EQUITABLE ACCESS TO CHOICE SCHOOLS

Prepared for Mountain View Whisman School District

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HANOVER RESEARCH

TABLE OF CONTENTS

INTRODUCTION

Mountain View Whisman School District (MVWSD) is interested in examining best practices around school choice. For several years, MVWSD operated Stevenson Elementary School as a choice school. Parents may choose to enroll their children there regardless of academic standing or educational status (e.g., general education, special education, English learning status). However, due to enrollment capacity, the only entry points for new Stevenson students are enrollment lottery decisions at the Kindergarten level and sibling exceptions.[1] These enrollment constrictions result in a student body disproportionate to the district's overall enrollment. The apparent exclusivity of Stevenson Elementary generated discussions within and outside the MVWSD community. Therefore, MVWSD seeks to know more about the best legal, political, and ethical practices for creating equitable opportunities for choice school enrollment.

In this report, Hanover Research (Hanover) shares best practices from secondary sources, including publicly available research, advice from educational experts, guidance from state and federal agencies, and descriptions of choice programs from exemplar districts around the nation. This report will inform MVWSD's choice school enrollment policies and practices and the district's communication of best practices for choice school enrollment to the broader community.

This report is presented in three sections:

- **Section I: Causes for Disproportionality in Choice Schools** reviews the historical causes of disproportionality in choice schools.
- **Section II: Best Practices for Increasing Diversity in Choice Schools** details best practices for recruiting and increasing a diverse student population for choice schools, including creating and implementing a diversity vision and mission.
- **Section III: Legal, Political, and Ethical Considerations in School Choice** explores each of these topics in subsections, specifically focusing on California's legal and political aspects of choice schools.

This report uses the term "choice school." However, other terms appear in the literature to discuss related education models such as gifted and talented schools (see Section I).

RECOMMENDATIONS

Based on the research within this report, Hanover makes the following recommendations:

- **Create a diversity mission and vision plan** describing policies, procedures, and practices to develop and enhance Stevenson's diversity. The mission and vision should be collaboratively developed with all stakeholders and tie directly to the district's overall strategic plan. In preparation, MVWSD should use various forms of data collection to first assess the perceptions and level of community readiness for dialogue.
- **Conduct a comprehensive equity audit to better understand the district's current equity environment.** MVWSD's choice school situation is likely a single example of the district's equity culture. A district-wide equity audit will engage all MVWSD stakeholders in a process to understand and develop equitable policies and practices that benefit all students. Effective audits should include analyses of student enrollment and achievement data; primary qualitative research to engage community stakeholders and fully understand thoughts and perceptions; best practice research to educate the community and staff; and discussion guides to facilitate communication and demonstrate transparency on the districts' equity mission and vision.

[1] "Enrollment." Stevenson Elementary School. https://stevenson.mvwsd.org/about/enrollment

Explore the impact of various choice school enrollment practices. In-depth research on specific choice enrollment policies and practices (e.g., weighted lotteries, barrier exams, transportation requirements) and how they impact student enrollment and equity conditions will help inform MVWSD's decisions on choice school enrollment.

KEY FINDINGS

Choice schools increase student body diversity by defining and creating diversity goals, followed by implementing these goals via recruitment strategies. Choice schools begin by asking questions to define diversity in their district, followed by communicating diversity goals to stakeholders (e.g., community organizations, school staff, families). Once choice schools establish and communicate diversity goals, steps for recruiting a diverse student body include equity audits of school applications, assessing family priorities, using multiple information channels and methods, and implementing common/unified enrollment systems.

The significant factors contributing to disproportionality in choice schools are the U.S.' history of separate schools, choice school policy design, lack of transportation, and difficulties in communicating information about choice schools to underrepresented audiences. For example, New York City public schools require students applying for admission to elementary gifted and talented (GT) schools to score above the 90th percentile on administered tests and undergo a complex, year-long admissions procedure. In effect, these policies result in admitting disproportionate numbers of White and Asian students from higher-income families and neighborhoods.

