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**Subject:** Comments to Draft Magnet School Plan

Dear All,

Attached please find our comments to the draft magnet school plan. For ease of reference we have inserted our initial comments to this document. Please note that the initial comments in the attached are not exactly the same initial comments that we circulated on June 19 via email. The initial comments in the attached include additional comments beyond those we circulated on June 19.

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## Introduction

Mendoza Plaintiffs have consolidated our initial comments to the June 7, 2013 TUSD proposed magnet school plan submitted to the parties on June 19, 2013<sup>1</sup>, found below, with the remainder of our comments on the plan for ease of reference.

### **MENDOZA PLAINTIFFS' INITIAL COMMENTS ON THE JUNE 7, 2013 TUSD PROPOSED MAGNET SCHOOL PLAN**

Consistent with the conversation among all parties on June 17 and in order to move the process forward as expeditiously as possible, the Mendoza Plaintiffs provide the following initial comments on the TUSD proposed magnet school plan circulated on June 7, 2013. The Mendoza Plaintiffs will provide additional comment on or before June 27 and are available to respond to further updates and revisions of the draft plan as they are developed by the District.

Because the primary initiative to achieve greater integration of the District schools is the magnet school program, our initial review centered on the portions of the draft plan that address that goal. We will have comment for you on the issue of location of magnet schools and programs to achieve that goal by June 27. Here we want to address an even more fundamental issue which is how the plan has undertaken to define success in reaching the goal of integration.

Essentially, the plan asserts that a magnet school has met the goal of integration if its enrollment meets the definition of integration in the USP. It then goes on to conclude that six schools or programs have met that goal and are “successful” magnets in this respect. However, it never addresses the critical issue of whether those schools and programs are integrated **because** they are magnet schools or whether they happen to be integrated because they are located in neighborhoods in which by virtue of the residential living patterns they would be expected to be integrated schools/programs regardless of whether they were magnet schools or had magnet programs. To address this question, it is essential to have and to analyze the demographic data that Dr. Hawley requested in his memo of June 11. In particular, one needs to see the race and ethnicity data for the relevant attendance zone of each school and then compare that data to the race and ethnicity data for the students who are coming to the school from outside the attendance zone. If those students who are attending the magnet school or program from outside the attendance zone are NOT making the school more racially and ethnically diverse than it would have been if only neighborhood children attended, then that magnet school/program is not promoting integration. A refinement of this will be to compare the race and ethnicity data for the students from the attendance zone who actually attend the school/program with the race and ethnicity data for the students coming to the school from outside the attendance zone.

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<sup>1</sup> Mendoza Plaintiffs' initial comments below set forth additional preliminary comments that were not previously circulated in the June 19, 2013 email to the parties.

All of this is critically important information to have as we all assess both the effectiveness of the magnet schools/programs to advance integration and as the District considers where magnet schools might be eliminated. If a magnet program in school X does not serve as a true magnet to further integrate that school there is a real question about whether it is the correct location on which to spend what are limited magnet school resources.

We request the District to provide the data and engage in the analysis we have set forth above as it continues to work on the magnet plan.

We have additional questions and concerns where the integrative impact of the high school magnet schools<sup>2</sup> and magnet programs are concerned.

Tucson Fine and Performing Arts Strand is not listed as “successful” in the text at page 7 of the draft magnet plan but is so listed when the program is discussed at page 23. On page 23 there also is an indication that the number of “fine and performing arts magnet students” number 740. How that number was derived is unclear. We note that in the 2011 TUSD Comprehensive Magnet Review, the authors observed: “[w]hat it means to be a ‘Fine Arts magnet student’ [at Tucson High School] is not well defined...and should be addressed” (at 38), having previously written on page 35 that a number of different issues made it impossible to determine the number of neighborhood and non-neighborhood enrollees in high school magnet classes or to assess the achievement levels of such students as distinct from the achievement levels of the overall student body. We therefore ask how in reaching its conclusion that the Tucson Fine and Performing Arts Strand was successful with respect to integration, the District determined that 740 students were in that strand and what the racial and ethnic composition of those 740 students is, broken down by neighborhood vs. non-neighborhood.<sup>3</sup>

Another of our over-arching concerns relates to the USP requirements that the magnet school plan set forth a process and schedule to identify goals to further the integration of each magnet school and include strategies to specifically engage African American and Latino families, including the families of English language learner students. (USP at page 10; Sec. II, E, 4, xi and i.) The draft plan is silent on strategies to specifically engage African American and

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<sup>2</sup> We also note that University High School is never mentioned in the draft Magnet Plan and question this omission. We would have expected to see at the very least discussion of how the provisions of the USP dealing with UHS admission and retention in Section V of the USP were being coordinated with the requirements of the USP concerning the magnet schools and programs.

