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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Roy and Josie Fisher, et al.,

Plaintiffs,

v.

United States of America,

Plaintiff-Intervenor,

v.

Anita Lohr, et al.,

Defendants,

and

Sidney L. Sutton, et al.,

Defendants-Intervenors,

CV 74-90 TUC DCB  
(Lead Case)

Maria Mendoza, et al.,

Plaintiffs,

United States of America,

Plaintiff-Intervenor,

v.

Tucson Unified School District No. One, et al.,

Defendants.

CV 74-204 TUC DCB  
(Consolidated Case)

1                   **SPECIAL MASTER’S REPORT AND RECOMMENDATION**  
2                   **RELATING TO SUPPORT FOR BEGINNING TEACHERS**

3                   **Overview**

4                   The Special Master files this Report and Recommendation relating to the number,  
5 placement and support of first and second-year teachers. This Report and Recommendation is a  
6 response to the Mendoza plaintiffs’ objections to the District’s description of its activities and  
7 policies relating to the support of beginning teachers. The Mendoza plaintiffs assert that there are  
8 a number of inconsistencies or errors in the data presented by the District with respect to the  
9 number of teachers eligible for mentoring. In its filing on October 10 and in subsequent revisions  
10 of information provided to the Special Master, the District provides much of the information  
11 relevant to the Mendoza concerns.<sup>1</sup> However, the plaintiffs and the Special Master would need to  
12 engage in the reorganization of the information provided, something the District could do much  
13 more easily and at less cost of the District. This will allow the plaintiffs and the Special Master to  
14 understand and monitor the implementation of the strategies the District employs.

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17                   It is important to recognize that the District’s support for beginning teachers is exemplary.  
18 Its strategies prior to the USP were very good, and the level of support provided now is even  
19 better. Of particular note, is the District's identification of a broad range of sheltering/mitigating  
20 practices that will contribute to professional improvement and teacher retention. Which of these  
21 practices the school will use for individual teachers is up to the principal. Thus far, the District  
22 has not reported on where and why these practices are employed.

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24                   There is only one change the Special Master recommends in the District's program for  
25 beginning teachers support: one element of the District’s support is the provision of seminars on

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28                   <sup>1</sup> All of the information provided to the Special Master should be provided to the plaintiffs.

1 selected topics. Research tells us that if there is no follow-up in the form of personal feedback to  
2 individuals as they teach, it is not likely that the effect of these seminars will be substantial. The  
3 District has made a commitment to job embedded professional learning and this is an instance in  
4 which that approach is particularly important.

5  
6 The Special Master has identified a number of questions that are relevant to the  
7 fundamental question at issue: has the District budgeted for the appropriate support for beginning  
8 teachers as provided for in the USP? As noted, the District has provided much of this information  
9 needed to answer the questions.

- 10 1. How many first-year teachers were hired in this 2019-20 school year?
- 11 2. How many of the first-year teachers hired are working in racially concentrated  
12 (RC) schools and schools performing below the District average?
- 13 3. How many second-year teachers are employed in the District?
- 14 4. What are the mitigating /sheltering strategies that are being used to support  
15 specific teachers in their first year teaching at specific RC schools and those  
16 schools achieving below the District average?
- 17 5. How many second-year teachers are teaching in RC schools and those performing  
18 below the District average?
- 19 6. How many hours of mentoring do teachers in the four categories above receive  
20 during the school year?
- 21 7. Does the current year budget provide for a sufficient number of mentors and the  
22 mitigating/sheltering strategies.
- 23
- 24

25 Answers to these questions will not only address the budget questions for the current year  
26 but will establish formulas for future funding of support for beginning teachers.  
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1 Recommendations

2 The Court should require the District to answer the questions identified above and provide  
3 the answers to the plaintiffs and the Special Master. Assuming that this allows a reliable  
4 assessment that confirms the adequacy of the District's budget for supporting beginning teachers,  
5 the District should be awarded partial unitary status for its support for beginning teachers.  
6

7 Given the quality and the high cost of teacher support for beginning teachers in TUSD, the  
8 Special Master also recommends that the Court relieve the District of responsibility for the  
9 exceptional support for beginning teachers in racially constituted schools when the school as a  
10 whole, and African American and Latino students, are achieving above the District average. In  
11 these higher achieving schools, there are likely to be a number of very good teachers who serve as  
12 implicit and explicit support for beginning teachers. The current provisions of the USP would  
13 continue to apply to both first and second year teachers in low achieving schools but the rationale  
14 for the current policy is dubious at best and implies that a student's race, in itself, makes the  
15 student more difficult to teach.  
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17 Respectfully submitted,

18 \_\_\_\_\_  
19 /s/  
20 Willis D. Hawley  
21 Special Master

22 Dated: October 29, 2019  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 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.

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Andrew H. Marks for  
Dr. Willis D. Hawley,  
Special Master