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11 Attorneys for Mendoza Plaintiffs  
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13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF ARIZONA**

15 Roy and Josie Fisher, et al.,  
16 Plaintiffs,  
17 v.  
18 United States of America,  
19 Plaintiff-Intervenors,  
20 v.  
21 Anita Lohr, et al.,  
22 Defendants,  
23 Sidney L. Sutton, et al.,  
24 Defendant-Intervenors,

Case No. 4:74-CV-00090-DCB

**MENDOZA PLAINTIFFS' OBJECTIONS  
TO THE TUSD 2020-21 FINAL DRAFT  
USP BUDGET AND REQUEST FOR  
ORDER RE: DELAYED SUBMISSIONS  
AND BUDGET REALLOCATIONS  
BECAUSE OF THE IMPACT OF THE  
COVID-19 PANDEMIC OR ORDERS OF  
THE COURT**

Hon. David C. Bury

Action Required

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1 Maria Mendoza, et al.,

Case No. CV 74-204 TUC DCB

2 Plaintiffs,

3 United States of America,

4 Plaintiff-Intervenor,

5 v.

6 Tucson United School District No. One, et  
al.,

7 Defendants.

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10 **Introduction**

11 This unfortunately is an unusual budget cycle. As the District stated in its Cover  
12 Letter (Doc. 2487-3) to its Notice of Disclosure and Compliance with Benchmark for  
13 2020-21 USP Budget Development Process: Final Draft (“TUSD Budget Filing”):  
14

15 This year’s USP budget development process for the SY2020-21 USP  
16 Budget has been greatly affected by the COVID-19 pandemic. Over the  
17 months of March, April, and now into May and June, District resources  
18 have been prioritized towards addressing school closures, reallocating  
19 funding where most needed, creating online learning environments, and  
20 attempting to plan for the unknown future regarding summer school and the  
21 2020-21 school year. At present, the District anticipates that non-910G  
22 funding levels will remain relatively similar to the current school year, but it  
23 is too early to finalize the entire non-910G budget as some department  
24 budgets still remain to be finalized. Complicating the matter, the  
25 instructional model for the coming school year is also still under  
26 development and is being constantly revised as the situation on the ground  
27 evolves. Likewise, plans for professional learning are still being developed  
28 but cannot be finalized until the District has more information related to the  
structure of operations for SY2020-21. Accordingly, it is premature to  
develop or submit a PD [Professional Development] Assessment.

(Doc. 2487-3 at 3.)

Accordingly, while the Mendoza Plaintiffs will present specific objections to the  
Final Draft in the argument below, they also ask that the Court enter an order expanding its

1 Order dated 7/1/2020 (Doc. 2492)<sup>1</sup> to include all changes/reallocations in the Final Draft as  
2 submitted to the Court in excess of \$50,000 for each change/reallocation even if they occur  
3 after formal approval by the Governing Board and to further clarify the parameters of what  
4 is encompassed by “each change” as used in that Order so that the plaintiffs and the  
5 Special Master will have a meaningful opportunity to review and comment on 910(G)  
6 budget changes/reallocations necessitated by the need to respond to the COVID-19  
7 pandemic in order to be sure that also they continue to further the goals and requirements  
8 of the USP. Further, Mendoza Plaintiffs ask that the plaintiffs and the Special Master be  
9 afforded an opportunity to review and, if necessary, file objections to the yet to be  
10 prepared PD Assessment (and its budgetary impacts) that typically are part of the budget  
11 preparation process.  
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### 14 **Objections to Final Draft Budget**

#### 15 Criteria for Receipt of Funding for 7<sup>th</sup> Period and Application of Those Criteria to 16 Palo Verde Magnet High School

17 Mendoza Plaintiffs recognize that the exigencies of the COVID-19 pandemic may  
18 lead to alterations at least in the 2020-21 school year to school schedules and the 7<sup>th</sup> period  
19 day. Nonetheless, because funding for 7<sup>th</sup> periods at certain schools remains in the 910(G)  
20 Final Draft Budget and because their objection goes to the criteria the District has stated it  
21 applied in allocating the funds necessary to support a 7<sup>th</sup> period day, they assert their  
22 objection now.  
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<sup>1</sup> In the 7/1/20 Order, the Court directed that “if changes are made to the final version of a  
27 budget submitted to the plaintiffs and the Special Master prior to its approval by the  
28 governing board, such changes should be submitted to the plaintiff[s] and the Special  
Master for expedited review if they exceed \$50,000 for each change.” (Doc. 2492 at 5:24-  
27.)

