

SUPERINTENDENT'S TASK FORCE ON SCHOOL ORGANIZATION

2134 Martin Luther King, Jr. Way
Berkeley, CA 94704
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Minutes from the fifteenth meeting- Tuesday, January 26, 1993, 7:30- 10 p.m.

REPRESENTATIVES PRESENT:

Candace Wang	Linda Leader-Picone
Janet Huseby	Gretchen Carlson
Linda Stevenson	Virgus Streets
Kathleen Lewis, UBA	Sharon Strachan, BFT
Cris Barrere, BFT	Doug Abadie, BFT
Dr. Becky Wheat, Early Child. Ed.	Dr. Nancy Spaeth, Assoc. Sup.
Burton Levy, Comp. Ed.	Doris Fine, League of Women Voters
Ann Aoyagi, PTA	Jim Masters, Facilitator
Sherrie Pugh, Facilitator	

REPRESENTATIVES ABSENT:

Don Larkin	David Kakishiba
Joyce Hawkins	Ryan Pritchard
Winston Ross	George Perry, NAACP
Barbara Penney-James, UBA	Tony Jimenez, UBA
Emily Johnson, Special Ed.	Dorothy Dorsey, Public Employees Union
Jay Bradford, Transportation	Jacki Fox-Ruby, BFT
Isidro Garcia	Monica Thyberg, BSEP
John Santoro, Early Childhood Ed.	Sue Taylor, NAACP
Aiyanna Rahman, Public Employees Union	
Bernadette Cormier, Public Employees Union	

SITE REPRESENTATIVES PRESENT:

Ellen Brotsky, Arts Magnet	Audrey Powers, Jefferson
Michael Seals, Longfellow	Malcolm Leader-Picone, Thousand Oaks
Marla Wilson, Emerson	Linda Komendant, Willard
Lloyd Lee, Cragmont	Zephyr Pruitt, Columbus
Stephanie Allan, Washington	David Sherertz, Washington
Linda Perotti, Oxford	Bruce Wicinas, LeConte

OBSERVERS PRESENT:

Kitty McLean	Agnes Farris	Keith Nomura
Martha Acevedo	Peter Flessel	Belinda & Wallace Richards
Andrew Schwartz	Candy Shepard	Katherine Hashmall
Tom Rose	Lenore Williams	Mary Reiter
Joanna Coturo	Cindy Shambar	Skip Sowko
Kenneth Laidlaw	Shannon Morgan	Virginia Jardin
Mike Boyle	Brenda Wallace	Pam Doolan
Alex Greenwood	Karen Sullivan	Pamela Drew
Karen Hagedorn		

1. Background to the evening's discussion

Since many visitors were present, Jim Masters first explained the issues that made up the charge of the Task Force: grade configuration, integration as it relates to configuration, school size, and other matters that affect the rebuilding program made possible under Measure A. In order to plan the work to be carried out, the construction planning team needs to know the kinds of changes that might be needed at each site. Information from the Task Force will be factored in to the rebuilding program to be ready for review by the School Board March 15.

Jim continued that Task Force felt that it could not proceed in the discussion of grade configuration without assurance that the district had adequate desegregation policies. He then presented a chart identifying three general headings of activity:

<u>Desegregation</u>	<u>Integration</u>	<u>Anti-discrimination</u>
staffing	curriculum	process/transactions
equipment	enrichment	
facilities	compensatory ed.	
extra-curricular activities	staff development	
program resources	multi-cultural activities	
grouping of students	other activities to help children learn about each other	



STANDARDS & METHODS

The categories in the Desegregation column could be used to determine whether a school is sufficiently desegregated. Integration relates to programmatic activity; the "Conceptual Framework" paper describes what the district is doing in this regard. Anti-discrimination is processes and transactions that take place within the system. The focus of the Task Force is on grouping of students under the Desegregation heading, and, specifically, the standards and methods used to accomplish it. The proposed standards are in "Proposed Policies On The Grouping Of Students...", the focus of the work for this meeting. A second chart outlined the Statements contained in this document:

Standards

1. Goal + or - 5%
Threshold
2. Bilingual
3. Enrichment
"Small groups"
4. Family Link
5. Interdistrict
6. Corrective mechanism

Once we have standards, then we have a basis for assessing what the methods are that the district might use to accomplish that grouping of students. Another chart listed various methods/models that the Task Force has discussed:

Methods

1. 1/2 mile radius (neighborhood model)
2. 1/4 mile + controlled choice
3. controlled choice (Cambridge model)
4. open enrollment
5. existing approach: zones + loose transfer policy
6. zones + tight transfer policy
7. Burt Levy proposal

Once we have standards, said Jim, and, once we have methods by which those standards can be accomplished, then we can look at grade configuration to see how any proposed change in grade configuration relates to the standards and methods.

