

TUCSON UNIFIED SCHOOL DISTRICT

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Attorneys for Tucson Unified School District No. 1

**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

PORTABLE AT BLOOM ELEMENTARY SCHOOL

Tucson Unified School District – Legal Department
1010 East 10th Street, Room 24
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Telephone: (520) 225-6040

1 The Tucson Unified School District, No. 1 (“TUSD” or the “District”), hereby submits
2 this Notice and Request for Approval to add one double-wide portable (two classrooms) to
3 Bloom Elementary School due primarily to increased enrollment, and anticipated continued
4 increased enrollment, in the Two-Way Dual Language program.

5 The District has engaged the parties and Special Master in communications about the
6 addition of the portable, including a draft Desegregation Impact Analysis (DIA). The Special
7 Master, Mendoza Plaintiffs, and the Department of Justice have indicated no objection to the
8 portable addition. The Fisher Plaintiffs have indicated that they object, asserting that the
9 portable addition “does not fit the pillars of the integration plan.” The District disagrees:
10 Bloom was an integrated school in SY2019-20 for the first time since the adoption of the USP
11 and it is initiating an advanced learning Two-Way Dual Language program. Providing
12 additional classroom space to accommodate more students in an integrated school, more
13 students in ALE, and expanded TWDL programs fit squarely within the pillars of the USP.
14 In fact, it is difficult to imagine any purpose for additional classroom space that would be
15 more aligned with the pillars of the District’s integration plan.

16 The DIA reveals that Bloom is now an integrated school, and the addition of the
17 portable will allow more students an opportunity to attend an integrated school. **Exhibit 1,**
18 **Desegregation Impact Analysis, Bloom K-5 School.** The portable addition will not
19 significantly affect surrounding schools or negatively impact the District’s ability to fulfill its
20 obligations under the USP. The portable addition will, in fact, positively impact TUSD’s
21 ability to fulfill its USP obligations. As outlined in the DIA, the proposal has two key
22 objectives: 1) address anticipated enrollment growth over the next few years to accommodate
23 the growth of Bloom’s Two-Way Dual Language (TWDL) program; and 2) increase
24 opportunities for more students to attend an integrated school.

25 In response to funding issues raised by the Fisher Plaintiffs, the District confirms that
26 it will utilize Plant Funds, not 910g funds, for the portable addition.

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Conclusion

The Special Master, the Mendoza Plaintiffs, and the Department of Justice have indicated no objection to the District’s proposal that will facilitate TWDL expansion and provide more students opportunities to attend an integrated school. The proposal will not create negative impacts for TUSD’s USP obligations and will, in fact, positively impact TUSD’s obligations to improve integration and expand TWDL opportunities. For these reasons, as described above and in the attached DIA, the District respectfully requests approval.

Respectfully submitted on September 15, 2020.

**TUCSON UNIFIED SCHOOL DISTRICT
LEGAL DEPARTMENT**

s/ Samuel E. Brown

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Certificate of Service

ORIGINAL of the foregoing filed 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.

s/ Samuel E. Brown

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