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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)

24 **NOTICE OF FILING**
25 **REVISED AASSD and MASSD OPERATING PLANS**
26

1 The Court directed the District to prepare and file a notice and report of compliance
2 with its directive to prepare plans for operating the African American Student Services
3 Department (AASSD) and Mexican American Student Services Department (MASSD)
4 beyond a declaration of unitary status. [ECF 2123 at 121-22, 150.] The District prepared
5 and filed those plans on December 6, 2018. [ECF 2151-1 and 2151-2, respectively.] In a
6 subsequent order, the Court ordered the District to revise the plans and resubmit them.
7 [ECF 2213 at 3-10, 17-19.]

8 The District has revised the plans by providing a narrative explanation of the roles
9 and functions of the various key positions in these departments, addressing whether the
10 function or service provided is academic, behavioral or outreach, and also identifying
11 whether the roles of the department in those functions is supportive, supplemental or
12 additional. The plans also identify and cross-reference other departments involved in those
13 functions. The revised plans also reflect some evolution since the original filing, based on
14 experience in the interim.

15 The District respectfully submits that it has complied with the Court's orders, and
16 has met the requirements set out in USP § V.E.7 and 8, as shown by the record herein,
17 including its annual reports on student support services.¹ Accordingly, the District requests
18 that the Court grant unitary status in this area of District operations (USP § V.E.7 and 8).²

21 ¹ Compliance with USP student support services requirements is addressed in the record
22 at the following specific locations incorporated herein by reference: ECF 2057-1, pp.
23 275-319 and appendices cited therein; ECF 2124-1, pp. 89-111 and appendices cited
24 therein; ECF 2075-5, pp. 94-182 and documents cited therein.

25 ² The District submits this notice filing without waiver of its position that there is no
26 basis in fact or law for continued federal court supervision of the District in this or any
other area, given the findings of Judge Frey in 1978, subsequent rulings of this Court,
and the record herein. The District recognizes that the Court has overruled these
objections, but wishes to make clear that they are preserved for appeal.

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Dated this 30th day of August, 2019.

Respectfully submitted,

/s/P. Bruce Converse
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CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of August, 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