

**TUCSON UNIFIED SCHOOL DISTRICT
LEGAL DEPARTMENT**

1010 E. Tenth Street
Tucson, Arizona 85719
Telephone: (520) 225-6040
Robert S. Ross (State Bar No. 023430)
Robert.Ross@tusd1.org
Samuel E. Brown (State Bar No. 027474)
Samuel.Brown@tusd1.org

STEPTOE & JOHNSON LLP

201 East Washington Street, Suite 1600
Phoenix, Arizona 85004-2382
Telephone: (602) 257-5200
Facsimile: (602) 257-5299
P. Bruce Converse (State Bar No. 005868)
bconverse@steptoe.com
Timothy W. Overton (State Bar No. 025669)
toverton@Steptoe.com

*Attorneys for Tucson Unified
School District No. 1*

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,
Plaintiffs,
v.
Tucson Unified School District No. 1,
et al.,
Defendants.

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

Maria Mendoza, et al.,
Plaintiffs,
v.
Tucson Unified School District No. 1,
et al.,
Defendants.

CV 74-204 TUC DCB
(Consolidated Case)

**NOTICE AND REPORT OF COMPLIANCE:
INCLUSIVE SCHOOL ENVIRONMENTS AND CULTURES OF CIVILITY**

1 The Court directed the District to prepare and file a notice and report of
2 compliance with its directives regarding the completion plan for maintaining inclusive
3 school environments fostering cultures of civility, and a professional learning plan
4 relating to these areas. [ECF 2123 at 123-24, 151.]

5 The completion plan directed the District to undertake a study of students' sense
6 of inclusiveness. The District, through its Assessment and Evaluation department,
7 undertook the study in the summer of 2018. The design of the study was reviewed with
8 the Special Master in advance. A report on the study is attached as Exhibit A.

9 The report analyzed the results for both general inclusiveness and also bullying.
10 Results were analyzed and reviewed school-by-school. The report found that students
11 generally felt broad and high levels of student inclusiveness throughout most of the
12 District, and across racial and ethnic groups. Although scores were still quite positive,
13 students at four schools had somewhat lower levels of inclusivity than the overall
14 District results over multiple years: Catalina, Cavett, Holladay, and Santa Rita.

15 Based on the report, the District concludes generally that there is not a broad or
16 systemic problem with its existing strategies and approaches to inclusive school
17 environments and fostering cultures of civility. The District is focusing on the four
18 schools with identifiably lower inclusivity scores with targeted professional learning and
19 additional support for staff, as shown in the Professional Learning Plan attached hereto
20 as Exhibit B. The District intends to repeat the study each year, and use it as a basis to
21 focus training and support on schools with lower inclusivity values.

22 The District respectfully submits that it has complied with the Court's order, and
23 requests that the Court grant partial unitary status in this area of District operations (USP
24 § V.F).¹

25
26 ¹ The District submits this notice and report without waiver of its objections that
27 there is no basis in fact or law for continued federal court supervision of the District in
28 this or any other area, including the requirement of preparing the attached plan, given
the findings of Judge Frey in 1978, subsequent rulings of this Court, and the record
herein. The District recognizes that the Court has overruled these objections, and that
they are the subject of a pending appeal before the 9th Circuit.

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RESPECTFULLY SUBMITTED this 6th day of December, 2018.

STEPTOE & JOHNSON LLP

By /s/ P. Bruce Converse
P. Bruce Converse
Timothy W. Overton

**TUCSON UNIFIED SCHOOL DISTRICT
LEGAL DEPARTMENT**

Robert S. Ross
Samuel E. Brown

Attorneys for Tucson Unified School District
No. 1

CERTIFICATE OF SERVICE

1
2 The foregoing document was filed with the Court electronically through the
3 CM/ECF system this 6th day of December, 2018, causing all parties or counsel to be
4 served by electronic means, as more fully reflected in the Notice of Electronic Filing.
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7 /s/ Diane Linn
8 Employee of Steptoe & Johnson LLP
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