

APPENDIX II – 41

**Review and Assessment  
of  
Integration Initiatives Proposed  
by the  
Tucson Unified School District  
Coordinated Student Assignment Committee**

**By  
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**Submitted May 18, 2016**

**Review and Assessment of Integration Initiatives Proposed by the Tucson Unified School District  
Coordinated Student Assignment Committee**

**Executive Summary**

The Tucson Unified School District (TUSD) has been under a Consent Decree since the 1970's that seeks to integrate the school populations of the schools within the District. A Unitary Status Plan (USP) was developed in 2012 and a Special Master appointed to oversee the implementation of the plan.

As part of that effort, the TUSD is undertaking the formulation of seven initiatives that have been designed to further integration at certain identified schools while reducing racial concentrations in others.

An integrated school is any school in which no racial or ethnic group varies from the district average for that grade level by more than +/- 15 percentage points, and in which no single racial or ethnic group exceeds 70% of the school's enrollment.

A racially concentrated school is any school in which any racial or ethnic group exceeds 70% of the school's total enrollment, and any other school specifically defined as such by the Special Master in consultation with the Parties.

The seven initiatives are:

1. Drachman Express Shuttle
2. Magee Middle School Express Shuttle
3. Sabino High School Express Shuttle
4. Enrollment Bus
5. Wheeler Elementary Self-Contained Gifted and Talented Education (SC GATE) Expansion
6. Roberts-Naylor Elementary (SC GATE) Expansion and Pre-GATE class
7. Bloom Elementary Dual Language Expansion

The exemplar used by this consultant in reviewing and assessing the seven initiatives was the 2015-16 TUSD 40<sup>th</sup> Day Enrollment by USP Ethnicity provided by the TUSD. The consultant also took part in weekly telephone conference calls with the Coordinate Student Assignment Committee. During those meetings the consultant was able to receive information as well as offer suggestions to the committee. Where appropriate those suggestions were incorporated into the May 13<sup>th</sup> version of the Integration Initiatives that were the basis of this review.

With the information available at the time of this report, the findings of this consultant were favorable to the acceptance and implementation of the seven proposed initiatives. In particular, this consultant was impressed with uniqueness of the proposed pre-GATE program and the Enrollment Bus concept. Overall the comprehensive approach the committee members took in developing and refining the initiatives and their dedicated focus on furthering the integration efforts of the District was evident throughout the process.

The overall recommendation of this consultant is to move forward with the initiatives after review and comment by the TUSD Governing Board, the Plaintiffs, and the Special Master.

**Review and Assessment of Integration Initiatives Proposed by the Tucson Unified School District  
Coordinated Student Assignment Committee**

**A. Introduction**

The Tucson Unified School District (TUSD) was sued by the National Association for the Advancement of Colored People (NAACP) in May 1974 to challenge the segregating of African American students in the school district. This party is referred to as the “Fisher Plaintiffs.” In October of that same year the Mexican American Legal Defense and Educational Fund (MALDEF) filed a similar suit on behalf of Mexican American students and are represented as the “Mendoza Plaintiffs.” Both cases were consolidated. In 1976 the U.S. Department of Justice intervened and remains a Party to the case.<sup>1</sup>

Fast forwarding to contemporary times, the Court ordered the appointment of a Special Master to develop a Unitary Status Plan (herein referred to interchangeably as “USP” or “Plan”) in September 2011. The Special Master was appointed in January 2012 and the subsequent USP was approved by the Court in 2014.

The Integration Initiatives that are the subject of this review and assessment appear to be in compliance with the Court’s directive to develop initiatives that will promote the further integration of the school district. The initiatives in this report are the product of District discussions with the Parties and Special Master since early 2016. Unless otherwise noted, the proposed initiatives are slated to be implemented for the 2016-2017 school year.

