

TUCSON UNIFIED SCHOOL DISTRICT NO. 1

Analysis of Compliance with Unitary Status Plan

Section X: Accountability and Transparency

An Annex to the Annual Report

for the

2016-2017 Academic Year

Fisher, Mendoza, et al. v. Tucson Unified School District, et al.

United States District Court, District of Arizona

74-CV-00090 TUC DCB and 74-CV-00204 TUC DCB

submitted to:

Honorable David C. Bury, United States District Court

prepared by:

Tucson Unified School District No. 1
Gabriel Trujillo, Ed.D., Superintendent

TUSD Governing Board:

Michael Hicks, President; Dr. Mark Stegeman, Clerk;
Adelita S. Grijalva; Kristel Ann Foster; Rachael Sedgwick

TABLE OF CONTENTS

I.	Evidence-Based Accountability	2
A.	The District has developed a robust data collection and analysis system that more than meets the requirements of the USP and is a model districts across the country.	2
B.	The District has worked hard to make sure that all staff – administrators, teachers and others – have appropriate training on the use of the system for the position they fill, and are evaluated on their ability to utilize the system.	13
C.	The District annually reported the persons responsible for implementing the EBAS system, their job descriptions and credentials if changed, and changes made to the EBAS system each year.	14
II.	Budget	15
A.	The District has followed a detailed process worked out each year for preparation of a budget for implementation of the USP, involving a major effort with multiple drafts submitted to the Special Master and plaintiffs.	15
B.	The District has provided the Plaintiffs and the Special Master with an audit of each year’s expenditures by an outside public accounting firm.	17
III.	Notice and Request for Approval	18
A.	The District has followed the Notice and Request for Approval process set out in the Order Appointing the Special Master, along with the I.D.1 Process set out in the USP.	18
IV.	Unitary Status Plan Web Page	19
A.	The District has consistently maintained a webpage containing all of the elements required by the USP.....	19

I. Evidence-Based Accountability

A. The District has developed a robust data collection and analysis system that more than meets the requirements of the USP and is a model districts across the country.

USP Section X(A)(2). By April 1, 2013, the District shall hire or designate a District Office employee to conduct a review and analysis of the current capacity of Mojave and any other District data collection and tracking system. Such review and analysis shall determine these data system(s)' ability to: (a) track individual student demographic, academic, and behavioral data pursuant to the requirements set forth in Appendix A; (b) be compatible with and run reports concurrently with the District's data system(s) for tracking personnel data and information; and (c) automatically produce alerts, flags, and other programmed signals to indicate when students do not meet pre-determined goals or expectations for academic performance or behavioral concerns. By July 1, 2013, the District shall complete such review and analysis, which shall include an estimated timeline and cost for making necessary adjustments to the District's data systems. By October 1, 2013, the District shall hire or contract for appropriate experts to add to or amend the District's data system(s) to allow it to perform the functions described in Section (X)(A)(1)-(5). By January 1, 2014, or as soon thereafter as is reasonably possible based on projections by the District and its experts, the District shall make such changes to its data systems to allow it to perform these functions. The completed amended system shall be known as the Evidence-Based Accountability System ("EBAS").

The District has fully complied with these requirements. There are three major elements to the District's compliance with the USP EBAS requirement: first, the development of the EBAS itself; second, the addition of custom "dashboards" allowing easier access and use of the underlying data collected and managed by the EBAS software, thus expanding the universe of users and the frequency of use of the data, and finally, the implementation of a common, cloud-based data storage structure used across all the major components of the District's many software systems, setting the stage for further integration as technology develops in the coming years. The District now has fully developed hardware and software that gives it capabilities that most school districts lack,

including but not limited to automatically flagging at-risk students and monitoring student progress across time and along different variables (attendance, behavior, credits, and grades).

1. The initial development of EBAS using Mohave.

The student information system in use at the time the USP was entered was known as Mojave (thus the use of that term in the USP to refer generally to the District's student information system). Mojave had been developed locally in Tucson for the District, had been in use for a number of years (AR 13-14, ECF 1686, p. 213), and was recognized as one of the best student information systems in the state (AR 14-15, ECF 1918-1, p. 326).

