

The Cost of Desegregation – Monitoring and Legal Compliance

Julie C. Tolleson, General Counsel TUSD

1 **VI. Compensation**

2 The Special Master shall be compensated by the District, pursuant to this Court's
3 Order dated September 14, 2011.
4

5 1. The Special Master shall be compensated at the rate of \$ 250.00 per
6 hour, not to exceed \$ 2000.00 for any day. It is anticipated that days spent traveling or
7 working "on-site" (in Tucson) will be compensated at the daily rate.

8 2. The Special Master shall be reimbursed for reasonable expenses incurred
9 in connection with his duties, including but not limited to reasonable travel expenses,
10 copying expenses, long distance telephone and facsimile charges and other such
11 ordinary expenses as may be incurred in connection with his duties.
12

6 **VII. Additional Staff and Clerical Support; Retention of Experts**

7 The Special Master's hourly and daily rate, as set forth above, shall include any
8 ordinary staff and clerical support. If there is a need for extraordinary staff support or expert
9 assistance, the Special Master shall advise the parties.
10

11 1. If the Special Master identifies the need for extraordinary staff support or
12 expert assistance, the Special Master shall notify the Parties in writing of the names of
13 the individuals to be retained and appointed, the purpose for their retention and
14 appointment, the scope of services for which they are to be retained and appointed and
15 the cost of retaining each one.

- January 2012 Court Appoints Willis Hawley as Special Master
- February 2012 Court Authorizes Prof. Hawley to employ experts Orfield/Stevens at District Expense
- October 2012 Hawley seeks appointment of Budget Specialist
- February 2013 Unitary Status Plan
- April 2013 Prof. Hawley seeks appointment of Implementation Committee
- Spring 2014 Prof. Hawley seeks appointment of counsel (attorney) to the Special Master (temporarily withdrawn)

RATES

Willis Hawley	\$	250/hr
Implementation Committee	\$	75/hr
Budget Expert	\$	125/hr
Orfield	\$	240/hr
Stevens	\$	250/hr
Counsel to SM (requested)	\$	325/hr

Willis Hawley (27 mos -- Jan. 2012 – April 2014)	\$ 513,129.65
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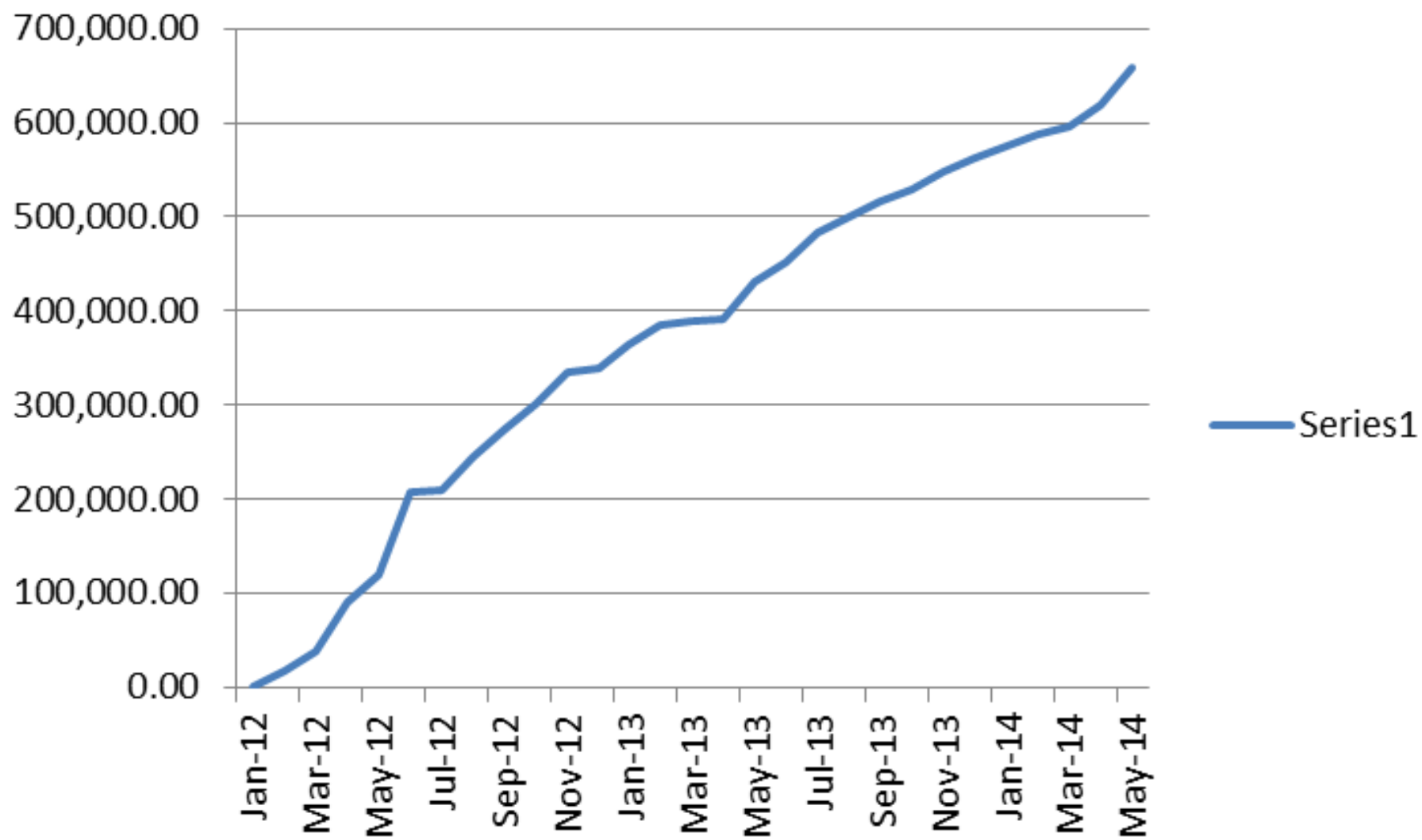
Special Master's Consulting Experts

