also include Dr. Hawley and Rubin Salter, but are a bit puzzled about where things stand given Dr. Hawley's email copied below and your email of November 13 transmitting responses to our objections (which we acknowledge were very complete notwithstanding that they did not fully resolve our issues). At this point would the "agenda" be to further discuss those responses and/or the approach Dr. Hawley proposed?

Nancy and I are not available today or tomorrow but can be available for a conversation next week.

Lois D. Thompson
Partner

Proskauer
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
d 310.284.5614
f 310.557.2193
lthompson@proskauer.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Wednesday, November 13, 2013 6:03 PM
To: Rubin Salter, Jr.; Nancy Ramirez; Thompson, Lois D.; Bhargava, Anurima (CRT) (Anurima.Bhargava@usdoj.gov); 'Savitsky, Zoe (CRT)' (Zoe.Savitsky@usdoj.gov); Smith, Lisa Anne; Stamps, Sesaly O.; Brown, Samuel
Subject: UHS admissions

The private plaintiffs have both objected to the District's proposed admission criteria for UHS. I proposed an alternative plan to which the private plaintiffs agreed. The District has decided to stay with its proposed plan. Pursuant to the requirements of the USP, I will be submitting a report and recommendations to the Court as soon as I can. The recommendations in this report will look very much like the proposal I made to the District. Should the District wish to send me its objections to my proposal, I will include it in my report.

Willis D. Hawley
Professor of Education and Public Policy
University of Maryland
Director, Teaching Diverse Student Initiative
Southern Poverty Law Center

ATTACHMENT E

From: Brown, Samuel <Samuel.Brown@tusd1.org>
Sent: Thursday, November 14, 2013 10:01 AM
To: Thompson, Lois D.; Smith, Lisa Anne
Cc: Nancy Ramirez
Subject: RE: UHS admissions

Lois: thank you, if we cannot discuss this week, perhaps you could transmit via email what precisely you feel is still unresolved. Thanks, Sam

---

From: Thompson, Lois D. [mailto:lthompson@proskauer.com]
Sent: Thursday, November 14, 2013 9:56 AM
To: lasmith@dmyl.com
Cc: Brown, Samuel; Nancy Ramirez
Subject: FW: UHS admissions

Lisa Anne,

I am writing in response to your email of last night in which you conveyed Sam's offer to discuss the Mendoza Plaintiffs' objections to the UHS admissions process. Nancy and I are happy to have that discussion, which we think should also include Dr. Hawley and Rubin Salter, but are a bit puzzled about where things stand given Dr. Hawley's email copied below and your email of November 13 transmitting responses to our objections (which we acknowledge were very complete notwithstanding that they did not fully resolve our issues). At this point would the "agenda" be to further discuss those responses and/or the approach Dr. Hawley proposed?

Nancy and I are not available today or tomorrow but can be available for a conversation next week.

Lois D. Thompson
Partner

Proskauer
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
d 310.284.5614
f 310.557.2193
lthompson@proskauer.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Wednesday, November 13, 2013 6:03 PM
To: Rubin Salter, Jr.; Nancy Ramirez; Thompson, Lois D.; Bhargava, Anurima (CRT) (Anurima.Bhargava@usdoj.gov); 'Savitsky, Zoe (CRT)' (Zoe.Savitsky@usdoj.gov); Smith, Lisa Anne; Stamps, Sesaly O.; Brown, Samuel
Subject: UHS admissions

The private plaintiffs have both objected to the District's proposed admission criteria for UHS. I proposed an alternative plan to which the private plaintiffs agreed. The District has decided to stay with its proposed plan. Pursuant to the requirements of the USP, I will be submitting a report and recommendations to the Court as soon as I can. The

recommendations in this report will look very much like the proposal I made to the District. Should the District wish to send me its objections to my proposal, I will include it in my report.

Willis D. Hawley
Professor of Education and Public Policy
University of Maryland
Director, Teaching Diverse Student Initiative
Southern Poverty Law Center

ATTACHMENT F

From: Smith, Lisa Anne <lasmith@dmyl.com>
Sent: Friday, November 15, 2013 7:13 PM
To: 'wdh@umd.edu'; 'Nancy Ramirez- MALDEF (nramirez@maldef.org)'; 'Thompson, Lois D. (lthompson@proskauer.com)'; ''Rubin Salter, Jr.' (rsjr3@aol.com)'; 'Bhargava, Anurima (CRT) (Anurima.Bhargava@usdoj.gov)'; ''Savitsky, Zoe (CRT)' (Zoe.Savitsky@usdoj.gov)'; 'Brown, Samuel (Samuel.Brown@tusd1.org)'; Stamps, Sesaly O.
Subject: TUSD's Response to Special Master's Report and Recommendation and to Party Objections
Attachments: Response to UHS Recommendation.PDF; 9 UHS Admissions 5.0 [11.14.13.DOCX; Appendix L - Proposed [11.14.1.DOCX

All,

Attached is the District's memo addressing the objections raised by the Mendoza Plaintiffs and the Fisher Plaintiffs, as well as the Special Master's draft report and recommendation. I have also attached two documents, referenced in the memo as Exhibits 1 and 2. Exhibit 1 is a revision to the UHS Admissions Plan. The changes to the version are minor and are shown in redline. Exhibit 2 is a new Appendix L to the Admissions Plan, which is referenced in the revised plan.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

DECONCINI MCDONALD YETWIN & LACY

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2525 EAST BROADWAY BLVD. ▪ SUITE 200 ▪ TUCSON, ARIZONA 85716-5300
(520) 322-5000 ▪ (520) 322-5585 (Fax)

M E M O R A N D U M

TO: Special Master Willis Hawley

FROM: Lisa Anne Smith

DATE: November 15, 2013

RE: UHS Admissions: TUSD's Response to draft Report and Recommendation

This memorandum responds to the objections lodged by the Mendoza and Fisher Plaintiffs to the UHS Admissions Plan adopted by TUSD's Governing Board, and to the draft Report and Recommendation of the Special Master that has been circulated to the Parties. This memorandum references the revised version of the UHS Admissions Plan (Exhibit 1) and the new Appendix L (Exhibit 2). The revisions are minimal and are intended as clarifications only. Neither the revision nor the new Appendix L require further Board approval. Therefore, these changes will be made to the current Admissions Plan.

I. Mendoza Objections:

A. ***Objection***: Failure to comply with the USP's provision mandating revised procedures to be piloted for transfer students for school year 2013-14.

Response: The admissions process for transfer students begins in February, when applicants are informed of the admissions criteria. Applications are open in April and the process is concluded by May. Because the USP was not approved until February 2013, and the District had yet to hire an ALE Director or to establish structures for USP implementation, it was not in the best interests of students or staff to rush through the development of revised procedures to pilot in the spring of 2013. As evidenced by the fact that the revised procedures have now taken several months to develop and objections still remain, it does not seem likely that the District, Parties, and Special Master could have effectively developed revised procedures in time to pilot those procedures during the spring of 2013.

B. ***Objection***: The Revision is incomplete with regard to the CAIMI test because it states the District will use the CAIMI "or other relevant measures" without defining how the measure will be selected nor does it explicitly state the weight to be given to the CAIMI. The Mendoza Plaintiffs support a tool to assess motivation.

Response: The District originally intended to rely upon the CAIMI, but the Plaintiffs expressed some concerns about whether or not the CAIMI was the best test. The District agreed with the suggestions of the parties and determined it

would pilot the CAIMI and then, based on an evaluation of the whether the CAIMI increases the acceptance rate of the target populations, determine whether to use that test or a different test in the spring for transfer admissions and/or next year. This fact is reflected in Appendix L. This is not a plan for a single semester or a single year, so it is appropriate to leave open the possibility of using a different test in the future. Regarding the weight to be given the CAIMI, the Plan states that it will be used as an additive; i.e., after points from GPA and CogAT scores are totaled, additional points may be awarded based on CAIMI results. The maximum number of points that may be added is 5. This fact is confirmed in Appendix L.

C. ***Objection***: The USP requires that the test be administered to all 7th grade students, but that is not reflected in the Admissions Plan.

Response: The District will administer the admission test to all 7th grade students in the spring of each school year. This is a separate requirement of the USP (it is not in the USP provision describing the revised admissions process) and the District does not believe its commitment to follow through with this obligation needs to be set forth in the Admissions Plan. However, it is now reflected in Appendix L.

D. ***Objection***: In the Review section, the Revision should expressly note that the District will analyze how well GPA and CogAT scores predict success at UHS, with the results broken down by race, ethnicity and ELL status, to determine if the weights should be adjusted.

