F Robert D. Zumwalt, Clerk SEP 2 0 1979

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

KARI CARLIN, et al.,

Plaintiffs,

V.

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BOARD OF EDUCATION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT,

Defendant.

Case No. 303800

CHARGE TO THE INTEGRATION TASK FORCE 1979-1980 SCHOOL YEAR

To the Chairman, Vice Chairman and Members of the INTEGRATION TASK FORCE.

GREETINGS:

The Task Force is specifically charged to:

1. Monitor, analyze and evaluate the quality and methods of education in all minority isolated schools and recommend steps that should be undertaken to make certain that in all such schools, the quality of education is at a superior level and that all children are

inspired to achieve. To this end, a subcommittee of the whole under chairmanship
of the Vice Chairman of the Task Force is
formed. It shall be known as the Minority
Education Task Force.

- 2. Evaluate the human/race relations programs in various schools, identify the successful techniques and recommend which programs or portions thereof should be used throughout the district.
- Monitor, analyze and evaluate the Secondary Instructional Exchange Program.
- Monitor, analyze and evaluate the Elementary Exchange Program (pairing and clustering).
- 5. Accumulate data and investigate the causes for violence in the schools and recommend procedures for reducing violence and punishing offenders.
- ingful progress to alleviate segregation is being made.
- 7. Report to the Court its activities on or before March 14, 1980 and June 6, 1980.

To carry out this charge, the Task Force is authorized to engage the services of monitors and necessary experts and advisors.

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Stipends paid to such persons must be approved by the Court.

Dated: September 20, 1979

LOUIS M. WELSH

Judge of the Superior Court

-3-

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Plaintiffs,

V.

BOARD OF EDUCATION OF THE SAN)
DIEGO UNIFIED SCHOOL DISTRICT,

Defendant.

Case No. 303800

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court, having heard and considered the evidence, the law, the arguments of counsel, and having reviewed and considered the revised plan as amended and being fully advised in the matter, hereby makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. Enrollment in elementary school magnet programs reached 98% of the 1978-79 desegregation plan's projected goals. 6,401 elementary students participated. In the 1977-78 school year, 641 minority isolated students participated in these magnet programs. In the 1978-79 school year, 1,442 minority isolated students were enrolled

in such programs. As a result of magnet programs that attracted white students to minority communities, two court designated minority isolated schools, Webster and Valencia Park, were desegregated.

- 2. Elementary magnet school applications for the 1979-80 school year, as of June 1979, were 30% above the number of applications received by June 1978.
- 3. In the 1977-78 school year, 2,988 minority students enrolled in the Voluntary Ethnic Enrollment Program. During the 1978-79 school year, 3,344 minority students participated in the Program. Of this total, 3,077 came from one of the court identified minority isolated schools.
- 4. In the 1977-78 school year, the total minority enrollment in all elementary schools was 23,658 of which 9,041 were enrolled in court designated isolated schools. In 1978-79, the total elementary minority enrollment had increased by 1,394 to 25,052, but those enrolled in minority isolated schools had increased only 29, to 9,070.
- 5. Enrollment in magnet programs located in minority isolated secondary schools reached only 33% of the 1978-79 desegregation plan's projected goals.
- 6. The secondary school magnet program for the 1979-80 school year forecasts a non-resident white student enrollment of only 225 for all four minority isolated secondary schools (San Diego, Morse and Lincoln High Schools and Memorial Junior High School). These white students are scheduled to attend classes with 115 minority students, a small fraction of the 5,823 resident students in the four schools.

7. In the 1978-79 school year, the Voluntary Ethnic Enrollment Program included 1,998 minority junior high school students and 1,057 minority senior high school students.

- 8. School-within-school magnet programs do not provide nonenrolled students of such schools with significant integrated educational experiences.
- 9. Isolation of minority children will be more rapidly reduced if the School District:
- a) Expands the Secondary Instructional Exchange

 Program to attract at least 800 students from

 both junior and senior high schools.
 - (pairing and clustering) as follows. At least one such program shall be implemented this autumn and two more next February.

 Each school involved in an exchange must have a minority or majority population in excess of 69%. The programs must be at least nine weeks in length and they shall be enlarged to a semester or full-year program as soon as possible. The program shall be supervised by Dr. Jimmie Craig with assistance from the principals of Kennedy, Curie, Boone and Jones Elementary Schools.
- 10. It is not possible to open the planned University of California Laboratory School at the Emerson Elementary site during

the 1979-80 school year. In its place, the District will provide enriched educational opportunities at Emerson and a magnet school will be established during the 1980-81 school year.

