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Roy and Josie FISHER, et al., Plaintiffs,
v.
UNITED STATES of America, Plaintiff-Intervenor,
v.
Anita Lohr, et al., Defendants,
and
Sidney L. Sutton, et al., Defendants-Intervenors,
Maria Mendoza, et al., Plaintiffs,
United States of America, Plaintiff-Intervenor,
v.
Tucson Unified School District No. One, et al.,
Defendants.

CV 74-90 TUC DCB, CV 74-204 TUC DCB

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Signed 09/08/2017

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SPECIAL MASTER'S REPORT AND RECOMMENDATION ON 2018 BUDGET 8/31

Willis D. Hawley, Special Master

Introduction

*1 In its order dated December 27, 2016, the Court stated: "In the last years of judicial oversight, the Court finds that it is important for the District to act on its own accord and to be accordingly held responsible." (Doc. 1981 at 9) The Special Master has used the Court's admonition in deciding what recommendations are to be made in response to objections by the plaintiffs and those based on the Special Master's own analyses.

Evaluating the District's 2018 budget is complicated by the fact that the District has, once again, recoded numerous expenditures and funded some activities previously supported with 910 G funds with other funding sources. The recoding makes it difficult to determine whether the level of effort with respect to particular activities have increased or decreased. Increasing the use of sources of funding other than 910 G funds to support ongoing activities, while it complicates understanding of budget, is desirable and would make it significantly easier for the District to deal with reductions in 910 G funds should the state take such action.

Some of the concerns expressed by plaintiffs have to do with reductions in past expenditures. There is nothing inherently problematic about such reductions – the District has learned that some things work better than others and has found ways to improve the efficiency of performance.

The Fisher objections included dozens of requests for information. However, the time for requesting information upon which to base objections is past. Thus, this addresses objections made by the plaintiffs in response to changes in the third submission of the budget to the plaintiffs and the Special Master and changes in the budget since it was submitted to and approved by the Governing Board. The Department of Justice did not submit objections to the budget. The Mendoza plaintiffs made numerous objections to the third version of the 2018 budget (*see* Doc. 2038), and those are addressed in this Report. Of the 60 or more objections filed by the Fisher plaintiffs (*see* Doc. 2032), most, as noted, were requests for information. No doubt many of these requests for

information represents the Fisher plaintiff's concerns about proposed expenditures but it seems inappropriate for the Special Master to infer the intent of the plaintiffs.

Criteria for Determining Mentor Support for First and Second Year Teachers and for Teachers of Culturally Relevant Courses (CRC)

Overview

In response to a requirement of the Court, the District has developed criteria for determining the ratios of mentors to teacher mentees. The Mendoza plaintiffs challenge the District's criteria on the grounds that they abrogate a stipulation with respect to teachers who staff culturally relevant courses and, in effect, require the District to provide mentors to all teachers of CRC courses indefinitely.

First and Second Year Teachers

*2 The rationale for assigning mentors should be consistent across different situations in which mentors are provided. For several years, the District has administered a research-based mentoring program for all first and second year teachers that has seemed to work well. However, experience with this program suggests that it can be modified and the point system proposed by the District can serve as the baseline. The District's point system is as follows:

District's Formula		
1 st year teacher	Underperforming or racially concentrated school	3 points
2 nd year teacher	Underperforming or racially concentrated school	2 points
1 st year teacher	Performing or non-racially concentrated school	2 points
2 nd year teacher	Performing or non-racially concentrated school	1 point

Thus, the per-person case-load ratio would range from one mentor to five teachers (five first-year teachers at underperforming or racially concentrated sites; 5 teachers x 3 points = 15) to one mentor to fifteen teachers (fifteen second year teachers at performing or non-racially concentrated sites; 15 teachers x 1 point = 15). This means that the mentor-teacher ratios, based on the 1:15

point ratio, could be as low as 1:5 or as high as 1:15.