Response: The District has noted that there is no direct correlation between CogAT scores or middle school grades and UHS grades, although the combination of both correlates to success rates on the PSAT, SAT, ACT, AIMS and AP tests. The District has previously provided an analysis of how adjusting the weights of the CogAT and GPA influences admissions by ethnicity and its analysis determined that adjusting the weights did not impact admissions by ethnicity. The District has committed to creating a committee to analyze the correlation between all assessments used (including CogAT and GPA) with admissions by race, ethnicity and ELL status, and to use the data to inform the next admissions cycle. See Appendix L.

E. ***Objection***: The District should not give additional weight for honors or pre-AP classes.

Response: In response to this concern, the District will determine a process for transcript analysis based on the Year 1 Sophomore Pilot. See Appendix L.

F. ***Objection***: The District should be required to confirm that recruitment efforts are in place.

Response: The Admissions Plan specifically notes that recruitment and retention are not part of the Admissions Plan. It is not inconsistent to note that, while not part of this Plan, they are a significant component in increasing and maintaining diversity. The specifics of recruitment and retention will be set forth in the ALE Access and Recruitment Plan, referenced in USP section 5(A)(2), which is due January 29, 2014, according to the Special Masters November 1, 2013, timelines memo.

G. ***Objection***: With respect to recruitment and retention, the District should explain whether it intends to use a pre-selection committee and a school advocacy tool and, if not, why not.

Response: The UHS Recruitment, Retention and Admissions sub-committee determined that the use of a pre-selection committee or a school advocacy tool would not be included at this time because these measures have had only limited success elsewhere. Furthermore, this issue will be considered in connection with the Access and Recruitment Plan. This does not appear to be an objection to the Admissions Plan but, in any event, this response provides the information requested by the Mendoza Plaintiffs.

H. ***Objection***: The Mendoza Plaintiffs lodge a "separate objection" to the use of a particular comparison in the District's PowerPoint presentation regarding the UHS Admissions Plan.

Response: This does not appear to be an objection to the Admissions Plan. When presenting the PowerPoint, the District explained the limited purpose of the comparison to which the Mendoza's object.

II. Fisher Objections:

A. ***Objection***: It is difficult to comment on efficacy of a resiliency measure (such as CAIMI) but the Fisher Plaintiffs do not find its use "inherently objectionable." The District would be better served by educating a broader spectrum of students by assuring that admitted students receive support to succeed at UHS.

Response: The District has committed to reviewing the impact of the CAIMI and evaluating other relevant measures if it does not meet the intended results of positively impacting admissions of Latino and African American students. See Appendix L. With regard to assuring that admitted students receive support, this is not part of an *admissions* plan. Furthermore, Appendix B to the UHS Admissions plan does demonstrate that African American students admitted to

UHS have a 90% graduation rate while Anglo students have an 85% graduation rate. The facts do not support the idea that admitted African American students need additional support to succeed at UHS.

B. ***Objection***: Fisher Plaintiffs question the use of the CogAT.

Response: Section V of the Admissions Plan explains the use of the CogAT. Its strength is that it is not an intelligence test or an achievement test, but a well known and norm-referenced test of reasoning abilities. Without a basis for saying that the CogAT should not be used or providing a different type of assessment that should be used in its place, it is difficult for the District to respond to an objection which simply "questions" the use of the CogAT. Significantly, the District has committed to continuing to analyze the impact of the various measures used, including the CogAT, on enrollment. See Appendix L.

C. ***Objection***: "Whatever admissions criteria used, we should be able to determine … how much they will increase the percentage of AA and MA students admitted to UHS."

Response: The District has shown, in Appendix J, how use of the CAIMI will positively impact admission of African-American and Latino students based on the retroactive analysis requested by the Fisher Plaintiffs. Furthermore, the District has committed to continuing to analyze this data in the regular review and revision process.

D. ***Objection***: "Just admitting AA students won't ensure they will graduate. Additional academic support will be necessary. What will it be?"

Response: See response to II(A), above. An admission plan is about admission. It is not about academic support. That is addressed elsewhere.

E. ***Objection***: Fisher Plaintiffs join in several of the Mendoza objections.

Response: See above.

III. Summary of Plaintiff Objections and District's Response

Without agreeing that the Plaintiff's objections, individually or collectively, indicate that the District has failed to comply with the USP or its desegregation obligations more generally, the District believes that the clarifications in the revised UHS Admissions Plan, Appendix L and this memorandum address every concern raised by the Plaintiffs that are properly considered objections to the UHS Admissions Plan, rather than comments on other issues, such as the as-yet-to-be developed Access and Recruitment Plan or the provision of support for admitted students.

IV. Special Master Proposal

A. ***Overview***: The Special Master states that the due date for the UHS Admissions plan was April 1, 2013, and states further that the District did not follow the USP's requirement that the parties work together.

Response: The Parties and Special Master agreed to change the date from April 1, 2013 to October 1, 2013. Most recently, the Special Master identified the due date as October 23, 2103 (see November 1, 2013 memo re: timelines). Once work began on the UHS Admissions Plan, the District sought and received significant input from the Parties and Special Master which was considered and which informed the final product.

B. ***The District's Proposal***: In this section, the Special Master describes the process and raises several criticisms of the both the process and the Admissions Plan. Each will be summarized and addressed.

Objection: The Special Master again notes that "The District did not mobilize to work on UHS admissions until after the USP was approved**."**

Response: The Parties agreed to change the due date for this item to October 2013. Subsequently, the District's new ALE Director and new UHS principal came on board in the summer of 2013 and the District believes the input of these individuals was critical to the development of a revised UHS Admissions Plan.

Objection: The Special Master criticizes the District's initial plan as insufficient and criticizes the District for failing to follow the USP process for collaborating.

Response: The District sent an initial plan to start the discussion and then used input from the Plaintiffs and Special Master (as well as other sources) to make revisions and arrive at a final product. This is exactly what the USP envisions. Furthermore, the District engaged in significant collaboration with the parties. There were extensive interactions among the Parties (District drafting of an initial plan; party comments, discussion and revisions; a District initiated conference call to discuss the proposed Plan and major concerns with it; numerous emails between the Plaintiffs and the District and the Special Master and the District; and revisions taking into consideration all of this input).

Objection: The Special Master criticizes the District for using the CAIMI.

Response: Both parties note that, in theory, they do not object to the use of a test like CAIMI. Both raise issues about what specific test should be used, but this is addressed in the plan to evaluate the impact of using the CAIMI on admissions in the future and to reconsider the specific test if the data does not support

continuing to use it. See Appendix L. This specific test was selected based on a recommendation by an expert in the field, as noted in the Admissions Plan. The District has analyzed the positive impact the CAIMI would have on admissions of African American and Latino students and, although the Special Master says (without further clarification) that the analysis is "seriously flawed and overstates the likely effect," the District undertook the analysis at the request of the Parties and Special Master and the District believes it provides a good faith basis for relying on the CAIMI in the initial year of the new Admissions Plan, followed by the analysis described above and in Appendix L.

Objection: The Special Master criticizes the District for not further examining weights for the GPA and CogAT scores.

Response: See Response to I(D). Furthermore, the District's analysis shows that weighting GPA more than CogAT scores (2/3 to 1/3) is beneficial to admission of African American and Latino students. The evidence does not suggest weighting GPA even more will increase the enrollment of the target groups. Finally, given the wide disparity of middle school experiences (including TUSD and non-TUSD schools as well as different programs within TUSD (including magnet and GATE programs), GPA is not the most consistent or objective measure and the District does not want to give it additional weight for that reason. This is the reason for adding the motivation/resiliency test (CAIMI) rather than changing the weights of the current measures.

Objection: The Special Master appears to criticize the District for not using essays, non-cognitive measures, and teacher recommendations.

Response: The District explained its concerns with using essays and other non-objective measures in Section VI of the Admissions Plan ("Early consensus from the working group determined that additional admissions criteria should be objective and well-defined. The initial feeling was that the use of interviews, personal essays and/or staff recommendations could inject subjectivity into the process and could reduce the transparency and consistency of admissions.")

Furthermore, the Admissions Plan includes the use of essay questions for the sophomore pilot plan and also states they will be used in the admissions process for freshman and sophomores for the 2015-2016 school year. Note that students applying to be freshman next year have already applied and taken the admissions test.

C. Special Master's Recommendation to the Court

The Special Master recommends that the Court direct the District to take one of two actions:

1. ***First Proposal***: Postpone the admissions process for two months and (1) develop measures including essays and non-cognitive factors and assign weights to those measures; (2) provide a justification for the weighting of CogAT and GPA or change weights; and (3) examine alternative measures of motivation.