- 11. It will be useful for the District and the University of California at San Diego to continue exploration of those areas where cooperation can result in greater educational opportunities for minority students.
- 12. The Court has inadequate information concerning the educational programs offered in minority isolated schools and whether such programs are those best suited to inspire the children to achieve, to learn to read, write and understand standard English and to otherwise be prepared to successfully enter the world of commerce, the trades, professions, the arts and sciences.
- 13. It is true that defendant has designated areas in which students may elect to attend either of two schools. It is not true that the election of these options create, foster and perpetuate racial segregation for the following reasons:
 - a) Gompers/Memorial. Both schools are minority.

 There are 48 students who reside in the optional

 zone, 3 are white, 45 minority. 23 students now

 choose Memorial, 25 Gompers. If all are required

 to attend Memorial, the school will remain 96%

 minority, 4% white. If all must attend Gompers,

 the ratio changes from 88% minority to 85% minority.
 - b) Gompers/O'Farrell. Both schools are minority.

 There are 35 students who reside in the optional

minority. If all students are sent to Bell, the white population there will increase from 31.5% to 33% and if all are assigned to O'Farrell, the white population will decrease from 14.5% to 13.5% and 70 minority students will be more isolated than before.

- f) Roosevelt/Wilson. There are 237 students in the optional zone, 169 white, 68 minority.

 159 choose Wilson, 78 Roosevelt. Roosevelt has 61% white, Wilson 54% white. Reassignment of all students to either school will increase the white percentage one point (62% and 55% respectively).
- g) San Diego/Point Loma-Hoover. In the San Diego/
 Point Loma option there are 79 students, 62
 white, 17 minority. 60 choose Point Loma and
 19 San Diego. In the San Diego/Hoover zone
 there are 182 students, 133 white, 49 minority.
 149 choose Hoover, 33 San Diego. If all students
 in each zone are required to attend San Diego
 High, the percentage of minorities will be
 reduced from 80% to 73%.
- 14. The Integration Task Force, an independent arm of the Court, has made a significant contribution toward the process of evaluating the effectiveness of the desegregation program. To defray necessary expenses during the 1979-80 school year, the Integration

Task Force will need the sum of \$75,000.

15. The effectiveness of race/human relations programs at various schools varies widely. In some schools the programs are excellent, in others they are practically non-existent. Successful techniques must be identified and used in each school throughout the District.

- 16. The number and percentage of race related violent confrontations between students and between students and faculty varies greatly from school to school. Analysis of the cause of these variations will enable concrete recommendations to be made to the Court for eliminating or reducing such incidents.
- 17. Mandatory pupil reassignment plans in comparable urban school districts in California and elsewhere have caused substantial withdrawal of middle class students (most of whom are white) from district schools. This has frequently resulted in resegregation.
- 18. City-wide mandatory pupil reassignment in San Francisco and Pasadena has resulted in resegregation in both cities; there was a marked loss of whites in Inglewood following the desegregation order and there has been a substantial loss of white enrollment in those Los Angeles schools affected by mandatory pupil reassignment. In Los Angeles, white enrollment in the district was reduced by 29,400 students. Of this group, 10,500 to 13,800 (5.2% to 7.1% of the total) left the district as a direct result of court ordered busing.
- 19. In San Diego, a form of "white flight" is illustrated by the exodus of white students from O'Farrell Junior High, the movement of white families from Emerald Hills to Allied Gardens and the

"tipping" of certain schools illustrated in Exhibit 10.

- 20. Communities surrounding the San Diego Unified School
 District within easy commuting distance of San Diego provide adequate
 facilities to accommodate thousands of families who now live within
 the School District.
- 21. A mandatory pupil reassignment program in San Diego, at this time, would probably cause a substantial loss of middle class students and could ultimately result in resegregation of the District.
- 22. The resident students in the area where University City
 High School will be constructed are 87% to 91% white.
- 23. Although the projected student population for this area does not support the need for this additional high school, the funds available for the construction of University City High School cannot be diverted for other purposes or for construction of a high school elsewhere in the District.
- 24. The present site of Belle Benchley primary magnet school at 7207 Princess View Drive provides a small, self-contained and personal environment which is an integral part of the unique magnet program offered at Benchley. The campus, nestled under a hill, walls out the residential neighborhood and provides a protected atmosphere.
- 25. To place Benchley's program at the Grantville site, side-by-side with the Learning Center, will create confusion, destroy the quiet atmosphere and divert the attention of administrators and staff.
- 26. The attorneys for the plaintiffs are entitled to reasonable attorneys' fees in an amount to be determined by the Court.