This formula for allocation and funding of mentors is appropriate for many first and second year teachers. However, first year teachers who work with struggling students face exceptional challenges. Research is clear that the learning opportunities outcomes for lower achieving students, is undermined when they are taught by first year teachers. Therefore, the USP discourages the assignment of first year teachers to schools where students are performing below the district average. When that is not feasible, the USP provides for more intensive support. For these teachers, the ratio of mentor to teacher should be no lower than 1 to 10 as compared to 1 to 15 for other first year teachers.

CRC Teachers

For CRC teachers, regardless of their prior experience, the parties agreed that the mentor to teacher ratio should be 1 to 10 for the first year and 1 to 15 in the second. Thereafter, CRC teachers would not receive mentoring unless it were determined that the teachers were relatively ineffective and needed exceptional additional support. This level of support for taking on a new course is extraordinary but can be justified because of the unique pedagogical requirements of CRC teaching.

The determination of the number of mentor teachers for CRC teachers – who now enjoy the title of Master Teacher – is complicated by the fact that some Master Teachers have additional responsibilities related to curriculum development and working with teachers who are using the CRC curriculum and pedagogy in lower grades but are not teaching full courses. The District does not have a formula for determining the level of effort involved in these beyond mentoring duties. It is important that the District develop such a formula so that arguments over the appropriate level of expenditure for master teachers and CRC can be avoided going forward. Moreover, TUSD's CRC is a model being used in other districts and the ability to communicate the costs and practices required for success will encourage the adoption of "ethnic studies courses" throughout the country.

These recommendations mean that the District's budget for mentoring relate to all first and second year teachers, first year teachers in schools where students are performing below the District average, and CRC teachers is adequate. Indeed, if the District were to apply the

recommendations made here, it is likely that the level of investment is more than that which is needed.

The Special Master draws attention to the fact that his recommendation does not provide for extra support for beginning teachers in racially and concentrated schools. There is no provision in the USP for such support but in ordering the District to develop a formula for determining teacher-mentor ratios the Court included racially concentrated schools. There is nothing inherently difficult about teaching in a racially concentrated school when the students in that school are performing at high levels. In good schools serving students of color, teachers are also likely to be highly effective and can serve as models and support for beginning teachers. Beginning teachers in these highly effective schools in TUSD will, as will other beginning teachers, have mentors in accord with the point system discussed above. To suggest that a model mentoring program for supporting beginning teachers in high-performing racially concentrated schools since it takes the provision of extra support may carry with it the inference that students of color are inherently more difficult to teach than other students just because of their ethnicity.

Recommendation

*3 First, the Court should approve the District's formula for determining the ratio of mentors to first and second year teachers.

Second, the Court should clarify that this formula does not apply to first year teachers in high achieving schools that are racially concentrated just because the school is racially concentrated.

Third, the District should be required to establish a formula for assigning mentors to CRC teachers on a 1 to 10 ratio for the first year, and a 1 to 15 ratio for the second year, and that it should include in that formula the proportion of mentor time required to perform tasks other than mentoring. This, of course, would affect the number of mentees a given CRC mentor would have.¹

The Higher Ground Issue

The Mendoza plaintiffs oppose the hiring by the District of the organization called Higher Ground to provide services to students and staff development at the District's Alternative Educational Program (DAEP). Higher Ground provides services in the juvenile justice system and the Mendoza plaintiffs believe that the provision of services to students in the DAEP will stigmatize DAEP students. TUSD seeks from Higher Ground the facilitation of social and emotional learning (SEL) in DAEP. There is abundant evidence that effective SEL programs improve students' capacity for self-management, impulse control, and other so-called executive functions that contribute to positive behaviors both in school and in the community.