<sup>3</sup> The parallel concern exists with respect to the prong of what constitutes “success” that relates to achievement: does the District indeed have separate achievement data for the 740 students it says are in the Fine Arts magnet strand broken down by race and ethnicity given the difficulties that were previously reported to exist in identifying the Tucson High School students who constituted the students in that strand? If such data does exist, Mendoza Plaintiffs request that it be provided. If that data does not exist, how did the District determine that from an academic achievement perspective, the strand is a “success”?

Latino families, including the families of English language learner students. Nor does it set a consistent plan and schedule for the setting of goals and their implementation. We see a statement that each team member will participate in professional development on marketing and recruitment and engaging families and communities in meaningful partnerships some time during the 2013-14 school year. (See, e.g., draft at p. 4). We also see that some but not all magnet schools and programs have listed under “next steps” entries like “create recruitment goals” but only one (Bonillas) says “create marketing and recruitment plan, including timeline, to be implemented FY 14.” It must be made clear that marketing and recruitment plans must be created in time to be implemented in FY 14 and that these plans are to include strategies to include African American and Latino families, including the families of English language learners. Further a process to vet and coordinate these goals and plans should be articulated in the plan.

As noted above, we will provide additional comments concerning the draft plan but wanted to put before you as promptly as possible comments that deal with the essential role that magnet schools must play in furthering the integration of the District.

### **Magnet School Integration and the Related Issues of Location, Boundary Analysis and School Assignment**

In our initial comments above, we indicated that we believe the District’s proposed approach to deciding if a magnet is successfully integrated is too simplistic and that more data is needed than has been provided (or, it appears, yet considered by the District) to make a more fully informed assessment.

Further review of the Draft Magnet School Plan has added to those concerns.

For example, at page 6, the Draft Plan says that Cragin Elementary was chosen to be a new magnet “because of its integrated population” and that Mansfeld was chosen to be a new magnet because it is “currently racially concentrated.” No explanation is provided for these two apparently contradictory rationales. Nor is there any discussion of what Cragin will do to recruit and maintain an integrated school population as a magnet or what Mansfeld will do to become less racially concentrated – and certainly no discussion of why an already integrated school was chosen to be the site for a new magnet program in a District that has so few integrated schools and when magnet schools are intended to be the tool to increase the total number of integrated schools in the District. (Nor is there discussion of the challenges each school faces: Cragin as an under-performing school that had been considered for closure [is the addition of a magnet program intended to lead to school improvement? What will motivate parents to send their children to a new magnet program in a school that was rated “D” and then “C” in the last two years and that is underperforming the District on its AIMS scores?]. Mansfeld will be near capacity after it absorbs 120 new students upon the closing of Maxwell [and what will motivate parents to send their children to a school that is going through the process of absorbing and

integrating so many new students and also was rated “D” and then “C” in the last two years reported as of the date of the school closure considerations?].

Mendoza Plaintiffs also are troubled by the suggestion at pages 8-9 of the Draft Magnet School Plan that Hudlow and Roberts-Naylor K-8 or Dietz K-8 be considered as future new magnet schools. Hudlow currently is 34% Anglo and Dietz, which currently fits the USP definition of integrated, is expected to be about 29% Anglo even after it absorbs students moving to it from newly closed Carson. If more schools in the District are to become integrated, strong magnet programs need to encourage some of the Anglo students currently attending schools like Hudlow and Dietz to move elsewhere or significantly more Latino students than currently are enrolled in schools like Hudlow and Dietz to move to those schools. Placing new magnet programs in these schools is unlikely to achieve either of these goals. Anglo students would have less reason to leave and, given the location of these schools in the most easterly quarter of the school district, it will be a challenge to recruit a large number of Latino students to attend these schools. Moreover, focus on these schools as locations for new magnet programs seems to be at odds with the statement in the Draft Magnet School Plan (at page 2) that to further integration, magnet schools will be placed in central locations, that magnet programs outside the center of the District will be eliminated, and that locating schools on the far east side is not effective if one is attempting to attract Latino students.

