

# **EXHIBIT A**

**TUCSON UNIFIED SCHOOL DISTRICT**

## **Unitary Status Plan**

### **Annual Report**

**2012 – 2013 Academic Year**

*Fisher, Mendoza, et al. v. Tucson Unified School District, et al.*  
United States District Court, District of Arizona  
74-CV-00090 TUC DCB and 74-CV-00204 TUC DCB

Submitted to:

Honorable David C. Bury, United States District Court

Prepared by:

Tucson Unified School District No. 1

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## **OVERVIEW**

The primary purpose of the 2012-13 Annual Report is to present the outcomes of implementation activities from the previous school year. For the most part, this Annual Report does not include information about, data relevant to, or descriptions of activities occurring after June 30, 2013. Information and data contained in this Annual Report will be used to set goals and expectations for the current and future school years, to align and calibrate funding and implementation activities to assure full compliance with the Unitary Status Plan (“USP”) and to provide for full transparency and accountability to the Parties, the Court and the public.

During much of the school year (“SY”) 2012-13, the USP was under development. In February 2013, the Court adopted the USP and the District began full implementation later that month. Therefore, there are only a few months of USP-related activities from which to report outcomes that can be attributed to USP implementation (from March through June 2013). This is a situation unique to this Annual Report; reports in subsequent years will reflect outcomes resulting from a full year’s worth of implementation activities. Where possible, this report and/or its appendices include relevant data from the 2011-2012 school year to serve as a pre-USP baseline from which progress may be judged. However, for some particular matters, the District only began collecting data following adoption of the USP. Generally, the data and outcomes provided in this Annual Report should serve as a baseline for future Annual Reports.

The following overview outlines: (1) the methodology used for data presentation; (2) background information; and (3) highlights from the 2012-13 school year.

### **1. METHODOLOGY FOR DATA PRESENTATION**

#### **A. Disaggregation Methodology Under USP**

The USP requires that all data reported by TUSD be disaggregated. Disaggregation (or breaking down data by subgroups such as race, school, etc.) is helpful in recognizing whether the same pattern or effect exists, or is comparable, for each of the subgroups in comparison with each other, and with the whole. Data disaggregation is used in this Annual Report for the purposes of data comparison only. Effective data comparison will provide a statistically reliable District-wide “snapshot” allowing us to compare patterns and trends across racial subgroups, schools and those areas to be monitored under the USP, such as dropout rates, discipline rates, absenteeism rates, performance on certain tests, etc.

## **B. Statistical and Meaningfulness Considerations**

There are two circumstances discussed herein where disaggregation was not used.

First, disaggregation reporting is not used where it would provide no meaningful information. The meaningfulness of disaggregation reporting depends on the number of points of data (“N-size”) present in each disaggregated subgroup, or “cell.”

To illustrate, it may sound very impressive to say that “4<sup>th</sup> grade African American achievement at Arbusto Elementary School increased by 100 percent from last year to this year.” However, such a statement could be based on an increase from 1 out of 4 African American 4<sup>th</sup> graders passing the state assessment in the previous year, to 2 out of 4 passing in the current year (an increase of 100 percent). While the statement is technically true, such an increase would not be statistically significant, and would have an extremely small effect size (meaning, the District should not use a 100 percent increase that is based on one more student passing the state assessment to make decisions about the effectiveness of instructional or support strategies). Statisticians have developed levels of terminology to discuss this, including standard deviation, standard error of measurement, and confidence intervals. Even without the precise statistical terminology, we would probably conclude that such an increase is not meaningful. That is, we probably cannot do any meaningful comparisons with data in other subgroups if there are only 4 students in 1 of the groups.

As a further illustration of when disaggregation reporting may result in non-meaningful results, if an elementary school has 400 students, and the District’s student population is 6 percent African American, then such a school, if we disaggregate the data by race/ethnicity, might have 24 African American students. If we further disaggregate by grade, then for each of the grades of Kindergarten through 5<sup>th</sup> grade, there would be an average of 4 African American students in each grade level, or cell. Further disaggregation (for example, by English language learner (“ELL”) status, when the District’s student enrollment is around 6 percent ELL) will exacerbate this situation, and allow even fewer meaningful conclusions to be drawn.

Accordingly, disaggregation is not used in cases similar to the two illustrations above where the disaggregation would provide no meaningful analysis.

## **C. FERPA and Privacy Rights Considerations**

Second, disaggregation reporting is not used where it would result in the violation of state or federal law. The USP provides as follows with respect to the Family Educational Rights and Privacy Act (“FERPA”):

*The parties acknowledge that any data or information that includes personally identifiable student or personnel data will be provided by the District in accordance with applicable federal and state law, including the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. [USP § I(D)(9)]*

In addition to the statistical and meaningfulness considerations discussed above, any data report that contains any cell with an N-size of 1 is *de facto* a violation of the Family Educational Rights and Privacy Act (FERPA), since the data for a single student is now uniquely identifiable by their given demographic characteristics, and the Annual Report is a public document. Accordingly, disaggregation by ELL is ill-advised for two reasons:

- As discussed above, ELL students represent only about 6 percent of the District. Thus most students are not ELL, and disaggregating by ELL means a report on only 6 percent of the students. When combined with other disaggregation, this means an individual cell can reach one student quickly; and
- ELL status is correlated with other factors, especially with race/ethnicity. That is to say, ELL students are more likely to also be Hispanic students. Thus disaggregating by both race/ethnicity and ELL status is much more likely to present individually identifiable data in the ELL non-Hispanic cells.

In this first Annual Report, District staff members have spent considerable time and energy attempting to resolve this contradiction between the USP privacy provision (above) and the USP reporting requirements that specifically require disaggregation by multiple criteria.

In addition to concerns about students' privacy rights, District employees are also accorded certain specified privacy rights through federal law, state statute, and local bargaining agreements. These rights must also be balanced against specific USP requirements requiring disaggregation by multiple criteria.

## **2. BACKGROUND**

### **A. Historical Background [May 1974 – December 2011]**

In 1974, the District's student population was more than 63,000 students (approximately one-third minority and one-fourth Hispanic). By 2011, the population was less than 52,000 students (approximately three-quarters minority and two-thirds Hispanic). The District's African American population has remained somewhat constant around six to seven percent. In May 1974, the National Association for the Advancement of Colored People ("NAACP") filed suit against the District in federal court alleging segregation and

discrimination against the District's African American students. In October 1974, the Mexican American Legal Defense and Educational Fund ("MALDEF") filed similar allegations on behalf of Mexican American students. The cases were subsequently consolidated. In 1976, the United States Department of Justice ("DOJ") intervened.

On June 5, 1978, Judge William C. Frey issued findings, specifically, that a very limited number of District schools reflected the vestiges of historic *de jure* segregation of African American students.<sup>1</sup> The court rejected allegations of intentional segregation of Hispanic students, finding that the ethnic imbalance in District schools was a result of housing patterns, not segregative or discriminatory decision-making by TUSD. In the wake of the trial court decision, the parties reached a negotiated consent decree approved by the Court on August 31, 1978. That consent decree would govern the case for nearly three decades.

Between 1978 and 2009, the District adopted two major strategies to remove all vestiges of prior *de jure* segregation to the extent practical. The first was the creation of magnet schools. A magnet school is one that provides unique or specialized curriculum or pedagogy to attract a diverse group of students. The school is supposed to be so attractive that it is "magnetic" to students outside of the neighborhood while still offering enhanced learning for neighborhood students. The second was a policy prohibiting students from transferring between schools if such transfer would negatively affect the ethnic balance of the sending or receiving school. As Arizona embraced the concept of "open enrollment," the latter strategy was dropped and replaced with an open enrollment policy very similar to the one currently in place in the District.

In 2005 the District petitioned for unitary status (a finding that TUSD has removed all vestiges of prior segregation to the extent possible) and, in 2008, the Court granted the petition pending Court approval of a Post-Unitary Status Plan ("PUSP"). In July 2009, the District's Governing Board adopted the PUSP and, in December 2009, the Court approved the PUSP and ended federal oversight of the District. The Plaintiffs and the DOJ appealed the ruling to the Ninth Circuit Court of Appeals ("Ninth Circuit"). In July 2011, the Ninth Circuit reversed and remanded the case, reinstating judicial oversight of the District and effectively ending the PUSP.<sup>2</sup> The Ninth Circuit did not make any findings that prior vestiges of prior *de jure* segregation still exist in TUSD, but rather that the record and data simply was insufficient to establish that the District's programmatic efforts had actually achieved the desired results.

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<sup>1</sup> The District had one all-black elementary school, Dunbar, until 1951.

<sup>2</sup> The PUSP was in effect from 2009 through 2013. Though the case was remanded in 2011, the PUSP remained in effect until the USP was adopted.



## **B. Recent Background [January 2012 – July 1, 2013]**

On January 6, 2012, the Court appointed Dr. Willis D. Hawley as the Special Master. The January 6, 2012 Order prescribes the District’s obligations for providing notices and requests for approval for certain actions, and the responsibilities of the Special Master, including: a USP development schedule, ongoing oversight, scope of authority, compensation, retention of experts and support, access and communications, and terms for the termination of the Special Master.

The Court ordered the Special Master to: (1) oversee the PUSP until the USP was finalized; (2) formulate the USP based on new and existing findings of fact in consultation with the Parties and in consultation with the Court to bring the District into Unitary Status; (3) oversee implementation of the USP; (4) make recommendations to the Court as to whether the District has complied in good faith with the USP and attained unitary status (at the end of a specified time period); and (5) formulate a new post unitary status plan to guide the District in maintaining constitutional compliance after the release of federal court oversight. The Parties and Special Master worked collaboratively and developed the draft USP by the late summer of 2012. After the public comment period and further negotiations between the parties, a draft USP was submitted to the Court for further briefing on the parties’ points of disagreement. By February 2013, the Court finalized and adopted the USP.

## **C. Desegregation Standard For Unitary Status**

The USP adopted the Supreme Court standard for desegregation that is required for TUSD to achieve unitary status. *See* USP § I.C.I. TUSD must meet three obligations in order to satisfy that standard: (1) fully and satisfactorily comply with the court’s desegregation decree(s) for a reasonable period of time; (2) eliminate the vestiges of the prior *de jure* segregation to the extent practicable; and (3) demonstrate a good-faith commitment to the whole of the court’s decrees and to the applicable provisions of the law and the Constitution. *Freeman v. Pitts*, 503 U.S. 467, 491-92 (1992); *Bd. of Educ. of Oklahoma City Pub. Sch., Indep. Sch. Dist. No. 89 v. Dowell*, 498 U.S. 237, 248-50 (1991). The affirmative duty to desegregate is a continuing responsibility, ending only when a school district is declared unitary, and “[p]art of the affirmative duty . . . is the obligation not to take any action that would impede the process of disestablishing the dual system and its effects.” *Dayton Bd. of Educ. v. Brinkman*, 443 U.S. 526, 537-38 (1979).<sup>3</sup>

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<sup>3</sup> The term “integration” also is referred to below in this Annual Report and should not be confused with the legal desegregation standard required by the Supreme Court and the USP for unitary status. “Integration” is not the legal standard by which unitary status is

## **D. Deadlines**

The USP provides as follows with respect to deadlines:

*The parties and the Special Master shall review all of the reporting requirements set forth in this Order, and to the extent appropriate, revise these requirements to facilitate the monitoring of the District's compliance with this Order and reporting to the Plaintiffs and the Special Master [USP § I(D)(6)]*

Several of the deadlines set in the USP already had been passed, or were close to being passed, by the time the USP ultimately was adopted at the end of February 2013. The Parties and Special Master agreed to agree in some formal fashion on new deadlines. Though the parties discussed and agreed informally to new deadlines, new deadlines were not formally adopted prior to June 30, 2013.

## **E. Key Developments**

Two key developments occurred in SY 2012-13 that raised unexpected challenges and obstacles to the aggressive schedule for implementation set forth in the USP:

- **Budget Shortfall; School Consolidations**

The District faced a \$17 million dollar shortfall for SY 2013-14 due to a number of factors including state funding reductions, declining enrollment, and expiration of a temporary sales tax on June 30, 2012. The District held a series of focus groups comprised of various stakeholders, tasked with “balancing the budget” after reviewing information about the various cuts that could be made, additional revenue that could be generated and site capacity. The District also held several meetings focused exclusively

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achieved. Instead, “integrated school” is a term defined by the USP relating to Student Assignment (USP § II) and Transportation (USP § III). An “integrated school” is “any school in which no racial or ethnic group varies from the district average for that grade level (elementary school, middle school, K-8, high school) by more than +/- 15 percentage points, and in which no single racial or ethnic group exceeds 70% of the school’s enrollment.” With respect to Student Assignment (USP § II), the USP requires that TUSD implement four strategies to promote integration ((1) attendance boundaries, (2) pairing and clustering of schools, (3) magnet schools and programs and (4) open enrollment). *See* USP § II.A.1. With respect to Transportation (USP § III), the USP requires TUSD to make decisions concerning transportation in a manner that “promotes the attendance of district students at integrated magnet schools and programs.” *See* USP § III.A.2.

on the impact of different scenarios on student racial/ethnic integration. Based on the feedback from the meetings, the District developed three options involving a mix of cuts and school closures (also known as consolidations). See, *e.g.*, <http://www.tusd1.org/contents/govboard/packet12-20-12/12-20-12-BAI1-Att-ConsolidationOptionsDataSummary12-12-12.pdf>, <http://www.tusd1.org/contents/govboard/packet12-20-12/12-20-12-BAI1-Att-OptionsDataSheetFinalInitiated.pdf>, <http://www.tusd1.org/contents/govboard/packet12-20-12/12-20-12-BAI1-Att-ConsolidationOptionsRegionalSummary12-12-12.pdf>. The Governing Board proceeded with Option 1, which recommended 13 possible school consolidations. On December 20<sup>th</sup> the Governing Board voted to consolidate 11 schools. See, *e.g.*, <http://www.tusd1.org/contents/govboard/gbpacket12.html>.

- **New Administration**

In March 2013, one month after the Court adopted the USP, Superintendent John Pedicone, Ph.D. announced his resignation. Dr. Pedicone stayed on until the end of the school fiscal year, June 30, 2013, to oversee the beginning of USP implementation and the corresponding USP budget development, among other things. Along with Dr. Pedicone, other high-level administrators left the District including the following: Deputy Superintendent, Assistant Superintendent for Elementary and K-8 Schools, Director of High Schools, General Counsel, Chief Information Officer, Chief Human Resources Officer and Executive Director of Exception Education.

In June 2013, the Governing Board hired Heliodoro Torres (H. T.) Sánchez, Ed.D. Dr. Sánchez started as superintendent effective July 1, 2013 – four months into USP implementation.