A number of SEL programs being offered in schools throughout the country have their roots in early work with youth who were having problems with addiction or anti-social behavior. It is important to note that the Mendoza plaintiffs do not oppose the content of the SEL program being offered by Higher Ground. While the Special Master is not an expert in SEL, he has reviewed the program being offered by Higher Ground and it appears to incorporate elements that are consistent with SEL program characteristics endorsed by the Collaborative for Academic, Social and Emotional Learning, the major professional organization for experts in SEL.

Recommendation

The District should be allowed to contract with Higher Ground as it has proposed to do.

Student Success Specialists

The Fisher and Mendoza plaintiffs object to reductions in the number of Student Success Specialists ("SSS") from the departments in which they are now based. The Special Master supports the proposed reductions that are part of the District's effort to reconsider how best to address the obligations outlined in Section V.E.4 of the USP, many of which are now assigned to Student Success Specialists. The Special Master also believes strongly that the District needs to devote more attention and resources to improving outcomes for struggling students, especially African American students.

However, it is not reasonable to expect a small number of SSS who under-funded, and under-paid and under-trained to have a significant impact on the learning needs of tens of thousands of students.

*4 In the recent discussion between the Special Master and the District, three roles were identified as summarizing much of the work of SSS: (1) organize events, (2) deliver interventions, and (3) advocate on behalf of students. One or two people can organize events.

SSS, however committed they are, do not have the training or experience to deliver interventions that substantially improve academic and behavioral outcomes. When SSS serve as advocates, they take on a responsibility that should be the responsibility of all teachers, administrators, counselors, and other staff. Moreover, as the experience of the District shows, advocacy – while sometimes necessary – can undermine collaboration and does not, in itself, bring about change.

The Special Master recognizes the commitment that is manifested in the work of SSS, but there is little evidence that they have made a significant difference for the students they serve. If they didn't exist now, we would not invent them. Indeed, the plaintiffs have worked to ensure that tutoring was done by certified teachers. Why would they argue that SSS be responsible for Tier Two interventions that require more professional expertise than does most tutoring?

Presently, TUSD is implementing equity-focused practices that most districts lack both the commitment and the courage to pursue. To be sure, the District is not doing all of the things the USP requires at the highest possible level of performance. That is not surprising given the difficulty of implementing dozens of initiatives simultaneously. However, it is making progress across a broad range of interrelated actions.

To enhance and build upon current efforts, as well as to ensure that those efforts are not undermined by the sheer weight of the challenges involved while insisting that priority be given to actions that promote the success of African American and Latino students, the District might be well served by creating an office staffed by a small cadre of African American and Latino expert educators who can serve as internal consultants and provide oversight with respect to culturally responsive practices whether they be manifest in teaching, curriculum,

coaching, administering discipline, working with families, or developing future District policies and procedures. The Special Master suggests that this proposed office report directly to the Superintendent for both practical and symbolic reasons.

It seems to the Special Master that, while much is yet to be done, the work TUSD is doing gives legitimacy to asserting TUSD's national leadership in the pursuit of equity. It is time to replace the sense that the District is in a state of siege, with pride in being where other Districts need to go.

Recommendation

The District's 2017-18 budget for SSS and plans for their deployment should be sustained but the District's search for better ways to serve African American and Latino students should continue. The approach that is implicit in the 2017-18 budget should be seen as an interim strategy.

Goals for Magnet Schools

Some magnet schools have set goals for academic performance at levels lower than the 2015-16 goals they had already achieved. The District argues that it will reset goals when it sees how the schools performed in the latest AZ merit tests. The idea that schools should lower the goals they once achieved is peculiar. In more than 40 years of working in schools, the Special Master has never seen a school system set goals for schools that are lower than their previous performance.

*5 If the District were to publicize the lowering of academic goals for some magnet schools, it would not be surprising to see families leave the schools – and perhaps the District – when they make choices about where to enroll their students.

The parties agreed to a set of goals that magnet schools would have to achieve in order to maintain magnet status. These goals were approved by the Court. How is it possible that not a single school has apparently determined what it would take to achieve these Court-approved goals, the attainment of which will determine whether they maintain their magnet status.

