[MS-0254.002.008.020]

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO

KARI CARLIN, et al., Plaintiffs,	No. 303800
v.	DISTRICT'S RESPONSE TO INTEGRATION TASK FORCE REPORT DATED JUNE 7, 1979
BOARD OF EDUCATION, SAN DIEGO UNIFIED SCHOOL DISTRICT, Defendant.	

INTRODUCTION

The School District recognizes and appreciates the commitment of the members and monitors of the Integration Task Force (hereafter ITF) to their duties.

The School District also wishes to express appreciation on behalf of the many staff members whose dilligence and dedication made possible the ITF conclusion that "The integration program is making progress . . . ."

It is the School District's intention to respond in the following pages to the issues raised by the Report of the ITF; however, rather than do so line by line, we will consider

each of the major integration programs separately.

RACE/HUMAN RELATIONS PROGRAMS

The success of a race/human relations program is somewhat intangible and difficult to measure. Changes in attitudes come about slowly and subtly. Attitudes developed over years, if not generations, cannot be quickly changed.

It may well be that a program which is widely acclaimed is one that is palatable while one that is not acclaimed may well be coming to grips with what the ITF has referred to as "the real fears of parents and students and the honest feelings of teachers and staff."

In response to the concerns and suggestions of the ITF with respect to the District's Race/Human Relations Program, the School District will:

1. Require each school's plan to emphasize race relations activities;

2. Continue to raise the standard for approval of each school's plan each year;

3. Establish minimum time requirements for participation in Race/Human Relations activities for pupils in every school and all district staff;

4. Identify a leader at each school to serve as the contact for the Race/Human Relations Facilitators;

5. Conduct workshops for developing leadership to plan more effective programs involving staff, students and parents prior to the opening of school;

6. Provide additional intensive training for both the school contact person, other site personnel and the

facilitators; and

7. Confirm that each school follows its approved plan.

The ITF commends the Race/Human Relations Program at Sunset View Elementary School. The Sunset View Program will be made available to other schools so that it will be considered by them in the development of their plans.

MAGNETS

While the ITF was favorably impressed with many aspects of the School District's magnet school program, there are two principal criticisms. The first is that many of the magnet programs involve relatively small numbers of students. The second is that the magnet programs-within-a-school do not provide the resident students not participating in the magnet with an integrated educational experience. Questions are also raised with respect to the eligibility for participation in magnet programs. These questions are each discussed separately.

Size of Magnet Programs

With respect to the first concern, it is important to recognize that many of the magnet programs mentioned are in the first year of operation. Experience has shown that magnet programs take time to "grow." One need only look at the success of Wright Brothers Career High School over a period of time. Gompers appears to be following the same pattern. Although in the 1979-80 school year the Gompers' magnet attracted only 40 majority students, as of June 15, 1979, 202 applications from majority students have been received for the 1979-80 magnet program at Gompers. This is an irrefutable indication that

program will be increasingly successful in attracting majority students to a minority isolated school. In addition, 155 minority students have applied, including 130 from the Gompers' attendance area. The School District's experience with the Gompers' program suggests that while magnet schools take time to grow, "many years" may not, as the ITF suggests, be required.

Only additional time will tell whether some of the magnet programs which have not yet attracted sufficient numbers of students will ultimately be successful. For example, Lowell Elementary School's Bilingual Magnet is being strengthened through a liaison with San Diego State University Bilingual Teacher Training Program as well as expanding grade levels.

Programs-Within-a-School

Turning to the concern that program-within-a-school magnets do not provide non-enrolled resident minority students with an integrated educational experience, there is no doubt that non-magnet resident students experience less integration. The District, however, believes that the non-magnet students do interact with members of other racial and ethnic groups to such an extent that they are no longer isolated.

The Gompers Math/Science Computers Magnet Program is singled out for particular emphasis. Gompers presents, however, a unique set of facts for the 1978-79 school year because the residential program includes only seventh and eighth graders and the magnet program consisted of only ninth and tenth graders, thus making school-wide integrative activities more difficult due to age and grade level differences. With the expansion of the magnet to include grades 7 - 11 in 1979-80, specific

detailed integrative activities have been planned which will provide ongoing interaction between magnet and regular school students.

