

Nodine Dec., Exhibit 8-C

Draft Proposals Including DIAs (pp. 18-42) and
Special Master and Plaintiff Input (pp. 43-60)

October 20, 2015

GRADE CONFIGURATION PROPOSALS
(including Desegregation Impact Analyses “DIAs”)

The District submits this proposal as the last step of a months-long engagement with the Special Master and Plaintiffs, prior to the filing of formal DIAs or requests for approval.

The District first submitted draft DIAs (and other information) to the Student Assignment Committee (SAC) in July and made this information available to the Special Master and Plaintiffs on July 20, 2015. Pursuant to the initial timeline, the District planned to file a draft DIA/NARA on September 18, 2015, including updated draft DIAs incorporating the feedback, comments, and concerns provided by the Special Master and Plaintiffs over the preceding two month period. Pursuant to the parties’ discussion on August 26, 2015, the Special Master and Plaintiffs would respond to the September 18, 2015 draft DIA/NARA within ten days, by September 28, 2015.

On September 18, 2015, the District notified the Plaintiffs and Special Master that in lieu of submitting a draft DIA/NARA on that date, it intended to submit this proposal by September 25, 2015 (including draft DIAs) – with a request for a response within ten days, no later than October 5th. This adjustment in the timeline will permit the parties to review the proposal ahead of the in-person conference scheduled for October 5th and 6th, and to use the conference as an opportunity for further engagement and collaboration. If feasible, based on the outcome of the conference discussions, the District plans to present revised DIAs/NARAs to the Special Master and Plaintiffs by October 9, 2015 as stated on the original timeline. Again, the Special Master and Plaintiffs would have ten days to respond. On October 20, 2015, the District plans to present the final request to its Governing Board for approval. If approved, the District would then take the steps necessary to file the formal request with the Court.

I. REVISED SAC GOALS

Based on feedback and input from the Special Master and Plaintiffs, and internal review and analysis, the District revised the goals of the Student Assignment Committee multiple times between August 5, 2015, and September 10, 2015. Below are the final, revised goals:

The goals are not designed to function as minimum standards. Thus, a proposed change should not be rejected for failure to meet one or more goals. Proposed changes should be evaluated by weighing the costs and benefits, in light of the District’s obligations under the USP.

- a. that increase integration of District schools, considering the four integration

strategies (through the proposed change itself, or through strategies related to the proposed change);

- b. that enhance education (e.g. reducing the number of student transitions, providing for supplemental programs or curricular continuity between grades);
 - c. that improve student retention; and
 - d. that will be supported by the communities of the affected schools (those impacted directly and indirectly through the potential loss of more than ten students).
1. To attract a broader applicant student pool as that will enhance the impact of marketing, outreach, and recruitment efforts and further integrate District schools.
 2. To ensure that the additional students can be added without detracting from existing programs or diverting resources from other schools.
 3. To ensure that the receiving facilities can support the additional grades with minimal facility investments.
 4. To address both immediate and future needs due to the reconfiguration; consider short-term and long-term impacts.

II. GRADE RECONFIGURATION PROCESS

In its May 12, 2105 Order denying the request for grade reconfigurations at Sabino and Fruchthendler (Order 1799, request denied without prejudice to it being reurged), the Court outlined four specific, process-related expectations for similar requests in the future – in summary:

1. the District shall solicit the input of the Special Master and Plaintiffs;
2. the District must use four strategies for assigning students to schools, to be developed in consultation with the Plaintiffs and the Special Master;
3. when it undertakes certain enumerated student assignment actions, the District must review to determine whether to redraw its attendance boundaries; and
4. the District should explain how a student assignment change fits into other USP plans and strategies and if not, why not.

As described below, the District has worked diligently over the past few months to fulfill all four process-related expectations outlined by the Court in May of 2015 to prepare to “reurge” the previous requests and three additional requests. This work has been informed by the input, analysis, thoughtfulness, time, and energy of the Student Assignment Committee (SAC) volunteers, the Special Master, the Plaintiffs, and the District’s outside consultant (DLR Group)

1. The District Shall Solicit the Input of the Special Master and Plaintiffs

The Court found that USP section I.D.1 requires: “the District ‘shall’ solicit the input of the Special Master and the Plaintiffs and submit items for review before they are put into practice or use for ‘all new or amended plans, policies, procedures, or other significant changes’ contemplated pursuant to the USP.” ECF 1799 at 3-4. The Court found further that “[t]here is nothing about a NARA proposal to change student assignments to exempt it from the USP requirement that the District, the parties, and the Special Master comprehensively consider the proposal, pursuant to applicable USP criteria, in an effort to increase the integration of TUSD schools.” *Id.* at 5.

Within a month of the Court’s Order, the District had developed a draft timeline and proposal to engage the Special Master and Plaintiffs in the process of reviewing grade reconfigurations comprehensively, pursuant to applicable USP criteria, in an effort to increase the integration of its schools. In June 2015, the District reached out to the Special Master to discuss the timeline and proposed approach. After discussing the timeline and approach with the Special Master, the District shared the timeline and approach with the Plaintiffs in July 2015 to solicit their feedback.

Throughout July, August, and into September, the District engaged the Special Master and Plaintiffs in an effort to consider the proposals comprehensively pursuant to applicable USP criteria in an effort to increase the integration of TUSD schools. These efforts included multiple phone and email exchanges, the solicitation of comment and feedback, the sharing of SAC committee meeting agendas and materials, an invitation to Plaintiff representatives to present their concerns to the SAC, and the facilitation of a teleconference in August.

During this time, the Special Master and Plaintiffs reviewed relevant material and requested supplemental information. They also shared concerns including, but not limited to: process, goals, timelines, approach, committee make-up, enrollment data (and projected enrollment data), equal access, student retention, school attractiveness, geography, demographics, marketing and outreach, transportation, K8 school distribution, implementation, boundaries, magnets, pairing and clustering, open enrollment, analyses of additional sites for grade expansion, impacts to surrounding schools and communities, access to Davis-Monthan Air Force Base, scope of the Desegregation Impact Analyses (DIAs), educational benefits of reducing student

transitions between schools/grades, strategies for mitigating integrative and/or educational impacts to the schools directly (and indirectly) impacted, feeder patterns, Advance Learning Experiences (ALEs), costs, school capacity, short- and long-term impacts, and potential impacts for promoting desegregation through the proposals themselves, or through mitigating strategies involving one or more proposals.

In response, District staff and leadership carefully considered the feedback, analyzed Plaintiff concerns, revised goals, provided supplemental information, revised the scope and information contained in its draft DIAs, proposed strategies to improve integration and mitigate impact to surrounding schools, conducted further equal access analyses, considered additional sites for grade expansion to improve the integration of District schools (see *Appendix A, Analysis of Additional Grade Change Options*), engaged in comprehensive and creative review and analysis on ways to improve integration through the proposals (and within each proposal) using transportation, marketing and outreach, and by strengthening ALE programs, considered the proposals comprehensively in the context of the four primary integration strategies, analyzed feeder patterns and boundaries, and considered impacts to surrounding communities and those directly impacted by the proposals.¹

2. The District Must Use Four Strategies for Assigning Students to Schools, to be Developed in Consultation with the Plaintiffs and the Special Master

The Court found “the student assignments proposed by TUSD [at Fruchthendler and Sabino] were not considered in the context of the four integration strategies required by the USP: attendance boundaries, pairing and clustering of schools; magnet schools and programs; and open enrollment.” *Id.* at 5. Between July and September, the District considered the proposals comprehensively in the context of the four integration strategies, as described above. The executive summaries for each proposal include a summary of

¹ The District’s engagement over a period of 5-6 months in 2014 (during the boundary review process) informed many aspects of the integration analysis conducted in 2015. The 2014 Boundary Committee, after meeting for almost half a year, reviewing hundreds of pages of data, pouring over maps, and analyzing various creative proposals to increase integration, proposed very few options for improving integration (and even fewer that promised significant impacts to improve integration). In that context, the District never intended to engage in another 5-6 month process to consider each and every possible scenario to improve integration districtwide (as it had just completed less than one year prior). Neither the USP nor relevant Court orders require such an effort every time the District proposes a student assignment change. Instead, the District considered a small number of potential grade reconfiguration proposals with the Special Master and Plaintiffs that might improve integration, retain students, and/or improve educational quality. The District has further analyzed these proposals (and the potential for additional proposals) within the context of applicable USP criteria, through the lens of the USP’s four integration strategies, and through communications and engagement with the Special Master, the Plaintiffs, external consultants, and the SAC.

the District's analysis of each proposal in the context of the four integration strategies proposed by the USP. *See Appendix B, Executive Summaries.*

3. When it Undertakes Certain Enumerated Student Assignment Actions, the District Must Review to Determine Whether to Redraw Its Attendance Boundaries.

The Court found that USP section II.D.2 requires “TUSD to review to determine whether to redraw its attendance boundaries, if it makes student assignment changes.” ECF 1799 at 5. The District reviewed each proposal to determine whether boundary changes were necessary, or whether boundary changes would improve integration. None of the proposals required a boundary change, nor would a boundary change have significantly improved integration in any of the proposals. The results of these analyses are outlined in the executive summaries for each proposal. *See Appendix B, Executive Summaries.*

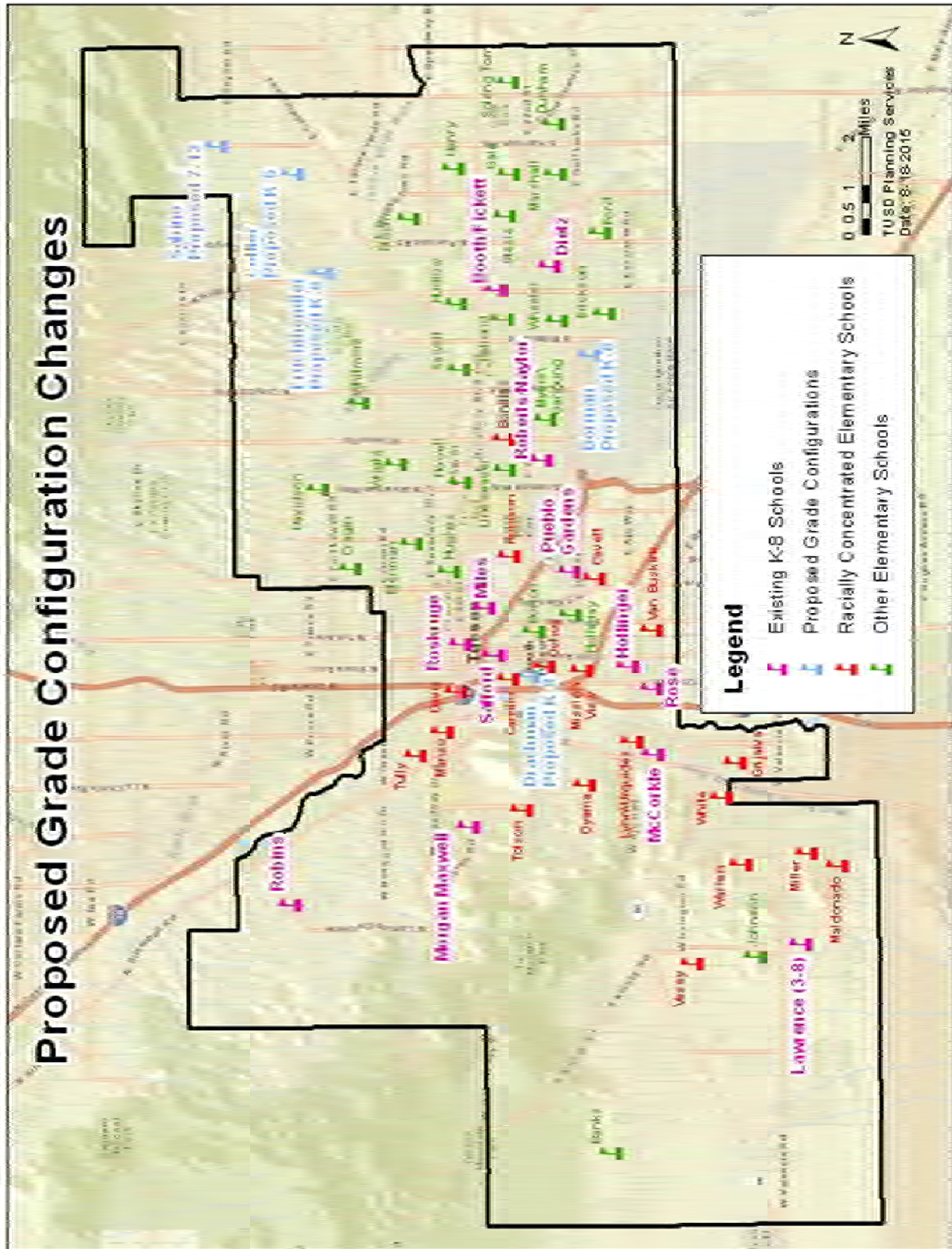
4. The District Should Explain How a Student Assignment Change Fits Into Other USP Plans and Strategies and If Not, Why Not.

The Court found that “[p]lans and strategies are now in place, pursuant to the USP, for addressing student assignments but this NARA fails to reflect how the Fruchthendler-Sabino Honors Pipeline plan fits into these plans and strategies, and if not, why.” ECF 1799 at 5. The current proposal reflects how each proposed grade reconfiguration might potentially impact student assignment, transportation, educational programming, family engagement, and the District's ALE efforts. In addition, the revised scope of each DIA considers impacts of each proposal on the District's efforts to implement the USP. *See Appendix C, Draft Desegregation Impact Analyses.*

Appendix A Analysis of Additional Grade Configuration Change Options

Early in this project TUSD staff evaluated other options for grade changes. The first analysis shown in the map on the following page indicated that there were already sufficient K-8 schools in other areas of the District (specifically central and west). The analysis also highlighted the fact that virtually all of the central and west schools are racially concentrated so adding more students to them would not have an integrative effect.

After the August 26 teleconference, at the request of the Mendoza counsel, TUSD staff evaluated the integrative impacts of grade configuration change options more comprehensively and in more detail. As shown in the pages following the map, only one grade configuration change would have an integrative effect. That would be the change of Cavett ES from K-5 to K-6 and, coincidentally, adding a junior high to Catalina HS. The positive integrative effect could come from the movement of Cavett Area 7th and 8th graders from Utterback MS to Catalina HS, assuming they would choose that option.



Analysis of Additional Grade Change Options

This is an analysis of the integrative effects: 1) of converting any remaining K-5 schools that could become K-8; 2) adding junior high grades to high schools with capacity; and 3) adding 6th grades to schools with capacity and where there is also capacity at the high school they feed into.

Potential K-8 Schools

These are K-5 schools that have capacity for additional 6th, 7th and 8th grades where those grades are at least 50 students each based on typical 5th to 6th grade cohort progression ratios of 70% and 7th and 8th grade cohort progression ratios of 100%. These are independent of the capacity of the high schools.

Elementary School	Enroll w/ PreK	Capacity	USP Criteria	Integrative Effect
Erickson	497	680		None
Lynn/Urquides	539	780	RC	None

Potential Additional 7-12 High Schools

These are high schools with a minimum of 162 empty seats (6 classes of 27 to allow a full complement of teachers and courses for all periods). The only instance of a positive integrative effect is the addition of Cavett Area 7th and 8th graders who might move from Utterback MS (racially concentrated) to Catalina HS (integrated), assuming they would choose that option. The overall, ethnic composition of the high schools themselves would change little due to the addition of a junior high.

High School	Enroll	Capacity	USP Criteria	Integrative Effect
Catalina	785	1500	I	Positive
Palo Verde	1252	2070	I	None
Pueblo	1650	1900	RC	None
Sahuaro	1759	1950		None
Santa Rita	541	2070		None

I = integrated

RC = racially concentrated

Potential K-6 Schools

These are K-5 schools that have capacity for an additional 6th grade where that 6th grade is at least 25 students based on typical 5th to 6th grade cohort progression ratios of 70%. Also the high school that these feed into must have capacity for a 7-12 configuration.

Elementary School	Enroll w/ PreK	Capacity	USP Criteria	Integrative Effect
Blenman	399	530	I	None
Bloom	332	480		None
Cavett	301	440	RC	Positive ¹
Cragin	388	470	I	None
Davidson	331	390	I	None
Dunham	224	280		None
Erickson	497	680		None
Ford	361	440		None
Henry	357	420		None
Holladay	270	340		None
Hudlow	280	420	I	None
Marshall	287	420		None
Soleng Tom	424	500		None
Steele	327	400		None
Van Buskirk	371	480	RC	None
Warren	304	360	RC	None
Wheeler	416	640		None
Whitmore	323	460	I	None

1. Positive because, if 7th and 8th grade students in the area were to choose Catalina HS, there would be more students in an integrated school (Catalina). However, there are not enough students in Cavett ES alone to provide a junior high population of 150 so other elementary schools such as Cragin, Davidson or Wright would need to be added.

Appendix B

Executive Summaries of Proposals

The District has prepared an executive summary for each of the five proposals. Executive summaries include a description of the proposal, an analysis of integration strategies (magnets, pairing and clustering, boundaries, open enrollment, and proposal-specific strategies), pros and cons, costs, and proposal evaluations by the SAC.

Borman Elementary School

Proposal Description:

- Change K-5 to a K-8
- Immediate Needs: Light renovation of 2 classrooms to remove partitions; accommodate science instruction (1 mobile lab table)
- Long Term Plan: PE changing room addition

Integration Strategies:

Pairing and Clustering: Borton is on base and it is not feasible to pair or cluster it with an off-base school due to Davis-Monthan Air Force Base (DMAFB) access restrictions

Boundaries: No boundary changes required; boundary changes would not increase integration

Magnets: Borman is not a magnet school, and the proposal would not significantly impact any surrounding magnet schools.

Open Enrollment: Open Enrollment is not a factor in this school due to DMAFB access restrictions

Proposal-specific strategies to promote integration and/or other USP activities: AVID at Roberts-Naylor (an integrated school with a student population that is 22% African American and 58% Latino, and capacity for approximately 200 additional students) could operate to provide more students with an opportunity to attend an integrated school, and to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs) such as GATE and pre-AP classes.

Pros and Cons:

Pros:

- Retain 6-8th grade students in TUSD. The Vail school district currently buses approximately 100 students from DMAFB to schools in their district. And, a charter school located on the base enrolls approximately 90% of 6th-8th grade students currently living on DMAFB.
- Community retention of families into TUSD high schools
- Maintain the military “culture” within the families through 8th grade
- Support DMAFB families by providing a middle school option on base
- The facility is currently underutilized but would likely become fully utilized once enrollment reaches two classes per middle school grade

Cons:

- Once enrollment reaches two classes per middle school grade there will be no room for future growth.
- Facility would be missing some typical middle school spaces such as a science lab, PE changing area

Costs:

Construction:

- Immediate Needs: \$60,000 for light renovations to two classrooms
- Long Term Plan: \$700,000-\$750,000 to add two classrooms and a locker room if enrollment exceeds expectations

Transportation: No cost

Marketing: Not applicable

Borman Evaluation:

Pos(+)	Neut.	Neg(-)	Criteria
	X		Demographics (i.e., race, ethnicity, exceptional ed., current and projected enrollment, current and projected development patterns, socio economic status, GATE and other)
	X		Targeted operating capacities
X			Current and planned instructional programs
	X		Effects on integration
	X		Student transportation
	X		Feeder patterns
	X		Fiscal impacts

Collier Elementary School

Proposal Description:

- Change K-5 to a K-6
- Immediate Needs: No renovations needed
- Long Term Plan: No renovations needed

Integration Strategies:

Pairing and Clustering: Collier is geographically far from any other elementary school. Pairing or clustering Collier with another school to share a boundary is not feasible.