Should they fail to meet these goals this year, these schools will face the strong probability that they will be transitioning out of magnet status in 2018-19.²

Recommendation

The Court should require the District to inform each school what the Court-approved goals for academic achievement are and the extent of the progress each school needs to make in order to achieve those goals.

Adequate Funding of Magnet and Transition Plans?

The Mendoza plaintiffs believe that substantial reductions in support of magnet and transition plans are reflected in the 2018 budget. The District asserts that this is not the case because some activities that previously received 910 G support will now be funded from other sources (*e.g.*, Title I, M&O, etc.). Further, the District indicates that it may revise school budgets in light of analyses of the most recent AZMerit test scores. And, the District claims that principals have received the funds they asked for or, at least, the funds they believed were essential.³

If funding for some schools is reduced this does not necessarily mean that the school is not receiving sufficient support to achieve its goals. For example, programs that haven't worked well may be abandoned and replaced by less costly but potentially more effective programs. That said, it is difficult to know what investments are being made in order to achieve specific outcomes. Not only are different funding sources used in the current budget, but the District has changed budgeting codes in some cases.

Recommendation

Given that some school budgets may be altered in light of recently released AZMerit scores and the fact that the 910 G budget does not fully reflect the support that schools are receiving, the Court should require the District to submit revised budgets for schools no later than September 30, 2017. These revised budgets should (1) identify all sources of funding and (2) specify the outcomes to be expected from the particular investments

embodied in the budgets.

International Baccalaureate Programme (“IB”)

The per-student costs of offering IB are very high. But the fact that the District is committed to offering this program at Cholla High School reflects the intent of the District to provide advanced learning experiences to Latino and African American students.

*6 For purposes here it seems useful to think of the IB program having two paths—the diploma path and the certificate path. Students on the certificate path take IB courses which may vary in number. If they take the IB exam for that course and score at an appropriate level they will invariably receive college credit for the equivalent college course.⁴ In order to receive an IB diploma, students must master the material in six IB courses and write a paper on an academic subject.

The fact that Cholla students who pursue the diploma succeed at a rate comparable to the national average is somewhat remarkable given that more than 80% of Cholla students receive free or reduced meals. The fact that about 70% of the certificate students who take the course exams also succeed is impressive – there is a much lower rate of passage among students who take the Advanced Placement (“AP”) exams.

A reason that Cholla students involved in IB do as well as they do in pursuit of the diploma and in passing IB course exams is that teachers of IB courses at Cholla provide students with extensive tutoring which has been funded in the past from 910 G funds. Those funds were initially deleted from the 2018 budget but have now been restored.

Recommendation

If the District is to make this commitment to IB, it needs to ensure that the students who participate have the maximum opportunity to receive the benefits of successfully completing the diploma program.

The District should confirm that funding for tutoring for IB students (this is akin to the support of tutoring for students at UHS) is included in the 2018 budget and that

the budget will support full funding for the cost of assessment for those students pursuing the diploma program. The logic here is that the students in the diploma program must take seven assessments which will cost almost \$900. This is a significant cost to most of the families of the students involved and is much greater than the burden families must bear when their students take one or two AP or IB courses. The total cost to the District of implementing these two recommendations is about \$50,000.

Effective Practices File for Discipline

The USP requires the District to create a resource that will give teachers and administrators access to information about effective practices with respect to discipline. The District has not yet developed such a file. It now claims that it can develop such a file in the current year without any cost. Since there is no plan for such a file, it is difficult to know what the District has in mind but it is almost certain that such a file cannot be produced without cost.

