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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 **SPECIAL MASTER’S REPORT AND RECOMMENDATION WITH**
2 **RESPECT TO BORTON AND BOOTH-FICKETT MAGNET SCHOOLS**

3 **Borton Overview**

4 The Special Master identified Borton as a magnet school that did not meet the criteria for
5 sustaining its magnet status because of the substantial achievement gaps in the school. The
6 school is integrated and attracts about 70% of its students from beyond its neighborhood.
7 Overall, Borton students achieve an acceptable rate as compared to the District average. So, what
8 is the problem? The immediate environment of the school is characterized by low income
9 housing, including a housing project. Research on magnet schools shows that families that send
10 their children to schools other than their nearest school are, on average, better educated than those
11 who do not make that choice. Thus, Borton serves a broad range of students from different
12 socioeconomic conditions which, in turn, are highly correlated with student achievement in most
13 schools. This variation in socioeconomic backgrounds of students is a major contributor to the
14 achievement gap. In order to narrow the gap, additional resources will be needed that are focused
15 on the lower achieving students. In addition, during the 2017-18 school year 7 of 19 teachers
16 were beginning teachers.

17 While the Borton plan for improvement is as good or better than that of some other
18 magnets, the plan does not address directly the fundamental problem. To address the
19 achievement gap specifically, Borton needs, at least, an instructional coach in mathematics.
20 Borton has such an expert on site for reading.

21 It is also the case that the class-size at Borton will average 25 next year, which is higher
22 than some magnets. Having a coach /master teacher with expertise in mathematics instruction to
23 work with teachers, especially newer teachers, in smaller classes particularly in the early grades,
24

1 would have a high probability of substantially increasing the achievement of the lowest
2 performing students.¹

3 **Recommendation**

4 The Special Master recommends that the Court confirm that Borton will not lose its
5 magnet status contingent upon the addition of a master teacher/coach assigned to Borton for at
6 least two years.
7

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9 **Booth-Fickett Overview**

10 Booth-Fickett is an integrated K-8 school magnet school. Nonetheless, the Special Master
11 identified Booth-Fickett as one of the magnet schools where academic performance and other
12 challenges warranted increased support from the District in order to maintain its magnet status.
13 Since the Special Master’s report regarding Booth-Fickett, the District has provided the school
14 with substantial support. In addition, the District has developed a partnership with one of the
15 leading technology-rich curriculum providers – Amplify – whereby the District will contribute its
16 expertise in culturally responsive pedagogy and will, in return, receive from Amplify its
17 curriculum (that aligns with District and state standards).
18

19 Working out the details of this potentially exciting partnership and the implementation
20 procedures will, no doubt, take some time this school year. The Special Master believes that the
21 partnership will significantly strengthen the capacity of Booth-Fickett to enrich its Science,
22 Technology, Engineering and Mathematic (STEM) magnet theme and is an opportunity for the
23 District to share its expertise in culturally responsive pedagogy on a national level.
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¹ The achievement gap will not disappear. Schools can only partially reduce the negative
28 consequences of income inequality and differences in educational background of families.

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CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2019, I electronically submitted the foregoing via the CM/ECF Electronic Notification System and transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of appearance in the District Court Case.

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