

2017 WL 3494421

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United States District Court, D. Arizona.

Roy and Josie FISHER, et al., Plaintiffs
and
United States of America, Plaintiff-Intervenor,
v.
TUCSON UNIFIED SCHOOL DISTRICT, et al.,
Defendants,
and Sidney L. Sutton, et al.,
Defendants-Intervenors,
Maria Mendoza, et al., Plaintiffs,
and
United States of America, Plaintiff-Intervenor,
v.
Tucson Unified School District, et al. Defendants.

No. CV-74-00090-TUC-DCB

No. CV-74-0204-TUC-DCB

Signed 08/15/2017

Attorneys and Law Firms

Kristian Harrison Salter, Rubin Salter, Jr., Law Office of Rubin Salter Jr., Tucson, AZ, Juan Rodriguez, Matthew David Stricker, Cynthia Valenzuela Dixon, Thomas A. Saenz, Educational Fund (MALDEF), Jennifer L. Roche, Lois D. Thompson, Proskauer Rose LLP, Los Angeles, CA, James Eichner, Zoe M. Savitsky, Peter W. Beauchamp, US Dept. of Justice, Washington, DC, for Plaintiffs and Plaintiff-Intervenor.

Edmund D. Kahn, Law Offices of Edmund D. Kahn, Samuel Emiliano Brown, Todd A. Jaeger, Tucson Unified School District, Tucson, AZ, P. Bruce Converse, Paul Kipp Charlton, Steptoe & Johnson LLP, Phoenix, AZ, for Defendants and Defendants-Intervenors.

ORDER

Honorable David C. Bury, UNITED STATES DISTRICT JUDGE

Special Master's 2015-2016 Annual Report: Objections

*1 On June 16, 2017, the Special Master filed the 2015-16 Annual Report (SMAR). There has been a wave of objections. On August 11, 2017, the Special Master responded and recommended that the Objections be taken up in the context of the 2016-17 annual reports which are currently underway. The District's 2016-17 Annual Report (AR) is due on October 1, 2017, and the SMAR is due December 1, 2017. The Court adopts this recommendation.

The annual reports for SY 2016-17 will for the first time include, for each component of the Unitary Status Plan (USP), an analysis of the extent to which the District has met the provisions of the USP. Because the USP, functioning as a Consent Decree, is the litmus test for attaining unitary status, the District's SY 2016-17 AR, followed by the SMAR, will be the starting point for a comprehensive review of the USP to determine which components, if any, have been fully and successfully implemented. The Court intends for this review to result in roadmaps, including time-lines, for attaining unitary status for any USP component which has not been fully and successfully implemented.

The District should take care to review the concerns of the Plaintiffs and the Special Master expressed this past year and other years, especially specific alleged deficiencies which have been identified and especially where alternative remedies have been suggested by the parties or Special Master or the subject of Court Orders. Plaintiffs should take care in future critiques to support generalized objections about the level of commitment held by either the District or the Special Master with specific and concrete examples, including clear alternatives that were ignored or rejected by either.

Accordingly,

IT IS ORDERED that the Special Master's 2015-16 SMAR (Doc. 206) is adopted by the Court.

IT IS FURTHER ORDERED that approving the Special Master's recommendation to address the 2015-16 SMAR Objections in the SY 2016-17 annual reports.

Fisher v. Tucson Unified School District, Not Reported in Fed. Supp. (2017)

Not Reported in Fed. Supp., 2017 WL 3494421

All Citations