California's choice schools have permission to use weighted lotteries in some circumstances. Weighted lotteries use an algorithm increasing certain types of students' odds of getting into a choice school. Based on the choice school's location, they may give admission preference for free and reduced-price meal-eligible students. Additionally, state officials may permit weighted lotteries for specific subgroups of educationally disadvantaged students (e.g., economically disadvantaged students, students with disabilities, homeless students).

The existence of choice schools often exacerbate inequities along race, class, and language lines despite the intention to recruit a diverse student body. Because affluent and majority families tend to take better advantage of private, charter, and magnet schools, local neighborhood schools are more segregated. Additionally, choice schools compete with neighborhood schools for district funds making it more difficult for districts to provide equitable educational opportunities for all students.

SECTION I: CAUSES FOR DISPROPORTIONALITY IN CHOICE SCHOOLS

In this section, Hanover reviews literature on the causes of disproportionality in choice schools, including the historical underpinnings of choice schools, choice school policy design, lack of transportation, and difficulties in communicating information about choice schools. Where possible, Hanover focuses on elementary choice schools.

HISTORICAL UNDERPINNINGS OF CHOICE SCHOOLS

Since the 1954 *Brown v. Board of Education* decision, school districts often struggled with maintaining racial proportionality in schools. While districts eliminated official segregation, overcoming de-facto segregation remains a challenge due to residential and socioeconomic patterns.

School segregation rates only began declining in the mid-1970s. However, a 1974 Supreme court decision struck down desegregation plans looking to address segregation across district boundaries. Race-based residential patterns and movement continued. Consequently, segregation between districts is now higher than within districts.[2]

POLICY DESIGN

Currently, 45 states and Washington, D.C. provide choice school laws and policies, which vary by state.[3] Some districts build policies into school choice plans that provide advantages to middle- and upper-class families. For example, a 2018 study of New York City's elementary and high school choice plans found that high-quality education scarcity combined with school choice policy design facilitated "opportunity hoarding" (defined in Figure 1.1).[4]

Figure 1.1: Definition of Opportunity Hoarding

Opportunity Hoarding	*"…group behaviors that result in restricting some individuals' or groups' access to desirable goods, services, or privileges."*

Source: Sattin-Bajaj and Roda[5]

The study describes three ways New York City's choice programs promote opportunity hoarding: the existence of selective admissions schools, complex admissions procedures, and priority systems.[6] Figure 1.2 details each of these categories.

[2] Monarrez, T., B. Kisida, and M.M. Chingos. "Do Charter Schools Increase Segregation?" *Education Next*, 19:4, 2019. https://www.educationnext.org/do-charter-schools-increase-segregation-first-national-analysis-reveals-modest-impact/
[3] "50-State Comparison: Charter School Policies." Education Commission of the States, January 28, 2020. https://www.ecs.org/charter-school-policies/
[4] Sattin-Bajaj, C. and A. Roda. "Opportunity Hoarding in School Choice Contexts: The Role of Policy Design in Promoting Middle-Class Parents' Exclusionary Behaviors:" *Educational Policy*, 34:7, 2018. p. 992. Accessed from Sage Journals.
[5] Figure contents taken verbatim from: Ibid, 998.
[6] Ibid., p. 1010.

Figure 1.2: Policies Promoting Opportunity Hoarding at New York City GT Elementary Schools

POLICY	DESCRIPTION
Selective Admissions Schools	▪ There are two types of K-5 GT programs in New York City—district and citywide. ▪ New York City locates district GT options within neighborhood schools that also house General Education programs for students living in the school's attendance zone. ▪ Students must score above the 90th percentile on the GT administered tests to be eligible for district GT options or score above the 97th percentile for admission to the five citywide GT schools. ▪ The majority of students in GT programs are White and Asian.
Complex Admissions Procedures	▪ Each Fall, parents must sign up their children online to take the GT admissions test. ▪ Children must go to a designated testing site for an exam. Children who miss the deadlines for test registration and exam administration must wait for an full school year before being tested. ▪ Once New York City releases students' scores in the Spring, parents may attend GT open house tours if their child met the 90th percentile cutoff. ▪ Parents fill out a GT application and rank their school options. Students are then assigned to a GT school in the summer according to sibling priority, test score, ranked school preferences, and available seats.
Priority Systems	▪ **Geographic priority:** Several New York City districts that confer geographic priority to residents encompass neighborhoods with some of the most expensive real estate. ▪ **Students demonstrating interest in a school:** There are no up-to-date, centrally managed calendar of school open house dates available to families. Therefore, families are challenged to find out when events that potentially determine their admissions chances are taking place. Working parents must take time off to accommodate the daytime school open houses. ▪ **Sibling priority:** Preference giving to applicants with older siblings means that even students reaching the 90th percentile on the entrance test may not get in. This policy results in an "arms race," including an industry of test preparation and tutoring, to achieve the highest possible score.

