

**TUCSON UNIFIED SCHOOL DISTRICT**

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

Roy and Josie Fisher, et al.,  
Plaintiffs,

4:74-cv-00090-DCB  
(Lead Case)

v.

Tucson Unified School  
District No. 1, et al.,  
Defendants.

Maria Mendoza, et al.  
Plaintiffs,

CV 74-204 TUC DCB  
(Consolidated Case)

v.

Tucson Unified School  
District No. 1, et al.,  
Defendants.

**NOTICE OF FILING of the 2017-2018 USP BUDGET**

1 At the June 27, 2017 Governing Board meeting the TUSD Governing Board  
 2 approved the USP Budget for the 2017-2018 school year following an eight-month budget  
 3 development process, described below. The adopted 2017-2018 USP Budget is attached  
 4 hereto as **Exhibit A (Cover Letter and Attachments)**<sup>1</sup> and **Exhibit B (Final Adopted**  
 5 **USP Budget)**.

6 A. Budget Development Process for the 2017-18 USP Budget (All Parties)

7 On December 27, 2016, the Court ordered the parties to develop, and for the District  
 8 to file, the 2017-2018 budget process procedures with the Court within 45 days of the filing  
 9 date of the Budget Order [See ECF 1981, “Budget Order”].<sup>2</sup>

10 On January 20, 2017, the District filed the budget development process procedures  
 11 pursuant to the Budget Order [ECF 1985-1]. In April 2017, the Special Master and the  
 12 parties agreed to an amended budget development process timeline. On April 26, 2017, the  
 13 District filed the amended timeline (“Budget Process”) to reflect minor changes to the  
 14 timeline [ECF 2013-1]. On June 28, 2017, the District filed a second amended budget  
 15 development process timeline to reflect new dates for filing objections and responses to  
 16 objections, if any, to the Final USP Budget approved on June 27, 2017 [ECF 2027]. No  
 17 party objected to the revised timeline.

18 B. Compliance with Budget Development Process Benchmarks (TUSD)

19 The Budget Order directed the District to “file with the Court a Notice of Disclosure  
 20 and Compliance within 5 days of each benchmark deadline” and to “explain any failures to  
 21 comply.” Id.

22 The District complied with the Budget Process procedures and timelines, including  
 23 the filing of a Notice of Disclosure and Compliance within 5 days of each benchmark

24 \_\_\_\_\_  
 25 <sup>1</sup> The Cover Letter Attachments include: (Attachment A) Responses to Draft 3 RFIs; (Attachment B) Final  
 Budget Responses; and (Attachment C) Transition and Magnet Plans.

26 <sup>2</sup> These procedures were to include “the review demands of the Plaintiffs and the Special Master for both  
 27 subject matter and format for TUSD’s presentation of budgetary information to them,” “specific review benchmarks,”  
 “a timeline for development, review and comment prior to submittal of the budget to the Governing Board for  
 28 adoption,” and “a date for TUSD to file the adopted budget with the Court.” [ECF 1981 at 10]

1 deadline, and explaining any failures to comply. **See Exhibit C, Compliance with the**  
 2 **Budget Development Process.**<sup>3</sup>

3 C. Budgetary / PD Assessments (TUSD)

4 The Court’s Budget Order further directed that “future budgetary assessments shall  
 5 specify who will receive professional development in what amounts and in what ways, and  
 6 at what cost i.e.: its core content and relationship to provisions in the USP, the number of  
 7 people in different roles receiving such professional development, mode of delivery, and the  
 8 number of hours for learner participation.”

9 The Budget Development procedures required the District to include with Draft #2  
 10 of the 2017-18 USP Budget a “PD Assessment (participants, amounts, delivery methods,  
 11 costs) [ECF 2013-1 at 3]. On March 13, 2017, the District submitted a PD Assessment with  
 12 Draft #2 (see Exhibit C, Attachment C-6). Because the District was still developing PD  
 13 plans, it indicated that the “PD Assessment s an ongoing process and changes may occur in  
 14 subsequent drafts. Information in blue (including dollar amounts) has been updated and  
 15 may change; information in black (including dollar amounts) has not been updated and may  
 16 change in Draft #3.” On April 10, 2017, the District submitted an updated PD Assessment  
 17 with Draft #3 (see Exhibit C, Attachment C-7).

18 Both versions specified who would receive professional development in what  
 19 amounts and in what ways, and at what cost, including the core content and relationship to  
 20 provisions in the USP, the number of people in different roles receiving such professional  
 21 development, mode of delivery, and the number of hours for learner participation.

