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19 *Tucson Unified School District No. 1*

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

22 Roy and Josie Fisher, et al.,
23 Plaintiffs,
24 v.
25 Tucson Unified School District No. 1, et al.,
26 Defendants.
27 Maria Mendoza, et al.,
28 Plaintiffs,
29 v.
30 Tucson Unified School District No. 1, et al.,
31 Defendants.

4:74-cv-0090-DCB
(Lead Case)

4:74-cv-0204 TUC DCB
(Consolidated Case)

32 **THIRD SUPPLEMENTAL NOTICE AND REPORT OF COMPLIANCE:**
33 **BEGINNING TEACHER INVENTORY,**
34 **TECHNOLOGY INSTRUCTION RESOURCE INDEX, AND**
35 **DIVERSITY PLAN**
36 **(ECF 2497)**

1 Subject to and without waiving its objections previously stated and referenced
2 herein, the District hereby provides notice of partial compliance with the Court's order
3 entered on July 16, 2020 (ECF 2492).

4 **I. BEGINNING TEACHER INVENTORY FOR CURRENT YEAR.**

5 The Court directed the District to prepare its Beginning Teacher Inventory as of
6 the start of the current school year. The District has prepared the Beginning Teacher
7 Inventory, and hereby provides it to all as Exhibit A.

8 **II. TECHNOLOGY PROFESSIONAL LEARNING.**

9 The Court approved the District's Professional Learning Plan for Teacher
10 Proficiency Using Technology (ECF 2330), contingent on (a) the District filing the
11 Resource Index (as described in the Special Master's report and recommendation
12 (ECF2375), and (b) the Special Master filing the SY2020-21 Technology Integration
13 Observation Tool.

14 In response, the District has posted internally on its website, available for teachers,
15 a specific Resource Index for instructional and teaching materials related to the use of
16 technology in the classroom, identifying the specific curriculum type addressed (math,
17 ELA, science or social studies) and the grade level of the curriculum (elementary, middle
18 and high). The Resource Index is sorted by tool, curriculum type, and grade level, and is
19 fully text searchable. A copy of the specific Resource Index is attached hereto as Exhibit
20 B.

21 In addition, the District has also posted a more general Resource Index addressing
22 use of software tools (such as those available as part of Office 365) applicable across all
23 curricula and grade levels, with direct links to resources. A copy of the more general
24 Resource Index is attached hereto as Exhibit C.

25

1 **III. REVISED DIVERSITY PLAN.**

2 The Court approved the District's Diversity Plan for Teachers and Administrators,
3 filed on October 10, 2019 (ECF 2329-1), but directed the District to do certain additional
4 tasks. In order to keep everything together in one spot, as the Court has requested, the
5 District has attached hereto as Exhibit D a revised Diversity Plan for Teachers and
6 Administrators, which contains the requested changes and additional materials. The
7 discussion below identifies where the new or changed material addressed by the Court
8 appears within the revised Diversity Plan.¹

9 **A. Pathway Positions.**

10 The Court directed the District to modify the Grow Your Own Plan (part of the
11 overall Diversity Plan) to provide that proactive recruitment efforts will reach pathway
12 positions necessary to create a pool of well qualified African American and Hispanic
13 candidates for administration positions by ensuring its generalized GYO administrator
14 programs are TOCs and AOC programs. The revised Grow Your Own Program appears
15 as Exhibit 2 within the overall Diversity Plan, and the new Pathway Positions section
16 appears at page 9-11 of that document.

17 **B. Target Transfer Schools.**

18 The Court directed the District (1) to identify new target transfer schools for SY
19 2020-21, and (2) file an updated status report for the original target schools that were
20 more than two teachers away from compliance in SY2019-20, with priority for such
21 schools or an explanation why no further diversity efforts are being undertaken in
22 SY2020-1.

23 _____
24 ¹ The District believes that a narrative explanation of the changes, including an
25 identification of where the changed material can be found, is preferable, but the District
will provide a redlined version comparing the original documents filed in October, 2019,
to the documents filed herewith, if either the Court or any of the parties wish.

