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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 PROFESSIONAL LEARNING FOR TECHNOLOGY**

3                   **Overview**

4                   On September 6, 2018, the Court directed the District to develop a plan for improving the  
5 capabilities of TUSD educators to use technology **to facilitate student learning** (emphasis  
6 added). In response, the District identified four elements of its plan:  
7

- 8                   1. At least one Teacher Technology Liaison will be present at each school to work with  
9 teachers.
- 10                  2. A series of short courses are available and teachers are to self-evaluate whether they have  
11 learned what is being taught in these courses. This survey/exam is used by the central  
12 office to identify schools (not individuals) where additional technology professional  
13 development is needed.
- 14                  3. A rubric developed for professional development in general is used to evaluate technology  
15 related professional development.
- 16                  4. The teacher evaluation instrument used to assess teacher proficiency overall includes  
17 items related to the use of technology.  
18

19                   The Mendoza plaintiffs objected to the District plans on the grounds that there is no effort  
20 to evaluate actual proficiency and too little attention given to the use of technology for  
21 instructional purposes. The District responded by saying that it did not have the resources to  
22 evaluate each individual teacher’s use of technology in real time.  
23

24                   **Analysis**

25                   The Special Master agrees with the District that assessing the actual technology utilization  
26 by individual teachers would be a substantial task. However, the Special Master believes that the  
27 District’s strategies for improving technology use by teachers to facilitate student learning are  
28

1 inadequate for the following reasons:

- 2 1. While having a technology support person in each school is a good idea and could  
3 facilitate job embedded learning, the teacher technology liaisons teach a full load and will  
4 therefore be unable to observe teachers in their schools much less model or otherwise  
5 support teacher learning. Such learning could take place after school but that would  
6 require voluntary and presumably unpaid time by teachers.  
7
- 8 2. The teacher survey/tests are almost entirely devoid of items related to instruction.  
9 Moreover, the scores of teachers in each school are to be aggregated so that – to the extent  
10 this information is used to guide future professional development as promised by the  
11 District – the District will be providing professional development to teachers who do not  
12 need it and neglecting the needs of individual teachers who are not good users of  
13 technology.  
14
- 15 3. The District has committed itself to maximize job embedded professional development.  
16 Learning how to use technology to facilitate instruction is the ideal topic for such job  
17 embedded learning. Nowhere in this plan is there any suggestion about how professional  
18 development for technology would be job embedded.  
19
- 20 4. The professional development rubric to be used to assess characteristics of professional  
21 development in general is irrelevant because there is no mention in that rubric of  
22 technology utilization.
- 23 5. While there are multiple courses available to teachers who have an interest in taking them,  
24 there is very little among the options that deal with instruction.
- 25 6. School principals are responsible to some extent for ensuring that teachers use technology  
26 effectively but there is little in the plan that deals with professional development  
27 specifically for administrators.  
28

1 7. No data are provided on teacher proficiency, participation in courses, teachers served by  
2 TTLs, etc., so it is difficult to determine the extent to which these proposals are being  
3 implemented.  
4

5 **Recommendation**

6 The Court should not grant partial unitary status to the District for professional  
7 development related to technology. The District should be directed to:

- 8 1. Include a greater number of instruction-related items in the test/survey used to assess  
9 teacher proficiency and develop a procedure for auditing the accuracy of individual  
10 teachers' self-assessment.  
11  
12 2. Expand the number of courses available to include more content-related to instruction.  
13  
14 3. Evaluate the efficacy of the TTLs comparing the capabilities developed by teachers and  
15 schools with the conventional method now in use with an approach that allows the TTLs  
16 to visit their peers and provide support during the school day. The design of this study  
17 should be approved by the Special Master.  
18  
19 4. Add to the plan ways of enhancing the capabilities of school administrators to use  
20 technology and to evaluate its effective use by individual teachers.  
21  
22 5. Individualize teacher training except in those instances where new software or hardware  
23 are being introduced.  
24

25 Respectfully submitted,

26 \_\_\_\_\_  
/s/  
Willis D. Hawley  
Special Master

27 Dated: February 12, 2019  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 12, 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.

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