

Controlled Choice Committee

Committee Report

Introduction

The Committee was initiated after the October 6, 1999 Board of Education meeting in light of recent court rulings and as a "next step would be to bring together a committee of staff and citizens to review the magnet school plan and evaluate any possible ramifications for the 2000-2001 school year" (see attached). The committee met on 10/3/99, 10/18/99, 10/25/99, 11/1/99, and 11/6/99.

Overview of the meetings

10/13/99. After an introduction by Superintendent Jack MacLaughlin, Karen Sarlo volunteered to act as recorder of the meetings. A decision on a decision making process was postponed. BUSD legal staff, next, presented an extensive review of the recent court rulings and the district's potential for legal liability. Legal staff reported that although there is currently no suit filed against the district relative to the student assignment plan, the Pacific Legal Foundation has had a public records request and is looking for a test-case district. Legal staff also provided a report on research background relative to desegregation in schools. The Parent Access Coordinator presented some possible solutions including a copy of the draft recommendation of the student assignment committee for San Francisco Unified, and a zone map for BUSD with socio-economic bands included. The meeting concluded with an agreement as to the aforementioned meeting schedule. It was said that committee, at this point needed to be more representative of diversity in Berkeley.

10/18/99. After introductions and a review of the minutes of the first meeting, the committee again postponed a decision on the decision making process. BUSD legal council provided an update on research background. Possible solution to a heightened level of legal liability were discussed including not changing current plan and preparing for litigation. Other solutions mentioned included using Socio-economic bands and/or parent education, and/or student achievement. Members of the committee asked if more time was available than the short time-frame allotted for this committee's work. Others wanted to know whom the assignment plan referred to. They were assured that any new plan would only apply to entering students and those wishing to change K-5 schools. Student achievement was discussed and members suggested that someone provide the committee with research on student achievement in urban schools.

10/25/99 After introductions and a review of the previous meeting, the committee discussed using an open choice method for student assignment. Some suggested that this method would result in a return to neighborhood schools. A discussion on keeping the current plan in effect ensued including comments on 'the slippery slope to resegregation'. Many members suggested that the district should keep the present system and prepare for a suit and make a stand. "The community would be happy to raise money for this". The cost could be as much as \$200,000. to \$300,000. or more depending extent of litigation and whether the decision is appealed. It was also suggested that more publicity about the committee be given to the media.

11/1/99. After introductions, the Chair recognized Pedro Noguera who was present to discuss student achievement in urban schools and answer questions posed by the committee. He stated that the current plan was developed as a response to decreased student enrollment in grades 4-6 during the period of the paired school plan. The current k-5 controlled choice plan was better educationally because it kept students in the same school for 6 years and gave students a better opportunity to develop relationships with the school and teachers. He said 'we need to keep integrated schools in Berkeley'. He told the committee that although some integrated schools provide a high level of education to students, some Berkeley schools do not. It would be sad if BUSD were to retreat from school integration. 'Berkeley does not always do things because they are convenient, but because it s the right thing to do.

The committee was presented with a proposal for student assignment as developed by committee member Richard Hoyer. This student assignment plan used SES as the factor in placement of students in schools. (attached). The committee questioned Mr. Hoyer on the salient points of his proposal.

11/6/99. After introductions, the committee began to discuss the use of SES as a method for student assignment along with the use of student achievement. Since many of the students effected by a student assignment plan are kindergartners, the committee discussed methods for assessing student achievement for children who have not yet started school. The magnet school student assignment method was discussed including its implementation this year. It was noted that although Columbus and Malcolm X Schools were racially diverse according to district standards, City of Franklin School was not. It was noted that Franklin did not have a principal or staff during the first assignment run last year. Members said that they did not have sufficient information to make a decision at this time relative to a change in student assignment plans.

A motion was made and seconded to 1) review the work of the committee with the board in the form of a report 2) to maintain the current plan, and 3) to ask to board to initiate a formal committee to explore the student assignment issue.

A substitute motion was made and seconded to use SES for the coming year as the method for student assignment. After discussion the substitute motion was defeated (7 in favor, 11 opposed, and 1 abstaining).

The original motion was broken into separate votes as follows 1) review the work of the committee with the board in the form of a report (13 in favor, 0 opposed, and 2 abstaining) 2) to maintain the current plan (12 in favor, 2 opposed, and 3 abstaining), 3) to ask to board to initiate a formal committee to explore the student assignment issue (14 in favor, 0 opposed, and 2 abstaining), and 4) the formal committee should be representative of the student population (12 in favor, 2 opposed, and 3 abstaining). The committee requested that this report be e-mailed to those members providing an email address.

The minutes of the meetings are attached and include details of the specific comments of the committee members. Although not always related to controlled choice, many comments were made about student achievement, the characteristics of Berkeley residents including a desire to control their own destiny without outside intervention, and the belief that issues such as aforementioned are worth fighting for.

The Chair would like to thank the Board of Education and the Superintendent for the opportunity to work with the Controlled Choice Committee, and to also thank the committee members for their dedication, their honesty, and candor.

Attached are agendas, committee roster, minutes, and proposals discussed during the committee process.

Respectfully submitted,

Irving B. Phillips
Chair, Controlled Choice Committee.