   Response: This first part of this recommendation is not responsive to the objections raised by the Plaintiffs, neither of which objected because of the lack of essays or non-cognitive factors nor proposed inclusion of either measure. The second two parts of this recommendation have been largely addressed. The District has explained that changing the weighting of the CogAT and GPA does not impact admissions by ethnicity, based on the analysis of three years of application data. This analysis did not indicate that a different weighting would be preferable. Nevertheless, the District has already committed to continuously reviewing the correlation between various admission measures and success at UHS, by race/ethnicity/ELL status. The District has already committed to examining alternative measures of motivation, although one concern by the Mendoza Plaintiff is that the motivation test is not firmly specified and that concern has been addressed by specifying the use of the CAIMI.

   In addition, postponing admission decisions for next school year will negatively impact the current 1,200 applicants for UHS as well as the process of budgeting, staffing and other decision making for next year at UHS as well as at other schools that applicants might attend if they are not accepted by UHS. Delaying admission to UHS might cause students to enroll at other schools (including charter high schools or out of district).

   Finally, the District would not be able to complete tasks (1) and (3) and then administer these additional assessments within the next two months, especially with a two week winter break in that time period. Delaying admissions even further would further exacerbate the problems associated with delay set forth above including a seriously negative impact on the students who have applied for admission and who would not know whether they had been accepted until very late in the school year.

   The CAIMI was selected from among other possible measures because there are studies of its validity and reliability, it is widely cited in the literature, and it is a legitimate assessment with published test books, answer documents, and scoring profiles suitable for use with large numbers of applicants. The District made the best selection available for this year and will review its choice and whether another relevant measure should be selected in the future to replace the CAIMI. However, it is premature to criticize the choice of this test when there is a reasonable

basis for selecting it and the District is committed to analyzing the results it produces.

2. ***Second Proposal***: Engage in a two step admissions process with traditional admissions criteria for the first screening and student essays and non-cognitive measures used in round two. Also, analyze weights for CogAT and GPA.

   Response: This proposal raises the same concerns about delaying completion of the admissions process as the First Proposal. Round Two could not be completed in two months, even if it could be fully developed in that time, which it could not realistically be.

   The District has already included in the Admissions Plan the intention to use student essays for sophomores and next year for freshman. That plan gives the District time to adequately prepare the essay questions and pilot them effectively.

3. ***Third Recommendation***: Do not use the results of the CAIMI in the absence of proof that it will enhance diversity and can be shown to predict student performance. (It appears that the Special Master recommends this regardless of whether the first or second proposal above is adopted).

   Response: The District has explained its selection of CAIMI for this year, the fact that it expects use of CAIMI to increase diversity of the students accepted to UHS (particularly Latino students), its intention to analyze the results of the CAIMI and its commitment to use that analysis to inform the admissions process going forward.

D. **Other Issues Related to Plaintiffs' Objections**

1. ***Request of Fishers for inclusion of support in the UHS Admissions Policy***: The Special Master agrees with the District that support for accepted students is not part of the Admissions Plan. The District has expressed its commitment to addressing recruitment and retention and acknowledged that it is obligated to do so.

2. ***Fisher Plaintiffs Join Mendoza in Objection to Actions Since Addressed by the District***. The Special Master notes that the District has addressed concerns about testing 7th graders, not using weighted GPAs, eliminating inconsistences, and specifying the weight for the CAIMI. These are addressed in Exhibits 1 and 2.

IV. Conclusion

The District does not believe that either proposal set forth in the Special Master's Recommendation should be adopted by the Court in whole or in part. Every objection raised by the Parties has been addressed by the District either by noting that it will be the subject of another plan, by providing a response to the question raised, or by making the clarifications to the Admissions Plan set forth in Exhibits 1 and 2. Neither the Parties nor the Special Master had described any aspect of the final UHS Admissions Plan that fails to comply with the USP, that violates the District's desegregation obligations, or that is not a permissible decision to address the concerns raised by the parties.

The UHS Admissions Plan is the result of significant expert consultation and input from the parties, District administrators, and the community. The District has done its best to ensure that "multiple measures for admission are used," with some new measures being used and analyzed this year and additional measures being used and analyzed next year. The goal of all changes has been to ensure that all students have an equitable opportunity to enroll at UHS, and the review and revision process built into the Plan will require the District to continue to analyze results and make proper adjustments. These are the requirements of the USP and they have been met by the District's UHS Admissions Plan.

TUSD

University High School Admissions Process Revision

(Mendoza response 11/2/13)

I. USP LANGUAGE

The Unitary Status Plan (USP), section V(5)(a) states:

V. QUALITY OF EDUCATION

5. University High School ("UHS") Admissions and Retention

a. By ~~April 1, 2013~~ October 1, 2013, the District shall review and revise the process and procedures that it uses to select students for admission to UHS to ensure that multiple measures for admission are used and that all students have an equitable opportunity to enroll at University High School. In conducting this review, the District shall consult with an expert regarding the use of multiple measures (e.g., essays; characteristics of the student's school; student's background, including race, ethnicity and socioeconomic status) for admission to similar programs and shall review best practices used by other school districts in admitting students to similar programs. The District shall consult with the Plaintiffs and the Special Master during the drafting and prior to implementation of the revised admissions procedures. The District shall pilot these admissions procedures for transfer students seeking to enter UHS during the 2013-2014 school year and shall implement the amended procedures for all incoming students in the 2014-2015 school year.

The original date was changed by agreement of the Parties and Special Master.

II. EXECUTIVE SUMMARY

The USP directs TUSD to improve the academic achievement of African American and Latino students and to ensure that African American and Latino students have equal access to TUSD's Advanced Learning Experiences (ALEs). ALEs include: Gifted and Talented Programs, Advanced Academic Courses (AP, Pre-AP, Dual-Credit), and University High School (UHS). Historically, UHS has had disproportionately low African American and Latino student populations compared to the rest of the TUSD's high schools. The revised admissions process is one of several strategies to attempt to increase the percentages of African American and Latino students, including ELL students, enrolling and succeeding at UHS.

TUSD has worked to review and revise the process and procedures that it uses to select students for admission to UHS to ensure that multiple measures for admission are used and that all students have an equitable opportunity to enroll at UHS. This review and revision has included consultation with experts regarding the use of multiple measures, a review of best practices used by other school districts in admitting students to similar programs or schools, and ongoing consultation with the Plaintiffs and Special Master. .

The new proposed admissions process will be applied in a fair, equitable, and race-neutral manner. Although TUSD endeavors to positively impact the percentages of African American and Hispanic enrollment and success at UHS, the proposed application process is designed to be impartial and to offer equity and fairness to all students who apply.

III. DEFINITIONS

Unitary Status Plan (USP)	The USP is a federal-court mandated plan to guide TUSD in its efforts to achieve "unitary status" by eliminating the vestiges of a "dual-system" that operated until the 1950s.
Parties and Special Master	The USP stems from a federal school desegregation court case called *Fisher-Mendoza v. TUSD*. The parties to the case include TUSD, two plaintiffs groups representing African American and Latino students respectively, and the United States of America, represented by the Department of Justice. There is a court-appointed "Special Master" who oversees implementation, including monitoring and reporting, on behalf of the federal court.
Advanced Learning Experiences (ALEs)	USP Section V(A) identifies TUSD's GATE Programs, Advanced Academic Courses (AP, Pre-AP, Dual-Credit), and UHS as ALEs. These are areas where there has been historically low African American and Latino student participation in comparison to the percentages of the TUSD as a whole.

IV. BACKGROUND AND TIMELINE

The admissions process was first created through a UHS Advisory Report in 1987. It was revised in 1988, 1989, and 1991 by the UHS Matrix Review Committee. In 1997, the UHS school council adopted revised admissions guidelines. It was revised again in December 2009, and March 2010. The current policy was approved by UHS School Council in April 2011. The purpose of the admissions policy, including the entrance exam, is to recruit and retain a diverse and qualified student population.

In March 2013, the UHS Principal, Ms. Elizabeth Moll, established a UHS Admissions Internal Working Group that included Mike Schmidt, a UHS mathematics teacher for the past twelve years who represents the faculty and serves as a liaison to the Instructional Council, the Assistant Principal Amy Cislak who serves on the UHS Site Council, and Dr. Juliet King, an A&R Research Project Manager, who has managed the school's admissions for the past four years. With Principal Moll's retirement at the end of school year 2013-14, the new Principal, Dean Packard, has taken her place. The other members have remained in the Working Group. Additional constituents have been recruited to give input and feedback on the process including: Carmen Hernandez - UHS Learning Support Coordinator; Treya Allen - UHS Career and Technical Counselor; Loraine Blackmon - UHS Office Manager, site council member and UHS Foundation Board member; Terry Adkins - parent and site council member; Matt Ulrich – UHS mathematics teacher and site council member; and Mickey Cronin - student and site council member.