CONCLUSIONS OF LAW

- 1. The 1978-79 desegregation program as a whole has produced meaningful progress toward the alleviation of segregation in the San Diego schools.
- 2. The elementary magnet programs were generally successful and significantly contributed toward the alleviation of minority isolation.
- 3. The Voluntary Ethnic Enrollment Program significantly contributed toward the alleviation of minority isolation.
- 4. Magnet programs at San Diego, Lincoln and Morse High Schools and Memorial Junior High School have not produced meaningful progress toward the alleviation of segregation.
- 5. Existing optional zones do not create, foster or perpetuate racial segregation.
- 6. The Secondary Instructional Exchange Program and the Elementary Exchange Program (pairing and clustering) must be expanded.
- 7. A mandatory pupil reassignment program in San Diego, at this time, would probably cause a substantial loss of middle class students and could ultimately result in resegregation of the District.
- 8. The educational programs offered in all minority isolated schools must be re-evaluated by experts, both within and without the District, to make certain that such programs are those best suited to inspire the children to achieve, to learn to read, write and understand standard English and to otherwise be prepared to successfully enter the world of commerce, the trades, professions, the arts and sciences.
 - 9. The construction of University City High School will not

increase racial segregation in San Diego or materially affect the desegregation program.

10. Belle Benchley primary magnet school will be adversely affected and in peril of closing if it shall be moved from its present site at 7207 Princess View Drive to Grantville Elementary School.

11. The attorneys for the plaintiffs are entitled to reasonable attorneys' fees.

Dated: October 2, 1979

Judge of the Superior Court

W/dc 26

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Plaintiffs,

v.

BOARD OF EDUCATION OF THE SAN)
DIEGO UNIFIED SCHOOL DISTRICT,)

Defendant.

KARI CARLIN, et al.,

Case No. 303800

) ORDER RE INTEGRATION PLAN 1979-82

In compliance with the court order of July 27, 1978, the defendant submitted on June 5, 1979 both its "Evaluation of the San Diego Plan for Racial Integration 1978-79" and "The San Diego Plan for Racial Integration 1979-82 Revised." On June 7, 1979, the Integration Task Force submitted its final report evaluating the defendant's voluntary integration program for the 1978-79 school year. On June 19, 1979, plaintiffs filed their objections to defendant's Evaluation and Revised Integration Plan; and on June 22, 1979, defendant filed its response to the Integration Task Force report.

Hearings were held in Department 21 of the San Diego Superior

Court before the Honorable Louis M. Welsh, Judge presiding, on June 25, 26 and 28 and on July 2 and 3, 1979.

On July 12, 1979, the Court in the company of counsel for both sides and a court reporter visited the Grantville, Benchley and Marvin Elementary School sites. On the same day, the Court issued an order dissolving its preliminary injunction denying a permanent injunction against construction of University City High School.

On July 17, 1979, the Court and counsel for both sides conferred with representatives of the School District and the University of California at San Diego concerning forthcoming plans for the Emerson Elementary School magnet. On the same day, the Court issued an order directing that the Benchley primary magnet school continue at its present site for school year 1979-80 and that all future decisions to close schools or educational programs, to construct new schools or substantially expand the present school facilities, or to change the location of educational programs had to be reported to the Court at least thirty (30) days prior to implementation.

On July 18, 1979, the Court and counsel for both sides conducted informal conferences with the principals, teachers and parent representatives from the Bird Rock-Brooklyn, Curie-Kennedy and Boone-Jones voluntary pairing and clustering programs. On July 19, 1979, the Court, counsel for both sides and representatives of the School District viewed video tapes of activities at the Curie-Kennedy voluntary pairing program and at the School of Performing Arts magnet.

In addition to the above matters, brief hearings were also held on July 10 and July 27, 1979.

On August 13, 1979, the defendant submitted proposed amendments to the San Diego Plan for Racial Integration 1979-82 in response to the Court's Memorandum Decision issued July 27, 1979.