Boundaries: No boundary changes required; boundary changes would not increase integration

Magnets: Collier is not a magnet school, and the proposal would not significantly impact any surrounding magnet schools (the nearest magnet schools are more than five miles away).

Open Enrollment (supported by incentive transportation): Students living within the boundary of a Racially Concentrated school could attend Collier through open enrollment. For students whose enrollment would increase integration at Collier, the District would provide free transportation in the form of an express bus from a central location to Collier (perhaps combine 6th graders open enrolled to Collier with 7th and 8th graders open enrolled to Sabino, if Sabino is approved). An increase in non-Anglo students at Collier would move it towards the definition of an Integrated School

Proposal-specific strategies to promote integration and/or other USP activities: In 2014-15, Magee's student population was 46% Anglo, 13% African American, and 34% Latino). A reduction in Anglo student percentage and/or an increase in Latino student percentage would move Magee towards the definition of an Integrated School. Developing and offering enhanced ALE programs at Magee (AVID and/or partnerships with Sahuaro High School for pre-AP or Dual-Credit courses) could operate to attract more Latino students to Magee, and to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs).

Pros and Cons:

Pros:

- Capture 6th graders that now leave TUSD
- Create STEM after school programs that feed into Magee's Odyssey of the Mind
- Continue Collier's strong Exceptional Ed program into 6th grade

Cons:

- Prepare for 7th grade transition, versus 6th grade, into middle school
- No science lab for 6th graders, as they might have in middle school

Costs:

Construction: Immediate Needs \$20,000; Long Term Plan: \$0

Transportation:

- \$64,000 for an express bus (ride time 35 minutes) (costs shared with Fruchthendler)
- \$0 to add a Roskruge stop to an existing Collier route (ride time 1 hour)

Marketing: Included in overall School Choice marketing plan

Collier Evaluation:

Pos(+)	Neut.	Neg(-)	Criteria
	X		Demographics (i.e., race, ethnicity, exceptional ed., current and projected enrollment, current and projected development patterns, socio economic status, GATE and other)
X			Targeted operating capacities
X			Current and planned instructional programs
	X		Effects on integration
	X		Student transportation
X			Feeder patterns
	X		Fiscal impacts

Drachman Montessori Magnet School

Proposal Description:

- Change K-6 to a K-8
- Immediate Needs: No renovations needed, accommodate science instruction (1 mobile lab table)
- Long Term Plan: Renovate for PE changing rooms; add walls to project areas for extra classrooms

Integration Strategies:

Pairing and Clustering: Drachman is a magnet-theme specific school, surrounded by other magnet-theme specific schools. Pairing or clustering Drachman with another school to share a boundary is not feasible.

Boundaries: No boundary changes required; boundary changes would not increase integration

Magnets: Lower grades are more integrated and parent surveys indicate that a K-8 would retain more students through 8th grade and allow for an integrated school to be developed over time

Open Enrollment: N/A

Proposal-specific strategies to promote integration and/or other USP activities: marketing the K-8 Montessori program to targeted demographics would improve integration, particularly if supported by an express bus from the eastside of the District to the downtown area (which could serve to bring interested target students from the eastside to Drachman, and to other nearby sites like Roskruge to participate in dual-language programs)

Pros and Cons:

Pros:

- Retaining students will make the school a more integrated K-8
- TUSD students will have an option for 7th-8th grade Montessori method of teaching
- May retain students within TUSD who currently leave for academically similar charter programs (the K-8 option is provided in all Montessori charter schools)

Cons: Missing some typical middle school spaces such as a science lab, PE changing area, or athletic facilities

Costs:

Construction:

- Immediate Needs: \$20,000
- Long Term Plan: \$250,000-\$400,000 for PE changing room renovation and 2-4 classroom renovation

Transportation:

- \$135,000-\$180,000 to add 3-4 afternoon routes to accommodate a different bell schedule for the upper grades.
- \$64,000 to add an eastside express bus (ride time 25 minutes)

Marketing:

- Included in overall School Choice marketing plan
- Part of Magnet recruitment strategies; include targeted marketing to potential Montessori populations

Drachman Evaluation:

Pos(+)	Neut.	Neg(-)	Criteria
X			Demographics (i.e., race, ethnicity, exceptional ed., current and projected enrollment, current and projected development patterns, socio economic status, GATE and other)
X			Targeted operating capacities
X			Current and planned instructional programs
X			Effects on integration
	X		Student transportation
X			Feeder patterns
		X	Fiscal impacts

Fruchthendler Elementary School

Proposal Description:

- Change K-5 to a K-6
- Immediate Needs: No renovations needed
- Long Term Plan: Additional classroom space may be desired for Music, if the multi-purpose room cannot accommodate it. Additional classrooms may be needed depending on the success of the program to attract TUSD Area students who do not attend TUSD schools

Integration Strategies:

Pairing and Clustering: Fruchthendler is geographically far from any other elementary school; Pairing or clustering it with another school to share a boundary is not feasible.

Boundaries: No boundary changes required; boundary changes would not increase integration

Magnet: Fruchthendler is not a magnet school, and the proposal would not significantly impact any surrounding magnet schools (the nearest magnet schools are more than five miles away).

Open Enrollment (supported by incentive transportation): Students living within the boundary of a Racially Concentrated school could attend Fruchthendler through open enrollment. For students whose enrollment would increase integration at Fruchthendler, the District would provide free transportation in the form of an express bus from a central location to Collier (perhaps combine 6th graders open enrolled to Fruchthendler with 7th and 8th graders open enrolled to Sabino, if Sabino is approved). An increase in non-Anglo students at Fruchthendler would move it towards the definition of an Integrated School

Proposal-specific strategies to promote integration and/or other USP activities: In 2014-15, Magee's student population was 46% Anglo, 13% African American, and 34% Latino). A reduction in Anglo student percentage and/or an increase in Latino student percentage would move Magee towards the definition of an Integrated School. Developing and offering enhanced ALE programs at Magee (AVID and/or partnerships with Sahuaro High School for AP or Dual-Credit courses) could operate to attract more Latino students to Magee, and to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs).

Pros and Cons:

Pros:

- May retain the 90% of 5th grade students within TUSD that currently leave for surrounding districts or charters
- May attract the large number of students in the TUSD boundary, 60% of whom do not currently attend TUSD schools

Cons:

- Prepare for 7th grade transition, versus 6th grade, into middle school
- Capacity may be limited for future growth (though enrollments are declining)

Costs:

Construction: Immediate Needs \$30,000; Long Term Plan: \$0, depending on the program success in attracting new TUSD boundary students

Transportation: \$64,000 for an express bus (costs shared with Collier) (ride time 35 minutes)

Marketing: Included in overall School Choice marketing plan

Fruchthendler Evaluation:

Pos(+)	Neut.	Neg(-)	Criteria
	X		Demographics (i.e., race, ethnicity, exceptional ed., current and projected enrollment, current and projected development patterns, socio economic status, GATE and other)
	X		Targeted operating capacities
X			Current and planned instructional programs
	X		Effects on integration
	X		Student transportation
	X		Feeder patterns
X			Fiscal impacts

Sabino Junior High / Senior High School

Proposal Description:

- Change 9-12 to a 7-12
- Immediate Needs: No further renovations needed
- Long Term Plan: No further renovations needed

Integration Strategies:

Pairing and Clustering: N/A

Boundaries: No boundary changes required; boundary changes would not increase integration

Magnet: Sabino is not a magnet school, and the proposal would not significantly impact any surrounding magnet schools as described in the current and previous DIAs.

Open Enrollment (supported by incentive transportation): Students living within the boundary of a Racially Concentrated school could attend Sabino through open enrollment. For students whose enrollment would increase integration at Sabino, the District would provide free transportation in the form of an express bus from a central location to Sabino (perhaps combine 6th graders open enrolled to Collier/Fruchthendler with 7th and 8th graders open enrolled to Sabino). An increase in non-Anglo students at Sabino would move it towards the definition of an Integrated School

Proposal-specific strategies to promote integration and/or other USP activities

- Activity buses can help students with after-school activities if they live out of the immediate area
- To mitigate negative impacts on Magee Middle School, the District could develop and offer enhanced ALE programs at Magee (AVID and/or partnerships with Sahuaro High School for AP or Dual-Credit courses) to attract more Latino students to Magee, and to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs).

Pros and Cons:

Pros:

- An increased population at Sabino provides capacity for a broader range of courses and programs; these may attract more diverse open enrollment students
- The Hispanic enrollment in Sabino is consistently increasing
- Targeted marketing, the express bus and selective placements through Open Enrollment will move the school toward integration.
- Reduces transitions between school levels, which may retain students within TUSD
- Junior high students have access to high school level curricula and instruction

Cons: Safety concerns due to the mix of ages

Costs:

Construction: Immediate Needs; Long Term Plan: \$0

Transportation:

- \$194,000-\$259,000 for 3 to 4 buses if 7th and 8th graders do not ride with the upper grades.
- \$64,000 for an express bus (ride time 45 minutes versus 1.5 hours for current bus)

Marketing:

- Included in overall School Choice marketing plan
- Additional costs range from \$0 for social media platforms to \$5,000 per month for TV commercials

(Evaluation on next page)

Sabino Evaluation:

Pos(+)	Neut.	Neg(-)	Criteria
	X		Demographics (i.e., race, ethnicity, exceptional ed., current and projected enrollment, current and projected development patterns, socio economic status, GATE and other)
X			Targeted operating capacities
X			Current and planned instructional programs
	X		Effects on integration
	X		Student transportation
	X		Feeder patterns
	X ¹		Fiscal impacts

Note: 1. Benefits will balance costs if additional students are attracted to TUSD

Appendix C

Desegregation Impact Analyses (DIAs)

The District has prepared five DIAs, one for each proposal, addressing student assignment impacts, and impacts to relevant USP areas.

TUCSON UNIFIED SCHOOL DISTRICT DESEGREGATION IMPACT ANALYSIS

Action: Borman as a K-8 School

Summary

On June 21, 1977 Frank Borman Elementary School K-5 opened on Davis-Monthan Air Force Base to relieve overcrowding at the former Smith Elementary School, which closed in 2008. This is an analysis of the racial-ethnic composition of Borman as a K-5 school, the impact of adding 6th-8th grades to that school, and estimated impacts of the proposed change to the District's obligations under the USP.

A. Analysis of the impact of the requested action on the District's obligation to desegregate.

Current K-5 grade enrollment

As shown in Table 1, there are approximately 420 students at Borman—70 students per grade. Borman has a racial-ethnic composition which is 54% Anglo and 35% African American and Latino.

Impact on Borman as a K-8 School

The change component at Borman was estimated based on 65% of the current 5th graders transitioning into the 6th grade and then all of those transitioning into the 7th and 8th grades. The 65% is based on typical cohort progression ratios for 5th to 6th grade for K-8 schools. As the same students that are in the school now will form the 6th through 8th grades, there is no change to the racial-ethnic composition at Borman.

Table 1

Change Component (6th through 8th grades)

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
New 6th through 8th grades	83	18	35	0	5	13	154
	54%	12%	23%	0%	3%	8%	

Borman Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Current K-5	255	57	108	1	14	40	475
	54%	12%	23%	0%	3%	8%	
Projected K-8	338	75	143	1	19	53	629
	54%	12%	23%	0%	3%	8%	

Borman has capacity to serve 629 students with resource rooms and a computer lab unaffected by adding students. Additionally, there are two rooms with walls that were added in the past; these walls could be removed to increase the capacity if needed.

Impact on Middle Schools

Adding the 6th-8th grades at Borman would have virtually no impact on middle schools. There are only five 6th-8th grade Borman Area students attending Roberts/Naylor (the school designated to receive Borman Area students) and less than 10 students from the Borman Area attending each other middle school.

The change has a strong potential to retain middle-school-age students in TUSD as 70% of the Borman Area students may not attend TUSD schools (see Section C below).

Renovation Costs

- Immediate Needs: \$60,000 for light renovations to 2 classrooms
- Long Term Plan: \$700,000-\$750,000 for a 2 classroom and locker room addition if enrollment exceeds expectations

Transportation Costs

- No cost

B. Analysis of how the proposed change will impact the District's obligations under the USP

The District, Plaintiffs, and Special Master have identified 65 USP implementation activities, organized by the ten USP sections I-X. Below, the District analyzes the potential impact of the proposed grade configuration change on the District's obligations under each of the ten USP sections:

- 1. Compliance** No potential impact.
- 2. Student Assignment** The proposal itself will result in minimal potential impact to Borman itself, as shown in Section A above. However, an extremely low number of middle-school-aged students on DMAFB attend District schools for 6th through 8th grade. Retaining more of these students at Borman (students who now attend non-District schools) will offer additional opportunities to increase integration districtwide by broadening the pool of available students to which the District can more directly engage in marketing, outreach, and recruitment activities. As an ancillary measure, the District is proposing to develop AVID at nearby Roberts-Naylor K8 school (an Integrated School) to increase its attractiveness, thereby providing more opportunities for students to attend an Integrated school.
- 3. Transportation** No potential impact.
- 4. Admin/Cert Staff** No potential impact.
- 5. Quality of Education** Positive impact by the addition of AVID at Roberts-Naylor to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs) such as GATE and pre-AP classes.

- 6. **Discipline** No potential impact.
- 7. **Family and Community Engagement** Currently, many students and families living on DMAFB disengage from the District after 5th grade, frustrating efforts at family engagement, including: marketing, outreach, and recruitment; ALE, UHS, and dual-language recruitment ; and sharing information about college, career, and other opportunities available through the District. Creating a K-8 school will likely improve family engagement and participation at Borman, translating to increased student retention, improvements in educational outcomes, reductions in disciplinary issues, and improved culture and climate. Additionally, Borman families who either stay (or return) to the District, would have easy access to the benefits and events available through the Family Center at Palo Verde, less than two miles away.
- 8. **Extracurricular Activities** As the enrollment of Borman increases, so to do the opportunities to offer a wider variety of extracurricular activities which afford students opportunities to engage in interracial contact in positive settings of shared interest.
- 9. **Facilities and Technology** No potential impact.
- 10. **Accountability and Transparency** No potential impact.

C. Notes on the Above Demographic Analysis

- All of the projections are estimates based on current patterns of choice. The 5th to 6th transition rates at K-8 schools (50% to 80%) which supports the 65% used herein.
- The above estimates are based on current TUSD students on the 40th-day SY2014-15.
- There is a potential to attract students who do not currently attend TUSD schools. For example, as shown in the table below, almost 80% of the Borman 5th graders in SY2014-15 did not attend TUSD schools in 6th grade the following year. This is a loss of over 100 middle-school-age students.

Transition of Collier 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	36
In TUSD	10
Doolen	1
Fickett Magnet	3
Gridley	1
Naylor	1
Secrist	1
Vail	3

TUCSON UNIFIED SCHOOL DISTRICT DESEGREGATION IMPACT ANALYSIS

Action: Collier as a K-6 School

Summary

Collier Elementary School is a K-5 school that serves the northwest area of TUSD just east of Sabino Creek and south to the Tanque Verde Wash. This is an analysis of the racial-ethnic composition of Collier as a K-5 school, the impact of adding a 6th grade to that school, and estimated impacts of the proposed change to the District's obligations under the USP.

A. Analysis of the impact of the requested action on the District's obligation to desegregate.

Current K-5 Enrollment at Collier

As shown in the Table 1 there are approximately 200 students at Collier—30 to 40 students per grade. The racial-ethnic composition is 62% Anglo and 31% African American and Latino.

Based on 2010 census data, for the Collier Area, there are over 20 students per grade in the K-5 level who do not attend TUSD schools and over 40 who do not attend TUSD schools in the 6th grade (see the map below).

Impact on Collier as a K-6 School

Based on typical transition rates from 5th grade to 6th grade for K-8 and K-6 schools, the change would add approximately 20 to 30 students to Collier, resulting in 1 class. However, with the strong potential to attract students who attend non-TUSD schools, the projections are based on adding 35 students from the 135 total middle-school-age students in the Collier area in the 6th grade. Those impacts are shown in Table 1.

The school has capacity for the additional students. Not counting the portables, the school has a capacity of 400 as currently used and the capacity could be increased to 425 by scheduling resource programs to share rooms and or portables. Now, with 200 students, Collier is at 50% utilization; with the additional students it would increase to 58% utilization rate.

The change is expected to have very little impact on the racial ethnic composition of Collier because the population that would attend the 6th grade has essentially the same composition as the current K-5 population.