### 3. **HIGHLIGHTS**

Below is a brief summary of District highlights for SY 2012-13:

<b>Month</b>	<b>Event</b>
2012	
July	<ul style="list-style-type: none"> <li>• The Court grants time for the parties to work together to develop the USP</li> </ul>
August	<ul style="list-style-type: none"> <li>• The District implements the AVID<sup>4</sup> program at Pueblo HS, Palo Verde HS, Valencia MS, Maxwell MS, and Hohokam MS</li> </ul>

<sup>4</sup>Advancement Via Individual Determination (“AVID”) is a college readiness system designed to increase student learning and performance. The AVID College Readiness System (“ACRS”) accelerates student learning, uses research based methods of effective

Month	Event
	<ul style="list-style-type: none"> <li>• The District expands the GATE cluster model to provide GATE services to more students</li> </ul>
September	<ul style="list-style-type: none"> <li>• Multiple focus groups representing District employees, parents, and community members meet to discuss guiding principles for School Master Plan to help navigate projected budget shortfall</li> </ul>
October	<ul style="list-style-type: none"> <li>• The Court approves the District construction proposals but delays approval of three non-construction proposals</li> </ul>
November	<ul style="list-style-type: none"> <li>• Parties submit a “Joint Proposed USP” noting areas of disagreement</li> <li>• The parties hold Public Forums to get public comment on the Proposed USP</li> </ul>
December	<ul style="list-style-type: none"> <li>• Parties submit revised “Joint Proposed USP” with few areas of disagreement</li> <li>• The District pilots ALE<sup>5</sup> recruitment effort</li> <li>• The District Governing Board votes to close/consolidate eleven schools</li> </ul>
2013	
January	<ul style="list-style-type: none"> <li>• Current Governing Board takes office</li> </ul>
February	<ul style="list-style-type: none"> <li>• Court approves school closures, subject to conditions</li> <li>• Court adopts the final version of the USP</li> </ul>

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instruction, provides meaningful and motivational professional learning, and acts as a catalyst for systemic reform and change.

<sup>5</sup> Advanced Learning Experiences (“ALE”) are offered to all students and include the following: Advanced Academic Courses (“AAC”); Advanced Placement (“AP”); International Baccalaureate (“IB”); Dual Credit Courses with Pima Community College and University of Arizona; Gifted and Talented Education (“GATE”); and University High School (“UHS”). The Governing Board also recognizes Dual-Language Programs as ALEs and, though not identified as ALEs in the USP, the USP recognizes these programs as “positive and academically rigorous programs designed to contribute significantly to the academic achievement of all students who participate in them and which provide learning experiences comparable to the advanced learning experiences described above.”

Month	Event
March	<ul style="list-style-type: none"> <li>• Court approves the District non-construction proposals</li> <li>• Superintendent Pedicone announces resignation</li> </ul>
April	<ul style="list-style-type: none"> <li>• Court approves closure-related boundary changes, subject to conditions</li> </ul>
May	<ul style="list-style-type: none"> <li>• The District Governing Board adopts 2013-14 USP budget; parties object</li> <li>• The District Governing Board grants Dual Language ALE status</li> </ul>
June	<ul style="list-style-type: none"> <li>• Court approves the adopted 2013-14 USP budget, subject to conditions</li> <li>• Special Master requests Court appointment of an Implementation Committee to oversee USP Implementation</li> <li>• Arizona Department of Education releases the 2012-13 Arizona “Letter Grade” Information. (From SY 2010-11 to SY 2012-13, the District reduced the number of “D” rated schools by 40% and doubled the number of “B” rated schools.)</li> <li>• In the summer of 2013, the following high-level administrators left the District: Superintendent, Deputy Superintendent, Assistant Superintendent for Elementary and K-8 Schools, Director of High Schools, General Counsel, Chief Information Officer, Chief Human Resources Officer and Executive Director of Exception Education.</li> </ul>

## 2012-13 ANNUAL REPORT

### I. INTRODUCTION

The USP provides as follows:

*The Fisher Plaintiffs, the Mendoza Plaintiffs, the United States (collectively, the “Plaintiffs”), and the Tucson Unified School District No. 1 (“TUSD,” or the “District”) (collectively, “the Parties”) enter into this Consent Order (“Order”) to resolve the longstanding desegregation case against the District. This Order consists of the Unitary Status Plan jointly proposed by the Parties, reached after months of negotiations. [USP § I(A)]*

*The District’s Annual Report shall be due on October 1 of each year for the pendency of this Order. [USP § I(D)(5)]*

Notwithstanding the terms of the USP, by Court order, the Annual Report deadline under the USP for the 2012-2013 school year is January 31, 2014.

On February 20, 2013, the Court filed the official and complete Unitary Status Plan (“USP” or “Consent Order”). The USP is organized into thirteen sections, ten of which are subject to the ongoing monitoring and reporting requirements contained in this Annual Report.

USP Section I sets forth a case overview, procedural history, the legal standard for desegregation and general provisions related to monitoring and reporting. USP Sections II – X each contain a separate reporting section that sets forth specific reporting requirements to be included in the current and future Annual Reports. Some, but not all, sections contain a separate monitoring section that sets forth ongoing monitoring obligations the District, the Special Master, and the Implementation Committee will engage in throughout the current school year.

For ease of reference, the format of this Report aligns with the format of the USP (Section II – Student Assignment, Section III – Transportation, etc.) Each section below includes the relevant USP language and the following subsections:

- A. “Specific Reporting” which includes a box containing the applicable USP language for the specific reporting requirement, and a reference to the appendix containing the detailed data or information responsive to the specific reporting requirement, and

- B. “Observations and Opportunities for Improvement” which contains general conclusions drawn from the specific reporting data or information and potential actions for improvement..

## II. STUDENT ASSIGNMENT

In the Court’s original order granting TUSD unitary status in 2008, the Court noted that the student ratios established by the original desegregation plan were “met and maintained over a five year period of time.” *Fisher v. United States*, 549 F. Supp. 2d 1132, 1136 (D. Ariz. 2008). However, until unitary status is attained, the District must continue striving for “desegregation of the district to the extent practicable, and ‘at the very least,’ the District has a duty to not exacerbate racial imbalance caused by demographic changes.” *Id.* at 1157. It is with an eye towards that obligation – both striving for desegregation and not exacerbating the imbalances caused by demographic changes – that the District is moving forward in the area of student assignment. As part of its student assignment work, the District is undertaking both a thorough analysis of its magnet programs, commencing a boundary review, and revising its admissions process for those popular schools and programs which are oversubscribed.

The USP provides the following overview regarding student assignments:

*Students of all racial and ethnic backgrounds shall have the opportunity to attend an integrated school. The District shall use four strategies for assigning students to schools, to be developed by the District in consultation with the Plaintiffs and the Special Master: attendance boundaries; pairing and clustering of schools; magnet schools and programs; and open enrollment. The District shall develop and implement a coordinated process of student assignment incorporating all of these strategies, as appropriate. [USP § II(A)(1)]*

*The District shall continue to assign students to schools based on the attendance area in which the parents of the student reside. Parents may apply to a District school other than their child’s attendance area school by completing a magnet or open enrollment application. Subject to possible school consolidations or closures or to any other changes contemplated herein, students may continue at the school in which they are currently enrolled from the effective date of this Order through the completion of the highest grade offered at that school. [USP § II(A)(2)]*

**A. Specific Reporting (Student Assignment)**

The District has established baseline data for SY 2012-13 that can be used to map progress toward full compliance in SY 2013-14. USP § II(K)(1) sets forth the specific reporting requirements for Student Assignment.

*1. The District shall provide, as part of its Annual Report:*

*a. A disaggregated list or table with the number and percentage of students at each school and District-wide, comparable to the data at Appendix C. [USP § II(K)(1)(a)]*

**See Appendix 3 (Equivalent of USP Appendix C)**

USP Appendix C identifies schools that are “Racially Concentrated” or “Integrated” according to the USP definition. Appendix C mistakenly was labeled 2011-12, but actually contained 2012-13 data. Appendix 3 of this report contains 2011-12 and 2012-13 data, along with a two-year comparison chart for each school. The USP uses the following criteria to define a “Racially Concentrated” or “Integrated” school:

*Racially Concentrated School: A school where a single racial/ethnic student group makes up 70 percent or more of the school’s total student population.*

*Integrated School: A school where each racial/ethnic student group makes up 69.9 percent or less of the school’s total student population, and where each racial/ethnic student group’s percentage of the total student population is within +/- 15 percent of the average enrollment for each racial/ethnic group (for the appropriate level: ES, K8, MS, HS).*

The following table outlines category changes between 2011-12 and 2012-13.

<b>2011-12</b>	<b>2012-13</b>
<p><b>55 Elementary schools</b></p> <p>22 Racially Concentrated 13 Integrated</p>	<p><b>55 Elementary schools:</b></p> <p>22 Racially Concentrated 15 Integrated</p>
<p><b>12 K-8 schools:</b></p> <p>6 Racially Concentrated 2 Integrated</p>	<p><b>12 K-8 schools:</b></p> <p>6 Racially Concentrated 2 Integrated</p>



2011-12	2012-13
<p><b>14 Middle schools:</b></p> <p>6 Racially Concentrated 2 Integrated</p>	<p><b>14 Middle schools:</b></p> <p>6 Racially Concentrated 2 Integrated</p>
<p><b>11 High schools:</b></p> <p>3 Racially Concentrated 5 Integrated</p>	<p><b>11 High schools:</b></p> <p>3 Racially Concentrated 4 Integrated</p>

### *The Challenge of the 70% Rule*

The USP defines a school where any racial or ethnic group exceeds 70% of total enrollment as “racially concentrated.” This threshold presents unique challenges in light of the District’s overall demographics. Between 2011-12 and 2012-13, Hispanic enrollment increased by one percent (61.5 to 62.5), matching long-term enrollment trends of increasing Hispanic enrollment over the past few decades. The increase in overall Hispanic enrollment increases the likelihood that District schools, particularly those on the west side where housing patterns reflect higher percentages of Hispanic families, can easily fall into the “racially concentrated” category notwithstanding the District’s most valiant efforts to prevent it from happening. As Hispanic enrollment increases, the statistical likelihood of certain schools being labeled “integrated” becomes more remote. Despite this challenge, the District experienced a net increase of one “Integrated School,” bringing the total number to 23.

The USP states that an “Integrated School” must reflect a student body 1) that is not racially concentrated and 2) in which no racial or ethnic group varies from the District average for that grade level by more than +/- 15 %. This definition leaves many schools as neither “racially concentrated” nor “integrated” under these definitions. Such schools are not identified above and there is no evidence that they are segregated or otherwise outside the District’s obligation to enhance and promote integration.

*1. The District shall provide, as part of its Annual Report:*

*b. Disaggregated lists or tables of all students attending schools other than their attendance boundary schools, by grade, sending school and receiving school, and whether such enrollment is pursuant to open enrollment or to magnet programs or schools [USP § II(K)(1)(b)]*

**See Appendix 10**

The first three tables are cross-tabulations of neighborhood schools to attended schools by levels K-8, middle and high school. The last table summarizes the open enrollment and magnet applications and placements to the schools, disaggregated by school, source (open enrollment/magnet), and race/ethnicity.

*1. The District shall provide, as part of its Annual Report:*

*c. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials. [USP § II(K)(1)(c)]*

**See Appendix 11**

The appropriate job descriptions containing explanations of responsibilities for each of these positions, names of persons designated to the positions, and their credentials are attached in Appendix 11 in accordance with USP § I(D)(9). Note that all positions filled during SY 2012-13 were existing personnel designated into USP roles.

The hiring process for magnet coordinators began in SY 2012-13, so Appendix 11 includes “others considered for the position.” However, the positions were not filled until after July 1 so the information regarding “persons hired” to fulfill those functions will be included in next year’s Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*d. A copy of the 2011 and any subsequent Magnet School Studies. [USP § II(K)(1)(d)]*

**See Appendix 12**

Appendix 12 includes the 2011 external magnet review by Education Consulting Service and the District's 2013 internal magnet review. The internal review evaluates each magnet program using standards developed by the U.S. Department of Education. For the five standards for which data were available, the majority of District magnet schools did not meet each standard in 2012-13. See also Appendices 13 (2013-2015 Magnet School Plan) and 14 (magnet school plans for improvement) for more information.

*1. The District shall provide, as part of its Annual Report:*

*e. A copy of the Magnet School Plan, including specific details regarding any new, amended, closed or relocated magnet schools or programs and all schools or programs from which magnet status has been withdrawn, copies of the admissions process developed for oversubscribed magnet schools and programs, and a description of the status of the Plan's implementation. [USP § II(K)(1)(e)]*

**See Appendix 13**

Appendix 13 is a copy of the 2013-2015 Magnet School Plan. One magnet school, Howenstine High School, was closed in SY 2012-13. Howenstine was initially constructed to serve as a self-contained school for severely handicapped children. Students were assigned to Howenstine based on need, so the school had no attendance boundaries. In more recent years, the District added a Service Learning magnet program in an effort to attract a more diverse population. The closing of Howenstine, and the resultant closing of the Service Learning magnet program, represented the only change to the District magnet program in SY 2012-13.

The initial magnet school plan was developed in the Spring of 2013 and submitted to the parties in April. After party comment and feedback, a revised draft was submitted to the parties and to the Governing Board in June of 2013. After five months of additional comment, feedback, and several community forums, a final version was approved in October 2013. The final version includes specific details regarding new, amended, closed or relocated magnet schools and programs. The admissions process was not developed, and the plan was not implemented, during the 2012-13 school year. Copies of

the process and a description of the status of the Plan’s implementation will be forthcoming in the 2013-14 annual report.

*1. The District shall provide, as part of its Annual Report:*

*f. Copies of any plans for improvement for magnet schools or programs developed by the District pursuant to this Order. [USP § II(K)(1)(f)]*

**See Appendix 14**

Appendix 14 includes magnet reviews completed in SY 2012-13 into which improvement plans are imbedded. These include: elementary comprehensive magnet reviews, K-9 comprehensive magnet reviews and high school comprehensive magnet reviews.