The ALE Director and new principal of UHS were hired on July 1st 2013 and began working with the current working group and expanding the constituent input into the admissions process. The District presented a draft revised process July 20, 2013 for Board, Special Master and Party Review. TUSD staff and UHS, with the inclusion of stakeholders, are working to refine the draft process in time for the 2014-15 admissions period. TUSD will send a revised draft by September 6, 2013, and will continue to consult with the Parties and the Special Master in the refinement of the final plan – set to go to the Governing Board for approval either on September 24, 2013 or, if necessary, on October 8, 2013 prior to implementation. TUSD will send a notification of the possible changes to the new admissions process inserted into the 8th Grade recruitment letter from the ALE Director that was sent September 6, 2013. Notification of any modifications to the current admissions process will be sent to all applicants by October 18, 2013, at the latest.

V. CURRENT ADMISSIONS CRITERIA

Currently, admission to UHS for 9th and 10th grade is based on the following factors: 1) achieving 50 points or more from a combination of points obtained from valuing a student's GPA and entrance test scores, and 2) space availability. Students must have a minimum cumulative GPA average of 3.0 in four core classes – English, Social Studies, Mathematics, and Science. No weight is given for advanced classes, such as Honors or pre-AP.

The cumulative GPA average is calculated from final grades for the second semester of seventh grade and the first semester of the eighth grade school years. UHS currently administers the Cognitive Abilities Test (CogAT) as an entrance exam. The Cognitive Abilities Test has been used as the primary entrance test for over a decade. It is comprised of three sub-tests – verbal, quantitative and non-verbal. In 2013-14 both UHS and GATE (for grades 3-7) will administer the most recent version – the CogAT Form 7 – to grades 3 through 8.

The CogAT's strength is the fact that it is not an intelligence test, nor a standards-based exam (a common type of assessment for "exam schools") but a well-known and norm-referenced assessment of a student's reasoning abilities skills - skills that are not innate and can be developed over time (Loman, 2002). Students must receive a minimum qualifying composite stanine score of 7 on the test to receive points. The current required minimum test score of a 7 on the Composite Stanine is equivalent to a 77th percentile rank and allows for students that may not score a 7 or higher in each sub test the opportunity to still meet the entrance requirements by obtaining higher scores in one or more sub test categories. Points are awarded for GPA and test scores according to the following tables. A minimum of fifty points and above qualifies a student for admissions to UHS. (See Chart below, page 3)

In the past the Ravens test was used as an additive component to supplement student scores. The Ravens test is now available online which makes it ineffective as a measure. Therefore, it was removed as a component of the admissions process beginning in SY 2012-2013.

GPA	Points
4.00	36
3.99-3.86	34
3.85-3.72	32
3.71-3.58	30
3.57-3.44	28
3.43-3.30	26
3.29-3.15	24

CogAT Stanine Test Score	Points
9	27
8	24
7	21
0-6	0

3.14-3.00	22
2.99-0	0

VI. REVIEW PROCESS

The UHS Admissions Internal Working Group met several times to discuss the current admissions policy for freshman and to identify areas for review and revision. Early consensus from the working group determined that additional admissions criteria should be objective and well-defined. The initial feeling was that the use of interviews, personal essays and/or staff recommendations could inject subjectivity into the process, and could reduce the transparency and consistency of the admissions.

Since that time, a larger constituent group has had the opportunity to participate in discussions and overview of the admissions process. Multiple experts have been contacted and additional research has been completed as TUSD adjusted to the UHS principal transition and the hiring of an ALE Director. In addition, feedback has been received from the TUSD School Board, the Plaintiffs, and the Special Master. To this end, a more complete outline of a draft admission processes is outlined below.

A. Expert Analysis

Multiple experts were contacted and interviewed regarding best practices, multiple measures, and other related topics.

Experts Contacted:

1. Kenneth Bonamo (Principal, Scarsdale High School, Scarsdale, NY) — September 5, 2013
2. Dr. Chester Finn (co-author, Exam Schools) — August 22, 2013
3. Jeannie Franklin (Director, Division of Consortia Choice and Application, Montgomery County Public Schools) — Pending (September 9, 2013)
4. Dr. Angela Hockett (co-author, Exam Schools) — August 21, 2013
5. Dr. Lannie Kanevsky at the Simon Fraser University (expertise in Academic Resiliency/Motivation scales) — July 2, 2013
6. Kelly Lofgren (Admissions Coordinator, Illinois Mathematics & Science Academy [IMSA], Aurora, Illinois) — August 16, 2013 (email)
7. Dr. Tonya Moon, University of Virginia (expertise in Gifted Education and Academic Diversity) — August 22, 2013

See Appendix A and AA for summaries of interviews.

In discussions with these multiple experts regarding analysis of current "Exam School" best practices, the general consensus is that the use of multiple and varied methods of analyzing students for the basis of admissions yields a more complete picture of the students and is deemed a best practice. When looking at what factors most impact the diversity of the schools, feedback was given that expanding the school, improving recruitment, and improving feeder pattern educational practices have the greatest impact on increasing the diversity of the school.

In these endeavors UHS has been making strides for the past few years. Recruitment efforts have included steadily increasing the amount and accuracy of information being distributed about UHS, and this has resulted in an increase in the number of students entering UHS to over 300 in the current freshman class. During this same time period, there has been a steady increase in the percentage of Hispanic students attending UHS, although the same increase was not seen for African American students. Current size restrictions limit the number of students who are able to attend UHS; given the increase in students qualifying for admission to UHS, this is a concern. Further, UHS has hosted two events with feeder schools to work on vertical articulation of curriculum to help feeder schools prepare students for the rigors of UHS.

See Appendix B for Hispanic and African American student enrollment data.

B. Exam Schools - Current Practice

Various exam school web sites were analyzed, application packets investigated, and personnel contacted, when possible, for an understanding of current practices. In general, these schools used multiple measures and supported a more holistic approach to the admission process.

Exam Schools Reviewed:

1. Illinois Mathematics and Science Academy (IMSA) — Aurora, IL
2. Thomas Jefferson High School for Math and Technology — Alexandria, VA
3. Liberal Arts and Science Academy High School — Austin, TX

See Appendix C for detailed information on each school; Appendix D for Review of Top-Rated AP High Schools; Appendix E for Review of Exam Schools

VII. PROPOSED ADMISSIONS PROCESS REVISION

In discussions with experts and with those involved in the development of a quality admissions policy, it has become clear that it is best practice to work on a process for implementation that includes the use of multiple measures and a continuous evaluation of this implementation. After meeting with experts and working with constituent groups, we would like to propose the following multi-year process for implementation and analysis of UHS admissions, in collaboration with the Plaintiffs and the Court. This process will allow for:

1) flexibility in meeting admission timelines while developing multiple criteria and
2) using a varied approach to admissions at UHS, both for the 2014-15 SY and in the future. The development of a process for implementation and evaluation of admissions, instead of a static policy, will allow all parties the opportunity to better understand how the different proposed changes impact

admissions. The outline below looks at a two-year process; however, we would also like the process to be that of continual analysis and improvement over time. This would include analysis of other testing in the future, including the use of the Partnership for Assessment of Readiness for College and Careers (PARCC) as an option. See Appendix L, #1

YEAR 1 (for students applying in 2013-14 to enroll in 2014-15)

A. Freshman

1. Eighth grade students that apply for admissions for the 2014-15 school year will complete a pilot admissions process.

   a. Students will take the Cognitive Abilities test (CogAT) – Form 7.
   b. Testing sites will be arranged for all middle schools that have applicants on site.
   c. UHS will have two alternative testing dates on site for any student unable to test at their home school or students from outside the district.
   d. A minimum composite score of 7 will qualify students for points towards admission.

2. GPA

   a. A student's cumulative grade point (GPA) average is calculated from final grades for the second semester of seventh grade and the first semester of the eighth grade school years.
   b. A minimum cumulative GPA of 3.0 in four core classes – English, Social Studies, Mathematics, and Science will qualify students for points towards admission. No weight is given for advanced classes, such as Honors or pre-AP.

3. Academic Motivation Test (CAIMI OR OTHER RELEVANT MEASURES)*

   a. All current 8th grade students will pilot a motivation test (CAIMI OR OTHER RELEVANT MEASURES) during the Fall of 2013.
   b. All non-district students that have applied and taken the CogAT will pilot a motivation test.