Table 1

Change Component

School (grades)	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Continue at Collier (6 th)	23	2	8	1	0	1	35
%	64%	6%	24%	2%	1%	3%	

Collier Impacts

School (grades)	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Collier (current K-5)	122	6	49	4	2	14	197
%	62%	3%	25%	2%	1%	7%	
Collier (projected K-6)	145	8	57	5	2	15	232
%	63%	3%	25%	2%	1%	6%	

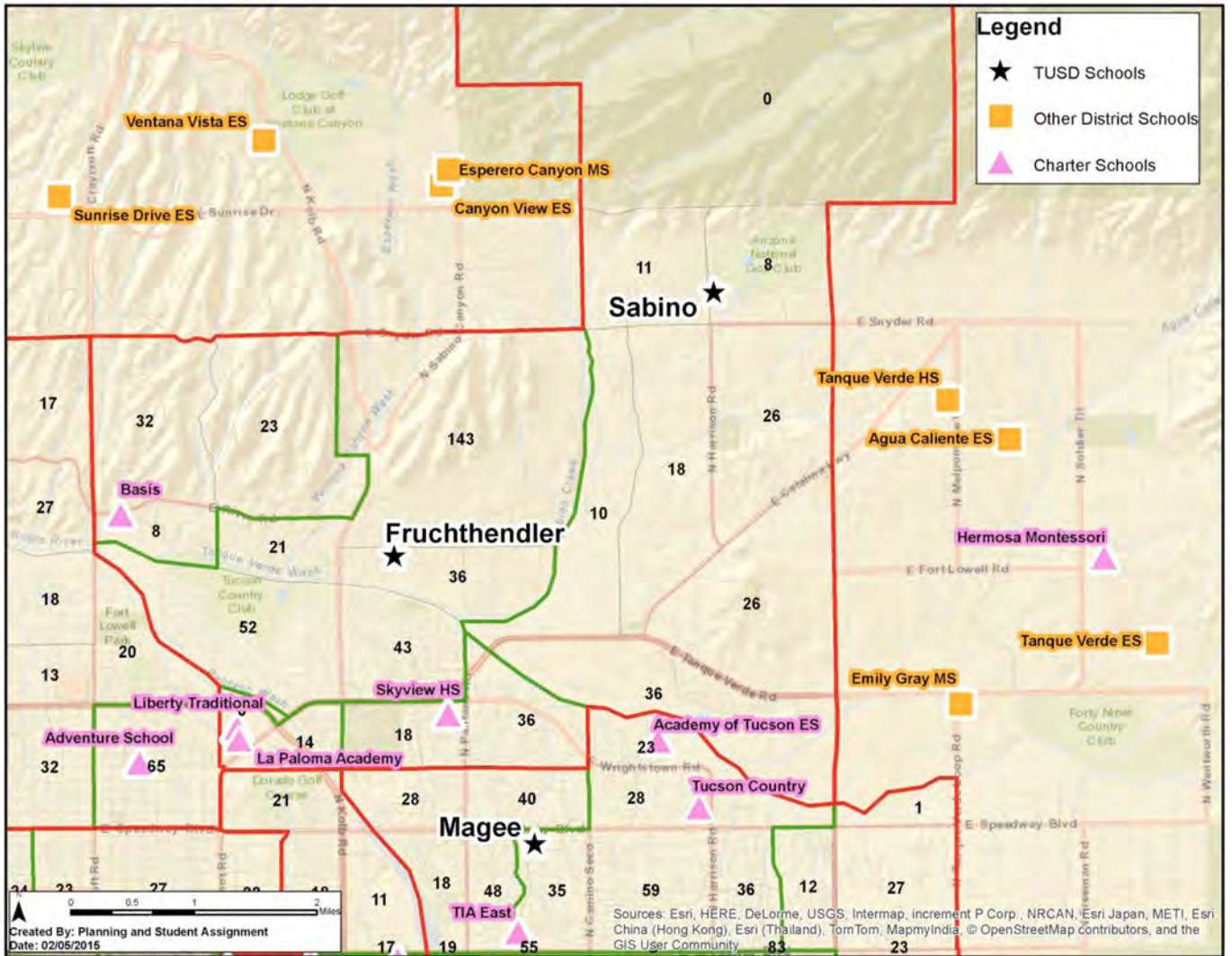
Impacts on Magee Middle School, Sabino High School and Other Schools

The impacts on Magee and other schools are reported separately in the Sabino DIA.

Map of the Area

The following shows the Sabino Area, outlined in red, and within it, the Collier Area is northeast of Fruchthender. The Collier K-5 Area is wholly within the Sabino HS Area. The Sabino HS Area also includes the Fruchthendler K-5 Area and portions of Bloom, Hudlow, and Whitmore. At the middle school level, it includes a large portion of Magee and, to a much lesser extent, Booth-Fickett.

The numbers within each area show the total number of middle-school-age students in 2010 who did not attend TUSD schools.



Renovation Costs

- Immediate Needs: \$20,000
- Long Term Plan: \$0

Transportation Costs

- \$64,000 for an express bus (ride time 35 minutes) (costs shared with Fruchthendler)
- \$0 to add a Roskruge stop to an existing Collier route (ride time 1 hour)

B. Analysis of how the proposed change will impact the District’s obligations under the USP

The District, Plaintiffs, and Special Master have identified 65 USP implementation activities, organized by the ten USP sections I-X. Below, the District analyzes the potential impact of the

proposed grade configuration change on the District's obligations under each of the ten USP sections:

1. **Compliance** No potential impact.
2. **Student Assignment** The proposal itself will result in minimal potential impact to Collier itself, as shown in Section A above. However, an extremely low number of middle-school-aged students from the Collier area attend District schools for 6th through 8th grade. Retaining more of these students at Collier (students who now attend non-District schools) will offer additional opportunities to increase integration districtwide by broadening the pool of available students to which the District can more directly engage in marketing, outreach, and recruitment activities. As an ancillary measure, the District is proposing to develop ALE programs (AVID and/or partnerships with Sahuaro High School for pre-AP or Dual-Credit courses) at nearby Magee Middle School to increase its attractiveness to Latino students and families to increase integration at Magee.
3. **Transportation** Positive impact if the express bus is added; students living within the boundary of a racially concentrated school, whose enrollment at Collier would improve integration, would receive free transportation to Collier via an express bus.
4. **Admin/Cert Staff** No potential impact.
5. **Quality of Education** Positive impact by the addition of AVID and AP programs at Magee to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs) such as GATE and pre-AP classes..
6. **Discipline** No potential impact.
7. **Family and Community Engagement** . Currently, many students and families living in the Collier area disengage from the District after 5th grade, frustrating efforts at family engagement, including: marketing, outreach, and recruitment; ALE, UHS, and dual-language recruitment ; and sharing information about college, career, and other opportunities available through the District. Creating a K-6 school will likely improve family engagement and participation at Collier, translating to increased student retention, improvements in educational outcomes, reductions in disciplinary issues, and improved culture and climate.
8. **Extracurricular Activities** As the enrollment of Collier increases, so to do the opportunities to offer a wider variety of extracurricular activities which afford students opportunities to engage in interracial contact in positive settings of shared interest.
9. **Facilities and Technology** No potential impact.
10. **Accountability and Transparency** No potential impact.

C. Notes on the Above Demographic Analysis

- All of the projections are estimates based on current patterns of choice. There is little data on preferences for 6th grades in an elementary school. The exception is Drachman K-6 which has a 5th to 6th grade transition of 60% to 80%. The 5th to 6th transition rates at K-8 schools (50% to 80%) are similar.
- The above estimates are based on current TUSD students. Because K-8 capture rates (TUSD students/total school age population) are less than 60% in the subject areas, there is a potential to attract students who do not currently attend TUSD schools. For example, as shown in the table below, one-half of the Collier 5th graders in SY2014-15 did not attend TUSD schools in 6th grade the following year.

Transition of Collier 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	35
Dodge Magnet	1
Fickett Magnet	1
Gridley	1
Magee	28

TUCSON UNIFIED SCHOOL DISTRICT DESEGREGATION IMPACT ANALYSIS

Action: Drachman Montessori Magnet as a K-8 School

Summary

On May 26, 1981, a Federal Court order approved combining Carrillo and Drachman boundaries—K-3 students were to attend Drachman and 4-6 students were to attend Carrillo. In 2006, Drachman Primary Magnet School was approved by the Federal Court to become a K-6 school. Later, it became a Montessori school. This is an analysis of the racial-ethnic composition of Drachman as a K-6 school and an estimate of the impact of adding 7th and 8th grades to that school.

A. Analysis of the impact of the requested action on the District’s obligation to desegregate.

Current K-6 grade enrollment

As shown in Table 1, there are approximately 300 students at Drachman—50 students per grade. Most (220) of the students are magnet students from outside the Drachman attendance area. Drachman is racially concentrated with a racial-ethnic composition that is 75% Hispanic and 19% Anglo and African American.

Impact on Drachman as a K-8 School

To analyze the impacts of adding the 7th and 8th grades to Drachman, the current 6th grade enrollment was doubled and added to the current K-6 enrollment. Based on the analysis shown in Table 1, there is virtually no change in the racial-ethnic composition.

Drachman has an operating capacity of 420, which would accommodate the additional 60 students at the school.

Table 1

Change Component (7th and 8th grades)

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
New 7th and 8th grades	4	7	47	2	0	1	61
	8%	11%	75%	4%	0%	2%	

Drachman Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Current K-6	23	35	228	12	1	7	306
	8%	11%	75%	4%	0%	2%	
Projected K-8	27	42	275	14	1	8	367
	7%	11%	75%	4%	0%	2%	

Impacts on Potential Sending Schools

This analysis is based on the current 6th-grade students attending Drachman, from any middle-school area, who would transition from the 6th grade to 7th and 8th grades. Based on the residential locations of current enrollees at Drachman, Safford and Valencia are the only schools that would be impacted by more than 10 students. As shown in Table 2, adding the 7th-8th grades to Drachman would have virtually no impact on the Safford or Valencia racial-ethnic composition.

Table 2Safford Change Component (7th and 8th grades)

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Safford Area 7 th & 8 th at Drachman	0	4	22	4	0	0	30
	0%	13%	73%	13%	0%	0%	

Safford Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Current K-6	43	42	423	47	3	12	570
	8%	7%	74%	8%	1%	2%	
Projected K-8	43	38	401	43	3	12	540
	8%	7%	74%	8%	1%	2%	

Valencia Change Component (7th and 8th grades)

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Valencia Area 7 th & 8 th at Drachman	0	2	12	0	0	0	14
	0%	14%	86%	0%	0%	0%	

Valencia Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Current K-6	90	29	796	54	5	19	993
	9%	3%	80%	5%	1%	2%	
Projected K-8	90	27	784	54	5	19	979
	9%	3%	80%	6%	1%	2%	

Renovation Costs

- Immediate Needs: \$20,000
- Long Term Plan: \$250,000-\$400,000 for PE changing room renovation and 2-4 classroom renovation

Transportation Costs

- \$135,000-\$180,000 to add 3-4 afternoon routes to accommodate a different bell schedule for the upper grades.
- \$64,000 to add an eastside express bus (ride time 25 minutes)

B. Analysis of how the proposed change will impact the District's obligations under the USP

The District, Plaintiffs, and Special Master have identified 65 USP implementation activities, organized by the ten USP sections I-X. Below, the District analyzes the potential impact of the proposed grade configuration change on the District's obligations under each of the ten USP sections:

- 1. Compliance** No potential impact.
- 2. Student Assignment** This proposal would help to retain students in a magnet program which is becoming more integrated – helping Drachman reach its USP-mandated goal of becoming an integrated school. Currently the school is 76% Hispanic but the newer grades each year have greater percentages of non-Hispanic students —this year the kindergarten is only 68% Hispanic (below the 70% threshold for a racially concentrated school). If Drachman maintains incoming classes that are below the 70% threshold, it will continue to move towards the definition of an Integrated school. The existence of a K-8 continuum at Drachman will enhance the marketing, outreach, and recruitment of target students and increase Drachman's attractiveness. Students will have a consistent Montessori education through 8th grade, will benefit from one less transition from elementary school to middle school, and may take advantage of express busing.
- 3. Transportation** Positive impact if the express bus is added. Students living centrally and east will benefit from an express bus that will bring students to Drachman on a shorter, express route to alleviate concerns about long bus rides and increase the likelihood of recruiting target students to attend Drachman. Magnet transportation is provided free pursuant to the USP. Express busing has the added benefit of transporting students not only to Drachman but, potentially, transporting target students from central and eastside locations to Roskrug dual-language magnet school to improve integration at that site as well.

4. **Admin/Cert Staff** No potential impact.
5. **Quality of Education** Students enrolled at Drachman will benefit from one less educational transition (from elementary school to middle school). Also, Drachman students will engage in Montessori curriculum through 8th grade.
6. **Discipline** No potential impact.
7. **Family and Community Engagement** No potential impact.
8. **Extracurricular Activities** No potential impact.
9. **Facilities and Technology** No potential impact.
10. **Accountability and Transparency** No potential impact.

C. Notes on the Above Demographic Analysis

- All of the projections are estimates based on current patterns of choice. The analysis assumes that all 6th graders at Drachman would transition to the 7th and 8th grades. Typically, 95% to 100% of the students make this transition.
- The above data is from the SY2014-15 40th-day enrollment data.

TUCSON UNIFIED SCHOOL DISTRICT DESEGREGATION IMPACT ANALYSIS

Action: Fruchthendler as a K-6 School

Summary

Fruchthendler Elementary School is a K-5 school that serves the northwest area of TUSD just west of Sabino Creek and south toward Tanque Verde Road. This is an analysis of the racial-ethnic composition of Fruchthendler as a K-5 school, the impact of adding a 6th grade to that school, and estimated impacts of the proposed change to the District's obligations under the USP.

A. Analysis of the impact of the requested action on the District's obligation to desegregate.

Current K-5 Enrollment at Fruchthendler

As shown in the Table 1 there are approximately 350 students at Fruchthendler—50 to 60 students per grade. The racial-ethnic composition is 65% Anglo and 30% African American and Latino.

Based on 2010 census data, for the Fruchthendler Area, there are over 40 students per grade in the K-5 level who do not attend TUSD schools and over 80 who do not attend TUSD schools in the 6th grade (see the map below).

According to the current principal, the vast majority of Fruchthendler families choose to go outside of TUSD for middle school because: 1) there are two competitive middle school options within a mile of Fruchthendler (Esperero to the north and Basis to the west) and 2) the TUSD middle school (Magee) that Fruchthendler feeds into is four miles away and the opposite direction most parents travel to get to work. Then, when parents choose a non-TUSD school, they also tend to take their younger children from Fruchthendler to the adjoining elementary school in an effort to have all family members on the same district calendar.

Impact on Fruchthendler as a K-6 School

Based on typical transition rates from 5th grade to 6th grade for K-8 and K-6 schools, the change would add approximately 40 to 50 students to Fruchthendler, resulting in 2 small classes or 1 class and a combo class. However, with the strong potential to attract students who attend non-TUSD schools, the projections are based on adding 54 students in the 6th grade. Those impacts are shown in Table 1.

The school has two resource rooms (Speech, GATE, Special Ed and ELD), 1 classroom, two portables and a computer room. Not counting the portables, the school has a capacity of 440 as currently used and the capacity could be increased to 470 by scheduling resource programs to share rooms and the portables. Now, with 350 students, Fruchthendler is at 80% utilization; with the additional students and revised scheduling, it would increase to 85% utilization, an ideal utilization rate.

The change is expected to have very little impact on the racial ethnic composition of Fruchthendler because the population that would attend the 6th grade has essentially the same composition as the current K-5 population.

Table 1

Change Component

School (grades)	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Continue at Fruchthendler (6 th)	36	1	14	0	1	2	54
	% 66%	2%	26%	0%	2%	4%	

Fruchthendler Impacts

School (grades)	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Fruchthendler (current K-5)	228	20	83	1	5	12	349
	% 65%	6%	24%	0%	1%	3%	
Fruchthendler (projected K-6)	264	21	97	1	6	14	403
	% 66%	5%	24%	0%	1%	3%	

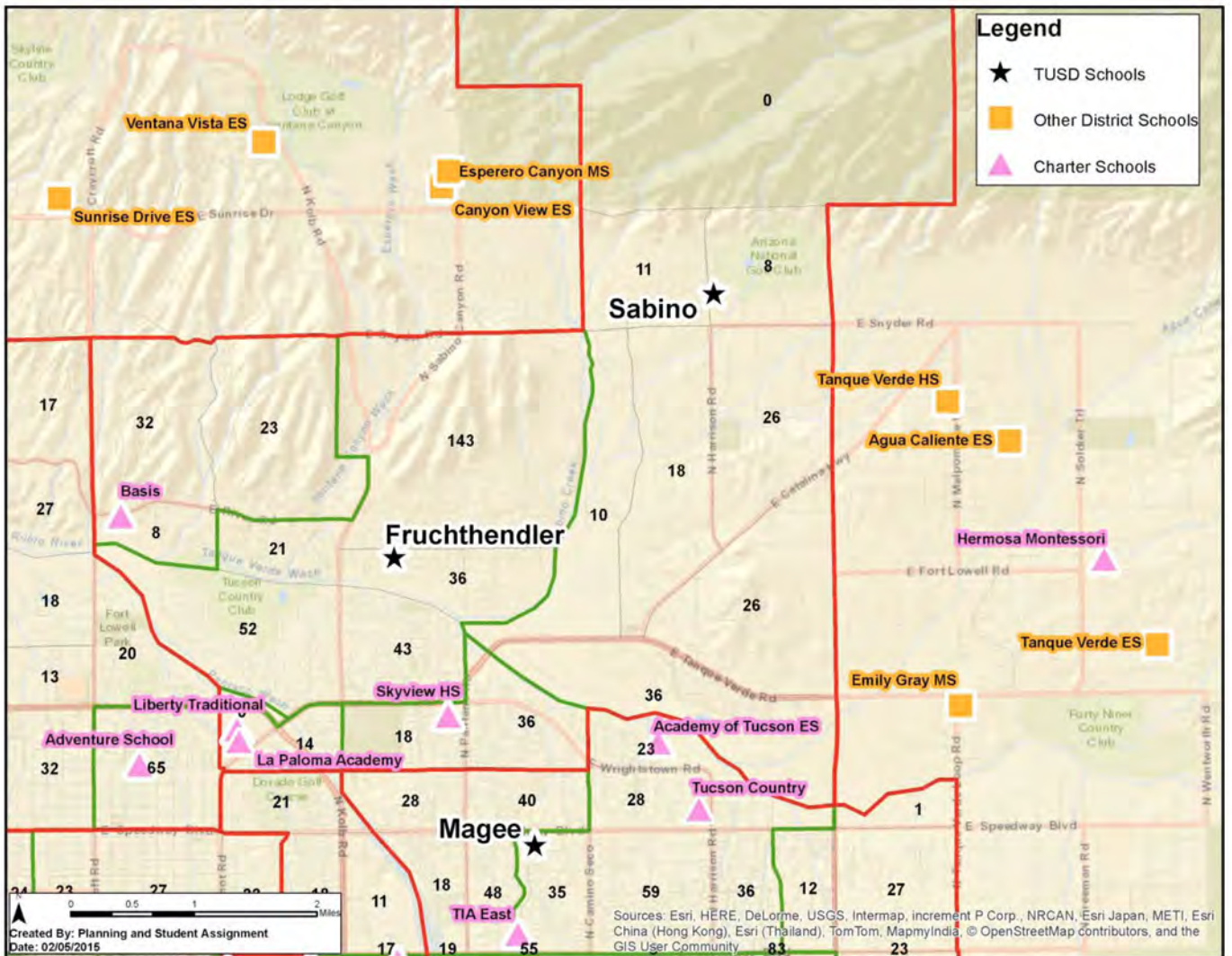
Impacts on Magee Middle School, Sabino High School and Other Schools

The impacts on Magee and other schools are reported separately in the Sabino DIA.

Map of the Area

The following shows the Sabino Area, outlined in red, and within it, the Fruchthendler Area, in green. The Fruchthendler K-5 Area is wholly within the Sabino HS Area. The Sabino HS Area also includes the Collier K-5 Area and portions of Bloom, Hudlow, and Whitmore. At the middle school level, it includes a large portion of Magee and, to a much lesser extent, Booth-Fickett.

The numbers within each area show the total number of middle-school-age students in 2010 who did not attend TUSD schools. The largest such number is in the area directly north of Fruchthendler.



Renovation Costs

- Immediate Needs: \$30,000
- Long Term Plan: \$0

Transportation Costs

- \$64,000 for an express bus (costs could be shared with Collier) (ride time 35 minutes)
- \$0 to add a Roskruge stop to an existing Fruchthendler route (ride time 1 hour)

B. Analysis of how the proposed change will impact the District’s obligations under the USP

The District, Plaintiffs, and Special Master have identified 65 USP implementation activities, organized by the ten USP sections I-X. Below, the District analyzes the potential impact of the proposed grade configuration change on the District’s obligations under each of the ten USP sections:

1. **Compliance** No potential impact.