22 D. Meaningful Teacher-Mentor Ratios (TUSD)

23 The Court’s Budget Order further directed the District to “develop a meaningful  
 24 mentor-teacher ratio for first and second year teachers and a meaningful mentor-teacher

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26 <sup>3</sup> Exhibit C includes all information submitted to the Special Master and Plaintiffs for each draft with the  
 27 exception of the Final Proposed Budget. The documents constituting Exhibits A and B , herein, are duplicative of the  
 28 information submitted via email to the Special Master and Plaintiffs on June 21, 2017. Thus, Exhibit C includes only  
 the June 21, 2017 transmittal emails, not the attachments (as those can be found in Exhibits A and B).

1 ratio for beginning teachers who teach in racially concentrated schools and schools where  
 2 student performance is below the District average” and to use the ratios for the 2017-2018  
 3 USP Budget.

4 On January 20, 2017, less than one month after the Court’s Budget Order, the  
 5 District submitted its Draft #1 Budget Narrative [see ECF 1986]. The Budget Narrative  
 6 (and subsequent communications) included a description of the District’s teacher-mentor  
 7 ratios, developed pursuant to the Court’s Budget Order. **See Exhibit D, Explanation of**  
 8 **Teacher-Mentor Ratios and Allocations (Draft #1 Description of Teacher-Mentor**  
 9 **Ratios and CRC Teacher-Mentor Ratios pages 1, 28-29, 34; May 15, 2017 Response to**  
 10 **RFI 1329).** The District used its ratio-approach to allocate funding for 38 Teacher-Mentors  
 11 (an increase of 20 Teacher-Mentors). The District, having already described a 1:10 ratio for  
 12 CRC Mentors to CRC Teachers, used this ratio to allocate funding for 11 CRC Teacher  
 13 Mentors to support 110 CRC teachers.

14 E. Data Gathering and Review Plan – Teacher Mentors (Special Master)

15 The Court’s December 27, 2017 Order directed the Special Master to “develop a data  
 16 gathering and review plan, both substantive and procedural, to monitor the effectiveness of  
 17 TUSD’s beginning teacher mentoring plans for his use in the 2016-2017 SMAR.”

18 The District is not aware of any such data gathering and review plan.

19 F. Detailed Progress Report on USP Section VI. Discipline (Special Master)

20 The Court’s December 27, 2017 Order directed the Special Master to provide a  
 21 detailed progress report in his 2015-2016 SMAR or separately by R&R for section VI of the  
 22 USP (Discipline). The Court noted that the “assessment should be timely so that the 2017-  
 23 2018 USP Budget may catch-up, if necessary, TUSD’s efforts in respect to progress in  
 24 attaining unitary status, pursuant to the USP § VI, Discipline.

25 District staff received the 2015-2016 SMAR on June 15, 2017 [ECF 2026], several  
 26 days after it had submitted the Final Proposed USP Budget to its Governing Board. The  
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1 District and parties were therefore unable to consider the findings of the report in  
2 developing the 2017-2018 USP Budget.

3 G. Responses to Special Master Recommendations and Plaintiff Continuing Objections

4 On May 10, 2017, the Special Master filed his final recommendations (a.k.a.  
5 “suggestions for modification”) [ECF 2020]. Between May 24, 2017 and June 13, 2017,  
6 the Fisher and Mendoza plaintiffs submitted to the District their “continuing objections.”

7 On June 13, 2017, the District’s Governing Board received the Special Master  
8 recommendations and the plaintiffs’ continuing objections (and the District’s proposed  
9 responses to the recommendations and objections) in writing as part of the board agenda  
10 item. On June 27, 2017, District staff presented to the Governing Board the Special  
11 Master’s recommendations, plaintiffs’ objections, and the District’s proposed responses.

12 **See Exhibit E, District Responses to Recommendations and Objections.**<sup>4</sup>

13 Respectfully submitted on June 28, 2017.

14  
15 **TUCSON UNIFIED SCHOOL DISTRICT  
LEGAL DEPARTMENT**

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17 Todd Jaeger  
18 Samuel E. Brown  
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27 <sup>4</sup> The Governing Board suggested that staff members should attempt to schedule a meeting with the Fisher  
28 Plaintiffs to address their outstanding concerns. The District is in communication with Fisher counsel to try to arrange  
a meeting in the near future.

**Certificate of Service**

1  
2 **ORIGINAL** of the foregoing filed via the CM/ECF Electronic Notification System and  
3 transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of  
4 appearance in the District Court Case.

5  
6 s/ Samuel E. Brown

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