*1. The District shall provide, as part of its Annual Report:*

*g. Copies of any applications submitted to the Magnet Schools Assistance Program. [USP § II(K)(1)(g)]*

**See Appendix 15**

Appendix 15 includes a copy of the Magnet Schools Assistance Program (“MSAP”) grant application. The application was submitted on January 30, 2013; as of June 30, 2013, the District had not received notification regarding award status of the grant application. However, the grant ultimately was not funded. The plan proposed the following new programs:

<b>Magnet Programs</b>	<b>Schools</b>
Middle Years	Cholla High
Enhanced Fine Arts	Utterback Middle
STEM	Tully Elementary
STEM	Mansfeld Middle

*1. The District shall provide, as part of its Annual Report:*

*h. A copy of the admissions process developed for oversubscribed schools. [USP § II(K)(1)(h)]*

As of June 30, 2013, the admissions process was still under development. The current process for SY 2012-13 is described in the Post Unitary Status Plan<sup>6</sup>. Students who applied for admission in SY 2012-13, were placed into schools for SY 2013-14 and were the last group to be placed into schools according to the former PUSP rules.

In order for the District to make selective placements in a way by which race/ethnicity can be used as a factor to improve integration, schools must be oversubscribed (more applications than seats). As long as the number of seats exceeds the number of applications *all students are placed*. The Admissions Process for Oversubscribed Schools only applies where there are (a) available seats, after all neighborhood students have enrolled, and (b) more applications than available seats – by grade level. See Appendix 10 for more information on which schools received more applications than seats available for SY 2012-13. The admissions process will be developed and in place to affect applications made during the SY 2013-14 for student placement for SY 2014-15.

*1. The District shall provide, as part of its Annual Report:*

*i. Copies of all informational guides developed pursuant to the requirements of this Section, in the District's Major Languages. [USP § II(K)(1)(i)]*

Pursuant to USP § II, several information guides are under development, but as of June 2013, none had been completed. The guides will be available for and used in the SY 2013-14 open enrollment and recruiting period, and will be submitted with the Annual Report for SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*j. A copy of the enrollment application pursuant to the requirements of this Section, in the District's Major Languages. [USP § II(K)(1)(j)]*

**See Appendix 18**

There are six “Major Languages” spoken in the District: Arabic, Chinese (Cantonese/Mandarin), Nepali, Somali, Spanish, and Vietnamese. A language is

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<sup>6</sup> In order to increase the likelihood of diversity through the use of open enrollment, magnet schools, and magnet programs, District schools were organized into three groups (A/B/C) based on several demographic and achievement characteristics. These groupings were used to incentivize students with free transportation.

designated as a “Major Language” when one hundred families within the District speak the language.

Appendix 18 includes copies, in English and Spanish, of SY 2013-14 enrollment application (available to parents during SY 2012-13). The District has used slightly different versions of this enrollment application for a number of years for Open Enrollment for Magnet Schools and, except for the dates at the top and Part C of the Race/Ethnicity question, this application is the same as the application used in SY 2012-13 for enrollment for SY 2013-14. The applications are available online at (English) <http://www.tusd1.org/contents/govboard/SectJ/JFB-E1.pdf> and (Spanish) <http://www.tusd1.org/contents/govboard/SectJ/JFB-E1SP.pdf> .

The SY 2014-15 enrollment application (available to parents in October 2013) will be made available in each major language and will be provided with the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*k. A copy of any description(s) of software purchased and/or used to manage the student assignment process. [USP § II(K)(1)(k)]*

**See Appendix 19**

Appendix 19 is the student assignment process in the District’s Mojave Student Information System which the District has utilized during the past several years. Future Annual Reports will include descriptions of any software purchased and/or used to manage this process.

*1. The District shall provide, as part of its Annual Report:*

*l. A copy of the data tracked pursuant to the requirements of this Section regarding intra-District student transfers and transfers to and from charters, private schools, home schooling and public school districts outside of the District. [USP § II(K)(1)(l)]*

**See Appendix 20**

Appendix 20 includes data tracked pursuant to the requirements of the USP and for the past eight years. Note that for 2012-13, the District received more students from Charter schools (2,008 students “In”) than it lost to Charter schools (1,900 students “Out”). This

report represents an entire year and no numbers are directly comparable to the beginning of year or end of year enrollment for the District. The same student may appear in multiple “In” and/or “Out” lines and in both the “In” and “Out” columns. The most current race/ethnicity data known for students was used and applied using current desegregation race/ethnicity assignment rules.

*1. The District shall provide, as part of its Annual Report:*

*m. A copy of the outreach and recruitment plan developed pursuant to the requirements of this Section. [USP § II(K)(1)(m)]*

As of June 30, 2013, the outreach and recruitment plan was under development and scheduled to be completed in SY 2013-2014. The final version will be submitted with the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*n. Any written policies or practices amended pursuant to the requirements of this Section. [USP § II(K)(1)(n)]*

**See Appendix 22**

During SY 2012-13, no student assignment-related policies were amended pursuant to the USP. The District is reviewing all student assignment-related policies for possible USP-related amendments during SY 2013-14. Any such amendments will be submitted with the SY 2013-14 Annual Report.

One change in data collection/reporting was made in the spring of 2013, however. Specifically, in 2012 the Fisher plaintiffs objected that the method by which the District (consistent with state and federal legal standards) was collecting and reporting race and ethnicity was producing a statistical under-representation of African American students.<sup>7</sup>

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<sup>7</sup> In particular, those students identifying as African American/Black racially but listing Hispanic/Latino as their ethnicity were reported as “Hispanic” under the data coding practice of the District. Although this statistical challenge has been corrected for students who identify as Hispanic/Latino and African American, it remains for those students who identify ethnically as Hispanic/Latino but racially as anything other than African American.

The District believes that this amendment regarding the collection of racial/ethnic information will more accurately identify African American students by adding a third question to the two-part question on race/ethnicity. In connection with the revised form, the District also trained all relevant staff and reached out to certain families to capture more accurate data in this regard.

*1. The District shall provide, as part of its Annual Report:*

*o. A link to all web-based materials and interfaces developed pursuant to the requirements of this Section. [USP § II(K)(1)(o)]*

During SY 2012-13, the District began discussions regarding the development of web-based materials or interfaces pursuant to Section II of the USP. These materials and interfaces continue to be under discussion and development for SY 2013-14, and if any are completed, they will be included in the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*p. A list or table of all formal professional development opportunities offered in the District over the preceding year pursuant to the requirements of this Section, by opportunity description, location held, and number of personnel who attended by position. [USP § II(K)(1)(p)]*

**See Appendix 88**

Appendix 88 lists all Student Assignment-related training that occurred during SY 2012-13.

## **B. Observations and Opportunities for Improvement (Student Assignment)**

### **1. District-wide Desegregation Remained Constant in SY 2012-13, and may Improve Marginally in SY 2013-14**

Appendix 3 reveals District-wide integration remained constant in SY 2012-13 (net gain of one “Integrated” school), though the District’s Hispanic population continued to grow (from 61.5% to 62.5%, getting closer to the 70 percent limit for an “Integrated” school). School consolidations, and the continuing impact of the prior student assignment plan (the A-B-C zones, being phased out in SY 2013-14), may lead to marginal improvements



in integration in SY 2013-14. As SY 2013-14 is the first full year of USP implementation, significant progress is not expected to occur until SY 2014-15 and SY 2015-16.

## **2. Magnet and Open Enrollment Integration in SY 2013-14 Remained Constant, and may Improve Marginally in SY 2013-14**

In SY 2012-13, any change to student integration were the result of admissions processes designed prior to the USP. Appendix 3 reveals a higher percentage of Racially Concentrated schools (40 percent) compared to “Integrated” schools (25 percent). Magnet schools are either Racially Concentrated (67%) or “Integrated” (33%). Appendix 10 shows a significant percentage of the District’s families sending their children to schools other than their neighborhood schools – indicating that open enrollment is effective to facilitate voluntary movement – and that several schools could become further desegregated using the strategies outlined in the USP. Appendix 19 details the creation and implementation of the student selection process currently used by the District (under revision). Several USP-mandated factors may operate to facilitate integration in this area, including: marketing and recruiting, pairing and clustering, boundary changes, admissions changes, and magnet plan implementation.

## **3. Magnet Schools and Programs Will Continue to Improve in SY 2013-14**

Appendices 12 and 14 include information from the Internal and External magnet reviews, which revealed problems with several magnet programs. Appendix 13 describes how the District plans to improve magnet programs across the district. In SY 2012-13, many magnet schools and programs showed improvements, with even greater improvements occurring in SY 2013-14.

In its 2013 Education Choice and Competition Index, the Brookings Institute ranked the District ninth among 107 large school districts in the nation for its open enrollment policies and practices, including its quality magnet offerings. The District scored 57 points and earned a B- rating on the Education Choice and Competition Index, which uses 13 criteria to gauge school districts. The District received the highest possible ranking in areas including transportation services, offering alternatives to address-based school assignments (such as magnet schools), closing schools with low attendance and having easily accessible information online. TUSD also earned points for having a lottery system for open enrollment, providing virtual courses that count toward graduation and offering a variety of courses and learning resources to all students. The District believes that these successful programs will continue to be a valuable tool for achieving compliance with the USP, while also serving the educational needs of all students and recruiting new students to the District.

**4. Student Outreach and Recruitment is Improving**

A marketing campaign has been planned and implemented and marketing materials for outreach were developed pursuant to the requirements of this USP section. The District is also developing and implementing other strategies such as Family Centers and changes to practices to encourage engagement online and through other technologies.

**III. TRANSPORTATION**

The USP states, in relevant part:

*The District shall utilize transportation services as a critical component of the integration of its schools. [USP § III(A)(1)]*

**A. Specific Reporting (Transportation)**

The District has established baseline data for SY 2012-13 that it will use to evaluate the progress toward full compliance in SY 2013-14. USP Section III(C)(1) sets forth the specific reporting requirements for Transportation.

In the summer of 2013, the District was pleased to open its brand new, state-of-the-art transportation facility located on the west-side of Tucson’s heavily Latino/Hispanic west side. The concept of a bus facility on the west side had been discussed for many years. In February 2012, the Board received a proposal summarizing the benefits of a west side facility. In May 2012 the first meetings with architects took place to begin the design of a facility to be located at 4750 W. Jeffrey Road. In March 2013, ground was broken and the facility was occupied in August 2013.

Before constructing the west-side facility, the District operated 194 routes from its central facility covering both the central area of the city and the far west side. The District currently operates 78 buses from the new west-side facility and 115 buses from its central facility. The west-side facility primarily serves schools west of Interstate 10. The new facility made these differences:

- Deadhead (passengerless) miles, garage to first stop and last stop back to garage, have been reduced by approximately 400,000 miles per year. As a result of driving 400,000 fewer miles per year the district is expected to reduce costs by:

Driver and monitor pay time	\$494,000
Fuel savings	\$230,000
Reduced parts cost	\$103,000
<b>Estimated cost reduction</b>	<b>\$827,000</b>

- Environmentally speaking, driving fewer miles helps reduce the District’s overall carbon foot print.
- Driving fewer miles results in less ‘risk’ exposure. Applying the current accident rate per mile to the reduction should translate to 10 fewer accidents per year.
- Driver recruiting is always enhanced if the workplace is more central to the population being served. Having another location on the west side would assist with this recruiting effort.
- Service levels rise when the operating buses travel fewer miles and hours. Less exposure and being closer to where the work is (where route originate) means less opportunity for service errors, and quicker recovery if errors do occur. This means more efficient routing for students served by the west side transportation facilities.

*The District shall include data in its Annual Report regarding student use of transportation, disaggregated by school attended and grade level (elementary, middle, and high school). [USP § III(C)]*

**See Appendix 25**

Appendix 25 reports on the number of students who were eligible for transportation (*i.e.*, students for whom transportation was offered (routed)), by race/ethnicity and by the reason transportation was offered. Also included is more detailed information broken down by school.

### **B. Observations and Opportunities for Improvement (Transportation)**

Comparing the District’s racial/ethnic enrollment to the racial/ethnic makeup of students who receive transportation services reveals that, for the most part, transportation overall is being offered to students at about the same rate as their representation in the District. Magnet schools account for almost 25% of the total USP-related transportation offerings, A-B-C zones (the previous student assignment strategy) for about 10% of the total, and Advanced Learning (GATE, etc.) for about 6.5% of the total. In general, in SY 2012-13, about 40% of all transportation in the District was related to fulfilling desegregation obligations.

#### **IV. ADMINISTRATORS AND CERTIFICATED STAFF**

The USP states, in relevant part:

*The District shall seek to enhance the racial and ethnic diversity of its administrators and certificated staff through its recruitment, hiring, assignment, promotion, pay, demotion, and dismissal practices and procedures. [USP § IV(A)]*

##### **A. Specific Reporting (Administrators / Certificated Staff)**

To the extent possible, the District has established baseline data for SY 2012-13 that can be used to evaluate progress toward full compliance in SY 2013-14. USP § IV(K) sets forth the reporting requirements for Administrators and Certificated Staff:

*1. The District shall provide, as part of its Annual Report:*

*a. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials. [USP § IV(K)(1)(a)]*

**See Appendix 26**

A summary of persons designated under Section IV of the USP, their credentials, and job descriptions for these positions containing explanations of responsibilities pursuant to the USP are found in Appendix 26. All positions filled during the SY 2012-2013 were existing personnel designated into USP roles.

The hiring process for Professional Development Academic Trainers and Teacher Mentors began in SY 2012-13, so Appendix 26 includes “others considered for the position.” The positions were not filled until after July 1, however, so the information regarding “persons hired” to fulfill those functions will be included in next year’s Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*b. A copy of the Labor Market Analysis, and any subsequent similar studies. [USP § IV(K)(1)(b)]*

**See Appendix 27**

Appendix 27 includes the results of the Preliminary Labor Market Analysis (LMA) completed by the ERS Group in October of 2012. This analysis compared the number of Hispanic and African American administrators and teachers to the availability rates in Arizona, the Southwest region (AZ, CA, NM and TX) surrounding states (CA, NV, UT, CO, NM and TX) and/or the contiguous United States (48 states). Availability rates from three separate sources were considered: State Departments of Education, the U.S. Department of Education's National Center for Educational Statistics (NCES), and 2010 census data.

With only one exception, when considering statistically relevant data, these analyses revealed that the District employed more Hispanic administrators and teachers than would be expected based upon availability rates from all three sources. The only exception was data from the NCES for Post-Secondary Schools in the Southwest region which revealed that the District employed fewer than expected Hispanic teachers.

This LMA reveals that in all cases, the District employs more African American Administrators and Principals than would be expected based upon the availability rates from two of the three sources. (The data was insufficient for an NCES analysis.) However, the LMA demonstrates that while the District employs more African-American teachers than expected based upon the Arizona availability rates from the State Department of Education and the U.S. Census data, the District employs fewer than expected African American teachers based upon data from the expanded regional availability rates.