1 As this Court observed as recently as July 1, 2020, “The Seventh Period strategy is  
2 aimed at professional development and implementation of professional learning  
3 communities, with the primary purpose being to improve student academic performance  
4 and disciplinary issues.” (7/1/20 Order, Doc. 2492, at 5:8-10.) The cost of funding the  
5 strategy is significant. (See, e.g., 7/1/20 Order at 5:7-8.)  
6

7 In response to an inquiry by the Special Master, the District reported that it applies  
8 the following criteria to determine whether to terminate funding to a school that has  
9 implemented the 7<sup>th</sup> period strategy:  
10

- 11  a noticeable decline or marginal improvement on benchmark assessment data;
- 12  a noticeable decline or marginal improvement on common formative  
assessments;
- 13  a noticeable decline or marginal improvement on AzMerit scores;
- 14  lack of an adequate system for appropriately implementing PLCs for teachers  
and/or intervention classes for students within the 7-period day.

15 (TUSD Response to RFI # 2743, attached as Exhibit 1.) Mendoza Plaintiffs object to these  
16 criteria because if the rationale for the 7<sup>th</sup> day strategy is valid, those schools that have  
17 experienced a notable decline or only marginal improvement on benchmark assessment  
18 data, common formative assessments, and/or AzMerit scores are precisely those schools in  
19 which the 7<sup>th</sup> day period strategy should be implemented. (And if the rationale for the  
20 strategy is not valid, then Mendoza Plaintiffs question why the significant expense is being  
21 incurred.) Further, if there is not “an adequate system for appropriately implementing  
22 PLCs [professional learning communities] for teachers and/or intervention classes for  
23 students within the 7-period day”, this calls into question the leadership or oversight of the  
24 school and of course should be remedied but, Mendoza Plaintiffs, suggest not necessarily  
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1 by eliminating the strategy that the District has determined should be implemented to  
2 improve academic and discipline outcomes at its underperforming schools.

3 In 2020-21, Palo Verde Magnet STEAM High School will be experiencing the  
4 consequences of the District's application of TUSD's criteria for maintaining the 7<sup>th</sup> period  
5 strategy. Palo Verde received a grade of "C" from the Arizona Department of Education  
6 in 2017-18. In 2018-19, its grade fell to a "D" that was appealed and revised to be a "C",  
7 but the school still is categorized as having experienced a decrease in total letter grade  
8 points from 17-18 to 18-19. (See, ADE Final Letter Grades, 2018-19 Official ("ADE  
9 Grades")) found on the TUSD website at

10 [www.tusd.org/Portals/TUSD1/District/docs/Announcements/TUSDLetterGrades.pdf](http://www.tusd.org/Portals/TUSD1/District/docs/Announcements/TUSDLetterGrades.pdf).)

11  
12  
13 The school had a 7<sup>th</sup> period in 2019-20 but will not have that strategy in place for 2020-21.

14 Instead, the school leadership will form a "Guiding Coalition" to lead the PLC-CTT  
15 process but it will meet only every other week, outside the normal school day. Rather than  
16 convening daily during 7<sup>th</sup> period, the PLCs themselves will meet only monthly, during the  
17 regular Wednesday PD time. And perhaps most troubling from the perspective of  
18 delivering quality education to students, math and ELA teachers will be pulled out of their  
19 classes for one-half day each month for professional learning and collaboration, while  
20 substitute teachers cover their classes. (TUSD Response to RFI # 2803, Doc. 2487-3 at 7  
21 of 180.) The cost of this new strategy is reflected in the revised Palo Verde magnet school  
22 budget with entries of \$5000 to pay for substitute teachers and \$4000 to pay for teacher  
23 attendance at PLC-CTTs outside their regular contract time. (Palo Verde revised magnet  
24 school budget, Doc. 2487-3, at 171 of 180.) By contrast, the magnet school plan for  
25 Mansfeld, a STEM middle school magnet that was graded "B" in both 2018-18 and 2018-

1 19 (“ADE Grades”), provides \$285,000 to cover the costs of 5.9 teachers who, according  
2 to the plan are “to maintain and strengthen our focus on the STEM Practices...  
3 [in] support of the 7 period day allowing for PLC-CTT time during the school day. During  
4 this time, PLC-CTTs will participate in STEM related lesson/unit design, data analysis of  
5 benchmark results as part of the continuous school improvement model, as well as  
6 planning interventions for students with academic gaps.” (Mansfeld 2020-21 Magnet  
7 School Plan at 21, attached as part of Exhibit 2.)<sup>2</sup>

8  
9       Mendoza Plaintiffs are not arguing that Palo Verde must have a 7<sup>th</sup> period program  
10 next year.<sup>3</sup> They do argue, however, that the approach contained in the revised budget is  
11 not sufficient to address the school’s academic and other challenges. They further note in  
12 this regard that in its June 4, 2020 Order (Doc. 2471), amended in other respects in Doc.