Mojave already had collection and reporting capabilities for a number of the key measurements required by the USP. However, in March 2013, the District engaged an outside consultant firm, Davidson Services, LLC, to conduct a needs analysis, to determine what modifications and additions to Mojave were needed in order to meet the requirements of the USP. The Davidson firm analyzed the existing system, matched it against the USP requirements, interviewed over 50 District employees, and reported its conclusions back to the District in May 2013. [AR 12-13, App. 86, ECF 1554-5, pp. 45-109.]

Based on this report, the District identified changes and additions to be made to the existing Mojave system:

a. Classification change

By agreement with the parties, the District supplemented its demographic classifications to ensure that students who identify as both Hispanic (ethnically) and African American (racially) are tracked for USP purposes as members of the African American class if they so identify. This change was implemented during SY 12-13. [AR 12-13, ECF 1549-1, p. 72.]

b. Intervention tracking

The District strengthened Mojave's ability to track interventions and special services on a student by student basis by implementing the "Intervention Block" in addition to the Grant Tracker application which predated the USP. This change was implemented during SY12-13. [*Id.*]

c. Transportation

The District added individual student transportation information and eligibility status to the information about each student maintained by the system. This change was implemented during SY 12-13. [*Id.*]

d. Watchpoint

The District added the Watchpoint system as a pilot program, to produce alerts, flags, and other programmed signals automatically, to indicate when students do not meet pre-determined goals or expectations for academic performance or behavioral concerns. Watchpoint was implemented during SY 13-14 in Mojave. [AR 13-14, ECF 1686, p. 214.] The District determined that the system over-identified students through all grade levels. During SY 14-15, a decision was made to discontinue the development of Watchpoint due to the anticipated adoption of a new student information system which met the new Arizona Department of Education requirements for compatibility with the state data platforms, discussed below. In connection with the implementation of the new student information systems, a new program replaced the Watchpoint functionality, with better results.

e. Extracurricular tracking

The District added the ability to track participation in extracurricular activity for elementary and middle school students, and for non-AIA athletics for high schools. This change was implemented during SY 13-14. [*Id.*]

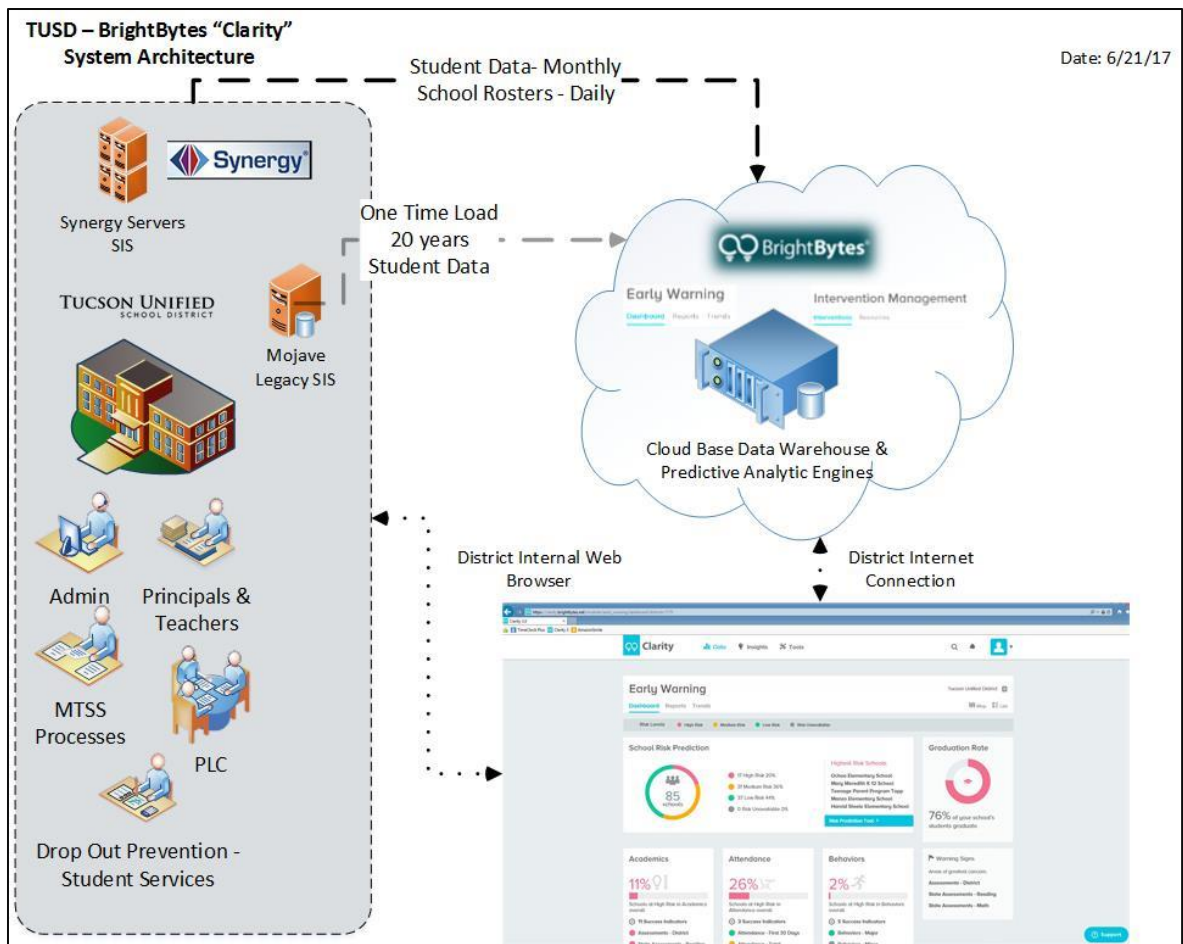
2. The Replacement of Mohave with Synergy