2. **Student Assignment** The proposal itself will result in minimal potential impact to Fruchthendler itself, as shown in Section A above. However, an extremely low number of middle-school-aged students from the Fruchthendler area attend District schools for 6th through 8th grade. Retaining more of these students at Fruchthendler (students who now attend non-District schools) will offer additional opportunities to increase integration districtwide by broadening the pool of available students to which the District can more directly engage in marketing, outreach, and recruitment activities. As an ancillary measure, the District is proposing to develop ALE programs (AVID and/or partnerships with Sahuaro High School for pre-AP or Dual-Credit courses) at nearby Magee Middle School to increase its attractiveness to Latino students and families to increase integration at Magee.

3. **Transportation** Positive impact if the express bus is added; students living within the boundary of a racially concentrated school, whose enrollment at Fruchthendler would improve integration, would receive free transportation to Fruchthendler via an express bus..

4. **Admin/Cert Staff** No potential impact.

5. **Quality of Education** Positive impact by the addition of AVID and AP programs at Magee to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs) such as GATE and pre-AP classes...

6. **Discipline** No potential impact.

7. **Family and Community Engagement** Currently, many students and families living in the Fruchthendler area disengage from the District after 5th grade, frustrating efforts at family engagement, including: marketing, outreach, and recruitment; ALE, UHS, and

dual-language recruitment ; and sharing information about college, career, and other opportunities available through the District. Creating a K-6 school will likely improve family engagement and participation at Fruchthendler, translating to increased student retention, improvements in educational outcomes, reductions in disciplinary issues, and improved culture and climate.

- 8. **Extracurricular Activities** As the enrollment of Collier increases, so to do the opportunities to offer a wider variety of extracurricular activities which afford students opportunities to engage in interracial contact in positive settings of shared interest.
- 9. **Facilities and Technology** No potential impact.
- 10. **Accountability and Transparency** No potential impact.

C. Notes on the Above Demographic Analysis

- All of the projections are estimates based on current patterns of choice. There is little data on preferences for 6th grades in an elementary school. The exception is Drachman K-6 which has a 5th to 6th grade transition of 60% to 80%. The 5th to 6th transition rates at K-8 schools (50% to 80%) are similar.
- The above estimates are based on current TUSD students. Because K-8 capture rates (TUSD students/total school age population) are less than 60% in the subject areas, there is a potential to attract students who do not currently attend TUSD schools. For example, as shown in the table below, 75% of the Fruchthendler 5th graders in SY2013-14 did not attend TUSD schools in 6th grade the following year.

Transition of Fruchthendler 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	47
Dodge Magnet	4
Doolen	1
Fickett Magnet	1
Gridley	1
Magee	9

**TUCSON UNIFIED SCHOOL DISTRICT
DESEGREGATION IMPACT ANALYSIS**

Action: Sabino High School as a 7-12 School

Summary

Sabino High School serves grades 9 through 12 from the northeast area of the District west to Craycroft Road and south to Pima Street. This is an analysis of the racial-ethnic composition of Sabino as a 9-12 school, the impact of adding 7th and 8th grades to that school, and estimated impacts of the proposed change to the District’s obligations under the USP.

A. Analysis of the impact of the requested action on the District’s obligation to desegregate.

Current 9-12 grade enrollment

As shown in the Table 2 there are approximately 1000 students at Sabino. The racial-ethnic composition is 58% Anglo and 36% African American and Latino.

The feeder patterns for Sabino are shown in the following table, where “P” means a portion. There is also a very small portion of the Hudlow-to-Booth/Fickett Area that feeds less than 30 students to Sabino.

BLOOM (P) COLLIER FRUCHTHENDLER (P) WHITMORE (P)	MAGEE (P)	SABINO
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Based on 2010 census data, for the Sabino Area, there are nearly 400 7th and 8th graders who do not attend TUSD schools (Map 1 below). This is reinforced by an analysis of transitions into the 9th grade at Sabino. That analysis shows that 82 students entering the Sabino 9th grade this year did not attend TUSD schools last year.

Sabino HS Impacts

While there is little data to project Sabino impacts, it is expected that all of the Collier and Fruchthendler 6th graders would transition to Sabino. Thus the enrollment at Sabino would be 150 to 170 with the Collier and Fruchthendler transitions only.

Also, as noted above, there are 190 middle-school-age students per grade (580 6th-8th graders total) in the Sabino Area who are not attending TUSD schools. The goal would be to add more students (up to 320 total) by recruiting students who don’t now attend TUSD schools. There is a strong potential to increase that enrollment by attracting some of the students in the Sabino Area not already attending TUSD schools and by attracting students in the Tanque Verde District (30 per grade) who already opt to attend Sabino in the 9th grade. The various sources of students and the total impact are shown in Table 1.

Sabino has a capacity of 1950; with approximately 1000 students now it is at 52% utilization. With the changes it would increase to 1300 students at 60% to 70% utilization.

As shown in Table 2, the change is expected to have very little impact on the racial ethnic composition of Sabino because the population that would attend the 7th and 8th grades has essentially the same composition as the current 9-12 population.

Table 1

Change Component (Students Who May Elect the Sabino 7th and 8th Option Based on a 320-Student Enrollment Goal)

Change Component	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Collier to Sabino ¹	45	4	16	2	1	2	70
	64%	6%	24%	2%	1%	3%	
Fruythendler to Sabino ²	66	2	26	0	2	4	100
	66%	2%	26%	0%	2%	4%	
New from Sabino Area ³	59	7	39	0	0	5	110
	54%	6%	35%	0%	0%	5%	
New from Other Districts ⁴	25	0	14	0	1	0	40
	63%	0%	35%	0%	2%	0%	
Total Sabino 7th and 8th	195	13	95	2	4	11	320
	61%	4%	30%	1%	1%	3%	

Notes:

1. these are the Collier 6th graders who will transition to Sabino; added to Sabino
2. these are the Fruythendler 6th graders who will transition to Sabino; added to Sabino
3. these are students from a non-TUSD school 6th grade who transition to 7th grade at Sabino; added to Sabino
4. these are students from outside the district--primarily the Emily Gray 7-8 school in TVSD; added to Sabino

Table 2

Sabino Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Sabino (9-12)	586	57	300	5	14	47	1009
%	58%	6%	30%	0%	1%	5%	
Sabino (projected 7-12)	781	70	395	7	18	58	1329
%	59%	5%	30%	1%	1%	4%	

Magee MS Impacts

As shown in Table 3, based on students currently attending Magee and assuming the worst-case scenario, the change would reduce the enrollment of Magee by 95 students; 70 from the Collier Area and 25 from the Fruythendler Area.

Of the 55-60 students in the Fruchthendler 5th grade, approximately 10 transition into the Magee 6th grade (see the Notes section below); most of the rest (approximately 50) attend non-TUSD schools. It is expected that some of the Fruchthendler students (about 10 each year) will continue to matriculate to Magee and some 7th graders from Magee will select the Sabino option.

Of the 30 students in the Collier 5th grade, most transition into the Magee 6th grade. Thus, although the number of students in Collier is smaller than Fruchthendler, the impact of starting a 6th grade there is greater on Magee.

The change is expected to have a minimal impact on the racial ethnic composition of Magee. The table below shows any analysis of the racial-ethnic impacts on Magee.

Table 3

Change Component (Students Who May Elect the Sabino 7th and 8th Option)

Change Component	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
No Longer at Magee ¹	58	9	24	1	1	2	95
	62%	9%	25%	1%	1%	2%	

Note:

1. This includes the Fruchthendler Area and Collier Area students who attend Magee; subtracted from Magee (70 from Collier, 25 from Fruchthendler). It is a worst-case scenario as fewer students from those areas may choose Sabino over Magee.

Magee Impacts

Grades	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Magee (current 6-8)	274	75	203	9	12	17	590
%	46%	13%	34%	2%	2%	3%	
Magee (projected 6-8)	216	66	179	8	11	15	494
%	44%	13%	36%	2%	2%	3%	

Impacts on Other Middle Schools

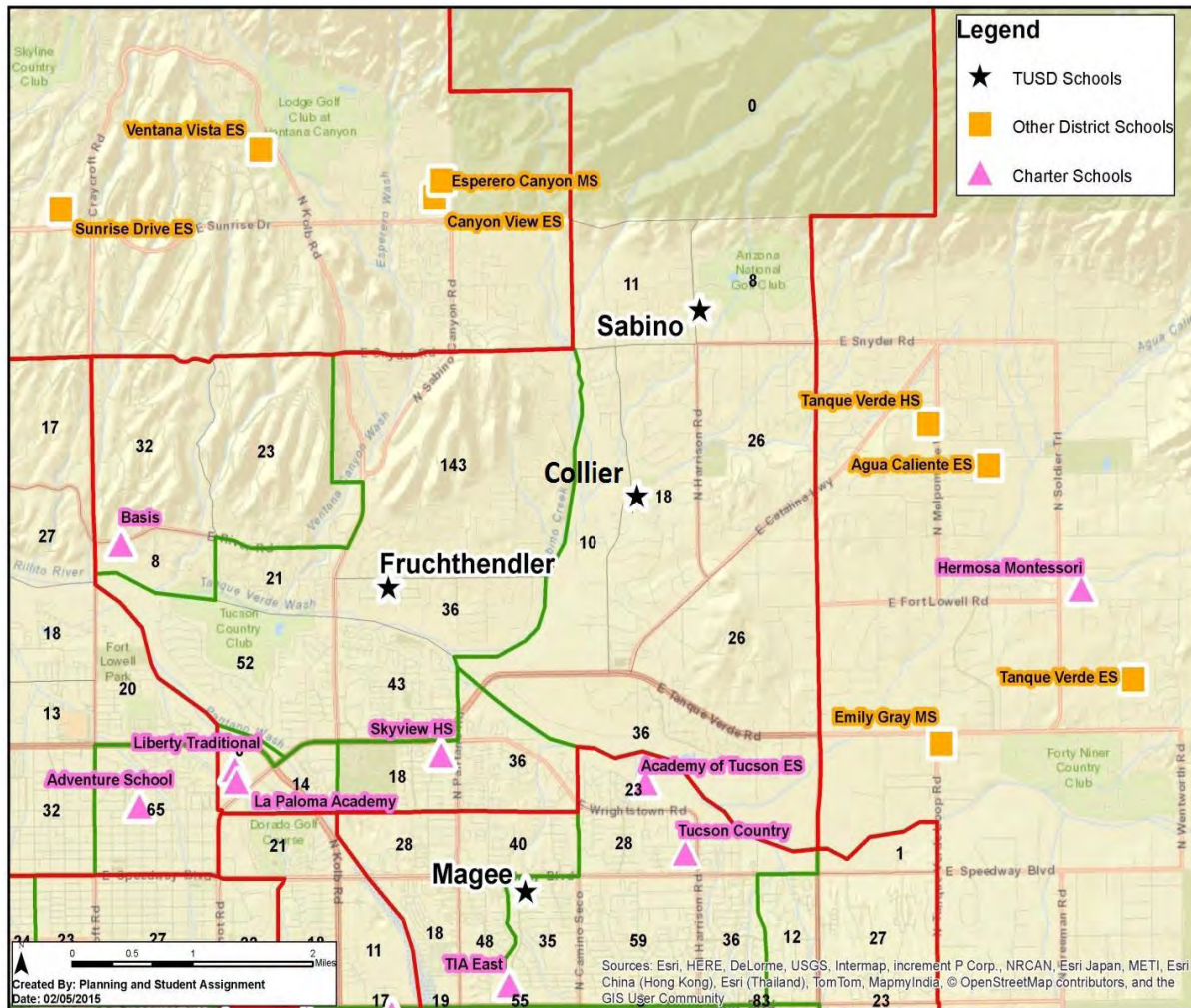
Recruitment efforts will be aimed at attracting students who do not attend TUSD schools rather than transferring students between TUSD schools, except in cases where the District can successfully recruit middle and high school students who might otherwise attend a racially concentrated middle or high school to open enroll into Sabino to improve integration (supported by incentive transportation and express busing). For all other middle schools, the impacts are expected to be minimal (less than a few students, as substantiated by attendance data provided in Section C below).

Map of the Area

The following shows the Sabino Area, outlined in red, and within it the Fruchthendler Area and Collier Area in green. Both are wholly within the Sabino HS Area. The Sabino HS Area also includes portions of Bloom, Hudlow, and Whitmore. At the middle school level, it includes a large portion of Magee and, to a much lesser extent, Booth-Fickett.

The numbers show the total number of middle-school-age students in 2010 who did not attend TUSD schools. The largest such number is in the area directly north of Fruchthendler.

Map 1



Renovation Costs

- Immediate Needs: \$0
- Long Term Plan: \$0

Transportation Costs

- \$194,000-\$259,000 for 3 to 4 buses if 7th and 8th graders do not ride with the upper grades.
- \$64,000 for an express bus (ride time 45 minutes versus 1.5 hours for the current open-enrollment bus)

B. Analysis of how the proposed change will impact the District's obligations under the USP

The District, Plaintiffs, and Special Master have identified 65 USP implementation activities, organized by the ten USP sections I-X. Below, the District analyzes the potential impact of the proposed grade configuration change on the District's obligations under each of the ten USP sections:

- 1. Compliance** No potential impact.
- 2. Student Assignment** The proposal itself will result in minimal potential impacts to Sabino and to the neighboring middle school, Magee, as shown in Section A above (see Table 1 and Table 2). However, an extremely low number of middle-school-aged students from the Sabino area attend District schools for 7th through 8th grade. Retaining more of these students at Sabino (students who now attend non-District schools) will offer additional opportunities to increase integration districtwide by broadening the pool of available students to which the District can more directly engage in marketing, outreach, and recruitment activities. As an ancillary measure, the District is proposing to develop ALE programs (AVID and/or partnerships with Sahuaro High School for pre-AP or Dual-Credit courses) at nearby Magee Middle School to increase its attractiveness to Latino students and families to increase integration at Magee.
- 3. Transportation** Positive impact if the express bus is added. 7th and 8th grade students living within the boundary of a racially concentrated middle school, or 9th – 12th grade students living within the boundary of a racially concentrated high school, whose enrollment at Sabino would improve integration, would receive free transportation to Sabino via an express bus.
- 4. Admin/Cert Staff** No potential impact.
- 5. Quality of Education** Positive impact by the addition of AVID and AP programs at Magee to prepare African American and Latino students for success in core classes and Advanced Learning Experiences (ALEs) such as GATE and pre-AP classes.
- 6. Discipline** No potential impact.

- 7. **Family and Community Engagement** Currently, many students and families living in the Sabino area disengage from the District after 5th grade, frustrating efforts at family engagement, including: marketing, outreach, and recruitment; ALE, UHS, and dual-language recruitment ; and sharing information about college, career, and other opportunities available through the District. Adding 7th and 8th grades to Sabino will likely improve family engagement and participation at Sabino, translating to increased student retention, improvements in educational outcomes, reductions in disciplinary issues, and improved culture and climate.
- 8. **Extracurricular Activities** No potential impact.
- 9. **Facilities and Technology** No potential impact.
- 10. **Accountability and Transparency** No potential impact.

C. Notes on the Above Demographic Analysis

- All of the projections are estimates based on current patterns of choice. The projections are based on a 70% transition of 5th to 6th graders at Collier and Fruchthendler and a 100% transition of these students into the 7th grade at Sabino. There is no current data on 7th and 8th grade preference for a high school and little data on preferences for 6th grades in an elementary school. The exception is Drachman K-6 which has a 5th to 6th grade transition of 60% to 80%—in line with the 70% used in this analysis. The 5th to 6th transition rates at K-8 schools (50% to 80%) also support the estimate.
- The above estimates are based on current TUSD students. Because k-8 capture rates (TUSD students/total school age population) are less than 60% in the subject areas, there is a potential to attract students who do not currently attend TUSD schools and there is potential to attract students from outside TUSD. For example, as shown in the table below, 75% of the Fruchthendler 5th graders in SY2013-14 did not attend TUSD schools in 6th grade the following year.

Transition of Fruchthendler 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	47
Dodge Magnet	4
Doolen	1
Fickett Magnet	1
Gridley	1
Magee	9

- The transition of students from Collier and Fruchthendler to Sabino would, conservatively, add 150-170 students to Sabino. To reach the goal of 320 students set by the school without impacting other TUSD schools, Sabino will need to recruit students who live in the Sabino Area but do not attend TUSD schools and, to a lesser extent, recruit students from outside TUSD. The potential of this approach is indicated in the table below, which shows that 82 students entering the Sabino 9th grade this year did not

attend TUSD schools last year. This is supported by 2010 Census data that shows 580 middle-school-age students in the Sabino Area do not attend TUSD middle schools.

Transition of 8th Graders into the 9 th Grade at Sabino	
School	Enroll
TUSD Area students not in TUSD middle schools	82
TUSD Area students in TUSD middle schools	138
Amphitheater SD	1
Catalina Foothills SD	3
Sunnyside SD	5
Tanque Verde SD	33

Summary of Party Positions on Grade Reconfiguration Proposals – October 16, 2015

	BORMAN K-8	COLLIER K-6	DRACHMAN K-8	FRUCHTHENDLER K-6	SABINO 7-12
DEP'T OF JUSTICE	Y	Y	Y	Y	Y
MENDOZA PLAINTIFFS	Y	N	Y	N	N
FISHER PLAINTIFFS	N	N	--	N	N
SPECIAL MASTER	Y	Y	N	Y	N

DEPARTMENT OF JUSTICE

"The Department of Justice does not object to any of the current grade configuration proposals because we have seen no evidence that they materially negatively impact the District's desegregation efforts or otherwise violate the USP."

MENDOZA PLAINTIFFS

"Mendoza Plaintiffs currently have no objection to the proposal to reconfigure Borman Elementary School from a K-5 to a K-8 school. They similarly have no objection to the proposal to change Drachman K-6 into a K-8 school, so long as Drachman, as a magnet school, continues to work toward meeting its integration goals detailed in its magnet improvement plan...Mendoza Plaintiffs continue to have significant concerns regarding the impact that the Fruchthendler, Collier, and Sabino proposals would have on Magee Middle School, and therefore object to them."

FISHER PLAINTIFFS

The Fisher Plaintiffs "are ambivalent" about the Drachman proposal, and do not support the Borman, Fruchthendler, Collier, and Sabino proposals. The Fisher Plaintiffs have the same reservations they had in August about the proposals, and would likely object to a proposal to expand Cavett and Catalina.

SPECIAL MASTER

"I support the proposal to create a K-8 school at Cavett because it will likely have a small integrative effect. I support the creations of a K-8 school at Borman. I support the addition of a sixth-grade to Collier and Fruchthendler. In the case of Fruchthendler, this could have a small negative effect on the enrollment of white students at Magee but the numbers will be small. And it may be, that a positive experience for one's sixth-grader will increase confidence about sending one's student to Magee, especially if the quality of Magee is enhanced."