2. Standards: Proposed Policies on the Grouping Of Students To Achieve Racial Desegregation in the Berkeley Unified School District- Report of the subcommittee on STATEMENTS TWO, THREE and proposed NEW STATEMENT:

Before beginning the discussion, Jim pointed out corrections to be made: in the first sentence of Statement 1, *by any lawful means* was to be struck, *assignments to* was to be changed to *enrollments at*; in Statement 3, *bicultural* was to be struck.

Linda Leader-Picone presented the recommendations from the sub-committee that had met to propose new language for Statements Two and Three. The subcommittee had not changed the language allowing the grouping of language minority students in the first section (A) of the original Statement Two, but had added a second section (B) which limited the grouping to a percentage not to exceed that of the largest population subgroup at that grade level.

Jim Masters reminded the Task Force at this point that all of the policies applied at the school- not classroom- level.

Janet Huseby wondered if we weren't needlessly complicating our task by establishing an artificial threshold in section B. Wouldn't it be easier to group the language minority students at one bilingual school rather than having to create three or four bilingual schools?

Linda pointed out that the district cannot go outside of the desegregation laws; we cannot have a segregated school by grouping all of the language minority students together. Hispanic parents have said that they want an integrated bilingual program. Martha Acevedo seconded her statements. Malcolm Leader-Picone added that the whole idea of bilingual education is not simply to serve the needs of language minority students but is an educational opportunity for all students. These programs work best when there is a mixture of fluent English-speaking and limited or non English-speaking students. It is a matter of developing the resources and hiring additional teachers.

Burt Levy asked if section B would match the reality at Thousand Oaks or Columbus Schools? Principal Keith Nomura replied that at Thousand Oaks the percentage of language minority students is under the limit set in section B, that the school would have no problem functioning under this policy.

Candace Wang wondered if the percentage in section B wasn't too high; would it create so large a group of language minority students that they would lack the impetus to interact with English-speaking students. Jim Masters pointed out that the limit was for desegregation purposes and not a programmatic recommendation. To Candace's question of which would take precedence- desegregation goals or the educational goals, Martha Acevedo recommended a balance between the students' linguistic and integration needs.

To Michael Seals, speaking of linguistic needs and integration needs was like talking about apples and oranges. He felt that linguistic needs should take precedence. Since participation in the bilingual program is voluntary and since the district does have integration goals, Michael also wondered what happened if there were not enough students from one group or another to create a balance. Linda Leader-Picone replied that that had not

been a problem, that Thousand Oaks had a waiting list for their program. A recent survey of Thousand Oaks parents showed that 5/6 of them would be willing to have their children attend a school outside of their neighborhood in order to participate in such a program.

Questions arose as to exactly what effect bilingual grouping would have on integration. Would schools that do not have bilingual programs be out of balance because of this policy? Some felt that this would not be a problem, that Statement Two would not conflict with Statement One, unless there were a shift in the demographics of Berkeley. Concern centered around the wording in Statement Two: "regardless of its impact on racial balance" and it was suggested that this language be struck. The Leader-Picones replied that the language would be needed in the case where a language minority group exceeded whatever threshold the Task Force voted in Statement One. It was felt that solving the threshold issue would expedite discussion.

Linda Leader-Picone presented the subcommittee's work on Statement Three: the word *bicultural* was taken out because it was felt that Statement Three applied to any group formed for enrichment purposes.

The Proposed New Statement: Grouping of "Small Minorities" allows ethnic minorities to cluster, even without a linguistic requirement. The limiting percentage is the same as that for Statement Two, section B: no larger than that of the largest population subgroup in the district. The issue arose again of the school versus classroom level. Jim Masters suggested that, although the Task Force could not make policy at the classroom level, we might want to consider recommending to the School Board that they explore the issue.

Lloyd Lee felt that Statement Three was superfluous in that the first sentence was meaningless and the second was covered by Statement One.

Malcolm Leader-Picone felt that the Task Force needed to consider the definitions of small groups and whether it should feel restricted by the state's seven categories of ethnicity. How do we define groups that fall below the threshold? Is a Laotian student Laotian? Southeast Asian? Asian? Malcolm felt that the state's categories were not workable in our district.

