

TUSD

Tucson Unified School District

Boundary Review Process

I. USP LANGUAGE

II. STUDENT ASSIGNMENT

D. Attendance Boundaries, Feeder Patterns, and Pairing and Clustering

- 1. All schools in the District shall have an attendance boundary unless the District has specifically designated a school to have no attendance boundary.*
- 2. The District shall review and/or redraw its attendance boundaries when it opens a new school; closes, repurposes or consolidates a school; alters the capacity of a school; or designates a school without an attendance boundary. The Parties anticipate that such changes may result in the redrawing of some attendance boundaries. When the District draws attendance boundaries, it shall consider the following criteria: (i) current and projected enrollment; (ii) capacity; (iii) compactness of the attendance area; (iv) physical barriers; (v) demographics (i.e., race, ethnicity, growth projections, socioeconomic status); and (vi) effects on school integration. In applying these criteria, the District shall propose and evaluate various scenarios with, at minimum, the Plaintiffs and the Special Master in an effort to increase the integration of its schools.*
- 3. By April 1, 2013, the District shall review its current attendance boundaries and feeder patterns and, as appropriate, amend such boundaries and patterns and/or provide for the pairing and/or clustering of schools to promote integration of the affected schools.*

E. Magnet Programs

- 3. Magnet School Plan. ...the District shall develop...a Magnet School Plan...ensuring that this Plan aligns with [the District's] other student assignment strategies...The District shall at a minimum: (i) consider how, whether, and where to add new sites to replicate successful programs and/or add new magnet themes and additional dual language programs, focusing on which geographic area(s) of the District are best suited for new programs to assist the District in meeting its desegregation obligations...(iv) determine if each magnet school or school with a magnet program shall have an attendance boundary...*
- ...the Magnet School Plan shall, at a minimum, set forth a process and schedule to: (vii) make changes to the theme(s), programs, boundaries, and admissions criteria for existing magnet schools and programs*

II. POLICIES THAT APPLY

To implement this project in compliance with the USP, revisions to Policy JC, School Attendance Boundaries, were approved by the Governing Board on February 11, 2014. Revisions to Policy JFB, Enrollment and School Choice, are in process to align with the Admissions Process for Oversubscribed Schools approved by the Governing Board on December 10, 2013.

III. ROLES AND RESPONSIBILITIES

The Director of Planning and Student Assignment will manage the project with the help of two third-party firms: DLR Group, a K-12 educational planning firm with experience in districts under desegregation orders, and Applied Economics, the firm that prepared a demographic study for the District (together the Project Team). Funding has been allocated to this project.

The Project Team will be responsible to develop a public outreach program that provides multiple venues for public consultation with means to give voice to those who may not be engaged.

Boundary options (including potential changes to magnet boundaries, feeder patterns, and pairing and/or clustering of schools) will be generated by the Project Team and then presented to boundary committees, the Plaintiffs and Special Master and the public for review, comment and refinement. An advisory team of staff and outside professionals will be responsible for assuring the effectiveness and feasibility of all options.

At key points the Project Team will update District leadership, the Governing Board and the Plaintiffs and Special Master. All submittals to the Plaintiffs and Special Master will be submitted through the Director of Desegregation and legal counsel; they will provide the Project Team with any responses on same, from same.

The Project Team will collect all responses, make any necessary revisions and draft the final product and all sub-products.

In accordance with Policy JC, the Director of Planning and Student Assignment will be responsible for notifying parents/guardians of TUSD students, landowners and other affected persons/groups after the final approval of any boundary changes.

Annually, the Director of Planning and Student Assignment will review the District's Annual Report (USP section G.2) to determine if any schools are oversubscribed and will review boundaries to determine if any changes should be made to promote desegregation, especially regarding magnet schools and programs.

IV. INPUT OF THE PLAINTIFFS AND SPECIAL MASTER

Before the District amends boundaries, the District must first “propose and evaluate various scenarios with...the Plaintiffs and the Special Master in an effort to increase the integration of its schools.” This process includes multiple opportunities for the Plaintiffs and Special Master to receive and comment on information as the District develops scenarios (rather than waiting to involve them after scenarios have already been developed) and to be involved in the evaluation of options before recommendations are presented to the Board. Once the District makes recommendations, it will be available to the Board, the public, and to the Plaintiffs and Special Master. Once the Board approves a set of recommendations, the parties will have additional time for review and resolution of remaining conflicts. If conflicts cannot be resolved, the Special Master shall submit recommendations to the Court in a report.

Throughout the process, the District is committed to providing background information (like the demographic study) at key consultation points. Party input into the boundary review process is as follows (**See Exhibit A**):

1. Inform/Consult/Involve

The Plaintiffs and Special Master will participate in a number of ways such as consultation meetings (by phone, in person, or a combination of both), focus groups, and consultation through the submittal and review of draft options and plans.

