

Recommendations from the Plaintiffs and the Special Master that were incorporated into the final USP Budget proposal

Mendoza Comments	District Response
910(g) funds for “overhead” by TUSD is not appropriate and (those funds) should instead be applied to programs to implement the USP.	Eliminated Overhead and allocated the funds to programs to implement the USP.
910(g) funds to pay for fine arts teachers in magnet schools regardless of the theme of the magnet school (may not be appropriate)	Provided justifications for 910(g) funding for fine arts as supplemental to M&O
We would appreciate an explanation of the District’s rationale for allocating almost \$1 million to this initiative (Communications) from 910(g) funds.	Reduced the 910(g) Communications funding by almost 50%
We note that the District is planning to replace Achieve 3000 with Language Assessment Scales (LAS). On what basis did the District determine to replace Achieve 3000? What is the basis on which it selected LAS?	Provided justification for 910(g) funding for LAS (Achieve 3000 will also be utilized)
We therefore ask what assessments the District has made of their effectiveness during the current school year and for an explanation of how they are to be employed in relation to the ALE Plan, achievement support, and to support “monitoring” as set forth in Projects 4, 5, and 7 of the proposed budget.	Provided explanations for how LSCs are utilized in these three areas; agreed to conduct program evaluation in 2014-15 to assess the efficacy of LSCs.
What evidence does the District have that OMA is efficacious and what is the basis for seeking to use 910(g) funds for OMA?	Provided evidence of OMA’s efficacy and the basis for seeking to use 910(g) funds
Mendoza Plaintiffs question the basis for the proposed expenses set forth under Projects 5 and 6 and do not believe the explanation provided in the USP criterion document provides a satisfactory explanation.	Provided additional justifications for 910(g) funding for psychologists and social workers, tied to the USP.
We are having difficulty aligning the budget entries with provisions of the USP. We have not yet had the opportunity to review the proposed budget against the relevant implementation plans (for example, the proposed budget relating to discipline as compared to the GSRR).	Provided a revised budget on 6.12.14 tying expenditures to the activities listed in the Special Master’s Implementation Addendum.

Mendoza Plaintiffs remain concerned that these core activities integral to the successful functioning of the magnet schools are not being adequately supported with 910(g) funds.	Increased magnet funding by almost half a million dollars, including magnet coordinators to each site.
We also do not understand why it takes more than 7 FTE's and over \$400,000 under Project 6 to prevent misidentification of African American and Latino students.	Provided explanations for how psychologists are funded in a manner that supports the USP.
We do not believe that the suggestion by the District that it could directly charge items such as principal salaries and support staff wages at magnet and racially concentrated schools to the 910(g) funding to avoid charging for "overhead," would be appropriate or permissible.	Rather than redirect overhead to this items, the District redirected the funds elsewhere.
The issue remains, however, whether the approximately \$1.2 million in 910(g) funds ... that the District intends to spend on OMA in the 2014-15 year is supplementing or supplanting since it appears that the District would support the OMA program regardless of whether it were subject to the USP.	Provided responses justifying Fine Arts/OMA funding, and explaining how OMA is not supplanting
To the extent this organizational issue implicates the budget, Mendoza Plaintiffs state here that they join the Fisher Plaintiffs in their objection to what appears to be a significant dismantling of the AASSD and MASS Departments and the assignment of support personnel to work in individual schools under the supervision of school principals.	Provided explanations of the reorganization, including that AASSD and MASSD are not being dismantled.
Inadequate funding for Family Engagement	Through the reorganization, created a Family Engagement Director (in addition to the USP-required Family Engagement Coordinator), and a Community Outreach Coordinator.

Fisher Comments	District Response
TUSD allocates only \$100,000 to the African-American academic achievement task force.	Increased the allocation from \$100,000 to \$500,000
The objection to the principle of budget overhead remains regardless of the amount of overhead in relation to past years	Eliminated Overhead and allocated the funds to programs to implement the USP.
Fisher Plaintiffs concur with Mendoza Plaintiffs that TUSD cannot directly charge items such as principal or staff funding to 910(G) funding to avoid charging overhead which would otherwise be appropriate or permissible.	Rather than redirect overhead to this items, the District redirected the funds elsewhere.
Fisher Plaintiffs join in the Mendoza Plaintiffs objection to funds allocated to Learning Support Coordinators (a significant amount in excess of \$3,700,000).	Provided explanations for how LSCs are utilized in these three areas; agreed to conduct program evaluation in 2014-15 to assess the efficacy of LSCs.
The Fisher Plaintiffs object to the use of 910(G) funds for art programs. The District has not supplied a reasonable explanation or justification for 910(G) funds for art programs for all students as well as at non-magnet schools.	Provided responses justifying Fine Arts/OMA funding, and explaining how OMA is not supplanting
Fisher Plaintiffs object to the increase in allocation of USP funds for communication and media. How can such an increase be justified when such funds be otherwise used for other programs, including the African American academic achievement task force?	Converted funds from Communications to the implementation of the AAAATF Recommendations
Fisher Plaintiffs inquire as to the plans for the CRC courses for the 2014-2015 school year? Where are these courses within the budget and what are the costs?	Allocated specific funding to support CRC teachers, including low-threshold courses
When the District unilaterally dismantled the African-American Studies Department, what happened to those funds that had previously been allocated for the department? How could those funds be traced? Who is responsible for the oversight of those funds?	Clarified that this department had not been dismantled, that the funding has remained constant, and that oversight for the funding resides with the Asst Supt for Student Services

Special Master Comments	District Response
Overhead. The amount budgeted here is similar to the amount historically budgeted but at one recent meeting those assembled were told this amount would be much lower. In any event, the private plaintiffs oppose overhead in principle.	Eliminated Overhead and allocated the funds to programs to implement the USP.
The absence of meaningful evaluation of student support programs as this affects funding.	Provided detailed student support criteria forms outlining the analysis of student support programs.
The absence of investment specifically targeted at the improvement of learning opportunities and outcomes for African American students.	Increased the allocation for implementing the AAAATF recommendations from \$100,000 to \$500,000
The significant expenditure on various arts programs. This seems like an increase over last year when questions were raised about the appropriateness of these activities being funded from 910G funds.	Provided responses justifying Fine Arts/OMA funding, and explaining how OMA is not supplanting (and represents a decrease from 2013-14)
The amount of funding for salaries for psychologists in Special Education, social workers and school counselors.	Provided explanations for how psychologists and social workers are funded in a manner that supports the USP.
Partial salary support for key administrators (e.g., Assistant Superintendents).	Eliminated funding for key administrators
The criteria by which transportation costs were determined.	Provided the justification/explanation for how transportation costs were determined.
A significant increase in funding for communication and media.	Reduced the 910(g) Communications funding by almost 50%