

EXHIBIT N

TUSD RFI #(s): #2272 - 2304
Estimated TUSD Staff Time: 10 hours
Attachment(s):

-----Information above this line is to be completed by District Staff -----

TUSD Request for Information Form

RFI Instructions

1. TUSD will then assign each request its TUSD RFI number.
2. Provide the topic of the request (e.g., Corrective Action Plans)
3. Present the RFI in the form of one or more specific questions.
4. Optional: For every question/request on the form, please indicate include the reason(s) why the information being requested is needed.
5. Indicate the relevant section of the USP, court order, district report or other document (i.e., reference) that relates to RFI. Page numbers may be more appropriate in some instances).
6. Use a separate form for each specific topic about which information is being requested unless the answers to the questions posed are interdependent or relate to the same section of the document you are referencing (e.g., the USP).
7. Copy the TUSD email group “Deseg.”

Request for Information

Submitted by:	Juan Rodriguez and Lois Thompson for the Mendoza Plaintiffs
Submission Date:	March 29, 2019
Subject:	TUSD Budget Draft #2
USP or Reference	

General Comments, Questions (RFIs), Objections

The Special Master has repeatedly stated that a purpose in removing magnet status from schools that are not achieving the academic and/or integration goals for magnet schools set by the USP is to “free up” 910(G) money that had been allocated to those schools to specifically address their magnet school obligations so that that money could be devoted to other integration initiatives (without, Mendoza Plaintiffs hasten to add, abandoning the overall goal of increasing integration at those schools that lost their magnet school status). The District has represented that the amount in issue is about \$2 million for the six so-called transition schools.

RFI #2272 - What expenditures in the proposed 2019-20 910(G) budget represent integration initiatives proposed to be funded in whole or part through this “reallocated” sum?

Response: This is not how the budget is developed. The District does not reduce in one area and then make a direct conversion of a specific reduction to another specific expenditure. The total sum of reductions is directed into a total sum of increases.

Comments and Questions Relating to Comparison of Draft #1 Budget Narrative and Draft #2 Cover Letter/Draft Budget

Under Major Changes, New Proposals, the Budget Narrative says a Director for Recruitment and Retention will be added at a cost of \$100k - \$125k in Activity Code 402. The Draft #2 Cover Letter makes no reference to this new position under Rationales for Differences and says instead that there are no significant changes for budget categories 401-414. But, Form C of the Draft Budget shows a proposed increase of almost \$225k for Activity Code 402 and what appears to be an increase of three FTEs.

RFI #2273 - Does this include the proposed Director for Recruitment and Retention?

Response: No, Draft 2 does not include this position but it will be included in Draft 3.

RFI #2274 - If not, what does it include and why is what is being proposed larger both in terms of FTEs and in terms of dollars than what was referenced in the Budget Narrative?

Response: It includes funding for salary and benefits for two additional HR Analysts and one additional HR Benefits Associates. This appears to be wrong and will be corrected in Draft 3.

Mendoza comment: Under Major Changes, New Proposals, the Budget Narrative says that the District is proposing to supplement existing formula funding with Assistant Principals (AP) at schools that may lose an additional AP based on formula-funding or other loss of funds. No specific activity codes are identified but the anticipated cost is estimated to be \$500k. No reference is made to this expenditure in the Draft #2 Cover Letter. Mendoza Plaintiffs have found an entry for an Assistant Principal at Booth-Fickett under Activity Code 202.

RFI #2275 - Is the District still proposing this expenditure at additional schools? If so, in what schools and in what amount(s)? And, if so, under which activity code(s) can these expenditures be found?

Response: Yes. The schools are Booth-Fickett K-8 (202) \$65,617; Hollinger K-8 (511) \$70,000; Palo Verde (202) \$74,950; Pueblo (501) \$76,456.

RFI #2276 - Please provide an updated list of the schools at which it plans to add 17.4 Curriculum Service Providers in 2019-20; explain how those schools were chosen and provide the total cost for these additional Curriculum Service Providers.

Response: School selection was based on two criteria: racially concentrated and D/F school that did not have a 1.0 FTE Curriculum Service Provider. The anticipated increase is approximately \$1M. The District will make additional changes in Draft 3.

RFI #2277 - Mendoza Plaintiffs ask how many Curriculum Service Providers the District plans to employ in total in 2019-20 and on what basis it has determined that the substantial cost of these Curriculum Service Providers is warranted and should be paid for with 910(G) funds?