**B. Current Student Attendance Definitions and Options**

The USP sets the criteria for defining the status of the individual schools in the district. They are:

1. Racially Concentrated School. A racially concentrated school is any school in which any racial or ethnic group exceeds 70% of the school’s total enrollment, and any other school specifically defined as such by the Special Master in consultation with the Parties.
2. Integrated School. 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.<sup>2</sup>

In the Tucson Unified School District, students have a number of attendance options. The school district operates under an Open Enrollment law whereby students residing within the TUSD can opt to attend a school in another school district, charter schools, or private schools, as well as students from other school districts can attend TUSD schools.<sup>3</sup>

In addition, a TUSD student may apply to attend another TUSD school other than their home zone school. Depending upon the circumstances transportation may or may not be provided by the District. This includes but is not restricted to voluntary transfers for programs such as Dual Language, Gifted and Talented, Advanced Learning Experiences, and Magnet schools.

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<sup>1</sup> No. CIV 74-90 TUC DCB

<sup>2</sup> Unitary Status Plan, §II.B.

<sup>3</sup> A.R.S. §15-816

Under the previous *No Child Left Behind* legislation, parents could opt to transfer their child from a Title 1 school that has been identified by the state for school improvement, corrective action, or restructure to one or more transfer options identified by the school district. Transfers under this provision included district-provided transportation. The new *Every Student Succeeds Act* of 2015 now allows the State to develop interventions which the Arizona Department of Education is currently transitioning into.<sup>4</sup>

Other enrollment opportunities exist with charter schools. These publically-funded private schools actively compete with the local school district for students. The Tucson area is no exception.

Given the expansive options available to parents and students today as compared to the 1970's when this litigation was initiated it further complicates the ability of the TUSD to integrate or diversify their schools. Whereby redrawing attendance zone boundaries and school pairings were once effective in changing a school's demographic profile, today's myriad of choices hampers the ability of the District to use the traditional tools of desegregation. With schools literally having to compete for students that can diversify or integrate their campus, new ideas and initiatives must be used that appeal to parents and students alike.

### **C. Background**

The Tucson Unified School District issued a Request for Quotes (RFQ) in March of 2016. The stated objective of the proposal was to:

*“Review District-proposed initiatives to increase the number of students enrolled at integrated schools; develop a report assessing the likelihood of success for each initiative and (where appropriate) recommending additional initiatives for the District to pursue and/or implement.”*

This consultant was selected to perform the expert review and submit a report on the findings. From the time of selection to the date of this report, the consultant has been participating in the weekly meetings of the Coordinated Student Assignment Committee charged with this task. Suggestions from the consultant were incorporated into the initiatives where appropriate. The matured initiatives reviewed in this report were the May 13, 2016 version that is going before the Tucson Unified School District Governing Board, the Plaintiffs, and the Special Master for final comments later in the month of May 2016.

### **D. Integration Initiatives**

The initiatives provide for seven activities which the District anticipates will help further integrate the school district. They can be generally categorized as Transportation oriented and Academic Program Oriented. Each of the initiatives were reviewed, assessed, and the findings provided below.

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<sup>4</sup> The *Every Student Succeeds Act* amended the *Elementary and Secondary Education Act of 1965* (20 U.S.C. 6301 et seq.) effective December 10, 2015.

### ***Transportation Oriented Initiatives***

For parents the availability of transportation can be the major impediment in their consideration to voluntarily take advantage of sending their children to a school outside their home attendance zone. By providing free transportation to schools outside their home zone, parents are much more open to enrolling their children in schools and programs that suit their needs and expectations.

By targeting the free transportation offerings, the District has a tool that can help direct integration improvements in targeted schools and in the process also reduce racial concentrations at others through these voluntary transfers. The transportation initiatives proposed below raises the bar in free school transportation being offered to parents and students and to their benefit.

#### **1. Drachman K-8 Express Shuttle**

This express route is planned to shorten the transportation time to Drachman in order to attract students to the program from the east side and north central parts of the TUSD. Currently Drachman is a K-6 school that operates a Montessori program. Earlier this year the Court approved the District's request to expand the grade offering at Drachman to include 7<sup>th</sup> and 8<sup>th</sup> grade.