Leonard Stevens (March – Dec 2012)	\$ 38,687.60
Gary Orfield (Jan 2012 – June 2013)	\$ 41,068.30
Budget Experts (Jan 2013 – April 2014)	\$ 32,485.87

Implementation Committee

Vicki E. Balentine (through April 2014)	\$ 8,206.25
Edward Thompson (Oct 2013 – Apr 2014)	\$ 18,562.50
Rebecca Montano (Aug 2013 – Apr 2014)	\$ 6,446.25

TOTAL:	\$ 658,586.42
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Plaintiff's Attorneys Fees and Costs

Hourly Rates (sought from court)

Rubin Salter	\$ 550/hr
Nancy Ramirez (MALDEF)	\$ 425/hr
Lois Thompson (Los Angeles)	\$ 550/hr

[Pending fee applications \$ 2.2 million through Feb. 2013]

TUSD Attorneys' Fees and Costs

Rates

DeConcini (Heather Gaines)	\$ 240/hr.
Rusing Lopez (Bill Brammer)	\$ 265/hr.

**Mendoza Plaintiff Application – Fees and Costs from July
2011 – February 2013**

\$ 718,963

TUSD Fees and Costs July 2011 – February 2013

DeConcini \$ 190,157.31

Maree Sneed (consulting) \$ 151,249.03

TOTAL \$341,406.34

TOTAL ATTORNEY FEES/Costs from 2011 (9th
Cir Remand) to April 2014

\$ 608,742.58

Educ. Consultant/Desegregation Specialist

\$ 303,407.47

TOTAL: \$ 912,150.05

***What Is Driving the
Costs/Fees Associated
with USP Compliance
and Monitoring?***

MARCH 2014

Plan Development

Extracurricular Equitable Access Plan
Dropout Prevention Plan
Advanced Learning Experiences Plan
Family & Community Engagement Plan

RFIs, Objections, and R&Rs (Party and Special Master)

Annual Report
RIF Plan
Boundary Review Process
Infant & Early Learning Centers
Dropout Prevention Plan
Outreach, Recruitment & Retention Plan
Extracurricular Plan
African American Achievement Task Force Recommend.
Special Master's "Implementation Addendum"

Email Communications (2,321 Desegregation Emails)

60 between Deseg Director and the Parties

86 between Deseg Director & Special Master

14 between Deseg Director & Imp. Committee

TOTAL: 162 (396 pages, plus attachments)

MEETINGS/CONFERENCES (March 2014)

March 25, 2014

3 hr. conference call with SM and Parties

March 28, 2014

3 hr. boundary review conference call with
Special Master and parties

7 meetings of either boundary committee or magnet
committee

4:45 minutes of conferences between SM and IC

Invoiced costs ...