Response: The District answers, as stated in Draft 1 Narrative: “at targeted schools, CSPs model best practices, facilitate effective PLCs, and lead on-campus PD” as part of the effort to improve academic achievement of African American and Hispanic students at racially concentrated and D/F schools. The District seeks to replicate these best practices as the vast majority of schools with a CSP in SY 2017-18 saw gains in AzMERIT scores.” As of Draft 2, the District estimates funding a total of 65 CSPs from various funding sources.

RFI #2278 - We note the statement in the Draft #2 Cover Letter that the “vast majority” of the 40+ schools that had Curriculum Service Providers in 2017-18 saw gains in AzMERIT scores but nonetheless ask how the District determined that the presence of the Curriculum Service Provider was the causal factor for these increases in AzMERIT scores. Specifically, did the schools also add 7th periods?

Response: The district did not determine that the CSPs were the causal factor, but the district recognizes it as a causal factor. Some of the schools had seven period days, others did not (none of the elementary schools had seven period days).

RFI #2279 - Were they schools in which the District provided targeted tutoring for students on the “cusp” of “proficiency?”

Response: The targeted learning initiative focuses on students on the cusp of proficiency.

Mendoza comment: Under Major Changes, New Proposals, the Budget Narrative says that the District proposes to fund full-time music teachers under Activity Codes 415 or 511 at eight schools, anticipating an increase of 5.1 FTE and a cost of \$100k to \$500k.

No reference is made to this proposal in the Draft #2 Cover Letter and Mendoza Plaintiffs have found no specific reference to this expenditure under either activity code (in which amounts for “teacher salary” are reported but the specialty of the teacher is not identified). Mendoza Plaintiffs therefore ask:

RFI #2280 - If the District has included this additional cost in the proposed 2019-20 budget? If so, under which activity codes and for which schools? And in what total amount (particularly given the wide range of \$100k to \$500k in anticipated cost set forth in the Budget Narrative)?

Response: The District did not fund additional full-time music teachers for SY2019-20 due to limited funds.

RFI #2281 - Provide the research on which TUSD relies to support its statement in the Budget Narrative (at 3) that “evidence shows music improves student achievement.” (Mendoza Plaintiffs are aware of research that finds a relationship between the study of string instruments and increased math proficiency. They are interested in seeing the research that supports a finding of increased student achievement based on the music instruction the District proposes to provide, inclusive of “dosage”. They hasten to add that they support music and all art instruction in the schools. The issue is whether and to what extent such expenditures are appropriate using 910(G) funding.)

Response: See RFI #2280.

RFI #2282 - Is an increase in stipends, and specifically dual-language stipends, included in the draft budget, if so, where and in what amount?

Response: Yes. This dual language increased stipend is located in Language Acquisition - Activity 504, \$33,000.

Mendoza comment: Under Activity Code 504 they see one entry for “Stipend Certified” that is in the amount of \$467,000 for both 2020 and 2019 and a second “Stipend Certified” that is in the amount of \$33,000 and is blank for 2019

RFI #2283 - Is this \$33,000 entry the anticipated increase for dual-language stipends? What is included in the \$467,000 entry?

Response: Yes, as indicated in RFI #2282, it is an increase for dual-language stipends. The \$467,000 entry is allocated for Dual Language Recruitment stipends (425,000) and Make the Move Dual Language stipends (\$40,000) that are in Human Resources budget.

AVID

RFI #2284 - If the District does indeed intend to expand AVID at these two schools (Rincon and Sahuaro) and, if so, where in the draft budget proposed expenditures to accomplish this expansion can be found and in what amount(s)?

Response: It can be found in activity code 501. In the ALE Department there are entries that specifically note AVID expansion – including district supplies (\$25,000), AVID tutors (\$57,600), and out-of-state travel (\$15,500).

Mendoza comment: In reviewing the budget entries under Activity Code 501, they see an AVID teacher listed under the 2019 adopted budget but no AVID teacher proposed for 2020 (although there is an unspecified new “teacher” at a somewhat lower salary).

RFI #2285 - Plaintiffs ask if the referenced “teacher” is an AVID instructor and if the District is planning to expand AVID at Catalina? Further, where in the draft budget besides page 133 of Form 4 under Activity 501 can the expenses associated with the effort to expand AVID at Catalina be found, and in what amount(s)?

Response: Catalina is currently an AVID school and is expanding the AVID program school-wide for SY2019-20 (Reference RFI #2264). The proposed allocations for Catalina are: 2 AVID Teacher(s) \$78,076. The expenses associated with AVID expansion at Catalina can be found in *TAB 3-Activity and Site* and *TAB 4-Activity and Site Detail*.