The expansion of the grade span to include 7<sup>th</sup> and 8<sup>th</sup> grades will be an incentive for parents to enroll in the Montessori magnet as students will now have a K-8 pathway at that one school. The opportunity to use an express shuttle to shorten the transportation time for their children will be a strong draw that augments the appeal of the program.

Currently Drachman has a 75% Hispanic/Latino population therefore is a racially concentrated school under the USP standards. The other ethnicities are within the USP stated ranges.

The appeal of the express shuttle to parents is to make available the enhanced learning opportunities for their children. This has a strong potential to integrate Drachman and lower the racial concentrations in other schools. As an example, using the SY2015-16 40th day counts an increase of just 15 non-Hispanic/Latino students would drop the Hispanic/Latino percentage to 71% or less. Of course that specific number is subject to change as the enrollment for Drachman changes. But the point is that encouraging participation in the program can have a realistic potential to fully integrate the school.

The initiative projects an enrollment increase to 400 students within the next two school years. If the enrollment increase is balanced at a 50/50 Latino to non-Latino ratio, then Drachman should fall well within the USP definition of an integrated school.

#### **Conclusion:**

Considering the popularity of the Montessori curriculum among parents it is the opinion of this consultant that with the marketing plan outlined in the initiative document it is entirely feasible to attract more non-Hispanic/Latino students to Drachman in the upcoming school year. Within two school years the projected increase of 85 students should be attainable.

The express shuttle will provide efficient transportation times from the demographically targeted northern and eastern parts of the District. This will help achieve the stated integrative outcomes of

- more students attending an integrated school,
- add another integrated school to the District,
- improve the demographic profile of the receiving or sending schools,
- and increasing student diversity and lowering racial concentrations at other schools.

The District should consider moving forward with the Drachman Express Shuttle initiative with the specific details of routing and targeted marketing worked out during the summer as part of the implementation phase.

## **2. Magee Middle School Express Shuttle**

Magee Middle School is located in the eastern central part of the TUSD. The student demographic profile is diverse but falls above the USP definition of an integrated school because of the 48% Anglo population. The USP integrated upper threshold for Anglo students is 38%.

The objective of the Magee shuttle is to recruit and retain students from the western part of the Tucson district that has more non-Anglo students currently attending Magee. In principal this consultant agrees with the initiative. Considering the wide range of school and program choices for parents and students in the area, Magee will have to be able to market itself as a desired school. It must offer more than just a quick bus ride to incentivize parents to enroll their children in the school.

### **Strength of the Academic Program as an Incentive**

While a specific school or area was not identified in the TUSD Integration Initiatives Attachment 2, a review of some of the neighboring school zones indicated that Magee would have a stronger academic program or be considered a higher performing school than one a prospective student may be currently attending.

Targeting certain neighborhood school zones for participation in the Magee Shuttle should provide incentive for the parents and help desegregate one or more of the sending schools. Potential sending schools would be Mansfeld, Utterback, Roberts-Naylor, and Valencia.

It will be important for TUSD staff to market the express shuttle and the benefits of attending a diverse school. It would likely be a good idea to include the surrounding school zones as stops for the enrollment bus that will be discussed later in this report. An active social media program should also be established to help achieve the integration objectives.

### **Conclusion:**

The Magee Express Shuttle hold promise for further diversification of the student body at Magee. There are sufficient racially concentrated schools in the nearby school zones that can be targeted for a comprehensive marketing campaign to promote the express shuttle and have parents sign up their students. Parents can be incentivized with the academic performance of Magee being at least equal, if not better than the school they are currently zoned for.

The Magee Express Shuttle has the potential to attract enough students of the desired demographics to help further integrate Magee Middle School and reduce the racial concentrations at the selected sending schools as noted above.

In the opinion of this expert, the Magee Express Shuttle should be implemented for the 2016-2017 school year.