The School District believes that any reported feelings of "resentment" and "elitism" directed at a program-within-a-school magnet by non-participating resident students is an unfortunate but perhaps an inescapable side effect of a magnet-type voluntary integration program. These same feelings are expressed by majority parents whose neighborhood schools also do not have the special equipment available at a magnet program. It is the essence of a magnet program that something unique and not generally available be offered to attract participants.

Resident minority non-enrolled students at a school with a magnet program have a large number of options available to them. To use Gompers as an example, resident minority students may participate in the following programs at other schools:

1. Voluntary Ethnic Enrollment Program (VEEP) -- a student may go to Dana, Einstein, Hale, Lewis, Marston, Pershing, or Standley Junior High Schools depending upon their elementary school of residence;

2. School of Performing Arts at Roosevelt;

3. Intercultural Language Program at Memorial;

4. Muir Alternative School; or

5. Bilingual Program at Collier.

In addition, the following special programs, other than the magnet, are available at Gompers:

1. Gifted Cluster Program;

2. ESEA Title I Program - Basic Skills Improvement

Support;

3. Resident Math/Science Lab Program;

4. Teacher/Student After School Computer Use Project;

5. Special Spanish Program;

6. Student Exchange Program;

7. Seventh Grade Seminar;

8. Preparatory Science/Math Program.

It is thus far from accurate to suggest that non-enrolled resident students at a program-within-a-school lack reasonable educational options.

The School District will expand program-within-a-school magnets to full school magnets when enrollment and the availability of facilities makes this possible. As an example of the District's effort to move in this direction where possible, the Board of Education took unanimous action on June 12, 1979 which makes the Longfellow Intercultural Language Program a total school magnet.

Eligibility for Participation in Magnets

The ITF makes two separate suggestions with respect to eligibility for participation in magnet programs. The first is that consideration be given to screening applicants. The second is that racial balance only at the receiving school be considered as a criteria for acceptance in a magnet program.

The District's response to these two suggestions may be better understood if the question raised by the ITF as to whether magnet programs are "simply integration tools" or are "specialized quality educational options" is answered first. It is the District's position that the magnet programs are

essentially and primarily integration programs which seek to attract participants by providing an educational option.

The District views with considerable concern the suggestion that applicants for magnet programs be screened or tested as a condition to their admission. There is little doubt that screening, testing or "setting minimum standards" for participants in magnet programs might discriminate against economically disadvantaged students such as those found in the 23 isolated schools. It is this fact which is undoubtedly the basis for the prohibition against the use of Emergency School Aid Act (ESAA) funding to support any magnet program which screens applicants or sets minimum standards. The suggestion that applicants be screened parallels very closely the concept of ability grouping or "tracking" which has in and of itself been found to be an act of segregation in such cases as Hobson v. Hansen, 269 F.Supp. 401 (D.D.C., 1967); 408 F.2d 175 (D.C. Cir., 1969). The District also suggests that any concern which presently exists with respect to feelings of elitism associated with the magnet school program would be greatly magnified were a selective admissions policy based on ability adopted.

The recommendation that only racial balance at the receiving school be considered in admitting students to integration programs raises complex questions. Undoubtedly such a policy would be easier for the School District to administer and would dispell some of the feeling of inequitable treatment that some parents now have. It is, however, necessary to examine how this proposed admissions policy would affect the

District's efforts to alleviate minority racial isolation.

Reduced to its essence the District's general practice is to preclude a white student in a minority isolated or minority racially imbalanced school from leaving that school. Generally, a minority student attending an integrated school is not permitted to participate in an integration program located at one of the 23 minority isolated schools or at a racially imbalanced school.* The effect of the ITF suggestion of looking only at the racial balance of the receiving school would be to provide a means for majority youngsters in racially imbalanced or minority isolated schools to leave that school thus making it even more imbalanced or isolated. Interestingly under such a standard a white student at O'Farrell would be permitted to attend the Gompers Magnet while a black students at Muirlands still would not be eligible to attend.