Draft # 2 Budget (Other Than Magnet School Budgets and PD)

Discipline: Restorative Practices and PBIS (Activity Codes 601)

The District proposes the total reduction of 2 FTE in the area of restorative practices and PBIS (.5 FTE under “alternatives to suspension”, 1 FTE under “curriculum and instruction” and .5 under “Guidance, Counsel & Student Prev”) but does not describe what such proposal entails. Mendoza Plaintiffs therefore ASK

RFI #2286 - What positions the District proposes be reduced or eliminated, what the duties of such position are, and an explanation for the reductions?

Response: Position discrepancy will be corrected in draft 3.

Mendoza comment: Mendoza Plaintiffs are concerned with the reduction of almost \$100,000 in this activity code given past reports of uneven implementation of restorative practices and PBIS across schools and in light of the Court's September 6 Order which requires the District to "institute a process to regularly assess that teachers have an understanding of District disciplinary practices, the GSRR, PBIS and restorative practices." (Doc. 2123 at 131:22-24.)

RFI #2287 - Please provide an explanation of the process TUSD has developed under the Court's order for such assessment.

Response: The District will report on this by September 1, 2019 as required by the court.

RFI #2288 - If Mendoza Plaintiffs are correct in their understanding that there have been no funds proposed in Draft #2 to implement any assessment process under the Court's order, why the District has no done so?

Response: At this time, the District anticipates implementing this process using existing resources.

Discipline: Corrective Action Plans (Activity Code 606)

In the September 6 Order, the Court ordered that the District "comply with... [the USP] and develop [CAPs] either on a case by case basis or district-wide to address the consequences of exclusionary discipline which is disproportionately experienced by African-American students, and ensure implementation of these action plans." (Doc. 2123 at 131:15-19.)

RFI #2289 - Why the District has budgeted no money for this activity code in light of the Court's order?

Response: At this time, the District anticipates implementing this process using existing resources.

RFI #2290 - What does the District plan to do differently in 2019-2020 with respect to CAPs?

Response: We are currently implementing and will continue to implement the following practices for 2019-2020:

- Currently reviewing CAP instrument and will build in automatic review dates and specify each goal to have benchmarks with anticipated dates to accomplish each benchmark. The final version will be revised prior to SY2019-20.
- Review CAP data in weekly department discipline meetings and with regional superintendents. In the past, we looked at corrective action plans on a quarterly basis. Since January, place schools on CAP anytime the data indicates.
- As soon as a school is placed on a corrective action, a meeting is scheduled with the principal to review the CAP form and assist in formulating the plan. Additionally offer to meet with them regularly to review discipline data to help identify patterns, hot-spots and trends early on and can put corrective actions in place much faster than waiting for the sites to respond.
- **To identify teachers and administrators who are over-referring or disciplining AA, NA and Hispanic students at higher rates. We are identifying additional training for these teachers and administrators.**
- To interview students at CAP schools for their input on PBIS, Restorative Practices, ISI/PIC, Code of Conduct, the referral process and discipline in general.
- To make unannounced visits to CAP schools to evaluate the plan, PBIS practices, Restorative practices, ISI/PIC and review discipline data with administration.
- To identify schools whose data indicates they may be moving towards corrective status (“yellow light” schools) and offer to meet with the administrator, site discipline team and PBIS team to assist them in putting corrective interventions in place.
- Provide de-escalation training for RPPF’s and Deans at all CAP schools and high-risk “yellow light” schools.
- Work with Regional Superintendents to ensure timely monthly reporting by all schools, to speed up identification of CAP and ‘yellow light’ schools.

RFI #2291- Why does the District believe no funds are required to implement such changes (if it indeed the District has such belief)?

Response: At this time, the District anticipates implementing this process using existing resources.

Family and Community Engagement (Activity Codes 701, 702, 703, 704)

There appears to be a total reduction of 15.48 FTEs and total reduction of \$477,593 across activity codes 701-704 (with FTE and budget reductions for each activity) but no explanation of what positions or initiatives would be eliminated or why. (Mendoza Plaintiffs see that the bulk of those reductions involve family engagement centers, but do not understand what positions are being eliminated, why some of those reductions are coded as relating to the “family center plan” while others are coded as reductions in “family engagement resources,” or what position(s) are being eliminated as to the family engagement tracking activity.)