3. Public Comment

Kitty McLean cautioned that the Task Force not set the threshold (Statement One) too low. She felt it important that the + or - 5% requirement not extend below the top two groups (black and white) because, if there were any zoning component at all in the school assignment system, the district might well find itself pulling students of the smaller minority groups out from their neighborhood school zones in order to make up the racial balance in another zone.

Martha Acevedo wanted to remind the Task Force that the Hispanic community had not had the opportunity to hear and respond to these statements. She would like to make sure that the statements are read and understood by the Spanish-speaking community, all of whom will be affected by them.

4. STATEMENT ONE: the threshold issue

Jim Masters set forth the options: a threshold of 35% would have only the largest group considered for racial balance; 25% would put the two largest into consideration;

10% would probably bring the four or five largest under the + or - 5% rule. Another way of looking at the issue would be to simply say the *largest* or *largest two* groups.

Janet Huseby and Candace Wang advised that the first option- 35% / largest group- gave greater flexibility and simplified integration policy.

Malcolm Leader-Picone found a problem in that the first option could produce a school identifiable as being of predominantly one ethnic group. Under this plan a school could be composed of 34% African-American students (- 5% of the largest group) and the rest could be white. In Berkeley that school would be seen as a "white" school. Malcolm moved- and was seconded by Linda Perotti- that the threshold be set at 20% , a percentage that would at present take in the two largest ethnic groups- so that no school could be perceived as being predominantly of a single ethnicity- and that anticipates a time when Hispanics may comprise a third largest group.

Janet Huseby felt that 20% was much too small and would lead to isolation of members of the smaller groups when they reached that number.

A friendly amendment of 25% was proposed by David Sherertz and accepted by Malcolm and Linda.

A discussion about the percentage ensued. It was again clarified that this referred to the percentage of the district population to which a particular ethnic population had to grow in order to come under the + or - 5% requirement.

Lloyd Lee raised the question of what would happen if the white population were ever to dip below 25%. Since desegregation is viewed legally as a black/white issue, we might have a problem if the white population were exempt from the desegregation rule in Berkeley. Janet Huseby argued that whites would still be distributed about the district since the other groups that came under the + or - rule would take up enough spaces that there wouldn't be room for all the whites to be at one school.

Virgus Streets felt the system of percentages to be an ingenious one, but reminded the group that the concept of mixing people to create racial harmony was not necessarily the same as creating an environment that promotes children's learning.

The vote on the motion of a 25% threshold:

in favor-	10
oppose-	5
abstain-	5

Malcolm Leader-Picone requested that the bracketed phrase be removed from Statement One, since it is fully covered by Statement Two. Burt Levy brought up as a point of order, however, that the Task Force deal with Statement Two first.

5. STATEMENT TWO

Burt Levy wished it to go on record that, since the District Advisory Committee on Compensatory Education has stated that it is opposed to any kind of segregation for any purpose, he would be voting against Statement Two, even though that did not necessarily reflect how he personally felt. Linda Leader-Picone responded that the proposal in Statement Two was not for segregation purposes, but for recognition of a legal obligation to educate students according to their linguistic needs.

Candace Wang felt that something should be said about grouping for the academic needs of the children, especially in a language minority situation. To make it an integration problem only is a mistake. Jim Masters reminded her that the charge of the Task Force was grouping for desegregation only.

Linda Leader-Picone moved that the Task Force adopt Statement Two, A and B. The motion was seconded by Michael Seals.

David Sherertz questioned why A was needed if B was there; with one section stating a limit for desegregation purposes and the other stating "regardless of its impact on racial balance", the statement seemed contradictory to him. Linda and Jim explained that this was an attempt to clarify current district policy, that even if a language minority hits the 25%, they will still need to be grouped in order for their instructional needs to be met.

After some discussion about language, Malcolm Leader-Picone proposed a friendly amendment: that the phrase "regardless of its impact on racial balance" be deleted from A. After some further discussion, Linda accepted the amendment.

Concerns were voiced about bilingual grouping causing racial imbalance at schools not having that program and about bilingual classes causing the the pupil/teacher ratio to rise in non-bilingual classrooms at the same school. In response, Malcolm clarified that, in the making of this proposal, it was presupposed that the bilingual programs throughout the district would be providing good, properly constituted bilingual programs that will attract a racially balanced mixture of students.

The vote to accept Statement Two with the deletion of the phrase "regardless of its impact on racial balance" and changing the percentage in the example from 35% to 39% (to bring it into line with actuality):

in favor-	15
oppose-	4
abstain-	3

6. Statement Three

Virgus Streets felt that language in the sentence recommended for removal to the Concept paper needed to be changed, since it far exceeded the district's ability to find materials and activities to prevent racism. It was clarified that this sentence will not be part of Statement Three.