### **3. Sabino High School Express Shuttle**

The Sabino High School Express Shuttle is designed to help gauge the strength of an express shuttle as an incentive for parents to voluntarily transfer their children from their zoned schools to Sabino. Considering the approximate 14-mile one-way trip it will also be a demonstration of just how far an express shuttle can run and still be considered an incentive by parents. If successful, the use of an express shuttle elsewhere in the District holds the potential as another tool to further integrate and reduce racial concentrations within the TUSD.

Currently Sabino High School has a diverse student population but a high Anglo percentage (57%). The targeted high school zones for this shuttle are two of the western high school zones in the District (Tucson High School and Cholla High School). The pickup school will be Tucson High School.

Tucson High School is currently a racially concentrated school with 74% Hispanic students. Cholla High School is racially concentrated with 78% Hispanic students.

Attracting Hispanic students from the west side to Sabino High School would help integrate the student demographics of both schools. Sabino would be further integrated and the racial concentrations of the two sending schools would be lowered. This would be faithful to the intent of the USP to diversify the student school populations whenever possible and practicable.

As of 2013-2014, Sabino High School is a nationally-recognized, Blue Ribbon School and enjoyed an "A" rating from the Arizona Department of Education. From an academic standpoint this would serve to help incentivize parents to consider the express shuttle in sending their students to Sabino.

Given the high value placed by students and parents on extracurricular activities at the high school level, maintaining the special activity bus component of the proposal will be critical to the success of this incentive. The activity bus will help students fully participate in the school culture whereby transportation issues might otherwise be an obstacle.

#### **Conclusion:**

This consultant recommends the implementation of this initiative. An assessment of the student demographics of the three schools involved in this initiative indicate that the increased integration and reduced racial concentration objectives are practical to achieve.

Considering that the express shuttle vehicle is already in the fleet, it will be worthwhile to determine the "proof of concept" as to the limits parents may impose on time and distance when voluntarily enrolling outside their home zone.



#### 4. Enrollment Bus

For many school districts the time where you could draw an attendance zone plan and reasonably expect the schools to reflect that demographic is long gone. Now, with so many public and private schools and programs available to prospective students, public schools must shift gears and learn to promote, market, and attract the students into and within their district. The Tucson Unified School District is no exception. But if approached with the right attitude, this can actually be an exciting time to brainstorm new ideas that will benefit students.

The enrollment bus is a novel concept. The bus essentially becomes a mobile outreach program if implemented as described in the TUSD Integration Initiative Attachment 4 document.

Highly visible and effective, the enrollment bus can allow the TUSD to target specific neighborhoods, community centers, social events, and community events. A tangible expression of the TUSD outreach, this initiative provides the ideal concept to wrap a comprehensive and effective social media program around.

The disseminated information is anticipated to include Magnet Programs, Advanced Learning Experiences (including GATE and Dual Language programs), free transportation offerings, and sharing the real benefits of having children learn in a racially diverse school setting.<sup>5</sup> To this the TUSD should consider:

- Often times the limited educational attainment of the parent(s) stymies their ability to work as a team member with the schools in educating their children. Consider entering into an agreement with the local community college(s) to disseminate information and conduct on-the-spot enrollments for adult education and adult enrichment programs for the parents. Costs of operating the bus could be shared.
- Pair up with the local public libraries to set up one or more literacy days to promote family literacy opportunities.
- Use the opportunity during the parent and/or student informational meeting to survey them on what programs they would like to see TUSD offer in the future.
- Bring the bus to Parent/Teacher Association meetings at the schools. Park it in a highly visible and assessable location. Invite parents and students inside the bus. Use that opportunity to interview parents and students while on the bus to ascertain community attitudes, concerns, or positive experiences they may have. Use them as referrals and as part of the social media updates when appropriate.

#### **Conclusion:**

This consultant highly recommends the implementation of the enrollment bus. The bus can be a catalyst to specifically target certain parent/student recruitment activities that result in further integration and diversity of the school district.