RFI #2292 - Please provide a list of (1) each position that it is proposing to eliminate in the area of family and community engagement, (2) the duties associated with each such position, and (3) an explanation for why the District proposes to eliminate the position.

Response: Position discrepancy will be corrected in draft 3.

RFI #2293 - Does Budget Draft #2 include any proposed allocations for the design and implementation of additional training that it says will result from the use of its new tracking software in 2019-20, and if so, under what activity codes such funds are proposed and in what amounts. If not, why not?

Response: Yes, there is an allocation of \$35,400 in Activity 702 for Added Duty Family Engagement.

Mendoza comment: The Special Master has recommended to the Court the hiring of “three FTE to support school level teams and principals” “because school level family engagement is where the payoff to student learning occurs.” (Doc. 2199 at 3-4.)

RFI #2294 - Does Budget Draft #2 contain proposed allocations for three FTE to provide the above-noted support, and if so, under what activity code are those proposed allocations found and in what amounts. If not, why has the District not budgeted for this support staff?

Response: See RFI #2292.

Magnet School Budgets

Inconsistent and Inadequate Achievement Goals

Mendoza Plaintiffs OBJECT to the inconsistencies in the statement of goals for academic achievement in the magnet school plans, the unambitious (and contradictory) goals that have been set in certain of the plans, and the absence of goals in some portions of the plans.

For purposes of explaining their objection, they reference the Bonillas, Carrillo, Mansfeld, Tully, and Hollinger plans.

The Bonillas plan sets no academic achievement goals or objectives. (Other schools, like Palo Verde, also have not set goals. Mendoza Plaintiffs OBJECT to such omission with respect to each school that failed to set any 2019 achievement goals.)

The Mansfeld plan sets a 2019 objective – of “at least a 3% increase” in the number of students who score proficient or highly proficient on both the ELA and the math AzMERIT exams. (Therefore, the percentage of students in these categories will go from 36.5% to 39.5% on ELA Merit and from 39.7% to 42.9% [sic; Mendoza Plaintiffs assume the number should be 42.7%] on Math Merit according to the plan.)

Carrillo students scored significantly higher than Mansfeld students on the AzMERIT: 52.3% proficient or highly proficient on the ELA and 61.3% proficient or highly proficient on the Math Merit. Yet, Carrillo also has a goal or objective of raising the percentage of students in these categories by “at least 3%”. Mendoza Plaintiffs ask:

RFI #2295 - How the increase by at least 3% objective was chosen and why it apparently is applied to magnet schools regardless of the achievement levels of their current students.

Response: 3% is not applied to magnet schools regardless of the achievement levels of their current students. 3% is considered attainable growth for a school year for magnet schools that have met the district average or above. If a magnet school has not met the district average or above, the percentage of growth is the difference needed to meet the district average.

Mendoza comment: They contrast the above with Tully and Holladay which have more ambitious achievement goals. In 2017-18 according to its plan, 31.6% of the Tully students scored proficient or highly proficient on the ELA Merit which its plan says was 5.1% below the district proficiency rates. It therefore has set as its 2019 goal that 36.4% of its students will score proficient or highly proficient and that it will thereby meet or exceed the District's overall 2017-18 rate. It has taken the same approach for Math Merit, setting as its objective an increase of at least 8% in the number of its students scored proficient or highly proficient in 2019.

Hollinger has set the same objective: to meet or exceed the District's proficiency rate. However, for Hollinger, the objective is even more ambitious: to increase the number of students scored as proficient or highly proficient on the ELA Merit by 13.6% and on the Math Merit by 38.9%. Mendoza Plaintiffs ask:

RFI #2296 - How such goals were set and, particularly with respect to Holladay, whether its 2019-20 plan, the budget of which is unchanged from last year and which has less additional Title I funding than other magnet schools (compare, for example, Holladay at 2 FTE and \$120,550 Title I budget and Tully at 3.5 FTE and \$201,738) provides sufficient resources for it to attain that goal.

Response: See RFI #2295 for information on how goals were set. Yes, the district believes sufficient funding is provided for these schools to meet their specific needs.

The district assumes the reference to Hollinger is a typo, as Hollinger is not a magnet school, and refers instead to Holladay. However, the numbers given are incorrect. The correct data for Holladay is "to increase the number of students scored as proficient or highly proficient on the ELA Merit by 13.6 % and on the Math Merit by ~~38.9~~ 16.3%.