*1. The District shall provide, as part of its Annual Report:*

*c. A copy of the recruitment plan and any related materials. [USP § IV(K)(1)(c)]*

**See Appendix 28**

The District developed and implemented an ongoing Recruitment Plan beginning with the SY 2011-12. This LMA plan is reviewed annually to adjust for the District's needs. The District recruiter considered the Labor Market Analysis and ensured that she targeted

the few disparities identified in that analysis. The District’s recruiter has continued to meet with the “Recruitment Advisory Committee” to obtain community feedback.

*1. The District shall provide, as part of its Annual Report:*

*d. The following data and information, disaggregated by race and ethnicity:*

*i. For all administrator and certificated staff vacancies advertised and/or filled immediately prior to and during the preceding school year, a report identifying the school at which the vacancy occurred; date of vacancy; position to be filled (e.g., high school math teacher, second grade teacher, principal, etc.); number of applicants; number of applicants interviewed, by race (where given by applicant); date position was filled; person selected; and for any vacancy that was not filled, the reason(s) the position was not filled. [USP § IV(K)(1)(d)(i)]*

**See Appendix 29**

Appendix 29 contains the relevant report.

*1. The District shall provide, as part of its Annual Report:*

*d. The following data and information, disaggregated by race and ethnicity:*

*ii. Lists or tables of interview committee participants for each open position, by position title and school site. [USP § IV(K)(1)(d)(ii)]*

**See Appendix 30**

Appendix 30 contains the relevant table for administrative interview committees. Data on certificated staff interview committees is not available for SY 2012-13.

NOTE: A panel interview format is used by each school’s Site Council. Site Councils are a statutory creation (A.R.S. § 15-351) and they must reflect the “ethnic composition of the local community.” Schools also must abide by their Site Council’s bylaw which sets forth who can participate in the Site Council and how they will be selected. Additionally, schools (and the District generally) also must follow guidelines that comply with employee agreements. Both before and after finalization of the USP, these guidelines have encouraged diverse hiring committees .

*1. The District shall provide, as part of its Annual Report:*

*d. The following data and information, disaggregated by race and ethnicity:*

*iii. Lists or tables of all administrators and certificated staff delineated by position, school, grade level, date hired, and total years of experience (including experience in other districts), and all active certifications, with summary tables for each school and comparisons to District-wide figures. [USP § IV(K)(1)(d)(iii)]*

**See Appendix 31**

Appendix 31 contains a list of all administrators and a list of all certificated staff including name, hire date, Race/Ethnicity, Education level, if known, current position and the department/school. Note that race/ethnicity for employees still uses the old single category system used for students through SY 2009-10, and does not include Multi-Racial as an option. The information regarding grade level, total years of experience and all active certifications is not available electronically and is available individually upon request.

Until implemented, it is difficult to determine what type of summary and comparisons to District-wide data would be appropriate. The District will need to be study and analyze this issue in the future.

*1. The District shall provide, as part of its Annual Report:*

*d. The following data and information, disaggregated by race and ethnicity:*

*iv. Lists or tables of administrators or certificated staff who chose voluntary reassignment, by old and new position. [USP § IV(K)(1)(d)(iv)]*

**See Appendix 32**

Appendix 32 is a report of all voluntary administrative transfers from February 2013 through June 2013.

*1. The District shall provide, as part of its Annual Report:*

*d. The following data and information, disaggregated by race and ethnicity:*

*v. Lists or tables of administrators and certificated staff subject to a reduction in force, by prior position and outcome (i.e., new position or dismissal). [USP § IV(K)(1)(d)(v)]*

**See Appendix 33**

Appendix 33 provides a list of administrators and certificated staff originally on the Reduction in Force (RIF) list in SY 2012-13 (Nonrenewal). The outcome of each employee is identified in the comments section of the table. Outcomes include retirement, termination, offered position (Contract Date), or offered position but declined for SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*e. Copies of the District's interview instruments for each position type and scoring rubrics; [USP § IV(K)(1)(e)]*

**See Appendix 34**

Appendix 34 contains the standard interview instruments for administrative and certificated staff.

*1. The District shall provide, as part of its Annual Report:*

*f. Any aggregated information regarding why individuals offered positions in the District chose not to accept them, reported in a manner that conforms to relevant privacy protections. [USP § IV(K)(1)(f)]*

**See Appendix 35**

Appendix 35 contains data for positions offered to District employees/applicants at colleges and universities. As of June 2013, the District was not systematically capturing this information. The District is currently developing procedures to capture this information to be included in the SY 2013-14 Annual Report, including instituting routinely a post-offer inquiry process for all teacher and administrator positions.



*1. The District shall provide, as part of its Annual Report:*

*g. The results of the evaluation of disparities in hiring and assignment, as set forth above, and any plans or corrective action taken by the District. [USP § IV(K)(1)(g)]*

District staff is currently developing plans and procedures to evaluate these disparities, if any. These plans and procedures will be completed in SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*h. A copy of the pilot plan to support first year teachers developed pursuant to the requirements of this Section. [USP § IV(K)(1)(h)]*

During the portion of the SY 2012-13 covered by the USP (roughly February through June 2013), the First Year Teacher Pilot Plan was under development to build upon the existing mentoring program provided by the District to new teachers.

*1. The District shall provide, as part of its Annual Report:*

*i. As contemplated in (IV)(F)(1)(a), a copy of the District's retention evaluation(s), a copy of any assessments required in response to the evaluation(s), and a copy of any remedial plan(s) developed to address the identified issues. [USP § IV(K)(1)(i)]*

**See Appendix 38**

Appendix 38 is a compilation of attrition data reflecting employees separating from the District by ethnicity, a summary of which is provided below. An evaluation of the SY 2012-2013 (Feb-June) attrition rates at the District reveal that African American and Hispanic administrators and certificated staff did not separate from the District in greater numbers when compared to other racial and ethnic groups.

**SY12-13 (Feb-June) Administrative Staff**

<b>Race/Ethnicity</b>	<b>Total</b>	<b>% of Total</b>	<b># Separated</b>	<b>% Separated</b>
White	102	57%	23	22.54%
African American	14	8%	0	0.00%
Hispanic	61	34%	7	11.47%
Native American	2	1%	0	0.00%
<b>Total Administrators</b>	<b>179</b>	<b>100%</b>	<b>30</b>	<b>16.76%</b>

A total of 30 administrators separated from the District between Feb 2013 and June 30, 2013, seven (11.47%) of whom were Hispanic and none were African American.

**SY12-13 (Feb-June) Certificated Staff**

<b>Race/Ethnicity</b>	<b>Total</b>	<b>% of Total</b>	<b># Separated</b>	<b>% Separated</b>
White	2300	68.88%	385	16.74%
African American	106	3.17%	20	18.87%
Hispanic	818	24.50%	117	14.30%
Native American	39	1.17%	7	17.95%
Asian/Pacific Islander	74	2.22%	11	14.86%
Unspecified	2	0.06%	1	50.00%
<b>Total Certificated</b>	<b>3339</b>	<b>100%</b>	<b>541</b>	<b>16.20%</b>

A total of 541 certificated staff separated from the District between Feb 2013 and June 30, 2013, 20 (18.87%) were African American and 117 (14.30%) were Hispanic.

*1. The District shall provide, as part of its Annual Report:*

*j. As contemplated in (IV)(F)(1)(b), copies of the teacher survey instrument and a summary of the results of such survey(s). [USP § IV(K)(1)(j)]*

**See Appendix 39**

The District performs an annual quality survey of each school, given to all students, parents, and staff. This survey, in part, reflects the overall job satisfaction of the staff. Appendix 39 presents a summary of the survey data for SY 2012-13 from staff, broken down by ethnicity. This data can be found in more detail at: [https://tusdstats.tusd1.org/paweb/Utility/SQS/SQS\\_Summary.aspx](https://tusdstats.tusd1.org/paweb/Utility/SQS/SQS_Summary.aspx). The District reviews the School Quality Survey annually. Any revisions will be included in the annual report for SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*k. Descriptions of the findings of the biannual focus groups contemplated in (IV)(F)(1)(c). [USP § IV(K)(1)(k)]*

The District began the process of forming biannual focus groups in February 2012. Although no findings are available at this time, any findings identified by these groups in the future will be provided in subsequent Annual Reports.

*1. The District shall provide, as part of its Annual Report:*

*l. A copy of the Reduction in Force plan contemplated in (IV)(G)(1); [USP § IV(K)(1)(l)]*

The Regulation GCQA-R guided the Reduction in Force (RIF) plan during that portion of SY 2012-13 in which the USP was applicable (approximately February through June 2013). The assignments required by the USP were unaffected by the RIF. The RIF plan, which will be revised to incorporate any additional requirements under the USP, will be implemented during SY 2013-14 and the resulting data provided in the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*m. Copies of the teacher and principal evaluation instruments and summary data from the student surveys contemplated in (IV)(H)(1). [USP § IV(K)(1)(m)]*

**See Appendix 42**

During SY 2012-13, the District worked to revise the teacher and principal evaluation instruments for compliance with recently enacted state law as well as the USP. The District has performed an annual school quality survey for a number of years. A summary of which is categorized by race and ethnicity in Appendix 42 presents, in part, a summary of the survey data for SY 2012-13 from students, broken down by ethnicity. This data can be found in more detail at:

[https://tusdstats.tusd1.org/paweb/Utility/SQS/SQS\\_Summary.aspx](https://tusdstats.tusd1.org/paweb/Utility/SQS/SQS_Summary.aspx).

*1. The District shall provide, as part of its Annual Report:*

*n. A description of the New Teacher Induction Program, including a list or table of the participating teachers and Mentors by race, ethnicity, and school site. [USP § IV(K)(1)(n)]*

**See Appendix 43**

The District's New Teacher Induction Program is in its seventh year of existence. In February 2013, the District began the process of evaluating and updating the New Teacher Induction Program to address changes in state law regarding teacher evaluations, District policies and policy practice, including curriculum. These changes include establishing strong educational standards. An overview of the New Teacher Induction Program is available at: [www.tusd1.org/contents/distinfo/mentoring/index.asp](http://www.tusd1.org/contents/distinfo/mentoring/index.asp)

The District's New Teacher Induction Program is a formal program providing, providing new teachers with professional development and support through one-on-one mentoring in order to advance teacher practices and improve student learning. The District's New Teacher Induction Program is designed to inspire, support and challenge participants to:

- Accelerate their professional growth;
- Increase student learning and achievement;
- Advocate for equity of all students;
- Develop into reflective practitioners; and
- Develop into leaders, who value collaboration and life-long learning.

Teachers new to the profession must complete two classroom management seminars during their first year of teaching. All teachers new to the District must complete a four day Essential Elements of Instruction training course within their first year of employment with the District in order to continue employment thereafter. Training such as Professional Boundaries and Tort Liability is provided during the four day Essential Elements of Instruction.

Participating teachers will learn to continuously assess and adjust their instruction, ultimately working towards independence from their mentors. The goal for participating teachers is to become autonomous as they assume the following roles and responsibilities:

Participant Roles:

- Reflective Practitioners
- Life-long Learners
- Advocates for Equity

Participant Responsibilities:

- Attend the four Day New Teacher Induction Program
- Self-assess for effective practices (including video recording, learning activity reflections)
- Set individual goals based on the Danielson Framework for Teaching Plan standards-based lessons
- Attend New Teacher Induction Program professional learning (study groups, seminars)
- Collaborate during regularly-scheduled uninterrupted sessions with mentors
- Debrief classroom visits
- Analyze student work
- Advocate for equity for all students
- Engage thoughtfully with students from diverse racial, ethnic, cultural and linguistic backgrounds using culturally responsive pedagogy
- Become an active practitioner of inquiry
- Engage in the Teaching Cycle (Teach-Reflect-Plan-Teach)
- Complete an end-of-the-year program evaluation

Under Dr. Sanchez's leadership, the District is continuing to identify other mandatory components of TUSD's New Teacher Induction Program. Other components already identified for SY 2014-15 include Supportive and Inclusive Learning Environments (SAIL), *aka* Culturally Responsive Pedagogy; and, the Danielson Framework for Teaching. An update, including revisions and improvements for upcoming school years, will be included in the District's SY 2013-14 Annual Report.

Appendix 43 contains a list of participating teacher mentees and teacher mentors for SY 2012-13.

*1. The District shall provide, as part of its Annual Report:*

*o. A description of the teacher support program contemplated in (IV)(I)(2), including aggregate data regarding the numbers and race or ethnicity of teachers participating in the program. [USP § IV(K)(1)(o)]*

During the portion of SY 2012-13 to which the USP was applicable, the District continued to develop the teacher support program. Once completed the teacher support program will be implemented in SY 2013-14 and the relevant data will be provided in the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*p. A copy of the leadership plan to develop African American and Hispanic administrators. [USP § IV(K)(1)(p)]*

The District has developed prospective administrators through the Aspiring Leaders Program, and current administrators through ongoing professional development. The Aspiring Leaders Program was developed to build skills within schools. Participation is based on an application process, participant diversity, and recommendations from District leadership.

During that portion of SY 2012-13 to which the USP was applicable, approximately February through June 2013, the Aspiring Leaders Program underwent revision to reflect the direction of the District's new leadership and to fulfill the USP's goals.

The most recent version of the Aspiring Leaders Plan (now called the "Leadership Prep Academy") will include specific strategies to develop African American and Hispanic administrators. Details of the Leadership Prep Academy will be provided in the District's SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*q. For all training and professional development provided by the District pursuant to this section, information on the type of opportunity, location held, number of personnel who attended by position, presenter(s), training outline or presentation, and any documents distributed. [USP § IV(K)(1)(q)]*

**See Appendix 88**

Appendix 88 lists all USP Section IV-related training that occurred in SY 2012-13.

**B. Observations and Opportunities for Improvement  
(Administrators/Certificated Staff)**

- 1. Implementation of the Recruitment/Retention Plan Should Help Efforts to Recruit and Retain African American and Latino Administrators and Certificated Staff**
- 2. Improvements to HR Data Collection and Reporting Will Facilitate Faster and More Accurate Reporting in the Future**

**V. QUALITY OF EDUCATION**

The USP states, in relevant part:

*The purpose of this section shall be to improve the academic achievement of African American and Latino students in the District and to ensure that African American and Latino students have equal access to the District's Advanced Learning Experiences. [USP § V(A)(1)]*

**A. Specific Reporting (Quality of Education)**

The District has established baseline data for SY 2012-13 that can be used to evaluate document progress, until full USP compliance is reached in SY 2013-14. USP § V(F) sets forth the reporting requirements for Quality of Education.

*1. The District shall provide, as part of its Annual Report:*

*a. A report, disaggregated by race, ethnicity and ELL status, of all students enrolled in ALEs, by type of ALE, teacher, grade, number of students in the class or program, and school site. [USP § V(F)(1)(a)]*

**See Appendix 47**

Appendix 47 contains student enrollment in Advanced Learning Courses, Dual Language, and AVID on the 40<sup>th</sup> day of SY 2012-13. The information is disaggregated by type, race, and school site. Further disaggregation of information (by teacher and grade) may result in the identification of individual students in violation of FERPA.