A comprehensive social, print, and electronic media campaign can be built around the enrollment bus. The bus, along with the specific express shuttles discussed earlier, can

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<sup>5</sup> See the following article for an excellent discussion on the benefits of racial diversity in school settings: <http://www.theatlantic.com/education/archive/2016/02/breaking-up-school-poverty/462066/>

serve as a visible promotion of the TUSD. Worked appropriately the enrollment bus can be an exciting addition to the TUSD integration toolkit.

#### ***Academic Program Oriented Initiatives***

Academic programs have long been one of the elements of a comprehensive integration plan. Programs such as magnet, gifted and talented, dual languages, and advanced education are staples in the arsenal school districts can use to improve school integration. Designed and implemented correctly academic programs can promote integration through voluntary transfers more effectively than just changing attendance zone boundaries alone.

Over the past several months the TUSD committee members have been discussing the addition of Dual Language (DL) programs and Gifted and Talented Education (GATE) tracts to certain schools to further integrate the student body and increase participation in these advanced programs. The schools determined to have the best combination of capacity, potential for integration, and geographic proximity to existing self-contained sites were Wheeler, Roberts Naylor and the Dual Language program at Bloom.

Currently there is a waiting list for the Self-Contained GATE (SC GATE) programs at Lineweaver and Kellond elementary schools. The proposed academic initiatives will whittle down the waiting list and get those students into an integrated or diverse school population within the TUSD for the upcoming school year and reduce the chance of losing those students to private, charter, or other school districts.

#### **5. Wheeler Elementary Self Contained Gifted and Talented Education Expansion**

Wheeler is a very diverse school located in the southeast central part of the school district. The largest ethnic group attending the school are Hispanic (42%) closely followed by Anglo (37%) and then African American (11%). Wheeler is roughly similar in demographics to both Kellond and Lineweaver elementary schools where the GATE waitlists exist. Kellond is approximately 1.4 miles from Wheeler while Lineweaver is 3.4 miles so the three schools are in close proximity.

With the ability to target specific ethnicities with the SC GATE program, the proposal will target primarily students to the school from the surrounding area for grades 2 and 3. This will help further integrate Wheeler while reducing the racial concentrations at the sending schools.

#### **Conclusion:**

Considering the strong draw the GATE program has with parents it is entirely feasible that parents will respond favorably to the additional 2<sup>nd</sup> and 3<sup>rd</sup> grade self-contained GATE classes at Wheeler. The school is within close proximity of where the existing wait list is for Kellond and Lineweaver. By monitoring the school demographics, the TUSD should be able to develop the demographic profile necessary to integrate the school according to the USP criteria.

It is recommended that the SC GATE 2<sup>nd</sup> and 3<sup>rd</sup> grade classes be implemented for the 2016-2017 school year.

## **6. Roberts-Naylor K-8 Self Contained Gifted and Talented Education Expansion**

Located near the south center of the District Roberts Naylor is a K-8 school. The proposed SC GATE program will add an elementary component starting with 2<sup>nd</sup> grade and piloting a pre-GATE kindergarten class. In driving distances Roberts-Naylor is one mile from Lineweaver and 3.5 miles from Kellond elementary schools.

Like the Wheeler program, the students for the Roberts-Naylor expansion for 2<sup>nd</sup> grade are slated to come primarily from the existing Lineweaver/Kellond GATE wait list. Between the demographic needs of Wheeler and Roberts-Naylor it is anticipated that the majority of the students on the waitlist can be accommodated into a school setting that is diverse and becoming more integrated.

Like Wheeler, the waiting list will not be the only source used to identify potential students. Parents who opted to drop off the waitlist will be contacted to ascertain if the new GATE classes will meet their needs and expectations. In addition, the proposal anticipates using targeted marketing of the program to attract the students that will help achieve the increase in integration and decrease in racial concentrations.

Of particular interest is the pre-GATE kindergarten class. This consultant anticipates that many parents will be interested in applying for this program. Students applying for the program will have to meet a minimum assessment standard using tests created by the District.