While Roberts-Naylor is not so far east as Dietz, Mendoza Plaintiffs question why it is being considered as the site of a new magnet program (if the program is not placed at Dietz) given that it already is an integrated school. Mendoza Plaintiffs have a similar concern about the suggestion that Santa Rita High School in the southeast corner of the District become a magnet. (Draft Plan at 37.) While the Draft Plan asserts that there is a transportation corridor that “could enable students from the South-West quadrant to attend,” no data is provided to support that assertion or to indicate how many Latino students could be expected to cross the District to attend that 43.7% Anglo school (as reported in the Draft Magnet School Plan at 37).

Mendoza Plaintiffs have reviewed Section 3 of the Draft Plan (Definitions of Total School Magnet and School-Within-A-School Magnet) which also includes discussion of the process to determine if a school should have a preference zone<sup>4</sup> and how students will be admitted to oversubscribed magnets. This is an area in which the Mendoza Plaintiffs believe the District could benefit from additional outside expertise and urge the District to solicit that input. In addition, they note that in this Section of the Draft Plan, there is reference to a lottery to assign students in the event a magnet school or program is oversubscribed. Mendoza Plaintiffs note that the USP expressly requires that the plan actually set forth the admissions process and that such process take into account the enumerated requirements and criteria (as set forth in Section II

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<sup>4</sup> Mendoza Plaintiffs do not agree with the two stage approach to boundary review referenced at page 12 of the Draft Magnet School Plan but understand that this issue is being separately addressed by the District and the Special Master.

(G) (2) (a) of the USP). The draft plan fails to set forth a proposed admissions process. Such a process should be included in the revised plan.

### **The Proposed Process and Schedule for Implementation Must Be Revised**

The Draft Magnet School Plan proposes that little will happen during the 2013-14 school year beyond evaluation and professional development. (See Draft Plan at pages 3 and 4.) Such a schedule is too slow and contrary to the express direction of the USP that the plan is to be implemented to the extent practicable this year and fully implemented by next year. (USP Sec. II (E) (4).)

There is no need to delay evaluation until some unspecified time during the 12 months commencing July 1, 2013<sup>5</sup>. In fact, such an evaluation could and should already have occurred. The District has had the 2011 Comprehensive Magnet School Study (“2011 Magnet School Study”) as a starting point, presumably undertook analysis and evaluation in connection with its preparation of the Magnet School Assistance Program grant application, and knew at least by February 2013 when the USP was approved that it was to have had a magnet school plan in place by April 1, 2013 and that assessment (evaluation) would be an essential starting point for the preparation of a plan. At the very least, given where we now find ourselves and the schedule set by the Court, a full evaluation (not just a statement of whether a school currently meets the definition of integrated and a recital of its AIMS/PARCC scores and expressly including an analysis of its receipt and use of desegregation funds and other administrative support) should be completed as part of the preparation of the Comprehensive Magnet Plan to be released to the Plaintiffs for review and comment by September 1, 2013 pursuant to the Court’s Order of June 7, 2013.

The current “Phase I” schedule in the Draft Magnet School plan provides inconsistent discussion and deadlines for the critically important adoption and implementation of magnet school recruitment plans. It says that a “successful” magnet will be expected to “implement a comprehensive recruitment, sustainability, and marketing plan in conjunction with the District’s marketing and recruitment plan to be developed pursuant to the USP” (Draft Magnet School Plan at page 3) but does not fix a date by which the District will have such a plan or when the “successful” magnet is to implement its own plan.