4. Point Structure: Remains. For the first-year pilot, the motivation test will be used as additive score (see below). After the first year, we will look at the motivation test scores and reevaluate the weight/point distribution at that time. See Appendix L, #2

   Given the results using the current point structure and awarding bonus points from the use of an additional assessment appear to increase the percentage of African American and Hispanic students that could be admitted to the school. *See Appendix J*

**Dr. Lannie Kanevsky recommended the Children's Academic Intrinsic Motivation Inventory (CAIMI OR OTHER RELEVANT MEASURES).*

B. Sophomores

1. Freshman students that apply for admissions for the 2014-15 school year will complete a pilot admissions process.

2. Students will take the Cognitive Abilities test (CogAT).

   a. UHS will have testing on site.
   b. A minimum composite score of 7 will qualify students for points towards admission.

3. Transcript analysis/GPA

   a. A rubric will be developed to weight GPA and transcript analysis that yields higher values for higher GPA and honors/advanced coursework. For example, a student could be given an additional point for taking an advanced level class, regardless of the grade earned.
   b. A minimum cumulative GPA of 3.0 on a 4.0 un-weighted scale in four core classes – English, Social Studies, Mathematics, and Science will qualify students for points towards admission.
   c. Students must be on track to graduate with a UHS diploma. (Appendix E)

4. Academic Motivation Test (CAIMI OR OTHER RELEVANT MEASURES): All applicants will pilot the CAIMI or other relevant measures. See Appendix L, #3

5. Non-Cognitive Admissions Component (Sedlacek and Brooks): Essay questions would be developed for short answer responses that would be given at the same time as the Motivation assessment. These questions will comprise an applicant's "essay" and would be related to the seven non-cognitive variables from Sedlacek and Brooks. *See Appendices F and G for information and examples*

6. Teacher Evaluation: Students will submit teacher evaluations similar to the exemplar used by IMSA. *See Appendix H for examples of teacher evaluation form.*

7. Rubrics will be developed for the non-cognitive admission component and teacher recommendations. The development of the rubrics will be done in consultation with outside experts. *See Appendix I for example of rubric.* An extensive evaluation of each admission component will be conducted to analyze the effectiveness, efficiency, and impact on actual admissions.

C. Juniors and Seniors

A UHS diploma carries with it a level of expectation and signifies success in an extremely rigorous and challenging academic setting. The criteria for prospective Junior and Senior Admissions reflects the preparation of current UHS students at this level. Any admissions of Juniors and Seniors is subject to space availability. There may be times when no Junior or Senior students will be admitted. If there are openings and applications are accepted, the following criteria will be piloted.

Students must:

1. be on track to graduate with a UHS diploma. (Appendix E)
2. demonstrate successful performance on the State's standardized test requirements for graduation.
3. have earned an Exceeds on the AIMS or the equivalent ratings on future testing on two of the subjects tests, reading, writing and mathematics.
4. GPA of 3.0 or higher in all previous coursework.
5. score of 167 or higher on the PSAT or a score of 1670 or higher on the SAT.

YEAR 2 (for students applying in 2014-15 to enroll in 2015-16)

The Year Two process is an extension of the pilot process that was used for sophomore students in Year One. Based on an extensive evaluation of the Year One process, including analysis of each component and their effectiveness and efficiency, the functioning components of the list below will be used.

A. Freshman and Sophomores

1. All eighth and ninth grade applicants will be given the CogAT to determine eligibility for UHS admissions for the 2015-16 school year. A minimum composite score of 7 will qualify students for points towards admission.

2. Transcript analysis/GPA
   a. See Appendix L, #4.
   b. A minimum cumulative GPA of 3.0 on a 4.0 un-weighted scale in four core classes – English, Social Studies, Mathematics, and Science will qualify students for points towards admission.

3. Academic Motivation Test (CAIMI OR OTHER RELEVANT MEASURES): All eighth and ninth grade applicants will take the CAIMI OR OTHER RELEVANT MEASURES.

4. Non-Cognitive Admissions Component (Sedlacek and Brooks): Questions would be developed for short answer responses and would be given at the same time as the Motivation assessment. These questions would be related to the seven non-cognitive variables from Sedlacek and Brooks. *See Appendix F.*

5. Teacher Evaluation: Students will submit teacher evaluations similar to the exemplar used by IMSA. See *Appendix H.*

B. Juniors and Seniors

See Year 1

VIII. REVIEW

A. UHS will create a committee that will review the process and results of admissions yearly. Changes will be considered for the next admissions cycle. See Appendix L, #5.

IX. RECRUITMENT AND RETENTION

While recruitment and retention are not part of this Admissions Plan, they are a significant component in UHS's work in increasing and maintaining the diversity of the campus. On-going efforts are in place to improve recruitment of eligible students, as are the development and improvement of student support systems, many of which are already in place.

Appendix L

1. All 7th graders will be given the appropriate UHS admission tests in the spring of each school year.

2. The motivation test will be used as an additive score with a possible point value of up to five points.

3. District Accountability and Research will analyze the results of the pilot CAIMI for effectiveness and efficiency. If it is determined that the CAIMI does not meet the intended results, other relevant assessments will be evaluated.

4. ~~A rubric will be developed to weight GPA and transcript analysis that yields higher values for higher GPA and honors/advanced coursework. For example, a student could be given an additional point for taking an advanced level class, regardless of the grade earned~~. The process for transcript analysis will be determined based on an evaluation of the Year 1 Sophomore pilot.

5. UHS will create a committee that will review the process and results of admissions yearly, including analyzing the correlation among the CogAt, GPA, CAIMI and any non-cognitive assessments used, with the results broken out by the race, ethnicity and ELL status of students. Changes will be considered for the next admissions cycle.

ATTACHMENT G

From: Willis D. Hawley <wdh@umd.edu>
Sent: Monday, December 09, 2013 3:10 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

My Report and Recommendation takes into account the new Appendix L to the UHS Admissions Plan which, as you state in your memo, makes "revisions [that] are minimal and are intended as clarifications only." To the extent your memo or Appendix L fully addressed a Mendoza or Fisher objection (for example, the Mendoza objection to the failure of the admissions plan to commit to testing all 7th grade students as required by the USP), I treated the objection as resolved and did not address it in my Report and Recommendations. To the extent an objection was neither addressed nor fully resolved in your memo and Appendix L, I addressed it in my Report and Recommendations.

I do not know when the Court will respond. I did request expedited action. I assume that the District is looking into how it might respond should the Court accept my recommendations. It already has information about the kinds of essays applicants might submit and the types of information students provide as "non-cognitive measures". And, the District has implied that such measures might be used in future years so that whatever investment is made in this regard will be productive in any case.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Friday, December 06, 2013 5:56 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: UHS report and recommendation

Bill,

As you know, we submitted a memo to you and the parties on November 15,2013, responding to each of the objections raised by the Fisher and Mendoza Plaintiffs and attaching the new Appendix L which was designed to respond directly to concerns raised by the Plaintiffs. We did not see any response from the Plaintiffs to that memo or those changes. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District took that additional action (or, on the other hand, that the memo and Appendix addressed their concerns satisfactorily)? Did they make a request after our November 15 and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000

(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

ATTACHMENT H

From: Willis D. Hawley <wdh@umd.edu>
Sent: Monday, December 09, 2013 4:34 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

What are the reasons for these questions? The provisions of the USP require that I submit to the Court objections raised by the plaintiffs. As you can see, I copied the plaintiffs in my response. I have no reason to believe that they believe that the R&R I submitted does not address their concerns or that it deals with issues they do not think warrant the R&R.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Monday, December 09, 2013 6:12 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

As set forth below, I have two specific questions I am asking you to answer:

1. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District revised the UHS plan, added Appendix L and submitted its memo? (Your email, below, suggests you determined whether or not an objection was resolved and I am asking whether the Plaintiffs provided input after the memo on whether or not it addressed the specific objections.)

2. Did the Plaintiffs make a request after our November 15 memo and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks,
Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 3:10 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org;

Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

My Report and Recommendation takes into account the new Appendix L to the UHS Admissions Plan which, as you state in your memo, makes "revisions [that] are minimal and are intended as clarifications only." To the extent your memo or Appendix L fully addressed a Mendoza or Fisher objection (for example, the Mendoza objection to the failure of the admissions plan to commit to testing all 7th grade students as required by the USP), I treated the objection as resolved and did not address it in my Report and Recommendations. To the extent an objection was neither addressed nor fully resolved in your memo and Appendix L, I addressed it in my Report and Recommendations.

