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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 <span style="float: right;">Plaintiffs,</span> v. 16 Tucson Unified School District No. 1, et al., 17 <span style="float: right;">Defendants.</span>	4:74-cv-0090-DCB (Lead Case)
18 Maria Mendoza, et al., 19 <span style="float: right;">Plaintiffs,</span> v. 20 Tucson Unified School District No. 1, et al., 21 <span style="float: right;">Defendants.</span>	

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 23 **NOTICE OF FILING REMAINING**  
 24 **DOCUMENTS REQUIRED BY BUDGET ORDER [2272]**  
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1 In its budget order dated September 10, 2019, the Court directed the District to file  
2 certain documents. [ECF 2272 at 18-19.] The District previously filed three of those  
3 documents. [ECF 2289.] The remaining two documents are attached to this notice.

4 The Magnet School MSP Comparison Report is attached hereto as Exhibit A.

5 The Proposed 910G/other funding ratios for cross-over benefit programs are  
6 attached as Exhibit B.

7 The District has only today been able to finalize its identification of cross-over  
8 benefit programs and the corresponding analysis of funding sources and proposed funding  
9 ratios. The District has not yet been in a position to consult with plaintiffs and the Special  
10 Master on these proposed ratios, but will do so in an attempt to reach agreement on some  
11 or all of these issues. The District believes that, when actual non-910G sources of funding  
12 for cross-over benefit programs are considered, there will not be a significant issue with  
13 the current budget adopted for SY19-20.

14 However, the District objects to any percentage limit on funding of a program that  
15 otherwise qualifies for funding under §910(G), to the extent that the limit is based on  
16 cross-over benefits. There is no requirement in that state statute that qualifying programs  
17 may only be funded to the extent that particular student populations receive benefits from  
18 the program. The District also objects that assessment of the proportion of benefits from  
19 a program received by various groups of students is unworkable in the budget/funding  
20 context, because it is subject to widely varying judgements, may be largely indeterminate,  
21 and may change from year to year.

22 By complying with the Court's order to propose funding ratios for cross-over  
23 benefit programs, the District is not waiving these objections.  
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Dated this 30<sup>th</sup> day of September, 2019.

Respectfully submitted,

/s/P. Bruce Converse

P. Bruce Converse

Timothy W. Overton

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*District No. 1*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30<sup>th</sup> day of September, 2019, I electronically transmitted the 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