It then says that the “approaches” schools “will develop a recruitment plan before the beginning of FY 15. This plan must include specific strategies, measurable integration goals, and a timeline for implementation, and will be coordinated with the District-wide outreach and recruitment plan.” (*Id.*) Then, it says that a “magnet improvement” will develop an improvement plan “before the end of the first quarter of the FY 14 school year...[that] must

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<sup>5</sup> It is noteworthy and lamentable that the Draft Plan fails even to state a date in the time frame July 1, 2013 – June 30, 2014 by which the proposed evaluation is to be concluded.

include...recruitment goals to be coordinated with the District-wide outreach and recruitment plan.” (*Id.*)

Why magnet “improvement” and “approaches” schools are to be on different schedules and “successful” magnets apparently on no schedule at all is not explained; nor is the failure to require specific strategies, measurable integration goals and a timeline for implementation except in the case of the “approaches” schools. Mendoza Plaintiffs believe that the District and ALL magnet schools should have goals and strategies in place in sufficient time to begin implementation when families start making their school choices for the 2014 school year and that the Comprehensive Magnet Plan to be released by September 1 should clearly set forth the process and schedule to reach that result.

### **The Draft Plan Does Not Appear to Take into Account the Findings of the 2011 Magnet School Study**

Section II (E)(3) contains an express direction that the magnet school plan to be developed pursuant to the USP “tak[e] into account the findings of the 2011 Magnet School Study...” This provision was included to ensure that the District consider and build on work that already had been done in this area -- at not inconsiderable time and expense -- and to provide guidance on the factors and assessments appropriate to the development of a magnet school plan. Unfortunately, the draft plan provides little evidence that the findings of the 2011 Magnet School Study were taken into account.

For example, the 2011 Magnet School Study includes data on the number of magnet applications received and the number of acceptances for the 2011-12 school year as well as data on building capacity and total enrollment. All of this is relevant to an assessment of the draw of the magnet program and to an assessment of whether a particular magnet program should be expanded, eliminated, or relocated. There is no indication that this data was updated for the 2012-13 school year or that consideration of such data and its implications for decisions about magnet schools and their locations was considered in developing the draft plan.

Similarly, the 2011 Magnet School Study breaks out the percentage of English language learners in each magnet school in 2010-11. Such information is essential to an understanding of whether the magnet schools and programs are reaching and serving this segment of the plaintiff population and to inform strategies to engage families of English language learners. Yet, there is no indication that this data was updated for the 2011-12 and 2012-13 school years or that consideration of that data and its implications for the design of the Draft Magnet School Plan were taken into account.

It appears that the 2011 Magnet School Study employs a more robust view of what constitutes a “successful” magnet than the draft plan. Compare, for example, pages 3 to 6, 12 and 17 of the 2011 Magnet School Study (with its reference to nationally recognized successful magnet criteria including equity of access, diversity, unique theme or pedagogy, dosage of

instruction, professional development, specialized staff, academic excellence, parent involvement, and business/community partnerships and its recommendations that reports on magnet schools include information on school demographics, applicant numbers, neighborhood and non-neighborhood enrollment numbers, students who drop from the program, and student achievement, as well as information related to desegregation funding, changes to magnet feeder patterns and school capacity) with the draft plan that says a magnet is “successful” if it is integrated as defined in the USP and its percentage of students (apparently not disaggregated by race, ethnicity or English language learner status) meeting or exceeding on AIMS/PARCC is greater than or equal to the District average. (Draft Magnet Plan at 6 – 7.) No explanation is given as to why the broader definition of success that undergirds the 2011 Magnet School Study and contains elements the Mendoza Plaintiffs believe are essential to an assessment of whether the magnet schools are furthering the goals of the USP<sup>6</sup> was not adopted. As noted above, the definition that is proposed is far too simplistic.

The 2011 Magnet School Study made express reference to transportation issues, noting that “[t]ransportation changes made after school started resulted in many schools losing students they had recruited who would have assisted them in reducing racial isolation. When the bus rides were combined and went to over an hour, many families could not accept it....Transportation should not be the deal breaker for students who have an interest in a particular program.” (2011 Magnet School Study at 17.) When the Court rejected the District’s objection to the USP provision stating that no more than 50% of the seats available shall be provided to students residing within a designated preference area if a magnet school or program is oversubscribed, it stated that it was adopting the Special Master’s recommendation to retain that 50% criteria which the Plaintiffs had supported “with the understanding that the Magnet School Plans will take into account the transportation burdens being incurred by the students, including the distance and time spent traveling to and from school. Additionally, the District should at last address the issue raised by the ICC in 2005, regarding the strategic placement of magnet schools in its ongoing efforts under the USP to desegregate TUSD.” (Order dated 2/6/13 at 23.) Notwithstanding the findings and recommendations of the 2011 Magnet School Study and the express direction of the Court, there is insufficient assessment of transportation distances and burdens in the Draft Magnet School Plan, which restricts itself on page 2 to a statement that magnet schools will be placed within an 8 to 10 mile radius of the center of the District and that this “should be much more effective than locating schools on the far west or the far east side and attempting to attract white students to west-side schools and Latino students to east-side schools.” (Draft Magnet School Plan at 2.)