Source: Sattin-Bajaj and Roda[7]

These policies favor financially well-off families, who can afford living in expensive neighborhoods with the best schools (including choice schools) and invest in tutors to boost their children's test scores. As a result, school choice policy for elementary schools in New York City reinforces inequity and discriminates against lower-income families, many of whom come from historically underrepresented groups.

Many choice school attempt to mitigate opportunity hoarding policies through admission lotteries, as opposed to entrance exams.[8] Moving to weighted admission lotteries (see Section III) gives students from underrepresented populations better admission chances.[9]

TRANSPORTATION ISSUES

Even if all formal barriers for choice schools are lifted, families cannot select choice schools for their children if they cannot get there.[10] As of 2018, most states, including California, did not specify responsibility for

[7] Figure contents adapted verbatim with minor modifications from: Ibid, pp. 1011-1016.
[8] "Enrollment," Op. cit.
[9] "Developing Admissions and Enrollment Policies for Your Charter School." California Charter Schools Association. p. 6. http://library.ccsa.org/2018-4-12-Admissions%20and%20Enrollment%20Practices%20Knowledge%20Brief.pdf
[10] Valant, J. and J.A. Lincove. "The Barriers That Make Charter Schools Inaccessible to Disadvantaged Families." Brookings Institution, March 16, 2018. https://www.brookings.edu/blog/brown-center-chalkboard/2018/03/16/the-barriers-that-make-charter-schools-inaccessible-to-disadvantaged-families/

providing choice school students' transportation.[11] States or districts that stipulate free and adequate transportation requirements often permit the use of free public transit credits to replace district provided transportation (e.g., school buses). However, in many cities a public transit commute may not be practical. For example, an article discussing transit to the Einstein Charter Schools in New Orleans, Louisiana, showed that a public transit commute to the school from many parts of the city required an hour or more of travel, including long walks and multiple buses. Consequently, this type of transportation barrier virtually eliminates choice schools as viable options for many families, especially families without cars or working parents who cannot escort their child to school.[12]

Several options exist to provide transportation to all students interested in attending choice schools. Figure 1.3 summarizes several methods in use around the nation.

Figure 1.3: Transportation Options for Choice Schools

METHOD	DESCRIPTION/NOTES
 **Buses**	▪ In Denver, most choice schools offer public school-bus transportation to students. ▪ New Orleans provides yellow bus service for some Recovery School District choice students. Other types of choice schools may access yellow bus service. ▪ Crossroads Charter Schools in Missouri offers bus service to students who live one mile or more away from their designated school.
 **Tiered Bus Service**	Tiered bus service is one bus that picks students up along multiple routes and drops them off at the school at different times.
 **Hub Bus System**	The hub bus system offers multiple stops around a city. Once drivers pick up students from a stop, the bus drives them to a hub where they transfer to another bus that takes them to their school.
 **Public Transportation Cards**	New York City and Washington D.C. students are provided with public transportation cards, allowing them to ride subways and buses for free.
 **Ridesharing**	Small rideshare companies dedicated to transporting children hire highly vetted drivers and require extensive safety examinations for vehicles. Parents request rides for their children through a phone app, and drivers take students directly to their school. This service works best on a small-scale for highly vulnerable students (e.g., homeless or foster-care system students).

