

**RESOLUTION NO. 7008 OF THE BOARD OF EDUCATION
OF THE BERKELEY UNIFIED SCHOOL DISTRICT
TO ADOPT A NEW PLAN TO ACHIEVE RACIAL DESEGREGATION
OF ALL PUBLIC SCHOOLS IN THE CITY OF BERKELEY**

WHEREAS, the Berkeley Unified School District ("BUSD"), a diverse learning community united in commitment to public education, has as its mission to provide equal educational opportunities to all of its students by:

(1) teaching students to discover and develop their special talents, achieve their educational and career goals, and to succeed in a rapidly changing, multicultural society; (2) empowering the students, parents, community, and staff; (3) providing a strong core curriculum; and by (4) offering special programs and alternative learning experiences in a racially integrated, pluralistic environment; and,

WHEREAS, the California Constitution requires all school districts to take reasonable steps to ameliorate the harmful effects of racial isolation regardless of its cause; and

WHEREAS, the BUSD has adopted a Strategic Plan in which it commits itself to preparing all students to succeed together in a diverse, multicultural society, and enabling each student to accomplish his/her individual goals; and

WHEREAS, further, as a consequence of adopting its Strategic Plan, BUSD has formulated a Desegregation Plan which incorporates the Strategic Plan and reaffirms prior desegregation policies and commitments; and,

WHEREAS, further, the BUSD's Plan to Achieve Racial Desegregation will implement programs designed to accomplish the following goals:

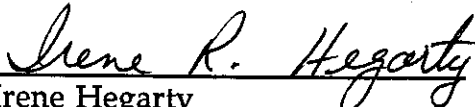
- i. Promote racial and ethnic desegregation by providing a system of school choice and educationally appealing school programs;
- ii. Encourage socio-economic desegregation through adopting policies and procedures, including attendance areas, that recognize Berkeley's diverse socio-economic neighborhoods;
- iii. Assign students to all Berkeley public schools in accordance with a standard that strives to establish and maintain at each school, the enrollments of each racial group within a ratio of +/- 5% points of the district-wide average of each group's student population for the grade levels at that school. (This standard only applies for racial or ethnic groups that consist of at least twenty-five percent (25%) of the total BUSD population and exempts students enrolled in special educational programs, such as bilingual education);

**RESOLUTION NO. 7008: NEW VOLUNTARY PLAN
TO ACHIEVE RACIAL DESEGREGATION OF ALL PUBLIC SCHOOLS IN THE CITY OF BERKELEY**

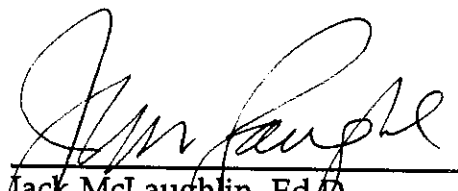
- iv. Strengthen the core academic curriculum and other learning opportunities in order to enhance achievement of all students and reduce the disparity in achievement levels between minority and non-minority students;
- v. Enhance the learning opportunities for all students through providing professional development opportunities, addressing diverse learning styles, utilizing modern instructional technologies, integrating a multicultural learning philosophy, and increasing involvement of parents and community members of all racial groups;
- vi. Assign certificated and classified staff to individual schools in a manner that prevents racially identifiable schools, and take a proactive approach to recruitment and development of minority group instructional staff;
- vii. Implement the principles of participatory decision-making and seek to engage parents and teachers as equal partners in the education of the children; and,
- viii. Rehabilitate and equip to the extent practicable all Berkeley public schools to provide safe, attractive and functional facilities, modern technology and a good learning environment for all students.

THE BOARD OF EDUCATION OF THE BERKELEY UNIFIED SCHOOL DISTRICT DOES THEREFORE AND HEREBY RESOLVE to voluntarily implement the 1995 New Voluntary Desegregation Plan for achieving these desegregation goals of the Berkeley Unified School District, as detailed herein, commencing with the 1995-96 School Year and continuing thereafter.

ADOPTED: May 9, 1995.



Irene Hegarty
President, Board of Education



Jack McLaughlin, Ed.D.
Superintendent

**BERKELEY UNIFIED SCHOOL DISTRICT
1995 NEW VOLUNTARY DESEGREGATION PLAN**

OVERVIEW	1
Description of the City of Berkeley	1
Description of the Berkeley Unified School District	1
HISTORY OF DESEGREGATION IN THE BERKELEY UNIFIED SCHOOL DISTRICT	2
First Voluntary Desegregation Plan 1964-1968	2
School Restructuring Plan	4
Adoption of the District Strategic Plan	4
"Second Wave" School Desegregation Planning	6
SOTF's Recommendations	8
School Board Resolution to Implement the Desegregation Goals	9
Goals of the Berkeley Unified School District	9
1994 ADOPTION OF SCHOOLS OF CHOICE AS PART OF THE DISTRICT'S VOLUNTARY DESEGREGATION PLAN: "Choice and Achievement."	11
ASSIGNMENT OF STUDENTS FOR DESEGREGATION PURPOSES.	12
Grade Configuration	13
Zones	13
Enrollment Methodology	14
Transportation.	15
Considerations for the Transitional Period	16
PARENT INFORMATION AND STUDENT RECRUITMENT	16
STAFF ASSIGNMENTS	17
EDUCATIONAL MATERIALS AND EQUIPMENT	17
PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES	18
FACILITIES.	18
RESOURCE ALLOCATION	19
PROGRAM QUALITY.	20
MONITORING COMPLIANCE AND CORRECTING PROBLEMS	21