1 The updated status report for the original target schools, as of the beginning of the
2 2020-21 school year, appears as Table A in Exhibit 1-1 to the Diversity Plan (Exhibit D).

3 The new target transfer schools identified by the District for SY2020-21 are set
4 out in Table B in Exhibit 1-1 to the Diversity Plan (Exhibit D). The new target transfer
5 schools consist of any school which needs more than one teacher to transfer in order to
6 comply with the 15% rule. There are 18 out of 85 schools in the District which fall within
7 this category.

8 Among these 18 targeted schools, priority will be given to the three targeted
9 schools from the SY2016-17 group which need more than 2 teachers to transfer in order
10 to comply with the 15% rule. There are three schools in the District which fit this criteria.
11 These schools are listed in Table C in Exhibit 1-1 to the Diversity Plan (Exhibit D), along
12 with the statement that these schools will be the top priority for recruiting transfers (and
13 new-to-the-District teachers) that improve the diversity of the priority target schools.

14 The District wishes to emphasize that this new set of target schools does **not** mean
15 that the District has abandoned efforts at schools that need only one teacher to comply
16 with the 15% rule. The District's recruiting effort for the transfer plan is directed, as it
17 has been since inception, to any school which is out of balance using the 15% rule. The
18 incentives to transfer (which include all the original incentives plus the flexibility to
19 individualize as needed) are available to any teacher transferring to any school at which
20 the teacher improves the diversity of that school – target school or otherwise. Following
21 the recruiting approach described in the Diversity Transfer plan, when a teacher expresses
22 an interest in transferring, the Director of Diversity Recruitment and Inclusion Programs
23 will attempt first to convince the teacher to transfer to the priority schools, then to the
24 current target schools, and finally, to any school at which the teacher improves diversity.

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1 Of course, the final choice is up to the teacher, but the District will focus on the schools
2 most in need.

3 **C. School Site Administrators Status Report.**

4 As the Court recognized, given the small number of administrators at any
5 individual school, using the $\pm 15\%$ Rule to assess progress is not practical. The District
6 has suggested a measure for evaluating efforts to increase the diversity of administrative
7 teams in the District, in a revised section of the Diversity Transfer Plan, appearing in
8 Exhibit 1 to the Diversity Plan (Exhibit D), at page 7.

9 A status report for School Site Administrators is attached as Exhibit 1-3 to the
10 Diversity Plan (Exhibit D). This status report includes school site administrator data
11 SY2016-17, allowing comparison. The District has identified priority/target schools for
12 site administrator diversity recruiting in SY2020-21 in Exhibit 1-4 to the Diversity Plan
13 (Exhibit D), and will focus both on transfers for current African American administrators,
14 and also on new African American administrator candidate recruiting, in an effort to
15 increase African American administrator diversity.

16 Accordingly, the District respectfully submits that it has complied with the Court's
17 July 16, order (ECF 2497).²

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22 ² As noted at the outset of this Notice, the District is complying with the orders at issue
23 subject to and without waiving its general objections set out in previously filed
24 documents, incorporated herein by reference. These include in particular, but are not
25 limited to, its objection to the Special Master's 2018 Report and Recommendation (ECF
2099), its Supplemental Petition for Unitary Status (ECF 2460 and 2464), its objection
to the Special Master's Report and Recommendation (ECF 2477), and its motion for
reconsideration of the Court's order dated June 4, 2020 (ECF 2481).

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DATED this 18th day of August, 2020.

Respectfully submitted,

/s/ P. Bruce Converse
P. Bruce Converse
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District No. 1*

CERTIFICATE OF SERVICE

1 I hereby certify that on the 18th day of August, 2020, I electronically transmitted
2 the attached foregoing document to the Clerk’s Office using the CM/ECF System for filing
3 and transmittal of a Notice of Electronic filing to all CM/ECF registrants.
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5 /s/ P. Bruce Converse
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