2. Notices of Board Action

The District will notify the Plaintiffs and Special Master at key points in the process immediately after the Board makes key decisions.

The general timeline for Plaintiff and Special Master involvement is as follows:

March 2014:

- Submit the revised proposed Boundary Review Process to the Plaintiffs and Special Master.
- Consult with the Plaintiffs and Special Master within the Boundary Review Process.
- Conduct a focus group to propose and evaluate various scenarios with the Plaintiffs and the Special Master in an effort to promote the continuing desegregation of its schools.

April 2014:

- Provide potential options to the Plaintiffs and the Special Master for a two-week review and comment period.
- Conduct conference calls, as needed, to clarify options or to respond to requests for information. These will take place primarily during the two-week review and comment period to ensure the parties fully understand the potential options and are able to provide definitive responses.

- The District reviews the comments from the public and from the Parties/Special Master to develop draft options.

May 2014:

- Provide draft options (including a Desegregation Impact Analysis) to the Plaintiffs and the Special Master for a two-week review and comment period.
- Conduct conference calls, as needed, to clarify the draft options or to respond to requests for information. These will take place primarily during the two-week review and comment period to ensure the parties fully understand the draft options and are able to provide definitive responses.
- The District reviews the comments from the Parties/Special Master to develop a draft Boundary Review Plan.

June 2014:

- Provide draft plan (including a Desegregation Impact Analysis) to the Plaintiffs and the Special Master for a two-week review and comment period.
- Conduct conference calls, as needed, to clarify the draft Boundary Plan or to respond to requests for information. These will take place primarily during the two-week review and comment period to ensure the parties fully understand the draft plan and are able to provide definitive responses.
- Resolve any remaining issues and/or objections.
- The District reviews the comments from the Parties/Special Master to develop a final Boundary Plan that is supported by the Parties/Special Master.

V. UNDERSTANDING OF ISSUES AND OBJECTIVES

Early in the project, the Project Team will identify issues, objectives and evaluation approaches and then, through the Director of Desegregation, will work with the Special Master and Plaintiffs to further define the project. This will include defining any perceived ambiguities in the USP.

AUGUST – NOVEMBER 2014

COMPREHENSIVE MAGNET PLAN		COMPREHENSIVE BOUNDARY PLAN	
DATE(S)	ACTIVITY	DATE(S)	ACTIVITY
July 26 – Aug 4	District may respond to any request for an R&R [10 days]	Fri July 25	Submit draft CBP with a DIA to the SMP and Governing Board
Aug 5 – 11	Special Master submits R&R to Plaintiffs/District [7 days]	Mon Aug 4	Receive Comments from SMP [10 days]
Aug 12 – 19	District may respond to the R&R [7 days]	Tues Aug 12	Present draft CBP and SMP comments to the Board for study/action
<u>Aug 20</u>	Special Master files the R&R with the Court if unresolved	Submitted Final CBP to SMP on 8.18 with updated Deseg Impact Analysis (Plan was not approved in full; changes had to be made before submission to SMP)	
		Aug 19 – 25 Plaintiffs may submit a request for a Report and Recommendation (R&R) to the Special Master and the District [7 days]	
		August 27 – Sept 2 District may respond to any request for an R&R [7 days]	
		Sept 3 – 9 Special Master submits R&R to Plaintiffs/District [7 days]	
		Sept 10 – 16 District may respond to the R&R [7 days]	
		Sept 17: District may revise plan to resolve the R&R (if substantive changes are necessary, the Board may vote to approve revised plan on Sept 23)	
		Sept 18 or 24: Special Master files the R&R with the Court if unresolved	
		October	Public Outreach to inform and educate the community on the coming changes
		November 1	Priority enrollment begins.

Tuesday, September 2, 2014

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: School Attendance Boundaries
	POLICY CODE: JC
	LEAD DEPARTMENT: Planning and Student Assignment

The attendance boundary for each school in the District will be established by the Governing Board and is subject to change. All schools in the District shall have an attendance boundary unless the District has specifically designated a school to have no attendance boundary. Each student will be assigned to an attendance boundary school based upon the student's legal residence. Students will attend school in the attendance zone in which their respective residences are located, their neighborhood schools. Exceptions to this policy may be made for open enrollment, state and federal laws, special placements based on Individualized Educational Programs, disciplinary actions, specific curricular programs such as Magnet schools/programs, pipeline schools, and in the case of homeless students, continued attendance in their school of origin.

The Governing Board recognizes that the proposed adoption of attendance boundaries or change in existing attendance boundaries is a topic which will generate much concern and interest by all who may be affected. Therefore, procedures to notify affected parties are delineated in this policy.

