MS-0234.002.003.005

FILED
Robert D. Zumwalt, Clerk
SEP 20 1979
BY S. TA BOTT
DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

KARI CARLIN, et al., Plaintiffs, v. 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.

3. Monitor, analyze and evaluate the Secondary Instructional Exchange Program.

4. 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.

6. Evaluate the overall plan as to whether meaningful 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

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

KARI CARLIN, et al.,) 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 non-enrolled 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.

b) Revises the elementary exchange programs (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

zone, 1 is white, 34 minority. 32 students now opt for O'Farrell, 3 for Gompers. Whatever is done, the Gompers and O'Farrell ratios remain the same, 88% minority at Gompers, 85% minority at O'Farrell.

c) Gompers/Mann. Mann is a balanced school, 64% white, 36% minority. Gompers is 12% white, 88% minority. Of the 121 students in the optional zone, 49 are white, 72 minority. All 121 have chosen to go to Mann. If all are required to attend Gompers, Gompers will change from 88% to 85% minority and 72 desegregated minorities will be resegregated.

d) Lincoln/Crawford-Morse. In the Lincoln/Crawford option there are 107 students, 56 white, 51 minority. 105 opt for Crawford, 2 for Lincoln. In the Lincoln/Morse option there are 240 students (8 white, 232 minority). 184 opt for Morse, 56 for Lincoln. If all students in both optional zones are assigned to Lincoln, the ratio at Lincoln changes from 99% minority to 95% minority.

e) Bell/O'Farrell. There are 80 students in the optional zone, 2 whites, 78 minority. 72 opt for Bell, which is 31.5% white, 68.5% minority, and 8 choose O'Farrell, 14.5% white, 85.5%

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.

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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

1W/dc

THE CITY OF
SAN DIEGO
POLICE DEPARTMENT • 801 WEST MARKET STREET • SAN DIEGO • CALIFORNIA 92101
(714) 236-6534

OFFICE OF
WM. B. KOLENDER
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.

June 18, 1979

The Honorable Louis M. Welsh
Superior Court - Department 21
220 West Broadway
San Diego, California 92101

Dear Judge Welsh:

Enclosed are the figures requested in your letter of January 2, 1979.

Sincerely,

WILLIAM B. KOLENDER, Chairman
Integration Task Force

Enclosures

The Superior Court
OF THE
State of California
COURTHOUSE

CHAMBERS OF
LOUIS M. WELSH
JUDGE OF THE SUPERIOR COURT

MAILING ADDRESS
POST OFFICE BOX 2724
SAN DIEGO, CALIFORNIA 92112

January 2, 1979

Chief William B. Kolender
Chief of Police
City of San Diego
801 West Market Street
San Diego, California 92101

Dear Bill:

The enclosed is for your information. When you make your report, please analyze each school with the following information:

Projected goal for this year (by district)
(% minorities or % white)

Goal achieved
(% minorities, % white)

If a "white school", % minorities from other "white schools" (75% + white) and % minorities from "desegregated schools" (60%-75% white)

If a "minority school", % whites from other minority schools (75% + minority) and % minorities from desegregated schools (60%-75% white).

Happy New Year,

Lou.

LOUIS M. WELSH

LMW:af
Enclosure

FOOTNOTES

1. Designations of Schools: (Per Judge's letter of 1/2/79)

PER CENT WHITE	PER CENT MINORITY	DESIGNATION
0 - 25	75 - 100	MINORITY
25.1- 59.9	40.1- 74.9	TIPPING
60 - 75	25 - 40	DESEGREGATED
75.1- 100	0 - 24.9	WHITE

/Figures from SDUSD Pupil Ethnic Census 1978-79 (October 1978)/

2. TOT = Total School Magnet Program
   SWS = School Within a School Magnet Program

3. Goal figures from SDUSD Plan for Racial Integration, 3/22/78

4. Actual participation figures are for April and were taken from SDUSD Evaluation of San Diego Plan for Racial Integration, 1978-79, June 1979.