Department of Justice Response to Proposed Grade Configuration Changes

From: Eichner, James (CRT) <James.Eichner@usdoj.gov>

Sent: Monday, October 12, 2015 7:43 AM

To: Brown, Samuel; Juan Rodriguez; Lois Thompson; Rubin Salter Jr.; Simons, Shaheena (CRT); TUSD; Savitsky, Zoe (CRT); Willis D. Hawley

Cc: Tolleson, Julie; Taylor, Martha; Brammer@rllaz.com; Desegregation; TUSD; Nodine, Bryant; Patterson, Charlotte; Eichner, James (CRT)

Subject: RE: Grade Reconfiguration Proposals

Sam –

The Department of Justice does not object to any of the current grade configuration proposals because we have seen no evidence that they materially negatively impact the District's desegregation efforts or otherwise violate the USP.

The Department of Justice will expect, should the grade configuration proposals lead to more students attending TUSD as intended, TUSD to explore ways of using the addition of these students to increase desegregation and otherwise support implementation of the USP.

The United States will also expect the District to continue to examine the possibility of changing Cavett Elementary School from K-5 to K-6 and adding a junior high to Catalina HS and to make a decision on this possible grade configuration change giving due weight to the prospect of such a change advancing TUSD's desegregation efforts.

Please let me know if you have any questions about this.

Jim

MENDOZA PLAINTIFFS' PRE-MEETING PRELIMINARY RESPONSE TO TUSD'S SEPTEMBER 25, 2015 GRADE RECONFIGURATION PROPOSALS

October 2, 2015

Mendoza Plaintiffs do not here present complete responses to the District's grade reconfiguration proposals, but intend to do so at a later time after the parties are able to discuss these proposals and have their questions answered at the meetings among the parties and Special Master on October 5 and 6 in Tucson. Mendoza Plaintiffs do however remind the District of existing concerns here, and additional concerns raised by TUSD's September 25 grade reconfiguration proposals in the hope that this will permit the District to better prepare for the up-coming meetings.

As an initial matter Mendoza Plaintiffs reiterate, as they referenced in their August 18 Response, among other communications, that they disagree with the District's reading of USP Section II,D,2 application to its grade reconfiguration process and with its statement that "[n]one of the proposals require[] a boundary change." Similarly, while they appreciate that the District has revised its Student Assignment Committee ("SAC") goals, Mendoza Plaintiffs do not understand those goal revisions to address their concerns regarding USP integration requirements.

In particular, although the revised goals include that of increasing integration of District schools, they also clearly state that a proposal need not be rejected if it fails to meet that goal. Here, as we reference below and will be prepared to discuss more fully at our meetings, as we understand it, not a single one of the proposed grade reconfigurations (with the possible exception of that for Drachman as kindergarten cohorts progress through the school) –nor the proposals taken together – are expected to increase the integration of District schools. At best, they are "neutral". And they are "neutral" only so long as one ignores the likely destabilizing effect on Magee (which is referenced below and which we also will be prepared to discuss further at our meetings) given the expectation that the addition of grade 6 at both Fruchthendler and Collier will lead to the loss of more than 20% of Magee's white student population.

Mendoza Plaintiffs, like the Department of Justice ("DOJ"), would like to understand whether the District is proposing a grade configuration change at Cavett Elementary School to change it from a K-5 to a K-6 school, and at Catalina High School to add middle school grades 7 and 8. They therefore join in the questions posed earlier today by Jim Eichner and ask that the District provide for Cavett and Catalina as well as for the other affected schools referenced in the brief discussion of this scenario in Appendix A the information and analysis that would comprise a DIA for this scenario.

Many of Mendoza Plaintiffs' concerns and objections detailed in their objection to the Fruchthendler and Sabino NARAs earlier this year (Doc. 1794) still exist with regard to the current grade reconfiguration proposals. Significant among them is the affect the proposed change would have of drawing Magee Middle School's white student population away from that school and into

Fruchthendler, which would take Fruchthendler even further away from achieving integration.¹ The white population at Fruchthendler currently exceeds the percentage of white students at the elementary school grade level by 42%. (See Annual Report, Appendix II-41.) Now, with the addition of the proposal to reconfigure Collier Elementary School into a K-6 school, the District indicates that the Fruchthendler and Collier proposals together could reduce the current white population at Magee Middle School by over 21%. (See Sabino DIA attached to TUSD's September 25 Grade Configuration Proposals.) Thus, under the current proposal, Collier too would move further away from achieving integration as its current white population exceeds the percentage of white students at the elementary school grade level by 39%. (See Annual Report, Appendix 11-41.)

Mendoza Plaintiffs expect that the parties will fully discuss the potentially destabilizing effects the grade configuration proposals will have on Magee Middle School when they meet with the parties and Special Master on October 5 and 6.

Mendoza Plaintiffs also note that in the Executive Summaries constituting Appendix B to the September 25 Grade Configuration Proposals, the District says that it will "mitigate" impacts on Magee by offering "enhanced ALE programs at Magee (AVID and/or partnerships with Sahuaro High School for AP or Dual-Credit courses) to attract Latino students to Magee, and to prepare African American and Latino students for success in core classes and Advanced Learning Experiences...." (Appendix B discussion of Collier, Fruchthendler and Sabino.) Mendoza Plaintiffs have concerns about an apparent willingness of the District to add such programs to Magee (a "C" school) only as a "mitigating" measure. At our meetings next week, we will urge the District to add such programs to Magee regardless of what decisions are made concerning grade reconfigurations.

In addition, Mendoza Plaintiffs do not understand on what basis the District now asserts (in each DIA except for the Drachman DIA) that the proposals will have the impact of retaining "(students who now attend non-District schools) [which] will offer additional opportunities to increase integration districtwide by broadening the pool of available students to which the District can more directly engage in marketing, outreach, and recruitment activities." (See DIAs for Borman, Collier, Fruchthendler, and Sabino attached to TUSD's September 25 Grade Reconfiguration Proposals.) Mendoza Plaintiffs have not seen anything from the District to suggest that it has analyzed whether it realistically will be able to successfully recruit these students into schools in such a way as to increase the total number of students attending integrated schools. Indeed, notwithstanding these new "opportunities" to recruit students to increase integration, Mendoza Plaintiffs have not seen any change whatsoever in the numbers reported in any DIA from the last iteration of those DIAs to suggest that the District, once it attracts non-TUSD students into the schools for which it is proposing reconfiguration changes, would be able to successfully recruit them to enroll in OTHER District schools to increase integration.

Notably, the 2014-15 student populations in schools at which the District is proposing reconfiguration changes to attract primarily white non-TUSD students already include a white student

¹ Under the USP, an integrated school is one in which no racial or ethnic group varies from the District average for that grade level by more than +/- 15 percentage points and in which no single racial or ethnic group exceeds 70% of the school's enrollment. (USP Section II, B, 2.)

population that exceeds the percentage of white students in the District. Notwithstanding that Drachman is a racially concentrated Latino school, the sum of students at all the schools for which the District is proposing changes is approximately: 52% white (1194 students), 33% Latino (759 students), and 8% African American (178 students). (See Annual Report, Appendix 11-41.) Thus, Mendoza Plaintiffs understand that the general thrust of the grade reconfiguration proposals is to perpetuate the non-integration at these schools, which is inconsistent with USP requirements to increase the number of integrated schools and number of students attending integrated schools. Mendoza Plaintiffs therefore believe that, taken together, the proposed grade reconfigurations fail to meet Judge Bury's admonition that the proposal be "comprehensively consider[ed], pursuant to applicable USP criteria, in an effort to increase the integration of TUSD schools. USP §II.D.2" (Order dated 5/12/15, Doc. 1799, at 5:18-21.)

As to particular schools:

The DIA for Collier says there are 30 to 40 students per grade and then has a chart entitled "Transition of Collier 5th Graders into 6th Grade which reports 35 not in TUSD and 31 in TUSD schools for a total of 66. The numbers do not seem to mesh. Is there something we have misread or misunderstood in the Collier discussion?

The DIA for Sabino says that "[r]ecruitment efforts will be aimed at attracting students who do not attend TUSD schools rather than transferring students between TUSD schools, except in cases where the District can successfully recruit middle and high school students who might otherwise attend a racially concentrated middle or high school to open enroll into Sabino to improve integration (supported by incentive transportation and express busing)."

How does the District propose to recruit only those students who might otherwise attend a racially concentrated school? And what will it do if students who do NOT attend a racially concentrated school seek through open enrollment to enroll in 7th or 8th grade (or subsequent grades) at the proposed Sabino middle school?

Having said that it would recruit students who might otherwise attend a racially concentrated middle or high school, why are no such students included in the DIA (which does have projected enrollment figures for students from non-TUSD schools located within the TUSD geographic area as well as projected enrollment figures for students from outside the TUSD geographic area)?

MENDOZA PLAINTIFFS' COMMENTS AND OBJECTIONS REGARDING TUSD'S GRADE RECONFIGURATION PROPOSALS

October 16, 2015

Mendoza Plaintiffs submit these comments as a supplement to their October 2, 2015 comments, based on the District's September 25, 2015 version of its grade reconfiguration proposals and after the parties' and Special Master's meeting in Tucson, for the Governing Board's consideration as it reviews the District's Grade Reconfiguration Proposals for information purposes.

Given that USP Section II,D,2 requires the District to "propose and evaluate various scenarios, with, at minimum, the Plaintiffs and the Special Master in an effort to increase the integration of its schools," Mendoza Plaintiffs look forward to the District's development of proposals to reconfigure Cavett from a K-5 to a K-6 Elementary School, and add a junior high (that is 7th and 8th grades) to Catalina High School, which the District indicates would have a positive integrative effect, particularly as none of the current grade reconfiguration proposals (with the possible exception of Drachman), nor the proposals taken together, are expected to increase the integration of TUSD's schools. Mendoza Plaintiffs also look forward to the receiving additional information regarding express busses to serve as incentive transportation in relation to these proposals and "mitigation" measures directed at Magee middle school, which they understand the District to currently be further developing.

Borman and Drachman

Mendoza Plaintiffs currently have no objection to the proposal to reconfigure Borman Elementary School from a K-5 to a K-8 school. They similarly have no objection to the proposal to change Drachman K-6 into a K-8 school, so long as Drachman, as a magnet school, continues to work toward meeting its integration goals detailed in its magnet improvement plan.

Fruchthendler, Collier, and Sabino

Mendoza Plaintiffs continue to have significant concerns regarding the impact that the Fruchthendler, Collier, and Sabino proposals would have on Magee Middle School, and therefore object to them. The Fruchthendler and Collier proposals are expected to draw white TUSD students that would otherwise attend Magee Middle School into Fruchthendler and Collier, thereby taking those schools further away from achieving integration. (Fruchthendler's and Collier's white student population currently exceeds the percentage of white students at TUSD's Elementary School level by 42% and 39%, respectively. (See Annual Report, Appendix 11-41.)) Together, the Collier and Fruchthendler proposals could reduce the white population at Magee by over 21%, a population the District expects would entirely transition to Sabino were it to reconfigure as proposed. (See Sabino DIA, Appendix C to September 25, 2015 Grade Reconfiguration Proposals). Moreover, Mendoza Plaintiffs have not yet seen any details of the measures the District is considering that would make them think that the District realistically can target and recruit the non-TUSD white students who would join District schools under the proposals to attend schools at which their enrollment would increase integration.

FISHER
PLAINTIFFS'
COMMENTS ON
GRADE
RECONFIGURATION
PROPOSALS

August 10, 2015
October 19, 2015

Brown, Samuel

From: Rubin Salter, Jr. <rsjr3@aol.com>
Sent: Monday, October 19, 2015 4:57 PM
To: Tolleson, Julie; Taylor, Martha; Brammer@rllaz.com; Desegregation; Nodine, Bryant; Patterson, Charlotte; jrodriguez@MALDEF.org; Brown, Samuel; james.eichner@usdoj.gov; lthompson@proskauer.com; shaheena.simons@usdoj.gov; TUSD@rllaz.com; zoe.savitsky@usdoj.gov; wdh@umd.edu
Subject: Re: Grade Reconfiguration Proposals
Attachments: 15.08.10.fisher.preliminary.objection.sac.pdf

Dear Sam:

Please find attached the Fisher Plaintiffs' 08/10/15 objection to the grade reconfigurations proposed by the TUSD Student Assignment Committee (SAC) (originally addressed to Martha Taylor).

Because nothing in the District's subsequent revision of the SAC's goals or its desegregation impact analyses has alleviated the fundamental concerns raised in the Fisher Plaintiffs' 08/10/15 objection, please consider that objection renewed by copy of this email.

I understand that you had asked to receive new plaintiff feedback by the 16th, but I hope you will be able to share the attached, previously circulated five-page objection - in its entirety - with the TUSD Governing Board (GB) before it meets on the 20th to ensure that the GB members understand why the Fisher Plaintiffs find the proposed grade reconfigurations objectionable.

Sincerely,

Rubin Salter, Jr.

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-----Original Message-----

From: Juan Rodriguez <jrodriguez@MALDEF.org>
To: Brown, Samuel <Samuel.Brown@tUSD1.org>; James Eichner <james.eichner@usdoj.gov>; Lois Thompson <lthompson@proskauer.com>; Rubin Salter Jr. <rsjr3@aol.com>; Shaheena Simons (shaheena.simons@usdoj.gov) <shaheena.simons@usdoj.gov>; TUSD <TUSD@rllaz.com>; Zoe Savitsky <zoe.savitsky@usdoj.gov>; Willis D. Hawley <wdh@umd.edu>

Monday August 10, 2015

Attention: Martha Taylor

Dear Martha:

The Fisher Plaintiffs have completed a preliminary review of the material uploaded to the District's Student Assignment Committee (SAC) folder. Based on that review, the Fisher Plaintiffs, by copy of this email, join the Mendoza Plaintiffs and the Department of Justice (DOJ) in their objection to the current goals and guidelines set for the SAC (see Thompson 08/05/15 and Eichner 08/07/15 emails).

The SAC clearly fails to assign due priority to the District's desegregation obligations under the Unitary Status Plan (USP) and clearly fails to involve the type and degree of input from the plaintiffs and the Special Master (SM) contemplated under the USP and the Court's 05/12/15 order interpreting the applicable provisions of the USP. Additionally, the composition of the SAC is clearly unrepresentative of the full spectrum of stakeholders impacted by the proposed changes.

The overwhelming majority of SAC members appear to be Tucson Unified School District (TUSD) employees and/or the parents of students attending the schools proposing the grade reconfigurations. While employees and parents initiating or endorsing the proposals certainly deserve a seat at the table, their participation should be balanced by a full range of stakeholder participation. The Committee's membership bias raises the concern that the Committee may reach foregone conclusions behind the trappings of stakeholder participation afforded by the professional management of the DLR Group.

The District's desegregation impact analyses (DIAs) claim that the proposed changes will "have virtually no impact on" the racial and ethnic profile of the impacted schools (see inter alia the Borman K-8 DIA uploaded to the DLR site). The District explains that the enrollment projections made in its DIAs "are estimates based on current patterns of choice" (idem). As the Fisher Plaintiffs noted in their 04/23/15 objection to the proposed grade reconfigurations at Fruchthendler and Sabino, the projected continuation of current school choice patterns (chiefly patterns of White Flight) is unwarranted.

Patterns of White Flight do not exist in a policy vacuum. The District has the means to implement policies that can influence future school choice patterns in ways that can make integration a reality. And the District has the legal duty, under the USP and controlling Ninth Circuit authority, to do just that, a duty that the District unfortunately seems unwilling to uphold.

The District is legally empowered and obliged to consider and take affirmative steps to counteract - not cater to - the phenomenon of White Flight, both without and within the District. The “grassroots” initiatives of identifiably White schools, like Fruchthendler and Borman, to recapture predominantly White enrollment (under the cover of ostensibly neutral grade reconfigurations) violate both the letter and the spirit of the student assignment provisions of the USP and the equal protections safeguarded by the Supreme Court’s landmark Civil Rights decisions in *Brown* and its progeny.

The District’s proposed reconfiguration of Borman K-5 as a K-8 school suffers from the same shortcomings as the District's past efforts to reopen Lowell Smith ES as a MS. Like Borman ES, the Lowell Smith campus is located on the Davis-Monthan (DM) Air Force Base. The District first petitioned the Court to reopen the (then) recently closed Lowell Smith ES as a MS on 03/07/07 (see document number 1189 filed 03/07/07). On 03/15/07 and 04/09/07, the Fisher and the Mendoza Plaintiffs filed their respective responses in opposition to the proposed reopening as violative of the District's desegregation obligations (see document numbers 1190 filed 03/15/07 and 1195 filed 04/09/07). On 05/10/07, the Court agreed with the Plaintiffs' arguments and denied the District's petition, explaining that:

The Court finds that reopening Smith Elementary School as a middle school has an adverse affect on ongoing desegregation obligations because it is inconsistent with on-going efforts to reduce segregation in TUSD's schools [...]. Reopening Smith School as a middle school removes a segment of the existing community assigned to Naylor Middle School, thereby, decreasing its base of concerned parents. Attendance by DM students at other TUSD schools and charter schools has had precisely this result. To the extent that TUSD is attempting to bring charter students back into its fold, this may benefit the Naylor Middle School. Conversely, it is not in the best interest of the community for TUSD to authorize non-minority DM students to attend other TUSD schools instead of Naylor Middle School [...]. In light of the evidence that Naylor Middle School, with a predominately minority student body, is seriously failing to educate its student body, it is highly

suspect for TUSD to carve out a separate non-minority educational system for a group of these students that are predominately non-minority. Fisher Mendoza [is] a desegregation case, which at its core is based on the principle that separate schools will not provide equal education (at pages 4-5 of document number 1209 filed 05/10/07 emphasis added).

Undeterred, the District returned the following year to notify the Court that it was still "exploring ways to re-open Smith" (at page 3 of document number 1264 filed 04/10/08). The District explained that it hoped to reopen Smith to recapture an estimated 500 students lost under State open-enrollment laws facilitating the flight of (predominantly White) Davis-Monthan-area students to neighboring districts and charter schools (idem at 4). On 04/16/08, the Mendoza Plaintiffs filed a response opposing the second attempt to reopen Smith as still very much in violation of the District's desegregation obligations (see document number 1267 filed 04/16/08).

Yet again, the District seeks to win back DM-area enrollment lost to neighboring districts and charter schools, this time by reconfiguring Borman K-5 into what would very likely become an identifiably White K-8 school. The plaintiffs and the Court have already considered, and rejected, the District's constitutionally unsound approach to recapturing enrollment lost to White Flight. On 04/14/15, the District filed a notice and request for the Court's approval (NARA) of the reconfiguration of grade levels at Fruchthendler ES and Sabino HS (see document number 1789 filed 04/14/15). In that NARA, the District explained that:

A high percentage of middle school aged students living in the area surrounding Fruchthendler Elementary School ("Fruchthendler") and Sabino High School ("Sabino") do not attend TUSD schools for grades 6 through 8. Some area students attend the nearest TUSD middle school, Magee, but many students who leave TUSD after fifth grade for middle school outside the district do not return at all. As a result, TUSD loses funding, and the decline of its Anglo student population is exacerbated (thereby frustrating efforts to recruit Anglo students to other TUSD schools for integration purposes) (idem at 2).