Sources: Multiple[13]

[11] "Charter Schools: Does The State Specify Who Must Provide Transportation to Charter School Students?" Education Commision of the States, January 2018. http://ecs.force.com/mbdata/mbquestNB2C?rep=CS1707

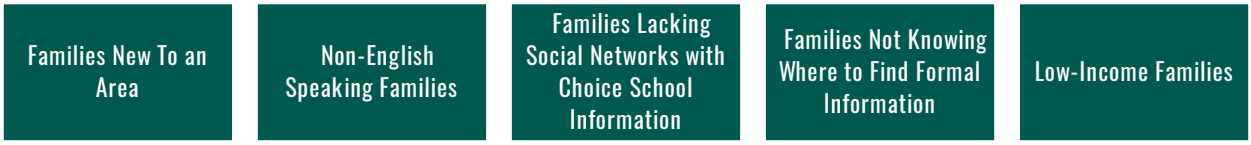
[12] Valant and Lincove, Op. cit.

[13] Figure contents adapted from: [1]"Access & Equity in Education: Transportation." National Association of Charter School Authorizers-NACSA. https://www.qualitycharters.org/state-policy/transportation/ [2] Gross, B. "Going the Extra Mile for School Choice." Education Next, August 6, 2019. https://www.educationnext.org/going-extra-mile-school-choice-how-five-cities-tackle-challenges-student-transportation/ [3] Burgoyne-Allen, P., et al. "The Challenges and Opportunities in School Transportation Today." Bellweather Education Partners, July 2019. pp. 46-51. https://bellwethereducation.org/sites/default/files/The%20Challenges%20and%20Opportunities%20in%20School%20Transportation%20Today_Bellwether.pdf

INFORMATION COMMUNICATION ISSUES

Many school choice processes are challenging to navigate and difficult for some families to understand. Figure 1.4 identifies families for whom districts may need to provide alternative or more intensive communication.[14]

Figure 1.4: Groups of Families Most Likely to Face Difficulties Finding Choice School Information



Sources: Multiple[15]

One of the most common ways for districts to advertise school choice is publication of *school guides* concisely and graphically displaying all the district's school options for their child in multiple languages. A study examining the readability and complexity of school-choice guides across large urban districts found that none of the guides fell in the range of all adult comprehension.[16]

[14] Valant and Lincove, Op. cit.
[15] Figure contents adapted from: [1]Ibid. [2] "Breaking Down Barriers: Housing, Neighborhoods, and Schools of Opportunity." U.S. Department of Housing and Urban Development, April 2016. p. 6. https://www.huduser.gov/portal/sites/default/files/pdf/insight-4.pdf
[16] Nagro, S. and M. Stein. "The Readability and Complexity of District-Provided School-Choice Information." *Journal of Education for Students Placed at Risk (JESPAR)*, 20:3, July 2015. p. 199. Accessed from ResearchGate

SECTION II: BEST PRACTICES FOR INCREASING DIVERSITY IN CHOICE SCHOOLS

In this section, Hanover details best practices for recruiting and maintaining a diverse student population for choice schools. Hanover also profiles school districts with notable diversity admissions strategies.

RECRUITMENT POLICIES

Diverse-by-design choice schools recruit diverse elementary student bodies through careful planning and a sustained commitment to diversity. In most states, choice schools must offer open enrollment policies by law. Therefore, districts use enrollment lotteries when demand exceeds seat capacity and enrollment is not dictated by attendance zones. Choice school lotteries may also be open to students living in the district or neighboring districts.[17] California law requires schools to conduct a public random lottery drawing when demand for a choice school exceeds available seats.[18] California choice schools may also implement a weighted lottery in certain circumstances (see Section III for a detailed description). Consequently, districts that wish to increase diversity in choice schools should encourage minority subgroups to apply. Figure 2.1 describes two strategies, with related activities and examples, for increasing diversity at choice schools.

