

1 **TUCSON UNIFIED SCHOOL DISTRICT**
LEGAL DEPARTMENT
2 1010 E. TENTH STREET
TUCSON, AZ 85719
3 (520) 225-6040
Robert S. Ross (State Bar No. 023430)
4 Robert.Ross@tusd1.org
Samuel E. Brown (State Bar No. 027474)
5 Samuel.Brown@tusd1.org

6 **STEPTOE & JOHNSON LLP**
201 East Washington Street, Suite 1600
7 Phoenix, Arizona 85004-2382
Telephone: (602) 257-5200
8 Facsimile: (602) 257-5299
P. Bruce Converse (005868)
9 bconverse@steptoe.com
Timothy W. Overton (State Bar No. 025669)
10 toverton@steptoe.com

11 *Attorneys for Tucson Unified School District No. 1*

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE DISTRICT OF ARIZONA**

14 Roy and Josie Fisher, et al., Plaintiffs, 15 v. 16 Tucson Unified School District No. 1, et al., 17 Defendants. 18	4:74-cv-00090-DCB (Lead Case)
---	----------------------------------

19 Maria Mendoza, et al. Plaintiffs, 20 v. 21 Tucson Unified School District No. 1, et al., 22 Defendants. 23	CV 74-204 TUC DCB (Consolidated Case)
---	--

24
25 **NOTICE AND REQUEST FOR APPROVAL**
26 **OF THE ADDITION OF THIRD GRADE AT JOHNSON K-2 PRIMARY SCHOOL**
27
28

Tucson Unified School District – Legal Department
1010 East 10th Street, Room 24
Tucson, Arizona 85719
Telephone: (520) 225-6040

1 The Tucson Unified School District, No. 1 (“TUSD” or the “District”), hereby submits
2 this Notice and Request for Approval for the addition of third grade at Johnson K-2 Primary
3 School (“Johnson”). TUSD’s Governing Board approved this action on April 9, 2019.

4 The proposal will better serve TUSD’s southwest community, increase enrollment in
5 Johnson, and could have positive impacts on academic performance because students would
6 not transition from Johnson to Lawrence 3-8 School in 3rd grade, the year they take the
7 AzMERIT state assessments. The change will have no impact on the racial/ethnic
8 composition of Johnson and the school has sufficient capacity to serve the additional students.
9 The change will not affect the racial/ethnic composition at Lawrence 3-8 School.

10 As described in the Desegregation Impact Analysis (DIA), the purchase will have no
11 impact on the District’s ability to meet its desegregation obligations for surrounding schools
12 or for the District as a whole. *See* Exhibit 1, Final Johnson DIA. The District submitted a
13 draft DIA to the Special Master and Plaintiffs on February 1, 2019 to solicit feedback. No
14 party objected to the proposal. The District submitted a final DIA to the Special Master and
15 Plaintiffs on March 29, 2019. Again, no party objected to the proposal.

16 As this action will not negatively affect the District’s ability to meet its USP
17 obligations under student assignment, or any other USP area, and as no party has objected to
18 this action, the District respectfully requests approval of the request to add third grade to
19 Johnson beginning in the 2019-2020 school year.

20 Respectfully submitted on April 10, 2019.

21 **TUCSON UNIFIED SCHOOL DISTRICT**
22 **LEGAL DEPARTMENT**

23 s/ Samuel E. Brown
24 Robert S. Ross
25 Samuel E. Brown
26 Attorneys for Tucson Unified School District No. 1

27 **STEPTOE & JOHNSON LLP**
28 P. Bruce Converse
Timothy W. Overton
Attorneys for Tucson Unified School District No. 1

Certificate of Service

1
2 **ORIGINAL** of the foregoing filed via the CM/ECF Electronic Notification System and
3 transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of
4 appearance in the District Court Case.

5
6 s/ Samuel E. Brown
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Tucson Unified School District – Legal Department
1010 East 10th Street, Room 24
Tucson, Arizona 85719
Telephone: (520) 225-6040