**BERKELEY UNIFIED SCHOOL DISTRICT
1995 NEW VOLUNTARY DESEGREGATION PLAN
May, 1995**

OVERVIEW

Description of the City of Berkeley. The City of Berkeley consists of 104,900 persons of diverse racial, ethnic, economic and linguistic backgrounds. The city is home to the University of California Berkeley campus. The University attracts more than 30,000 faculty members and students annually to the region from all over the world, contributing to the character of many of the city's neighborhoods. Seventy-two percent of its adult residents have attended college, compared to the country's forty-four percent level. The diversity of this international and academic community demands unique educational programs.

Berkeley's land area is 10.16 miles and the total area is 18.8 square miles. There are 43,000 housing units within the city's boundaries, with a median home value of \$261,000 and a median rental rate of \$392. Fairly stringent rent control policies impact both these figures. The average household income is \$45,726. However, this mathematical mean masks the significant range of family incomes in the city. (See Figure 1, "City of Berkeley Median Household Income.")

Residential patterns in the city, perhaps influenced by the geography, have traditionally been segregated by income and race. The great majority of affluent residents who are predominantly Caucasian lives in the "hills" area, with the lower income residents, who are predominantly non-Caucasian, live in the "flatlands." The following charts reflect Berkeley's racial and economic character (See Appendix A.)

Description of the Berkeley Unified School District ("BUSD" or "District"). The BUSD boundaries are contiguous with those of the City of Berkeley. Berkeley public schools currently educate nearly 8,000 students.¹ More than one-third 39%, of the District's K-12 students are African-American; another one-third, 32.7%, are Caucasian; Hispanic students comprise 10.9%; and Asians constitute approximately 8.3%. The

¹ In 1994, 7,895 students were enrolled in Berkeley's one high school, its three middle schools and eleven elementary schools; Berkeley Adult School has an enrollment of 10,133.

**MEDIAN HOUSEHOLD INCOME
\$ THOUSANDS**

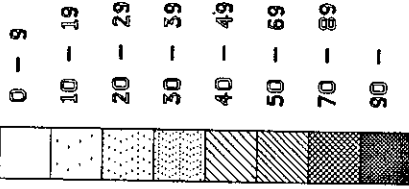


FIGURE 1

City of Berkeley

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

remaining 10 percent of Berkeley's students are members of various other racial and ethnic groups. There is a great disparity between the racial and ethnic statistics of the City's ethnic and racial population and the actual enrollment in BUSD schools. (See Figure 2a and Appendix B, which reflect the racial composition of the District and the City.) Approximately 12 percent of the students are limited-English proficient (LEP), with at least 56 student home languages. The District also has a substantial proportion of students eligible for Special Education services.²

HISTORY OF DESEGREGATION IN THE BERKELEY UNIFIED SCHOOL DISTRICT

First Voluntary Desegregation Plan 1964-1968. Berkeley citizens have always been committed to desegregated schools. Beginning in 1964 and going through 1968, the Berkeley Unified School District became the first significant school district in the nation to undertake a process of voluntarily desegregating its school system. The District developed a desegregation system using "paired schools" and mandatory "two-way busing." This system altered the previously existing K-6 neighborhood school student assignment which had created de facto segregation. (Figure 3 illustrates prior de facto segregation created by the 1963 neighborhood school student assignment.) The 1964 desegregation system consisted of grade schools located in the predominately white "hills" areas and 4-6 grade schools located in the predominately non-white "flatlands" areas. The District bused students from the flatland areas to the hills for K-3 grades and from the hills to the flatland schools for 4-6 grades. Using this system, the District hoped that the burden of busing would fall equitably on both white and non-white students.

In further efforts to desegregate and maximize racial balance in its junior high schools, the District created two instead of three junior high schools to serve 7th and 8th

² Berkeley's Center for Independent Living attracts disabled persons from around the country who seek educational services.

FIGURE 2

**Ethnicity of the City of Berkeley
and the Berkeley Unified School District**

The following charts reflect the ethnicity of the City of Berkeley and the Berkeley Unified School District.

