

**TUSD's August 6, 2014 Response to the July 25, 2014 Mendoza Request for a Report and Recommendation (R&R) related to the Comprehensive Magnet Plan**

Below are TUSD's responses to the Mendoza Request for an R&R related to the Comprehensive Magnet Plan submitted on July 25, 2014:

*According to the Board Actions document for July 15, 2014 posted on the TUSD web site, the Governing Board:*

*"Approved [the Comprehensive Magnet Plan] with updated language provided in the Power Point Presentation (posted with the agenda item on the TUSD Web), with pending definition of student achievement growth by the Arizona Department of Education and Drachman K-5 Montessori Magnet and Carrillo K-5 magnet schools will remain as is until the Boundary Plan is approved."*

**Mendoza #1: Comprehensive Magnet Plan ("CMP") and PowerPoint Board presentation**

*Mendoza Plaintiffs will therefore reference both the Comprehensive Magnet Plan ("CMP") and the Power Point Presentation herein. They also urge the District to promptly revise the CMP document to include the updated Power Point Presentation language to avoid confusion and lack of clarity going forward.<sup>1</sup>*

<sup>1</sup> *In this regard, they note that the CMP has been posted on the TUSD website with a notation on each page that it was adopted on July 15, 2014; however it does not appear that the updated language from the Power Point Presentation has been incorporated into that document.*

**TUSD Response to 1:** The District will revise the CMP to reflect the changes as outlined in the PowerPoint Presentation.

**Mendoza #2: Drachman and Carrillo boundaries**

*Mendoza Plaintiffs will not address the boundary issues relating to the Drachman and Carrillo schools pending final action concerning the Boundary Plan and having previously expressed their opposition to the proposal relating to these two schools that was presented to the Boundary Committee. However, they do seek a Report and Recommendation concerning other aspects of the CMP as they relate to these two schools.*

**TUSD Response to 2:** The Governing Board will vote on the Boundary Plan on August 12, 2014. As the Mendoza Plaintiffs recognize in their objection, this issue is premature.

### **Mendoza #3: Drachman Elementary**

*Drachman -- The CMP changes Drachman from a K-6 school to a K-5 school. (CMP at 48.) No explanation is provided for this change which is completely at odds with the position taken by the District when it adopted the October 2013 magnet plan. (That plan states at page 15: Drachman “will...expand course offerings to the 7th grade in 2014-15 and 8th grade in 2015-16.”) Mendoza Plaintiffs object to this change because they believe that it will undercut Drachman’s efforts to further develop and implement its Montessori theme and its ability to recruit an increasingly integrated student body. Further, this action is in violation of the Order Appointing Special Master (Doc. 1350), which expressly states at page 3 that before the District makes any changes to student assignment patterns it must provide notice and seek Court approval, which requirement is expressly incorporated into the USP in Section X,C (with the additional requirement, also unmet by the District, that the District prepare a Desegregation Impact Analysis). Mendoza Plaintiffs therefore request the Special Master to bring this instance of noncompliance with the USP to the Court’s attention pursuant to USP Section X,E,6.*

#### **TUSD Response to 3:**

Drachman will remain a K-6, this will be reflected in the revised CMP.

### **Mendoza Objection #4: Theme at Carrillo**

*Carrillo -- The CMP states without any discussion or explanation (at page 36) that Carrillo will have a “new theme” and states that it “will be researching the theme of Communication Arts.” The magnet plan adopted by the District in October 2013 also said that Carrillo would have a new theme -- but at that time it was museum studies. (At page 16 the October 2013 magnet plan stated: “Carillo has spent the last year researching various magnet themes. The staff have proposed a Museum Studies magnet theme. Magnet experts were consulted and are in support of a Museum Studies magnet....”)*

*Mendoza Plaintiffs take no position on what the theme at Carrillo should be. They object to this provision of the CMP based on their understanding that there was little or no community or staff input into the selection of the communication arts theme and out of concern that imposition of a new theme will compromise the school’s increased success in both improving student achievement and recruiting a more integrated student body.*

**TUSD Response to 4:** The District consulted with the principal and select staff who were in agreement with changing the theme to communications arts to better align with the school’s previous focus, resources, and academic program. The principal subsequently met with the entire staff for approval on the change.