On 04/23/15, the Fisher and Mendoza Plaintiffs filed memoranda opposing the proposed reconfiguration (see documents number 1791 and 1794 filed 04/23/15). On 05/12/15, the Court issued an order denying the District's request, explaining that:

The record reflects that the student assignments proposed by TUSD were not considered in the context of the four integration strategies required by the USP: attendance boundaries, pairing and clustering of schools; magnet schools and programs; and open enrollment. (USP § II.1.) Because the proposed student assignments involve the creation of an honors program, the USP, section V, requires the District to also consider Plaintiffs' concerns regarding equal access. There is nothing about a NARA proposal to change student assignments to exempt it from the USP requirement that the District, the parties, and the Special Master comprehensively consider the proposal, pursuant to applicable USP criteria, in an effort to increase the integration of TUSD schools. USP § II.D.2. Plans and strategies are now in place, pursuant to the USP, for addressing student assignments, but this NARA fails to reflect how the Fruchthendler-Sabino Honors Pipeline plan fits into these plans and strategies, and if not, why (at page 5 of document number 1799 filed 05/12/15 emphasis added).

The Fisher Plaintiffs remain extremely concerned by the District's continued efforts to reconfigure grade levels at Fruchthendler ES and Sabino HS. Their concerns are motivated in equal parts by the District's decision to insulate the work of the SAC from the input of the plaintiffs and the SM and the District's erroneous assumption that it has no obligation to recognize and counteract the harmful effects of White flight in its student assignment plans. The Supreme Court has long held that "a student assignment plan is not acceptable merely because it appears to be neutral, for such a plan may fail to counteract the continuing effects of past school segregation" (Swann v Board of Education, 402 U.S. 1 1971). In Swann, the Court found that "racially neutral assignment plans proposed by school authorities to a district court may be inadequate; such plans may fail to counteract the continuing effects of past school segregation resulting from discriminatory location of school sites" (idem).

Under federal law, a school district operating under a federal desegregation order carries an affirmative obligation to account for the legacy of discriminatory practices when fashioning its student assignment policies and plans. The seeming “neutrality” of the District’s proposed student assignment “honors pipeline” from Fruchthendler to Sabino is absurd when the pipeline is designed to provide privileged programming to the historically privileged class of predominantly high SES White students residing in the Sabino attendance area. It is extremely unsettling that the District again proposes to alleviate White flight from the District by endorsing White flight within the District. The Fisher Plaintiffs are extremely disappointed that the District, rather than exploring ways to increase the diversity at schools like Magee and Roberts/Naylor, again propose intradistrict White flight as way to recapture enrollment currently lost to interdistrict White flight.

Sincerely,

Rubin Salter, Jr.

SPECIAL MASTER
DR. HAWLEY'S
COMMENTS ON
GRADE
RECONFIGURATION
PROPOSALS

October 19, 2015

October 19, 2015

To: Parties

From: Bill Hawley

Re: Proposed Grade Reconfiguration

General Comments

Financial Analysis

The District was requested to provide a financial analysis of the effects of these grade reconfigurations. Such an analysis would presumably examine costs and revenue streams required for implementation. Instead, the District tells us nothing about the revenue that would be derived from bringing new students into the District and discusses only the cost of transportation and physical facilities. To be sure, such analysis is not easy but neither is it mysterious. Teachers have to be hired support services provided, etc. Revenue varies with the context and the particular students recruited. Costs of implementation are higher when most of the students coming into the District and up in one or two schools. Both revenue and costs are higher depending on student characteristics. In short, we cannot tell from the information provided whether the result of grade reconfiguration will be positive or negative much less how much of each.

Rationale

There appear to be four major reasons for grade reconfiguration. First, there might be opportunities for increased integration. This justification has little merit except for one case. Second, we might make better use of existing facilities. But we do not know whether this will reduce overcrowding in some schools or ultimately provide the justification for closing others. Third, increasing the size of some schools could lead to greater curriculum choices for students, but no specifics are given. Fourth, moving to K-8 eliminates a significant transition time to middle schools and research on this matter is generally positive. But we know much less about whether the transition from fifth grade to middle school has any different effects than the transition from sixth-grade to middle school.

The Issue of Stability

In the absence of a compelling reason for grade reconfiguration, the possibility that changing schools within TUSD will cause families to rethink whether they should select options other than TUSD should be considered.

My Positions

Support

I support the proposal to create a K-8 school at **Cavett** because it will likely have a small integrative effect.

I support the creations of a K-8 school at **Borman**.

I support the addition of a sixth-grade to **Collier** and **Fruchthendler**. In the case of Fruchthendler, this could have a small negative effect on the enrollment of white students at Magee but the numbers will be small. And it may be, that a positive experience for one's sixth-grader will increase confidence about sending one's student to Magee, especially if the quality of Magee is enhanced.

Reservations

Drachman is an exceptional school with unique educational program. While it is racially concentrated its entry class is not (though the margin is tight). My concern is that there are very few Montessori middle schools; given the popularity of Montessori in the early grades this should be a caution. Only a few teachers at Drachman are Montessori-qualified and one wonders how middle school teachers would be certified as Montessori trained.

I find it hard to build a case that a Montessori middle school at Drachman would become integrated. On the other hand, I find it believable that the middle school grades would be racially concentrated given the schools from which they would

draw and that this in turn would affect decisions made to enroll one's children in the early grades.

"If it's not broke, don't fix it". Adding new grades developed with an undefined curriculum will surely take away from the expertise that could be applied to the current grade structure. In my discussions with the principal, he said that if they cannot be a K-8 school they do not want to be K-6. By what logic would one want to be K-8 but not K-6? Only the logic of a good soldier.

Opposition

I oppose the development of a middle school at Sabino. Actually, the District appears to be proposing a 7-12 school. In its earlier proposal this spring, the District argued that it would keep middle school students in high school students were quite separate now it argues that the former will have the advantage of taking courses available to high school students. And, it is more than a bit disquieting to contemplate the engagement of middle school students in the activities of high school students both during and after the school day.

But the major reason for opposing this proposal is its certain negative effect on Magee and the students in that school. The District makes the unusual argument that by reducing the number of white and middle-class students at Magee, Latino and African-American students who remain will benefit.* I have never heard such an argument in all of the years I worked on desegregation issues. The proposed changes in the demography at Magee will undermine the diversity and rigor of the curriculum and almost certainly cause white parents now satisfied with Magee to look elsewhere. Magee needs to be strengthened not weakened.

The District's analysis of the loss of white students from Magee is almost certainly understated. One cannot extrapolate from current data when there is an entirely new context within which parents will be making choices. And consider the differences in the apparent quality of the choices-- a middle school embedded in an A high school compared to a C school not only serves a greater number of relative low income students but serves as a site for an in school suspension program serving other schools in the district.

The District argues that by providing express buses to Sabino middle school from the central and western sections of the District, integration could be achieved. But my understanding is that this option has been tried and abandoned. And, the proposition could be tested by providing such buses to Fructhender or Collier. The more than \$300,000 involved in transportation costs alone could make a big difference is invested well in Magee middle school instead.

*When I asserted last spring that those leaving Magee would be middle-class, the District pointed out that there were many students into the white students into USD on free and reduced cost meals. That, of course, is a non sequitur. Only small numbers of students in the northeastern section of the District received free and reduced cost meals.

Nodine Dec., Exhibit 8-D

Governing Board Agenda Item #9

October 20, 2015



MEETING OF: October 20, 2015

TITLE: Grade Configuration Changes at Tucson Unified School District Schools, to include possible changes at Borman, Collier, Drachman, and Fruchthendler Elementary Schools and Sabino High School

ITEM #: 9

Information: X

Study:

Action:

PURPOSE:

Inform the Governing Board of the progress of the grade configuration change proposals from the schools, the work of the committee assigned to this task, and the responses to the proposals from the Special Master and Plaintiffs.

DESCRIPTION AND JUSTIFICATION:

In the last school year five proposals were received from schools to change their grade configurations: Borman K-5 to K-8, Collier K-5 to K-6, Drachman K-6 to K-8, Fruchthendler K-5 to K-6 and Sabino 9-12 to 7-12. A committee of staff and parents from the schools was formed to review and evaluate the proposals collectively. The DLR Group was hired to facilitate the committee's work, to evaluate facilities and costs relative to the changes, and to present the results.

In August the committee completed much of their work and the proposals were presented to the Special Master and Plaintiffs (SMP). Staff, DLR and the SMP discussed the proposals in a teleconference on August 26. The proposals were revised accordingly and submitted formally to the SMP on September 25. This item was one of the topics of discussion during the recent desegregation conference.

At the October 20 Board meeting staff will present the results of the numerous reviews and the next steps in the project.

Charlotte Patterson and Bryant Nodine will be present at the meeting to report.

BOARD POLICY CONSIDERATIONS:

LEGAL CONSIDERATIONS:

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

Legal Advisor Signature (if applicable)

BUDGET CONSIDERATIONS:

Budget Certification (for use by Office of

Financial Services only):

_____ District Budget
 _____ State/Federal Funds
 _____ Other
Budget Cost Budget Code

Date
 I certify that funds for this expenditure in the amount of \$ are available and may be:
 Authorized from current year budget
 Authorized with School Board approval
 Code: Fund:

INITIATOR(S):

Bryant Nodine, Director of Planning Services





10/7/15

Name

Title

Date

DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

ATTACHMENTS:
Click to download
 TUSD Grade Reconfiguration Proposals
 Mendoza Plaintiffs Comments to TUSD
 DOJ Response
 Mendoza Plaintiffs Comments-2

TUCSON UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM
CONTINUATION SHEET

Nodine Dec., Exhibit 8-E

Grade Reconfiguration Change
Summaries and Recommendations
November 10, 2015

Grade Configuration Change Summaries and Recommendations

Important Notes:

1. All of these proposals are based on choice. By right, the students in these schools may still attend the middle school that currently serves them.
2. **A “pro” for all of these** proposals is that they increase choice for parents and students in TUSD.
3. None of these proposals negatively impact integration and some, especially with mitigation measures, improve integration significantly.
4. The student Assignment committee, which helped to develop and evaluate these options recommends approval of all of them. The recommendations herein, reflect their work with some additional **mitigation measures provided by staff subsequent to the committee’s** work.

Borman

Pros:

Increases enrollment at a school which is not racially concentrated.

Retains 6-8th grade students in TUSD. The Vail school district currently buses approximately 100 students from DMAFB to schools in their district; a charter school located on the base enrolls approximately 90% of 6th-8th grade students currently living on DMAFB.

Supports DMAFB families by providing a middle-school option to the charter school on the base.

Low-short-term cost.

Cons:

With long-term growth, the facility could be missing some typical middle school spaces such as a science lab, PE changing areas. [Note: This could be funded through a future bond.]

Special Strategies:

AVID at Roberts-Naylor

Recommendation

This is a low-cost option supported by the Special Master and the Mendozas with no concerns expressed by the DOJ. It is also supported by DMAFB (a change of position). Recommend approval with AVID at Roberts-Naylor.

Drachman

Pros:

Retain students who currently leave for Montessori charter programs

Retaining students could make the school a more integrated K-8

Express busing could help to further integration by adding non-Hispanic students in 7th and 8th grade who currently attend K-5 Montessori programs

Cons:

In the long-term, renovations should provide typical middle school spaces—cost to provide \$250k to \$400k. [Note: This could be funded through a future bond.]

MS grade bussing (3-4 busses)—cost \$135k to \$180k per year

Special Strategies:

Express bus from the east side.

Recommendation

This is a higher cost option supported by the Mendozas with no concerns **expressed by the DOJ. The Special Master's does not support it due to** concerns regarding the applicability of the Montessori program to 7th & 8th grades and the certification of teachers for those grades. Recommend approval with the express bus.

Mitigate Impacts on Magee

One of the primary concerns expressed by the Special Master and Plaintiffs related to the northeast proposals (Collier, Fruchthendler and Sabino) is the potential reduction of students at Magee. This section provides some background data on those impacts and suggests some mitigation measures to reduce those impacts and, potentially, to improve integration at these three sites and at Magee.

Supporting Data

The following table shows the students who may elect the Sabino 7th and 8th option based on a 320-student enrollment goal. (See the Sabino Desegregation Impact analysis for a more detailed description of the table.) Based on this projection, the addition of 7th and 8th grades would increase integration at Sabino, a school that currently has an Anglo student population of 57.4%, by moving it further away from the 70% threshold for racial concentration.

Change Component	Anglo	Afr Am	Hisp	Nat Am	Asian-PI	Multi	Total
Collier to Sabino	45	4	16	2	1	2	70
	64%	6%	24%	2%	1%	3%	
Fruchthendler to Sabino	66	2	26	0	2	4	100
	66%	2%	26%	0%	2%	4%	
New from Sabino Area	32	4	21	0	0	3	60
	54%	6%	35%	0%	0%	5%	
New from Other Districts	25	0	14	0	1	0	40
	63%	0%	35%	0%	2%	0%	
Express Bus from Racially Concentrated Areas	0	4	40	4	1	1	50
	63%	0%	35%	0%	2%	0%	
Total Sabino 7th and 8th	168	14	117	6	5	10	320
	53%	4%	37%	2%	2%	3%	

As shown in the table below, one-quarter of the Collier 5th graders in SY2013-14 did not attend TUSD schools in 6th grade the following year.

Transition of Collier 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	8
Gridley	1
Pistor	1
Magee	23

As shown in the table below, 75% of the Fruchthendler 5th graders in SY2013-14 did not attend TUSD schools in 6th grade the following year.

Transition of Fruchthendler 5 th Graders into 6 th Grade	
School	Enrollment
Not in TUSD	47
Dodge Magnet	4
Doolen	1
Fickett Magnet	1
Gridley	1
Magee	9

Options to Mitigate Impacts on Magee

1. Market Sabino and Magee to students in racially concentrated school areas and include express buses for these students to the extent supported by verified ridership.
2. Market the Sabino 7th and 8th grade to students not attending TUSD schools
3. Improve Magee by connecting to Sahuaro with AP classes and dual-credit programs; market this change to enhance recruitment efforts.
4. Fund the current staffing levels at Magee for 2-3 years.
5. Phase-in the Sabino option with a 7th grade starting in SY2017-18.
 - More time to market to students in racially concentrated areas
 - Grow the Sabino 7th and 8th with transitions from Fruchthendler and Collier versus potentially pulling students from Magee next year.
 - More time to market Sabino to non-TUSD students
 - Provide time for Magee to develop and market new programs and transportation options.
6. Consider the Collier option—it has the greatest impact on Magee with the least potential to retain and attract students. However, based on the positive survey results related to incentive transportation with express busing adding the 6th grade may help to improve the utilization and integration of the school.

Fruchthendler

Pros:

Increases enrollment at a school which is not racially concentrated.

May retain a large number of 5th grade students within TUSD who currently leave for surrounding districts or charters (over 80 students in the area do not attend TUSD 6th grades)

Low cost

Impacts on Magee are small (less than 10 students).

Cons:

No science lab for 6th graders, as they might have in middle school (use science cart)

Special Strategies:

Express bus would operate to increase integration at Fruchthendler, and to reduce racial concentration at sending schools

Recommendation

This is a low-cost option supported by the Special Master with no concerns expressed by the DOJ. Recommend approval with the express bus on the condition that it is supported by verified ridership.

Collier

Pros:

Increases enrollment at a school which is not racially concentrated.

Capture Collier Area 6th graders that now leave TUSD (35)

Continue Collier's strong Exceptional Ed program into 6th grade

Minimal cost

Cons:

No science lab for 6th graders, as they might have in middle school (use a science cart)

Special Strategies:

Express bus would operate to increase integration at Collier, and to reduce racial concentration at sending schools Recommendation

This is a low-cost option supported by the Special Master with no concerns expressed by the DOJ. Recommend approval with the express bus on the condition that it is supported by verified ridership.

Sabino

Pros:

Increases integration by increasing the number of grades that would receive students eligible for incentive transportation with express busing

Increases enrollment at a school which is not racially concentrated.

Should retain students within TUSD who currently leave for surrounding districts or charters (over 400 students in the Sabino Area do not attend TUSD 7th and 8th grades)

May attract students from outside TUSD (Emily Grey students in the Tanque Verde School District transition after the 6th grade and 30 already enter Sabino each year as 9th graders)

7th and 8th graders, who so choose, have access to HS curricula and a broader range of courses

No facility improvements required

Cons:

Safety perceptions due to the mix of different ages (the students will be in a separate wing with a dedicated monitor and would be transported on separate buses)

Cost to provide separate buses for 7th and 8th grades (\$200k to \$250k)

Special Strategies:

Express bus would operate to increase integration at Sabino, and to reduce racial concentration at sending schools

Enhanced ALE programs at Magee (partnerships with Sahuaro High School for AP and dual-credit courses) to ensure equitable access to educational **benefits and to increase Magee's attractiveness**

Recommendation

This is a low-cost option with no concerns expressed by the DOJ but not supported by the Special Master and Plaintiffs in part due to its impact on Magee. However, this proposal is critical to retaining students in TUSD and to supporting the Collier and Fruchthendler K-6 proposals. Recommend approval with the following measures:

1. Market the Sabino 7th and 8th grade to students not attending TUSD schools
2. Market Sabino and Magee to students in racially concentrated school areas and include express buses for these students to the extent supported by verified ridership.

3. Improve Magee by connecting to Sahuaro with AP classes and dual-credit programs; market this change to enhance recruitment efforts.
4. Fund the current staffing levels at Magee for 2-3 years.
5. Phase the Sabino option in with a 7th grade starting in SY2017-18.

Cavett K-6 and Catalina 7-12 (not an action item)

This concept developed based on a study of grade-configuration changes throughout the district as requested by the Mendoza plaintiffs and DOJ. It is not being proposed by the schools, as the others are, and it has not been evaluated by the committee or staff in terms of its community support, feasibility, impact on Utterback and integration benefits. Staff will evaluate this and present it for consideration, by all parties, in the second semester of SY15-16.

Nodine Dec., Exhibit 8-F

Governing Board Agenda Item #5 and
Agenda (with Approved Actions in Red)

November 10, 2015



MEETING OF: November 10, 2015

TITLE: Grade Configuration Changes at Tucson Unified School District Schools, to Include Possible Changes at Borman, Collier, Drachman, and Fruchthendler Elementary Schools and Sabino High School

ITEM #: 5

Information:

Study: X

Action: X

PURPOSE:

To present recommendations for grade configuration changes to the Governing Board based on the original proposals submitted by schools, the work of the committee assigned to this task, and the responses to the proposals from the Special Master and Plaintiffs.

DESCRIPTION AND JUSTIFICATION:

In the last school year five proposals were received from schools to change their grade configurations: Borman K-5 to K-8, Collier K-5 to K-6, Drachman K-6 to K-8, Fruchthendler K-5 to K-6 and Sabino 9-12 to 7-12. A committee of staff and parents from the schools was formed to review and evaluate the proposals collectively. The DLR Group was hired in June to facilitate the committee's work, to evaluate facilities and costs relative to the changes, and to present the results.