The District plans to offer assessments to pre-school age children at the District's Infant and Early Learning Centers, centrally located TUSD schools, and potentially centrally-located daycare programs. To the list this consultant would recommend utilizing the enrollment bus to generate referrals and provide information to parents about the pre-GATE program. Overall the program lends itself well to target marketing efforts to help further integration efforts.

This consultant agrees that it is likely that the pre-GATE program will be oversubscribed. This however allows for a demographically structured lottery to be applied that will further the integration of Roberts-Naylor and the reduction of racial concentrations at the other schools.

### **Conclusion:**

This consultant fully endorses the Roberts-Naylor initiative and is very impressed with the inclusion of the pre-GATE component. The initiative as a whole has the promise to increase the integration of Roberts-Naylor in the coming years.

The recommendation is for implementation starting in the 2016-2017 school year as proposed by the District.

## **7. Bloom Elementary Dual Language Expansion**

As mentioned earlier, dual language programs have a good track record in helping integrate schools across the country. They are very popular with parents and students alike. A cursory review of the dual language programs in the TUSD has indicated that overall the programs are well implemented and generally held in high regards by students and parents.

The addition of a two-strand Dual Language program at Bloom came at the recommendation of the District's dual language expert Ms. Rosa Molina. After applying a comprehensive set of factors to a set of potential sites, Bloom was recommended and the TUSD staff concurred.

Bloom is a diverse school with a large African American population of 19%, among the largest in the District. The increase in African Americans enrolled in Bloom has increased substantially over the past several years. With a 38% Anglo and 35% Hispanic populations Bloom is demographically a good choice to locate the program.

A review of the proposed activities slated to build a foundation and support for the implementation and growth of the program was conducted by this consultant. Staff has outlined a list of action items for the program implementation.<sup>6</sup> The action items are comprehensive and tie in very well with the marketing and promotional activities the District will undertake in the coming year for the other District initiatives.

From an integration perspective, the proposal is targeted to increase the Hispanic student population while still providing an opportunity for students of other ethnicities to participate. In particular, the large African American population at Bloom will make this an ideal setting to recruit more African American students into a Dual Language track. Historically African American students have been under-represented in Dual Language classes in the District. This initiative can help reverse that trend.

Staff has identified that it will take two school years to increase the Hispanic population by 50 or more students. The Dual Language strands, coupled with the opportunity to participate as an Advanced Learning Experience (ALE) program will provide the incentive for Hispanic, African American, and other parents to consider applying for the program at Bloom.

**Conclusion:**

The target demographics of 50 Hispanic students within two years are easily within reach given the attractiveness of the dual language programs in the District. Having two strands at Bloom will ensure sufficient applicants of other ethnicities to allow the District to use the lottery to target the demographics necessary to integrate Bloom. Efforts need to be implemented that will aid in recruiting African American students into the Dual Language program.

This consultant concurs with the findings of Ms. Molina and recommends that the TUSD move forward with the implementation of the Dual Language program at Bloom as planned.

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<sup>6</sup> Integration Initiatives Attachment 7

## **E. Observations, Suggestions, Recommendations**

While not within the scope of work for this review, this consultant was able to observe some ancillary issues that may warrant further research, discussion, or consultation with the Special Master and Plaintiffs. The comments that follow are in no particular order.

### **1. Definitions of Integration and USP Standards**

The current USP has the defined integration and racial concentrations standards. Those standards were agreed upon by the parties in the past. The standards are based on the grade span demographics applied at each of the schools.

Given the large size of the District, the complexity of the program offerings, magnet schools, and grade spans that vary from PK-12, PK-8, PK-5, PK-6, K-8, K-5, 6-8, 6-12, 3-8, and 9-12, it becomes extremely difficult to administer and track the demographic changes. It also introduces a high level of complexity for the Court and parties involved to monitor, track, and gauge progress as the case moves forward.