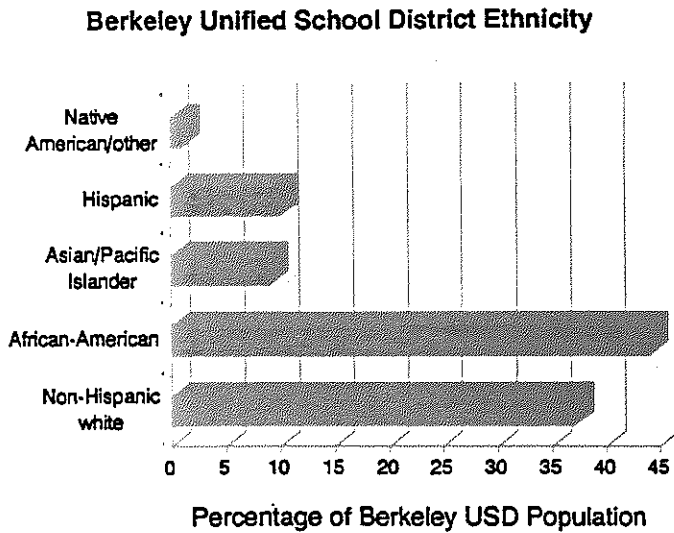
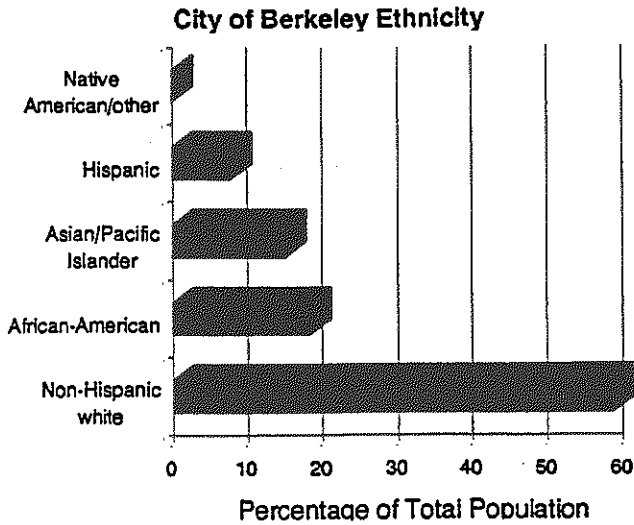


FIGURE 3

BERKELEY UNIFIED SCHOOL DISTRICT RACIAL CENSUS (CBEDS) - October 1963

cej 5/8/95

Elementary (K-6):	Minority		Non-Minority		Total
Columbus	515	73.6%	185	26.4%	700
Cragmont	58	7.4%	728	92.6%	786
Emerson	14	4.4%	301	95.6%	315
Franklin	740	73.9%	262	26.1%	1002
Hillside	20	3.4%	561	96.6%	581
Jefferson	305	41.1%	437	58.9%	742
John Muir	11	2.7%	400	97.3%	411
LeConte	231	47.6%	254	52.4%	485
Lincoln	768	99.1%	7	0.9%	775
Longfellow	869	93.1%	64	6.9%	933
Oxford	22	6.6%	310	93.4%	332
Thousand Oaks	29	4.9%	561	95.1%	590
Washington	329	53.4%	287	46.6%	616
Whittier	69	14.9%	394	85.1%	463
Total Elementary	3980	45.6%	4751	54.4%	8731
Jr. Highs (7-9):					
Burbank	944	85.5%	160	14.5%	1104
Garfield	212	15.0%	1202	85.0%	1414
Willard	557	54.4%	467	45.6%	1024
Total Jr. Highs	1713	48.4%	1829	51.6%	3542

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

grade students. The BUSD then drew the schools' boundaries in a manner designed to assure racial balance.³

Enrollment Decline and School Closure. Though modifications occurred over the years, the District maintained the basic mechanics of its "paired schools, two-way busing" program adopted in 1968 as its primary desegregation tool. Indeed, throughout this period, the community regularly reaffirmed its desire to attain racial balance voluntarily.

By 1984, however, the District had experienced a decline in enrollment from 16,000 students in 1968 to 9,000 students in 1983. As a result, the District was forced to close five elementary schools and the West Campus 9th grade satellite of the high school. Multiple factors caused the enrollment decline. A declining birth rate contributed. A substantial flight of middle- and upper-class students to private schools was also a factor. The District also experienced substantial white flight, since a greater proportion of Caucasian families enrolled their children in the K-3 schools located in their neighborhoods, but removed their children when they were mandatorily assigned to their 4-6 school located in non-white neighborhoods. The District estimates that approximately 25-30% of Berkeley children in the K-8 grades are currently attending private schools, which is almost three times the rate of private school enrollment of other California cities. At grades 4-6, the District estimates that approximately 35-40% of the BUSD students are enrolled in private schools.

By 1985, the State's continuing reduction in public education funding and the District's consequent financial insolvency forced the District to further reduce, and in some cases, eliminate valued instructional programs, such as music, science, technology enrichment and athletics. The District also virtually eliminated critical organizational functions such evaluation and research, funding development and public information.

³ Berkeley has only one high school, with a satellite "Continuation School" program. At one point, a satellite 9th grade program existed which was later absorbed into the main high school building.

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

These factors caused a continued downward spiral of student enrollment because the District did not have the resources to educate families about the quality educational opportunities still available.

As a result, by the mid-1980's, the Berkeley public schools suffered racial imbalance. The District which in 1968 prided itself as the first school district to institute voluntary desegregation, now found itself out of racial balance. Moreover, despite the District's numerous educational programs aimed at increasing academic performance of racial minority students, there remains an increasing disparity in the achievement scores of white and non-white students. Because of these serious concerns, it became imperative that the District re-examine its desegregation plan and its system of delivering education to all Berkeley students.