I do not know when the Court will respond. I did request expedited action. I assume that the District is looking into how it might respond should the Court accept my recommendations. It already has information about the kinds of essays applicants might submit and the types of information students provide as "non-cognitive measures". And, the District has implied that such measures might be used in future years so that whatever investment is made in this regard will be productive in any case.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Friday, December 06, 2013 5:56 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: UHS report and recommendation

Bill,

As you know, we submitted a memo to you and the parties on November 15,2013, responding to each of the objections raised by the Fisher and Mendoza Plaintiffs and attaching the new Appendix L which was designed to respond directly to concerns raised by the Plaintiffs. We did not see any response from the Plaintiffs to that memo or those changes. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District took that additional action (or, on the other hand, that the memo and Appendix addressed their concerns satisfactorily)? Did they make a request after our November 15 and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

ATTACHMENT I

From: Willis D. Hawley <wdh@umd.edu>
Sent: Tuesday, December 10, 2013 11:58 AM
To: Smith, Lisa Anne
Subject: RE: UHS report and recommendation

SEE BELOW

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Tuesday, December 10, 2013 12:50 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

I ask because we prepared a careful, point by point response to the Plaintiffs' concerns and never heard anything further on the matter from them or you until the R&R was submitted. We would like to know which of their objections the Plaintiffs believe were not adequately addressed. I thought they were simple questions, but I will rephrase them:

After the District's memo, did the Plaintiffs tell you that the response was inadequate and that they still wanted to go forward? YES
After the District's memo, did they identify which of their objections remained unresolved? I PREPARED A RESPONSE BASED ON THE ISSUES THEY FELT WERE UNRESOLVED AND IDENTIFIED OTHERS THAT, WHILE UNRESOLVED, I RECOMMENDED BE ADDRESSED IN DIFFERENT CONTEXTS. THE OTHER ISSUES RAISED WERE SATISFIED—LIKE THE 7TH GRADE TESTS.

LET ME KNOW IF THIS NEEDS FURTHER CLARIFICATION.

Lisa Anne
Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 4:34 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

What are the reasons for these questions? The provisions of the USP require that I submit to the Court objections raised by the plaintiffs. As you can see, I copied the plaintiffs in my response. I have no reason to believe that they believe that the R&R I submitted does not address their concerns or that it deals with issues they do not think warrant the R&R.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Monday, December 09, 2013 6:12 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

As set forth below, I have two specific questions I am asking you to answer:

1. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District revised the UHS plan, added Appendix L and submitted its memo? (Your email, below, suggests you determined whether or not an objection was resolved and I am asking whether the Plaintiffs provided input after the memo on whether or not it addressed the specific objections.)

2. Did the Plaintiffs make a request after our November 15 memo and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks,
Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 3:10 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

My Report and Recommendation takes into account the new Appendix L to the UHS Admissions Plan which, as you state in your memo, makes "revisions [that] are minimal and are intended as clarifications only." To the extent your memo or Appendix L fully addressed a Mendoza or Fisher objection (for example, the Mendoza objection to the failure of the admissions plan to commit to testing all 7th grade students as required by the USP), I treated the objection as resolved and did not address it in my Report and Recommendations. To the extent an objection was neither addressed nor fully resolved in your memo and Appendix L, I addressed it in my Report and Recommendations.

I do not know when the Court will respond. I did request expedited action. I assume that the District is looking into how it might respond should the Court accept my recommendations. It already has information about the kinds of essays

applicants might submit and the types of information students provide as "non-cognitive measures". And, the District has implied that such measures might be used in future years so that whatever investment is made in this regard will be productive in any case.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Friday, December 06, 2013 5:56 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: UHS report and recommendation

Bill,

As you know, we submitted a memo to you and the parties on November 15,2013, responding to each of the objections raised by the Fisher and Mendoza Plaintiffs and attaching the new Appendix L which was designed to respond directly to concerns raised by the Plaintiffs. We did not see any response from the Plaintiffs to that memo or those changes. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District took that additional action (or, on the other hand, that the memo and Appendix addressed their concerns satisfactorily)? Did they make a request after our November 15 and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

ATTACHMENT J

From: Willis D. Hawley <wdh@umd.edu>
Sent: Tuesday, December 10, 2013 6:14 PM
To: Smith, Lisa Anne
Subject: RE: UHS report and recommendation

I was about to respond but I think Lois' comments and the R&R deal with this matter. Bill

---

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Tuesday, December 10, 2013 2:12 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: RE: UHS report and recommendation

Can you please forward to me whatever was provided to you to identify which concerns remained unresolved?

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Tuesday, December 10, 2013 11:58 AM
To: Smith, Lisa Anne
Subject: RE: UHS report and recommendation

SEE BELOW

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Tuesday, December 10, 2013 12:50 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

I ask because we prepared a careful, point by point response to the Plaintiffs' concerns and never heard anything further on the matter from them or you until the R&R was submitted. We would like to know which of their objections the Plaintiffs believe were not adequately addressed. I thought they were simple questions, but I will rephrase them:

After the District's memo, did the Plaintiffs tell you that the response was inadequate and that they still wanted to go forward? YES

After the District's memo, did they identify which of their objections remained unresolved? I PREPARED A RESPONSE BASED ON THE ISSUES THEY FELT WERE UNRESOLVED AND IDENTIFIED OTHERS THAT, WHILE UNRESOLVED, I RECOMMENDED BE ADDRESSED IN DIFFERENT CONTEXTS. THE OTHER ISSUES RAISED WERE SATISFIED—LIKE THE 7TH GRADE TESTS.

LET ME KNOW IF THIS NEEDS FURTHER CLARIFICATION.

Lisa Anne
Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 4:34 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

What are the reasons for these questions? The provisions of the USP require that I submit to the Court objections raised by the plaintiffs. As you can see, I copied the plaintiffs in my response. I have no reason to believe that they believe that the R&R I submitted does not address their concerns or that it deals with issues they do not think warrant the R&R.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Monday, December 09, 2013 6:12 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

As set forth below, I have two specific questions I am asking you to answer:

1. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District revised the UHS plan, added Appendix L and submitted its memo? (Your email, below, suggests you determined whether or not an objection was resolved and I am asking whether the Plaintiffs provided input after the memo on whether or not it addressed the specific objections.)

2. Did the Plaintiffs make a request after our November 15 memo and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks,
Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 3:10 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

My Report and Recommendation takes into account the new Appendix L to the UHS Admissions Plan which, as you state in your memo, makes "revisions [that] are minimal and are intended as clarifications only." To the extent your memo or Appendix L fully addressed a Mendoza or Fisher objection (for example, the Mendoza objection to the failure of the admissions plan to commit to testing all 7th grade students as required by the USP), I treated the objection as resolved and did not address it in my Report and Recommendations. To the extent an objection was neither addressed nor fully resolved in your memo and Appendix L, I addressed it in my Report and Recommendations.

I do not know when the Court will respond. I did request expedited action. I assume that the District is looking into how it might respond should the Court accept my recommendations. It already has information about the kinds of essays applicants might submit and the types of information students provide as "non-cognitive measures". And, the District has implied that such measures might be used in future years so that whatever investment is made in this regard will be productive in any case.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Friday, December 06, 2013 5:56 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: UHS report and recommendation

Bill,

As you know, we submitted a memo to you and the parties on November 15,2013, responding to each of the objections raised by the Fisher and Mendoza Plaintiffs and attaching the new Appendix L which was designed to respond directly to concerns raised by the Plaintiffs. We did not see any response from the Plaintiffs to that memo or those changes. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District took that additional action (or, on the other hand, that the memo and Appendix addressed their concerns satisfactorily)? Did they make a request after our November 15 and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

ATTACHMENT K

From: Thompson, Lois D. <lthompson@proskauer.com>
Sent: Tuesday, December 10, 2013 6:04 PM
To: Smith, Lisa Anne; 'Brown, Samuel'
Cc: wdh@umd.edu; 'Rubin Salter, Jr.'; 'Bhargava, Anurima (CRT)'; 'Savitsky, Zoe(CRT)'; nramirez@MALDEF.org
Subject: Re: UHS report and recommendation

Lisa Anne,

We are puzzled by your repeated emails to Dr. Hawley with respect to the Report and Recommendation ("R&R") he filed concerning the UHS admissions plan.