Consider, for example, these essential elements of an effective practices file:

1. A process for identifying effective practices. This would involve a form presumably online.
2. A way of linking the particular practice to elements of the GSRR. This is critical so that potential users who are trying to find a way to address particular violations can readily find potential solutions. The higher the search costs to find what help is necessary, the less likely the resources will be used.
3. A procedure for vetting possible entries to the resource library. This would include submission of evidence of effectiveness.
- *7 4. Video of the person who is primarily responsible for implementing this practice who would be responsible for the following:
 - a. a brief description of the practice to be augmented by written description.
 - b. a discussion of how the practice was implemented.

c. this person might serve as a consultant so that individuals who want to learn more can contact him or her, or some other individual who could be a resource.

5. A section for comments.

6. If we want people to submit entries and to be available for consultation, and incentive in the form of membership in the District's discipline expert panel (or something similar) that could be included on a resume or result in an invitation to meet with an outside expert, etc.

The District need not, of course, implement a file that has all of the components above. However, since the District has not done much in the past to implement the relevant provision of the USP, it is doubtful that what the District has in mind will meet the needs of teachers and administrators to implement disciplinary actions more appropriately and effectively.

Recommendation

The Court should require the District to set aside \$100,000 to develop, test and effectively implement the discipline effective practices file. If the District can develop an effective practices file without any cost, that would be excellent.

Summer Learning

One of the reasons why it is so difficult for the District to reduce the achievement gap is that students from low income families and communities often lose some of what they have learned during the school year in the summer. Summer learning loss affects low income students significantly more than their better-off peers. This all too common problem can be addressed in part by excellent summer programs. This should be an extraordinarily high priority for the District and such programs should be located in communities that have a significant number of African American children. Of course, such programs would benefit Latino children as well but African American students, overall, are achieving at lower levels than Latino students and therefore should have priority for this proven academic improvement strategy.

The District supports the development and implementation of additional summer programs. The District offers programs now that are deemed to have a positive impact on student learning. However, the District has no budget for increasing summer learning programs and says that they will be funded from unspent funds. This approach does not allow the plaintiffs and the Special Master to assess the character of the programs being proposed (*e.g.*, how many students will be affected and which students) or the level of investment.

Recommendation

The District should be instructed to incorporate descriptions of summer programs as well as budgets for such programs in its 2019 budget. In the short run, the District should prepare a plan for summer programs in 2018 to be submitted to the plaintiffs and the Special Master for review and comment. These proposals and budgets should be submitted no later than December 1, 2017.

Dual Language

The Mendoza plaintiffs observed that the dual language program at Bloom requires four dual language teachers and they object to the District's 910 G budget that does not provide for this number of teachers. The District explains that it is supporting four dual language teachers at Bloom but that the funding for two of the teachers is coming from M&O funds. This misunderstanding – and ones like it – could be avoided in the future if the District were to submit a budget that shows funding from all sources financing USP related activities.

Recommendations

***8** The District's budget for dual language teachers at Bloom is adequate.

The 2018 910 G budget should be revised to include funding from all sources that support implementation of USP related activities. This recommendation should apply

to future 910 G budgets.

Family Engagement

The Mendoza plaintiffs and the Special Master have consistently observed that they see the District's approach to family engagement as traditional and minimalist. The District's response is that it abides by the letter of the family engagement plan. And that seems to be true with the exception of the placement of information kiosks at each school. The District has invested substantially in the development of four family centers located throughout the District where they may be of most help to the populations living in those areas. The centers appear to be functioning well, though given the limited data provided by the District, it is difficult to know how many parents are involved and in what kinds of activities. The District says that it will improve in this respect as the new student information system comes online. It is particularly important, and particularly difficult, to determine whether these centers are serving families of students who are struggling and what they are doing to help those parents.

The District says that it relies on family surveys to set priorities. It is difficult to see how such guidance from families could be meaningful since the number of respondents to many survey items is often under 20 and these surveys are administered at centers that serve families from numerous schools. Moreover, there is little consensus among families except, perhaps, that parents are interested in ways to improve their children's health and how to apply for colleges and scholarships.

