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*Attorneys for Tucson Unified School District No. One, et al.*

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

Roy and Josie Fisher, et al.,  
Plaintiffs

v.

United States of America,  
Plaintiff-Intervenor,

v.

Anita Lohr, et al.,  
Defendants,

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

CV 74-90 TUC DCB  
(Lead Case)

**DECLARATION OF MARK  
ALVAREZ**

CV 74-204 TUC DCB  
(Consolidated Case)

Maria Mendoza, et al.  
Plaintiffs,

United States of America,  
Plaintiff-Intervenor,

v.

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

Tucson Unified School District – Legal Department  
1010 East 10<sup>th</sup> Street, Room 24  
Tucson, Arizona 85719  
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1 I, Mark Alvarez, declare under penalty of perjury that the following statements are  
2 true:

3 1. I have served as the Director of Language Acquisition for Defendant Tucson  
4 Unified School. In that capacity, I have responsibility for programs including our Dual  
5 Language (“DL”) programs as well as a variety of responsibilities associated with our  
6 English Language Learners. I have personal knowledge of the following facts. I describe  
7 below the District’s plan for expanding dual-language programs during the 2015-16 school  
8 year.

9 2. In 2014, the District initiated the rollout of the Two Way Dual Language  
10 (“TWDL”) program, including consultation with Dr. Kathy Escamilla’s Lotta Lara and  
11 Literacy squared professional development for existing DL staff. Training began with  
12 Cycle I in the 2014-15 SY focusing on grades K-2, 6, and 9. District staff during the current  
13 2015-16 SY has entered Cycle II which covers grades 3, 7 and 10. The next District goal is  
14 to focus on grades 4, 5, 11, and 12 for Cycle III of the TWDL program development.

15 3. The Literacy Squared training focuses on how to use primary language  
16 supports strategically within dual language classrooms. Literacy Squared training is offered  
17 to all Cycle 1 and 2 DL teachers in grade levels K-3, 6, 7, 9<sup>th</sup> and 10<sup>th</sup> on a quarterly basis.  
18 The training is conducted by Literacy Squared consultants Olivia Ruiz and Jackie  
19 Hernandez. Cycle 1 schools which include K-2, 6, and 9<sup>th</sup> sessions are 2hrs and Cycle 2  
20 schools which include 3, 6 and 10<sup>th</sup> is a full day (6 hours). The training takes place at the  
21 District’s LIRC PD conference room. The training is accompanied by follow-up  
22 observations and one-to-one debriefing of DL teachers on Literacy Squared strategies and  
23 techniques learned during the sessions. Debriefing is conducted by the District’s Language  
24 Acquisition Specialists, including myself (Director of Language Acquisition), together with  
25 the Literacy Squared consultants. This training, with its intense focus on grade-level  
26 strands, is a key first step in building and improving the existing District DL programs to  
27 make them more attractive and viable as advanced learning experiences for building bi-  
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1 literacy and bilingualism. Once the District develops this program so that it is fully  
2 functioning and enrolled, it then can expand the DL program to include new sites. Key to  
3 this expansion is building a strong foundation for the program that will showcase the  
4 attractiveness of the program overall, with the expectation that more parents will choose the  
5 DL option for their children.

6 4. The District has identified two short-term goals: with the assistance of  
7 appropriate experts in the field, (1) further developing the existing Dual Language programs  
8 under the new TWDL model, with a view toward (2) expanding existing programs to  
9 increase the number of participating students as the Court has directed. At this time, the  
10 District’s focus has been on fortifying the roll-out of the new model through professional  
11 development with existing District DL staff, developing and implementing strong and  
12 appropriate instructional strategies using Dual Language pedagogy, and increasing the  
13 number of appropriately certificated DL personnel.

14 5. Once the programs in place are sufficiently robust to be fully subscribed, as to  
15 both instructional staff and students, the District then will determine the needs and interests  
16 for expanding the program to other school sites. A major challenge in developing,  
17 implementing and delivering, as well as expanding existing programs, is the ability to  
18 attract, recruit, and hire bilingual certificated teachers. Thus far, the District has partnered  
19 with the University of Arizona’s cohort of students possessing bilingual skills and having  
20 an interest in teaching in a dual language setting. The District has included these students  
21 in its Literacy Squared training along with our current bilingual teachers. This school year,  
22 we were able to offer letters of intent earlier than ever before which has resulted in filling a  
23 hard-to-fill Dual Language Kindergarten position for SY 16-17 at Van Buskirk Elementary.  
24 As the District expands the TWDL program through recruiting students to enroll in existing  
25 programs and, in the near future, to new programs, it will be surveying teacher to determine  
26 the best ways to incentivize teachers with bilingual endorsements to teach in the District’s  
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1 existing Dual Language programs, and in the future in new Dual Language programs in the  
2 District’s central and eastside schools, into which we hope to expand.

3         6. In addition, the District plans to survey the parents of school age children  
4 residing in the District’s central and eastside school zones to evaluate their interest in  
5 having a Dual Language program at their neighborhood schools that their children would  
6 attend. In 2013, the Magnet Department undertook similar work to identify specific sites  
7 that had the capacity, market, and demographics to support central and eastside dual-  
8 language magnet programs to expand Dual Language programs and promoting integration  
9 (Catalina High School, Dietz K-8 School, and Kellond and Hudlow Elementary Schools  
10 were identified as potential sites for the expansion). The District will continue to examine  
11 the feasibility of these and other sites to determine the best location(s) for program-  
12 expansion in future years.

13         7. In the remainder of this school year, the District will continue strengthening  
14 its existing program, highlighting the success of the program at current schools, and  
15 conducting research to determine which schools might be candidates for Dual Language  
16 program expansion.

17         8. I believe it continues to be appropriate this school year to collaborate as the  
18 Court has required with leading professionals in the field including the District’s continuing  
19 engagement of Dr. Kathy Escamilla’s Lotta Lara and Literacy squared professional  
20 development for grades 4, 5, 11, and 12 in Cycle III. Including Dr. Escamilla’s group, we  
21 would take the advice of the Special Master and engage Ms. Rosa Molina, the Executive  
22 Director of the Association of Two-Way & dual Language Education, providing she is  
23 available and interested in collaborating with the District, to see if she can assist in our  
24 program development, implementation and expansion efforts.

25         9. It is critical to have a consultant, such as Dr. Escamilla has proven to be, that  
26 understands the District’s unique challenges, and with whom the District can collaborate.  
27 In my judgment this cannot be accomplished over night, but is a work in progress that we  
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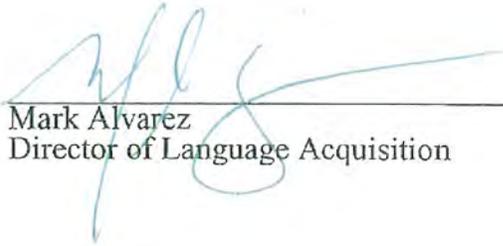
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will continue to improve. It is the District’s intention to have a draft of this effort available in March of this year for review and comment. Once the District, with the assistance of the experts, has developed the TWDL program so that it may be expanded, the next step will be to determine the level of funding necessary to permit the program expansion the court has directed and that the District anticipates. During the current year we plan to accomplish both these objectives.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 15<sup>th</sup> day of January, 2016.

  
Mark Alvarez  
Director of Language Acquisition