It is quite clear to us that in that R&R Dr. Hawley addresses issues with the admissions plan and the District's failures to comply with the USP with respect to the timing and process for the creation of the plan that have repeatedly been the subjects of comment/objection by the Mendoza (and Fisher) Plaintiffs and that were not resolved by your memo of November 15, 2013 or the new "Appendix L" to the plan. It is equally clear to us that Dr. Hawley did exactly what we would have expected him to do with respect to our request for a report and recommendation when he thereafter received that November 15 memo and Appendix L. He determined which issues had been resolved by the memo and Appendix L and treated them accordingly in his R&R. (Therefore, he did not address the Mendoza Plaintiffs' objection to the failure to commit to testing 7th graders because Appendix L now says that will occur; he referenced the clarification that makes explicit that the "motivation test" will be used as an additive score with a possible point value of up to five points; and he omitted reference to the Mendoza Plaintiffs' objection to the portion of the plan that referred to assigning grades in certain classes additional points for purposes of calculating an applicant's GPA because Appendix L at least temporarily moots that issue.)

To answer your questions directly: we did not need to tell Dr. Hawley that the District's memorandum of November 15 and Appendix L failed to resolve all of our concerns and objections. That was apparent. Before he filed his R&R, Dr. Hawley informed us that he would not address an issue like the testing of 7th graders in his R&R because through its memo and Appendix L, the District had brought itself into compliance with the USP on that particular issue.

We hope the foregoing sets this issue to rest.

Lois

Lois D. Thompson
Partner

Proskauer
2049 Century Park East
Suite 3200
Los Angeles, CA 90067-3206
d 310.284.5614
f 310.557.2193
lthompson@proskauer.com

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Tuesday, December 10, 2013 9:50 AM
To: 'Willis D. Hawley'
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

I ask because we prepared a careful, point by point response to the Plaintiffs' concerns and never heard anything further on the matter from them or you until the R&R was submitted. We would like to know which of their objections the Plaintiffs believe were not adequately addressed. I thought they were simple questions, but I will rephrase them:

After the District's memo, did the Plaintiffs tell you that the response was inadequate and that they still wanted to go forward?
After the District's memo, did they identify which of their objections remained unresolved?

Lisa Anne
Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 4:34 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

What are the reasons for these questions? The provisions of the USP require that I submit to the Court objections raised by the plaintiffs. As you can see, I copied the plaintiffs in my response. I have no reason to believe that they believe that the R&R I submitted does not address their concerns or that it deals with issues they do not think warrant the R&R.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Monday, December 09, 2013 6:12 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

Bill,

As set forth below, I have two specific questions I am asking you to answer:

1. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District revised the UHS plan, added Appendix L and submitted its memo? (Your email, below, suggests you determined whether or not an objection was resolved and I am asking whether the Plaintiffs provided input after the memo on whether or not it addressed the specific objections.)

2. Did the Plaintiffs make a request after our November 15 memo and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks,
Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

From: Willis D. Hawley [mailto:wdh@umd.edu]
Sent: Monday, December 09, 2013 3:10 PM
To: Smith, Lisa Anne
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org); nramirez@maldef.org; Thompson, Lois D.; Rubin Salter, Jr.
Subject: RE: UHS report and recommendation

My Report and Recommendation takes into account the new Appendix L to the UHS Admissions Plan which, as you state in your memo, makes "revisions [that] are minimal and are intended as clarifications only." To the extent your memo or Appendix L fully addressed a Mendoza or Fisher objection (for example, the Mendoza objection to the failure of the admissions plan to commit to testing all 7th grade students as required by the USP), I treated the objection as resolved and did not address it in my Report and Recommendations. To the extent an objection was neither addressed nor fully resolved in your memo and Appendix L, I addressed it in my Report and Recommendations.

I do not know when the Court will respond. I did request expedited action. I assume that the District is looking into how it might respond should the Court accept my recommendations. It already has information about the kinds of essays applicants might submit and the types of information students provide as "non-cognitive measures". And, the District has implied that such measures might be used in future years so that whatever investment is made in this regard will be productive in any case.

Bill

From: Smith, Lisa Anne [mailto:lasmith@dmyl.com]
Sent: Friday, December 06, 2013 5:56 PM
To: Willis D. Hawley
Cc: Brown, Samuel (Samuel.Brown@tusd1.org); Tolleson, Julie (Julie.Tolleson@tusd1.org)
Subject: UHS report and recommendation

Bill,

As you know, we submitted a memo to you and the parties on November 15,2013, responding to each of the objections raised by the Fisher and Mendoza Plaintiffs and attaching the new Appendix L which was designed to respond directly to concerns raised by the Plaintiffs. We did not see any response from the Plaintiffs to that memo or those changes. Did you receive any information from the Plaintiffs regarding further concerns or objections remaining after the District took that additional action (or, on the other hand, that the memo and Appendix addressed their concerns satisfactorily)? Did they make a request after our November 15 and the accompanying voluntary resolution of those concerns for a Recommendation and Report, or did their only requests come prior to that memo?

Thanks.

Lisa Anne

Lisa Anne Smith
DeConcini McDonald Yetwin & Lacy, P.C.
2525 E. Broadway, Suite 200
Tucson, AZ 85716
(520) 322-5000
(520) 322-5585 (fax)
lasmith@dmyl.com
www.deconcinimcdonald.com

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

This communication is confidential and is intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately destroy it and notify the sender by reply e-mail or by telephone (520) 322-5000 (call collect).

****

To ensure compliance with requirements imposed by U.S. Treasury Regulations, Proskauer Rose LLP informs you that any U.S. tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

****

This message and its attachments are sent from a law firm and may contain information that is confidential and protected by privilege from disclosure. If you are not the intended recipient, you are prohibited from printing, copying, forwarding or saving them. Please delete the message and attachments without printing, copying, forwarding or saving them, and notify the sender immediately.

Appendix U

RUSING LOPEZ & LIZARDI, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800
Facsimile: (520)529-4262

J. William Brammer, Jr. (State Bar No. 002079)
wbrammer@rllaz.com
Oscar S. Lizardi (State Bar No. 016626)
olizardi@rllaz.com
Michael J. Rusing (State Bar No. 006617)
mrusing@rllaz.com
Patricia V. Waterkotte (State Bar No. 029231)
pvictory@rllaz.com
Attorneys for Tucson Unified School District No. One, et al.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

MOTION TO APPROVE THE SPECIAL MASTER'S UHS ADMISSIONS MEMORANDUM MODIFYING DECEMBER 16, 2013 ORDER

(First Request)

Motion for Action

CV 74-204 TUC DCB
(Consolidated Case)

Pursuant to LRCiv 7.3 (a), Defendant Tucson Unified School District No. One, ("TUSD") moves the Court for approval of the deadline modifications found in the January 3, 2014 UHS admissions memorandum from the Special Master to all parties, attached hereto as **Exhibit A** ("Special Master UHS Modification Memo").

The Special Master UHS Modification Memo sets forth stipulated interim modifications to the Court's December 16, 2013 order on the UHS Admissions Plan. *See* ECF No. 1520 ("12/16/13 Order"). In the Special Master UHS Modification Memo, the Special Master extended TUSD's deadline to implement a revised UHS admissions plan from January 15, 2014 to January 31, 2014. Counsel for the Fisher Plaintiffs (Rubin Salter, Jr.) and counsel for the Mendoza Plaintiffs (Lois Thompson) were consulted and do not object to the proposed modifications set forth in the Special Master UHS Modification Memo.

TUSD currently has pending a Motion for Reconsideration (ECF No. 1533) of the Court's December 20, 2013 order (ECF No. 1529) which rejected the TUSD UHS Admissions Plan and affirmed the Special Master's UHS Admissions Plan. In reaching the stipulated modifications in the attached Special Master UHS Modification Memo, TUSD does not intend to waive any of its arguments in the Motion for Reconsideration and/or waive any future appellate remedies it may have regarding the Court's rejection of TUSD's UHS Admissions Plan.[1] Instead, recognizing the immediate need to address the 2013-2014 UHS admissions process and TUSD's compliance with the 12/16/13 Order, TUSD and the Special Master met to discuss an interim solution applicable solely to the 2013-2014 admissions process that will be implemented while the Court resolves TUSD's objections to the Court's orders (ECF No.'s 1520 & 1529) requiring TUSD to implement the Special Master's UHS Admissions Plan instead of TUSD's UHS Admissions Plan. Accordingly, TUSD hereby requests approval of the deadline modifications contained in the Special Master UHS Modification Memo attached hereto.

[1] Although the Mendoza Plaintiffs and the Fisher Plaintiffs have no objections to the attached Special Master UHS Modifications Memo, they did not concede that TUSD has a right to seek reconsideration of or appeal the Court's order denying the TUSD UHS Admissions Plan.

