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5	UNITED STATES D	ISTRICT COURT	
6	DISTRICT OF ARIZONA		
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8	Roy and Josie Fisher, et al.,		
9	Plaintiffs,		
10	V.		
11	United States of America,		
12	Plaintiff-Intervenor,		
13	v.	CV 74-90 TUC DCB (Lead Case)	
14	v. Anita Lohr, et al.,	(Lead Case)	
15			
16	Defendants,		
17	and Sidney L. Sutten, et al.		
18	Sidney L. Sutton, et al.,		
19	Defendants-Intervenors,		
20	Maria Mendoza, et al.,		
21	Plaintiffs,		
22	United States of America,		
23	Plaintiff-Intervenor,	CV 74-204 TUC DCB (Consolidated Case)	
24	V.		
25	Tucson Unified School District No. One, et al.,		
26	Defendants.		
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RESPONSE OF SPECIAL MASTER TO THE DISTRICT'S OBJECTIONS TO THE SPECIAL MASTER'S R&R <u>REGARDING PROFESSIONAL LEARNING FOR TECHNOLOGY</u>

3 On March 15, 2019, the District filed an Objection [ECF 2206] to the Special Master's 4 Report and Recommendation Regarding Professional Learning. [ECF 2193.] The Special Master 5 submits this Response to address various assertions made by the District in its Objection. 6 7 The District argues that the content and outcomes of what it proposes to do to meet the 8 mandates of the USP, related action plans, as well as this Court's Order of September 6, 2018, are 9 irrelevant. It asserts that if it comes up with a plan for addressing the requirements of the USP, 10 this in and of itself is sufficient. If this were true, there would be no reason for the Special 11 Master, the plaintiffs, or the Court to review the District's proposals. All that would be needed 12 would be to check the box. 13 It is the responsibility of the District to demonstrate that its current practices – which are 14 15 outlined in its bid for partial unitary status with respect to professional learning for technology – 16 facilitate student learning or have a reasonable chance of doing so. But the District provides no 17 credible evidence that the procedures it proposes to continue to use are effective. The reason that 18 there is no such evidence is because: 19 1. The primary tool for assessing teacher competence is a survey completed by 20 teachers themselves with no mechanism for confirmation. 21 2. 22 The information used to shape professional development deals with a narrow band 23 of technology utilization and deals little with the most important aspect of technology utilization 24 - the enhancement of student learning. 25 3. The training being proposed is of two types – online courses that do not have 26 instructors and Teacher Technology Liaisons (TTL). 27 28

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1	a. There is little evidence that unguided online courses are effective ways to learn		
2	how to do something (as opposed to learn about something).		
3	b. The TTLs must carry a full course load and are not available to meet with and		
4 5	observe teachers utilizing technology in their classrooms.		
5 6	c. Neither the courses nor the support TTLs provide teachers deal very much with		
7	instruction.		
8	4. Training being proposed would not pass the standards of effective professional		
9	learning the District proposes to use to evaluate professional development nor is it job-embedded,		
10	an approach to professional development to which the District says it is committed.		
11	In its Objection to the Special Master's Report and Recommendation, the District does not		
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13	counter any of the Special Master's seven reasons why the District plan is inadequate nor does the		
14	District argue that the five actions the Special Master recommends that the Court require the		
15	District to do are unnecessary, unreasonable, or infeasible.		
16	The District has invested millions of dollars to improve student access to technology. It		
17 18	makes sense to invest meaningfully to improve teacher capabilities to use this technology to		
10	enhance student learning.		
20	Recommendation		
21	The Court should not grant partial unitary status to the District for professional		
22	development related to technology until the District takes the following additional actions (which		
23	are the same as those in the Special Master's Report and Recommendation Regarding		
24	Professional Learning for Technology):		
25	1. Include a greater number of instruction-related items in the test/survey used to		
26 27	assess teacher proficiency and develop a procedure for auditing the accuracy of individual		
27 28	teachers' self-assessment.		
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1	2.	Expand the number of courses available to include more content related to	
2	instruction.		
3	3.	Evaluate the efficacy of the TTLs comparing the capabilities developed by	
4 5	teachers and schools with the method now in use with an approach that allows the TTLs to visit		
6	their peers and provide support during the school day. The design of this study should be		
7	approved by the Special Master.		
8	4.	Add to the plan ways of enhancing the capabilities of school administrators to use	
9	technology and to evaluate its effective use by individual teachers.		
10	5.	Individualize teacher training except in those instances where new software or	
11	hardware are	e being introduced.	
12		Respectfully submitted,	
13 14		respectivity submitted,	
14		/s/ Willis D. Hawley Special Master	
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17	Dated: March 27, 2019		
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1	CERTIFICATE OF SERVICE	
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3 4	I hereby certify that on March 27, 2019, I electronically submitted the foregoing via the	
4 5	CM/ECF Electronic Notification System and transmittal of a Notice of Electronic Filing provided	
6	to all parties that have filed a notice of appearance in the District Court Case.	
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8	Andrew H. Marks for	
9	Dr. Willis D. Hawley, Special Master	
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