

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**

Roy and Josie Fisher, et al., Plaintiffs,	4:74-cv-00090-DCB (Lead Case)
v.	
Tucson Unified School District No. 1, et al., Defendants.	

Maria Mendoza, et al. Plaintiffs,	CV 74-204 TUC DCB (Consolidated Case)
v.	
Tucson Unified School District No. 1, et al., Defendants.	

NOTICE AND REQUEST FOR APPROVAL

PORTABLE AT HUGHES K-5 SCHOOL

Tucson Unified School District – Legal Department
1010 East 10th Street, Room 24
Tucson, Arizona 85719
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 provide more students with an opportunity to attend Sam Hughes Elementary, an integrated
4 school. Hughes is a high-demand, oversubscribed, B-rated school near the center of TUSD.
5 In SY 2019-20, Hughes operated over its design capacity by approximately 50 students.

6 The District has engaged the parties and Special Master in communications about the
7 addition of the portable, including a draft Desegregation Impact Analysis (DIA). The Special
8 Master, Mendoza Plaintiffs, and the Department of Justice have indicated no objection to the
9 portable addition. The Fisher Plaintiffs object to the portable addition.

10 Hughes is an integrated school and the addition of the portable provides access for
11 more students to attend an integrated non-magnet school. **Exhibit 1, Desegregation Impact**
12 **Analysis, Hughes K-5 School.** The addition will not significantly affect surrounding schools
13 or negatively impact the District’s ability to fulfill its obligations under the USP.

14 **Conclusion**

15 The proposed addition will expand capacity at a high demand, oversubscribed, non-
16 magnet school (using plant funds, not 910G funds). Only the Fisher Plaintiffs have objected
17 to the portable addition in response to the draft DIA. The proposal will not create negative
18 impacts for TUSD’s USP obligations and will, in fact, positively impact TUSD’s obligations
19 to improve integration by providing students more students the opportunity to attend an
20 integrated school. For these reasons, the District respectfully requests approval.

21 Respectfully submitted on October 6, 2020.

22 **TUCSON UNIFIED SCHOOL DISTRICT**
23 **LEGAL DEPARTMENT**

24 *s/ Samuel E. Brown*
25 Robert S. Ross
26 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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