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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.,
15 Plaintiffs,
16 v.
17 Tucson Unified School District No. 1, et al.,
18 Defendants.
19 Maria Mendoza, et al.,
20 Plaintiffs,
21 v.
22 Tucson Unified School District No. 1, et al.,
23 Defendants.

4:74-cv-0090-DCB
(Lead Case)

4:74-cv-0204 TUC DCB
(Consolidated Case)

23 **SUPPLEMENTAL NOTICE AND REPORT OF COMPLIANCE:**
24 **STUDY OF STRATEGIES FOR FOSTERING INCLUSIVENESS**
25 **AND CULTURES OF CIVILITY**
26

1 The Special Master recommended (ECF 2096 at 55) and the Court ordered (ECF
2 2123 at 123-124) the District to assess the levels of inclusiveness and civility experienced
3 by students at the District. The District did so, collaborating with the Special Master on
4 the design of the study, and reported the results to the Court and parties in its filing on
5 December 6, 2018. [ECF 2156-1.] As noted by the Court, no objection was raised
6 regarding the study or its conclusions. [ECF 2217 at 14.]

7 The District believed that the high levels of inclusivity and civility reported, and
8 the fact that the results did not differ materially by race or ethnicity, were the best
9 evidence of the effectiveness of the strategies employed by the District to foster
10 inclusiveness and civility, and obviated the current need for a study of the effectiveness
11 of those strategies. [ECF 2156.] The Court disagreed, and ordered the District to
12 undertake a study of the effectiveness of the current strategies, and determine if there
13 were other strategies that should be employed. [ECF 2217 at 14.]

14 Accordingly, the District has now conducted such a study, a copy of which is
15 attached as Exhibit A, again in collaboration with the Special Master. In particular,
16 District staff met with the Special Master to discuss the approach to the study when he
17 visited the District during the week of May 6, 2019, and then subsequently provided a
18 draft of the study for his review. The Special Master provided helpful comments and
19 suggestions, most of which the District has now incorporated into the final version of the
20 study.

21 The study concludes that the strategies currently utilized by the District are
22 generally recognized as effective and best practices, used in one form or another by other
23 districts which have also reported positive results from use of these strategies. The
24 District will continue to build on the success achieved so far, and has identified one
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1 additional strategy which it might employ should monitoring disclose a need for an
2 additional approach.

3 The District respectfully submits that it has complied with the Court's order, and
4 requests that the Court grant partial unitary status in this area of District operations (USP
5 § V.F).¹

6 Dated this 1st day of July, 2019.

7
8 Respectfully submitted,

9 /s/P. Bruce Converse

10 P. Bruce Converse

11 Timothy W. Overton

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15 *Attorneys for Tucson Unified School*

16 *District No. 1*

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22 _____
23 ¹ The District submits this notice and report without waiver of its objections that there is
24 no basis in fact or law for continued federal court supervision of the District in this or any
25 other area, including the requirement of preparing the attached plan, given the findings of
26 Judge Frey in 1978, subsequent rulings of this Court, and the record herein. The District
recognizes that the Court has overruled these objections, and that they are the subject of a
pending appeal before the 9th Circuit.

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of July, 2019, I electronically transmitted the attached foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic filing to all CM/ECF registrants.

/s/ P. Bruce Converse