*1. The District shall provide, as part of its Annual Report:*

*b. The information set forth in Appendices E, F, and G, for the school year of the Annual Report set forth in a manner to permit the parties and the public to compare the data for the school year of the Annual Report with the baseline data in the Appendices and data for each subsequent year of activity under the Order. [USP § V(F)(1)(b)]*

**See Appendices 5, 6, and 7 (Equivalent to USP Appendices E, F, and G)**

- Appendix 5 contains comparable information to USP Appendix E (Advanced Academic Course Data). Appendix 5 shows that more minority students participated in Advanced Academic Courses in SY 2012-13 compared to SY 2011-12. 24.5% of African American students in Grades 6-12 participated in Advanced Academic Course in SY 2012-13, compared to 20.5% in SY 2011-12. 32.6% of Hispanic students in Grades 6-12 participated in AACs in SY 2012-13, compared to 20.5% in SY 2011-12. Appendix 6 contains comparable information to USP Appendix F (GATE Data).
- The data in Appendix 6 shows that more minority students received GATE services in SY 2012-13 compared to SY 2011-12. 6.1 % of African American students received GATE services in SY 2012-13, compared to 4.4% & in SY 2011-12. 7.5 % of Hispanic students received GATE services in SY 2012-13, compared to 6.4 % in SY 2011-12. 13.3% of Hispanic students in Grades 6-12 received GATE services in SY 2012-13, compared to 6.4% in SY 2011-12.
- Appendix 7 contains comparable information to USP Appendix G (University High School data). This appendix has some of the data with the two years side by side to facilitate comparison. In SY 2012-13, there are more African American and Hispanic students enrolled at University High School than in SY 2011-12, both by number and percentage. The number of African Americans enrolled on the 40<sup>th</sup> day went from 12 (1.3%) to 15 (1.6%). The number of Hispanics enrolled on the 40<sup>th</sup> day went from 265 (29.7%) to 290 (30.9%). The number of African American and Hispanic students applying for University High School also rose from SY 2011-12 to 2012-13.

*1. The District shall provide, as part of its Annual Report:*

*c. Copies of all assessments, analyses, and plans developed pursuant to the requirements of this Section. [USP § V(F)(1)(c)]*

During the portion of SY 2012-13 covered by the USP (roughly February through June 2013), no such assessments, analyses or plans were developed.

*1. The District shall provide, as part of its Annual Report:*

*d. Copies of all policies and procedures amended pursuant to the requirements of this Section. [USP § V(F)(1)(d)]*

During the portion of SY 2012-13 covered by the USP, the District did not amend any policies or practices pursuant to the requirements of this section.

*1. The District shall provide, as part of its Annual Report:*

*e. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials;  
[USP § V(F)(1)(e)]*

**See Appendix 51**

Appendix 51 contains job descriptions, credentials, and other factors considerations for personnel hired or assigned to fulfill the requirements of this section.

*1. The District shall provide, as part of its Annual Report:*

*f. Copies of all recruitment and marketing materials developed pursuant to the requirements of this Section in the District's Major Languages, with a list or table of all location(s) in the District in which such materials are available; [USP § V(F)(1)(f)]*

**See Appendix 52**

Appendix 52 includes information from the SY 2012-13 Advanced Learning Experiences recruitment efforts, including the draft plan, and a copy of the recruitment letter. The

Advanced Learning Experiences recruitment DVD that accompanied the recruitment letter was sent to approximately 4,000 residences as part of the SY 2013-14 Advanced Learning Experiences recruitment effort and can be found at <http://www.tusd1.org/ale>, along with links to more information on the Advanced Learning Experiences. Through this recruiting effort, the District identified and recruited nearly four thousand 8<sup>th</sup> grade through 11<sup>th</sup> grade students with “Advanced Learning Experiences potential” (over 50% of whom were from “traditionally underserved” minority groups; students in these groups were targeted for additional recruitment including face-to-face meetings with counselors, including Life Skills Counselors, and personal phone calls to parents to encourage Advanced Learning Experiences enrollment, etc.)

*1. The District shall provide, as part of its Annual Report:*

*g. Copies of the new and/or amended admissions and testing criteria, policies, and application form(s) for University High School together with a report of all students who applied to University High School for the school year covered by the Annual Report showing whether or not they were admitted and if they enrolled, disaggregated by race, ethnicity, and ELL status. [USP § V(F)(1)(g)]*

**See Appendix 53**

During the portion of SY 2012-13 covered by the USP, the District consulted with parents and faculty at University High School, as well as outside experts, to develop ideas for revisions to the admissions and testing criteria for University High School.

Specifically, during January and February of 2013, UHS Principal Moll, Dr. Juliet King, Ph.D (research project manager for TUSD) and UHS faculty member Michael Schmidt (also representative of the Instructional Council) conducted preliminary exploratory meetings on how to achieve the goals identified by the parties in the USP. To this end, in February 2013 Dr. King conducted an analysis on behalf of TUSD, reviewing and surveying the best practices in admissions policies of exam high schools across the country. Dr. King also created a chart summarizing the best practices review. In March 2013, TUSD formalized the University High School Internal Working Group (“UHS Working Group”), exclusively dedicated towards the revision of the UHS admissions policy. The UHS Working Group was made up of the following: UHS faculty (Math Teacher Mike Schmidt), the Instructional Council (Schmidt as representative), the UHS Principal and Assistant Principal, the UHS Site Council (Assistant Principal, UHS Office Manager and parent representatives), the Manager of School Admissions, UHS Learning Support Coordinator, UHS Career and Technical Counselor, UHS Office Manager, Foundation Board (UHS Office Manager as representative), UHS parents (Terry Adkins as representative) and UHS students (Mickey Cronin as representative). Dr. King, Samuel Brown (director of de-segregation for TUSD) and Martha Taylor (director of Advanced Learning Experiences) also were part of the UHS Working Group.

In addition to the internal best practices review conducted by Dr. King in February 2013, the UHS Working Group reviewed best practices in findings from the nationwide study of 169 schools completed by Drs. Finn and Hockett, and published in 2012 in *Exam Schools: Inside America's Most Selective Public High Schools*. The UHS Working Group discussed some of the challenges facing exam schools—specifically that no school surveyed, nor the 11 schools presented as case studies, had developed admissions criteria that resulted in a more diverse student body. The use of multiple measures, in and of themselves, did not result in increased representation of underrepresented racial/ethnic groups. The UHS Working Group determined there was no clear educational model to follow and would have to apply best efforts to identify an approach that would work for UHS.

The UHS Working Group also consulted with experts Chester Finn and Jessica Hockett, co-authors of *Exam Schools* during this period of time. These experts were chosen because they already had completed the only existing broad, comprehensive, national review of exam schools in the field and were in a position to help the District quickly narrow its research to those schools that most closely fit UHS' profile as a large public school with 1,000 applicants a year.

The UHS Working Group further consulted with Dr. Lanny Kanevsky, professor at Simon Fraser University in Vancouver, Canada, as an academic who has studied concepts such as student resiliency and motivation measures in gifted education (K-12) for the past 20 years. Dr. Kanevsky cited the work of Dwerk, Gottfried and Gottfried, and Marsten (also experts in the field) and presented for consideration potential resiliency/motivation measures to the UHS Working Group including Dwerk's Mind-Set scale and Gottfried's Children's Academic Intrinsic Motivation Inventory ("CAIMI") and Pearson Resiliency Scales for Children and Adolescents.

The UHS Working Group also interviewed Kelly Lofgren (Admissions Coordinator, Illinois Mathematics & Science Academy), Jeannie Franklin (Director of Division of Consortia Choice and Application, Montgomery County Public Schools), Dr. Tonya Moon (University of Virginia, expert in Gifted Education and Academic Diversity), and Kenneth Bonano (principal of Scarsdale High School) regarding admissions measures.

In addition to incorporating the research of best practices from schools across the county as well as experts, principals and school administrators nationwide, the District sought, perhaps most importantly, the input of the Tucson community. During this time period, the District sought to assure clear and open communications with the public about the District's efforts, and with parent, student and faculty stakeholders concerning USP implementation at UHS.

In particular, the District solicited feedback from the site council organized under A.R.S. § 15-351 (requiring each school to form a representative committee of parents, teachers, staff, community members, students, and administrators for consultation on school decision-making). Additionally, the District solicited feedback from a very active University High School Parent Association (UHSPA). Finally, TUSD solicited feedback from the families of potential future UHS students, UHS graduates, active UHS Alumni and the Foundation, the public at large, the District's administration, and the Governing Board.

Public input was overwhelmingly in favor of maintaining the current admissions criteria (CoGAT/grades) as well as supplementing those with additional objective measures. One example is whether to include a personal essay in the admissions process. Many UHS stakeholders believe that a take-home essay would risk that the essay would reflect the work of persons other than the applicant. The District then examined the possibility of short-answer essay questions, which had the advantage of being monitored during test administration.

The revisions will be finalized sometime in the fall of SY 2013-14 and will apply to the SY 2014-15 admissions process. Appendix 53 contains data from SY 2009-10 through SY 2012-13 for the admitted students and those enrolled on the 40<sup>th</sup> day of the SY 2012-13. The qualification rate for minority students for SY 2012-13 was lower than in previous years.

*1. The District shall provide, as part of its Annual Report:*

*h. Descriptions of changes made to ALE programs pursuant to the requirements of this Section, by ALE type and school site, if made at the site level, including, but not limited to, copies of any new testing and/or identification instruments and descriptions of where and how those instruments are used and copies of any new or amended policies and training materials on ALE identification, testing, placement, and retention. [USP § V(F)(1)(h)]*

During the portion of SY 2012-13 covered by the USP, the only change made pursuant to the USP was the continued expansion of the GATE Cluster program. Under this nationally research-based model, students are identified and clustered in a classroom with a teacher trained in gifted methods. Not all students in the classroom are identified as "gifted," but all students have access to gifted education strategies. Gifted students also receive pull-out services on a weekly basis. In SY 2011-12, Clustering was offered at 10 schools by 31 teachers. Of the 5,296 students enrolled over the course of the year at those schools, 17.5% participated in the GATE Cluster program, including 16.1% of African Americans and 15.2% of Hispanics at those sites. In SY 2012-13, Clustering was offered at 13 schools by 57 teachers. Of the 5,830 students enrolled, 28% participated in

the GATE Cluster program, including 34.9% of African Americans and 22.9% of Hispanics at those sites. In both cases, many of the GATE Cluster students also received GATE Pull-out services (“pull-out” services refers to removing a student from a traditional classroom to attend a GATE class). See also Appendices 5, 6, 7, and 47 for more Advanced Learning Experiences (ALEs) statistics and analyses.

*1. The District shall provide, as part of its Annual Report:*

*i. Copies of any new or amended complaint processes for students and/or parents related to ALE access together with a report disaggregated by race, ethnicity, ELL status, grade level, school and program of all students and/or parents who made a complaint and the outcome of the complaint process. [USP § V(F)(1)(i)]*

During the portion of SY 2012-13 covered by the USP (roughly February through June 2013), District staff discussed how complaints for Advanced Learning Experiences were handled, but no formal changes to the complaint process were made. During SY 2013-14, the District plans to add a formal Advanced Learning Experiences complaint process, and that policy, along with a summary of complaints, will be included in the District’s future Annual Reports.

*1. The District shall provide, as part of its Annual Report:*

*j. Lists or tables of any certificated staff who received additional certification(s) pursuant to the requirements of this Section. [USP § V(F)(1)(j)]*

**See Appendix 56**

Appendix 56 contains a list of certificated staff who received additional certifications and/or endorsements in SY 2012-13 related to Section V (including certification and/or endorsements for GATE and Pre-AP/AP).

## **GATE**

Appendix 56 includes all gifted endorsement hours earned in the District during SY 2012-13. The contact hours are entered as transfer credit or courses. GATE teachers must work with gifted students for two years (Option 4.D of the endorsement) if 50% or more of his or her students are identified as gifted. Otherwise, they must work with them for three years.

The year when a person began training and working with gifted students is set forth in Appendix 56.

**AP/Pre-AP**

Appendix 56 also includes all the attendees of the District's Summer Institute intended for certified staff to strengthen their curricular knowledge and teaching strategies for the advanced courses or areas listed.

*1. The District shall provide, as part of its Annual Report:*

*k. Copies of relevant communications regarding the OELAS extension and the result(s) of such communications. [USP § V(F)(1)(k)]*

**See Appendix 57**

Appendix 57 contains the OELAS extension letter that was sent to the Arizona Department of Education on April 15, 2013. As of June 30, 2013, the District had not received a response from the Arizona Department of Education on this issue. In fact, the District has not received a response as of this writing, despite making several inquiries to the Arizona Department of Education.

*1. The District shall provide, as part of its Annual Report:*

*l. A report listing each dual language program in the District including the school, grade(s) and language in which the program is offered and setting forth the efforts made to encourage new and certificated staff with dual language certifications to teach in such programs and the results of such efforts. [USP § V(F)(1)(l)]*

**See Appendix 58**

Appendix 58 includes a Dual Language Report for SY 2012-13.

*1. The District shall provide, as part of its Annual Report:*

*m. Copies of flyers, materials, and other information advertising for and distributed at any outreach meetings or events held pursuant to the requirements of this Section. [USP § V(F)(1)(m)]*

**See Appendix 59**

Appendix 59 includes a wide range of material, including flyers and information for outreach and meetings.

*1. The District shall provide, as part of its Annual Report:*

*n. A report on all amendments and revisions made to the data dashboard system and copies of all policies and procedures implemented to ensure that action is taken when a student is automatically flagged for attention by the system. [USP § V(F)(1)(n)]*

During the portion of SY 2012-13 covered by the USP (roughly February through June 2013), the District did not finalize any changes to the Mojave relating to the automatic flagging system (although changes are in progress). The District examined SY 2012-13 data to identify reasonable criteria for “flagging” students for each of the three areas including: attendance, behavior, and grades. The goal is to identify a significant number of the most at-risk students, while not over-identifying students such that meaningful interventions cannot be carried out.

A system (named WatchPoint) has been created in Mojave to automatically “flag” and “unflag” students based on separate criteria for attendance, behavior, and grades so that those “flagged” students can be assisted with appropriate interventions. The District intends to pilot the WatchPoint system at seven school sites during SY 2013-14. The sites include two elementary schools, two middle schools, two high schools, and one K-8 school. Once students are identified, the LSC will be the primary coordinator of ensuring that those students receive interventions from appropriate providers, including teachers, counselors, and central support staff. Interventions for the “flagged” students will either be entered into the Mojave Intervention Block or Grant Tracker. The LSCs and the site administrators at these pilot schools will be trained on the WatchPoint system. All LSCs will also be trained on Grant Tracker.