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14 \_\_\_\_\_  
15 <sup>2</sup> The District did not file the 2020-21 Magnet School Plans with Budgets as part of its  
16 TUSD Budget Filing. Accordingly, the Mendoza Plaintiffs are now filing that document  
17 as an exhibit to their objections.

18 <sup>3</sup> Given that 7<sup>th</sup> periods are so expensive and that there are limitations on the total 910(G)  
19 and other budgetary resources available to the District, they also object to the proposed 7<sup>th</sup>  
20 period allocations for all schools to the extent the District (apparently) has failed to  
21 undertake an analysis of schools with 7<sup>th</sup> periods that have achieved marked improvement  
22 on the assessment criteria sufficient to warrant a determination that those schools have  
23 internalized the processes that promote achievement and would permit money now being  
24 spent to support 7<sup>th</sup> periods to be allocated in a manner to preserve those achievement  
25 improvements but in a less expensive way. (And then direct the funds to other 910(G)  
26 priorities.)

27 Because the District repeatedly has asked the Mendoza Plaintiffs to suggest ways in which  
28 money could be reallocated when they critique an expenditure and not because they assert  
that they should in the first instance be making such decisions for the District, and while  
the expenditure is far less than that required to implement 7<sup>th</sup> period days at a school, they  
note that they have repeatedly asked why if Jump Start (budgeted at \$16,650 in the Dodge  
magnet school budget at 23 in Exhibit 2) is considered to be successful, it is not also  
offered at other middle schools in the District. They also cannot determine based on the  
information available to them whether some of the money now funding 7<sup>th</sup> day periods at  
schools that have shown improvement in achievement could be used to fund the work of  
math or ELA “interventionists”, “student support specialists” or teaching assistants at other  
schools, particularly its racially concentrated schools.

1 2486, this Court ordered the District to provide intense support and monitoring to magnet  
2 schools that have AZMerit grades of C and have not received a TUSD MagnetMerit grade  
3 of B. (Doc. 2471 at 10:9-11; *see also*, discussion of targeted academic improvement plans  
4 at 10:13-16.) Mendoza Plaintiffs do not know if the District will determine if Palo Verde  
5 is a TUSDMagnetMerit grade B school or not but, regardless, it is plain that its revised  
6 magnet plan and magnet plan budget must be further revised to provide a far more intense  
7 approach to improving student achievement at the school than that set forth in its current  
8 proposed substitute for its now abandoned 7<sup>th</sup> period strategy.  
9

#### 10 Magnet School Budgets

11  
12 Mendoza Plaintiffs understand that pursuant to this Court's Orders of June 4 and  
13 June 22, the District will be revising its plans for certain magnet schools that have  
14 AZMerit grades of C. They therefore understand that certain of their objections may be  
15 mooted. Without wishing to place a burden on the Court, they nonetheless discuss some of  
16 those objections here because they do not yet know which "C school" plans will be revised  
17 or the specific revisions the District may be making. Mendoza Plaintiffs also respectfully  
18 request that the Court clarify its Orders of June 4 and June 22 to direct the District to file  
19 revised budgets with the revised plans it will be submitting to the Court because the budget  
20 is an essential component of the plan and is key to the plaintiffs', the Special Master's and,  
21 Mendoza Plaintiffs' believe, the Court's full understanding of any such plans.  
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24 As an initial matter, the Mendoza Plaintiffs were surprised that between February  
25 24, 2020, when the District provided the Special Master and the plaintiffs copies of the  
26 2020-21 magnet school plans without budgets, and May 5, 2020, when the plans again  
27 were provided, this time with budgets, or on June 24, when the final draft 910 budget was  
28

1 filed, the District made no modifications to those plans to account for the impact of the  
2 COVID-19 pandemic. They discuss this issue more fully below but reference it here out of  
3 concern that the plans and budgets before the Court may well need adjustment to address  
4 the multiple impacts of the pandemic. They also respectfully request that the Court direct  
5 the District to provide the plaintiffs and the Special Master with all magnet school plans  
6 (and budgets) revised to account for the impact of the COVID-19 pandemic and permit  
7 them to comment on those revised plans (and budgets) on an expedited basis.  
8

