

## Juan Rodriguez

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**From:** Juan Rodriguez  
**Sent:** Tuesday, July 07, 2015 9:33 AM  
**To:** Julie.Tolleson@tusd1.org; Brown, Samuel  
**Cc:** 'Thompson, Lois D.'; William Brammer; 'Willis D. Hawley'; Rubin Salter, Jr.; Anurima.Bhargava@usdoj.gov; Zoe.Savitsky@usdoj.gov; James.Eichner@usdoj.gov; deseg@tusd1.org; TUSD; martha.taylor@tusd1.org  
**Subject:** 2015-16 USP Budget Follow Up

Dear Julie and Sam,

I write to follow up on a few budget-related issues, including ones raised during our call of June 22, 2015. During the call, Mendoza Plaintiffs reiterated their request that the District provide formulas that have been applied to determine ELD coordinator/OCR assistant FTE allocations at the middle and K-8 level, as referenced in the District's May 15 responses to RFIs, (the District having already provided a formula and explanation of such allocations at the high school level). They now reiterate their request that the formula(s) along with any needed explanation be provided.

In addition, the District indicated that it would look into the fact that substantial expenditures for OMA-related positions are included in the 2015-16 USP budget, without any proposed 910(G) funds allocated for OMA teachers. Mendoza Plaintiffs have reviewed the OMA budget sent to Special Master Hawley in May (with the understanding that there may be changes in the most recent version of the proposed budget) in an attempt to understand the allocations. However, Mendoza Plaintiffs remain puzzled as the vast majority of OMA expenses in that draft are labeled "Instructional", (each expense being categorized as either "Instructional" or "Non-Instructional" ), yet there are no OMA teacher salaries included in the budget. Mendoza Plaintiffs therefore request that the District provide them an explanation to help them make sense of the proposed OMA allocations. They also expressly reserve their right to object to proposed OMA allocations until they have a full understanding of those allocations and an opportunity to consider whether they will withdraw those objections.

During the call, the District referenced a response it was preparing regarding the hiring freeze or "hold" on USP positions during the 2014-15 school year. Mendoza Plaintiffs ask if the District is still preparing a response, and if so, when Mendoza Plaintiffs should expect to receive it.

I greatly appreciate the instructions you gave me on how to isolate data in the proposed 2015-16 USP budget, which I have shared with Lois. Although data isolation has been helpful, as indicated during the June 22 call and in their May 7 and June 4 USP Budget comments, Mendoza Plaintiffs remain very confused regarding the magnet portion of the proposed budget. Specifically, they continue to have a very difficult time understanding how that portion of the budget relates to the budgets in the June 19, 2015 Individual Magnet School Improvement Plans (Doc. 1816). Mendoza Plaintiffs' use of the data isolation technique further leads them to believe that the individual improvement plan budgets have not fully and/or accurately made their way into the proposed 2015-16 USP budget.

For example, when isolating proposed 910(G) allocations for Carrillo, the total amount of magnet department allocations to this school does not match up to the total amount of the Carrillo improvement plan budget. Individual Carrillo magnet plan allocations also do not match up to the proposed 2015-16 USP budget. Carrillo's improvement plan budgets \$42,620 for a "Magnet Coordinator/Data & Assessment Coach," \$153,432 for 3.6 teacher FTEs , \$9,600 for PLC-related added duties, and \$103,260 for 3.6 teacher assistant FTEs. In contrast, the 2015-16 USP budget includes allocations of \$55,406 for the magnet coordinator, \$199,462 for 3.6 teacher FTEs , \$15,232 for PLC related added duties, \$134,238 for 3.6 teacher assistant FTEs. Other allocations in improvement plans do not appear to be included in the 2015-16 USP budget, and vice-versa. Additionally, the 2015-16 USP budget allocates LSCs to magnet schools, but we did not see any of those allocations in any school's improvement plan, leading us to question once again how persons

holding this position are to be used. (As Mendoza Plaintiffs have repeatedly noted, they remain very concerned about the role, cost, and efficacy of this position, and are deeply concerned that the District has now indicated that the DMC evaluation report on LSCs will not be prepared until the first week of August, *after* the District's Governing Board votes on whether to adopt the final 2015-16 USP budget.)

Mendoza Plaintiffs therefore again reiterate their May 7 and June 4 requests that the District provide a "clear explanation of how the expenditures under [] activity section [0202, the Comprehensive Magnet Plan,] relate to the missions and the improvement plans of each of the magnet schools." Given that Mendoza Plaintiffs' request is long outstanding, that CMP disputes are now being briefed to the Court, and that the District is finalizing its budget to present to its Governing Board, Mendoza Plaintiffs request that such explanations be provided as soon as possible. They further request that if the District does not intend to provide such explanations, that it immediately inform the Mendoza Plaintiffs.

Mendoza Plaintiffs have continuing concerns regarding proposed funding for the expansion of the Dual Language program, but will address those issues separately.

During our call, I also briefly raised the issue identified in the 2011 Magnet Study regarding magnet students receiving transportation but not enrolling in magnet courses. While the District's June 25 budget responses to the Special Master's RFIs were helpful in understanding how magnet coordinators identify and then deal with students who have been taking advantage of magnet transportation without enrolling in the magnet courses, Mendoza Plaintiffs have remaining questions. Is there any process in place that verifies magnet student enrollment in magnet courses at the beginning of the school year for the purpose of then providing free magnet transportation as appropriate?

Thank you,

**Juan Rodriguez** | Staff Attorney

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