

1 P. Bruce Converse (#005868)
Timothy W. Overton (#025669)
2 **DICKINSON WRIGHT PLLC**
1850 N. Central Avenue, Suite 1400
3 Phoenix, Arizona 85004-4568
bconverse@dickinsonwright.com
4 toverton@dickinsonwright.com
courtdocs@dickinsonwright.com
5 Phone: (602) 285-5000
Fax: (844) 670-6009

6 Robert S. Ross (#023430)
7 Samuel E. Brown (#027474)
TUCSON UNIFIED SCHOOL DISTRICT
8 **LEGAL DEPARTMENT**
1010 East Tenth Street
9 Tucson, Arizona 85719
Robert.Ross@tusd1.org
10 Samuel.Brown@tusd1.org
Phone: (520) 225-6040
11 *Attorneys for defendant*
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 **SUPPLEMENTAL NOTICE OF COMPLIANCE:**
25 **GOALS FOR ELL DROPOUT AND GRADUATION RATES**
26 **[2217 and 2273]**

1 The Court directed the District to prepare and file a supplemental notice of
2 compliance with its directive to consider whether current goals for ELL graduation and
3 dropout rates were sufficiently ambitious. [ECF 2217 at 5 and 2273 at 3.] The District has
4 done so, as part of its regular DPG Plan annual progress review and monitoring. The
5 District determined to increase the graduation rate goals this year because the District had
6 met existing goals in the past two years, and to maintain dropout goals for ELL students
7 at rates lower than the non-ELL population. The District reports each year on that annual
8 progress review and monitoring in an appendix to its Annual Report. This year, that
9 report appears as Appendix V-32, Annual Goals and Progress Monitoring. A copy of that
10 appendix is attached hereto as Exhibit A.

11 The District respectfully submits that it has complied with the Court's orders, and
12 has met the USP requirements for dropout prevention and ELL students as shown by the
13 record herein, including its annual reports and its prior assessment of compliance.¹
14 Accordingly, the District requests that the Court grant unitary status in this area of District
15 operations (USP § V.E.1.b.i).²
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20 ¹ Compliance with USP requirements for ELL students and dropout prevention is
21 addressed in the record at the following specific locations incorporated herein by
22 reference: ECF 2057-1, pp. 242-262 and appendices cited therein; ECF 2124-1, pp. 79-
82 and appendices cited therein; ECF 2075-5, pp. 39-72, 290-311 and documents cited
therein.

23 ² The District submits this notice filing without waiver of its position that there is no
24 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 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 1st day of October, 2019.

Respectfully submitted,

/s/P. Bruce Converse

P. Bruce Converse

Timothy W. Overton

DICKINSON WRIGHT, PLLC

1850 N. Central Avenue, Suite 1400

Phoenix, Arizona 85004-4568

Attorneys for Tucson Unified School

District No. 1

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of October, 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