### **Mendoza #5: Cragin and Mansfeld**

*Craigin [sic] and Mansfeld -- Mendoza Plaintiffs have repeatedly stated their concerns with respect to the District’s decision to add these two schools as magnet schools. (These concerns not only were expressed in their May 21 and June 12, 2014 comments on the CMP but also in their June 2013 comments on what became the October 2013 magnet plan.) For the reasons set forth in those comments and because the District failed to follow the USP mandated process for*

*the opening of magnet schools or programs as set forth in USP Section X,C,2, Mendoza Plaintiffs request a Report and Recommendation that the District not be permitted to add these two schools as magnet schools.*

**TUSD Response to 5:**

The first Magnet Plan (Magnet Plan 2013-15), approved in October 2013, included the addition of two new magnet programs: Mansfeld and Cragin. Although concerns were raised, no party sought an R&R on this issue and the District proceeded with implementing the Magnet Plan 2013-15 as it was written, including adding Mansfeld and Cragin as new magnets. During the development of the CMP, which was provided in mid-May 2013, was a collaboration with the Special Master and Plaintiffs. During the development of the CMP, the Mendoza Plaintiffs reviewed and requested, and the District provided, specific responses to their questions about how these schools would help strengthen the magnet program and improve integration.

See CMP pgs. 30-13. Cragin was selected as a Performing Arts Magnet because of its integrated population, its location in the north-central quadrant of TUSD, and facility capacity. Being located in the north-central part of TUSD, Cragin can draw from both the west and east sides, and has potential to attract students from outside TUSD as it is located near a border with another district. In the past, the racial/ethnic make-up of Cragin has fluctuated, and Cragin's mobility is significantly higher than the TUSD average. Because magnets offer students the added incentives of free transportation and admissions priority (in cases where the school is oversubscribed), creating a new magnet at a centrally-located, integrated school is a key strategy to ensure that students of all races and ethnicities from across TUSD have increased opportunities to attend an integrated school.

See CMP pg. 30. Mansfeld was selected as a Science, Technology, Engineering and Math (STEM) Magnet because it is centrally located and creating a magnet here has the potential of turning the school from "racially concentrated" to "integrated" within a matter of years. STEM programs have proven across the nation to be successful magnet themes, and replicating successful STEM practices at Mansfeld is promising. Mansfeld's location (across the street from the University of Arizona) is perfect for partnerships with the University and is easily accessible to professionals working at the University and in the downtown areas.

**Mendoza #6: Assessment Criteria**

*Assessment Criteria – Mendoza Plaintiffs note and support the changes the District made in the assessment criteria from those previously proposed to address the concerns of the Plaintiffs and the Special Master that the assessment criteria had to put more emphasis on integration and student achievement. However, they believe that the criteria still underweight those factors,<sup>2</sup> having stopped at reducing "high quality instructional systems" by 5 points (from 20 to 15) and having added 5 points to "diversity" (which Mendoza Plaintiffs continue to assert should be "integration") (from 30 to 35).*

*Mendoza Plaintiffs believe that this can be readily accomplished:*

*Under Pillar 5, 5.16 is directly related to and could easily be part of 1.3 under diversity.*

<sup>2</sup>They also note that the CMP as adopted may be misleading in that it apparently applies the prior rubric, attached to the June draft, rather than the revised rubric for the rating of schools that appears on page 46. (Comparison of the ratings in the CMP as adopted with the June draft reveals that no scores have changed -- something that presumably would not be the case if the revised rubric had been applied.) Mendoza Plaintiffs therefore ask that the District be instructed either to clarify that the results were rerun with the new rubric and that all ratings were the same as with the prior rubric or to rerun and republish the new ratings based on the revised rubric.

**TUSD Response to 6:** The District will continually monitor, evaluate, and (where necessary) revisit the weights and the pillars for maximum impact. Attached is the latest revised version (see Pillars.8.1.2014). This version was revised taking into account the comments made by Plaintiffs, Special Master, and Governing Board. Language was changed in most PILLARS. See attached revised Pillars. Pillar 5.16 was developed to measure **family engagement** of ELL and African American students and is a requirement in the USP (II.E.3,x). This PILLAR (5.14) has been recently revised to provide clarity in the PILLARS. The three measures, integration, student achievement, and family engagement, although not mutually exclusive should be measured differently. The District is maintaining the label “Integration” for PILLAR 1, as Dr. Hawley has stated integration is the primary focus.