In July of 2014, the Arizona Department of Education announced new statewide interface requirements for student information systems, to permit integration with the new data platforms to be used by ADE. Mojave did not meet the new requirements (and modification would have been uncertain and expensive), so the District purchased a new student information system, Synergy, that was specifically designed to interact with the new state data platform. Developed and maintained by Edupoint, Synergy was procured through a cooperative contract with ADE. [AR 15-16, ECF 1958-1, p. 388.] During SY 14-15, the District conducted a gap analysis to identify any functionality in Mojave that would not be supported by Synergy. As a result, the District identified that the intervention module in Synergy was not as robust as the District required to meet the needs of the USP. Accordingly, the District completed a procurement process and selected the vendor BrightBytes and its application Clarity to support automatic flagging of at-risk students and workflow tracking of interventions. [*Id.*] The Clarity application is a leading edge technology, using a cloud-based data warehouse platform developed by the company BrightBytes, in two modules: the Early Warning Module (EWM) and the Intervention Module (IM).

Clarity uses predictive analytics to provide an easy to use dashboard for automatically identifying at risk students by risk level. The proprietary predictive analytics algorithms are tuned for accurate identification of at risk students or potential drop out students by leveraging machine rule based computational learning engines. The Early Warning module works on the principle of the bigger the data set or more data points per student the finer tuned and more accurate the predictive outcomes will be for a district since it is based off the district's demographics. The District successfully uploaded twenty years of highly accurate Mojave student data into Clarity's cloud based data warehouse resulting in a highly accurate flagging of at risk students while providing

an easy to use dashboard to drill down and identify the high risk areas within the three domains of academics, attendance and behavior. Clarity also provides current national research-based suggestions of interventions to address the high risk areas, providing facilitators and administrators differentiating approaches.

The architecture of the Clarity system is shown in the figure below:



The EWM leverages machine learning¹ technologies in conjunction with predictive analytical data engines to accurately identify students who are at risk of dropping out of school or not graduating. The predictive analytical engines use

¹ Machine learning is the field of study that gives computers the ability to learn and improve from experience without being explicitly programmed.

programmed algorithms based on the research of Dr. Marian Azin of Mazin Education. The EWM provides the automated flagging based upon input from Synergy and identifies the area of concern within three domains: academics, attendance, and behavior. The EWM also provides administrators and staff with national research-based interventions and strategies to help correct the area of concern. Using a predictive analytical model, the EWM ranks every student's risk level along a continuum of 1 to 9. Three risk levels are demarcated with graduating shades of color: low risk (green levels 1-3), medium risk (yellow level 4-6), and high risk (red levels 7-9). In addition to the risk ranking, EWM provides longitudinal graphs and simple arrows indicating risk trends for students.

