

MENDOZA PLAINTIFFS' COMMENTS ON THE SPECIAL MASTER'S
RECOMMENDATIONS AND CONTINUING OBJECTIONS CONCERNING 2019-2020
BUDGET DRAFT #3

June 13, 2019

General Comments on Special Master's June 6, 2019 Recommendations
concerning Budget Draft #3

On June 6, 2019, the Special Master provided the parties with his comments and recommendations (Special Master's R&R) concerning the District's 2019-2020 budget Draft #3 (Budget Draft #3). The Mendoza Plaintiffs agree with and therefore join in the Special Master's R&R comments and also preserve and assert as "continuing objections" their existing objections in each of those areas of the budget addressed in the Special Master's R&R. To the extent Mendoza Plaintiffs have additional comment on those areas, they include them below.

Mendoza Plaintiffs note that the Special Master's R&R does not address a number of Mendoza Plaintiffs' objections and concerns expressed in their May 20, 2019 objections, comments and questions concerning 2019-2020 USP Budget Draft #3 (MP's Draft #3 Comments) and March 28, 2019 objections, comments and questions concerning 2019-2020 USP Budget Draft #2 (MP's Draft #3 Comments)¹, most notably in the area of magnet school budgets. They address continuing objections for those areas below as well.

Additional Comments Concerning Areas Addressed in the Special Master's R&R

Support for Family Engagement (Activity Codes 701-704)

Mendoza Plaintiffs understand that rather than hire three additional professionals who are to assist school sites in implementing family engagement guidelines (and who have roles in the reorganization of student support departments), that the District intends to shift duties reflecting the equivalent of three FTEs to existing staff. The District has not provided information that would allow the Mendoza Plaintiffs to understand who these individuals are, including their current positions, the number of individuals across which such duties will be spread, how these added duties would affect these individuals' existing duties and their abilities to faithfully perform added family engagement duties. Accordingly, based on current information available to them, Mendoza Plaintiffs do not believe the District has proposed adequate funding for the extensive increased family engagement efforts that are to occur at school sites in 2019-2020. They therefore OBJECT to the lack of adequate funding for these activities.

¹ In MP's Draft #3 comments, Mendoza Plaintiffs incorporated by reference a number of their MP's Draft #2 Comment objections.

Redirected Funding for Integrative Initiatives

Mendoza Plaintiffs agree with the Special Master that the District reasonably should “withhold some significant amount of this [‘freed up’] \$2 million as an ‘integration contingency fund’ until it is determined by the District how it plans to continue to pursue integration throughout the District.” (Special Master’s R&R at 3.) As they stated in MP’s Draft #3 Comments, the Special Master has repeatedly stated that a purpose in removing magnet status from schools not achieving academic achievement or integration goals is so that money could be devoted to other integration initiatives. Yet, Mendoza Plaintiffs have not seen any indication that the proposed budget reflects integration initiatives that would not otherwise have been included in the budget if that approximate \$2 million was not available. Moreover, to the extent the District proposes to redirect those funds to transportation costs, they do not believe that the goal of increasing integration within the District is meaningfully furthered given that such costs would otherwise have been paid for with M&O funds or end-of-year budget adjustments when other desegregation funds are unexpended.

Additional Continuing Objection Concerning Areas Not Addressed in the Special Master’s R&R

Discipline: Restorative Practices and PBIS (Activity Code 601)

In MP’s Draft #3 Comments, the Mendoza Plaintiffs expressed their great concern with the District’s assertion that “existing resources” would be used to implement the Court-required completion plan that the District develop “a process to regularly assess that teachers have an understanding of District disciplinary practices, the GSRR, PBIS and restorative practices.” (See MP’s Draft #3 Comments at 4.) Their concern is now heightened given that in response to a request of a description of the developed process for assessing teacher understanding, the District appears to describe in general terms *existing* discipline-related professional development. (See RFI Response #2423.) Mendoza Plaintiffs have not been provided any information to assess whether there is adequate funding provided to implement this Court-ordered mandate. They therefore continue to OBJECT to the failure to include any funds to implement the required completion plan.

Mexican American Student Services Department (Activity Codes 511, 512, 513)

Mendoza Plaintiffs continue to OBJECT to the District’s apparent plan to reduce funding for the Department by about \$100,000 in 2019-20 notwithstanding its adoption of a revised MASSD organization and operating plan. This appears to include a reduction in staff of 1.67 FTEs in Activity Code 511, a major reduction in the important

activities related to collaborating with local colleges and universities (from about \$54,000 to about \$14,000) in Activity Code 513, and a comparable reduction in the amounts associated with conducting quarterly information and other outreach, engagement and training events (from about \$56,000 to about \$16,000) in Activity Code 512. These reductions impede the District's ability to implement the MASSD reorganization plan and the essential outreach and support contemplated by the plan.

Magnet School Budgets

No Changes in Budgets from This Year

As detailed more fully in MP's Draft #2 Comments, Mendoza Plaintiffs continue to OBJECT to the rote assignment of the same magnet budget numbers for the 2019-2020 school year as for this (and in most cases last year). What effectively are frozen magnet school budgets suggests the absence of any meaningful District assessment of how each school has been performing with respect to integration and academic achievement goals or any analysis of where more (or less) effort/resources might be expended in relation to last year and in relation to the overall goal of maximizing the performance of the District's magnet schools, taken as a group.

They further continue to OBJECT to the low amount Palo Verde has been allocated (as was true for the last two school years) which fails to provide sufficient resources to support the school. Mendoza Plaintiffs specifically OBJECT to how little Palo Verde has budgeted for tutoring (\$9800 in the 910(G) budget [down from \$10,800 last year], supplemented by only an additional \$2000 from Title I funds).

Reliance on Outside Vendors, Particularly with Respect to Tutoring Services

Mendoza Plaintiffs continue to OBJECT to the reliance on outside consultants and contractors reflected in the magnet school budgets particularly for the purpose of providing tutoring services. As detailed more fully in MP's Draft #2 Comments, the magnet school plans reflect a distinction between magnet schools that rely on outside vendors to provide tutoring (including Booth-Fickett, which was rated as a "D" school in 2017-18) and others that use knowledgeable site-based personnel to better target educational intervention efforts. Beyond the fact that the better targeted approach that successful magnets have employed are not being employed at magnets in need of improvement, the distinction illustrates failure of the District to oversee the magnet schools and the development of their plans and budgets in a manner that results in the schools in need of improvement adopting successful practices.

Inadequate Focus on Recruitment and Family Engagement

Mendoza Plaintiffs continue to OBJECT to projected reductions in expenditures for recruitment and family engagement at the magnet school level wherever they appear in the 2019-2020 magnet school plans. (See, for example, MP's Draft #2 Comments at 9 where they describe reductions in the Bonillas plan for teacher attendance at recruitment events and at evening family engagement opportunities.)

Professional Development Assessment

Given that the Special Master has not yet had input into the District's professional development plan, that the District has made reference to forthcoming collaboration with the special master concerning the professional learning completion plan (RFI #2254), and that it stated (in its Draft # 2 Cover Letter) that providing rationales for changes in dozens of proposed trainings is premature, Mendoza Plaintiffs defer comment on the "Professional Development Assessment" and reserve their rights to do so and to interpose objections as appropriate once the "Professional Development Assessment" is further developed and refined and District rationales have been provided.