For those reasons this consultant would strongly urge the parties to enter into discussions among themselves and the Special Master to seek agreement to use a District-wide ratio encompassing grades K-12 as the standard to apply to all schools and to modify the USP accordingly. This standard is used by a number of school districts around the country and works very well.

As an expert witness this consultant has worked with the following school desegregation cases in Louisiana where the K-12 district-wide standard was used: Evangeline, St. Landry, Bossier, Union, Monroe City, Ouachita, DeSoto, Jackson, and Lincoln. As the expert for the U.S. Department of Justice, District-wide K-12 standards were used for Morehouse and Avoyelles. Other school districts where this consultant has personal knowledge that a district-wide K-12 standard was used are Vermilion and Lafayette.

If a K-12 standard is not agreeable, then at least a District-wide K-8 and 9-12 standard should be considered. If the parties and Special Master can agree to a revised standard it will be much easier to administer the student assignment plan, track the changes, address demographic deficiencies, and target improvements in future years. Modification of the USP in this area is strongly encouraged.

### **2. Admissions Process for Oversubscribed Schools or Programs (Lottery)**

The District employs a lottery to select students in oversubscribed schools or programs. Use of a lottery is a common tool to fill the seats in an evenhanded way.

The lottery can be a powerful tool to help shift school demographics in the direction of integration. While time did not permit, this consultant has some questions as to whether the current lottery policies can be tweaked to help shape the desired demographics of schools that are currently racially concentrated or not fully integrated. This would be a good topic to review and discuss during the implementation phase.

### **3. Diversity**

In studying the demographics of the schools within the TUSD it was noted that a number of schools were diverse to a large degree with a significant representation of the races and ethnicities in the student population. According to the USP integration standard though, they are not considered integrated. However, in looking at the participation among the five race categories in many of the schools it was clear that students of all ethnicities were in school together, involved in school activities together, and likely developing friendships and making new acquaintances with students of another race or ethnicity.

While this consultant understands the legal requirement of having a defined level of integration it should not diminish what is currently taking place in the TUSD schools. A substantial number of the schools would be hard to classify as a particular race school if a casual visitor were to visit or interact with the school.

Parallel to this point is the newer trend towards recognition of socioeconomic-integration. This newer approach works to the advantage of helping the disadvantaged student regardless of race or ethnicity.<sup>7</sup> Racially balanced schools may still have a very high poverty and at-risk population that makes it difficult for the students and school to succeed.

Employing socioeconomic integration techniques and programs often result in a more racially balanced school but more importantly they are much more integrated in terms of the socioeconomic profile of the student body and school itself. Student success is much more likely in these types of schools. And should that be the ultimate objective...higher student performance?

Discussions are encouraged among the Parties on whether these schools should be classified as having made substantial progress towards an integrated campus as opposed to being labeled with the inference that they have not yet met the technical standard for integration and therefore they don't count as having a diverse student body. Use of a "Diverse" classification might be something worth discussing with the Plaintiffs and Special Master. Better yet, at some point should the focus progress to the next level and be on student learning opportunities and success within a socioeconomically diverse school setting rather than go to extraordinary lengths to chase what is really just a statistical number?

### **4. Magnet Programs**

Magnet Programs can be very effective in voluntarily attracting students that can integrate a school campus. Usually the programs are academically strong and often are oversubscribed.

In the course of reviewing the District, this consultant has concerns that a number of the magnet programs are somewhat weak. The school performance scores seem to bear that out.

Also the current method of populating magnet programs within neighborhood schools appears to be diluting the true potential of the magnet to integrate the school. Discussions with TUSD staff

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<sup>7</sup> The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms, The Century Foundation, February 10, 2016. URL: <https://tcf.org/content/facts/the-benefits-of-socioeconomically-and-racially-integrated-schools-and-classrooms/>


indicate that they recognize the weak programs and steps are being undertaken to have a comprehensive review of the magnet programs when an expert is hired in June 2016. That is a step in the right direction.