The IM leverages the same information from the SIS and formalizes the intervention referral process by facilitating efforts to connect at-risk students with the right supports. The IM allows users to assign services and track the fidelity and frequency of those efforts to evaluate the effectiveness of specific supports to specific students. The IM also provides a record of historical interventions and services, thus providing insight to staff and administrators about what has or has not been cumulatively effective, allowing them to adjust interventions accordingly. The IM integration with the EWM dashboard is easy to use and provides the efficiency that staff requested for student review meetings in the Multi-Tiered System of Supports (MTSS) process, professional learning communities (PLCs), and staff meetings.

The District went live District wide with Synergy, the new student information system, as planned at the beginning of SY 16-17. The District took a tiered approach for the rollout of Clarity. The first tier occurred in September 2016 and consisted of principals, assistant principals, and MTSS facilitators for fourteen schools (referred to as Cohort 1 or the Early Adopters) (AR 5, Appendix X-2, ECF 2068-1, p. 4). The first cohort involved a limited adoption, as the District rolled out Synergy during October. Still, the overall acceptance and vetting of the IM was positive and the Early Adopters provided constructive feedback to BrightBytes developers for enhancing the system. The

District's Assessment and Program Evaluation Department and Technology Service's Synergy trainers used BrightBytes' train-the-trainer model. The District continued to work collaboratively with BrightBytes to organize, develop, and administer additional trainings.

In November and December, the District trained the second cohort of principals, student success specialists (about 50 staff), Dropout Prevention staff (about 20 staff), and MTSS facilitators (about 30 staff) (AR 5, Appendix X-3, ECF 2068-1, p. 6). Cohort 2 participants piloted the IM at their sites, including seven sites in the fall and an additional ten sites by January, and provided feedback. The District assigned trainers to these sites to work directly with schools to understand the challenges and successes of the implementation. In December and January, District staff and the Clarity team continued to meet and receive feedback on the use of EWM in their daily monitoring of students. They also continued to vet the results of the EWM per student and the additional needs for improving the IM for both Cohorts 1 and 2.

Cohort 3 consisted of the MTSS facilitators who were not a part of Cohorts 1 or 2. These facilitators and other staff who had previously received training were trained in April 2017. The District has scheduled a full rollout of the IM for SY2017-18.

Throughout this process, District staff continued to provide BrightBytes with ongoing input to improve the overall workflow and usability of the modules. For example, BrightBytes made adjustments to the monthly data load to align with campus MTSS and PLC review cycles and created enhancements to account for student mobility, the inclusion of additional student grade data, and benchmark assessment scores.

3. The addition of dashboards for greater access and ease of use

In order to increase access and ease of use, the District created a series of simple, intuitive user interfaces to the data collected and managed by the EBAS software. These

interfaces, or “dashboards,” are web-based platforms accessible to all District staff (with appropriate authorization limitations) through the District’s Sharepoint intranet software. They have various pre-set information and reports with information that is continuously updated from District databases, including legacy applications such as TUSDStats and Mojave systems. [AR 14-15, ECF 1918-1, p. 326.] The District went live with Synergy at the beginning of SY 16-17 and this resulted in a series of new platform upgrades and data integration. The District is in the process of releasing an upgraded TUSDStats, now known as TUSD School Data, providing the same information in a cleaner and more robust format. The interfaces include separate live-data dashboards on enrollment, class size, and student discipline. Staff members aggregated all of the EBAS components to review data on District-wide, grade level, or individual school bases, including dynamic aggregations by selected values.

The Enrollment Dashboard reports current year enrollment compared to school capacity and student demographics. The Enrollment Dashboard publishes dynamic charts and graphs comparing school and District enrollment by student ethnicity/race, gender, placement, Exceptional Education status, ELL status, grade, school type, birth country, and state. The charts parse data horizontally and vertically with aggregation and disaggregation possibilities built into each chart. The charts dynamically show student counts by each value. [AR 14-15, ECF 1918-1, p. 327.]