Figure 2.1: Strategies and Activities for Increasing Diversity at Choice Schools

STRATEGY	ACTIVITIES	EXAMPLES
Define and Implement a Diversity Vision and Mission	Ask questions to define diversity	▪ What does diversity mean to us? ▪ How do we define diversity over time? ▪ What happens if the choice school neighborhood demographics shift?
	Communicate choice school diversity	▪ Adopt a resolution or propose an amendment to the school's charter that includes the school's vision for diversity goals ▪ Build a board with diverse backgrounds and perspectives
Recruit a Diverse Student Body	Equity audits of school applications	Example questions: ▪ When and where are applications available? ▪ How much time and what resources are required to complete the application process?
	Assessing family priorities	▪ Surveys ▪ Small-group and one-on-one interviews
	Using multiple information channels and methods	▪ In-person events ▪ Community partnerships
	Implementing common/unified enrollment systems	One application with a single deadline for all schools in a district, including choice schools

Sources: Multiple[19]

[17] "Improving Outcomes for All Students: Strategies and Considerations to Increase Student Diversity." United States Department of Education, January 19, 2017. p. 13. https://www2.ed.gov/about/offices/list/oese/oss/technicalassistance/finaldiversitybriefjanuary2017.pdf

[18] "Clear Student Enrollment and Lottery Procedures." National Alliance for Public Charter Schools. https://www.publiccharters.org/our-work/charter-law-database/components/12

[19] Figure contents adapted from: [1]Potter, H. "Recruiting and Enrolling a Diverse Student Body in Public Choice Schools." The Century Foundation, January 29, 2019. https://tcf.org/content/report/recruiting-enrolling-diverse-student-body-public-choice-schools/ [2] Kern, N. "Intentionally Diverse Charter Schools: A Toolkit for Charter School Leaders." National Charter School Research Center, 2016. p. 7.

Defining And Implementing a Diversity Vision and Mission

Choice schools serving or looking to serve a diverse student population need to define diversity as it relates to the serving community, understand their school community in general, set diversity goals, and select metrics to achieve these goals.[20] This approach helps choice schools with an explicit mission and commitment to defining diversity.[21] Figure 2.2 details important questions district leaders might consider in defining diversity.

Figure 2.2: Questions for Defining Diversity

What does diversity mean to us?
Is the school serving a school district, multiple districts, or a particular neighborhood or area within a district?
What are the area's public school enrollment demographics? What are the U.S. Census total population demographics?
How might choice school enrollment in question affect the demographics of other schools?
How do we define diversity over time? What happens if the choice school neighborhood demographics shift?
What type(s) of data do we use to develop and measure our diversity goals regarding enrollment?
How do we incorporate diversity into the school charter agreement with the authorizer? Does diversity or related measures factor into the mission statement, performance indicators or frameworks, renewal criteria, governance, or staffing?
How does diversity affect data and metrics used in the school? How will the school track, analyze, and report data?

Sources: Multiple[22]

Once district leaders determine specific equity goals, they should communicate these goals to community stakeholders (e.g., community organizations, school staff, families), using the methods outlined in Figure 2.3.[23]

Figure 2.3: Communicating Choice School Diversity Goals By Planning Stage

For Choice Schools in the Planning Phase

- Explicitly include diversity in the school's mission statement.

For Operating Choice Schools Seeking to Improve Student Diversity

- The school's board could adopt a resolution or propose an amendment to the school's charter that includes the school's vision for diversity goals.

Intentionally Diverse Schools

- Build a board with diverse backgrounds and perspectives so that the school's mission is reflected throughout all levels of the school.

Source: Kern[24]

Several school districts and choice schools create diversity goals based on socioeconomic status, race, or geography. These factors account for community demographics and absolute diversity targets.[25] Figure 2.4 profiles Blackstone Valley Prep Mayoral Academy, in Rhode Island, an intentionally diverse network of six K-12 choice schools serving 2,100 students from four unique districts, ensuring a racial and socioeconomic student mix.

https://charterschoolcenter.ed.gov/sites/default/files/files/field_publication_attachment/NCSRC%20Intentionally%20Diverse%20Charter%20School%20Toolkit.pdf

[20] [1]Kern, Op. cit. [2] Potter, Op. cit.