The LSC will be responsible for coordinating the interventions, and interventions will be electronically documented. In addition to the criteria above, the pilot program will continue to develop and refine the procedures for coordinating and electronically documenting interventions, as well as the effectiveness of the systems that currently exist for documenting interventions.

*1. The District shall provide, as part of its Annual Report:*

*o. A disaggregated report on all students retained in grade at the conclusion of the most recent school year. [USP § V(F)(1)(o)]*

For SY 2012-13, less than 1% of the K-8 population of students enrolled at the end of the school year were retained (334 out of 35,481 students, 0.9%). Hispanic students were retained at the same rate as White students and as the District as a whole, 0.9%. African-



American students were retained at a slightly higher rate, 1.2%, but given the small number of retentions involved (23), this is not deemed a significantly higher rate. The concept of retention is complex when considering such at the high school level as there are credit expectations for each grade level. However, the failure to meet those expectations do not result in a “retention.” The student remains with his/her cohort. Accordingly, the retention data is reported only for K-8.

*1. The District shall provide, as part of its Annual Report:*

*p. Description of the college mentoring program, including the school sites where college mentors have been engaged and the type of support they are providing.  
[USP § V(F)(1)(p)]*

During SY 2012-13, African American Student Services partnered with the National Society for Black Engineers and the University of Arizona to provide Saturday Science, Technology, Engineering and Mathematics tutoring. Students had many opportunities to receive mentorship at these events.

The following college-mentoring activities implemented by the District also took place:

- The National Society for Black Engineers chapter at the University of Arizona attended some of the National Society for Black Engineers Junior meetings held in two District middle schools (Doolen and Mansfeld).
- The District partnered with the engineering students to host a pre-college initiative at the University of Arizona, School of Engineering, during April 2013. This was a one-day event connecting District high school students with University of Arizona college students and professors.
- The District partnered with the Tucson High School Black Culture Club group to send 15 (or more) students on a Black College Tour during spring-break 2013.
- The District partnered with the University of Arizona’s Black Law Club to establish a law club at Tucson High School.

During SY 2012-13, the Mexican American Student Services Department of TUSD began to hire mentor specialists in November 2012 who then began actively establishing mentorship programs and recruiting and training community volunteers. In the following six months, almost 100 students were matched with mentors. Those numbers have continued to expand into the 2013-14 school year. By the end of SY 2012-13 the following mentorship programs had been established by TUSD and continue to expand and strengthen during SY 2013-14:

- **STEM** – A Science, Technology, Engineering and Mathematics program providing mentoring at Pueblo High School, with Raytheon Engineers, and Girls Scout volunteers.
- **The GRRRLS Project** - A program designed to give girls the skills for great educational outcomes and future success, self-control within themselves, build high self-esteem, make healthier choices, avoiding drugs, and alcohol. Currently providing services at Secrist Middle School and the Frank and Edith Boys and Girls club.
- **Success For Teens** - Provides forum for students to talk about accomplishing goals, effective habits, lifetime learning, and learning from mistakes.
- **Frank & Edith Boys and Girls clubhouse** - The GRRRLS Project also provides services at that site. As well as Saturday Math tutoring sessions.
- **University of Arizona Project “SOAR”**- Tutoring and mentoring services at Valencia Middle School and McCorkle K-8.
- **4 Tucson**- Tutoring and mentoring students at Valencia Middle School. Recruitment provided by Angelica Munoz Student Mentor.
- The District provides additional mentoring services provided through its partnership with Goodwill and Family Resources.

Data collection concerning the number of students served and the number of mentors recruited was formalized at the start of SY 2013-14 and will be provided in the SY 2013-14, as well as subsequent Annual Reports.

*1. The District shall provide, as part of its Annual Report:*

*q. A description of the process for providing academic intervention for struggling African American and Latino students. [USP § V(F)(1)(q)]*

**See Appendix 63**

During SY 2012 – 2013, academic intervention teams had not been fully developed for structured implementation. The District used the Response to Intervention framework commonly used around the country. In instances where schools had concerns about a student’s academic behavior, or attendance, respective departments of student services (African American, Asian Pacific American/Refugee, Mexican American, and Native

American) were contacted to provide individual and/or small group support. Staff members from the aforementioned departments worked with students before school, during lunch, after school, evenings and weekends.

Additionally, staff members from Student Services departments were assigned to specific schools. They reviewed student data in respective ethnic groups and provided tutoring and mentoring. They collaborated with teachers to support students' gaps in learning and followed up with students on attendance and behavioral issues.

Criteria used to implement academic interventions were based on the following:

- State assigned school letter grades/labels.
- School discipline history for students traditionally and historically marginalized.

As of June 30, 2013, the District was transitioning from this former process for providing academic intervention for struggling African American and Latino students *via* a model known as the Multi-Tiered System of Supports ("MTSS"). Appendix 63 includes a description of the former process, used in SY 2012-13, and an outline of the process in development for future years. Appendix 63 also includes monitoring information for all Student Equity staff for SY 2012-13. The data in the table is broken down by department and by activity/intervention provided.

For example, the first line of the data table in the attachment is coded "AFRSS", which is African American Student Services. The activity/intervention provided was "Administrative/Faculty Conference" and occurred 840 times for a total of 983 hours. It may have been provided simultaneously to multiple students, or to the same student multiple times, or both. Of the times it was provided, 585 of the 840 recipients were African American. The appendix shows that African American and Mexican American Student Services staff provided a wide variety of activities/interventions/supports to thousands of students during SY 2012-13.

*1. The District shall provide, as part of its Annual Report:*

*r. A description of the academic intervention teams that have been established, what roles they have in improving student academic success and what schools they are in; [USP § V(F)(1)(r)]*

As we complete our academic intervention plans for the SY 2013-2014, the District proposes to develop and implement a Multi-Tier System of Support, both academic and behavioral, which will be implemented in all schools. All instructional staff will receive training in implementing the support model. The model will focus on those students

needing academic and/or behavioral support (*e.g.*, reading, writing, math, attendance and suspensions).

Each school will have a MTSS plan which will include an academic and/or behavior intervention team. In schools where specialists from the Student Equity department are assigned, the specialists will assist with identifying and coordinating Tier 2 and Tier 3 academic and/or behavior supports in collaboration with the site Learning Support Coordinator.

Note: Tier I supports are those provided by the classroom teacher. Student Equity and Intervention staff will provide behavior intervention support, based on need and availability, to reduce over-representation and/or misrepresentation of students in Special Education.

*1. The District shall provide, as part of its Annual Report:*

*s. Copies or descriptions of materials for the quarterly events for families described in this Section, including where the events were held and the number of people in attendance at each event. [USP § V(F)(1)(s)]*

For the portion of the SY 2012-13 covered by the USP (roughly February through June 2012), no quarterly events were held, but planning began for quarterly events to be held in SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*t. For all training and professional development required by this Section, information by type of training, location held, number of personnel who attended by position, presenter(s), training outline or presentation, and any documents distributed. [USP § V(F)(1)(t)]*

**See Appendix 88**

Appendix 88 lists all Academic Achievement Support-related training that occurred in SY 2012-13 through June 30, 2013.

*1. The District shall provide, as part of its Annual Report:*

*u. A report setting forth the number and percentage of students receiving exceptional (special) education services by area of service/disability, school, grade, type of service (self-contained, resource, inclusion, etc.), ELL status, race and ethnicity. [USP § V(F)(1)(u)]*

**See Appendix 67**

During the SY 2012-13, 14.9% of all students enrolled in the District received special education services (8,404 students out of a total of 56,282 students enrolled over the course of the year).

While this represents a large number of students who received Special Education services, simultaneously disaggregating at all of the levels requested would result in a multi-hundred page report where more than 99% of the data cells would be zero. (Even limiting the number of disaggregations to three—by site, by race/ethnicity, and by Special Education disability category—results in a 38-page report. See also pages ii & iii for more details on concerns, including FERPA concerns, with multiple simultaneous disaggregation.) School enrollment (over the course of the year) by race/ethnicity is also included for comparison purposes.

For K-5 Special Education students, Speech/Language Impairment was the largest primary disability category, followed by Specific Learning Disability. For Grades 6-8, Specific Learning Disability was the largest primary disability category, followed by Speech/Language Impairment. For Grades 9-12, Specific Learning Disability was the largest primary disability category, followed by Other Health Impairments. Of the Special Education students, approximately 10 percent of them were also English Language Learners (ELLs). Of the Special Education/ELL students, 88.9 % of them were Hispanic and 2.9 % were African American. Based on Arizona's classifications, most of the Special Education students are resource, and almost none (two students total across all race/ethnicities) are Inclusion. In the Self-Contained category, Hispanic students are underrepresented and African American students are slightly overrepresented.

## **B. Observations and Opportunities for Improvement (Quality of Education)**

### **1. The District Continues to Recruit and Retain African American and Hispanic Students into Advanced Learning Experiences (ALEs)**

Based on Appendices 5, 6, 7 and 47, African American and Hispanic students are making significant gains in their participation in ALEs. Nevertheless, they remain underrepresented in most ALEs relative to enrollment. Appendix 52 has details of the ALE retention and recruitment effort for SY 2012-13, which will be evaluated in SY

2013-14. Appendix 52 also details some of the marketing materials used. The District has hired an ALE director, who is responsible for coordinating the marketing and recruitment efforts and writing the ALE Access and Recruitment Plan.

In addition to addressing obstacles that may exist for current students, the District must prepare more African American and Hispanic students for advanced coursework (with strategies such as the AVID program). Both groups were identified and recruited at rates lower than their District average: only about 46% of Hispanic students were identified for recruitment; and only about 3.5% of African American students were identified for recruitment (though about 2.5% of Multiracial students were also identified, many of whom are African American). The District will increase its efforts at the lower grade levels to expand the pool of African American and Hispanic students identified and recruited for advanced coursework.

## **2. Improvements to the Student Information System Will Support Intervention Documentation, Reporting, and Evaluation**

Appendix 63 documents many of the interventions that took place in SY 2012-13, including most of those done by African American and Mexican-American Student Services; however, the effectiveness of these interventions remains largely unknown. For example, Appendix 63 shows that very few District students were retained in SY 2012-13. However, we do not know if this was due to interventions and support done for struggling students. The Student Identification and Intervention System pilot should give the District some insight into whether the appropriate students are being targeted for interventions.

In April 2013, a District group with representatives from Dropout Prevention, Exceptional Education, Language Acquisition, Pan Asian Student Services, Guidance & Counseling, and Desegregation began meeting to discuss the SIIS. The group was able to leverage previous efforts that Dropout Prevention had made to collaborate with Technology Services (TS) to establish student Flags/Watch Point criteria for student behavior.

After looking at data on attendance, behavior, and grades (both middle & high school A-F grades and elementary 1-4 rubric scores), this group agreed on the following criteria to identify students who needed an intervention:

**Attendance:** At least three days (where a day is defined specifically as being absent without reason from most of the periods in a day) of unexcused absences in a week. These flags are not generated until one week after the week in question, giving sites time to enter absence reason data.

**Behavior:** Any of the following in one quarter: either six discipline referrals **or** three in-school suspensions **or** one out-of-school suspension.

**Grades:** For middle and high schools, two F's in any subject on one progress report or quarter report card. For elementary schools, an average of a lower than 1.5 rubric score in any of the core areas of Reading, Math, Science, or Social Studies on a quarter report card.

**Exit Criteria:** For attendance, a student must have one week with no more than one day of unexcused absences for the attendance flag to be removed. For behavior, a student must have one quarter with no more than one referral and no suspensions (in-school or out-of-school) for the behavior flag to be removed. For middle and high school grades, a student must have a report card (progress or quarter) with no F's for the grades flag to be removed. For elementary grades, a student must have a report card with average rubric scores of 1.5 or greater in all core content areas for the grades flag to be removed.

As the criteria were being discussed, the group met with Mojave Student Information System staff to finalize and implement the criteria in Mojave and create initial reports. This process was completed by the middle of June 2013. The flags for each area are independent, and a student can both be flagged for multiple areas and have a flag be removed but later be "reflagged" in the same area.

The group also discussed the existing systems for documenting student interventions. The Mojave Intervention Block (MIB) was rolled out in SY 2012-13 and was used by various sites. The Grant Tracker (GT) was made available several years before that, and was being used in SY 2012-13 by African American Student Services, Native American Student Services, Asian Pacific American Student Services, and Mexican American Student Services. A decision was made to use both systems to document interventions for the first stage of the pilot.

The group decided to pilot the SIIS at seven sites for the first semester of SY 2013-14. The group wanted a mix of site levels, geographical locations, percentage of African American and Hispanic students, strength of LSCs and percentage of ELL students, among other considerations. These sites are: Rincon, Pueblo, Doolen, Valencia, Erickson, Tully, and Naylor. The LSC will be the primary coordinator of interventions at each site. The LSCs at these pilot schools will be trained the week before school starts. A standardized computer-based professional development on the SIIS and MIB and GT are under development.

### **3. Implementation of Plans and Strategies to be Developed in SY 2013-14 Should Lead to Progress in Several Areas**

Several plans and strategies were still under development as of June 30, 2013, including the ALE Recruitment and Retention Plan, the Dropout Prevention and Retention Plan, and the possible revisions to UHS admissions. These items will be finalized and implemented during SY 2013-14.

## **VI. DISCIPLINE**

The USP states, in relevant part:

*The Parties acknowledge that the administration of student discipline can result in unlawful discrimination when students are disproportionately impacted or treated differently by virtue of their race or ethnicity. The Parties further acknowledge that the punitive use of serious disciplinary sanctions for low-level offenses creates the potential for negative educational and long-term outcomes for affected students. [USP § VI(A)(1)]*

*The District shall not consider its student behavior policies and discipline practices in isolation, but as part of the District's overall goal of creating an inclusive and supportive environment in District schools. The District shall commit to ensuring that students remain as often as practicable in the classroom settings where learning happens. In accordance with the Guidelines for Student Rights and Responsibilities, discussed below, and to the extent practicable based on the student behavior at issue, a variety of graduated positive behavior techniques shall be used with the aim of preventing students from being excluded for any amount of time from the classroom or school.*

*The District shall reduce racial and ethnic disparities in the administration of school discipline. Data setting forth discipline in TUSD for the 2011- 2012 school year by race/ethnicity is attached in Appendix 9. [USP § VI(A)(2)]*

### **A. Specific Reporting (Discipline)**

The District has established baseline data for SY 2012-13 that can be used to map progress toward full compliance in SY 2013-14 for District high schools and middle schools. (See Appendix 68.) USP § VI(G) sets forth the reporting requirements for Discipline:



*1. The District shall provide, as part of its Annual Report:*

- a. Copies of the analysis contemplated above in (VI)(F)(2), and any subsequent similar analyses. The information provided shall include the number of appeals to the Governing Board or to a hearing officer from long term suspensions or expulsions, by school, and the outcome of those appeals. This information shall be disaggregated by race, ethnicity and gender; [USP § VI(G)(1)(a)]*

**See Appendix 68**

Appendix 68 provides a SY 2012-13 annual analysis, and includes a quarterly breakdown. At the end of SY 2012-13, the District began making necessary changes to District student information systems to allow staff members to more accurately and efficiently collect, organize, and analyze quarterly discipline data to effectively address disparities through the intended corrective actions. The development of corrective action plans will be included in the SY 2013-14 Annual Report.