As part of that comprehensive review, the means by which the magnet programs are populated should also be studied. If there are changes in the method the students are selected that can help further the integration of the District, then those changes should be considered.

**F. CERTIFICATION**

The assessment and opinions declared above are based on the facts and criteria available to this expert consultant as of the time of this report. This expert consultant reserves the right to supplement this report as new information becomes available or as requested by the Tucson Unified School District.

Signed this 18th day of May, 2016.

  
s/s \_\_\_\_\_  
Michael C. Hefner  
Expert Consultant for the  
Tucson Unified School District

## SUPPLEMENTAL INFORMATION

### **Brief Vitae of Michael C. Hefner, Esq. Expert Consultant for the Tucson Unified School District**

#### **Background:**

Michael Charles Hefner serves as the Expert Witness in Demography. He is the owner and manager of Geographic Planning and Demographic Services, LLC. The company uses Geographic Information Systems (GIS) to display and analyze any kind of data that has a geographic reference. The primary work of GPDS has been in the field of demographics including census data, redistricting, marketing, and public school student assignment demographics. Hefner has extensive experience working with the Census Bureau's TIGER line files, dating back to 1990.

#### **Expert Witness Work:**

Hefner has been certified as an expert witness in demographics in the United States District Court, Western District of Louisiana in the case *Barney Deshotels v. Evangeline Parish School Board* (unpublished opinion) on or about May, 1995. The Evangeline Parish School Board hired Hefner to defend the Board against a suit brought by Mr. Deshotels under Section 2 of the Voting Rights Act. The suit was successfully defended.

For the 2000 Census, Hefner was retained by the Attorney General of the State of Louisiana and the Department of Elections to develop alternative plans and provide expert testimony in the case of *City of Baker School Board v. State of Louisiana*, (unpublished) on or about March 2003. The case was heard in the 19th Judicial Circuit Court and Hefner was accepted by the Court as a demographic expert and served as the sole witness presented by the State. That case was ruled in favor of the State at both the district court and the Appellate Court.

Hefner is currently certified as an Expert Witness in reapportionment and demography for the U.S. District Court Western District of Louisiana, the Middle District of Louisiana, and the 15th and 19th Circuit Courts in Louisiana.

Hefner has served in the capacity as an expert witness for the following school systems in their school desegregation cases:

- Evangeline Parish School Board – Completed. Unitary.
- St. Landry Parish School Board – Completed. Final Unitary pending
- Bossier Parish School Board – Current.
- Vermilion Parish School Board – Completed. Unitary.
- Ouachita Parish School Board – Completed 2012. Unitary.
- Monroe City School Board – Completed Student Assignment Plan 2012.
- Jackson Parish School Board – Current. Provisional Unitary.
- DeSoto Parish School Board – Current.
- Pointe Coupee Parish School Board – Current.
- Richland Parish School Board – Current.
- St. Martin Parish School Board – Plan recently adopted by the Court.
- Lincoln Parish School Board – Completed Student Assignment Plan 2012.
- Union Parish School Board – Completed Student Assignment Plan 2012.



For the majority of the cases, no testimony was presented to the Court. Instead Hefner worked to develop desegregation plans that resulted in a joint motion being filed with the Court with his plans being the centerpiece of the filing.

Hefner served as an expert witness for the United States Department of Justice on two school desegregation cases. Hefner assisted the Department of Justice with the Avoyelles Parish School Board and Morehouse Parish School Board desegregation cases, the latter recently being granted Unitary Status.

### **Education**

Hefner is a 1978 graduate of the University of Southwestern Louisiana having earned a Bachelor's Degree in Business Administration. Hefner completed his legal education and received his Juris Doctorate in law in January 2008. He was admitted to the California Bar in October 2008 and is a member in good standing. Hefner's California Bar Number is 257492.

A full CV is on file with the Tucson Unified School District. A copy can be provided upon request to either this consultant or the School District.

### **Contact Information**

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