Plaintiffs appeared by their attorneys, Veronica A. Roeser, William F. Gavin and Mary E. Harvey. Defendant appeared by its attorneys, Ralph D. Stern, Schools Attorney, and Donald R. Lincoln of Jennings, Engstrand & Henrikson, A Professional Law Corporation.

Amicus Curiae Dr. John Anthony, et al., appeared by Gerald S.

Davee of Luce, Forward, Hamilton & Scripps. Amicus Curiae Friends

of University City appeared by William H. Hitt of Hitt & Hartwell and

Joseph A. Bradley III. Amicus Curiae Groundswell, et al., appeared

by Elmer Enstrom, Jr.

The Court, having heard and considered the evidence, the law, the arguments of counsel, and having reviewed and considered the revised plan as amended and being fully advised in the matter, hereby makes the following orders:

IT IS ORDERED, ADJUDGED AND DECREED that:

The San Diego Plan for Racial Integration 1979-82 is approved subject to the following conditions:

- In advertisements or public relations programs, the slogan "It's Working" shall not be used in reference to the desegregation program.
- 2. The School District will prepare and present to the Court its plan to implement the Secondary Instructional Exchange Program and elementary pairing and clustering as directed by the Court

in its Memorandum Decision filed July 27, 1979, copy of which is attached hereto as Exhibit "A." Said plan shall be presented no later than November 15, 1979.

- 3. The School District will describe in detail the actual operation of the "Pride in Excellence" program at Lincoln High School and submit such description to the Court no later than October 19, 1979.
- 4. The District shall implement an expanded bilingual and Direct Instructional Model Program (DISTAR) at Emerson during the 1979-80 school year and offer a fundamental magnet school with a bilingual component at Emerson next year.
- 5. The District and the University of California at San Diego shall continue to explore areas where cooperation can result in enriched educational experiences for minority students. The District is directed to report to the Court the results of such discussions no later than December 14, 1979.
- 6. The District shall study and analyze the variations among schools in the incidents of violence and shall make concrete recommendations to the Court for controlling such violence no later than October 19, 1979.
- 7. On or before October 19, 1979, the District shall

report the specific steps it will take to monitor each race/human relations program and assure implementation of effective programs in each school.

program attracts more junior high school students than senior high school students and report to the Court, no later than December 14, 1979, steps that may result in additional participation at the senior high school level.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that:

The District shall deposit with United Way, as trustee for the Integration Task Force, on or before August 15, 1979, the sum of \$75,000 to defray expenses of the Integration Task Force during the 1979-80 school year.

All optional zones shall remain as they have in the past.

Applications for special attendance permits shall be closely scrutinized and shall be granted only when there are compelling reasons to do so.

The District will furnish to court-appointed experts all information that they request and cooperate fully with such experts so that they may fairly and accurately evaluate the quality of education that is offered to students in minority isolated and tipping schools.

Dated: October 2, 1979

W/dc

Judge of the Superior Court

SAN DIEGO INTEGRATION TASK FORCE

October 17, 1980

TO:

Dr. Marvalene Styles, Chair

ITF Race/Human Relations Committee

FROM:

Harold K. Brown, Chairman

San Diego Integration Task Force

SUBJECT:

COMMITTEE CHARGE

The ITF asks that you evaluate the school district's race/human relations program for its effectiveness towards increasing a positive racial atmosphere in the schools which allows minority and majority students the opportunity to pursue an education free from penalties caused by racial attitudes.

The committee is asked to submit an interim written report to the ITF by January 1, 1981. A final written report should be submitted by April 1, 1981.

Because the area of race/human relations is considered a high priority in the Charge from Judge Louis Welsh, a subcommittee of the ITF and a group of ITF monitors will be at your disposal to assist your committee. The monitors will be assigned to your committee and they will receive their assignments from you in regards to race/human relations matters. The monitors will also be assigned other tasks by the ITF. The ITF subcommittee will work along with your committee on a regular basis, but will not be members of your committee in a voting sense. The same applies to the monitors pertaining to voting.

Your committee will have the clerical assistance of the ITF's secretary and will be provided with supplies and materials as requested by you. Your committee will be compensated for automobile usage at the rate of twenty cents a mile and will be reimbursed for reasonable expenses associated with committee work. These expenses should have the prior approval of the ITF Chairman or his designee and yourself. Forms will be provided to you for this purpose.

