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13 UNITED STATES DISTRICT COURT

14 DISTRICT OF ARIZONA

<p>15 Roy and Josie Fisher, et al., 16 Plaintiffs, 17 vs. 18 Tucson Unified School District No. 1, et al., 19 Defendants.</p>	<p>4:74-cv-00090-DCB (Lead Case)</p>
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<p>20 Maria Mendoza, et al., 21 Plaintiffs, 22 vs. 23 Tucson Unified School District No. 1, et al. 24 Defendants.</p>	<p>CV 74-204 TUC DCB (Consolidated Case)</p>
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26 **DISTRICT REPLY TO OBJECTIONS TO ITS**
27 **NOTICE AND REPORT OF COMPLIANCE:**
28 **PROFESSIONAL LEARNING PLAN FOR TEACHER PROFICIENCY IN**
USING TECHNOLOGY

1 The Court directed the District to prepare and file a notice and report of
2 compliance with its directive to prepare a professional learning plan for teacher
3 proficiency in instructional technology. [ECF 2123 at 140, 151.] The District submitted
4 its professional learning plan on December 6, 2018. [ECF 2152-1.]

5 The Instructional Technology Department at the District is charged with
6 assessing, developing and implementing professional learning on classroom and
7 instructional technology. The overall plan has the following elements:

8 (a) a specification of the particular instructional technology in which the District
9 expects teachers to develop proficiency in basic Windows computer user operations,
10 smartboard/whiteboards, District student information systems, assessment software,
11 advanced teaching tools available through Microsoft Office 365, and the Microsoft
12 Educator Community (including the curriculum and pedagogical resources available
13 through the MEC);

14 (b) a technology proficiency evaluation of each teacher, administered throughout
15 the District twice-yearly, with results tracked individually, by school, and district-wide,
16 which is used by the Instructional Technology Department to rate and assess
17 proficiency, and to guide its efforts in professional learning;¹

18 (c) a detailed description of a well-developed curriculum, its content and multiple
19 modes of delivery for professional learning on instructional technology; and

20 (d) a process, and accompanying rubrics, for assessing the effectiveness of
21 professional learning.

22 The District submits that this is a comprehensive, proper and sufficient plan to
23 provide professional learning on instructional technology to District teachers. Contrary
24 to the Mendoza Plaintiffs' objection, the plan does contain the means to evaluate
25 Teacher Technology Liaisons: the Teacher Technology Survey is aggregated by school,

27 ¹ The technology proficiency survey has been used by the District for some time,
28 and it has been a major component of the Technology Condition Index since that index
was commenced.

1 so that if a school's aggregate score either dips in overall rating, or fails to progress as
2 expected, the Director of the Instructional Technology Department can either provide
3 remedial coaching to the TTL, or request that the principal of the school designate
4 another TTL.

5 Assessing the actual use of instructional technology in the classroom is beyond
6 the scope of a professional learning plan, and, in any event, is part of overall teacher
7 evaluations conducted each year.² The Danielson framework for teacher evaluation
8 includes sections addressing use of technology in the classroom.

9 As noted in the plan, in addition to on-line and live courses, professional learning
10 is provided by TTLs through one-on-one coaching and group instruction through PLCs.
11 This provides opportunities for structured practice and feedback on trained skills.

12 Finally, the District notes that much of the instructional technology identified in
13 the plan has now been in use in the District for several years, and that overall
14 proficiency levels have risen, as reported in its annual reports. The District does not
15 believe that there is any systemic or structural issue with its provision of professional
16 learning on instructional technology. There is certainly no suggestion, nor could there
17 be, that professional learning on instructional technology is somehow differentially
18 provided in discriminatory fashion, and certainly nothing to suggest a reason or basis for
19 continued supervision in this desegregation case, where the conduct which formed the
20 basis for the Court's decree ended more than fifty years ago, long before the
21 instructional technology at issue was conceived.

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 IX.B.1.iv and IX.B.4).

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26 ² Assessing actual use of technology would require classroom observation of
27 each teacher, and the District does not have the resources to conduct separate annual
28 observations of its 2600 teachers regarding use of instructional technology, in addition
to the regular annual evaluation of teachers, in which use of technology is already an
element.

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RESPECTFULLY SUBMITTED this 22nd day of January, 2019.

STEPTOE & JOHNSON LLP

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

**TUCSON UNIFIED SCHOOL DISTRICT
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CERTIFICATE OF SERVICE

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The foregoing document was filed with the Court electronically through the CM/ECF system this 22nd day of January, 2019, causing all parties or counsel to be served by electronic means, as more fully reflected in the Notice of Electronic Filing.

/s/Diane Linn
Employee of Steptoe & Johnson LLP