[21] Wang, P.W., M.M. Gonzales, and A.K. Wang. "What Diverse Charter Schools Do Differently." Education Week, June 27, 2016. https://www.edweek.org/ew/articles/2016/06/24/what-diverse-charter-schools-do-differently.html

[22] Figure contents adapted verbatim with minor modifications from: [1] Kern, Op. cit., pp. 7-8. [2] Potter, Op. cit.

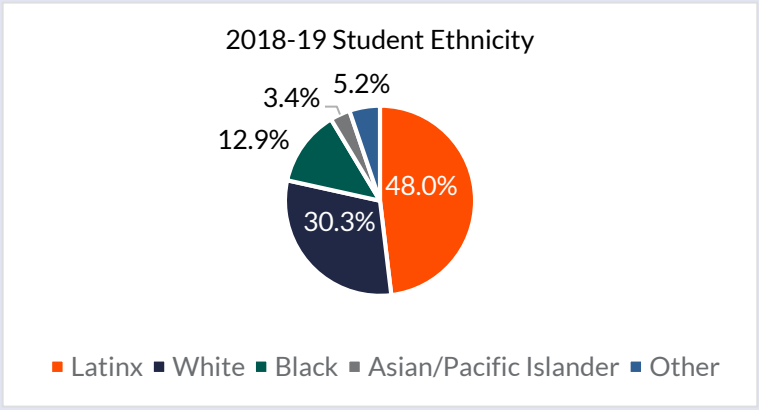
[23] Kern, Op. cit., p. 10.

[24] Figure contents adapted verbatim with minor modifications from: Ibid.

[25] Potter, Op. cit.

Figure 2.4: Blackstone Valley Prep Mayoral Academy, Rhode Island

Blackstone Valley Prep (BVP) Mayoral Academy admits students from two higher--income communities (Cumberland and Lincoln) and two from lower--income communities (Central Falls and Pawtucket). Admitting students from the four districts enables BVP to admit a racially diverse student population, shown in the chart below.



Additionally:

- 7.5 percent of BVP students are English Language Learners (ELLs)
- 12.5 percent of BVP students have an Individualized Education Program (IEP)
- 66 percent of BVP students qualify for a free and reduced-price lunch (FRPL)

In 2020, The Bridges Collaborative selected BVP as part of its inaugural cohort. This grassroots initiative advances racial and socioeconomic integration and equity in America's schools.

Source: BVP[26]

BVP's admission policies show that targeting underrepresented populations leads to increased diversity. Specifically, choice schools may be able to give admission preference to free and reduced-price meal-eligible students per California law (explained in Section III), likely increasing both racial and socioeconomic diversity. Additionally, school districts establish networks with organizations such as The Century Foundation's Bridges Collaborative (see inset to the right) to learn integration strategies from districts across the nation.[27]

Click the link to learn more:
The Century Foundation: Bridges Collaborative Cohort

Recruiting a Diverse Student Body

Once schools establish diversity goals, steps for recruiting a diverse student body include equity audits of school applications, assessing family priorities, using multiple information channels and methods, and implementing common/unified enrollment systems.

School Application Equity Audits

Examining the current application process with an equity focus helps choice schools identify and address potential barriers that might limit access, such as socioeconomic status, language, or disability.[28] Equity audits "identify institutional practices that produce discriminatory trends in data that affect students. Schools and districts conduct audits to analyze data in three key areas: programmatic equity, teaching quality equity,

[26] Figure contents adapted from: "About Blackstone Valley Prep." Blackstone Valley Prep Mayoral Academy. https://blackstonevalleyprep.org/about/
[27] "Bridges Collaborative." The Century Foundation. https://tcf.org/bridges-collaborative/
[28] Potter, Op. cit.

and achievement equity."[29] Figure 2.5 lists some questions for consideration as choice schools conduct equity audits for school applications.

Figure 2.5: Questions for Equity Audits of School Applications

- When and where are applications available?
- How much time and what resources are required to complete the application process?
- What are supports for non-English-speaking families?
- How does a family's access to technology influence the application process?
- What information are families required to supply for the application? Are there any questions on the application that could deter some families (e.g., undocumented or homeless families)?

