

Subject: Roi's version of the proposal

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To all that are able to review this before tonight, I am sending my draft for a final proposal, so that we might have something to work from.

Roi

Roi's version of a finished presentation

The Student Assignment Plan Advisory Committee met 11 times, hearing a presentation by the District's legal counsel, analyzing data on the current lottery system and reading literature on the value of diversity in the educational setting. Each agenda item was met with lengthy discussion, and every committee member was given opportunities to speak. The meetings were made public and recorded, and space was made for public comment at the beginning and end of each meeting. All motions were passed by consensus unless otherwise noted. Meetings 1-7 were primarily the gathering of background information, which would enable committee members to make an informed decision. Two Co-chairs were voted in during meeting 3 and led the subsequent meetings. Throughout the process, our primary consideration was the mission of the school assignment plan: to place all students in an integrated environment to ensure equal access to a strong core curriculum; enriched learning experiences; and individual, community, social and educational resources that promote success in a rapidly changing multi-cultural society. We asked ourselves:

- ÿ Is the plan effective in providing integrated schools?
- ÿ Are integrated schools ensuring equal access to opportunities for success for all children?
- ÿ Are parents and the community satisfied with the way their children are placed?
- ÿ Is the plan legal? Could we continue to hold out our ideals in the face of a possible legal challenge?
- ÿ Is there a viable alternative to the current assignment plan, which might be less vulnerable to legal challenge?

We believe, and scientific research supports our belief, that racial diversity, along with many other forms of diversity, is essential to our educational goals. Coupled with a continued commitment to ongoing teacher training in the area of differentiated instruction, diverse classrooms provide Berkeley elementary students with opportunities for building relationships across race lines, as well as a more equitable spread of school resources such as parent participation and fundraising dollars. It is in the "Compelling governmental interest" of Berkeley Public School children to avoid the negative effects of racial isolation, and until our neighborhoods are desegregated, neighborhood schools will continue to not be a viable option. During the November 28th public forum, two parents expressed a sense of loss of community, resulting from the lack of neighborhood schools while another parent felt that community could be felt

despite her lack of immediate proximity to her child's school site. Other alternatives to the current plan were researched by the Committee, but it was felt that none could assure the District of the same desired result: a diverse mix of children at each site.

In truth, diverse classrooms are not the only end goal. Successful students are the end goal. And we measure that success not only by test scores, but also by social skills, compassion, and a continued love of learning. We must rely partly on history to inform us here. The racial segregation in our public schools, prior to voluntary desegregation in 1968, was directly correlated with fewer educational opportunities available to low income children living in the flatlands of Berkeley.

Therefore, Committee makes the following recommendations:

The Committee recommends that our current zoned choice school assignment plan be retained. After careful review, the Committee voted not to recommend an alternative student assignment plan (with two abstentions noted). We concluded that our current assignment plan of maintaining integrated schools that reflect Berkeley's diversity, is currently the most effective way to ensure equal access to a strong core curriculum; enriched learning experiences; and individual, community, social and educational resources. The Committee concluded that the program was narrowly tailored to meet our compelling interests for the following reasons:

1. The system uses multiple factors to assign students to schools, with the primary factor being parental choice. The Committee noted that for parents who participate in first round, 95% get their first or second choice under the current system. The system uses other factors such as living within the attendance zone of the chosen school, and attendance of siblings along with its consideration of race. Race alone is not the sole determinant of a student's assignment to a school.

2. The system uses race in an even-handed fashion that does not advantage or disadvantage any individuals or groups unequally on account of their race. Depending on their preferences as expressed in their choice of school, a family of any race may or may not get their first choice. In the event that race is a factor for a particular assignment, the burden on the family denied their first choice is not severe. As long as schools sites are monitored for equity, assignment to any in-zone school will provide children with a comparable high-quality education, along with bus transportation to the site, should lack of immediate proximity be a hardship.

3. There is no risk of exclusion from educational services in the district, or exclusion from a unique and valuable educational program, such as is the case in districts such as San Francisco with Lowell High School. All magnet schools and immersion programs do not use race in their placement of children into their programs.

4. There is no evidence at this time that there are race-neutral alternatives that would accomplish our goal. Until there is an opportunity for further study to demonstrate that a race-neutral alternative would not lead to re-segregation of the schools, the Committee feels the District is justified in continuing to consider race in the school assignment program.

In serving the District's interest in making our current assignment plan less vulnerable to legal attack, the Committee submits the following proposals which serve to further narrowly tailor the plan.

1. The Student Assignment Advisory Committee should be convened every 2-3 years, to assess the student assignment plan. The Committee will need to reexamine the goals of the plan, whether the plan is still meeting those goals, and whether there are alternatives to the plan that will meet our goals as well. A narrowly tailored plan must provide for a periodic evaluation of its use of race in school assignment

2. For as long as a zone-based system remains in place, a thorough review of zone boundaries of both K-5 and middle schools, should be done at least every ten years. It will need to be determined whether the zones are providing each zone's schools with an equitable cross-section of the Berkeley Public School population. The next ten-year anniversary of any zone change will take place in 2003. The community should be informed of this upcoming evaluation of zone demarcations and additional public forums should be scheduled so that concerns might be aired about this possible change.

3. The current plan should maintain its appeals process, which allows for individual review of particular student assignments to ensure that the criteria are properly applied. The appeal process may be designed by staff and should ensure that race is not the sole determinant for any individual assignment. A narrowly tailored plan should provide for an appeals process. It was clear from the Public Forum that the public is not well informed of the appeals process already in place.

4. Because equal access depends on equal participation by all parents in every step of the Zoned Choice Plan, the District must identify and remedy factors which might cause under or over-representation of specific groups in each stage of the assignment process. The current system is built on the assumption that in order to be successful, parents must be fully informed of the process of school selection. More must be done in this area if the current plan is maintained. Additionally, it was suggested by the public that partnerships could be developed between preschools and the District, enabling a smoother transfer of information to parents. A note should be made that the public responded more to this particular item over any other.

5. Equity among the Berkeley K-8 schools is key to justifying our Zoned Choice Student Assignment Plan. The Committee recommends that the District identify criteria with which to evaluate schools to ensure that all schools are comparable. Another parent during the public forum stressed that most Berkeley parents are primarily concerned with a quality education for their children.

6. The Student Assignment Plan Committee should continue to meet on a monthly basis beginning in February 2001 and ending in June 2001, so that more complete study of tabled items can take place. Continuity of members from the current committee is recommended. Further study into the tabled alternatives to the current plan should be done with consideration of another public forum next spring, should the Committee present findings which request further changes..

The Berkeley Student Assignment Committee voted all of the above points with a consensus (unless otherwise noted).