In their objection to the 2018 budget for family engagement, the Mendoza plaintiffs cite the provision in the family engagement plan (known as FACE – Family and Community Engagement) that commits the District to use research and best practices to "... create a learning-centric environment to support the academic success of all students." The meaning of this commitment is ambiguous – nothing more in the District's justifications for budgeted expenditures clarifies the meaning of "learning-centric."

One way to determine the breadth of family engagement efforts is to compare family engagement activities in TUSD to those described in the six-component model developed by National Network of Partnership Schools at Johns Hopkins University. When the Special Master

asked the District if it was using the research and resources available from the Network, the District's response was that at least one of these compounding components were in place at every school in the District. However, this does not tell us much because it could mean that every school has some activity as common as parent-teacher conferences. In contrast, one of the strands of family engagement promoted by the Network is the involvement of families in school planning and leadership. But none of the meetings or resources to which the District draws attention as evidence of its commitment to family engagement has anything to do with them these being involved in planning and leadership at the school level.

*9 The FACE, coupled with the information on family engagement provided in the District's annual report, suggest that the District has focused much of its energy promoting family engagement at the District level and through the family centers. For example, the FACE provides that the District should promote strategies to create welcoming environments and relevant educational activities. But the discussion of how that will be achieved makes it clear that the intent is to promote such environments and activities in the Centers.

The Special Master has encouraged the District to undertake what he refers to as a two-way approach to family engagement. This two-way strategy, means that in addition to providing information to parents about how they can assist their children to achieve at higher levels, involves learning from parents and other family members about the needs, interests and problems that their children face so that teachers can use this knowledge to improve instruction and how they can improve their relationships with their students. Such an approach puts greater emphasis than usual on cultural responsiveness and seeks to build genuine partnerships between the school and families. The revised family and community engagement plan includes a requirement that teachers and principals should seek to learn from families about how to meet the needs of their students. But the FACE also says that the District bases its family and community engagement efforts on a model strategy called Academic Parent-Teacher Teams ("APTT"). However, the APTT model does not involve two-way family-teacher information sharing and none of the examples of what the District does to engage parents looks anything like the elements of APTT.

The District says that training for certified and administrative staff with respect to two-way engagement

is embodied in the training for Supportive and Inclusive Learning environments (SAIL). As with the commitment to create welcoming environments and relevant educational activities, the family and community engagement plan makes learning from families a function of the centers. The Special Master has no solid evidence regarding the amount or effectiveness of SAIL training as it relates to family and community engagement; no relevant evidence is presented in the District's annual reports.

The Special Master's interaction with District staff suggests that they recognize the need for and benefits of inclusive and culturally responsive family and community engagement. But it is difficult to assess the effectiveness of the District's efforts. While the family and community engagement plan sets forth goals, there is not a set of guidelines that spells out the way to implement these activities and achieve these goals at the school level. No doubt there are effective practices underway. Observation by the Implementation Committee members during their school visits and discussions with teachers and principals indicate that, as with most educational practices, the effectiveness and scope of family and community engagement efforts vary across schools. There is no systematic process for identifying activities underway at the school level, much less identifying effective practices that could be shared throughout the District.

Recommendation

The Court should require the District to develop guidelines for principals and other staff members for implementing strategies for working with families and communities in ways that would achieves the goals implicit in the position statement with respect to family and community engagement cited above that seems to set the tone for an approach to family engagement. These particular strategies should embed those components of the Johns Hopkins typology that the District deems appropriate as well as specific actions that would facilitate learning from families about how best to meet the needs of their students in culturally responsive ways. One would expect that the District already knows what needs to be done and can identify exemplary strategies in schools throughout the District. Moreover, the District is fortunate in that experts on how to engage and learn from diverse families are on the faculty at the University of Arizona.

***10** The outlines of this guidance for schools about family and community engagement may seem like overreach by the Special Master but the District has provided little information about the implementation of family engagement at the school level. Moreover, the experience of the District in implementing PBIS, where the specifics for school level action were clearly set forth at the District level, was that the elements of PBIS were not effectively implemented at many schools. It was not until the previous year, that the District realized the need for developing the kind of detailed plan for implementation of PBIS that is similar to what is suggested here for family and community engagement, that school level implementation improved.