The Superintendent shall present recommended boundary changes and/or alternatives for boundary changes to the Governing Board. These recommendations will be made after the Superintendent has:

1. evaluated the proposed changes relative to objectives established by the District;
2. proposed and evaluated various scenarios in an effort to desegregate schools; and,
3. held public meetings to discuss proposed changes and hear public comments regarding such changes.

The Governing Board shall conduct at least one public meeting at which the proposed maps of boundary changes are displayed and public comments heard.

Public Meetings and Public Hearings

Parents and guardians of students and residents of the households to be affected by the proposals being discussed shall be notified in the following manner at least one week prior to any public meeting:

- TUSD website,
- Notices posted at the affected schools, and
- Press release.

These notices shall include a referral to the TUSD website where proposed maps may be reviewed and to another district location where the proposed maps may be viewed.

Following Board action, parents, guardians and residents affected by a boundary change decision will be informed by means of the minutes and other school and District communications as well as bulk mail to all landowners in the affected boundaries. This notice will also be placed on the District's web site.

Within ninety (90) days of the adoption of a boundary change by the Governing Board, attendance boundaries will be updated, made available to the public and placed on a District website. A direct link to the School District's attendance boundaries will be sent to the Department of Real Estate. If the boundary changes adopted by the Governing Board affect any school built on land donated to the District within the past five (5) years, the entity which donated the land will be informed of the Board's decision.

The Superintendent will develop the specific procedures necessary to implement the actions, notification, and documentation required by this policy. The Superintendent's procedures for determining a recommendation to bring forward to the Governing Board shall include a process for public meetings and comments regarding proposed boundary changes.

Adopted: February 11, 2014

Revision:

Review:

LEGAL REF.: A.R.S. §15-341A.38; 20 U.S.C. 9532 No Child Left Behind; 42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

CROSS REF: JC – School Attendance Zones
JF – Student Admissions
JFABD – Admission of Homeless Students
JFB – Enrollment and School Choice

Replaces TUSD Policy: None

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: School Attendance Boundaries
	POLICY CODE: JC-R
	LEAD DEPARTMENT: Planning and Student Assignment

Purpose: To provide guidelines for boundary changes that address the demographic, facility and educational aspects of the District for the next 5 to 10 years. The process for these changes shall include the notification and involvement of stakeholders to help improve decisions and create support for the boundary changes.

Review of Attendance Boundaries: The Superintendent shall direct a review of attendance boundaries when the District:

- a. opens a new school;
- b. closes, repurposes, or consolidates a school;
- c. alters the capacity of a school;
- d. designates a school without an attendance boundary;
- e. identifies oversubscribed schools; or,
- f. in other situations where a boundary change is indicated to, among other things, balance enrollment with capacity, allow a change in academic programs, meet fiscal objectives or desegregate schools.

Criteria for Drawing Attendance Boundaries: When the District creates and evaluates attendance boundaries, it shall consider the following:

- a. demographics (i.e., race, ethnicity, current and projected enrollment, current and project development patterns, socioeconomic status)
- b. targeted operating capacities
- c. current and planned instructional programs
- d. compactness of the attendance area and distance to schools
- e. physical barriers and subdivision/neighborhood boundaries
- f. effects on school desegregation
- g. student transportation
- h. feeder patterns
- i. previous, recent boundary changes affecting the area
- j. fiscal impacts

In applying these criteria, the District shall propose and evaluate various options in an effort to desegregate schools.

Superintendent's Committee: The Superintendent will establish two committees:

1. an advisory committee of staff and external professionals to guide the boundary committee by conducting a preliminary evaluation of potentially affected areas, establishing a framework for the project, and developing a range of options based on the criteria for drawing attendance boundaries set forth above; and
2. a boundary committee of staff and community members to review options and make recommendations to the Superintendent for attendance boundary changes.

Criteria for Selecting Boundary Committee Members

Committee members should meet one or more of the following criteria:

- a. Be a TUSD parent
- b. Represent a reasonable mix of the diversity and ethnicity of the affected communities
- c. Be a staff member of one of the schools in the potentially affected areas
- d. Be an interested member of the community

Roles and Responsibilities of the Boundary Committee Members

Committee members shall:

- a. Attend all committee meetings and public meetings hosted by the committee
- b. Be familiar with the framework, including:
 - i. scope and objectives of the project
 - ii. roles and responsibilities of the committee
 - iii. schedule for boundary committee and public meetings
 - iv. community notification means and requirements
 - v. criteria for evaluating boundary changes
- c. Review background data relative to the criteria (see above) for drawing attendance boundaries, such as demographics, attendance patterns, etc.
- d. Become familiar with the affected areas/communities through self-directed tours and study
- e. Create recommendations that equitably address enrollment growth and adequately consider the criteria set forth above.
- f. Prepare for and hold public meetings; help to facilitate public input
- g. Review public meeting results and refine boundary recommendations
- h. Prepare a report of recommendations for the Superintendent

The District shall take notes at all Boundary Committee meetings; these with any supporting documents and any committee reports will be available for public review.