Ellen Brotsky felt that Statement Three was unnecessary in that the proposed New Statement better expressed its purpose. Lloyd Lee moved- and was seconded by Malcolm Leader-Picone- that the original Statement Three be deleted and replaced by the New Statement: Grouping of "Small Minorities".

Burt Levy opposed the elimination of the first paragraph because it said what the District Advisory Council on Compensatory Education wanted to say: they are basically in favor of integrating everybody, mainstreaming everybody, including limited English proficient students.

Kathleen Lewis asked if this were not a kind of "insurance policy" that would make sure that, although there was a bicultural program at a school, it would reflect the ethnic

make-up of the rest of the district. Jim Masters replied that it was more than an insurance policy; it was designed specifically to preclude ethnic imbalance.

There followed some discussion of whether or not the original statement was redundant and whether its language was consistent with the other statements. Jim pointed out that the new statement permitted clustering for groups beneath the threshold percentage but also set a ceiling for their percentage in any single school, something the first paragraph did not do.

Marla Wilson pointed out that allowing an under-the-threshold minority to cluster at a school in a number up to 39% of the school's population would leave a remaining 61% to be divided between the two largest population groups, causing them to fail to comply with the or - 5% requirement. Jim responded that the 39% was a ceiling, not an entitlement.

The vote on the motion:
in favor- 10
oppose- 4
abstain- 4

Cris Barrere brought up a concern voiced earlier in the discussion of Statement One and was told that white students would indeed be allowed to cluster like any other small minority if their numbers fell beneath 25%. Cris felt that one of the larger unaddressed issues was that of economic segregation. Malcolm Leader-Picone responded that sensibility to economic diversity could enter into our discussions when we talk about desegregation methodologies, although it was difficult to identify people by economic status.

Audrey Powers suggested changing the title of Statement Three to "Grouping of 'Small Minorities'". Marla Wilson objected, however, to the use of the term "small minorities" and it was generally agreed to use wording such as "ethnic groups below the threshold".

7. STATEMENT FOUR:

Burt Levy, who had rewritten Statement Four, explained that this was an attempt to cover current student preference, sibling preference and "every other flavor" of family preference. Malcolm Leader-Picone suggested changing the beginning sentences (taking wording from Burt's explanatory comment) to: "To the extent that a school has the physical capacity to accommodate it," then adding a), b), c).

Burt accepted the change, but wished to retain the language about "reducing turbulence and fostering long-term associations of families with particular schools" Burt accepted Malcolm's suggestion to move the statement to that effect to the Concept paper and proposed the sentence "Family preferences will be employed in order to reduce turbulence in the school enrollment process and in order to foster the long-term association of families with particular schools." The title of Statement Four would be: Family Enrollment Preference Policy.

After some questioning about wording, Malcolm restated his proposed sentence: "If the school has the physical capacity to accommodate the student in the desired grade level, then ...a), b) c)."

Ann Aoyagi asked if this was not a substantial change from Burt's original wording: "to the extent that they would not reduce a school's compliance with the current

year's integration plan or goals." Burt felt that this latter was crucial language and that the intent was to make certain that a level of integration already achieved would not be destroyed by using these family preferences: "you can remain the same, or you can get better, but you can't get worse."

Lloyd Lee felt that this caused a problem, that, for example in the case of a), compliance with Burt's original wording would undo something that we have all agreed is appropriate: that a currently enrolled student will not be thrown out of a school in order to achieve an integration goal. With the way the statement is currently written, that could happen.

Malcolm pointed out that compliance policy was set up in Statement One. In order to follow that policy and allow currently enrolled students to continue in a school, the school has to do things other than move existing students. Malcolm felt that a compliance statement was not needed in Statement Four

Ellen Brotsky felt that simpler was better: why did Burt feel it necessary to spell all this out? Why not keep the original Statement Four? In answer, Cris Barrere said that he felt it very important to maintain a family connection in school and that it was necessary to look at some relatively small details in this respect. Burt Levy also pointed out that the original wording did not address the issue of currently enrolled students.

Cris continued that the new language, however, did not address the issue of mid-year enrollment. Under Burt's language, kids entering at that time may not be permitted to enroll at the desired school.

Audrey Powers suggested that Burt's original "to the extent that they would not reduce a school's compliance with the current year's integration plan or goals" be retained along with "if a school has the physical capacity to accommodate a student in the desired grade level, the a), b), c), with some language about mid-year enrollment. Burt asked however, if the group had agreed to take out the compliance wording. There seemed to be consensus that the group had.