These family engagement guidelines for schools should be submitted for review and comment by December 1 so that the need for additional funding in 2018-19, if any, can be addressed.

In addition to the assistance this will provide teachers and principals, the proposed guidelines will provide a way that central administration and the family engagement staff can provide oversight and support where necessary. For example, schools differ in the level of support they now have for family engagement. Some of that support is provided through Title I, some by family and engagement liaison personnel funded with 910 G funds, and some by school staff who are compensated with a small financial incentive to take on the additional responsibility for leadership on family engagement in their school. Whether these different approaches meet the needs of the schools in which various services are provided, could be more readily assessed if the guidelines being proposed were in place.

Based on the interaction between the Fisher and Mendoza plaintiffs and the District related to family and community engagement, it seems virtually certain that these plaintiffs will challenge any District request for unitary status that involves family engagement. To the extent that the District can show what it is doing in a more comprehensive way than is now provided in the annual reports and can indicate what it plans to do in the future, the prospects for unitary status would seem to be improved.

Other Issues of Concern

There are other objections raised by the Mendoza and Fisher plaintiffs. In examining these objections, the Special Master has decided that most of these relate to matters about which the Court has indicated the District should, at this point in the process of implementing the USP, have discretion. A small number of issues appear to either violated existing policies or involve unfair distribution of resources among schools.

1. Librarians at Davis and Roskrug are supported from 910 G funds and this is not true at any other school. The District explains that these librarians serve in Spanish immersion schools and this funding has been in place for many years. This rationale seems problematic.

Recommendation

910 G funds should not be used in coming years to support librarians. If the librarians at Davis and Roskrug serve functions beyond the schools in which they are placed, a different argument might be made for at least partial support.

2. The Mendoza plaintiffs conditionally object to the District's care/upkeep allocations for facility maintenance. The Special Master has consistently opposed the use of 910 G funds for maintenance of facilities unless these expenditures are directly related to a priority in the USP.

Recommendation

The District should clarify its rationale for including these funds in the 2018 budget.

3. Palos Verde High School is proposing to use 910 G funds for furniture. The Special Master has consistently opposed such expenditures that are not tied directly and necessarily to the mission of the particular school. While this expenditure is small, Palos Verde students perform at an exceptionally low rate of proficiency and it would seem that whatever funds could be allocated to improve instruction should have priority.

Recommendation

*11 The use of 910 G funds for furniture and equipment should not be permitted.

4. At Safford, the transition budget provides for what amounts to a \$1,000 increase in pay for all teachers. Arguably, teachers should be paid more than they are but providing 910 G funds for this purpose in one school is inappropriate.

The allocation of 910 G funds to teachers for unspecified added duty amounts to a salary increase. Why the District allows this in some schools and not others is not clear and therefore seems to be unfair to the teachers in the schools where this extra pay is not provided. In any event, 910 G funds are meant to support USP activities and there is no connection between these proposed expenditures and provisions of the USP or related action plans.

All Citations

Not Reported in Fed. Supp., 2017 WL 8897170

Recommendation

Footnotes

- ¹ This level of specificity seems inconsistent with the Court's assertion that the District be provided with increasing discretion. This is useful here because the issue has been a source of continuous contention.
- ² The Special Master has proposed that the academic criterion of narrowing the achievement gap be abandoned and has submitted a proposal to the parties accordingly.
- ³ When members of the Implementation Committee met with school principals, they learned that while many principals expressed satisfaction with their budgets, others felt that they needed additional support.
- ⁴ Colleges are more likely to award credit for "passing" IB courses than they would for passing an AP course because IB courses and grading standards are perceived to be more rigorous than is the case for AP. This does not imply that AP courses are not rigorous or worthy of college credit.