The brief analysis we have performed indicates that the east side magnet schools are further from a defined central point (Tucson Blvd., between Broadway and 22<sup>nd</sup> Street, that is the

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<sup>6</sup> The importance of a number of these factors (and the data to inform assessment of such factors) is discussed in the Mendoza Plaintiffs’ initial comments found above at pp. 1-2. and will not be repeated here.



current Howenstine site) than the west side magnet schools. This means that east side distance/travel, for the most part, will be longer for west side (Latino) students. Further, the density of student population is greater on the west and southwest sides of the District, which means that more students will be impacted by far east side travel or even what is considered mid-District travel. These all are issues that should be addressed in a revised plan.

**The Magnet Status of Dual Language/Immersion Programs/Schools Should Not be Eliminated Based Solely on Their Status as Schools that Are Not Now Integrated**

The Draft Magnet School Plan proposes to eliminate the only magnet dual language or language immersion programs in TUSD by proposing to eliminate Davis, Roskrug and Pueblo High School as magnet themed schools or programs. According to the Draft Magnet School Plan, these schools and programs are designated for elimination because they have “little to no potential for integration regardless of improvements to the program(s) because of their location, program, and/or neighborhood composition.” (Draft Magnet School Plan at 8.) Basing the decision about whether to continue a magnet program solely on whether it is now integrated is shortsighted and fails to consider whether the magnet program had a genuine opportunity to flourish through adequate marketing and recruitment efforts and investment of resources.

The 2011 Magnet School Study applied multiple criteria (discussed above) to assessing the effectiveness of magnet schools and programs. Using these nationally recognized evaluation criteria, the 2011 review stated: Davis has “a long history as a very successful magnet”(2011 Magnet School Study at 31) with a Spanish immersion program since 1985-86 and waiting lists at every grade level. (School Summary Information, attachment to 2011 Magnet School Study at 9.) Evaluating Davis using the six factors listed above, the 2011 Magnet School Study ranked Davis with the highest score of all magnets in elementary schools with a total score of 94%. (2011 Magnet School Study at 24.) Davis received scores of 100% in four of the six categories – innovative and well implemented magnet theme, professional development, specialized teaching staff, and improved academic achievement. *Id.* In addition, Davis has had the benefit of strong community input into its magnet theme.

Similarly, Roskrug also received high marks from the magnet review. Roskrug received a total score of 80% based on the six factors, including scores of 100% for specialized teaching staff and 90% for innovative and well implemented magnet theme. (*Id.* at 25.) Because of Roskrug’s established dual language program in all grades, the magnet review recommended that Roskrug become a total magnet K-8 school. (*Id.* at 33.)

The 2011 Magnet School Study noted that a number of magnet schools and schools with magnet programs, including Davis and Roskrug, were racially isolated and needed “marketing and recruitment goals.” (*Id.* at 29.) It highlighted that schools “often recruit in neighborhoods adjacent to their schools” and that this “does not necessarily bring diversity.” (*Id.*) The USP requires the District “to recruit a racially and ethnically diverse student body to its magnet

schools and programs” using the Family Centers and other recruitment strategies outlined in the USP. (USP Section II, E, 2 at 9.) Mendoza Plaintiffs urge TUSD to implement the recruitment strategies required in the USP and the recommendations of the magnet review before deciding to eliminate these well-established and successful dual language magnet schools and programs which also have a great deal of community support and engagement.