Because of the complexity of the issue and its emotional impact, the District welcomes a careful review by the Court of its policies with respect to its residential criteria for admission to a magnet program.

VEEP

The District is pleased at the ITF's observation that with respect to VEEP "the overall picture is positive with

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*Detailed rules exist for admission into each program. In some situations the rules may not be precisely as set forth above in order to provide for continuity of a program (e.g., a minority youngster attending an elementary mirror magnet fundamental school is allowed to go to the O'Farrell Fundamental School Program because no such program exists at a majority secondary school and at the time of the student's admission to the elementary program, a commitment was made to provide a secondary program.)

progress being shown at most schools."

At those schools where problems have been noted, minority personnel will be assigned as they have been at other schools. Also, a 1979 Emergency School Aid Act (ESAA) application will encourage students at secondary VEEP receiving and magnet schools to remain in their new schools by providing the counseling and assistance necessary to help them succeed personally and academically.

The District will vigorously continue its efforts to recruit majority youngsters for the VEEP program. It is, however, apparent that the program will always be a disproportionately minority participation program. It is important to remember that much of the criticism of the VEEP program comes from non-participants. The fact, confirmed by the Kaplan Survey and the ever increasing number of VEEP participants over the past 11 years, is that those parents whose children participate in the program support it. There is not a single family participating in the program who is not doing so voluntarily. According to the Kaplan Survey, 71 percent of the parents of elementary students and 77 percent of the parents of secondary students state that their child likes their VEEP school more or about the same as the school of geographical residence. Sixty-seven percent of the parents of participating elementary students and 64 percent of the parents of secondary students have no suggestions for improving the VEEP program. Eighty-eight percent of the parents of elementary students and 78 percent of the parents of secondary students stated that their children will return to the program in the fall. Almost half of those who said that their children will not return

in the fall did so because they will be moving or graduating.

In the section on VEEP the ITF notes the relatively small number of students from Lincoln High School who attend college. The District shares this concern but believes that it is not correct to suggest that offering specialized advanced classes will improve college attendance. The results of educational research are overwhelming in support of the fact that there are three factors which are the best predictors of the educational success of a youngster. These factors are the socio-economic status of the parents, educational attainment of the parents and stability of the enrollment in the school the student attends as well as the stability of the individual student (i.e., the student who attends six schools in a year is not likely to do well.) These factors have absolutely nothing to do with race. There are predominantly white high schools in Appalachia and elsewhere in the country with problems which are comparable to minority schools located in minority areas. Conversely there are affluent minority schools where students experience the same success as those attending comparably affluent majority schools.

LEARNING CENTERS

The ITF has raised a number of questions about the Learning Center Program. Some of these concerns are more readily resolved than others. Others simply reflect accommodations necessary to make the program work.

The Learning Centers have two major goals. The first is to provide integrated interpersonal experiences where students and staff from different racial, social and economic backgrounds meet in an educational setting with the expectation that a better

respect for cultural differences among people is achieved. The second goal is to provide unique learning experiences in music, art, science and physical education that cannot be provided in the home schools and that are otherwise intense, action oriented, and of short duration. Given these goals, we believe, as the ITF suggests, that the program has been successful.

The District does not claim that the Learning Centers located at a minority isolated school desegregate that school. This is apparent from the way the results of the program are reported on page 10 of the Evaluation of the San Diego Plan for Racial Integration, 1978-79.

The District recognizes that inherent in all magnet programs, learning centers and other integration programs designed to attract students away from their school of geographic residence is the possibility, if not the probability, that those students and their parents who choose not to participate will develop a measure of resentment. It is, however, the same factors which result in resentment in some people that motivate others to participate. The concern that money follows white students is particularly inappropriate with respect to the Learning Center Program. It is equally true that the money follows black and brown students to those Learning Centers located at majority schools.

Coordination between the home school and the Learning Center is provided in a variety of ways. The most important fact is that the home school teacher accompanies his or her students to the Learning Center. Also, opportunities have been provided for the Learning Center and home school staffs

to meet and coordinate their activities.

