1 2 3 4 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF ARIZONA 7 8 Roy and Josie Fisher, et al., 9 Plaintiffs, 10 v. 11 United States of America, 12 Plaintiff-Intervenor, 13 CV 74-90 TUC DCB (Lead Case) v. 14 Anita Lohr, et al., 15 Defendants, 16 and 17 Sidney L. Sutton, et al., 18 Defendants-Intervenors, 19 20 Maria Mendoza, et al., 21 Plaintiffs, 22 United States of America, **CV 74-204 TUC DCB** 23 Plaintiff-Intervenor, (Consolidated Case) 24 v. 25 Tucson Unified School District No. One, et al., 26 Defendants. 27 28

Overview

SPECIAL MASTER'S REPORT AND RECOMMENDATION RELATING TO BUDGETARY SUPPORT FOR READING RECOVERY

Reading Recovery is one of the strongest strategies for bringing struggling K-3 students up to grade level proficiency in reading. It is, however, very expensive involving "direct instruction" – one especially trained teacher to teach four students per semester – and "indirect instruction" by the Reading Recovery teacher to teach an average of 20 students in small groups each year.

Analysis

Because of its high cost, it is not feasible to offer Reading Recovery to all students who need help to improve reading. Despite its costs, Reading Recovery was selected as an additional intervention at the recommendation of the Special Master and the reading specialists in the District in part because of its effectiveness and also because it is one of the few programs that can be readily targeted at African American students who are struggling readers but are integrated in schools throughout the District in relatively small numbers in each school.

Analysis

The Mendoza plaintiffs object to the District's practice of prioritizing African American student access to Reading Recovery. This prioritization has to do with the unique characteristics of the program and the fact that African American students districtwide trail Latino and white students in reading proficiency. Despite this prioritization, significantly more Latino students than African American students participate in Reading Recovery (four times as many – see Doc. 2333). To increase the number of students who have the opportunity to participate in reading recovery, the District has added two itinerant reading recovery teachers for the current school year.

1 The District teaches all students to read using a common curriculum. For those students 2 who are not achieving at expected levels, the District assigns those students based on performance 3 to two levels of intervention to the extent practicable. Students who are struggling most are likely 4 to participate in Reading Recovery in either direct or indirect modes given the limitations in the 5 number schools where the program is implemented. Other students who need exceptional help 6 with reading have the opportunity to learn using one or more of four other programs (see Doc. 7 2333). Schools initially identified as needing supplemental reading intervention are given the 8 9 option of selecting one or more of the other reading interventions. For example, Ochoa 10 elementary school was considered for Reading Recovery but has implemented other options and 11 chose not to participate in Reading Recovery because its professional staff was confident that the 12 use of other strategies was working. 13 Recommendation 14 The Court should approve the District's proposed budget for Reading Recovery for the 15 16 current school year. 17

Respectfully submitted,

Willis D. Hawley Special Master

Dated: October 23, 2019

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CERTIFICATE OF SERVICE I hereby certify that on October 23, 2019, I electronically submitted the foregoing via the CM/ECF Electronic Notification System and transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of appearance in the District Court Case. Andrew H. Marks for Dr. Willis D. Hawley, Special Master