#### **Fisher #7: Assessment Criteria**

*Under Pillar 5, 5.15 is inappropriate and must be revised. It rewards (with points) only the engagement of the “local community.” Yet, the successful magnet must have the support of the larger community, whose children live outside the “local community” but elect to attend the school. Properly framed, this, too, becomes part of the assessment of integration.*

**TUSD Response to 7:** Please see attached “Pillars 8.1.2014, PILLAR 5.13, pg 17,” The District has responded by changing the language pursuant to the Fisher Plaintiffs’ suggestion

#### **Fisher #8: Assessment Criteria**

*Pillar 4 should not be part of the assessment at all. It is part of the strategy to achieve academic excellence. (That does not mean that each magnet school should be relieved of the obligation to demonstrate that it has indeed accomplished all of the items currently in Pillar 4 -- and it could well be part of a principal’s evaluation—but it should not be part of the rubric for rating magnet schools.)*

**TUSD Response to 8:** The District respectfully understands the Mendoza Plaintiffs’ concerns. However, the Special Master has recommended professional development be more prevalent in the CMP. The Special Master has made it clear that there are several measures of ‘a successful magnet’ with integration being the most important factor and student academic achievement is the second. Academic achievement will not improve without quality professional development. The USP requires that we have a process in place to improve magnets. Pillar 4 reflects the need

for more professional development that leads to student achievement and a process which to hold schools accountable for improvement.

### **Mendoza #9: Measuring Integration**

*Measuring Integration – This is where Mendoza Plaintiffs understand the updated language of the Power Point Presentation to be essential. They understand the critical language (on the Power Point labeled Pillar 1 – Diversity) to be:*

(1) *“The ethnic composition of the magnet school on the 40th day when comparing identical grade configurations year to year will show progress toward integration” and*

(2) *“Enrollment in the entry grade levels will meet the definition of integration and students in other grades that support progress toward integration will be retained.”*

*Mendoza Plaintiffs believe that this language is essential to the CMP particularly to the extent it underscores the need to focus on retention and attrition and, as stated above, therefore believe that the District should be directed to incorporate the language into the CMP rather than require all concerned to reference the Power Point Presentation.*

**TUSD Response to 9:** This is already addressed in Pillar 1.4 (Standard Indicator: Enrollment in the entry grade levels and the retention of students in other grades.) The retention of students is of the utmost importance, and therefore is one of goals of the plan: “Recruit and retain a racially and ethnically diverse student body in TUSD magnet schools and programs [USP Section (II)(E)(2)]” (CMP pg. 7) Pillar 1.4 is the accountability measure for this goal.

### **Mendoza #10: Outreach and Recruitment**

*Outreach and Recruitment – The Executive Summary states (on page 5) that the CMP “[i]ncludes strategies to specifically engage African American and Latino families, including the families of English language learner (“ELL”) students” but then has no discussion of strategies to reach ELL students beyond the statement that ads will be in the Spanish language media (page 12). Mendoza Plaintiffs ask that the Special Master recommend that the District be directed to articulate explicit strategies to engage and recruit ELL students.*

**TUSD Response to 10:** The District has included specific strategies in the CMP.

CMP pg. 13: This campaign includes the implementation and documentation of specific strategies that support the requirements of the USP, such as:

- English and Spanish language TV ads to air in mainstream and Spanish language media.
- Radio ads highlighting opportunities for students in English and Spanish language media.

- Television ads and print ads featuring actual TUSD students, parents and teachers, with including segments that a focus on racial and ethnic diversity so all audiences see themselves represented in the TUSD brand and Magnet brand.
- Direct mail campaign to highlight learning opportunities to Latino and African-American families; strategically targeted to known addresses.
- Direct mail campaign for magnet schools; strategically targeted to certain zip codes to maximize integrative effects.
- Internet outreach, including space on popular banners and social media outreach
- Event marketing – leveraging community events with high attendance to reach a large number of families.

**Fisher #11:**

*Mendoza Plaintiffs previously have expressed concern with the requirement that the invitation for a request for proposal for new magnet schools or programs include “strategies to attract African American and Native American families.” Mendoza Plaintiffs do not object to the requirement of such strategies particularly given the District’s explanation that African American and Native American families are under-represented in the District’s magnet schools; however, they continue to believe that that requirement is too restrictive Mendoza Plaintiffs request that the Special Master recommend that the District be directed to amend this provision to include strategies to attract ELL students and strategies to attract students whose race or ethnicity would contribute to the integration of the school as defined by the USP. (This is consistent with the language that the District has added to page 13 of the CMP under Magnet Department Marketing and Recruitment.)*

**TUSD Response to 11:**

The first criteria outlined in the CMP is to “...consider sites for adding or replicating a magnet program based on an assessment of four key criteria: racial/ethnic composition; academic achievement; facility condition/capacity; and geographic location [USP Section (II)(E)(3)(i)].” (pg 23). As part of the racial and ethnic composition, the District will include the consideration of the ELL population. The USP requires that the District consider ELL students for the purposes of family engagement. [II.E.3.x]. Accordingly, no revision is necessary or required in this regard.