WR:amc

MAGNET PROGRAMS - ELEMENTARY SCHOOLS

RACIAL DESIGNATION[1]	SCHOOL	TYPE[2]	1978-1979 GOAL[3] MAJORITY No.	%	MINORITY No.	%	TOTAL	ACTUAL PARTICIPANTS APRIL 1979[4] MAJORITY No.	%	MINORITY No.	%	TOTAL	ACTUAL COMPARED TO GOAL (+ = More than Projected, - = Less than Projected) MAJORITY	MINORITY	TOTAL
D	BENCHLEY	TOT	201	75%	69	25%	270	160	68%	74	32%	234	- 41	+ 5	- 36
D	CREATIVE & PERFORMING ARTS (Grades 4-6)	TOT	140	65%	76	35%	216	115	64%	65	36%	180	- 25	- 11	- 36
T	ENCANTO	TOT	387	36%	687	64%	1074	430	38%	709	62%	1139	+ 43	+ 22	+ 65
D	FOSTER	TOT	346	68%	164	32%	510	313	69%	139	31%	452	- 33	- 25	- 58
D	FREMONT	TOT	212	65%	113	35%	325	201	66%	105	34%	306	- 11	- 8	- 19
M	HORTON-Magnet	SWS	81	68%	39	32%	120	34	63%	20	37%	54	- 47	- 19	- 66
	TOTAL SCHOOL							(42)		(456)		(498)			
D	LINDBERGH	TOT	692	68%	328	32%	1020	607	66%	317	34%	924	- 85	- 11	- 96
D	LONGFELLOW-Magnet	SWS	212	53%	188	47%	400	225	54%	188	46%	413	+ 13	0	+ 13
	TOTAL SCHOOL							(361)		(208)		(569)			
M	LOWELL-Magnet	SWS	61	51%	59	49%	120	9	9%	86	91%	95	- 52	+ 27	- 25
	TOTAL SCHOOL							(21)		(481)		(502)			
D	MUIR ALTERNATIVE (K-6)	TOT	88	64%	50	36%	138	86	72%	34	28%	120	- 2	- 16	- 18
T	OAK PARK-Magnet	SWS	209	74%	74	26%	283	112	75%	38	25%	150	- 97	- 36	-133
	TOTAL SCHOOL							(264)		(269)		(533)			
D	ROLANDO PARK	TOT	196	61%	124	39%	320	212	64%	119	36%	331	+ 16	- 5	+ 11
D	SILVERGATE	TOT	489	72%	186	28%	675	480	73%	182	27%	662	- 9	- 4	- 13
W	SPRECKELS-Magnet	SWS	92	51%	88	49%	180	114	52%	104	48%	218	+ 22	+ 16	+ 38
								(428)		(136)		(564)			
T	VALENCIA PARK	TOT	137	29%	336	71%	473	187	29%	468	71%	655	+ 50	+132	+182
T	WEBSTER	TOT	157	38%	258	62%	415	188	40%	280	60%	468	+ 31	+ 22	+ 53
	TOTAL ELEMENTARY		3700	56%	2839	43%	6539	3473	54%	2928	46%	6401	-227	+ 89	-138

MAGNET PROGRAMS - SECONDARY SCHOOLS

RACIAL DESIGNATION[1]	SCHOOL	TYPE[2]	1978-1979 GOAL[3] MAJORITY No.	%	MINORITY No.	%	TOTAL	ACTUAL PARTICIPANTS APRIL 1979[4] MAJORITY No.	%	MINORITY No.	%	TOTAL	ACTUAL COMPARED TO GOAL (+ = More than Projected, - = Less than Projected) MAJORITY	MINORITY	TOTAL
D	COLLIER-Magnet	SWS	15	50%	15	50%	30	8	31%	18	69%	26	- 7	+ 3	- 4
	TOTAL SCHOOL							(470)		(170)		(640)			
D	CREATIVE & PERFORMING ARTS (Grade 7)	TOT	35	65%	19	35%	54	30	65%	16	35%	46	- 5	- 3	- 8
M	GOMPERS-Magnet	SWS	130	65%	70	35%	200	40	49%	42	51%	82	- 90	- 28	-118
	TOTAL SCHOOL							(48)		(408)		(456)			
W	POINT LOMA-Magnet	SWS	15	50%	15	50%	30	10	45%	12	55%	22	- 5	- 3	- 8
	TOTAL SCHOOL							(1341)		(252)		(1593)			
M	O'FARRELL-Magnet	SWS	90	60%	60	40%	150	59	61%	38	39%	97	- 31	- 22	- 53
	TOTAL SCHOOL							(117)		(698)		(815)			
M	MEMORIAL-Magnet	SWS	70	70%	30	30%	100	16	70%	7	30%	23	- 54	- 23	- 77
	TOTAL SCHOOL							(33)		(955)		(988)			
M	MORSE-Magnet	SWS	200	67%	100	33%	300	45	63%	26	37%	71	-155	- 74	-229
	TOTAL SCHOOL							(366)		(1378)		(1744)			
D	MUIR ALTERNATIVE	TOT	104	64%	58	36%	162	94	66%	49	34%	143	- 10	- 9	- 19
D	WRIGHT BROS.	TOT	208	65%	112	35%	320	174	65%	94	35%	268	- 34	- 18	- 52
	TOTAL SECONDARY		867	64%	479	36%	1346	476	61%	302	39%	778	-391	-177	-568
	TOTAL ELEMENTARY		3700	56%	2839	43%	6539	3473	54%	2928	46%	6401	-277	+ 89	-138
	TOTAL MAGNET		4567	58%	3318	42%	7885	3949	55%	3230	45%	7179	-618	- 88	-706

ACTUAL PARTICIPANTS AS PERCENT OF PROJECTED GOAL	MAJORITY	MINORITY	TOTAL
ELEMENTARY	94%	103%	98%
SECONDARY	55%	63%	58%
TOTAL	86%	97%	91%

MAGNET PROGRAM SCHOOLS RACIALLY DESIGNATED

	"WHITE		"MINORITY"	
ELEMENTARY	MINORITIES FROM OTHER WHITE SCHOOLS	MINORITIES FROM DESEGRE-GATED SCHOOLS	WHITE FROM OTHER MINORITY SCHOOLS	MINORITIES FROM DESEGRE-GATED SCHOOLS
HORTON-Magnet			0	0
LOWELL-Magnet			0	0
SPRECKELS-Magnet	7	7		
SECONDARY				
GOMPERS-Magnet			2	2
POINT LOMA-Magnet	0	1		
O'FARRELL-Magnet			0	1
MEMORIAL-Magnet			0	2
MORSE-Magnet			0	0

WR:amc