Rusing Lopez & Lizardi, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800

Respectfully submitted this 7th day of January, 2014

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

s/ J. William Brammer, Jr.
J. William Brammer, Jr.
Oscar S. Lizardi
Michael J. Rusing
Patricia V. Waterkotte
Attorneys for Tucson Unified School District No. One, et al.

Rusing Lopez & Lizardi, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800

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

RICHARD M. YETWIN ASBN 03196
LISA A. SMITH ASBN 16762
SESALY O. STAMPS 25773
Attorneys for Defendant TUSD
DeConcini, McDonald, Yetwin & Lacy
2525 E. Broadway Blvd., Suite 200
Tucson, Arizona 85716-5303
(520) 322-5000
ryetwin@dmyl.com
lasmith@dmyl.com
sstamps@dmyl.com

LOIS D. THOMPSON CSBN 093245
JENNIFER L. ROCHE CSBN 254538
Attorneys for Mendoza Plaintiffs
Proskauer Rose LLP
2049 Century Park East, Suite 3200
Los Angeles, California 90067
(310) 557-2900
lthompson@proskauer.com
jroche@proskauer.com

NANCY A. RAMIREZ CSBN 152629
Attorney for Mendoza Plaintiffs
Mexican American LDEF
634 S. Spring St. 11th Floor
Los Angeles, CA 90014
(213) 629-2512
nramirez@maldef.org

RUBIN SALTER, JR. ASBN 01710
Attorney for Fisher, et al., Plaintiffs
177 North Church Avenue, Suite 903
Tucson, Arizona 85701-1119
rsjr2@aol.com
ANURIMA BHARGAVA
ZOE M. ZAVITSKY CAN 281616
Attorneys for Plaintiff-Intervenor
USDOJ Civil Rights Division
601 D St. NW, Ste. 4300
Washington, DC 20004
(202) 353-3504
anurima.bhargava@usdoj.gov
zoe.savitsky@usdoj.gov

COPY of the foregoing served via email this 7th day of January, 2014 to:

WILLIS D. HAWLEY
Special Master
2138 Tawes Building
College of Education
University of Maryland
College Park, MD 20742
(301) 405-3592
wdh@umd.edu

s/ Rose Magaddino

Rusing Lopez & Lizardi, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800

EXHIBIT A

January 3, 2013
To: Parties
From: Bill Hawley
Re: UHS Admissions Process and Criteria for 2014-15 Admissions

I met with the Superintendent, Julie Tolleson and others about the Court approved admission process on December 17 & 18. The District raised some appropriate concerns about developing rubrics for the essays and meeting the January 15, 2013 deadline. In response to those concerns, I agreed to modify the elements of the Order about which I will advise the Court. If you have objections to this, let me know as soon as possible. A summary of the changes, outlined in more detail below, are:

(1) To collapse the essay and non-cognitive measures into one assessment activity—the preparation of short essay responses to items measuring non-cognitive attributes (such as experiences that reflect contributions to families or communities). This change incorporates both the essay and non-cognitive measures identified in the Court Order but avoids the development of grading rubrics for more complex essay topics. This may equalize the playing field for students who may have difficulty with academic language but is motivated by the technical concern about rubrics. Note that the District retains the right to design the non-cognitive essay content, something they wanted and is appropriate. As you know, the District has examples of such measures used by other exam schools.

(2) The date for providing selected students the opportunity respond to the new admission criteria is changed from January 15 to January 31. Recall that the proposal was made by me on November 22 but was not acted upon until mid-December. Since students who met the original criteria have already been admitted, there is no downside to the delay.

Assuming that it agrees to the provisions below, the District does not waive its right to seek reconsideration or to appeal to the Ninth Circuit.

The understandings below apply to those aspects of the Court Order relating to admission criteria and processes for 2013-14.

1. Special Master 11/22/13 Recommendation No. 1: "Expedite the review of applicants for admission to UHS using criteria used in 2013-2014". (ECF No. 1519, p.9)

Stipulated Agreement: This already has been completed.

2. Special Master 11/22/13 Recommendation No. 2: "Develop student essay questions and non-cognitive measures (the District already has examples of these from other exam schools and can easily get more) not later than January 15, 2014." (ECF No. 1519, p.9)

Stipulated Agreement: TUSD will develop , no later than January 31, 2014, non-cognitive, short-answer essay questions, to be administered in a single instrument. The content of those questions is for the crafting by TUSD educational professionals.

3. Special Master 11/22/13 Recommendation No. 3: "Identify applicants who are potentially eligible for admission to UHS by changing the initial cut score on the aggregated GPA and CogAT weights form 50 to some number that increase the pool of eligible candidates by at least 33 percent or a number agreed to by the District and the Special Master. This will create a preliminary eligibility pool." (ECF No. 1519, p.9)

Stipulated Agreement: TUSD will develop an initial pool of diverse applicants using cluster data analysis to determine both the point cut-off and the applicants in the preliminary eligibility pool. The number of students involved shall be no less than the number proposed by the District in its proposal to which the Special Master's revisions were addressed.

4. Special Master 11/22/13 Recommendation No. 4: "As soon as possible, the students in the preliminary eligibility pool will be invited to write a qualifying essay and complete the questionnaire that identifies non-cognitive student characteristics typically used in selective school and college admissions." (ECF No. 1519, pp.9-10)

Stipulated Agreement: TUSD will develop non-cognitive, short-answer essay questions (a single instrument) to satisfy the recommended requirement to develop "student essay questions and non-cognitive measures."

5. Special Master 11/22/13 Recommendation No. 5: "As an alternative to [recommendation] 4, the District could ask all applicants to prepare the essay and to fill out the form identifying particular experiences and strengths of those who are applying as soon as the essay topics and questionnaire are prepared." (ECF No. 1519, p.10)

Stipulated Agreement: Recommendation No. 5 was an alternative strategy that TUSD need not pursue.

6. Special Master 11/22/13 Recommendation No. 6: "An additional number of points based on the essays and evidence of student characteristics related to achievement would be added to the aggregated GPA and CogAt scores. This number should be consequential and determined based upon the quality of the responses to the alternative measures." (ECF No. 1519, p.10)

Stipulated Agreement: An additional number of points based on the non-cognitive measure essays that provide evidence of student characteristics related to achievement would be added to the aggregated GPA and CogAt scores. This number should be consequential and determined based upon the quality of the responses to the alternative measures. Additional points will be assigned as part of the scoring rubric developed by the District will be applied accordingly.

7. TUSD shall have until January 31, 2014 to implement this plan.

8. TUSD will send out notification letters to applicants who met the minimum criteria of fifty admission points for the 2014-15 school year. (This has been done).

9. TUSD will implement its current plans to administer the CAIMI to all eighth graders as a pilot to determine its potential effectiveness (the results will not be used for admission for the 2014-15 school year).

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

PROPOSED ORDER

CV 74-204 TUC DCB
(Consolidated Case)

Upon Defendant Tucson Unified School District's Motion to Approve the Special Master's UHS Admissions Memorandum Modifying the December 16, 2013 Order and extending deadlines contained within the December 16, 2013 Order, and good cause appearing

IT IS HEREBY ORDERED that the Motion is granted.

Rusing Lopez & Lizardi, P.L.L.C.
6363 North Swan Road, Suite 151
Tucson, Arizona 85718
Telephone: (520) 792-4800

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

Maria Mendoza, et al.

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.

Defendants.

CV 74-90 TUC DCB
(Lead Case)

ORDER

CV 74-204 TUC DCB
(Consolidated Case)

Pursuant to the Motion filed on January 9, 2014, by the Special Master to Amend his recommendations regarding the UHS Admissions Process Revisions (Doc. 1543), the Court finds good cause to grant Defendant Tucson Unified School District's Motion to Approve the Special Master's UHS Admissions Memorandum Modifying the recommendations of the Special Master, adopted by Court Order issued December 16, 2013, (Doc. 1537).

Accordingly,

IT IS ORDERED that the Motion by TUSD for an Order Adopting R&R, Set Deadlines to Approve the Special Master's UHS Admissions Memorandum (Doc. 1537) is GRANTED.

IT IS FURTHE ORDERED that the Special Master's Amendment to the R&R Re: UHS Admissions Process Revisions to extend the deadline for implementation of a revised UHS admissions plan from January 15, 2014 to January 31, 2014 is ADOPTED.

IT IS FURTHER ORDERED that the Motion (Doc. 1543) filed by the Special Master to Amend the R&R Re: UHS Admissions Process Revisions (Doc. 1519) is GRANTED. The R&R (Doc. 1519), as hereby amended, is ADOPTED by the Court.

Dated this 17th day of January, 2014.

David C. Bury
United States District Judge