School Restructuring Plan. In 1986, the Berkeley community began vigorous local efforts to restore its school system's excellence and attractiveness by authorizing the levying of a special local tax, "The Berkeley Public Schools Educational Enrichment Act of 1986." The Act mandated reduced class size, provided funds for renewed enrichment programs, and laid the ground work for school-site decision-making. Class size reduction increased the number of classrooms. This increase led the District to consider restructuring its student assignment system to address the racial imbalances and to investigate remedies needed to enhance the achievement of all Berkeley students.

Thus, in 1988, the District initiated an unprecedented community planning process to address these issues. The community planning process involved a variety of efforts, including school surveys, a series of "town hall meetings," small group task forces, dedicated staff work and professional assessments.

Adoption of the District Strategic Plan. The community planning process resulted in the adoption of the Berkeley Unified School District Strategic Plan in December 1991. As part of this process, the District reexamined and rearticulated its guiding beliefs, educational programs and practices. Through the Strategic Planning

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

process, the District conducted an extensive review of external factors, such as demographic, economic, political, social and technological, that impacted upon the District's educational mission. The District concluded that it must restructure its schools to respond to student needs and to prepare its students to live in a highly competitive multicultural and multiracial environment of rapid technological changes.

The District also considered both instructional programming and organizational management in order to promote academic achievement of all its students. In response to this review, the District articulated the following mission statement:

The mission of the Berkeley Unified School District, as the beacon for a diverse community united in commitment to public education, is to ensure that all of its students discover and develop their special talents, achieve their educational and career goals, and succeed in a rapidly changing, multicultural society by empowering the students, parents, community, and staff; providing a strong core curriculum; and offering special programs and alternative learning experiences in a racially integrated, pluralistic environment.

With this mission as the foundation, and after articulating their shared beliefs (See Figure 4), the District parents, staff and citizens identified critical problem areas and developed educational strategies aimed at realizing their goals.

The Strategic Plan's goals all reflect one common unifying theme, which is to alleviate racial isolation and promote desegregation and multicultural sensitivity. The Plan's goals also incorporate the following additional themes: (1) value and respect for each student; (2) providing a racially integrated, pluralistic environment; and (3) educational support to develop each student's special talents to prepare the student for success in a rapidly changing, multicultural society. Specific examples of the goals articulated in the Plan include:

FIGURE 4

BELIEFS

We believe that societies prosper to the extent that they care for their children.

We believe that each person has a right to make his/her own choice and is responsible for his/her own actions.

We believe that each person has an unlimited capacity for learning.

We believe that diversity enriches and energizes the individual and society.

We believe that all people have the right to be treated with respect.

We believe that a truly educated person cannot be racist.

We believe that there is a necessary congruence between individual liberties and the common good.

We believe that every individual has a unique talent to contribute to others.

We believe that risk takers are essential to advancement.

We believe that responsible stewardship of the world's resources means satisfying the basic human needs of all people.

We believe that fairness is vital to harmonious human relationships.

We believe that in all human relationships, sharing power strengthens everyone including the sharer.

We believe that trust is the essential bond that holds communities together.

We believe that excellence is worth whatever it takes.

DECEMBER 1992

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

Establish guidelines for a culturally inclusive educational program and learning environment that reflect all races, nationalities and beliefs in a factual and realistic manner in Berkeley Unified School district schools. (Strategy 4)

Establish and implement multicultural curricula that prepare all students to interact successfully with people of diverse backgrounds. (Strategy 10)

Train staff in strategies and intervention processes that create a climate which recognizes and supports cultural diversity and individual differences. (Strategy 10)

Train staff to help students understand, accept and feel good about their own culture and the cultures of others...integrate into the curricula concepts of prejudice, stereotyping, discrimination, scapegoating and racism...learn how to promote gestures and language that are positive to students and parents of various cultures... (Strategy 10)

Monitor and evaluate strategies and intervention processes that create a climate that recognizes and supports cultural diversity and individual differences. (Strategy 10)

Provide that the implementation of all action plans [in the Strategic Plan] incorporates the objectives developed for building trust, respect and understanding among racial, ethnic and cultural groups. (Strategy 4)

Establish review and accountability mechanisms to administer, oversee and evaluate programs and policies designed to build trust, respect and understanding among racial, ethnic and cultural groups. (Strategy 4)

The Board of Education adopted these strategies as detailed in *The Berkeley Unified School District Strategic Plan, 1992-1996*. The reader is referred to this document in its entirety for further explication.

"Second Wave" School Desegregation Planning. Following the Strategic Plan, the District then organized the *Superintendent's Ad Hoc Task Force on School Organization* in September 1992. The Task Force's charge was to "develop a student school

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

assignment plan that utilizes school facilities in an efficient way while establishing and maintaining racially desegregated schools."

Initially, the Task Force believed it should continue the dialogue and develop recommendations for systemic restructuring of the entire school district to better promote racial desegregation and foster integration. Members fervidly believed that the school district could and should do a better job in achieving desegregation goals.

