

**TUCSON UNIFIED SCHOOL DISTRICT**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

<p>Roy and Josie Fisher, et al., Plaintiffs,</p> <p>v.</p> <p>Tucson Unified School District No. 1, et al., Defendants.</p>	<p>4:74-cv-00090-DCB (Lead Case)</p>
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<p>Maria Mendoza, et al. Plaintiffs,</p> <p>v.</p> <p>Tucson Unified School District No. 1, et al., Defendants.</p>	<p>CV 74-204 TUC DCB (Consolidated Case)</p>
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**NOTICE AND REQUEST FOR APPROVAL**

**RE-OPENING OF WAKEFIELD MIDDLE SCHOOL**

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1 The Tucson Unified School District, No. 1 (“TUSD” or the “District”), hereby submits  
2 this Notice and Request for Approval to re-open Wakefield Middle School as an open-access,  
3 high-achieving, no-boundary, integrated, south-central middle school. If approved, it will  
4 become the second no-boundary middle school in TUSD (Dodge is the first), featuring a lab  
5 school in partnership with the University of Arizona, after-school programming in  
6 partnership with non-profit Higher Ground, and an express bus and a modified lottery to  
7 improve integration and access for traditionally underserved students seeking preparation for  
8 high school ALE programs like University High School, the IB program at Cholla, and the  
9 AP program at Pueblo, and all AP and Honors courses at all high schools.

10 The District has discussed various scenarios with the parties, including a draft  
11 Desegregation Impact Analysis (DIA). After considering party feedback, the District revised  
12 the DIA and presented it to its Governing Board on November 12, 2019. The Revised DIA  
13 reveals that Wakefield will be an integrated school, and it will not significantly affect  
14 surrounding schools or negatively impact the District’s ability to fulfill its obligations under  
15 the USP. For these reasons, as described below, the District requests approval of this request.

16 **A. Background**

17 Wakefield would add a 6th grade each year for three consecutive years. Each grade  
18 would initially enroll 80 to 150 students, depending on the attractiveness of the program and  
19 utilization of the lottery to meet integration goals. Ultimately, the school will enroll  
20 approximately 140 students per grade, much like Dodge MS, factoring attrition and mobility.

21 In 2013, the District closed Wakefield middle school in the face of a budget shortfall.  
22 At the time, Wakefield was a “D” school with over 93 percent Latino enrollment. Although  
23 Wakefield closed in 2013, the facility is used for various purposes, including the Higher  
24 Ground Resource Center (HGRC), the Family Center, the Lapan College Club, Mentoring  
25 Tucson Kids, and records storage. TUSD has made capital investments to the HVAC system  
26 and roof repairs – maintaining the building in good condition. Re-opening requires a reduced  
27 HGRC footprint and relocation for the remaining tenants except for the Lapan College Club.

1 **B. Desegregation Impact Analysis (DIA)**

2 The proposal has three key objectives: 1) create an integrated middle school in a  
3 racially concentrated area of the District; 2) develop new teachers through a “lab school”  
4 model in partnership with the University of Arizona; and 3) strengthen the ALE pipeline at  
5 the middle school level. See Exhibit 1, Revised DIA.

6  
7 **1. Creating an Integrated Middle School in a Racially Concentrated Area of TUSD**

8 The DIA projects three primary sources of student enrollment: open-enrollees (TUSD  
9 resident students enrolled in TUSD schools), recruits (TUSD resident students enrolled in  
10 non-TUSD schools), and non-resident students from other districts. Open-enrollees are  
11 projected to make up approx. 90 percent of the Wakefield students. Recruits and students  
12 from other districts will make up 5 percent, each, of the total enrollment.

13 Initial projections, based on current open enrollment patterns, set the racial/ethnic  
14 composition at 71% Hispanic, 13% Anglo, 7% African American, 4% Native American and  
15 4% Asian/Pacific Islander and Multiracial. From this projection, only ten fewer Hispanic  
16 students would result in an integrated school. However, the District will implement three  
17 strategies to improve Wakefield’s diversity beyond these initial projections: targeted  
18 recruitment; express busing; and a modified lottery.

19  
20 *a. Targeted Recruitment*

21 Wakefield’s racial-ethnic composition can be controlled by recruiting from groups and  
22 areas that will produce a diverse enrollment pool. As part of its 2018 comprehensive study,  
23 the District identified census tracts with 30 or more “white” or “white and Hispanic” 5<sup>th</sup>  
24 through 8<sup>th</sup> grade students who live within TUSD but do not attend TUSD schools. See  
25 Exhibit 2, Student Demographic Estimates by Census Tract, 5<sup>th</sup> – 8<sup>th</sup>. There are more than a  
26 dozen of these areas are within five miles of Wakefield. The District will target its  
27 recruitment efforts towards these areas to increase the diversity of the enrollment pool.

1 *b. Express Bus / Incentive Transportation*

2 The identified areas in Exhibit 2 also serve as “incentive zones” because they have  
3 enough target students to help integrate Wakefield. The District will develop at least one  
4 express bus route that utilizes an existing bus route that picks up from a “hub” (transfer point)  
5 within, or near, an incentive zone. The District outlined this strategy in its transportation  
6 plan.<sup>1</sup> An express bus is an important transportation incentive for interested parents and  
7 students living some distance from Wakefield. Thus, an incentive transportation express bus  
8 to Wakefield MS will work the same way magnet transportation works for Dodge MS to  
9 remove distance as a barrier to interest and enrollment.

10  
11 *c. Modified Lottery*

12 Current open enrollment patterns, supplemented with targeting recruiting and the  
13 promotion of an express bus (or buses), should result in a diverse enrollment pool. In  
14 addition, the District will institute a modified lottery to maximize the integration and to  
15 prepare larger cohorts of traditionally underserved students for high school ALE options.