Further, TUSD’s dual language instruction program is designed to provide instruction in two languages for “mainstream” and English Language Learners “with the educational goals of bilingualism, bilaterality and biculturalism.” (TUSD middle school Dual Language Model located at <http://www.tusd1.org/contents/depart/language/Documents/DualProgramSec.pdf> . ) The dual language program relies on students who are English language learners and students who are English proficient to accomplish the “dual” language model. Thus, the dual language magnet programs can be doing more to attract students who are English proficient, including students of all races and ethnicities. Mendoza Plaintiffs are informed that in the not too distant past, Davis had a good mix of Anglo students. TUSD should review the historical data and determine how this was accomplished and whether similar strategies would be effective today to promote integration at the school.

The USP requires the District to “increas[e] the number of dual language programs” in the magnet schools and programs (USP Section II, E, 3, (i) and (viii) at 9, 10). Yet, the District seeks to eliminate these established and successful language programs as magnets on the basis of their Latino student enrollment before they have had the opportunity to implement the recommendations in the magnet review and without a firm commitment from the District to add new dual language magnet schools and programs. Based on the Draft Magnet School Plan, the District fails to fully commit to increasing new dual language programs. Language programs are not even mentioned as a theme in the revised plan. (Draft Magnet School Plan at 9-10.) The Plan merely “consider[s]” Hudlow “as International Studies offering multiple languages” without committing Hudlow to be a dual language program and allocating no funds for Hudlow. (Draft Magnet School Plan at 31.) The Plan also “consider[s]” Dietz as an International Studies magnet with dual language strand and allocates no funds for Dietz. (*Id.*) Catalina is also proposed as an International Business and Economics magnet with a dual language strand but no funding is allocated for this purpose. (*Id.* at 30.) Santa Rita is listed as a future program for early college/international studies with dual language but no funds are allocated to it. These schools that are being considered for new dual language programs have been allocated no funds unlike new magnets planned for Cragin, Tully and Mansfeld, which have been allocated \$96K, \$287K, and \$621K, respectively. (Draft Magnet School Plan at 21, 24, 26.) (Elsewhere we raise questions of whether it is appropriate to locate any magnet programs at Hudlow, Dietz, and Santa Rita but that is not the point here. The important point here is the failure to allocate funds to support new dual language magnets.)

The Draft Magnet School Plan offers little consolation when it states that while the District proposes eliminating Davis and Roskrue as magnet schools and programs, the dual

language programs, “should” be maintained and strengthened as advanced learning experiences (Draft Magnet School Plan at 29, 30.) This is insufficient. The USP explicitly requires the creation of “additional dual language programs” in its discussion of magnet themes (at Sec. II (E)(3)(i) and (viii)) and is careful to state what they are to be in addition to by listing all existing dual language programs, including those at Davis, Pueblo and Roskruge, at footnote 2. Additionally, the Draft Magnet School Plan states that the number of bilingual certified teachers is limited and “if” dual language programs are expanded, more certified teachers will be needed. (Draft Magnet School Plan at 31.) The USP mandates the expansion of dual language programs. Expanding them is not a choice.

Further, the Draft Magnet School Plan’s proposal to maintain dual language programs as an advanced learning experience at the schools where magnet status would be eliminated does not address the transportation benefits that would be lost were the schools to lose their magnet status. What will happen to students who will lose the free transportation to attend these schools? Do their neighborhood schools provide similar dual language programs? At the very least, the District must conduct this analysis and address this concern before proceeding further.

The Draft Magnet School Plan is also silent regarding the continuity pipeline for magnet dual language programs from K-12. What will be the pipeline for students enrolled in dual language programs going forward?

The Draft Magnet School Plan proposes to relocate dual language programs to central and east side elementary and middle schools. Latino students residing in the west side of Tucson, where they are concentrated, desiring to attend the relocated dual language programs on the east side, will have a longer distance to travel for the reasons set forth above. In addition, more students will be impacted because of the density of the Latino population on the west side.

### **University High School Was Omitted from the Draft Plan**

University High School has been a magnet school since the PUSP was adopted by the Governing Board and it is listed as a magnet school in the USP. (See USP Appendix C at page 12.) Yet, it was excluded from the Draft Magnet School Plan. This oversight should be addressed when the Draft Plan is revised.