9 As in past years, Mendoza Plaintiffs object to the relative allocation of 910(G)  
10 funds among magnet schools. In particular, they object to the District's failure to do more  
11 to reallocate funds from magnet schools that are academically successful (for example,  
12 Carrillo<sup>4</sup> and Davis) to magnet schools that have been less successful (for example, Booth-  
13 Fickett, Drachman, Roskrug and Tully, as well as Palo Verde, discussed above.)  
14

15 In the past, the District has complained that when the Mendoza Plaintiffs make an  
16 objection like that above, they should suggest specific items to be eliminated from the  
17 budgets of the more successful schools and specific items that should be added to the  
18 budgets of the less successful schools. Mendoza Plaintiffs do not claim to have the  
19 intimate knowledge of each school that would be needed to make such specific suggestions  
20 (and also suggest that were they to do so, the District likely would assert that they were  
21 "micro-managing"). Rather, their objection is and remains that the District, which is in a  
22 position to make those assessments and judgments, apparently has not done so.  
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<sup>4</sup> Mendoza Plaintiffs do note that the proposed Carrillo magnet school budget is lower  
26 than its magnet school budget for 2019-20 but apparently that is because the District  
27 moved two positions that had been in last year's magnet school budget to the M&O  
28 budget.



1           Simply by way of example, Mendoza Plaintiffs note that Carrillo, which is an A  
2 school with an 2019-20 enrollment of 319<sup>5</sup>, is planning to spend \$85,000 of 910(G) money  
3 plus \$18,000 of Title I money on teaching assistants while Tully, a C school with a 2019-  
4 20 enrollment of 275, is planning to spend only \$37,000 of Title I money and no 910(G)  
5 money on teaching assistants. In addition, Carrillo is planning to spend \$22,000 of  
6 910(G) money for tutoring while no money for tutoring is included in the Tully budget.  
7 Further, the Carrillo 910(G) budget includes \$22,000 for instructional aids while the Tully  
8 budget includes no such money in its 910(G) budget and only \$2,838 for this expenditure  
9 in its Title I budget.<sup>6</sup> (*Compare* Carrillo Magnet School Plan at pages 18-22 *with* Tully  
10 Magnet School Plan at pages 21-15, both in Exhibit 2.)  
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13           As a further comparison, while Palo Verde, a C school, is about one-quarter the  
14 size of Tucson High, which is a B school, the portion of its magnet school budget that  
15 directly supports the hiring of additional teaching staff is less than one-tenth the size of  
16 that of Tucson High. (*Compare* \$1,100,000 for 23.2 FTE magnet school teachers to  
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19 <sup>5</sup> All AzMerit grades referred to herein are taken from ADE Grades on the TUSD website.  
20 All 2019-20 enrollment data is taken from Doc. 2476-1, TUSD Enrollment 40<sup>th</sup> Day 2019-  
21 20.

22 <sup>6</sup> Mendoza Plaintiffs note that a total of \$14,500 is included in the Tully budget for Sky  
23 School (Exhibit 2, Tully Magnet School Plan at 14) while amounts for this expenditure  
24 have been removed from the budgets of every other magnet school that participated in the  
25 program last year. As the Court may remember, the Mendoza Plaintiffs previously  
26 questioned whether this expenditure had sufficient educational value to warrant being  
27 included in the 910(G) budgets of the magnet schools, particularly those that do not have  
28 an explicit STEM theme. They object to its inclusion this year in the Tully magnet school  
budget and respectfully suggest that the funds might be better applied to the costs of  
tutoring and/or the purchase of instructional aids. Mendoza Plaintiffs further note that in  
response to a request for information from the Fisher Plaintiffs, the District stated that it  
would not be funding Sky School this year. (TUSD Response to RFI # 2825, Doc. 2487-3  
at 178 of 180.) If that is the case, Mendoza Plaintiffs suggest that the \$14,500 should not  
be removed from the Tully budget but, rather, invested in tutoring and/or the purchase of  
instructional aids as set forth above.