16 Dodge MS currently produces a disproportionately high number of UHS-qualified  
17 students. In 2018-19, more than half of the Native American and African American students  
18 who applied to Dodge MS were not offered placement because the lottery seeks to match the  
19 District enrollment averages based on race and ethnicity. In 2018-19, the District averages  
20 at the middle school level were 10% and 3% for African American and Native American  
21 students, respectively. So, by way of example, if Dodge (or a new Wakefield) offered 100  
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23 <sup>1</sup> See Transportation Plan (ECF 2270-4 at 4), stating “the District seeks to maximize  
24 transportation routes to improve integration while limiting cost in two ways...:

- 25 • *Maximize the use of incentive transportation.* By changing the interpretation of eligibility  
26 to permit east to west routes that may improve integration to non-magnet schools  
27 • *Limit costs by utilizing existing routes rather than adding routes.* This flexible approach  
28 means that there may be situations where a bus serving a magnet school also serves a non-magnet  
school – bringing targeted students to more than one school to improve integration...”

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1 6<sup>th</sup> grade seats, only 13 African American and Native American students would be placed. In  
2 a modified lottery, the District will increase the number of placements for Native American  
3 and African American students. This both maximizes the integration potential of the  
4 enrollment pool, and serves to prepare larger cohorts for high school ALE options like UHS.  
5

6 **2. Developing new teachers through a “lab school” in partnership with the U of A**

7 A laboratory school (a.k.a. “lab school” or “demonstration school”) is an elementary  
8 or secondary school operated in association with a university, college, or other teacher  
9 education institution and used for the training of future teachers, educational experimentation,  
10 educational research, and professional development. In partnership with the University of  
11 Arizona, Wakefield will serve as a lab school for experimenting with new approaches and  
12 expectations for students, and for training future TUSD teachers.

13 Wakefield will employ a cohort of master teachers, those with demonstrated  
14 experience and results, working in conjunction with student teachers. Master teachers will  
15 provide high-quality teaching for students and also structured mentoring and job-embedded  
16 learning for student teachers. Thus, Wakefield will develop a culture of high academic  
17 expectations and achievement outcomes for its students, and it will develop student teachers  
18 to address teacher shortage and vacancies at other TUSD schools.

19  
20 **3. Strengthening the ALE pipeline at the middle school level**

21 The District currently offers many GATE ALE programs at the elementary school  
22 level (Cluster, Open-Access, Self-Contained, Pull-Out), one middle school program  
23 (resource GATE), and several high school ALE programs (UHS, IB, AP, Dual-Enrollment).  
24 Wakefield will strengthen ALE offerings at the middle school level by offering accelerated  
25 classes, high expectations, and a culture of advanced learning that is supported by the Higher  
26 Ground after-school program and the Lapan College Club. Wakefield in the future, as Dodge  
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1 does now, will prepare and qualify disproportionately higher numbers of students for entry  
2 into UHS and other high school ALE options.

### 3 4 **C. Impacts to Desegregation Obligations**

5 As described above, this proposal supports student assignment efforts by creating an  
6 integrated school in an area of high racial concentration (USP §II) and transportation efforts  
7 by utilizing incentive transportation and express busing (USP §III). The District will apply  
8 the Teacher Diversity Plan to ensure a diverse teaching staff (the school will likely only have  
9 one administrator), and will “grow-our-own” teachers through the lab school model (USP  
10 §IV). Wakefield will improve the future enrollment, participation, and preparation of  
11 traditionally underserved students in high school ALE programs, particularly UHS (USP §V).  
12 No-boundary schools, like Dodge, traditionally have very good discipline rates as they attract  
13 students from diverse areas, and students and families recognize their enrollment is a  
14 privilege and not a right, leading to higher levels of student and family engagement (USP §  
15 VI and VII). As partners with Higher Ground, Wakefield will be able to offer extracurricular  
16 activities, and a free after-school program, with options such as robotics and jujitsu that are  
17 not available in other TUSD middle schools (USP §VIII). The facilities have been kept in  
18 relatively good condition over the years, and if opened, the District will upgrade its  
19 technology infrastructure to provide 21<sup>st</sup> Century learning environments (USP § IX). Finally,  
20 as a lab school in partnership with the U of A, Wakefield will pilot research/evidence based  
21 strategies, learn from them, and seek to replicate best practices to other TUSD middle schools  
22 (USP § X). There are no projected negative impacts to other areas of USP implementation.

### 23 24 **D. Impacts to Other Schools**

25 Most other Tucson Unified middle schools would be affected, but in all cases the  
26 relative number of students the school would send is small and the racial-ethnic composition  
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28

1 is almost identical to the existing composition so the impacts are virtually nil (and may even  
2 relieve overcrowding at some middle or K-8 schools).

3 **Conclusion**

4 On November 12, 2019, the Governing Board approved the submission of this request  
5 to the Court for approval. The Special Master and Department of Justice have indicated some  
6 levels of preliminary support for the high school; the Fisher and Mendoza plaintiffs have not.  
7 The District looks forward to continuing conversations with the plaintiffs to respond to  
8 requests for information or to address remaining concerns, if possible, prior to the Special  
9 Master’s report and recommendation. For these reasons, as described above and in the  
10 attached DIA, the District respectfully requests approval.

11 Respectfully submitted on November 19, 2019.

12 **TUCSON UNIFIED SCHOOL DISTRICT**  
13 **LEGAL DEPARTMENT**

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**Certificate of Service**

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2 **ORIGINAL** of the foregoing filed via the CM/ECF Electronic Notification System and  
3 transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of  
4 appearance in the District Court Case.  
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7 s/ Samuel E. Brown  
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