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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 **ALE POLICY MANUAL**

1 The Court directed the District to prepare and file an ALE Policy Manual meeting  
2 the requirements set out in its September 6, 2018 order. [ECF 2123 at 45-98, 150.]

3 The District has prepared and attached documents which together meet those  
4 requirements. The ALE Policy Manual (attached as Exhibit A) sets out the fundamental  
5 District policies with respect to the value of advanced learning experiences, and equitable  
6 access, participation and completion of those experiences by students of all racial and  
7 ethnic groups. The Policy Manual also describes the particular types of advanced  
8 learning experiences provided by the District. This document is designed to serve as  
9 guide for implementation of these District policies on a going forward basis.

10 The District has also prepared an ALE Progress Report (attached as Exhibit B).  
11 The Progress Report responds to the Court's specific directives and requests for  
12 information that did not rise to the level of broad policy, either in scope or time, and is  
13 designed to provide the information to determine that the District has complied with the  
14 requirements of Section V.A of the Unitary Status Plan.

15 The District also has provided the operating plan of the District for the ALE  
16 Department for the 2019-20 school year. The ALE Department is led by a director, who  
17 reports to the Assistant Superintendent for Curriculum and Instruction. The ALE  
18 Department is the primary operating unit within the District charged with implementation  
19 of the District's policies and plans with respect to advanced learning experiences. The  
20 ALE Department works with other departments in various aspects of its mission to  
21 establish and maintain ALEs, and promote equitable access, participation and completion  
22 of these experiences by all student groups.

23 The ALE Department, like others, follows an operating cycle through the school  
24 year, starting with the implementation of the current year's operating plan, collection of  
25

1 data through the year (regarding access to ALEs, participation, and completion), review  
2 and assessment, and development of the following year's operating plan. In some sense,  
3 the Progress Report (Exhibit B) is a larger version, or analog, of the annual review and  
4 assessment undertaken by the District each year; the operating plan is the result of the  
5 analysis in the Progress Report.

6 The District respectfully submits that these documents meet the requirements of  
7 the Court's order, and that the Progress Report (and the record herein, including the  
8 District's annual reports along with the prior assessment filed by the District<sup>1</sup>)  
9 demonstrate that the District is entitled to unitary status. Accordingly, the District  
10 requests that the Court grant unitary status in this area of District operations (USP §  
11 V.A).<sup>2</sup>

12 Dated this 30<sup>th</sup> day of August, 2019.

13 Respectfully submitted,

14 /s/P. Bruce Converse

15 P. Bruce Converse

16 Timothy W. Overton

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*District No. 1*

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20 <sup>1</sup> Compliance with USP requirements regarding advanced learning experiences is  
21 addressed in the record at the following specific locations incorporated herein by  
22 reference: ECF 2057-1, pp. 176-223 and appendices cited therein; ECF 2124-1, pp. 50 -  
23 73 and appendices cited therein; ECF 2092-1 and documents cited therein.

24 <sup>2</sup> The District submits this notice filing without waiver of its position that there is no basis  
25 in fact or law for continued federal court supervision of the District in this or any other  
26 area, including the requirement of preparing the attached plan, 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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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30<sup>th</sup> 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