The Task Force thus began by requesting a review and summary of the pertinent legal issues regarding its voluntary desegregation actions. The results of that review are contained in a document entitled "Obligation of the Berkeley Unified School District for Alleviating Racial Segregation," prepared by the law firm of Kronick, Moskovitz, Tiedemann & Girard. (*See full text of document in Appendix C.*)

The report concludes that the District retains much latitude to fashion a remedy consistent with state and federal law because there has been no legal finding of de jure segregation by the courts. Specifically, the report says: "As the court states in Crawford I, plans developed and implemented by local school boards, working with community leaders and affected citizens, hold the most promising hope for the attainment of integrated public schools in our state."

The report noted that in assessing compliance with federal and state law on this matter, courts evaluate at a minimum, six areas of concern to determine whether there is an equitable distribution of resources:

1. Student assignments;
2. Faculty and staff assignments;
3. Teaching materials and equipment;
4. Transportation;
5. Facilities; and
6. Allocation of resources.

Since the Strategic Planning process had already considered and developed strategies to address factors 2-6 above, the participants in the School Organization Task

**RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995**

Force (SOTF) focused exclusively on factor 1 the "student assignment system and grade configuration."

In reviewing the racial demographic statistics of each school, the Task Force determined that individual schools were struggling to meet and/or maintain their racial balance goals. The Task Force further noted that the academic performance disparity between minority and non-minority students had not materially decreased. In other words, the District, as a whole, was struggling to meet its goals of racial diversity and academic achievement. (*See Appendix D.*)

Members of the Task Force questioned whether the District's use of a paired school/mandatory busing student assignment plan worked against the goals of promoting interracial exposure, increasing parental involvement and providing stability needed to promote good student achievement. As the Task Force considered student assignment methodologies to achieve desegregation, two opposing views emerged: one segment of the Task Force supported modification of the current system of "paired schools, two-way mandatory busing" plan to account for demographic changes; while the remaining Task Force members supported total restructuring of Berkeley's student assignment plan. The latter group believed that previous efforts to modify the District's boundaries to remedy segregation had been futile.

SOTF's Recommendations. After months of deliberation, the Task Force presented its recommendations to the Board in February, 1993. These recommendations reaffirmed the District's existing goal of maintaining a student assignment plan which targeted no more than a +/- 5% point deviation from the district-wide average of any racial group. The Task Force, unable to reach consensus about the best methodology for achieving this goal, proposed that the District permit a "mosaic" of grade configurations. The Task Force also proposed that the District allow more parental choice in establishing the school's grade configuration as well the selection of the school.

**RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995**

The Task Force also requested the Board to affirm its commitment to site-based management and to give priority to "the urgent task of reforming the school program itself" in accordance with the principles detailed by the previous strategic planning groups.

School Board Resolution to Implement the Desegregation Goals. The Board accepted the Task Force's report and reaffirmed its intent to improve and maintain the quality of education for all Berkeley students. The Board also affirmed its intent to maintain and improve academic achievement and educational development for all Berkeley students. Reaffirming the goals first articulated in the Strategic Plan, the Board authorized an even broader community process designed to create a community consensus about the best methodology to achieve those goals--specifically whether and how to modify its highly vaunted "two-way" mandatory busing plan.⁴ With this renewed commitment, the Board thus formalized the momentum of a "second wave" of voluntary desegregation. The following desegregation goals were adopted through this process:

GOALS OF THE BERKELEY UNIFIED SCHOOL DISTRICT

The Berkeley Unified School District's Plan to achieve racial and ethnic desegregation will implement programs designed to accomplish the following goals:

- i. Promote racial and ethnic desegregation by providing a system of school choice and educationally appealing school programs;
- ii. Encourage socio-economic desegregation through adopting policies and procedures, including attendance areas, that recognize Berkeley's diverse socio-economic neighborhoods;

⁴ During the summer of 1993, over 65 "house meetings" were held across the city. Further, workshops and Town Hall Forums were conducted where the Berkeley community discussed the essential components for effective schools. A special newsletter was issued to keep the community informed and involved with the issue.

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

- iii. Assign students to all Berkeley public schools in accordance with a standard that strives to establish and maintain at each school, the enrollments of each racial group within a ratio of +/- 5% points of the district-wide average of each group's student population for the grade levels at that school. (This standard only applies for racial or ethnic groups that consist of at least twenty-five percent (25%) of the total BUSD population and exempts students enrolled in special educational programs, such as bilingual education);
- iv. Strengthen the core academic curriculum and other learning opportunities in order to enhance achievement of all students and reduce the disparity in achievement levels between minority and non-minority students;
- v. Enhance the learning opportunities for all students through providing professional development opportunities, addressing diverse learning styles, utilizing modern instructional technologies, integrating a multicultural learning philosophy, and increasing involvement of parents and community members of all racial groups; and,
- vi. Assign certificated and classified staff to individual schools in a manner that prevents racially identifiable schools, and take a proactive approach to recruitment and development of minority group instructional staff; and,
- vii. Implement the principles of participatory decision-making and seek to engage parents and teachers as equal partners in the education of the children; and,
- viii. Rehabilitate and equip to the extent practicable all Berkeley public schools to provide safe, attractive and functional facilities, modern technology and a good learning environment for all students;

**1994 ADOPTION OF SCHOOLS OF CHOICE AS PART OF THE DISTRICT'S
VOLUNTARY DESEGREGATION PLAN: "Choice and Achievement."**

In December 1993, at the conclusion of this intensive and broad-based community process, the Board approved a new grade configuration and "controlled choice" system of student enrollment. The District based the new Student Assignment Plan on a "three-zone, controlled school choice system." All elementary schools were to be converted to K-5, a third Middle School (grades 6-8) was to be established, and a computer-generated random choice student assignment system was to be instituted. Racial balance and diversity of the student population would be attained since the District would retain the right to control the student assignments under this system in accordance with its adopted racial balance assignment standards.