Public Meetings

The Boundary Committee will hold at least one public meeting in each potentially affected area/region at which they will discuss attendance boundary changes and engage the public in an evaluation of options

Notification

These meetings will be announced at least one week prior to the date of the meeting by press releases, notices posted at schools within the potentially affected areas, and the TUSD website. These notices shall include a referral to the TUSD website and to another district location, both of which will include the proposed boundary maps.

Conduct

At the public meeting(s), the boundary committee will present its findings and the public will have an opportunity to evaluate the options through small-group processes or surveys. The public will also be asked to submit comment cards to be included, with the results of small-group sessions or surveys, in the committee's report to the Superintendent.

Unitary Status Plan Review Requirements

The District will prepare Desegregation Impact Analyses for any options to be presented to the Governing Board. After Governing Board approval of boundary changes, the District shall prepare a Notice and Request for Approval per Section X.C of the USP.

Following Board Action

Boundary Committee Notification

Following Board action, the District will notify the Boundary Committee members of the Board's decision and disband the committee.

Public Notification

Following Board action, when all necessary approvals have been granted, parents and guardians of students residing in the areas affected by boundary changes will be informed of the decision by means of the minutes, bulk mail to addresses in student records and other school and District communications. Landowners in the affected boundaries will also be notified by bulk mail and a notice will be placed on the District's web site.

Boundary Maps and Other Notification

Within ninety (90) days of the adoption of a boundary change by the Governing Board, and when all necessary approvals have been granted, attendance boundaries will be updated, made available to the public and placed on a District website. A direct link to the School District's attendance boundaries will be sent to the Department of Real Estate and the Tucson Association of Realtors. Digital maps will be provided to the Pima County GIS Department, TUSD Transportation Department and to the GIS server

accessed by Mojave programmers. A direct link or hard copy maps will be provided to School Community Services, Leadership Offices and affected school principals.

If the boundary changes adopted by the Governing Board affect any school built on land donated to the District within the past five (5) years, the entity which donated the land will be informed of the Board's decision.

Reviewed: January 6, 2014
Revision: February 5, 2014

LEGAL REF.: A.R.S. §15-341, 20 U.S.C. 9532 No Child Left Behind; 42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

Summary of the Approach of, and Changes to, Policy Regulation JC-R

Policy Regulation JC-R implements the State law and USP requirements in Policy JC. It incorporates these requirements with existing procedures in the current Policy JC-R and with best practices for boundary changes as recommended by the Council of Educational Facility Planners International.

Key changes are:

- Incorporation of USP stipulations in the following sections
 - Review of Attendance Boundaries
 - Criteria for Drawing Attendance Boundaries
 - Unitary Status Plan Requirements
- Incorporation of State Law in the following sections:
 - Public Meetings (the Notification subsection)
 - Following Board Action (the Public Notification, and Boundary Maps and Other Notification sections)
- Establishment of an Advisory Committee to guide the process. This is a group of internal and external professionals, independent of the Boundary Committee, to provide guidance and support for that committee and for the superintendent. Its functions are similar to a steering committee at the start of the project and in the review of the results, but with less week-to-week, month-to-month control of the project.
- Clear delineation of the responsibilities of Boundary Committee to ensure they understand how they will actively participate to create solutions.
- Specifics related to the conduct of public meetings hosted by the Boundary Committee so the public is engaged and their comments are recorded and presented.
- Notification, to Boundary Committee, of the Board's decision and the completion of their work.

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Roy and Josie Fisher, et al.,

Plaintiffs

CV 74-90 TUC DCB
(Lead Case)

v.

**NOTICE OF FILING REVISED
BOUNDARY REVIEW PROCESS**

United States of America,

Plaintiff-Intervenor,

CV 74-204 TUC DCB
(Consolidated Case)

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.

Pursuant to this Court’s August 28, 2014 Order (ECF 1660), Defendant Tucson Unified School District No. One (“TUSD”) attaches for the Court’s review, as Exhibit A hereto, an updated Comprehensive Boundary Plan timeline, which supersedes § VI, General Timeline, of TUSD’s Boundary Review Process (ECF 1613).

DATED this 4th day of September, 2014.

RUSING LOPEZ & LIZARDI, P.L.L.C.

s/ J. William Brammer, Jr.
J. William Brammer, Jr.
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ORIGINAL of the foregoing filed via the CM/ECF Electronic Notification System and transmittal of a Notice of Electronic Filing provided to all parties that have filed a notice of appearance in the District Court Case, as listed below.

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EXHIBIT A

AUGUST – NOVEMBER 2014

COMPREHENSIVE MAGNET PLAN		COMPREHENSIVE BOUNDARY PLAN	
DATE(S)	ACTIVITY	DATE(S)	ACTIVITY
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