A review of Appendix 68 allows us to draw the following conclusions from the SY 2012-13 baseline data:

**“Subsequent Similar Analyses”**

“TUSD Middle School 3 Year Comparison of 1<sup>st</sup> Semester Suspensions”

- In SY 2012-13, ten middle and K-8 schools (40%) saw an increase in first-semester suspensions, while fifteen middle and K-8 schools (60%) saw a decrease in first-semester suspensions from the same time period in SY 2011-12.
- Data indicate that there were 64 fewer suspensions in middle school grades (6-8) during SY 2012-13 overall compared to the previous year.

“Suspension and Abeyance Comparison MS 2012-13, 2011-12, 2010-11 1st Quarter”

- For this three-year period the number of middle school short-term suspensions remained the same or decreased overall by 165 (-7.4%) from SY 2010-11 to SY 2012-13, and the number of days students were short-term suspended decreased overall by 1,146 (-14.7)% during the same time period.
- The number of long-term suspensions increased overall by 34 (+20.5%) from SY 2010-11 to SY 2012-13, and the number of days students were long-term suspended increased overall by 1,656 (+39.8%) during the same time period.

- The number of abeyances increased overall by 65 (+23.4 %) from SY 2010-11 to SY 2012-13, and the number of student days assigned to abeyance contracts increased 1382 (+20.2%) during the same time period. The number of abeyance violations increased by six from SY 2011-12 to SY 2012-13. (Over half of the abeyance violations were at one school Utterback.) The number of suspension days reinstated as a result of an abeyance violation decreased by 73 (28.7%) over the three-year period from SY 2010-11 to SY 2012-13.

Short-term suspensions and abeyance contracts (and abeyance violations/suspensions reinstated) at middle schools are trending in the right direction; abeyance contracts are becoming institutionalized as a viable alternative to suspension, and short-term suspensions and days-suspended are decreasing. However, the increase in long-term suspensions and days-suspended over the same three-year period indicates that further corrective action is needed in grades 6-8.

#### “TUSD High School 3 Year Comparison of 1<sup>st</sup> Semester Suspensions”

- Comparing the first semesters of SY 2011-12 and SY 2012-13, the data indicate that there are six (42.8%) high schools with declining or stable first-quarter suspensions, and eight (57%) high schools with rising first-quarter suspensions when compared to the previous school year.
- Overall, data indicate that there were 144 (19.7%) more suspensions in high school in SY 2012-13 than in SY 2011-12 and only two (1.0%) more suspensions than in SY 2010-11. Future inquiries should include analysis as to why SY 2011-12 saw such a dramatic decline in high school suspensions with a return to 2010-11 numbers in 2012-13. A positive trend occurred in SY 2011-12 (where we saw an overall 16.2% drop in suspensions from 2010-11 to 2011-12).

#### “Suspension and Abeyance Comparison HS 2012-13, 2011-12, 2010-11 1<sup>st</sup> Quarter”

- For this three-year period the number of high school short-term suspensions decreased overall by 226 (-13.5%) from SY 2010-11 to SY 2012-13, and the actual number of days students were short-term suspended decreased by 2,028 (-27.3)% during the same time period.

- The number of long-term suspensions decreased overall by five (-2.0%) from SY 2010-11 to SY 2012-13, and the number of days students were long-term suspended decreased overall by 931 (-12.4%) during the same time period.
- The number of abeyances decreased overall by 103 (-19.7%) from SY 2010-11 to SY 2012-13, and the number of student days assigned to abeyance contracts decreased 7,671 (-40.0%) during the same time period.
- The number of abeyance violations decreased by 24 from SY 2010-11 to SY 2012-13, and the number of suspension days reinstated as a result of an abeyance violation decreased by 148 (66.7%) over the three-year period from SY 2010-11 to SY 2012-13.

The above data indicate encouraging declines in both short-term and long-term suspensions at the high school level.

“SY 2012-13 Middle School / K-8 Suspension Data” Disaggregated by School, Race/Ethnicity & Gender

This data was used to indicate trends and identify potential problem areas. The disaggregated data indicates areas of concern for specific racial/ethnic groups at specific sites.

These tables present a quarterly breakdown of middle school and high school suspension numbers for SY 2012-13. The last two columns, titled “Enrollment” and “Suspension Rate” respectively, contain percentages. A comparison of these two columns on each table reveals how well each middle or high school did in achieving parity between suspension rates for a particular ethnic group as compared to the relative percentages of that ethnic group within the school population.

If suspension percentages compared to enrollment percentages were equal to, or less than five percentage points away from, enrollment percentages, then the school achieved *parity* for that particular quarter for that particular group. However, when suspensions exceed enrollment by five percentage points or more, the school did not achieve parity, and when suspensions fell below the enrollment percentage by five points or more, the school also did not achieve parity as it was under-suspending a particular group of students relative to its numbers in the overall school population.

This parity analysis helps the District identify trends so it can identify schools that are not meeting USP goals in this area. Thereafter, the corrective action must take place through closer examination of the individual school practices and culture when certain ethnic

groups are over- or under- identified for suspensions. This progress towards corrective action will be reported on in subsequent Annual Reports.

“3 year comparison of MS ST Suspension, LT Suspensions, and Abeyances Disaggregated by Ethnicity and Gender”

These tables are provided for information only. While the District did not conduct school-level quarterly analysis in SY 2012-13, the data was collected and will serve as a baseline for the quarterly analyses done in SY 2013-14 (to be included in the 2013-14 Annual Report). District-level data and analyses are included in Appendix 9 (see below).

Appeals of Long-Term Suspensions

There was only one appeal of a long-term suspension to a hearing officer during SY 2012-13, and it was not by an African American or a Hispanic student; therefore, the information related to that appeal is not included. There were ten expulsion hearings total, with a breakdown by race/ethnicity, school, and outcome included at the end of Appendix 68.

*1. The District shall provide, as part of its Annual Report:*

*b. Data substantially in the form of Appendix I for the school year of the Annual Report together with comparable data for every year after the 2011-2012 school year; [USP § VI(G)(1)(b)]*

**See Appendix 9 of this Report, which matches Appendix I in the USP.**

Appendix 9 reproduces a corrected version of the SY 2011-12 overall District data, along with the corresponding SY 2012-13 data. (Long-Term suspensions for SY 2011-12 were reported incorrectly in the USP version, due to a reporting error that has been corrected, and the data broken down into unlabeled elementary, middle, and high school summaries.) Comparing SY 2011-12 with SY 2012-13, the number of in-school discipline incidents dropped by 2,553 (-13.5%), and in-school suspensions decreased by 373 (-10%). In-school discipline and suspensions allow the school to provide academic interventions in a restricted academic setting. Out-of-school short-term suspensions increased by 216 (+5%), and out-of-school long-term suspensions increased by 23 (+5%).

Appendix 9 also provides a comparison between SY 2011-12 and SY 2012-13 showing a breakdown between ethnic groups for the above numbers. Overall trends indicate that during SY 2011-12 White/Anglo students, who were 24% of the population, experienced in-school and out-of school suspensions at a rate of 15 to 21%--on average 3 to 9% *below* their enrollment numbers, while African American students experienced

discipline/suspension at rates of 10 to 12%, which was 4 to 6% *above* their enrollment rates of 6% District-wide. Hispanic students represented 61% of enrollment in SY 2011-12 yet experienced discipline/suspension rates ranging from 59% to 66%. The most notable differences across ethnic groups were in the area of long-term suspensions, where African American, Hispanic, Native American, and Pacific Islander students were long-term suspended at rates higher than their District-wide enrollment percentages would indicate. Correction action will be taken to achieve parity in the application of student discipline.

Some progress was made during SY 2012-13, which is summarized in the table below. The rate of long-term suspension of White/Anglo students is growing closer to that group's enrollment percentage. In addition, African American, Hispanic, Native American, Pacific Islander and Multi-Racial long-term suspensions dropped anywhere from 1% to 3%. This indicates a positive trend, though full parity has not yet been reached.

**Summary of Appendix 9: Student Discipline/Suspension % Change by Ethnicity between SY 11/12 and SY 12/13 relative to % Enrollment by Ethnicity:**

	White	AfAm	Hispanic	NaAm	AsAm	PacIsland	Multi
In-School Discipline	-1%	-2%	-2%	+/- 0%	+/- 0%	-1%	+/- 0%
In-School Suspensions (ISS)	+1%	+1%	-3%	+/- 0%	+/- 0%	+/- 0%	+1%
Short-Term (ST) Suspensions	+/- 0%	-1%	-2%	+/- 0%	+/- 0%	+/- 0%	+1%
Long-Term (LT) Suspensions	+3%	-1%	-2%	-2%	+/- 0%	-1%	+3%

The dropout data included in Appendix 9 shows that the District dropout rates are relatively low, although there are disparities by race/ethnicity. Only students in grades 7-12 can officially be classified as dropouts, and a student is only considered to be a dropout if he or she does not return to school by the end of the same school year. (If a student returns to school during the same school year, he or she is reclassified as withdrawn rather than as a dropout). For example, for the most recent year, SY 2012-13, there were 24,324 students enrolled in the District at some point, and 570 of them dropped out, for an overall District dropout rate of 2.3%. Of the 570 who dropped out, 39 were African American and 349 were Hispanic, so both groups dropped out at a rate of 2.5-2.6% -- slightly higher than the district average of 2.3%. Of note is the fact that the only groups falling below the District dropout average in SY 2012-13 were White (1.9%) and Asian/Pacific Islander (0.4%), while Native American dropout rates doubled the District average at 4.8%.

During SY 2011-12, school districts in Arizona were required to receive written verification of enrollment from the receiving school before the student could be re-coded as a non-dropout. Because obtaining enrollment information from charter schools is extremely difficult, the District's overall dropout rate rose from 1.6% in SY 2010-11 to 2.5% in SY 2011-12. The dropout rate remained high in SY 2012-13 as the written verification policy remained in effect until March 2013, when it was modified to require written verification only from schools within Arizona. The District therefore anticipates that SY 13-14 dropout data will show significant declines in dropout rates based only on this changed reporting requirement. Future Annual Reports will therefore provide more accurate dropout data.

*1. The District shall provide, as part of its Annual Report:*

*c. Copies of any discipline-related corrective action plans undertaken in connection with this Order; [USP § VI(G)(1)(c)]*

From March to June in the SY 2012-13, there were no discipline related corrective action plans undertaken; the District will collect this data for SY 2013-14.

*1. The District shall provide, as part of its Annual Report:*

*d. Copies of all behavior and discipline documents, forms, handbooks, the GSRR, and other related materials required by this Section, in the District's Major Languages; [USP § VI(G)(1)(d)]*

**See Appendix 71**

A copy of the SY 2012-13 Guideline for Students Rights and Responsibilities (GSRR) is included in Appendix 71. As of the end of SY 2012-13, this document was undergoing significant revision, and as demonstrated by Appendix 71, was not adopted by the Board until July 2013. Therefore, the results of these revisions will be included in the SY 2013-14 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*e. Copies of any Governing Board policies amended pursuant to the requirements of this Order; [USP § VI(G)(1)(e)]*

The District has identified the policies necessary to review and to consider for amendment, but as of June 2013 has not yet amended policies pursuant to this section. See also Appendix 71.

*1. The District shall provide, as part of its Annual Report:*

*f. Copies of any site-level analyses conducted by the RPPSCs [USP § VI(G)(1)(f)]*

No site-level analyses were conducted by the RPPSCs for SY 2012-13.

Appendix 88 lists the details of all behavior and discipline trainings that occurred in SY 2012-13 through June 30, 2013.

## **B. Observations and Opportunities for Improvement (Discipline)**

### **1. As the District Conducts Quarterly Data Analysis and Implements Corrective Action Plans, Disparities at the Site Level Should Decrease**

The District will make use of the reports generated by the RPPSCs as well as other reports required under the USP to systematically address inequities in discipline. Changes to the GSRR and discipline policies will also allow the District to carefully monitor the data for inequities and address them expediently. .

While there are certainly inequities at the site level (Appendix 68), Appendix 9 shows that in SY 2012-13 African American students were uniformly overrepresented District-wide in every area of in-school and out-of school discipline/suspension, while Hispanic, Native American, and Multi-Racial students were overrepresented to a lesser degree in some areas of in-school and/or out-of-school discipline [see Appendix 9]. While site-level corrective actions for SY 2013-14 are clearly necessary, this lack of parity in student discipline requires a coordinated response at the District level.

## **VII. FAMILY AND COMMUNITY ENGAGEMENT**

The USP states, in relevant part:

*Family and community engagement is a critical component of student success. The District shall adopt strategies, including, but not limited to, those identified in this section, to increase family and community engagement in schools, including: (a) developing and implementing an outreach plan to families; (b) providing information to families about the services, programs and courses of instruction available in the District and included in this Order; (c) learning from families how best to meet the needs of their children; and (d) collaborating with local colleges*

*and universities and community groups to provide information and guidance designed to improve the educational outcomes of African American and Latino students, including ELL students, and provide relevant information to their families. [USP § VII(A)(1)]*

#### **A. Specific Reporting (Family and Community Engagement)**

During SY 2012-2013, the District's Family and Community Engagement personnel served 69 schools. That work included:

##### **Academic Workshops**

A selection of topics offers parents further information about helping their children succeed in school. Subjects include learning-at-home activities, restorative practices, and the GATE program. Early literacy and math games are introduced to parents of preschool parents. These workshops are available (Pre-K-12) upon request and scheduled at sites where Family Support services are offered. Family Support Staff, together with Community Representatives at Title I schools, work to recruit attendance at these events through flyers, telephone calls, home visits and most currently using the Remind 101 text messaging service.

