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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Roy and Josie Fisher, et al.,
Plaintiffs

CV 74-90 TUC DCB
(Lead Case)

v.
United States of America,
Plaintiff-Intervenor,

PROPOSED ORDER
CV 74-204 TUC DCB
(Consolidated Case)

v.
Anita Lohr, et al.,
Defendants,

and
Sidney L. Sutton, et al.,
Defendants-Intervenors,

Maria Mendoza, et al.
Plaintiffs,

United States of America,
Plaintiff-Intervenor,

v.
Tucson Unified School District No. One, et al.
Defendants.

1 The Mendoza Plaintiffs and the School District having filed a Stipulation Regarding
2 40th Day Magnet School Enrollment Data and Stipulation regarding Magnet School
3 Supplemented Improvement Plans (“Stipulation”), the Department of Justice supporting the
4 agreement to provide the District with more time for the implementation of its magnet
5 schools and programs, but taking no position on the specific conditions therein negotiated
6 between TUSD and the Mendoza Plaintiffs, and good cause appearing,

7 IT IS HEREBY ORDERED as follows:

- 8 A. The District shall proceed to fill all vacancies at each of the magnet schools
9 (or programs) listed in Paragraph 4 of the Stipulation by November 1, 2015;
- 10 B. The District shall take steps to ensure that the schools or programs identified
11 in Paragraph 4 of the Stipulation remain fully staffed (as to certificated staff,
12 administrators, and all teaching aids and other personnel identified in the
13 Improvement Plan as contributing to the school’s effort to improve
14 achievement and close the achievement gap between racial groups at the
15 school) prior to the start of the 2016-17 school year;
- 16 C. The District shall give its magnet schools and programs priority in the placing
17 of teachers and certificated staff, such as during the spring hiring process.
18 This priority shall include the opportunity for principals at these sites to have
19 access to applicant lists at least 14 days prior to applicant information being
20 made available to principals at non-magnet programs;
- 21 D. The District shall fund each magnet school or program at 1) the funding level
22 set in its May 15, 2015 Improvement Plan; *or* 2) the funding level set in its
23 June 15, 2015 Improvement Plan; *or* 3) the amount allocated in the July 2015
24 USP budget, *whichever is higher*. The District shall aggressively seek to
25 increase integration at all of its magnet schools and programs and shall work
26 with the principals, magnet coordinators, and all other appropriate personnel
27 to increase the integration of their entering classes;
- 28

- 1 E. By March 1, 2016, the District shall develop and propose initiatives to
2 increase the number of students attending integrated schools within the
3 District;
- 4 F. The District shall continue to target initiatives designed to close the
5 achievement gap between ethnic/racial groups at each of its schools, and shall
6 provide special support (as described in paragraph H) to assist the schools or
7 programs listed in Paragraph 4 of the Stipulation and any magnet school or
8 program reported as a “C” or “D” school or program in its Improvement Plan
9 in meeting the academic achievement benchmarks listed in their respective
10 Improvement Plans;
- 11 G. Implementation Committee member Dr. Becky Montano shall monitor the
12 District’s compliance with this Stipulation by visiting each of the magnet
13 schools identified in Paragraph 4 of the Stipulation as frequently as in her
14 professional educational opinion she deems to be appropriate. If, in her
15 judgment, she identifies specific issues that in her professional educational
16 opinion merit immediate attention, she shall report such findings to the
17 District, the Plaintiffs, and Special Master, and she will, at a minimum,
18 provide a progress report to the District, the Plaintiffs, and Special Master no
19 less frequently than quarterly, beginning with the fourth calendar quarter of
20 2015;
- 21 H. Fulfillment of the terms of the Stipulation shall be a priority for the
22 reallocation of any budgeted, but unspent, funds available pursuant to A.R.S.
23 § 15-910(G). Such expenses may include recruiting/transfer/retention
24 stipends for teachers, marketing and recruitment expenses beyond those
25 detailed and funded through the magnet schools’ existing Improvement Plans,
26 and targeted academic interventions for students in addition to those detailed
27 and funded through their existing Improvement Plans; and
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I. In the fall of 2016, 40th day enrollment data will be used to evaluate magnet schools' progress toward meeting integration goals.