

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**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**
2 **RECOMMENDATION REGARDING THE**
3 **REVISIONING OF STUDENT SUPPORT DEPARTMENTS**

4 As the redesign of the Student Support Departments (SSDs) is reconsidered, it is
5 important to know what they cannot do. First, key personnel cannot provide direct services to
6 individual teachers or students relating to routine instruction and professional performance
7 because there are just too few of these key staff. Second, in order to provide training or advice to
8 District leaders, key personnel will have to have more expertise and experience than is being
9 called for in the proposals offered by the District thus far. Serious professionals do not like to
10 take advice from people they feel are not as experienced or as well-qualified as they are. It is also
11 important to recognize what the staff of SSDs do not need to do – which is to duplicate activities
12 that are the responsibility of other organizational units and personnel.

13
14 The Special Master has worked with District staff and has had discussions with Fisher and
15 Mendoza plaintiffs to arrive at a reorganization of the SSDs that will enhance the contributions
16 they can make to enhancing student outcomes. In that process there have been a number of drafts
17 exchanged. The most recent proposal from the District specifies that the key personnel in the
18 reorganized departments have excessive numbers of responsibilities (as many as 13), which
19 makes it difficult for staff of the two departments to work together, describes activities the
20 departments would undertake that involve direct services to individuals at the school level similar
21 to those already being delivered, and appear to include management activities.

22
23 The proposal herein being offered by the Special Master seeks to prioritize certain
24 responsibilities that are described in previous proposals for reorganizing the departments.
25 Pursuant to the Court’s order (Doc. 2359), this reorganization proposal does include some
26 activities that do not duplicate work now being done by the District. This proposal also seeks to
27 align the activities of key personnel in both departments so that collaboration is facilitated,
28

1 technology shared, and common action can be pursued when appropriate.¹ Of course, some
2 issues that need to be addressed would be particularly relevant to students of a given race, such as
3 issues in which language facility is involved or outreach to families and community
4 organizations.

5
6 Key Personnel and Primary Responsibilities

7 Both departments would have a director, an assistant director and an administrative
8 assistant. In addition, each department would have four “equity specialists” who would be
9 required to have at least a master’s degree in education or counseling, or in another related field
10 involving work with young people and experience related to their responsibilities. These
11 specialists would be responsible for one of the following domains in each department:

- 12 1. Mathematics achievement,
- 13 2. Literacy achievement,
- 14 3. Discipline, including restorative practices, PBIS and school culture, and
- 15 4. Community and family engagement (including student truancy).

16
17 Each department would have three “Equity Facilitators” (positions to be retitled by the
18 District) with responsibilities such as:

- 19 1. College and career exploration and success,
- 20 2. Public relations and community events, and
- 21 3. Implementation of activities and programs that do not involve direct services that
22 could more effectively be performed by other departments (e.g., student leadership
23 development, teacher cadet programs and mentoring programs not related to
24 academic subject matter).

25
26 _____
27 ¹ Most of the District schools serve both African-American and Latino students and improvement
28 of student achievement or other outcomes could not be undertaken by focusing only on students of one
race.

1 Facilitators would not necessarily require a master’s degree. The District may define the specific
2 responsibilities of each of the facilitators and may determine that one of these positions is not
3 necessary.

4
5 Priority Responsibilities for Each Equity Specialist within Their Domains:

- 6 1. Review and synthesize research on best practices and develop an inventory of
7 promising practices in other Districts similar to TUSD.

8 Coordinators would be expected to attend one or two major national
9 conferences and pursue opportunities to present at such meetings. They would
10 serve as resource professionals for senior leaders and professional learning
11 communities in schools.

- 12 2. Monitor trends in student outcomes identifying exceptional performance of the
13 students in particular schools or subjects as well as of potential concern.

14 They would share their analyses with District leaders.

- 15 3. Identify needs for professional enhancement and assist in the development and
16 provision of professional learning opportunities within their domain of expertise.

17 Secondary Responsibilities for Each Equity Specialist:

18 When the District has implemented this new reorganization and determined how much
19 time is required to perform the primary duties of the equity specialists and equity facilitators
20 (listed above), it may add responsibilities within each domain so long as these responsibilities do
21 not duplicate services or provide direct services to individuals and schools on a continuing basis.
22 An exception to this stipulation that arises from the Court (Doc. 2359) when direct student
23 services may be assigned “*only when such services cannot be more effectively provided by the*
24 *school staff.*” Such services could include Saturday academies, the supervision of college student
25 mentors for high school students, support for Teacher Cadet programs, support for MTSS Leads,
26 and Latinx and African American male and female mentoring and leadership programs, including
27 needed personnel for this last program.
28

CERTIFICATE OF SERVICE

I hereby certify that on December 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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28