The Enrollment Dashboard produces visual information to quickly assess results based on the chosen value. The visual information includes charting, graphing, and Key Performance Indicators (“KPIs”). KPIs flagged data in color for quick identification of levels. Levels denoted whether a value is high, medium, or low based on user defined measurements. The charts and graphs illustrate individual data values in columns for printing, export, and/or email output. Many charts, graphs, and reports include specific, individual student information. [*Id.*]

The Class Dashboard reports details on current year class size by District, school, teacher, and student schedules. Some KPIs allow administrators to evaluate class sizes in real time and make adjustments (“leveling”) where needed to ensure equitable class size across school sites. The Class Dashboard incorporates many of the same capabilities as the Enrollment Dashboard. The Class Size Dashboard quickly assesses capacity, class size, and students completed schedules. The Data Dashboard includes reports to determine teacher load and student scheduling. [*Id.*]

The Class Dashboard filters by school type, school and credit area with breakdowns for each teacher and created charts that detailed:

- how full schools were and what percentage of capacity is used;
- how many of the classes were filled to the established norm;
- what percentage of students have filled schedules, including details at the schedule level; and
- which teachers were “overbooked” by the class type.

The Discipline Dashboard stores multiple year information on student discipline, incidents, violations and actions broken down by year, school, school type, action type, violation, ethnicity/race, and gender. The Discipline Dashboard manages data from 2009 to present. Additionally, the School Risk Ratio Scorecard demonstrated the unique student incident rates by ethnicity. [*Id.*, pp. 327-28.]

The Discipline Dashboard produces KPIs that quickly identified problem areas by gender, violation, and time periods with color-coded charts. The charts further broke down action by category and individual actions. The dashboard selected and/or grouped discipline data by year, quarter, month, week or individual dates. The dashboard groups or selects information by infraction and by magnet school status. The charts also listed data by violation category or individual violations. [*Id.*, p. 328.] The dashboards produce specialized reports like Power View Reports, Excel Pivot Tables, and SQL Server Reporting Services reports. Many of the reports, as manipulated by end users, produced new types of reports for others to use. Staff members produced and published

these new reports to show specific data sets to their colleagues. The reports included dynamic graphical representations of data that were easily manipulated by staff members. The reports produce data with additional functionality for users to subscribe to a report (email delivery) or be alerted via email when a threshold has surpassed. Staff members print reports that can be exported into Excel, PDF or other formats, emailed, or converted to Powerpoint presentations. [*Id.*]

On June 1, 2015, the District trained all TUSD principals during the ILA meeting on how to use the USP Discipline Dashboard. The District also provided additional in-depth training to directors from Student Services, Elementary School Leadership, and Secondary School Leadership on June 23, 2015. The District administered training for the EBAS Dashboard in group and individual settings. [*Id.*, p. 329.]

4. Integration of Student and Enterprise Systems.

The most recent innovation in the District's EBAS system is the addition of a common repository, or data warehouse, to store data from all of the District's major IT systems. The data warehouse will include data from the District's older, legacy systems, including Mojave, PeopleSoft, Lawson, Tienet, MapNet and ATI. The data warehouse will also contain and integrate data from newer systems which have replaced the older systems, including Infinite Visions (enterprise resource planning, including human resources and finance), Synergy (student information system), Versatrans (transportation) and School City (online testing). This integration of older, legacy data with current data allows analysis across time and systems previously only possible with manual comparisons.

In May 2015, in its research of EBAS technologies, the District found the vendor Ed-Fi Alliance ("EdFi"). EdFi is a non-profit organization funded by the Michael and Susan Dell Foundation that provides school districts and state educational departments with a complete Operational Data Stores ("ODS") for a data warehouse architecture for

SIS and ERP and pre-defined data dashboards for teachers, principals, and central administration. EdFi also provides an Application Program Interface (“API”) to interact with other application and data sources at no cost. [AR 15-16, ECF 1958-1, p. 389.]