The underlying belief in adopting this new method of desegregation is that by providing educationally appealing school programs and a system of school choice, the District would assist parents, students and teachers to develop a strong commitment to their school of choice. Accordingly, enrollment would be enhanced and sustained. The District would encourage increased parental involvement in the child's education--known to be a key factor in student development and achievement. In addition, the District anticipates that by reducing the number of transitions between schools (eliminating the school change between 3rd and 4th grade) the District would increase the continuity of the student's educational program, thereby improving educational program quality and increasing student achievement. Another District goal with the new assignment plan is to reduce the amount of student busing time and bused students.

The Board then directed the administration to undertake comprehensive and systematic planning to detail implementation strategies designed to accomplish the renewed goals. Board and staff members continued their review of desegregation law and the dialogue with the community about the ways and means to best implement the

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

new policy. (See, for example, "Desegregation: Approaching The 21st Century," a paper presented at a 1995 Magnet School Conference discussing current desegregation requirements which was prepared by Celia M. Ruiz of the law firm of Ruiz & Schapiro Appendix E.)

In December 1994, under the new Superintendent Jack McLaughlin, the Board adopted the Student Assignment Implementation Plan to be instituted beginning in the 1995-96 School Year.

ASSIGNMENT OF STUDENTS FOR DESEGREGATION PURPOSES.

Standard. The District's goal for achieving desegregated schools is: to assign students to schools so that each school will have a student population which reflects a racial/ethnic balance consistent with the District-wide proportion of white/non-white students at that grade level. Specifically, the percentages of each racial group enrolled at each school **should not vary by more than +/- 5%** points of the District-wide average for the grade levels at that school.

The threshold that the District intends to use to determine if a racial or ethnic group is included for distribution purposes shall be twenty five (25%) of the total District population.

Exception: There are exceptions to the specific numeric requirements articulated above when the District needs to group students for special educational programs. For example, the grouping of language minority students at a school for instructional purposes shall be allowed in accordance with a plan to be developed by the District's Bilingual Advisory Committee and adopted by the School Board during the 1995-96 School Year. Other exceptions, such as special education students, may be identified in the future, if further review warrants it. Further exceptions which apply for the Transition Period are detailed in "Student Assignment Program Transitional Guidelines," adopted April 17, 1995 (Appendix F).

Grade Configuration. The schools were reconfigured as follows: K-5, 6-8, 9-12 grades. This configuration replaces the previous "hills/flatlands paired schools" K-3, 4-6, 7-8, 9-12 grade configuration pattern. The District anticipates that this reconfiguration will minimize learning disruptions, allow a greater number of students to attend neighborhood schools, reduce student transportation time and encourage greater parental involvement.

School Size. The District predicated Berkeley's Facilities Reconstruction Plan on an assumed school size range of between 300-450 students. The District based this allowance of relatively small school size on a long-standing community sentiment that optimal school size is sufficiently small to foster a caring learning community, yet sufficiently large to offer programmatic variety and flexibility. The District based the Desegregation Plan on the schools remaining at their relatively small size, with the proviso that there be at least two classes per grade level. The District intends to maintain individual classes at a pupil/teacher ratio as low as practicable, using the supplemental funds from the Berkeley Schools Enrichment tax.

Zones. The District has instituted a system of three zones, with assignment of students to the school through a system of "controlled choice" throughout the zone. The "zones" were established to meet desegregation criteria, fill school capacities, maximize student safety and promote socioeconomic diversity. The District will conduct periodic review of the zone boundaries to assess whether these desegregation criteria are being met. (See Figure 5, Zone Map)

Zone boundaries (adopted in July, 1994) are:

- ▶ The Northwest Zone consists of Franklin, Jefferson and Thousand Oaks schools, and Franklin pending reconstruction of Columbus School;

FIGURE 5



BERKELEY
ALAMEDA COUNTY
CALIFORNIA
SCALE IN FEET

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

- ▶ The **Central Zone** consists of Oxford, Washington and Whittier, and Franklin pending the reconstruction of Cragmont School;
- ▶ The **Southeast Zone** consists of Emerson, LeConte, Malcolm X and John Muir.
- ▶ **Middle Schools:** A new middle school was established to provide three schools at the 6-8 grades level: King, Willard and Longfellow. Student choice of a Middle School will be District-wide, except during the transition period of this Plan, wherein the guidelines outlined in the document "*Student Assignment Program Transitional Guidelines*" adopted April 17, 1995, shall apply (*Appendix F*).