##### **Annual Family Conference**

The SY 2012-2013 conference focused on showing parents different ways of developing math literacy. Topics of discussion included: math anxiety; mathematics-related careers; how to help children with math homework; how to talk about math; and creating questions about science. Some of the community collaborators who participated in the conference included: University of Arizona Department of Mathematical Sciences, Pima Air and Space Museum, Pima County Library, Girl Scouts, University of Arizona Flandrau Science Center, and Donna R. Liggins Recreation Center.

##### **Keyboarding**

Classes teach parents how to access student information from the District website, including how to effectively use Parental Access to monitor student progress. Parents also learn basic typing, formatting and printing skills. Classes are available upon request. Family Support Staff and Community Representatives recruit participants through personal contact, flyers, and reaching out to those families whose students are not meeting benchmark standards.



## District Advisory Council (DAC)

TUSD organizes monthly parent meetings led by parents providing information to families about programs and services available within the district. Topics include advocating for your child; supporting student learning; understanding financial services available to Title I Schools; and other student support services. Attending parents complete an annual survey that is submitted to the DAC Executive Board, which is comprised of a group of parent leaders who make decisions about monthly meeting topics and continuously provide input to the District's Title I office regarding the Continuous Improvement Plan. The DAC Executive Board meets monthly developing parent meeting agendas and working as liaisons to other participating schools. In May, DAC surveyed parents about topics they would like addressed at meetings in SY 2013-14. Proposed topics included student discipline, open enrollment, family centers, college preparation and career readiness. Interpreters are always available for DAC meetings. Information regarding these topics and others of interest to parents are also published in the NEA Hispanic Caucus newsletter called *La Voz*.

*1. The District shall provide, as part of its Annual Report:*

- a. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials. [USP § VII(E)(1)(a)]*

**See Appendix 75**

For SY 2012-13, the District designated Teresa Guerrero to serve as the Family Engagement Coordinator; her duties are outlined in Appendix 75. Teresa has served as the Title I Family Liaison for a number of years. She has agreed to help coordinate Family Outreach mandated by Title I with Family Outreach mandated by the USP.

No other positions associated with Family & Community Engagement were hired or designated during SY 2012-13, but several persons were assigned to fulfill general requirements of the Section. See Appendix 75.

*1. The District shall provide, as part of its Annual Report:*

- b. Copies of all assessments, analyses, and plans developed pursuant to the requirements of this Section. [USP § VII(E)(1)(b)]*

For the portion of SY 2012-13 covered by the USP (roughly February through June 2013), the parent engagement assessments, analyses, and plans were being developed.

*1. The District shall provide, as part of its Annual Report:*

*c. Copies of all policies and procedures amended pursuant to the requirements of this Section. [USP § VII(E)(1)(c)]*

For the portion of SY 2012-13 covered by the USP (roughly February through June 2013), the District did not amend any policies or procedures related to the USP.

*1. The District shall provide, as part of its Annual Report:*

*d. Analyses of the scope and effectiveness of services provided by the Family Center(s). [USP § VII(E)(1)(d)]*

For the portion of SY 2012-13 covered by the USP (roughly February through June 2013), the District had not officially designated any Family Centers. In addition, discussion is underway about how to measure the scope and effectiveness of services provided, where little to no measurement data exists. The District will have more to report on this item in the SY 2013-14 Annual Report.

**B. Observations and Opportunities for Improvement (Family and Community Engagement)**

The most important step for the next reporting period is to complete the designation/establishment of Family Centers and market them to the community. Community outreach efforts will include collaboration with the Black Chamber of Commerce, Hispanic Chamber of Commerce, UA & Pima Community College recruitment, and community agencies such as Metropolitan Education Commission, etc. during the SY 2013-14. In addition, data measurement systems must be established and maintained to ensure accurate tracking of who is using the services at Family Centers and with what frequency.

**VIII. EXTRACURRICULAR ACTIVITIES**

The USP states, in relevant part:

*The District shall ... provide students equitable access to extracurricular activities. [USP § VIII(A)(1)]*

**A. Specific Reporting (Extracurricular Activities)**

The District has established baseline data for SY 2012-13 that can be used to map progress toward full compliance in SY 2013-14. USP § VIII(C) sets forth the reporting requirements for Extracurricular Activities:

*1. As part of its Annual Report, the District shall provide a report of student participation in a sampling of extracurricular activities at each school. The activities that are reported each year shall include at least two activities from each of the four categories described in section (B) above: sports at schools at which they are offered, social clubs, student publications (where offered) and co-curricular activities. The data in the report shall include District-wide data and data by school, disaggregated by race, ethnicity and ELL status. The Parties shall have the right to request additional data or information if the Annual Report indicates disparities or concerns. [USP § X(C)(1)]*

**See Appendix 79**

For SY 2012-13, and for years prior, the District tracked only high school interscholastic sports participation. Thus the report included in Appendix 79 includes those activities at only the high school level. However, Appendix 79 also includes proposed changes to Mojave, some that have been implemented and some still in the development stages, which will track activities pursuant to USP requirements for all school levels starting in SY 2013-14.

**B. Observations and Opportunities for Improvement (Extracurricular Activities)**

**1. Changes to Data Collection Will Facilitate Tracking and Reporting of Student Participation in Extracurricular Activities at All School Levels.**

The data presented in Appendix 79 includes participation for high school sports only, reporting in future years will be more comprehensive.

**IX. FACILITIES AND TECHNOLOGY**

Pursuant to USP §IX, the District will develop a Facilities Condition Index (FCI) that includes an Educational Suitability Score (ESS), and a Technology Condition Index (TCI). The District will use these indices to assess school conditions. Based on the assessments, the District will develop a multi-year plan for facility repairs and improvements, and a multi-year technology plan that take into consideration its desegregation obligations required by the USP.

**A. Specific Reporting (Facilities and Technology)**

The District established processes that map progress toward full compliance in SY 2013-14. USP §IX(C) sets forth the reporting requirements for Facilities and Technology:

*1. The District shall provide, as part of its Annual Report:*

*a. Copies of the amended FCI, ESS and TCI. [USP § IX(C)(1)(a)]*

For the portion of SY 2012-13 covered by the USP (roughly February through June 2013), these tools were still being developed. Copies will be provided in future reports.

**Facilities Condition Index (FCI)**

For the portion of SY 2012-13 covered by the USP (roughly February through June 2013), TUSD used its pre-existing FCI tool to assist in long-range facilities management and planning during this reporting period. During this time period, as part of its USP compliance, the District assembled a committee to review and revise its FCI to meet the goals of the USP by making adjustments and adding categories.

**Educational Suitability Score (ESS)**

As a companion to the FCI, the District also began developing the Educational Suitability Score (ESS).

**Technology Condition Index (TCI)**

A committee was formed to create the TCI. This committee worked to develop an appropriate definition and structure for the technology condition index.

*1. The District shall provide, as part of its Annual Report:*

*b. A summary of the results of the FCI, ESS, and TCI analyses conducted over the previous year. [USP § IX(C)(1)(b)]*

Analyses will be included in future Annual Reports.

*1. The District shall provide, as part of its Annual Report:*

*c. A report on the number and employment status (e.g., full-time, part-time) of facility support staff at each school (e.g., custodians, maintenance and landscape staff), and the formula for assigning such support. [USP § IX(C)(1)(c)]*

**See Appendix 82**

See the Facility Support Staff Report in Appendix 82.

*1. The District shall provide, as part of its Annual Report:*

*d. A copy of the multi-year facilities plan and multi-year technology plan, as modified and updated each year and a summary of the actions taken during that year pursuant to such plans. [USP § IX(C)(1)(d)]*

**See Appendix 83**

Appendix 83 includes the most recent multi-year technology plan (for years 2011-2014). The District does not have a multi-year facilities plan *per se*, but it does have the bond initiative, which funded the majority of facility improvements over the last nine years. More information on the bond initiative and activities can be found here:

<http://tusd1.org/contents/depart/efp/bond.asp> The SY 2012-13 bond report can be found at the last two pages of Appendix 83. In SY 2012-13 the District:

- Completed the new West Side Transportation Facility;
- Spent assets enhancing and renovating the schools receiving more students as the result of the school consolidation plan;
- Constructed twelve new classrooms; and
- Renovated Fine Arts auditoriums and classrooms.

Please note that the multi-year facilities plan required by the USP is contingent on developing the Educational Suitability Score (ESS), which is not due for completion until July 1, 2014. Thus the multi-year facilities plan will be included in the SY 2014-15 Annual Report.

*1. The District shall provide, as part of its Annual Report:*

*e. For all training and professional development provided by the District, as required by this Section, information on the type of training, location held, number of personnel who attended by position, presenter(s), training outline or presentation, and any documents distributed. [USP § IX(C)(1)(e)]*

**See Appendix 88**

Appendix 88 lists the details of all facilities and technology trainings that occurred in SY 2012-13 through June 30, 2013.

**B. Observations and Opportunities (Facilities and Technology)**

- 1. The District anticipates finalizing the FCI and TCI in SY 2013-14.**
- 2. The District anticipates using the results of the FCI, TCI, or both to develop the Facilities and Technologies plans required by the USP.**
- 3. The District anticipates continuing to provide professional development to relevant staff members, particularly with regards to using technology effectively in the classroom.**

**X. ACCOUNTABILITY AND TRANSPARENCY**

The USP states, in relevant part:

*The evidence-based accountability system is a system to review program effectiveness and ensure that, to the extent practicable, program changes address racial segregation and improving the academic performance and quality of education for African American and Latino students, including ELLs. [USP § X(A)(1)]*

**A. Specific Reporting (Accountability and Transparency)**

The District established baseline data for SY 2012-13 that will map progress in SY 2013-14. USP § X(5) sets forth the reporting requirements for Evidence-Based Accountability:

*a. The District shall provide, as part of its Annual Report:*

- i. i. Copies of all job descriptions and explanations of responsibilities for all persons hired or assigned to fulfill the requirements of this Section, identified by name, job title, previous job title (if appropriate), others considered for the position, and credentials*

**See Appendix 85**

In SY 2012-13, the District hired or assigned the employees described below, and contracted with an outside firm, to fulfill the requirements of the USP regarding the Evidence-Based Accountability System (“EBAS”).

The District designated John Gay, Chief Information Officer, to serve as the District employee responsible for analyzing the data collection of Mojave and other district systems to fulfill the requirements of the USP relevant to EBAS. The District also assigned Rick Foster (Data Base Manager); David Scott (Director of Accountability & Research); Adele Edwards (Coordinator, TS Organizational Development); Robert Hugo (Senior Programmer Analyst); and Karen Jones (TTS Program Coordinator) to further assist in fulfilling the requirements of the USP regarding EBAS. The District also contracted with outside consultant, Davidson Services, L.L.C. No other positions associated with Accountability & Transparency were hired or assigned during SY 2012-13.

*a. The District shall provide, as part of its Annual Report:*

- ii. A description of changes made to Mojave to meet the requirements of this Section, including descriptions of plans to make changes to the system in the subsequent year. [USP § X(A)(5)(a)(ii)]*

**See Appendix 86**

Appendix 86 contains the external evaluator, Davidson Services, L.L.C., report evaluating TUSD technology’s ability to meet the requirements of the USP. In addition, it contains information on changes made to Mojave and TUSD data systems in SY 2012-13 as well as those in-process for implementation in SY 2013-14. See Davidson Service’s report in Appendix 86 for details. A summary of changes is included below:

### **Summary of changes made to Mojave in SY 2012-13**

- Intervention Tracking
- Tracking to more accurately identify students' racial/ethnic identities<sup>8</sup>
- Transportation information for eligible students

### **Planned changes to data collection in SY 2013-14**

- Watchpoint (the “flag system” as described in the USP)
- Extracurricular activity participation for MS/K8/ES and non-AIA athletics for HS students
- Scheduler (no plans available)

### **B. Observations and Opportunities for Improvement (Accountability and Transparency)**

#### **1. The District will continue to gather and consolidate data from all available sources.**

The District will continue to strive to collect necessary data for reporting in the most efficient way possible from multiple systems and platforms. The vision of the “EBAS” seeks congruent and useful data collection from District wide computer systems, as well as identifying efficient architecture for a unified system. In SY 2013-14, the District will conduct audits to continue driving reorganization and alignment of departments within the District, as well as the continued consolidation of data systems and platforms.

#### **2. Aligned with the vision of EBAS, the District will continue to move towards integrated systems for data collection, analysis, and reporting.**

In SY 2013-14, the District will continue on two tracks: (1) continue to move away from manual processes and towards the long-term development of EBAS components, and (2) continue to develop EBAS-functionality within Mojave and other systems to fulfill the requirements of the USP using more effective and efficient data collection and analysis methods.

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<sup>8</sup> To resolve a concern raised by the Fisher plaintiffs, the district has supplemented its state and federally compliant data gathering regarding demographics to ensure that students who identify as both Hispanic (ethnically) and African American (racially) are tracked for USP purposes as members of the African American class if they will so identify.



## **XI. NOTICES AND REQUESTS FOR APPROVAL (NARAs)**

The USP states, in relevant part:

*The Parties shall continue to follow the Notice and Request for Approval procedure pursuant to the January 6, 2012 Order Appointing Special Master and the August 22, 2012 Order of this Court. The January 6 Order of Appointment requires the District to provide the Special Master with notice and seek approval of certain actions regarding changes to the District's assignment of students and its physical plant. January 6 Order at p. 3...[USP § X(C)(1-2)]*

### **A. Specific Reporting (NARAs)**

The District established and implemented a process for identifying Governing Board actions that rise to the level of a formal Notice and Request for Approval ("NARA"), for developing a desegregation impact analysis for each item, and for submitting the NARA to the Special Master. USP § X(F) sets forth the reporting requirements for NARA:

*At the time it files its Annual Report, the District shall report on the following regarding its notices and requests for approval submitted to the Special Master:*

- a. The number and nature of requests and notices submitted to the Special Master in the previous year; broken out by those requesting: (i) attendance boundary changes; (ii) changes to student assignment patterns; (iii) construction projects that will result in a change in student capacity of a school or significantly impact the nature of the facility such as creating or closing a magnet school or program; (iv) building or acquiring new schools; (v) proposals to close schools; and (vi) the purchase, lease and sale of District real estate.[USP § X(F)(1)(a)]*

**See Appendix 87**

As documented in Appendix 87, the District submitted seven NARAs in SY 2012-13.

### **B. Observations and Opportunities for Improvement (NARAs)**

The District developed and submitted NARAs for five of the six categories identified in the USP throughout SY 2012-13. The District will continue to monitor Governing Board actions in SY 2013-14 and continue to submit NARAs for actions that rise to that reporting level.