School districts across the nation and state education departments use the EdFi Alliance ODS platform, which also serves as the new ODS infrastructure for the ADE AzEDS platform. EdFi is a fully documented application and has a dedicated staff to continue enhancing the application and provide full support at zero cost. The EdFi ODS platform is fully compatible and optimized to run on the Microsoft Azure cloud infrastructure. The District began implementation at the beginning of SY 16-17, eliminating the need to purchase dedicated hardware and, in return, creating the ability to buy a full-service data warehouse infrastructure within the Microsoft cloud data center. [Id.]

For SY 15-16, Technology Services staff worked to ensure that the existing data dashboard functionality (supported by SharePoint) remained functional while the District prepared to move to the fully integrated EdFi ODS platform. To that end, in fall 2015, the District contracted with an outside vendor to obtain the technological services required to assess the current SharePoint infrastructure that supported the data warehouse. The specialist conducted an initial assessment and made recommendations for the redesign of SharePoint infrastructure to allow for the latest Microsoft offerings with stronger and easier-to-use analytical tools and for faster ad-hoc reporting to supplement the dashboard data. [Id., pp. 389-90.]

The following chart summarizes the requirement elements

EBAS Requirements of USP	Synergy	BrightBytes Clarity	DashBoards
Student Characteristics			
Race	X	X	X
Ethnicity	X	X	X
Age	X	X	X
Grade Level	X	X	X
Years Attending District Schools	X	X	X
Disability Status	X		X
ELL Status	X		X
LEP Family Status	X		X
Transportation Needs	X		X
Academic Achievement			
Standardized Test Scores	X	X	X
Grade Point Average	X	X	X
Grade(s) Retained	X	X	X
Enrollment in ALE by ALE type	X		X
Services and Interventions			
Individualized Education Plan	X		X
Services for Students with Disabilities	X		X
ELL Services	X		X
Reclassified ELLs	X		X
Student Behavior			
Tardies	X	X	X
Absences	X	X	X
Disciplinary Infractions	X	X	X
Positive Behavioral Interventions	X	X	

- B. The District has worked hard to make sure that all staff – administrators, teachers and others – have appropriate training on the use of the system for the position they fill, and are evaluated on their ability to utilize the system.**

USP Section X(A)(3). The District shall require all administrators, certificated staff, and where appropriate, paraprofessionals, to undertake the training on the EBAS required pursuant to Section (IV)(J)(3). All newly-hired District personnel for whom training is warranted under this section shall complete the training by the

beginning of the fall semester of the academic year subsequent to the academic year during which they were hired.

USP Section X(A)(4). *The District shall evaluate relevant personnel on their ability to utilize the EBAS as contemplated pursuant to Section (IV)(H)(1).*

The District has trained administrators and certificated personnel as the EBAS system has evolved. Annual personnel reviews include sections on proficiency on the aspects of the EBAS system used in particular positions. The District has reported on this training and evaluation in its annual reports. [AR13-14, ECF 1686, p. 215; AR 14-15, ECF 1848, p. 325-329, 334 and appendices cited therein; AR 15-16, ECF 1958-1, p. 383-385 and appendices cited therein; AR 16-17, ECF 2057-1, p. 411-417, and Appendices X-2 and X-3, ECF 2068-1, pp. 3-8.]

C. The District annually reported the persons responsible for implementing the EBAS system, their job descriptions and credentials if changed, and changes made to the EBAS system each year.

USP Section X(A)(5). *Reporting*

The District shall provide, as part of its Annual Report:

Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials; and

A description of changes made to Mojave to meet the requirements of this Section, including descriptions of plans to make changes to the system in the subsequent year.

The District has provided the required reporting in its annual reports. [AR13-14, ECF 1686, pp. 210-215, 221 and Appendix X-1, ECF 1691-2, pp. 1-33 ; AR 14-15, ECF 1848, pp. 330-334; AR 15-16, ECF 1958-1, p. 399; AR 16-17, ECF 2057-1, p. 411-417.]

