

MENDOZA PLAINTIFFS' COMMENTS ON DRAFT COMPREHENSIVE MAGNET PLAN ("CMP") RECEIVED
JUNE 27, 2014

July 7, 2014

Mendoza Plaintiffs are continuing to review the draft Comprehensive Magnet Plan received June 27, 2014 ("June 2014 draft CMP"). They provide these comments to comply with the District's request for comment in advance of the Governing Board meeting on July 8, 2014, and in accordance with the schedule confirmed by Dr. Hawley, which provides for additional comment through July 14, 2014.

Mendoza Plaintiffs will also address the District's responses to comments that accompanied the delivery of the June 2014 draft CMP ("TUSD Response").

Mendoza Plaintiffs appreciate inclusion of responses to Dr. Genevieve Siegel-Hawley's comments in those responses.¹ Mendoza Plaintiffs understand those comments to have been "bubble comments" inserted in a draft of the CMP. They would appreciate receiving a copy of the draft with those "bubble comments" since in a number of instances they have only been able to make informed guesses as to the specific item in an earlier draft CMP being addressed by Dr. Siegel-Hawley.

Mendoza Plaintiffs also request a copy of the 2011 Marketing Study which was referenced on page 12 of the District's June 28 responses as being attached to the responses but was not attached with the document that Mendoza Plaintiffs received.

(1) Mendoza Plaintiffs continue to have concerns about the fact that under the June 2014 CMP, only one school (Dodge MS) is to have no attendance boundary and that all other magnet schools (other than the high schools) are to have neighborhood preference areas. They understand the District's response but also note Dr. Siegel-Hawley's comments on the provision on page 8 of the draft that she was reviewing ("Students living in the attendance boundary are guaranteed a seat in the magnet program"): "But this is changing? Would be good if it did because it could have a negative impact on integration depending on neighborhood makeup and how carefully/frequently boundaries are defined." (TUSD Responses at 1.)

(2) Mendoza Plaintiffs continue to have concerns about the District's desire to make Craigin a magnet school. They appreciate the additional information provided in the TUSD responses of June 27, 2014; however, those responses have not ameliorated their concerns, which have been set out in their earlier written comments and in discussion with the District on June 18, 2014. Mendoza Plaintiffs also

¹ They also renew the request of the Fisher Plaintiffs in which they joined for any written report that Dr. Siegel-Hawley may have provided (or may provide) in addition to the referenced comments.

disagree with the District's statement at page 10 of its responses that the designation of Craigin increases the number of integrated schools in the District since it currently (pre-magnet designation) is integrated.

(3) Mendoza Plaintiffs continue to question the explanation advanced by the District in support of making Craigin a fine arts magnet (that it will help Utterback become an integrated magnet by having a currently integrated school feed into it). (See TUSD Response at 13.) That concern has been heightened by the District's response to the Mendoza Plaintiffs inquiry concerning District plans in the event Utterback is "demagnetized" ("We are not planning for contingencies that may be two or three years off....")²

(4) Mendoza Plaintiffs have previously objected to the references to the Tucson High School magnet program as "integrated" (see Preliminary Annual Progress Document, making that reference), given their understanding that the District has lacked data on the basis of which it could determine the race and ethnicity of all the participants in the high school magnet programs because only out of neighborhood students had been required to complete magnet school/program applications. If that changed in 2013-24 (as contemplated by the USP in Section II, G, 1) and such data is available, Mendoza Plaintiffs ask that it (and any comparable data for the race and ethnicity of students enrolled in other high school magnet programs) be provided. (See also the chart on pages 43-44 of the June 2014 draft CMP. Mendoza Plaintiffs ask if that data for the 40th day reflects all freshmen participation in Tucson High magnet programs in the freshman year (that is, neighborhood and non-neighborhood) and in the other high school's magnet programs or only out of neighborhood participation.) Further, they ask if the District has an explanation for the significant drop off for Tucson High School in the White and African-American enrollment that is reported and what, if anything, it is doing to address that fall off going forward?

(5) Mendoza Plaintiffs continue to have concerns about the statement in the CMP that a request to become a magnet school must include strategies to attract African American and Native American families. They understand the District's comment that African American and Native American students are underrepresented in magnet schools (TUSD Response at 16) but do not believe that response (or the provision of the June 2014 draft CMP) is sufficient to address what should be the full recruitment strategy for a magnet school – that is, to attract and retain a student body that is integrated under the definition in the USP.

(6) Mendoza Plaintiffs do not understand the new language on page 13 of the June 2014 draft CMP that says the Magnet Department will ensure that "some populations are not over-targeted" and are concerned that it may be counter-productive and undermine implementation of the CMP and the

² The Statement in the TUSD Response that Craigin attracted more Hispanic and African American students to its incoming class than that in its current first year class (as of the 40th day) appears to be only partially correct per the chart on page 46 of the June 2014 draft CMP. Hispanic enrollment appears to be down by 2 while African American enrollment is up by 3.

USP. As noted above, the District believes that African American and Native American students are underrepresented in magnet schools and presumably intends to aggressively target those populations. Similarly, to achieve integration of magnet schools, White families will need to be aggressively targeted to attend some schools and Latino students will need to be aggressively targeted to attend others. Mendoza Plaintiffs are concerned that use of language referring to “over-targeting” (whatever that may actually be intended to mean) will undermine such efforts and be potentially violative of other sections of the CMP, the Family Engagement Plan, and the USP.

(6) The TUSD Response states that the CMP “[u]ses aggressive marketing.” (TUSD Response at 14.) Mendoza Plaintiffs agree with the importance of aggressive marketing and support it. They therefore ask whether the evaluation metric described on page 16 of the June 2014 CMP draft should be adjusted so that recruitment activities are not given the smallest multiplier in the “Diversity” Pillar.

Mendoza Plaintiffs are continuing to review the rubric that the District has used to rate magnet schools and the ratings reported on page 45 of the June 2014 draft CMP. As noted previously, they do not understand how Craigin and Mansfeld can be given any ratings given that they have yet to commence their proposed magnet programs (and as noted above, question if Craigin should be a magnet school). They also question how Booth-Fickett, Borton, Palo Verde, and Tucson High science can be characterized as “meets” given the substantial work needed in these schools as summarized on pages 46 and 47 of the June 2014 draft CMP and given the changes in science themes at Tucson High and Palo Verde which call into question reliance on past experience. Mendoza Plaintiffs will provide additional comment with respect to the rubric and scores by July 14.