



<b>Subject:</b> United States' Comments on TUSD's Comprehensive Magnet Plan	<b>Date:</b> June 11, 2014
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## INTRODUCTION

This memorandum summarizes the United States' questions and comments on the District's proposed Comprehensive Magnet Plan ("CMP") – specifically, on its compliance with USP § (II)(E)(3)(i)-(xi). This document is arranged by USP subsection for ease of reference, and is further divided by the items the District was to consider in creating the proposed plans or policies. Note that unless specified below, we adopt our prior comments as provided on September 6, 2013, for Magnet Plan 3.0, and have not repeated those prior comments here.

## COMMENTS BY USP SUBSECTION

This section is divided by: (I) the items the District was supposed to consider in creating the Plan (USP § (II)(E)(3)(i)-(vi)); and (II) the items for which the magnet plan must include "a process or schedule" (USP § (II)(E)(3)(vii)-(xi)).

### **I. "In creating the Plan, the District shall . . ."**

#### **A. Section (i): Consider how/whether/where to add new sites or replicate programs**

USP § (II)(E)(3)(i) requires the District to: "consider how, whether, and where to add new sites to replicate successful programs and/or add new magnet themes and additional dual language programs, focusing on which geographic area(s) of the District are best suited for new programs to assist the District in meeting its desegregation obligations."

Please see comments to Magnet Plan 3.0. The proposed Plan appears to meet this requirement.

#### **B. Section (ii): Improve quality and integrative effect of existing magnets**

USP § (II)(E)(3)(ii) requires the District to: "improve existing magnet schools and programs that are not promoting integration and/or educational quality."

Please see comments to Magnet Plan 3.0. The proposed Plan appears to meet this requirement.

*C. Section (iii): Consider changes, including withdrawal, to magnets of low quality or integrative effect*

USP § (II)(E)(3)(iii) requires the District to: “consider changes to magnet schools or programs that are not promoting integration and/or educational quality, including withdrawal of magnet status.”

Please see comments to Magnet Plan 3.0. We note that the CMP addresses the United States’ prior concern regarding the previously proposed elimination of Pueblo’s Communication Arts magnet theme, which had been rated highly in the 2011 Magnet School Study. The proposed Plan now appears to meet this requirement.

*D. Section (iv): Attendance boundaries*

USP § (II)(E)(3)(iv) requires the District to: “determine if each magnet school or school with a magnet program shall have an attendance boundary.”

Please see comments to Magnet Plan 3.0. The proposed Plan now appears to meet this requirement.

*E. Section (v): Admissions priorities/criteria*

USP § (II)(E)(3)(v) requires the District to: “determine admissions priorities/criteria for each magnet school or program and a process for review of those criteria.”

Please see comments to Magnet Plan 3.0. In those comments, we noted that the proposed lottery process for oversubscribed schools, provided as Attachment B to that Plan, did not comport with USP § (II)(G)(2)(a), which sets forth the criteria that the District must take into account in its oversubscribed magnet admissions process: (1) students residing within a designated preference area. (No more than 50% of the seats available shall be provided on this basis.); (2) siblings of students currently attending the magnet school or program; (3) any students from Racially Concentrated Schools, whose enrollment will enhance integration at the magnet school or program; and (4) students residing in the District.

The CMP does not include a similar Attachment with a proposed lottery or admissions process, and cites a different USP subsection, (IV)(E)(3)(v), regarding the admissions process for oversubscribed schools. (This subsection, quoted above, refers to the obligation to determine criteria for oversubscribed magnets, but is separate from the substantive requirements for those criteria found in § (II)(G)(2)(a).) Further, the language in the CMP regarding oversubscribed school admissions states: “If a school is oversubscribed, then the admission process for magnet programs will be weighted to increase the opportunity for integration at each individual school.”

This criterion does not comport with USP § (II)(G)(2)(a). If we have missed an attachment, please share that attachment. If we have not, we request that the District add USP-compliant magnet admissions priorities/criteria. Note that those proposed in Magnet Plan 3.0 were close to USP-compliant (they took into account criteria (2), (3), and (4) above, but not (1)).

*F. Section (vi): Administrator and certificated staff training*

USP § (II)(E)(3)(vi) requires the District to: “ensure that administrators and certificated staff in magnet schools and programs have the expertise and training necessary to ensure successful implementation of the magnet.”

Please see comments to Magnet Plan 3.0 and below to (II)(C).

**II. The Magnet School Plan shall, at a minimum, set forth a process and schedule . . .”**

*A. Section (vii): Make changes to existing magnets, including improving or withdrawing magnet status*

USP § (II)(E)(3)(vii) requires the District to “set forth a process and schedule to”: “make changes to the theme(s), programs, boundaries, and admissions criteria for existing magnet schools and programs in conformity with the Plan’s findings, including developing a process and criteria for significantly changing, withdrawing magnet status from, or closing magnet schools or programs, that are not promoting integration or educational quality.”

Please see comments to Magnet Plan 3.0. The District has added detail and precision to the previous draft evaluation process and criteria. The proposed Plan now appears to meet this requirement.

*B. Section (viii): Add magnets which promote integration and educational quality*

USP § (II)(E)(3)(viii) requires the District to “set forth a process and schedule to”: “add additional magnet schools and/or programs for the 2013-2014 school year as feasible and for the 2014-2015 school year that will promote integration and educational quality within the District, including increasing the number of dual language programs.”

Please see comments to Magnet Plan 3.0. The proposed Plan appears to meet this requirement.

*C. Section (ix): Schedule for administrator and certificated staff training*

USP § (II)(E)(3)(ix) requires the District to “set forth a process and schedule to”: “provide necessary training and resources to magnet school and program administrators and certificated Staff.”

Please see comments to Magnet Plan 3.0. Magnet Plan 3.0, the similar Magnet Plan included in the 2013 Annual Report as Appendix 13 (ECF No. 1550-4), and the CMP do not include a schedule for trainings. All versions of the Plan make reference to past and planned trainings, but no schedule for SY 2013-2014 or 2014-2015 is provided. If such a schedule exists, we request that a copy be added to the CMP. (Such a schedule does not appear in Appendix 88 (ECF No. 1554-7) to TUSD’s Annual Report.) If such a schedule exists, we request that it be added to the

CMP. If such a schedule does not exist, we request that the District develop such a schedule and add it to the CMP as the USP requires.

*D. Section (x): Strategies for engaging African American and Latino families, including families of ELLs*

USP § (II)(E)(3)(x) requires the District to “set forth a process and schedule to”: “include strategies to specifically engage African American and Latino families, including the families of English language learner (“ELL”) students.”

Please see comments to Magnet Plan 3.0. The District has added detail and some deadlines to the previous draft engagement strategies. To the extent that the engagement activities described as completed prior to June 2014 (*i.e.*, magnet programs’ leadership teams creating measurable Family Engagement goals, that team developing action plans and timelines for implementation, select schools receiving training and piloting Action Parent Teacher Teams), we suggest that the District add any plans or schedules produced by or for those activities to the CMP.

*E. Section (xi): Set goals to further integration*

USP § (II)(E)(3)(xi) requires the District to “set forth a process and schedule to”: “identify goals to further the integration of each magnet school which shall be used to assess the effectiveness of efforts to enhance integration at the school.”

Please see comments to Magnet Plan 3.0.