The ITF suggests that there is no way to determine whether the Learning Centers have been successful in the absence of testing of the students. The District does not agree. First, the Learning Centers are primarily an integration program and the measure of their success is the degree of integration provided participants. Second, the District does not test for grading purposes at the elementary level in the fields of music, art and physical education which are the principal Learning Center subjects. The basic skills portion of the Learning Center experience will be tested as a part of the regular testing of the student at his or her home school. It should be noted, however, that in order to provide an effective instructional program certain pre- and post-tests were developed for use by the Learning Centers. In music, a pre-test was developed by the Center staff and administered at the participating school sites in order to inventory the students' understanding of music. Based on this pre-test, records have been kept as to the progress of each student. In art, the students were given a pre- and post-learning center experience project. The results were quite dramatic in showing that students had learned a great deal about color, line, form, pattern, and design. In science while there were no formal tests, such information as the Learning Center staff thought would be helpful to the regular teacher was sent to the home school at the end of each unit.

In physical education, a part of the curriculum has been developed around the fitness requirements found in the President's Physical Fitness Test which is similar to a state

required test at grade five. Testing for this program occurs at the home school with the results being available to the classroom teacher for use in reporting to parents.

Two Learning Center Experience Report Cards were piloted this year, and all Learning Centers will use an experience reporting form which will be sent to parents starting next year.

While there is always room for improvement, a description of the orientation program for children in the Learning Center Experience may be hlepful. Parents were invited by the principals at the participating sites to their school of geographic residence to hear about the Learning Center Program from the Director, Learning Center Principals and teachers. The parents were shown slides of the Center, given informational pamphlets, informed about the curriculum and transportation arrangements and encouraged to ask questions. The Learning Center staff then visited the classrooms of the participating students before the students began going to the centers. Principals, teachers and counselors from the participating schools were invited to in-service workshops at the Learning Centers. During these workshops the District provided substitute teachers as required.

Separate orientations were held for the first and second semester. Parents were invited to visit the Learning Centers when they began operating. Buses were provided and these visits were scheduled over several weeks. There were formal orientations given by the Learning Center Principal and a question-and-answer period.

A question has been raised concerning the racial/ethnic distribution in each Learning Center classroom. The District

continues to believe that a one-third minority/two-thirds majority distribution is most desirable and will result in the smallest number of parents opting out of the program.

It is true that there is a small loss of instructional time as students change rooms at the Learning Centers. It is believed that this loss, however, is being held to a minimum acceptable level. The ITF suggestion that Learning Center classrooms be placed apart from regular classrooms appears to be inconsistent with the ITF concern that there is insufficient interaction between Learning Center students and the regular students. The extent of that interaction varies from school to school. The District will, however, continue to attempt to increase the degree of interaction.

The suggestion that students attend the Learning Centers for two or three weeks at a time rather than one day a week would, it is believed, discourage voluntary participation and is not compatible with the elementary curriculum. The concept of the elementary learning center is built around state requirements for the elementary school curriculum and the established time allotments for subject areas. The four subject areas -- art, music, physical education/health and science -- were specifically selected because teachers with special skills in these areas are not assigned to elementary schools in this District. By providing teachers with special skills in these subject areas, it has been possible to provide a quality educational program for students whose parents are willing to have them transported to a learning center. Basic skills instruction is continued on the day students attend the center so as to maintain and reinforce

the important skills of reading and mathematics. Primary responsibility for instruction in these areas remains with the student's home school and classroom teacher.

The Learning Center curriculum provides instruction in those subject areas in which there is less disparity between children due to socio-economic status. This is obviously true in art, music and physical education. It is also true with respect to the Learning Center program in science because it stresses process and a "hands-on" experience and does not rely heavily on prior instruction in science.

The District wishes to confirm the ITF observation that all Learning Centers will plan for the participation of all fourth, fifth and sixth grade resident students from minority isolated schools beginning next year.

Finally, it is significant to note the results of the most recent Kaplan Survey with respect to Learning Centers. Seventy-six percent of the parents favor continuation of the program while only 14 percent oppose its continuation. Sixty-four percent rated the program as excellent or good and only 7 percent rated it as poor. Seventy-four percent of the parents had no recommendations for improving the learning program.