It is critically important that UHS be included in the magnet school plan so that it remains subject to the USP requirement that it have stated goals to further the integration of the school and so that it is subject to periodic evaluation which expressly includes an assessment of how successful it has been in achieving those goals. Further, it must remain subject to the requirement that it embrace strategies to engage African American and Latino families, including the families of English language learner students. See USP Sections II (E) (3) (xi) and (x). These requirements complement and support the requirements concerning admissions and retention set forth in USP Section V (A) (5). Additionally, it is essential that African American

and Latino students attending UHS from around the District continue to receive free transportation to UHS as required by the USP in Section III (A) (3).

### **Comments and Questions Regarding the Budget Allocations in the Draft Magnet School Plan**

Mendoza Plaintiffs raise several questions and comments regarding the budget allocations for magnet schools and programs in the Draft Magnet School Plan.

The proposed budget for each school in the Draft Magnet School Plan does not match the budgets for the magnet schools approved by the Governing Board and submitted to the Court for approval on May 24, 2013. (Exhibit C to TUSD's Reply Re: Notice of Adoption of Desegregation Budget, Doc. 1474, filed 5/24/2013, at 10-15.) The budget for the magnet schools and programs as recited in the Draft Magnet School Plan is \$2.4 million greater than the budget approved by the Court for the individual magnet schools. A review of each school's line item expenditures in the court-approved magnet budget indicates a total of about \$6.5 million (this is the sum of each school's expenditures listed in Project 3, Magnets). The sum of the budget allocations for each magnet school in the Draft Magnet School Plan totals \$8.98 million. While the total magnet budget approved by the Court is \$8.96 million, this includes \$2.3 million in expenses for the administration of the magnet programs (i.e. Magnet Director, curriculum coordinators, and benefits for all magnet staff, etc.). Mendoza Plaintiffs seek clarification from the District regarding whether the \$2.3 million in administration and benefits provided in the Court-approved magnet budget has been incorporated into each individual school expense under the Draft Magnet School Plan and, if so, how that has been accomplished. If not, Mendoza Plaintiffs request the balance of the budget allocations for magnet schools and programs.

Under the Draft Magnet School Plan, the schools or programs that are defined as "Needs Improvement" have been defined as such because they require "revision, enhanced curriculum, and/or intensive professional development." (Draft Magnet School Plan at 7.) These schools are identified as Bonillas, Drachman, Booth-Fickett, and Catalina. How does the District justify the budget allocations for these schools to ensure that the funding is adequate to address the needed improvements? For example, the 2011 Magnet School Study stated (at page 31) that it "is critical that all teachers at Drachman are trained and certified by the American Montessori Society as soon as possible." Is the amount included in the budget sufficient to meet that critical need? Similarly, the 2011 Magnet School Study stated (at page 33) that the magnet at Booth-Fickett "needs to be significantly revised and updated. There was no evidence of any specialized math or science curriculum in the elementary grades...At the middle school,...there was no sequence of math or science classes...[and] there were no specialized math/science teachers. The school has limited technology. TUSD should consider revising this school to a state-of-the-art Science, Technology, Engineering and Mathematics (STEM) magnet program." Is there sufficient money in the budget for Booth-Fickett to address these issues? (And is there sufficient sense of urgency, the Draft Magnet School Plan saying (on page 27) only that the school "is in

the process of redefining what it means to be a science/math magnet, ” that it will “locate a benchmark school”, and that it is going to “begin to create congruent and continuous curriculum....” )

Cholla, Utterback and Tully are also designated as needing improvement and have been singled out because they “have significant potential to achieve integration and to improve student achievement if resources are dedicated to revising and strengthening the programs.” (Draft Magnet School Plan at 7.) The plan allocates \$623K to Cholla when Cholla received \$2.2 million in 2010-2011 (School Summary Information, attachment to 2011 Magnet School Study at 37.) Is the amount allocated to Cholla sufficient for it to strengthen its programs? Why has its funding been reduced? Tully’s allocation of \$287K is a reduction from \$300K from 2010-2011 (School Summary Information at 19.) Is the amount allocated to Tully sufficient for it to strengthen its programs, particularly given the observation in the Draft Magnet School Plan that currently it is a magnet without a theme (see Draft Magnet School Plan at 24)?