Discussion followed on the problem of mid-year enrollment. Burt felt that kids enrolling mid-year that did not fit the racial quota would be out of luck. In response to the question of why the "for the following year" wording, Burt replied that, in a given year, a school will register students for the following year. Lloyd Lee felt that that worked for a) and b), but that, in c), there was no indication of what the preceding year was for that "following year". Burt replied that it was the year that the registration was taking place - for the following year. Lloyd replied that this did not address the question of how much time was allowed to pass between the enrollment of one sibling and that of another.

Ellen Brotsky again proposed returning to the original wording of Statement Four, amending it to read: "BUSD shall permit that children of the same family be allowed to attend the same school as their siblings who are currently in the grade levels served at the school or have recently graduated/left." Audrey Powers explained that Ellen's suggestion still did not address the grandfathering issue, so that children could stay at their current school during grade configuration changes.

Lloyd also objected that the "same household" provision allowed room for abuse, for illegal enrollment of non-residents, etc. Cris Barrere agreed that the language needed to be cleaned up but wanted to make the point that, because adherence to an integration policy will necessarily mean children going to school out of their neighborhoods, anything that could create a sense of family at a school should be promoted. He said that he would rather

err on the side of a broader definition of what constitutes family and of what that window of time (between enrollments of siblings) is.

There ensued several simultaneous discussions of what constituted a family, at which point Sherrie Pugh asked the group if it needed to have a redraft of Statement Four brought back to them.

Malcolm Leader-Picone proposed a friendly amendment: that we move the first phrase to the Concept paper (as discussed before), that Statement Four be entitled Family Enrollment Preference Policies and read "If a particular school has the physical capacity to accommodate a particular student in the desired grade level, then

- a) All currently enrolled students will be allowed to re-enroll for the following year.
- b) All children living in the same household as currently enrolled students will be allowed to enroll for the following year.
- c) All children living in the same household as formerly enrolled students will be allowed to enroll for the following year.

Burt accepted Malcolm's amendment, since, he felt, it was what the group had come to agree upon.

At an objection that a) had nothing to do with families, it was proposed- and accepted by Burt- that the title be changed to Enrollment Preferences.

The vote:

in favor- 15
oppose- 1
abstain 2

Malcolm suggested that there be a subcommittee to "smooth out" the language and make it consistent, since, at present, the Task Force was basically dealing with concepts, not wording as such.

As discussion on Statement Five began, various members of the group wondered how it related to Statement Four: would all interdistrict transfers be entitled to the enrollment preferences? Burt Levy asked if the group wanted to add a sentence to Four stating that, "These enrollment preferences shall not apply to interdistrict transfers." After several members voiced agreement, Burt so moved and was seconded by Audrey Powers

The vote:

in favor- 15
oppose- 0
abstain- 3

8. STATEMENT FIVE:

Except for the addition of the a missing word, there were no comments on this statement. Malcolm Leader-Picone moved, and Linda Leader-Picone seconded, that the Task Force adopt Statement Five with the addition of the word *transfer* after the word *interdistrict*. The vote:

in favor- 17
oppose- 0
abstain- 2

9. STATEMENT SIX:

After a consensus to continue- although the time was after 10:00 p. m. , and after Statement Six was moved and seconded, several members of the group requested clarification. Jim Masters explained that, historically, when the district 's racial census has come out in October, there has been no automatic follow-up review nor any mechanism to address imbalances that might exist. This statement proposes the the report would, in fact, be compared with the above-mentioned policies and written recommendations to the Board for possible adjustments would be made. If a school were found to be out of balance, there would be meetings and discussion with that school community both before and after the recommendations to the Board. No action would be taken until the following year.

Burt Levy proposed a friendly amendment that *reassignment* be changed to *realignment* wherever it appeared.

Linda Leader-Picone felt that Statement Six had huge implications and should be discussed at more length in the next meeting. Others felt that the statement allowed for more accountability and seemed all right as it was. Malcolm Leader-Picone felt, however, that there was in the statement no accountability to either the policies or the methodology that the Task Force would adopt; the statement says only that the proposed remedial policies shall be in accordance with the Strategic Plan. Malcolm suggested tabling Statement Six until the next meeting. The group agreed by consensus to table it and to work on language dealing with Malcolm's concerns.

10. Future Meetings:

Jim Masters announced the next SOTF meeting (Tuesday, Feb. 2, 4-6 p.m.), another subcommittee meeting on desegregation methods (Thursday, Jan. 28, 7:30), and a meeting specifically for the site representatives (Saturday, January 30, 10 a.m.).

The meeting ended at 10:20 p.m.