II. Budget

- A. The District has followed a detailed process worked out each year for preparation of a budget for implementation of the USP, involving a major effort with multiple drafts submitted to the Special Master and plaintiffs.**

USP Section X(B)(1). *The District shall propose a methodology and process for allocating funds that are available to it and its schools pursuant to A. R. S. § 15-910(G) and that accounts for the requirements of this Order (USP Expenditure Plan”) prior to commencing the budget process for fiscal year 2013-2014. The District shall provide the Plaintiffs and the Special Master with a copy of the proposed Plan at least within 30 days before it is to be used for the purpose of preparing the District’s 2013-2014 budget. The Plaintiffs shall have 20 days in which to provide comments on the Plan to the Parties and the Special Master. Within 10 days of receiving the Plaintiffs’ comments, the Special Master shall communicate to the District and the Plaintiffs his suggestions, if any, for modifying the Plan.*

USP Section X(B)(2). *The District shall allocate funds as necessary to support the implementation of this Order during the 2012-2013 school year.*

USP Section X(B)(3). *The District shall use the USP Expenditure Plan to prepare a budget for the school district that shall include as part of that budget a separate section delineating the budget necessary to implement the terms of this Order (the “USP Budget”). The USP Budget shall include a specific accounting of how the funding allocated through A.R.S. § 15-910(G) is to be spent consistent with the specific requirements of this Order. In addition, the USP Budget shall include entries disclosing how all funds to be expended to implement this Order, regardless of funding source, flow to specific components of the Order.*

USP Section X(B)(4). *In preparing the USP Budget, the Superintendent and the Chief Financial Officer shall work with the Plaintiffs, the Special Master, and a school budget operations expert to be agreed upon by the Parties and the Special Master² to assess*

² If the Parties and the Special Master cannot agree on an individual to be appointed, the Parties shall submit their recommendations to the Court, who shall make the ultimate appointment.

the funding needs for this Order. The school budget operations expert shall be paid by the District but shall report to the Plaintiffs and the Special Master. The District therefore shall have the right to consent to the expert's billing rate and to propose an annual cap on the expert's fee. The USP Budget shall be submitted to the Plaintiffs and the Special Master at least 30 days before being submitted to the Governing Board. Within 20 days of its submission, the Plaintiffs may provide their comments on the budget to the Parties and the Special Master. During this period, the school budget operations expert will be available to the Plaintiffs to assist them in their review of the proposed budget. Within 10 days of receiving the Plaintiffs' comments, the Special Master shall communicate to the District and the Parties, his suggestions, if any, for modifying the proposed USP Budget. Upon receipt of any proposed modifications, the District may adjust the USP Budget as appropriate and submit the budget to the Governing Board for approval. Any recommendation of the Plaintiffs and the Special Master not included in the Superintendent's final USP Budget proposal shall be noted and separately provided to the Governing Board for consideration.

USP Section X(B)(5). *Within ten days of the USP Budget's approval by the Governing Board, if any of the Plaintiffs or the Special Master disagrees with the budget as approved, they may file objections with the Court and the Court shall resolve the objections on an expedited basis.*

USP Section X(B)(6). *Upon approval, the District shall post a copy of the final USP Budget on the USP Web Page required by Section (X)(D)(1).*

The District has devoted a very significant amount of time and resources to the process for development of each year's budget for implementation of the USP. Each year, the process has evolved and changed, based on experience gained with the prior years, and has been worked out by agreement with the Plaintiffs and the Special Master. Each year, the parties have agreed on a schedule, and a detailed series of formats in which information is presented, and conducted at least one two-day in person meeting during the budget development process. The volume of information provided to the parties is huge, and the scope is comprehensive. A detailed description of the process followed each year is set out in the annual report for that year, and the appendices to that

annual report. [AR13-14, ECF 1686, p. 215-217 and appendices cited therein; AR 14-15, ECF 1848, pp. 334-339, and appendices cited therein; AR 15-16, ECF 1958-1, pp. 390-394, and appendices cited therein; AR 16-17, ECF 2057-1, pp. 417- 423 and appendices cited therein.] To the extent there remained objections after the conclusion of the process, these objections were presented to the Court for determination pursuant to the process set out in the USP. The final resulting budget has been posted on the District's USP webpage each year, at <http://deseg.tusd1.schooldesk.net/USPPlan/USPBudget/tabid/83276/Default.aspx>.

B. The District has provided the Plaintiffs and the Special Master with an audit of each year's expenditures by an outside public accounting firm.

