

Subject: Mission Statement by BW

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I'm sorry. I've been occupied with more frivolous business. I'm apt to be late today.

Here's a variation. I'm trying to be simple.

The mission of the BUSD Elementary School Assignment Plan is to ensure that all students share an intergrated environment reflecting Berkeley's diversity in order to have equal access to a strong core curriculum, learning experiences and the community resources which are bestowed via public school, to facilitate success for all in a rapidly changing multi-cultural society.

Tuesday, March 21, 2000 9:27:52 AM

Strict Scrutiny

- the standard of review under the US Constitution for government use of classifications involving race
- the use of race must be supported by a compelling government interest and must be narrowly tailored
- this is a very high standard to meet, sometimes referred to as "strict in theory, fatal in fact"

Compelling Government Interest

- a government interest strong enough to support the use of race in government actions
- in education, remedying past discrimination and promoting diversity in education are compelling government interests, however, the use of race must still meet the narrowly tailored test

Narrowly Tailored

- means that there is no other way to accomplish the same purpose without the use of race

Intermediate Scrutiny

- the standard of review under the US Constitution for government use of classifications involving gender
- the use of gender must be supported by an important government interest and must be reasonably tailored
- this is a parallel analysis to strict scrutiny, but somewhat more lenient

Rational Basis

- this is the standard of review under the US Constitution for government classifications that do not involve a "suspect class" (such as race) or a fundamental right
- this is an extremely deferential standard under which the government must show some rationale to support the classification
- this is the standard that would likely be applied to a district's use of geography or income levels to determine attendance

de jure segregation

- schools that are racially segregated by law, as in the South prior to Brown v. Board of Education

de facto segregation

- schools that are racially segregated by housing patterns or other factors, not by law or policy

unitary

- a school district that has been found to be illegally racially segregated has an obligation to take corrective action until it becomes "unitary"
- "unitary" means eliminating all vestiges of the former illegal segregation