RFI #2297 - In 2017-18, the Booth-Fickett magnet school plan identified a company called Catapult Learning as the contractor that would provide tutoring services (at a cost of \$30,000). Because no vendor is identified in the 2019-20 magnet school plan, Mendoza Plaintiffs infer and ASK the District to confirm that the Catapult tutors did not achieve satisfactory outcomes.

Response: The inference drawn by the Mendoza Plaintiffs is incorrect, and the District does not confirm the incorrect inference. During the 2017-18 SY, the Booth-Fickett principal determined that Catapult Learning would be the school's contractor for tutoring services for the 2018-19 SY. Booth-Fickett then had a change in principals for the 2018-19 SY. At that time, the new Booth-Fickett principal researched all available tutoring services companies approved by the District. Based on academic data results, the principal choose a different tutoring vendor that showed higher growth with student achievement before and after tutoring.

A vendor is not designated in the 2019-20 SY school magnet plan to allow flexibility for a principal to review current data and determine which vendor would provide the best services for students' needs.

RFI #2298 - What if any assessment the District has made about the educational value of this program (UA Sky School) and on what basis it has decided to participate in the program for a second year.

Response: UA Sky School is a cross-department partnership between CTE, Magnet and the University of Arizona that has existed for several years. An IGA in in place that provides grant funding to support participation. UA Sky School is aligned to the magnet themes related to science and math, including STEM, and STEAM. Students have the unique opportunity to participate alongside science professionals in learning opportunities based on state standards and to present a final project and presentation.

The district determined that this program should be continued for a second year based on a positive assessment of the educational value that included collaborative learning, hands-on learning by exploration, inquiry-based learning, extended learning opportunities, and project-based learning. Informal and anecdotal data from students, teachers and principals has been overwhelmingly positive. For example, at the end of the 2017-18 school year, a Tucson High school student won a \$10,000 scholarship to the U of A for success at the International Science and Engineering Fair based on her project done through the Sky School program.

RFI #2299 - Please confirm that Booth-Fickett is no longer using Imagine Learning and ASK whether it has switched to Successmaker and, if so, if there are any costs related to that switch in its magnet school plan budget. (For example, are such costs included in "Supplies: Instructional"?)

Response: Booth-Fickett used Imagine Learning in 2018-19 school year, and it is budgeted to be used in the 2019-20 school year.

Roskruge

RFI #2300 - What review was made of the Roskruge 2018-19 plan and budget to ensure that, essentially unchanged, it was appropriate and adequate to support the District's stated commitment to achieve program fidelity for a dual language program at Roskruge?

Response: The budget was reviewed and determined adequate to support the continued fidelity to the dual language program at Roskruge.

RFI #2301 - Where in the District's budget are the stipends necessary to attract and retain teachers with a bilingual endorsement?

Response: See RFI #2282 & #2283.

RFI #2302 - To ensure that student achievement is assessed in both Spanish and in English?

Response: This question is unclear.

RFI #2303 - To provide teachers with the opportunity to attend summer institutes and other programs focused on bilingual education? (Is this intended to be covered by the \$10,000 entry for "added duty for teachers to participate in summer PDs" in the Title I budget (and if so, why is this not specifically called out in the way that attendance at the summer conference of the Magnet Schools of America is called out in the 910(G) budget so that there is assurance that the money will be used for that purpose?)

Response: For teachers to attend summer institutes and other programs focused on bilingual education, the Language Acquisition department has allocated the following deseg funds for elementary and secondary teachers to attend the Summer Symposium:

- \$45,000 to added duty (DL) [activity code 504]
- \$69,120 to added duty PD (ELD) [activity code 104]

Mendoza comment: Given the issues the Mendoza Plaintiffs previously have raised about the weaknesses in Roskruge's recruiting and family engagement efforts particularly as contrasted with those at Davis, Mendoza Plaintiffs ASK:

RFI #2304 - Why there is not more focus on these matters in the Roskruge plan and why additional funding is not included for a more robust presentation of the value of bilingual education, outreach to the community, and family engagement?

Response: The district believes the focus is adequate but the implementation and follow-through will be strengthened and that the current funding is adequate. The district also reminds the Mendoza plaintiffs of its response to RFI #2094, as noted below.

"RFI #2094 [AR17-18] - *It appears that the quarterly report significantly understates the number of family engagement activities undertaken at Roskruge for the 2017-18 SY. Based on the monthly FCO reports, Roskruge reported 57 family engagement activities during the course of the school year with a total participation of over 5,500 people at these activities.*"