1 support the fine/performing arts and science themes at Tucson High with a wide range of  
2 course offerings (Tucson High Magnet School Plan at page 23 in Exhibit 2) with two  
3 specialists, one in math and one in reading, in the Palo Verde magnet school budget. (Doc.  
4 2487-3 at 169 of 180.) In addition, Tucson High continues to be allocated almost \$10,000  
5 of 910(G) money to pay for someone to “curate” its display cases and signage and \$33,000  
6 for three accompanists for educational enrichment. (Tucson High Magnet School Plan at  
7 pages 23, 24 in Exhibit 2.)  
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9  
10 In response to a request for information, the District provided its agreements with  
11 all consultants who were paid with 910(G) funds in 2019-20. (TUSD Response to RFI #  
12 2785 and Attachment 1-A thereto.) These agreements raise additional issues about the  
13 relative allocation of 910(G) funds among magnet schools. For example, Carrillo which  
14 has been an “A” school for a number of years (ADE Grades), contracted with Pima County  
15 Schools to provide training to its kindergarten through second grade teachers in writing  
16 foundations with attention to handwriting, spelling and sentence construction to help it  
17 meet its goal of improving student achievement. (Doc. 2487-3 at 120-124 of 180.) While  
18 the cost involved is not great (about \$4000), the expenditure does raise the issue of  
19 whether, if this training was effective at Carrillo, it is not now being included in the plans  
20 and budgets of less academically successful magnet schools.  
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24 Holladay experienced a significant increase in its AZMerit scores, going from D in  
25 2017-18 to B in 2018-19. In both 2017-18 and 2018-19, its magnet school plan budgets  
26 included \$20,000 to cover the costs of The Leader in Me program that its plan said would  
27 “address student social and emotional needs” and “shift the school culture.” (Relevant  
28

1 pages of the 2017-18 and 2018-19 Holladay Magnet School Plans are attached as Exhibit  
2 3.) The consultant agreements provided by the District indicate that last year, it spent  
3 910G funds on consultants to assist its math and ELA teachers to develop the skills  
4 necessary to integrate art into their curricula in service of the school's magnet theme.  
5 (Doc. 2487-3 at 72-73, 82-96.) It plans to engage consultants for this purpose in 2020-21  
6 as well. (See Holladay Magnet School Plan at 25, Exhibit 2.) If the expenditures on The  
7 Leader in Me and/or theme integration contributed to the significant improvement in  
8 academic achievement at Holladay, the issues exists as to why such programs and training<sup>7</sup>  
9 are not now being included in the plans and budgets of other magnet schools that also are  
10 seeking to improve the academic achievement of their students.  
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#### 13 Consultants

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15 The consultant contracts that the District provided for the 2019-20 year involve a  
16 significant number of instances in which outside consultants are being retained to provide  
17 skills and expertise that Mendoza Plaintiffs believe should already have been developed  
18 within the District. Examples include the following: (1) a \$69,000 contract (increased to  
19 \$74,000) to "guide schools in the implementation of the goals and commitments aligned to  
20 their Magnet School Plans. In addition, the consultant will provide coaching/feedback to  
21 school leadership teams and provide purposeful visits following a coaching/feedback  
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25 <sup>7</sup> Mendoza Plaintiffs do not suggest that "arts integration" training should occur at each  
26 magnet school. Rather, the point is that if theme integration promotes achievement, as  
27 there is every reason to believe it should, such training should be occurring at other magnet  
28 schools in addition to Holladay. As discussed below, the fact that the District continues to  
rely on outside consultants to train its teachers on theme integration in a District that has  
had magnet schools for decades is a separate issue that this Court addressed as recently as  
in its Order of July 1, 2020. (Doc. 2492 at 3:14-17.)

1 protocol” (Doc. 2487-3 at 36; *see also id.* at 36-53); (2) a \$9840 contract to work with the  
2 principal and teachers at Borton to “to develop a systematic approach to literacy  
3 instruction, thereby increasing student achievement in English Language Arts on  
4 AzMERIT, unit assessments, and on formative classroom assessments that address the AZ  
5 College and Career Readiness Standards” (*id.* at 116); (3) a \$3000 contract through the  
6 African American Student Services Department to provide training on restorative  
7 practices<sup>8</sup> (*id.* at 56-59).