The project started with the development of a process and timeline, which were reviewed by the Special Master in June and by the Plaintiffs in July. In August, the committee completed much of their work and the proposals were presented to the Special Master and Plaintiffs (SMP). Staff, DLR and the SMP discussed the proposals in a teleconference on August 26. The proposals were revised accordingly and submitted formally to the SMP on September 25. On October 6, this item was one of the topics of discussion at the desegregation conference. On October 20, it was presented to the Board as an information item. Comments from the SMP and Board were provided to the committee on October 28 and they revised the proposals accordingly. The committee indicated that they supported all five proposals as modified.

The final proposals and the work of staff and the committee are presented as Exhibit B. Exhibit A is a summary of the proposals and recommendations regarding their approval. As these will be presented to the SMP and court separately the Board should vote on each proposal individually.

Charlotte Patterson and Bryant Nodine will be present at the meeting to report.

BOARD POLICY CONSIDERATIONS:

LEGAL CONSIDERATIONS:

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

Legal Advisor Signature (if applicable)

BUDGET CONSIDERATIONS:

_____ District Budget
 _____ State/Federal Funds
 _____ Other
Budget Cost Budget Code

Budget Certification (for use by Office of Financial Services only):

Date
 I certify that funds for this expenditure in the amount of \$ are available and may be:
 Authorized from current year budget
 Authorized with School Board approval
 Code: Fund:

INITIATOR(S):

Bryant Nodine, Director of Planning Services	11/2/15
Name	Title
	Date

DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

ATTACHMENTS:

Click to download

[Exhibit A - Summaries and Reccomendations](#)

[Exhibit B - Proposals Report](#)

TUCSON UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM
CONTINUATION SHEET

TUCSON UNIFIED SCHOOL DISTRICT
GOVERNING BOARD
AGENDA FOR REGULAR BOARD MEETING*

TIME: November 10, 2015
4:30 p.m.

PLACE: Multipurpose Room
Duffy Community Center
5145 East Fifth Street
Tucson, Arizona 85711

In Attendance: Board Members Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks, Cam Juárez, and Mark Stegeman; Superintendent H.T. Sánchez, Ed.D.; and General Counsel Julie C. Tolleson. The complete attendance record is attached.

Details regarding presentations and discussions are available via agenda items and the audio and video recordings posted on the Governing Board page on the TUSD Internet at www.tusd1.org.

CALL TO ORDER

ACTION ITEM

- 4:00 p.m. 1. Schedule an executive meeting at this time to consider the following matters: **APPROVED. Moved: Juárez; Seconded: Foster. Passed 3-0 (Voice Vote). Michael Hicks and Mark Stegeman were not present to vote.**
- A. Legal Advice/Instruction to Attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
 - 1) Fisher-Mendoza
 - 2) Audit Committee Charter
 - B. Personnel issues pursuant to A.R.S. §38-431.03 (A)(1); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
 - 1) Administrative appointments, reassignments and transfers –
 - a) Assistant Principal, University High School
 - 2) Superintendent's Goals for 2015-2016
 - C. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. §38-431.03 Subsection (A)(7)
 - 1) Former Howenstine Magnet High School
 - 2) Former Reynolds Elementary School
 - 3) Former Keen Elementary School Update

RECESS REGULAR MEETING – 4:08 p.m.

Agenda for Regular Board Meeting
November 10, 2015 – 4:00 p.m.
Page 2

RECONVENE REGULAR MEETING – appx. 6:00 p.m. Multipurpose Room
Duffy Community
Center
5145 East Fifth Street
Tucson, Arizona 85711

In recognition of November 11th being Veteran’s Day, Board President Adelita Grijalva asked that any members of the audience that have served in our military and men and women in uniform, please stand. “We thank you for your service.”

6:00 p.m. PLEDGE OF ALLEGIANCE– led by Mercedes Shay, 4th grade student at Sam Hughes Elementary School.

INFORMATION ITEMS

2. Superintendent’s Student Advisory Council (SSAC) Report **INFORMATION ONLY** – Report presented by SSAC President Michelle Howard.

Dr. Sánchez announced in English and Spanish that the services of a Spanish Interpreter were available.

3. Superintendent’s Report Superintendent’s Report – **INFORMATION ONLY** – Details of the Superintendent’s Report regarding recognition of persons are available via the audio and video recordings posted on the TUSD web.

Persons recognized were: Billy Campbell; Mansfeld Middle School Boys Basketball Team, Coach Marvin Beckwith and Assistant Principal Yvonne Torres; Tom Graham and Family and Soleng Tom Elementary School Principal Oscar Dotson; Coach Mike Argraves and Family and Cholla High Magnet School Principal Frank Armenta; Legacy of Excellence Scholarship Banquet Volunteers; Assistance League Members Johnny Williams, Sally Johnson, Sue Rieger and Jannie Mathis for Operation School Bell; and, Beth Braun.

Dr. Sanchez also provided an update on Magnet Funding. Additionally, he shared information regarding his and district staff’s participation in the recent Arizona Association of Latin Administrators and Superintendents (AZALAS) conference; and, extended an invitation to the community to the Your Voice Legislative Advocacy Information Session on November 16th from 6:00 p.m. to 8:00 p.m. at Tucson High Magnet School. The TUSD Clothing Bank will have a “stuff the bus” at this event.

4. Board Member Activity Reports **INFORMATION ONLY** – Board Members reporting activities were Cam Juárez, Kristel Foster and Michael Hicks.

Agenda for Regular Board Meeting

November 10, 2015 – 4:00 p.m.

Page 3

CALL TO THE AUDIENCE (Pursuant to Governing Board Policy No. BDAA, at the conclusion of the Call to the Audience, the Governing Board President will ask if individual members wish to respond to criticism made by those who have addressed the Board, wish to ask staff to review a matter, or wish to ask that a matter be put on a future agenda. No more than one board member may address each criticism.) Board President Adelita Grijalva read the protocol for CTA. Persons who spoke at Call to the Audience were: Betts Putnam-Hidalgo re: Magnet School Funding; Jennifer Sprung re: TUSD Science Curriculum; Natalie Levidiotis re: Borman K-8; Matt Munger and Mary Anderson re: Grade Expansion at Sabino and Fruchthendler; Eric Rustand re: Sabino and Fruchthendler Expansion; Jason Miller re: Drachman Configuration Change; Kimberly Mulligan re: Fruchthendler and Sabino; Benjamin Hoffard re: Borman Grade Change; Ruben Lopez re: Drachman K-8; Christine Gronowshi re: Sabino Expansion; Cole Levidiotis re: Borman K-8; Lori Riegel re: NSBA Conference; Jorge Leyva re: Support for Sabino Expansion; Kylie Veney and Emma Valentino re: Borman change; Stacy Dutton re: Military Students; Mark Mayer re: Repurposing Julia Keen Elementary School; Luis Herrera re: Support for Julia Keen School into Community Farm; Sarah Haro, Elizabeth and James Gonzalez re: Drachman Reconfiguration; Randall Brookshier re: Sabino School Expansion; Yvonne Pos re: Drachman; Kristen Bury re: Drachman Expansion.

Kristal Foster moved to extend Call to the Audience until such time that everyone who submitted a CTA card speaks. **APPROVED** Moved: Foster; Seconded: Juárez. Passed 4-0 (Voice Vote) Michael Hicks did not vote.

Tom Keller re: Former Lyons School; Cesar Aguirre re: Drachman Expansion; and, Lillian Fox re: Desegregation and Budget.

Board President Adelita Grijalva asked if Board members wanted to respond. Michael Hicks requested information regarding the Lyons proposal; Mark Stegeman asked for information on Keen proposal; Kristel Foster asked for information regarding the science curriculum.

RECESS REGULAR MEETING – 7:57 p.m.

RECONVENE REGULAR MEETING – 8:06 p.m.

STUDY/ACTION ITEM

5. Grade Configuration Changes at Tucson Unified School District Schools, to include possible changes at Borman, Collier, Drachman, and Fruchthendler Elementary Schools and Sabino High School Dr. Sánchez, Bryant Nodine and Katrina Leach from the DLR Group, presented information and responded to Board inquiries. Board members commenting and/or asking questions were Kristel Foster, Mark Stegeman, Adelita Grijalva, Cam Juárez and Michael Hicks. Michelle Howard, SSAC President, also commented.

Agenda for Regular Board Meeting
November 10, 2015 – 4:00 p.m.
Page 4

Dr. Sánchez announced that a request has been made that action taken regarding these schools be done so individually.

Borman Elementary School: Dr. Sánchez recommended Borman Elementary School change to a K-8 school. **APPROVED** Moved: Juárez; Seconded: Foster. Passed Unanimously (Roll Call Vote).

Collier Elementary School: Dr. Sánchez recommended Collier Elementary School change to a K-6 school. **APPROVED** Moved: Juárez; Seconded: Foster. Passed Unanimously (Roll Call Vote).

Drachman Montessori Magnet Elementary School: Dr. Sánchez recommended Drachman Montessori Magnet Elementary School change to a K-8 school. **APPROVED** Moved: Foster; Seconded: Juárez; Passed Unanimously (Roll Call Vote).

Fruchthendler Elementary School: Dr. Sánchez recommended Fruchthendler Elementary School change to a K-6 school. **APPROVED** Moved: Foster; Seconded: Juárez; Passed Unanimously (Roll Call Vote).

Sabino High School: Dr. Sánchez recommended the addition of 7th and 8th grades to Sabino High School. **APPROVED** Moved: Foster; Seconded: Juárez; Passed 3-2 (Roll Call Vote). Mark Stegeman and Michael Hicks voted no.

Dr. Sánchez stated that all approvals are pending Court approval.

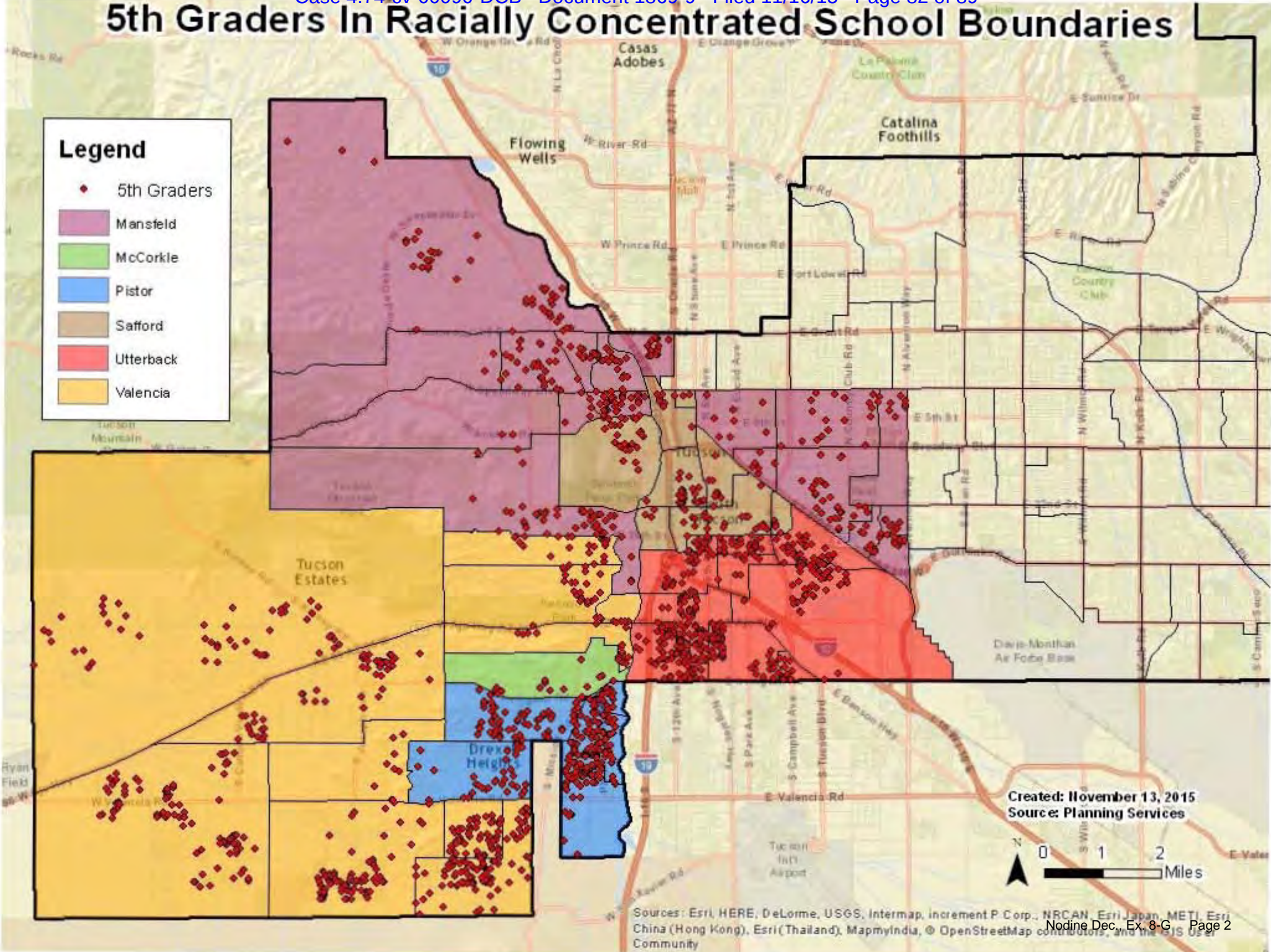
INFORMATION ITEMS

6. Arizona School Boards Association (ASBA) Presentation Regarding Recent Settlement Agreement in Cave Creek vs DeWitt **INFORMATION ONLY**. Dr. Sánchez introduced the item and participated in the discussion. Dr. Timothy Ogle, Tracey Benson and Chris Thomas presented information and responded to questions from Board members and the Superintendent. Karla Soto also presented information. Board members commenting and/or asking questions were Adelita Grijalva, Michael Hicks, Kristel Foster, and Mark Stegeman.
7. Fiscal Year 2016 Budget Update **INFORMATION ONLY**. Dr. Sánchez and Renee Weatherless presented information and responded to Board inquiries. Karla Soto also responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva and Mark Stegeman.
8. Governing Board Policy IKF – *Graduation Requirements* (revision) – Requested by Board President Adelita Grijalva **INFORMATION ONLY**. Dr. Sánchez and Abel Morado provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Mark Stegeman, and Kristel Foster.

Nodine Dec., Exhibit 8-G

Parent Survey Maps and Results

5th Graders In Racially Concentrated School Boundaries



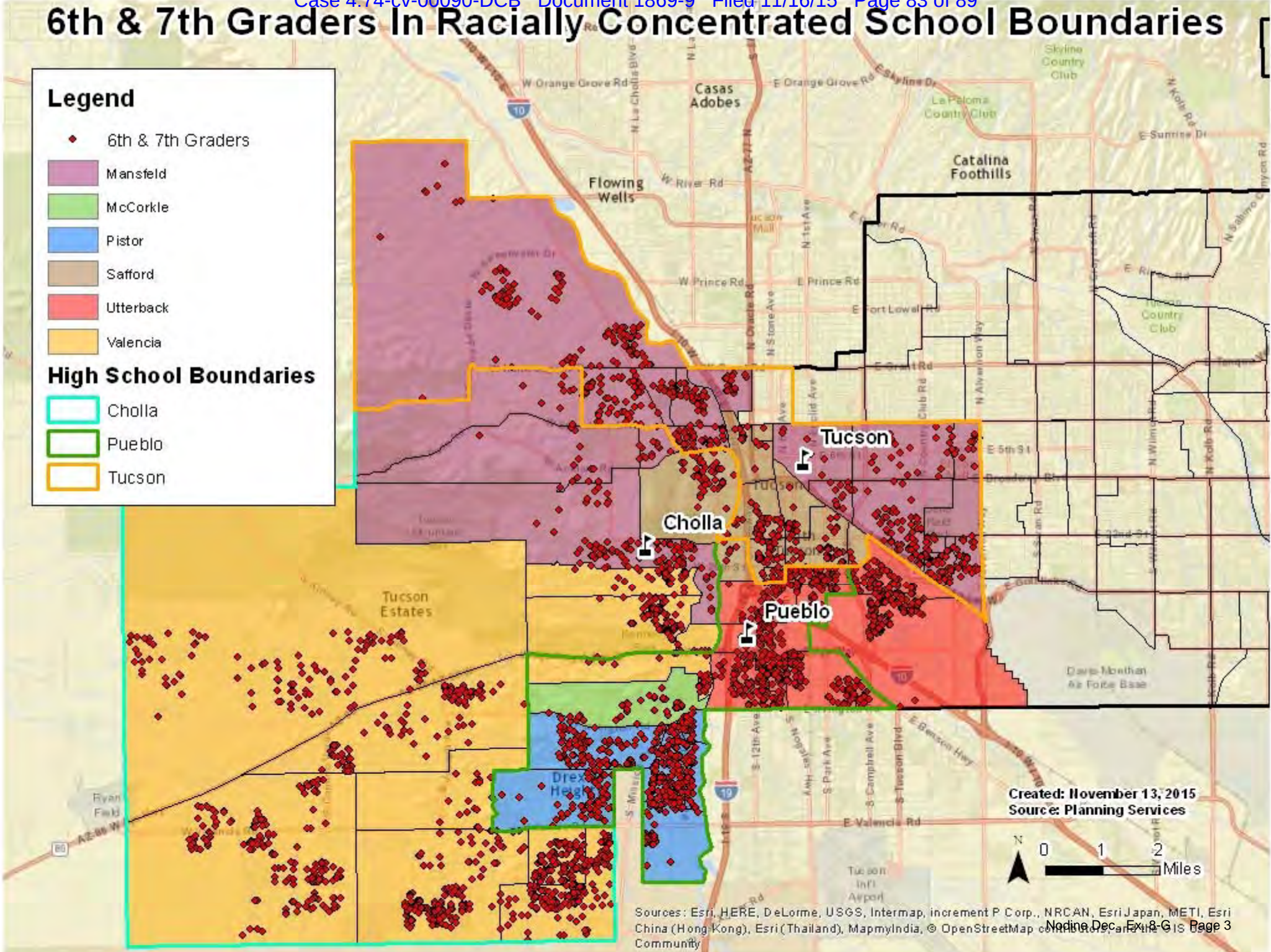
6th & 7th Graders In Racially Concentrated School Boundaries

Legend

- 6th & 7th Graders
- Mansfeld
- McCorkle
- Pistor
- Safford
- Utterback
- Valencia