Special Master	\$	17,000
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Imp Committee	\$	6,356
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District Counsel	\$	63,000
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And the hard to quantify ...

File Message

Ignore X Reply Reply All Forward Meeting More

Junk Delete

2014 06 June To Manager Done

Team E-mail Reply & Delete Create New

Move OneNote Mark Unread Categorize Follow Up Translate Related Select

Zoom Zoom

From: Kellum, Cheryl Sent: Fri 5/9/2014 2:59 PM

To: Alanis, Margaret; Alegria, Marti; Allen, Kristina; Allen, Todd; Alvarez, Tina; Andrews, Lorri; Arakaki, Renee; Arciniega, Monica; Armstrong, Barbara; Armstrong, Gene; Arvayo-Campbell, Maria; Arzola-Pantoja, Sonia; Auvenshine, Bridget; Awwad, Yousef; Babcock, Wesley; Badilla, Angela; Bailey-Jones, Tsuru; Ballard, Barb; Bambauer, Teri; Bassaraba, Deborah; Bates, Bob; Bejarano, Mary Helen; Beltran, Ramona; Beuckman, Barbara; Boyd, Susan; Brandt, Karl; Brashears, Penny; Bratcher, John; Brena, Dawn; Brongo, Marilyn; Brown, George; Brown, Samuel; Brownson, Ellen; Bynum, Karen; Callison, Victoria; Campbell, Josie; Campuzano, Terry; Cardenas, Imelda; Cardwell, Roy; Castle, Sabra; Castro-Vega, Veronica; Catalfamo, Cynthia; Chambliss, Nicole; Chapman, Teresa; Chavez, Kathryn; Chin-Duncan, Wayne; Cimino, Carol; Cohen, Betty; Cole, Lynn; Collier, Catherine; Colonna, Holly; Contreras Jr, Alfonso;

Cc: Awwad, Yousef; Morrison, G Scott

Subject: Desegregation Time Entry

Message pdf INSTRUCTIONS SHAREPOINT DESEG TIME ENTRY.PDF (1 MB)

****DIRECTIVE TO ALL PERSONNEL LOCATED AT LIRC AND AT 1010 (BLDGS A AND B)****

RE: SharePoint Desegregation Time Entry

Effective immediately, all personnel located at 1010 Bldg. A/B, Operations and LIRC, are required by the District to record all time spent on Desegregation activities under the Unitary Status Plan (USP). This means that *any* time you spend implementing or developing a USP activity, or gather and report data or information for the USP, *must* be recorded by you at the following website *on a daily basis*: [http://gateway/ layouts/15/start.aspx#/SitePages/Home.aspx](http://gateway/layouts/15/start.aspx#/SitePages/Home.aspx).

You are expected to enter the above-described time for the following time period:

- **Start Date: July 1, 2013** (this may require back-filling prior entries that have not yet been entered. See attached instructions for guidance)
 - **DUE DATE: You re expected to catch up any un-logged time entries going back to July 1, 2013 NO LATER THAN June 30, 2014. After June 30, 2014, time entries will be audited.**
- **Ending Date:** there is no ending date to this new requirement—it is ongoing until further notice.

The attached Word document provides guidance and instructions for how to track and upload your Deseg time on a daily basis. It also provides suggestions on how to reconstruct any prior history of Deseg time that you have not yet entered, going back to July 1, 2013.

If you have questions about this Directive, it is your responsibility to immediately seek clarification from your Supervisor. Your Supervisor is responsible for answering any questions. It is your responsibility to continue to seek clarification until you fully understand how to comply with this directive so that you may meet the above **June 30, 2014 Due Date** successfully.



Kellum, Cheryl
ACR Retiree-Hourly



Alanis, Margaret
TS Field Technician



Alegria, Marti
Purchasing Card Specialist



Allen, Kristina
Director-Grants Ptnrshp ...



Allen, Todd
System Integration Spec



Alvarez, Tina
HR Employee Records Clerk



Andrews, Lorri
Speech Clinician



Arakaki, Renee
Prof Dev Academic Trainer