

CONTROLLED CHOICE MEETING

Administration Annex – 7:00 p.m.

October 13, 1999

MINUTES

PROCESS

How were members selected, how many members, and what is a quorum?

- The superintendent made the suggestions for members
- Took suggestions from people who have been in Berkeley for some time.
- Committee is not closed, others can join
- Committee is made up of school parents, non parents, district staff, other citizens
- It was suggested that the committee needed more parents and some teachers.
- Irving said other parents were contacted but they could not attend
- We will bring in teachers and more parents
- We will make recommendation to PTA Council and teachers
- Bruce said we should figure out where committee deficient and fill those gaps then close it, so we can move forward.
- Have one community wide meeting with Board, but first visit other groups and give them information
- Membership will be closed next week.

Legal Background

- Law in continual flux
- Programs that use race are consistently struck down by court
- Court ordered districts found to be intentionally segregating. Can't use race to run discriminatory dual systems
- Berkeley Unified School District has to come forward with justification to remedy past discrimination
- Possible justification is diversity as compelling state interest. However "will never be enough in and of itself."
- If use race has to be narrowly tailored. Also has to be empirical evidence that the diversity that you are seeking has positive student outcome (i.e., less dropouts, better ethnic understanding, better test scores)
- First thing to come under fire is plus or minus 5%
- Can use race if flexible and short term basis

- Other race neutral means might be poverty and socio-economic status
- If focus on socio-economic, research supports strong correlation between poverty and achievement
- Must fine tune plan if ever taken to court
- Can't use school district to cure social ills
- Pacific Legal Foundation has targeted Berkeley Unified School District to challenge affirmative action
- How will we define socio-economic? Look at zip codes, ask for family income, etc?
- Disparity of achievement alone can't be used as argument for desegregation
- Always prefer hard internal evidence
- Suggested that we use data from diversity program at Berkeley High School
- Need to start collecting data
- Has desegregation increased student achievement?
- Any changes made to district have to be done district wide and not different criteria for different areas
- Found students that had a higher rate of poverty didn't do well. Concentrated poverty linked to poor achievement
- Other factor – education of parents
- Better balance between teacher ethnicity and student ethnicity

Socio-Economic Map

- Done for magnet grant
- Could use socio-economic for placement (except for sibling rules, which remain intact)
- Next census data not available until 2001? 4/1 census date
- For next meetings do demographics for how many people got first choice
- Problem with historical data parents choose racial category depending on what school they want and what they think will improve their chances of getting in
- After 30 years things still same. Shouldn't we be doing something radical now to elevate achievement for all?
- Data is sometimes skewed Highest achieving students mask low achievers when looking at averages

Time Frame

- Board has to take action on plan so we can move forward with printing Guide, Kindergarten Faire, recruiting students in January, etc.
- Got public records request from Pacific legal Foundation end of summer. Spent September talking with OCR (Office of Civil Rights)
- Pamela said Board can make small change and then immediately start working to maximize future student achievement throughout the assignment system
- Berkeley Unified School District will decide how we'll do it; we won't have others tell us what to do. If we wait too long people will decide for us

Discussed meeting times:

Next meetings Monday, October 18th at 7:00 p.m.
 Monday, October 25 at 6:30 p.m.
 Monday, November 1st at 7:00 p.m.
 Saturday, November 6th 9:00 a.m. – 12 noon – Workshop

Attachment: 1 - Attendees