Enrollment Methodology. The District will assign students to a school based on a "controlled choice" assignment system. Under this system, families can select which school they want their children to attend, with assignment and transportation preferences given to those families who choose schools within their residential zone. For entering students, the families must identify their first, second and third choice of schools. The District will assign students to schools in accordance with the District's desegregation standard and on a space available basis. The assignment will be made in order of priority through a computer-generated, random, selection process.

The District adopted the "controlled choice" system because it allows greater involvement of families in the selection of schools and encourages a sense of community throughout the zone. At the same time, this system allows the District to assign students according to its desegregation standards. The District specifically elected "choice within-the-zone" preference, rather than city-wide choice, because it promotes schools which may initially be perceived as "less desirable" (due to location or other factors), and

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

results in a greater number of families selecting one of those schools as one of their three choices. The drawing of the zones further reflects socio-economic diversity and is aimed at fostering socio-economic desegregation.

The District anticipates that, after exposure to the schools' programs, a sufficient number of families will select the under-enrolled school thus, voluntarily desegregating the student population. The District intends to encourage and support families' initial choices through well-balanced academic and experiential programs. An informed choice, based upon a clear understanding of each school's special programs, educational theme and opportunity, increases the likelihood that a family will remain within the District. This furthers the District's voluntary desegregation goals by attracting more families to Berkeley schools and retaining families within the Berkeley system. The District anticipates that the zone system will likely minimize students' travel time to and from school, and lead to greater efficiency and reduced costs, overall, in the District's transportation program.

Priorities for Assignment. The District intends to ensure that all students will have an equal chance of attending their preferred schools, subject to available space and racial balance. The District intends to enforce these priorities:

- 1• Berkeley residents, choosing schools in the zone of their residence;
- 2• Berkeley residents choosing outside their zone and children of District employees living outside the district.
- 3• All other non-Berkeley residents.

Transportation. Transportation will be provided and the District will implement a "within-zone" transportation program for K-5 students, in order to minimize student busing time.⁵ In addition, the District will coordinate school schedules to facilitate a

⁵An expanded transportation program will be operated during the Transition Period to serve 6th grade students. See, "Student Assignment Program Transitional Guidelines."

more efficient bus routing schedule. New technology will also be procured to facilitate expeditious bus routing. Significantly, the implementation of this Transportation Plan, as within all other aspects of this Plan, is contingent upon the full and continuing availability, in whole and in part, of resources and funding for this purpose.

Considerations for the Transitional Period. The District will make every feasible effort to minimize the disruption of the students' current school assignment and instructional program during the Transition Year (School Year, 1995-96). Please refer to the document "Student Assignment Program Transitional Guidelines," adopted April 17, 1995, for specific guidelines of student assignment during the transitional period. (*Appendix F.*)

PARENT INFORMATION AND STUDENT RECRUITMENT.

The success of a "controlled choice" system relies heavily on making information available to parents so that they can exercise an effective choice. To improve information availability to parents, the District will implement a parental outreach component and centralized registration system. The District will provide well-defined, timely information, in several languages and in a variety of formats, to parents, outlining the quality programs at each school. Further, the District will provide parents with information about the choice process, with the intent to provide equal access to student enrollment in desirable programs. Finally, the District will recruit students to public schools outside of their neighborhoods, thereby creating a racially diverse applicant pool.

The District's centralized information and registration center will support all schools in recruiting students and will manage the choice process.

The District will use a variety of media to communicate information to parents, such as: Annual School Choice Booklet; individual school brochures and fact sheets; tours, open houses and special events; speakers bureau for presentations to students, parents and community organizations; newsletters, direct mail and other promotional material.

STAFF ASSIGNMENTS.

The Berkeley Unified School District's equal opportunity policies clearly provide that no person seeking employment, promotion, contracts, or admission to educational programs be in any way favored or discriminated against on the basis of age, race, color, ethnicity, sex, sexual orientation, political affiliation, national origin, physical handicap, ancestry, religion, marital status or medical condition.

The District assigns both certificated and classified employees in a manner designed to prevent racially identifiable schools, within the limitations of the Collective Bargaining Agreements and the availability of qualified candidates. Teaching assignments for bi-lingual programs conform to the applicable federal and/or state guidelines.

In addition, recognizing the importance of diversity and minority representation throughout the District's employment ranks, the District supports affirmative action programs to promote opportunities for historically disadvantaged groups. Indeed, the District is committed to taking a proactive role in the recruitment and development of minority group teachers. Berkeley wishes its students and staff to work and learn in a culturally diverse environment.

The District is committed to fostering, in its instructional staff, those skills related to effective teaching within a heterogeneous and diverse student body, and to the extent practicable will seek resources to promote development of these skills in its staff.

Groups representing staff (Berkeley Federation of Teachers, Public Employees Union, Local One, and United Berkeley Administrators) will be involved in the process of the transfer and reassignment of faculty and staff to the newly configured schools to the extent possible, given the district's limited resources and desegregation goals.

EDUCATIONAL MATERIALS AND EQUIPMENT.