USP Section X(B)(7). The District will provide the Plaintiffs and the Special Master with an audit report of each year's USP Budget. The audit report shall indicate whether the funds allocated in the USP Budget were spent in accordance with that budget and such other information as may be necessary to provide the Plaintiffs, the Special Master, and the public with full disclosure concerning how funds allocated to the USP Budget were spent. The audit shall be conducted by an outside accounting firm and shall be posted on the USP Web Page as required by Section (X)(D)(1). Each audit report shall be delivered by January 31 after the conclusion of the fiscal year that is the subject of the audit.

The District has provided an audit report for each year following the adoption of the USP, prepared by an outside public accounting firm, Heinfeld, Meech & Co., P.C. The District has included a copy of the report in its annual report each year. ECF 1852-6, pp. 313-321 (for SY 13-14); ECF 1969-1, pp. 117-125 (for SY14-15); ECF 2068-1, pp. 21-29 (for SY 15-16).

III. Notice and Request for Approval

A. The District has followed the Notice and Request for Approval process set out in the Order Appointing the Special Master, along with the I.D.1 Process set out in the USP.

USP Section X(C)(1). *The Parties shall continue to follow the Notice and Request for Approval procedure pursuant to the January 6, 2012 Order Appointing Special Master and the August 22, 2012 Order of this Court.*

USP Section X(C)(2). *The January 6 Order of Appointment requires the District to provide the Special Master with notice and seek approval of certain actions regarding changes to the District's assignment of students and its physical plant. January 6 Order at 3. In addition to the items noted in the Appointment Order, the District shall also provide notice and a request for approval regarding the closing or opening of magnet schools or programs and attendance boundary changes as referenced above in Section (II)(E). In order to assess the District's plans in these regards, the District shall submit with each request for approval, a Desegregation Impact Analysis, ("DIA"), that will assess the impact of the requested action on the District's obligation to desegregate and shall specifically address how the proposed change will impact the District's obligations under this Order.*

USP Section X(C)(3). *A copy of any DIA provided to the Special Master must also be provided to the Parties at the same time.*

USP Section X(F)(1). *At the time it files its Annual Report, the District shall report on the following regarding its notices and requests for approval submitted to the Special Master:*

a. The number and nature of requests and notices submitted to the Special Master in the previous year; broken out by those requesting (i) attendance boundary changes; (ii) changes to student assignment patterns; (iii) construction projects that will result in a change in student capacity of a school or significantly impact the nature of the facility such as creating or closing a magnet school or program; (iv) building or acquiring new schools; (v) proposals to close schools; and (vi) the purchase, lease and sale of District real estate.

The District's annual reports set out each instance in which the District has followed the NARA process. [AR13-14, ECF 1686, p. 217; AR 14-15, ECF 1848, pp. 344-347; AR 15-16, ECF 1958-1, p. 397-399; AR 16-17, ECF 2057-1, pp. 425-426.] Though there was some initial disagreement regarding the scope of a change required to trigger the NARA or 1.D.1 process, the District has agreed to the interpretation of scope by the Special Master and endeavored to follow it wherever required.

IV. Unitary Status Plan Web Page

A. The District has consistently maintained a webpage containing all of the elements required by the USP.

USP Section X(D)(1). On the home page of <http://www.tusd1.org/> or any subsequent District websites, the District shall include a prominent link to a Unitary Status Plan web page ("USP web page"). This page shall serve as a resource to the community, parents, District employees, parties, and students, by providing current information related to the various elements of the Plan. The USP web page shall be available by April 1, 2013. The USP web page shall also include updated links to the current Plan; the Annual Reports, as appropriate pursuant to FERPA and other privacy concerns; USP budgets; and budget audits. All public reports and information on the USP web page shall be available in both English and Spanish.

The District has maintained a webpage containing the USP itself, the action plans, the annual reports and all appendices to the annual reports, all court orders, the annual budgets, and budget audits. The information on the District's USP webpage is available in both English and Spanish. The current web address for the webpage is <http://deseg.tusd1.schooldesk.net/USPPlanandDocuments/tabid/78294/Default.aspx>.