TRY THIS ON FOR SIZE (This is our proposed student selection section)

Students will be assigned to magnet schools according to space availability and in order to meet desegregation goals. The assignment process for the magnet schools will take place prior to the general controlled choice assignment program and will be a separate process. The first students assigned to a magnet school will be all continuing students who have not requested and received an assignment to a different school. If, after assigning all continuing students, there is still space in a given grade level at the school the next students assigned will be siblings of continuing students. The district gives continuing students' siblings priority in assignment to their school in order to decrease the burden on families caused by having students at more than one elementary or middle school, and in order to foster parental involvement at their students' schools, which involvement has been demonstrated to increase student achievement.

If there is not space for all siblings, the first assigned will be siblings of students living in the school's attendance zone ("in-zone"), followed by siblings living outside of the school's attendance zone ("out-of-zone"). If there is not space for all siblings, a random lottery will be held, with in-zone siblings being given first and out-of-zone siblings being given second priority. No criteria other than space availability and zone of residence will be used when assigning siblings to a magnet school.

If, after assigning all continuing students and their siblings to the school there is space for all other students applying to a given magnet school and the result of assigning those students will meet that school's desegregation goals, then all students will be so assigned. If there is not space to assign all students applying to the school students will be considered for assignment in the following order: students living in the school's attendance zone ("in-zone"), followed by students living outside of the school's attendance zone ("out-of-zone"), followed by students who do not live in Berkeley ("non-residents"). If there is space for all in-zone and out-of-zone students applying to the school and assigning all such students will satisfy the school's desegregation goals, all students shall be assigned. If there is not space for all in-zone and out-of-zone students, all in zone students will be assigned first, then a random lottery for remaining spaces will be held among out-of-zone students.

If the results of this process satisfy the school's desegregation goals, all students will be assigned. If the results do not satisfy the school's desegregation goals, a second lottery will be run, using the additional criteria of narrowly drawn geographical resident 'bands'. As described in Section 1 of this Part, the city of Berkeley is segregated into socio-economically identifiable geographic 'bands' running from north to south, with the most affluent residents inhabiting the easternmost 'band' and the poorest living in the farthest west. Employing these 'bands' will support achievement of the MSAP goal of recruiting students from different social, economic, ethnic and racial backgrounds into magnet schools and will also support the district goal of mixing students from different social, economic, ethnic and racial backgrounds in order to foster better student learning and achievement.

This lottery will be run using a pre-set formula which considers the resident bands of the students already assigned to the school (continuing students and their siblings) and then sets a capacity to be filled by students living in each band in order to select a student population that reflects the socio-economic make-up of the school's zone. Capacities to fill remaining spaces will be set for each geographic band and within each band in-zone students will be given priority over out of zone students, with a random lottery employed in cases where there are more students than spaces. (That is, if there are more in-zone students than spaces allotted, there will be a random lottery among in-zone students to fill the spaces. If all in-zone students can be assigned but there are more out of zone students than spaces, all in-zone students will be assigned and a random lottery will be held for out-of-zone students). If the results of this lottery satisfy the school's desegregation goals the students so selected shall be assigned.

This is our work in progress: *The results of any and all of the processes described above shall be considered to "satisfy desegregation goals" if   (add trigger language here). If the failure of to satisfy desegregation goals is statistically insignificant, a de minimus waiver policy will be employed and students will be assigned according to the lottery's results. (in other words, "satisfy deseg goals = either come within x% or miss it in a de minimus way).*

If, and only if using zone and geographical resident bands as described above does not satisfy the school's desegregation goals will race be used as a criteria in the student selection process. In such a case, race will be used in the most narrowly drawn and limited way possible. Applicants will be weighted according to race, with the weight representing the least weight possible. Only if the procedures described below do not satisfy desegregation goals will the weight of race be increased incrementally and the procedure repeated. **

If it is possible to assign all in-zone students within a band without considering race then students will so be assigned and out of zone students will be weighted for race to fill remaining spaces through a random lottery. If there are more in-zone students within a band than spaces available then all in-zone students will be weighted for race to fill spaces through a random lottery. If all in-zone students can be assigned but the results of such assignment do not satisfy desegregation goals or if a random lottery of the pool of in-zone students will not satisfy desegregation goals, then all in-zone and out-of-zone students will be weighted for race and zone of residence will not be considered. In each of the cases described above, if the results of the procedure satisfies desegregation goals students will be thus assigned. If the result of the procedure does not satisfy desegregation goals, the weight accorded to race will be fractionally increased, and the procedure will be followed until it yields results that satisfy desegregation goals.

** Bruce – see question on following page. This is what we need to figure out.

** Bruce: Here's Jan's question about this race weighting stuff:
She wants to know how we were going to do what we said when we actually use race as a criteria. WE'd said that we were going to keep the bands and capacities within each band, then add weight to race. She said, thinking that through, she doesn't see how it would result in choosing white out of zone kids prior to minority in-zone kids if you're really starting out by giving a very small weight to race and you're still giving priority to in over out of zone. Can you think of a way to use race as a fraction (that is, as a very small weight), while preserving zone priority between students of the same race?