The District is committed to equitable distribution of public funds for instructional equipment and teaching materials among all schools in the District. In addition, the District is committed to procuring and/or designating additional resources to those

**RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995**

schools which traditionally have struggled to maintain the necessary desegregation standard provided that resources permit. The District intends to support volunteer fund raising activities at each school site insofar as possible.

The District intends to procure and/or produce relevant, accurate multicultural teaching materials to the extent feasible. The District anticipates continuing its vigilance, through its curriculum committees, to eliminate curricula which inaccurately portrays any racial or ethnic group. The procurement and development of bilingual education materials is provided for under the district's bilingual program.

PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES.

The District is committed to providing equal access to all students for extra-curricular activities, and has adopted policies and procedures to ensure that plans for extra-curricular activities take into account and provide for such factors as transportation, and scholarships, and other means which make it possible for economically and geographically disadvantaged students to participate.

FACILITIES.

The District demonstrates its commitment to meeting its goals for the second wave of voluntary desegregation through its design and implementation of several organizational changes, including major facility improvements. In June of 1992, the District accomplished an important goal identified in its Strategic Plan - that is, it obtained community authorization for a \$158,000,000 bond issue to physically rehabilitate all of its school buildings to make them safer, more attractive and more suitable for modern instructional methods and technologies. The District viewed this Strategy as fundamental to achieving desegregated schools, because the District's physical plants had previously been a deterrent to enrollment for some parents. Further, the age of the majority of buildings inhibited or, in some cases, made it impossible for the District to adopt modern instructional technologies.

RESOLUTION NO. 7008: BERKELEY UNIFIED SCHOOL DISTRICT
NEW VOLUNTARY DESEGREGATION PLAN, MAY 1995

The building schedule adopted by the Board in February, 1995, states that every school in the District will be allocated monies sufficient to bring the building up to "good standard." Specifically, the district intends to reconstruct or construct new schools at every site with funding provided by the bond measure (Measure A), and other sources. Significantly, work on the schools located in the less economically affluent, and thus traditionally more difficult to desegregate areas of the city is scheduled relatively early in the school rehabilitation schedule so as to promote the program changes happening at those schools.

RESOURCE ALLOCATION.

In adopting this Plan for further desegregating all Berkeley public schools, the Board of Education acknowledges that there will be implications for the General Fund to implementing the Plan. The Board intends to exercise reasonable efforts to develop and implement, within the financial resources available, programs specifically designed to enhance the effectiveness of this Plan, including: professional development and opportunities for program planning for staff, outreach to parents and community to increase parental/community involvement and recruitment of students, and production of curriculum materials appropriate for delivering instruction in desegregated classrooms.

Further, the Board intends to produce and allocate additional resources to schools undergoing major reconfiguration during their initial year to insure the success of their programs and integration. The District anticipates that the sources of funding will include BSEP, bond interest, and other discretionary revenue and resources. Committees responsible for making recommendations to the Board regarding the allocation of such funds need to take this policy commitment into account in developing their recommendations.

The Board and members of the school community also recognize that full implementation of this Plan is completely dependent upon the District obtaining additional resources. The District commits itself to exercise reasonable good faith efforts

to seek additional resources from any source available to assist in the successful implementation of this Desegregation Plan.

PROGRAM QUALITY.

In addition to the restructured student assignment system, the District has exercised efforts to provide that each school's core educational curriculum and supportive services are strong and balanced. For the District to be successful in attracting families to stay in the public school sector, new and consistent educational options that reinforce the benefits of a solid core educational curriculum need to be available at all schools. The District encourages the use of magnet and thematic concentrations as one way of providing for each school's positive academic and experiential potentials. Enhanced magnet and thematic attractions promise to attract students and allow for a fair and balanced educational opportunity for all students.

The District considers programmatic and curriculum changes to be crucial to attaining and sustaining racial desegregation. The District will implement these changes to the extent that resources allow, pending the identification of new funding resources. The District considers its application for Magnet Schools Assistance Program funds vital to accomplishing the community's directives for voluntary desegregation that provides choice and academic achievement.

Commitment to Appropriate Technology. The District is committed to procuring and installing appropriate technology to support faculty teaching and student learning to the extent feasible.

School-based Management. The District affirms its commitment to the principles of participatory management in decision-making and organizational structure. The District aims to continue to develop and implement "school-based management" techniques such that individual schools can exercise greater control over its curriculum and operations, and parents and teachers can work together as partners in the education of the children.

MONITORING COMPLIANCE AND CORRECTING PROBLEMS.

An Oversight Committee will be established to monitor the implementation of the student assignment practices and the implementation of this Desegregation Plan.

In January of each school year, the Superintendent will present to the Board of Education a written report of the racial balance of the schools and zones, and of the achievement of the goals of this Desegregation Plan. The report will include recommendations about steps to be taken by the District in the upcoming school year to enhance compliance with the policies and practices adopted herein.

Where modification of the student assignment plan or zone boundaries are necessary to achieve these desegregation goals, the District Administration will discuss the proposed realignment plan with the affected school communities (staff and parents) both before recommendations are made to the Board and after Board action.

Similarly, nothing herein precludes the District from further modifying and changing the plan to reflect, among other matters, current research in the field, demographic changes, resource availability and/or qualitative assessment.