High School Boundaries

- Cholla
- Pueblo
- Tucson



Created: November 13, 2015
Source: Planning Services



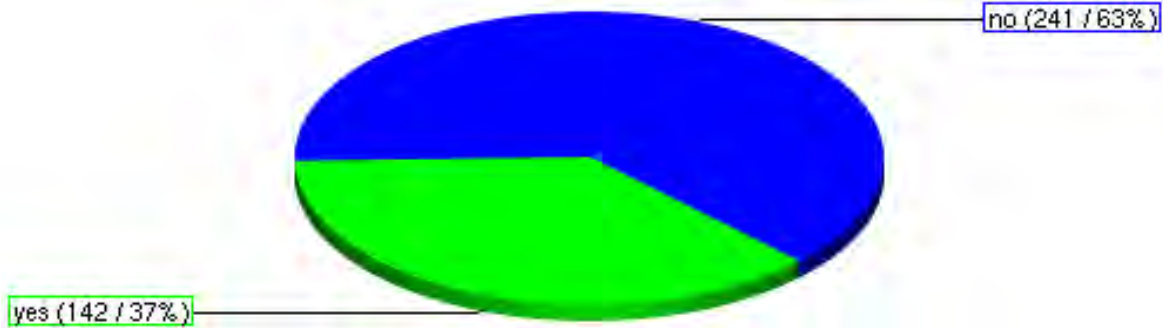
5th Grade - English

Total Attempted: 4,007

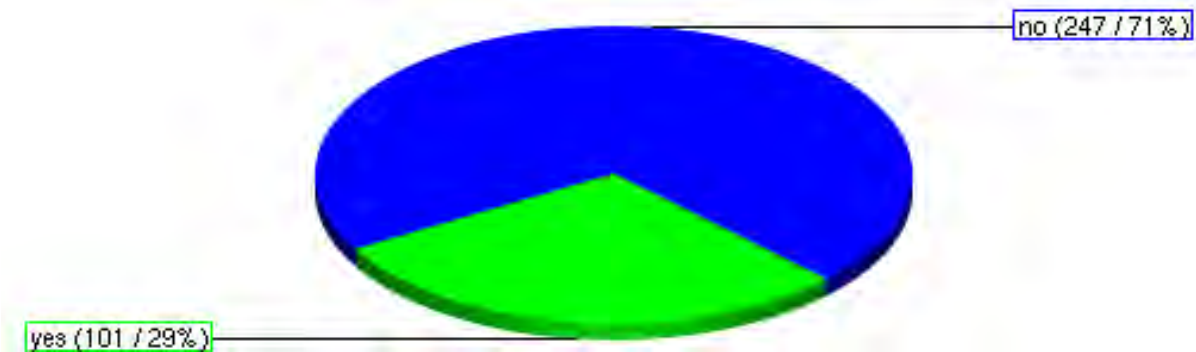
Total Live Answer: 1,593

Total Completed: 383

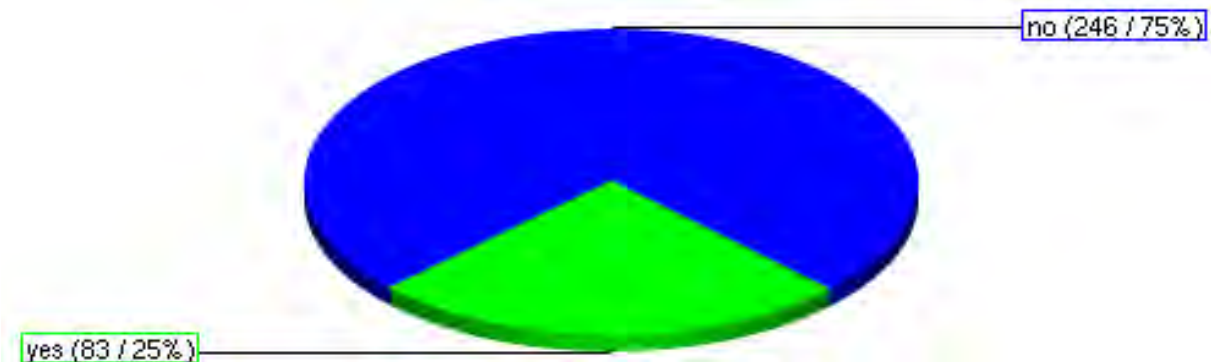
Question 1: Following are three questions regarding middle schools. Magee Middle School is an eastside school with strong academics and an outstanding Odyssey of the Mind competition group. Would you be interested in free transportation to Magee Middle School?



Question 2: Fruchthender is a highly performing school on the eastside of Tucson. Would you be interested in free transportation to Fruchthender if sixth grade were added?



Question 3: Collier is a tight-knit community of learners on the northeast side of Tucson. Would you be interested in free transportation to Collier if sixth grade were added?



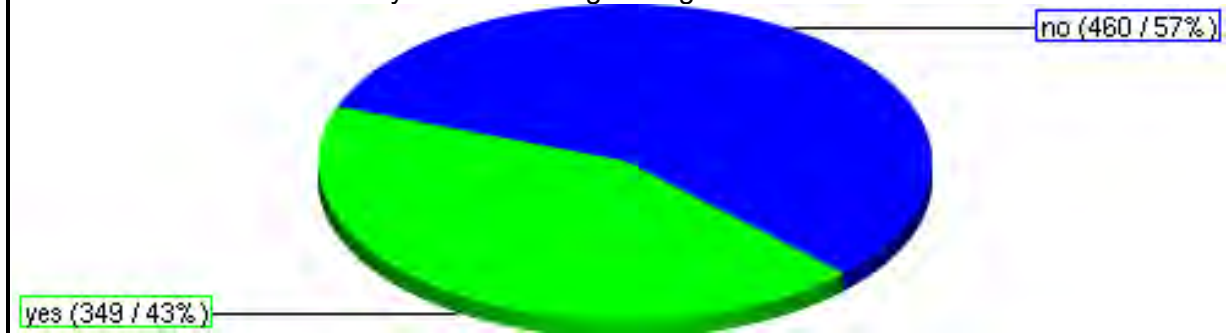
6th and 7th Grade - English

Total Attempted: 7,705

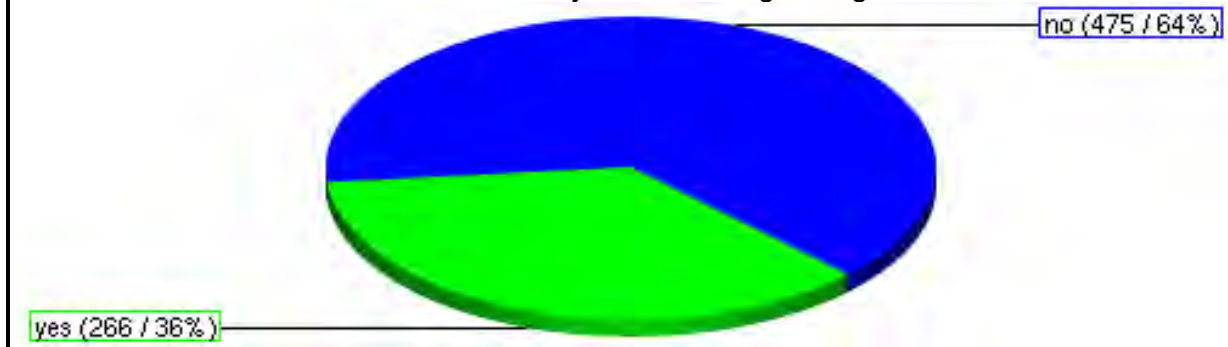
Total Live Answer: 3,423

Total Completed: 809

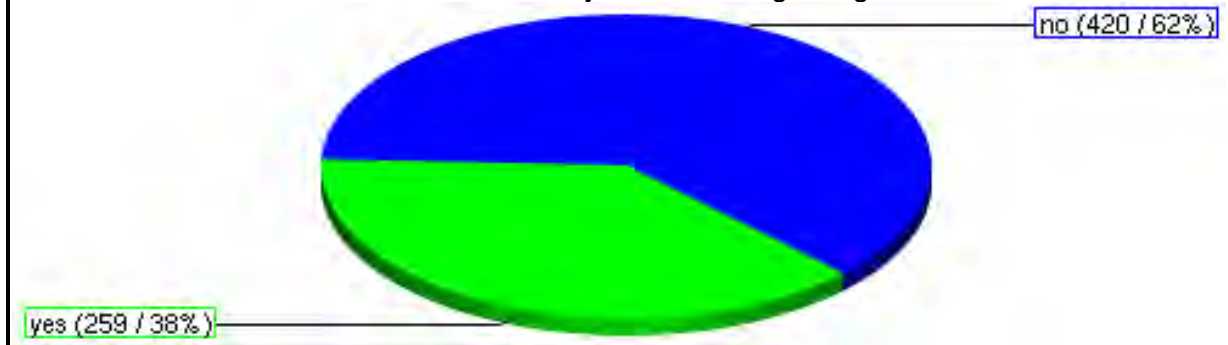
Question 1: Following are three questions regarding transportation to Sabino High School. Sabino is a National Blue Ribbon School with an A-rating on the northeast side of town. Would you be interested in enrolling your child at Sabino if TUSD offered a free one-hour bus ride to Sabino from the vicinity of Pueblo Magnet High School?



Question 2: Would you be interested in enrolling your child at Sabino if TUSD offered a free one-hour bus ride to Sabino from the vicinity of Cholla Magnet High School?



Question 3: Would you be interested in enrolling your child at Sabino if TUSD offered a free 45-minute bus ride to Sabino from the vicinity of Tucson High Magnet School?



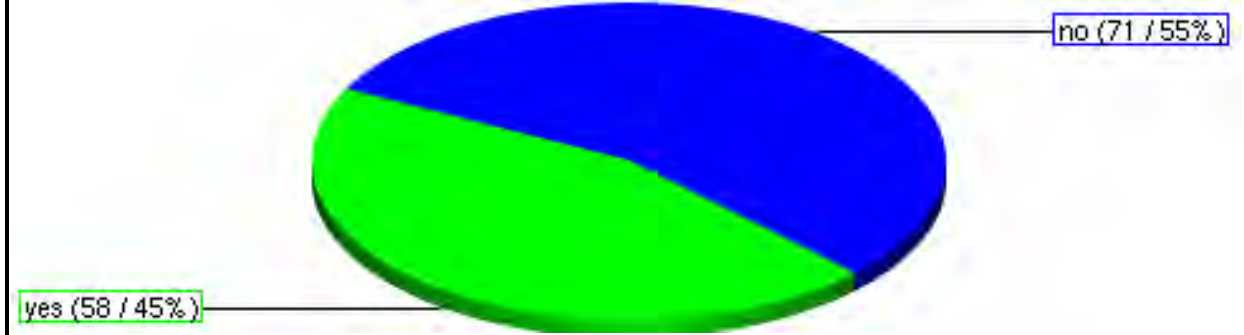
5th Grade - Spanish

Total Attempted: 1,198

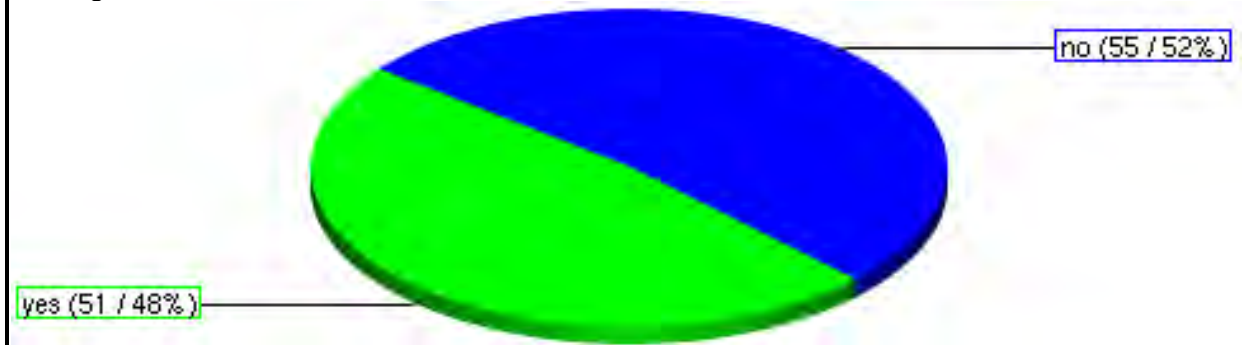
Total Live Answer: 525

Total Completed: 129

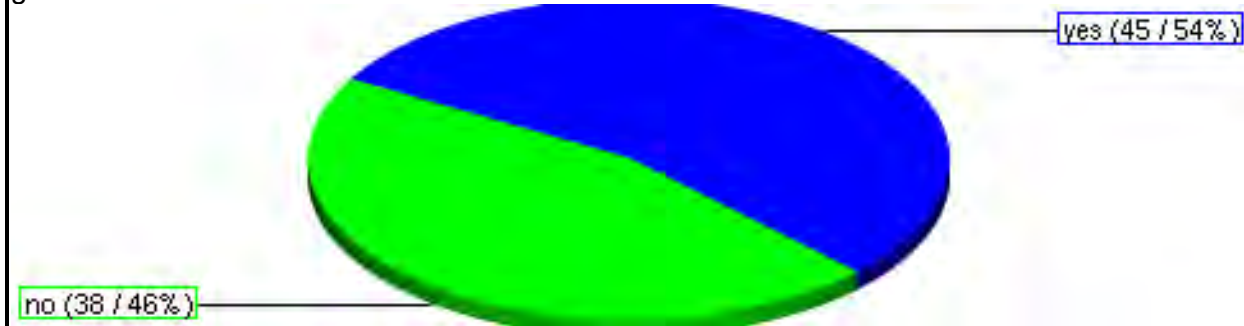
Question 1: La escuela intermedia Magee Middle School es una escuela en el este de la ciudad con un bien establecido programa académico y un grupo de competencia sobresaliente en la Odisea de la Mente. ¿Le interesaría la transportación gratis a Magee Middle School?



Question 2: Fruchthendler es una escuela de alto rendimiento en el este de Tucson. ¿Le interesaría la transportación gratis a Fruchthendler Elementary School si le fuera agregado sexto grado?



Question 3: Collier es una comunidad de estudiantes muy unida en el noreste de Tucson. ¿Le interesaría la transportación gratis a Collier Elementary School si le fuera agregado sexto grado?



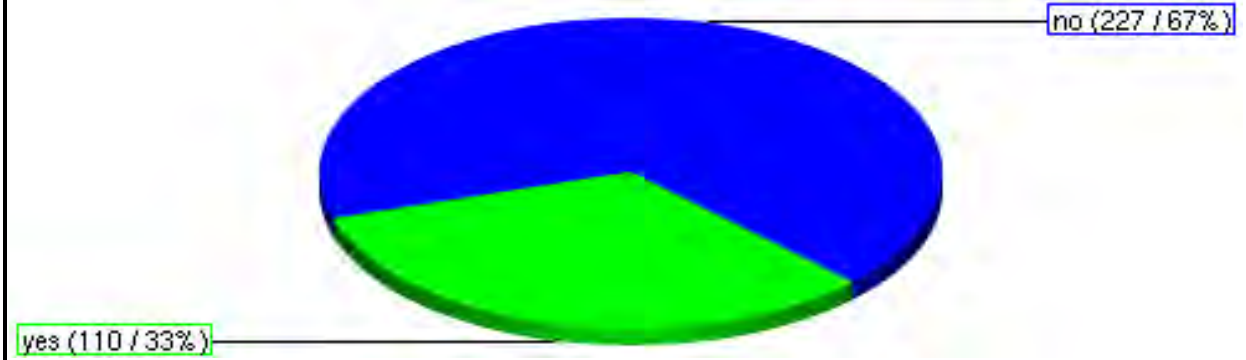
6th and 7th Grade - Spanish

Total Attempted: 2,611

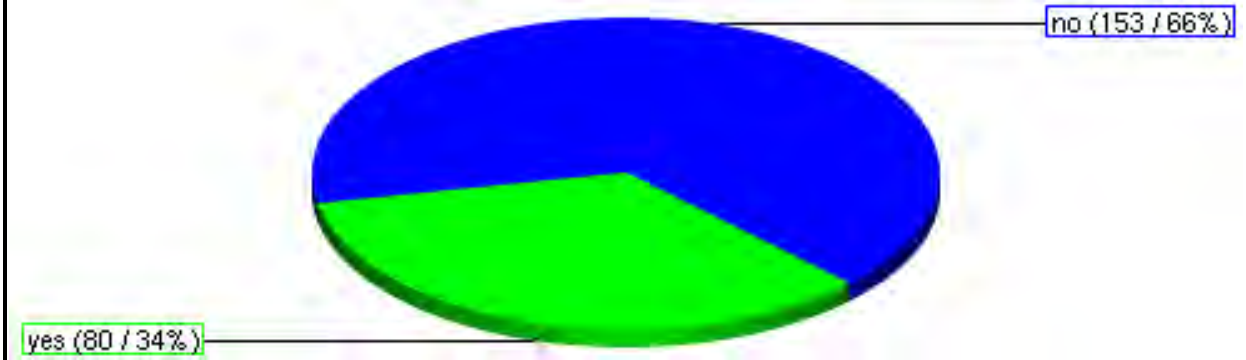
Total Live Answer: 1,234

Total Completed: 337

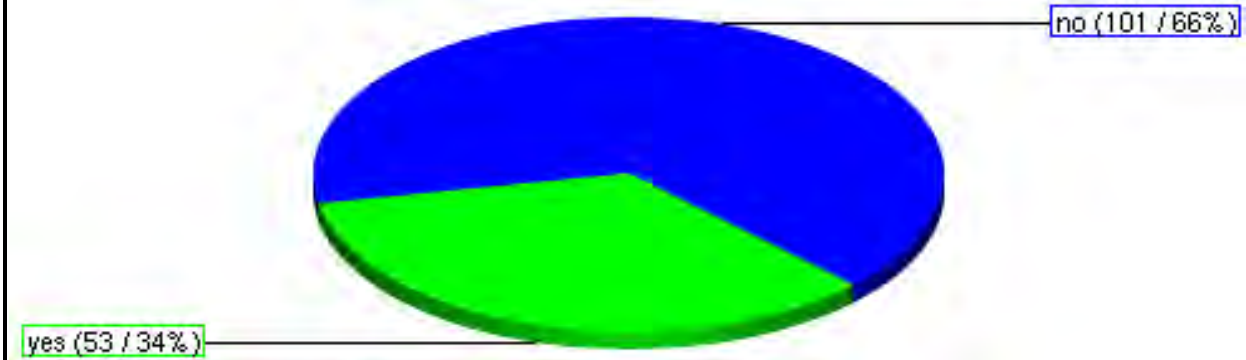
Question 1: La escuela secundaria Sabino High School es una Escuela de Listón Azul Nacional con una Clasificación A en el área noreste de la ciudad. ¿Le interesaría inscribir a su estudiante en la escuela Sabino si TUSD ofreciera transportación por autobús de una hora de duración gratis a Sabino desde la vecindad de Pueblo Magnet High School?



Question 2: ¿Le interesaría inscribir a su estudiante en la escuela Sabino si TUSD ofreciera transportación por autobús de una hora de duración gratis a Sabino desde la vecindad de Cholla Magnet High School?



Question 3: ¿Le interesaría inscribir a su estudiante en la escuela Sabino si TUSD ofreciera transportación por autobús de 45 minutos de duración gratis a Sabino desde la vecindad de Tucson Magnet High School?



Nodine Dec., Exhibit 8-H

Map of Current and Proposed K-6 and K-8 School Distribution