OTHER ITF CONCERNS

Lincoln High School

Both in the section dealing with VEEP and in a separate paragraph, the ITF expresses some concerns about Lincoln High School. It is the District's intention to involve the community in the planning of programs at Lincoln High School and to begin the implementation of the Lincoln Master Plan for Physical

Improvement of the Site. In addition, the District intends to implement Project Lincoln beginning in September. This program is described on page 73 of the San Diego Plan for Racial Integration, 1979-82 (Revised). This project has been designed to meet the individual educational needs of Lincoln students. Administrators, teachers, counselors, paraprofessionals and other staff members will work together and with students, parents and the Lincoln community to design programs and methods to meet individual educational needs. All students will be helped to improve their basic skill competencies, develop career awareness, and participate in work experience and/or college preparatory activities.

The involvement of parents and community members in Lincoln High School will be greatly expanded. Specialized programs with employers, community agencies and local universities will be developed to increase educational and occupational options available to Lincoln students.

Magnet Program Dropout Data

The ITF states that the District has not provided information concerning magnet program dropouts. The District is not aware of any formal request for such data. Such data have not been prepared and since they must be compiled by hand, considerable time is involved in assembling it. Nevertheless, the District will be glad to provide such data to the ITF in the future if requested.

Evaluation of Administrators

The ITF has suggested that progress in implementation of the integration plan should be a factor in the evaluation

of administrators. Although not reduced to writing, integration has been a factor considered in evaluations during the last few years. The Superintendent will, however, direct all management and supervisory personnel to include assignments, tasks and projects relating to integration as a part of each management and supervisory employee's performance evaluation.

MEDIA CAMPAIGN

We should like to address the use of the phrase "It's Working" which is a concern to the ITF.

The District's media campaign for the 1978-79 school year, which cost under $100,000, was developed with the expert advice and assistance of Young & Rubicam West, a professional consulting firm of international reputation, and builds on campaigns of previous years. During the first year, the campaign was very low key and no major media advertising was utilized. This was done in order to keep the public from becoming caught up in the turmoil assoicated with such cities as Boston and Los Angeles. The theme for the first year was "Together is Better" with the subheading, "Let's work together to give all our children an integrated education." The second year, the District moved into a higher profile campaign with the theme "Voluntary Integration. Better Education By Choice." The subheading for that campaign was, "We can make it work by working together."

This year the campaign sought to allay people's fears and encourage them to participate in established and successful programs. The decision to use this approach was based on several well recognized facts. The first is that few parents wish their children to participate in an educational experiment or the

mandatory assignment of students. They would rather have their children be a part of an educational program which they perceive as being successful. The Kaplan Surveys and other sources of information reveal that the overwhelming majority of parents whose children participate in voluntary integration programs do not do so primarily for the purpose of integrating the schools. They participate because they want the unique educational opportunities for their children that the programs offer.

Another consideration is that while the evidence shows that the District has not suffered the massive white flight which would result from a mandatory program, the level of white loss has been somewhat greater than was projected. In part, the loss of whites in excess of the number projected may be attributable to the unsettling state of integration in San Diego which has resulted from year-by-year review of the integration plan. To the extent that the District can reassure people that integration can proceed in a reasonable and ordinary way, there will be more white students making more integration possible in the long run.

In summary, the District believes that the phrase, "It's Working," is an accurate reflection of the progress that has been made in achieving the goals of the integration plan. Current enrollments in integration programs for 1979-80 indicate parent interest and student enrollment are increasing.

We should take a lesson from General Motors which we are confident would not spend millions of dollars for the development of a new automobile and then market it by asking people to buy one with the hope that it works.

Finally, it should be noted that the phrase, "It's Working," refers to a continuing process and not to an accomplished fact. In other words, the District is not saying, "It Has Worked." We believe the concept, "It's Working" is an accurate reflection of what is occurring.

CONCLUSION

The School District again thanks the Integration Task Force for its suggestions and assures the Court that it is totally committed to making voluntary integration work in San Diego.

Dated: June 21, 1979.

Respectfully submitted,

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