9  
10 In its response to Mendoza Plaintiffs’ request of information, the District stated that  
11 no consultant forms are as yet available for the 2020-21 school year. (TUSD Response to  
12 RFI # 2785, Doc. 2487-3 at 3 of 180.) In its 7/1/20 Order, the Court directed that “[w]hen  
13 the District is hiring consultants to provide professional learning opportunities or as  
14 advisors on the implementation of new programs, it shall identify how it will prepare its  
15 own staff to take over the responsibilities of the consultants going forward and budget for  
16 that exercise.” (Doc. 2492 at 3:14-17.) In light of the foregoing, Mendoza Plaintiffs  
17 request that the Court clarify its Order to encompass advisors on the implementation of  
18 existing programs (for example, the magnet school plan) as well as new programs, and that  
19 it direct the District, starting with the current budget 2020-21 budget cycle, to apply the  
20 Protocol called for in the Order (*id.* at 3:10-14 and 5:14-16), expressly include in that  
21 Protocol how it will prepare its own staff on take over the responsibilities of consultants  
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26 <sup>8</sup> Mendoza Plaintiffs previously raised the issue of whether consultants, including the  
27 contractor to provide training in restorative practices, had the requisite expertise and  
28 whether their programs had been found to be effective or evidence based. *See*, Mendoza  
Plaintiffs’ Response to TUSD Notice & Report of Compliance re: Inclusive School  
Environments, Doc. 2170, at 6-7.

1 going forward, and include any budgetary expenses to accomplish that result in the 2020-  
2 21 budget (revised to the extent needed to accomplish this).

3  
4 **REQUESTS CONCERNING OUTSTANDING ITEMS AND REVISIONS TO**  
5 **THE BUDGET RESULTING FROM THE IMPACT OF THE COVID-19**  
6 **PANDEMIC OR ORDERS OF THE COURT**

7 As noted at the outset of this pleading, the District has not yet developed the  
8 Professional Development Assessment as required by the agreed budget process.  
9 Mendoza Plaintiffs therefore request that Plaintiffs and the Special Master be afforded the  
10 opportunity to make information requests and provide comments and/or objections to the  
11 Assessment and all related professional development expenses within ten business days of  
12 receipt of the Professional Development Assessment and related budgetary information.

13  
14 In its 7/1/20 Order, the Court ordered that “if changes are made to the final version  
15 of a budget submitted to the plaintiffs and the Special Master prior to its approval by the  
16 governing board, such changes should be submitted to the plaintiff[s] and the Special  
17 Master for expedited review if they exceed \$50,000 for each change.” (Doc. 2492 at 5:23-  
18 27.) Mendoza Plaintiffs request that that order be modified in two respects. Given the  
19 unusual circumstances presented by the COVID-19 pandemic and the District’s need to  
20 respond in unprecedented ways, as well as the revisions that will be made to magnet school  
21 plans (and budgets) as a consequence of this Court’s Orders of June 22, 2020 (Docs. 2485  
22 and 2486) and, potentially, as a result of the instant and the Special Master’s objections,  
23 Mendoza Plaintiffs request that the Court’s 7/1/20 Order be modified to require the  
24 District to provide the plaintiffs and the Special Master copies of all revised magnet plans  
25 (and budgets) as well as notice of all proposed modifications/reallocations to the 910(G)

1 budget even after final approval by the Governing Board for expedited review.

2 Additionally, with respect both to revisions to the magnet plans (and budgets) and to the  
3 overall 910(G) budget, such opportunity for comment and objection be modified to apply  
4 to changes whenever the overall proposed change/modification/relocation exceeds  
5 \$50,000. Mendoza Plaintiffs request this modification out of concern that no single  
6 “change” may exceed \$50,000 but that, taken together, the planned modifications in the  
7 budget may exceed \$50,000. Simply by way of example, the District could determine to  
8 make relatively small adjustments to the budgets of a number of magnet schools (for  
9 example, reducing the amounts spent on instructional aids or amounts allocated for out of  
10 town travel and attendance at conferences in light of the reduced travel in the era of the  
11 coronavirus and instead use that money at those or other magnet schools to provide  
12 additional tutoring to students whose academic progress was most negatively impacted by  
13 the closing of those schools). The total sums being moved to accomplish this program  
14 change could well exceed \$50,000 but the line items likely would not.  
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18 Finally, for the reasons set forth above, Mendoza Plaintiffs also request that the  
19 District be ordered to provide the plaintiffs and the Special Master with copies of all  
20 Protocols, modified as requested above, for all consultant contracts awarded for the 2020-  
21 21 school year that are to be paid from the 910(G) budget.  
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**CONCLUSION**

For the reasons set forth above, Mendoza Plaintiffs respectfully request that the Court sustain their objections to the TUSD 2020-21 Final Draft 910(G) budget and that it grant all their requests set forth herein.

Respectfully submitted,

Dated: July 6, 2020

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 6, 2020, I electronically submitted the foregoing to the Office of the Clerk of the United States District Court for the District of Arizona for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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Dated: July 6, 2020

/s/ Juan Rodriguez  
Juan Rodriguez