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10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE DISTRICT OF ARIZONA

13 MIRIAM FLORES, individually and as  
14 parent of Miriam Flores, a minor child, et  
al.,

15 Plaintiffs,

16 v.

17 STATE OF ARIZONA, et al.,

18 Defendants.  
19

NO. CIV92-596-TUC-ACM

STIPULATION

20 The parties, by and through their undersigned counsel, hereby agree and stipulate  
21 as follows:

22 1. The passage of Proposition 203 by Arizona voters on November 7, 2000 repealed  
23 Arizona's statutes prescribing the models for the delivery of language acquisition programs  
24 and established a new model based on sheltered English or structured English immersion,  
25 subject to the waiver provisions recited in the Proposition. Under certain circumstances,  
26 these waiver provisions require that individual schools provide classes teaching English

1 and other subjects through bilingual education techniques or other generally recognized  
2 educational methodologies permitted by law.

3 2. The State agrees that it will determine the training, background and qualifications  
4 that are necessary for teachers of LEP students under Proposition 203 and will adopt  
5 appropriate rules addressing same. Since it is the State's intention to implement  
6 Proposition 203 at the beginning of the 2001-2002 school year, the State will make every  
7 effort to have those rules in form for submission to the State Board of Education at its July,  
8 2001 meeting.

9 3. The cost study that will be prepared and submitted to the Legislature pursuant to  
10 the Court's order dated October 12, 2000 will reflect, among other things, the funding and  
11 resources that are necessary to train and develop teachers of LEP students under  
12 Proposition 203. However, by so agreeing, the State does not waive its right to litigate the  
13 outstanding issue of whether it is obligated to provide funding for the training of qualified  
14 LEP teachers or otherwise insure their availability in sufficient numbers within any  
15 particular school district.

16 4 Plaintiffs reserve the right to challenge the adequacy of the rules adopted by the  
17 State Board of Education pursuant to paragraph 2, above (or the State's diligence in  
18 adopting such rules).

19 5. Based on the foregoing, the parties agree that the Court should vacate the trial  
20 scheduled for December 18, 2000, retain jurisdiction in this matter, and schedule a status  
21 conference in this matter in March 2001.

22  
23 ~~DATED this 28<sup>th</sup> day of November, 2000.~~

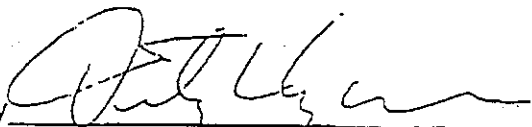
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Attorneys for Defendants

ORIGINAL and two copies of the  
foregoing mailed this  
29<sup>th</sup> day of November, 2000 to

CLERK OF THE COURT  
United States District Court  
U.S. District Court  
405 W. Congress  
Tucson, AZ 85701

COPY of the foregoing mailed  
this 29<sup>th</sup> day of November, 2000.

The Honorable Alfredo C. Marquez  
United States District Court  
44 E. Broadway  
Tucson, AZ 85701-1711

By 