

From: Juan Rodriguez
To: "Brown, Samuel"; Willis D. Hawley; Anurima Bhargava; James Eichner; Lois Thompson; Rubin Salter Jr.; Zoe Savitsky
Cc: Tolleson, Julie; Taylor, Martha; Brammer@rlaz.com; TUSD
Subject: RE: Dietz
Date: Wednesday, May 06, 2015 5:49:22 PM

Dear Sam,

Mendoza Plaintiffs have reviewed the District's NARA regarding two portables sought to be added to Dietz K-8, and its responses to the Special Master's requests for information, and have serious concerns as detailed below.

First, Mendoza Plaintiffs are concerned with what appears to be implementation of major changes at schools originating at the school site level without the District's careful consideration of the District-wide consequence of those changes, and in particular, the fact that comparable benefit is not being afforded schools with larger concentrations of Latino students. At page three of its NARA, the District indicates that "[u]nder new leadership at Dietz, the K-8 has converted from its original model (self-contained 6-8th grade), to a more-traditional middle school in which students rotate from room to room for core subjects and electives." The District indicated that the CORE enrichment classes that would be provided in the portable classrooms at Dietz would "address[] an important need for 5th graders because the 5th grade to 6th grade transition is the most difficult transition during the K-12 years."

As was stated in their Fruchthendler/Sabino NARA objection, Mendoza Plaintiffs are concerned that given the benefits the District cited for the proposed Fruchthendler configuration change, that it has not sought similar configuration changes at its westside elementary schools. Similarly, Mendoza Plaintiffs are now also concerned that the CORE enrichment classes that would be provided in portables at Dietz are not being provided in a way equitable to its Latino students. The District indicates that CORE classes are provided at three westside schools and would be provided at three eastside schools (including Dietz), notwithstanding that the number of middle and K-8 schools in the westside, which is predominately Latino, far outnumber those on the eastside. Mendoza Plaintiffs request that the District address the apparent unequal access to CORE enrichment classes and the relative benefits to students in the K-8 schools of the self-contained vs. the more traditional middle school model, assuming for these purposes that notwithstanding the change advocated at Fruchthendler, it does not move more of its 6th grades into a K-6 rather than a K-8 setting. They further suggest that the District closely analyze major site-level driven changes at its schools, particularly when budgetary implications are involved as appears to be the case with the Dietz move away from a self-contained sixth through eighth grade model, to ensure that the District is taking a consistent approach in making site-level decisions and that it not find itself unable to provide comparable enrichment classes in those more heavily Latino schools because of budgetary constraints that apparently are not interfering with the current Dietz proposal.

We also seek clarification on another point. The move away from the "self-contained" model for sixth to eighth graders that has necessitated the request for CORE enrichment classes for 6th graders directly contradicts the approach the District took with Fruchthendler Elementary School,

that is, seeking its reconfiguration to add 6th grade in part so as to delay the transition of its students into a traditional middle school. Mendoza Plaintiffs have trouble making sense of the District's contradictory approaches for addressing the transition of 5th graders into 6th grade in these two east side school scenarios.

Mendoza Plaintiffs are constrained to not agree with the proposed addition of two portables at Dietz K-8 without some kind of District plan to address the unequal access to CORE enrichment classes that would be perpetuated by the addition of the portables. Finally, Mendoza Plaintiffs also seek to understand whether the District is saying that there are a disproportionately large number of Exceptional Education students at Dietz (and, if so, whether it understands why that is the case) and whether there are any issues of disproportionate representation of Latino and African American students in that cohort. Further, they ask whether there are any questions of stigma or diminished status in the decision to place Exceptional Education staff in portables and to conduct testing in that location.

Thanks,

Juan Rodriguez | Staff Attorney

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From: Brown, Samuel [<mailto:Samuel.Brown@tusd1.org>]

Sent: Tuesday, May 05, 2015 5:04 PM

To: Willis D. Hawley; Anurima Bhargava; James Eichner; Juan Rodriguez; Lois Thompson; Rubin Salter Jr.; Zoe Savitsky

Cc: Tolleson, Julie; Taylor, Martha; Brammer@rlaz.com; TUSD

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Dr. Hawley/Counsel: please see attached our responses to the questions posed re the Dietz portables. We would like to get a stipulation from all parties to move forward with this action, please indicate your position by COB tomorrow. Thank you, Sam

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