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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Roy and Josie Fisher, et al.,

Plaintiffs,

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

CV 74-90 TUC DCB  
(Lead Case)

Maria Mendoza, et al.,

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

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

Defendants.

CV 74-204 TUC DCB  
(Consolidated Case)



1 mentors. Given that there have been differences in the past about the adequacy of the number of  
2 mentors, the budget for mentors should not be approved until the District demonstrates how it  
3 arrived at its estimates. The number of mentors budgeted should be determined using this  
4 formula and the calculations involved should be made explicit.

5  
6 4. Research-based Programs

7 No programs should be implemented that are not based on solid research or have not been  
8 demonstrated as effective in TUSD. In the case of programs found to be effective in TUSD, the  
9 District should provide the empirical evidence of such effectiveness. Asking users what they  
10 think or conducting surveys that yield problematic responses for various reasons is not sufficient  
11 evidence of effectiveness. Among the programs that appear to fail this test are: Seven Habits of  
12 Highly Effective Teens; Fred Jones classroom management; Club Z tutoring; Courageous  
13 Conversations; and Capturing Kids' Hearts. The District should not be trying out unproven  
14 practices on its students. Moreover, the District seeks to be evidence driven. When it implements  
15 questionable practices and programs it undermines a culture of professionalism is says it want to  
16 nurture.  
17

18 5. Cluster GATE

19 The District should fund 12 additional cluster GATE programs over the next three years,  
20 with at least four new programs being introduced in each of the next two years. It is not  
21 necessary to fund programs in every grade, though this is obviously desirable. These programs  
22 will, if located strategically, significantly increase the opportunities for Latino, and especially,  
23 African American students, to participate in ALE. The District recently reduced the number of  
24 cluster GATE programs. Those should be restored—though not necessarily at the same locations.  
25 Cluster GATE is one of the most effective ways to increase the number of African American and  
26 Latino students who experience more rigorous instruction and curricula.  
27  
28

1 Recommendations for the District

2 1. Seven-Period Day at Dodge

3 If the seven-period day is very expensive, as the District asserts in its response to the  
4 Mendoza plaintiffs' related RFI, making this investment in a high-performance school like Dodge  
5 as compared to a vulnerable magnet school or a low-performing school seems unfair and not  
6 strategic.  
7

8 2. Consultants

9 The District should justify the employment of any outside consultant. It seems clear that  
10 many of the consultants used do not align their advice to the ongoing approaches being promoted  
11 by the District. This is abundantly clear, for example, with respect to culturally responsive  
12 pedagogy. Moreover, when consultants come in to provide workshops for 1-3 days (and the like),  
13 they often provide their own take on the topic, and there are no opportunities for follow-up.  
14 When the consultant comes to the District as a trainer of trainers dealing with an integral part of  
15 what staff are to know and be able to do, this can be valuable. However, in justifying the  
16 consultant for EEI, the District indicates that this person will provide one-on-one training.  
17 Typically, consultants are hired to build the system capacity (*e.g.*, training trainers). TUSD seems  
18 to be proposing the opposite.  
19

20 3. Self-Contained GATE

21 It appears that implementing a self-contained GATE program at Wheeler may have some  
22 integrative affect. This effect will be greater if this is an open GATE program like the one at  
23 Tully. A self-contained program at Roberts Naylor is unlikely to have integrative outcomes.  
24

25 4. Incentives for MTSS Lead

26 A \$1000 incentive for MTSS Leads appears to be inadequate and to communicate that  
27 MTSS is not important. Leads seem to have substantial responsibility.  
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**CERTIFICATE OF SERVICE**

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I hereby certify that on, May 10, 2017, I electronically submitted the foregoing  
**RECOMMENDATION OF SPECIAL MASTER REGARDING VERSION 3 OF 910G BUDGET** for filing  
and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

- J. William Brammer, Jr.  
[wbrammer@rllaz.com](mailto:wbrammer@rllaz.com)
- P. Bruce Converse  
[bconverse@steptoe.com](mailto:bconverse@steptoe.com),
- Oscar S. Lizardi  
[olizardi@rllaz.com](mailto:olizardi@rllaz.com)
- Michael J. Rusing  
[mrusing@rllaz.com](mailto:mrusing@rllaz.com)
- Patricia V. Waterkotte  
[pvictory@rllaz.com](mailto:pvictory@rllaz.com)
- Rubin Salter, Jr.  
[rsjr@aol.com](mailto:rsjr@aol.com)
- Kristian H. Salter  
[kristian.salter@azbar.org](mailto:kristian.salter@azbar.org)
- Zoe Savitsky  
[Zoe.savitsky@usdoj.gov](mailto:Zoe.savitsky@usdoj.gov)
- Anurima Bhargava  
[Anurima.bhargava@usdoj.gov](mailto:Anurima.bhargava@usdoj.gov)
- Lois D. Thompson  
[lthompson@proskauer.com](mailto:lthompson@proskauer.com)

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Andrew H. Marks for  
Dr. Willis D. Hawley,  
Special Master

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