The ITF extends its deep appreciation to you and the members of your committee for your acceptance of this invitation to participate in this most important and urgent issue.

HKB: amc

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

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VS.

Plaintiffs,

VS.

BOARD OF EDUCATION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT,

Defendants.

CASE NO. 303800

CHARGE TO THE INTEGRATION
TASK FORCE 1982-1983
SCHOOL YEAR

TO THE CHAIRMAN AND MEMBERS OF THE INTEGRATION TASK FORCE.
GREETINGS:

The Task Force is specifically charged to:

- 1. Monitor, analyze and evaluate the Race/Human Relations Programs now being developed and tested in the District to be implemented at the start of the school year 1983-1984, with particular emphasis on the substance of the programs and their capabilities for providing uniformity of instruction throughout the District.
- 2. Monitor the bilingual programs to determine if all efforts are being made to (a) place students in English speaking

classes at the earliest practicable time consistent with their abilities to understand the English language, (b) provide adequate instruction in native languages to enable non-English speaking students to remain abreast of their English speaking peers in all basic subjects, and (c) cope with the problem of illiteracy in the primary language.

- 3. Monitor the Voluntary Ethnic Enrollment Program (VEEP) noting the shortcomings set forth in the Notice of Intended

 Decision dated August 12, 1982.
- 4. Monitor and evaluate the magnet school programs to, assure that they are being administered in a manner consistent with their original intent and purpose of furthering integration.
- 5. Report to the Court its activities on or before May 15, 1983.

To carry out this charge, the Task Force is authorized to engage the services of monitors and necessary experts and advisors. Stipends paid to such persons must be approved by the Court.

DATED OCT 8 1986

FRANKLIN B. ORFIELD
JUDGE OF THE SUPERIOR COURT

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Robert D. Zumwsit, Clerk D

AUG 6 1981

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

KARI CARLIN, et al.,

Plaintiffs.

VS

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BOARD OF EDUCATION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT,

Defendant.

CASE NO. 303800

CHARGE TO THE INTEGRATION TASK FORCE 1981-1982 SCHOOL YEAR

To the Chairman, Vice Chairpersons and Members of the INTEGRATION TASK FORCE.

20 GREETINGS:

The Task Force is specifically charged to:

- Monitor, analyze and evaluate the human/race relations program used throughout the district, with particular emphasis upon the effectiveness of such program in those schools that receive VEEP students.
- 2. Monitor classroom activity to determine whether there is instruction in oral



communication and of what such instruction consists.

- 3. Monitor classroom activity to determine whether individual classes are appropriately desegregated or whether there is a pattern of segregating races within a school.
- 4. Monitor, analyze and evaluate any other program or activity which is a portion of the desegregation plan and which, in the opinion of the Task Force requires its attention.
- 5. Report to the Court its activities on or before May 10, 1982.

To carry out this charge, the Task Force is authorized to engage the services of monitors and necessary experts and advisors. Stipends paid to such persons must be approved by the Court.

AUG 6 1981

DATED:

JUDGE OF THE SUPERIOR COURT

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

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KARI CARLIN, et al.,

Plaintiffs,

VS.

BOARD OF EDUCATION OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT,

Defendant.

CASE NO. 303800

CHARGE TO THE) INTEGRATION TASK FORCE 1981-1982 SCHOOL YEAR

To the Chairman, Vice Chairpersons and Members of the INTEGRATION TASK FORCE.

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To carry out this charge, the Task Force is authorized to engage the services of monitors and necessary experts and advisors. Stipends paid to such persons must be approved by the Court.

AUG 6 1981

ATED:

JUDGE OF THE SUPERIOR COURT

LMW/sv

INTEGRATION TASK FORCE

Agenda

Meeting of November 9, 1981, 4 p.m. Junior League Offices, Balboa Park

- 1. Introductions
- 2. Review of case by Plaintiffs
- 3. Establish program to monitor District race/human relations effort.
- 4. Establish program to monitor instruction in oral language.
- Establish program to evaluate desegregration of classroom.
- 6. Establish programs to evaluate other areas of interest to the Task Force.

Example: Implementation and maintennance of the Magnet Program.

7. What steps need to be taken to insure that the long term goals of the Integration Program are fulfilled?

Next Three Meetings: November 23, 1981

December 7, 1981

January 4, 1982

Times and places to be announced.