Source: Potter[30]

Assessing Family Priorities

Conducting community surveys of families helps choice school leaders address parent priorities in designing and marketing the program.[31] Achieving diversity means understanding why families of all backgrounds are selecting schools when they have several options. For example, the Denver School of Science and Technology (DSST), a network of choice middle and high schools in Denver, Colorado, was not attracting affluent families despite its marketing around high performance academic programs and excellent college acceptance rates. They undertook a survey of over 2,000 families to determine what parents look for in school choice. The survey found that, "all parents, regardless of background, valued a close-knit, supportive community and teachers [who] knew and were committed to their children."[32] Prior to understanding this, DSST had based advertising and marketing on its academic rigor and college acceptance rates. Surprisingly, these are ideals that did not appeal to higher-income families.[33]

Choice schools should also obtain feedback from parents and families on a smaller scale. School leaders can host group discussions or one-on-one interviews with parents from different backgrounds to learn more about what they are looking for in a school. Additionally, choice schools can conduct targeted surveys within the community. Surveys should include questions about what parents think they know about their school choice options, what factored into their selection, and their experiences with the application process.[34]

Information Channels and Methods

Choice schools need to use various channels and methods to reach middle-class, low-income, and minority families beyond traditional communication. For example, choice schools should hold information sessions at schools or community centers in the early morning, evening, or over weekends to accommodate various working schedules.[35] Figure 2.6 highlights a range of strategies to reach historically underrepresented families.

[29] Johnson, P.N. "Using Equity Audits to Assess and Address Opportunity Gaps Across Education." Intercultural Development Research Association-IDRA, April 2020. https://www.idra.org/resource-center/using-equity-audits-to-assess-and-address-opportunity-gaps-across-education/
[30] Figure contents adapted verbatim with minor modifications from: Potter, Op. cit.
[31] Ibid.
[32] Quick, K. "Denver School of Science and Technology." The Century Foundation, May 23, 2018. https://tcf.org/content/report/denver-school-science-technology/
[33] Ibid.
[34] Potter, Op. cit.
[35] Kern, Op. cit., p. 19.

Figure 2.6: Choice School Communication Strategies to Reach A Wide Array of Families

Sources: Multiple[36]

Enrollment Systems

Districts may implement common enrollment systems (CESs) to increase underrepresented individuals applying to choice schools. CESs, also known as unified enrollment, allows families to fill out one application with a single deadline for all schools in a district, including choice schools. A single application reduces confusion and stress of school choice and assures families of a fair application process.[37] CESs help districts better achieve equity by removing parents' burden in understanding the school landscape and equalizes access to information. CESs also provide standard information about all schools in multiple languages and formats. Importantly, CESs avoids decentralized system problems, which are difficult for economically disadvantaged, single-parents, and non-English-speaking families.[38] As a result, CESs contribute to increased minority group engagement, likely leading to increased minority enrollment at choice schools.[39] Figure 2.7 displays positive and negative impacts of CESs.

Figure 2.7: Positive and Negative Impacts of CES

Positive Impacts	Negative Impacts
▪ Educators believe CES is working to increase diversity of enrollment. ▪ Parents report they are basing their school choice on better information. ▪ Match rates – the rate at which students are matched with their first choice school – are high.	▪ CES cannot eliminate disproportionality by itself. ▪ CES does not resolve transportation or school location issues. ▪ CES is a new concept and difficult to understand, particularly for disadvantaged families.

Source: Carpenter and Clayton[40]

[36] Figure contents adapted from: [1] Potter, Op. cit. [2] Kern, Op. cit., pp. 19-20.
[37] "Unified Enrollment." Center on Reinventing Public Education. https://www.crpe.org/research/unified-enrollment
[38] Benner, M. and U. Boser. "Expanding Access to High-Quality Schools." Center for American Progress, November 13, 2018. https://www.americanprogress.org/issues/education-k-12/reports/2018/11/13/460771/expanding-access-high-quality-schools/
[39] Carpenter II, D.M. and G. Clayton. "Does Common Enrollment Work? - Educational Leadership." *Disrupting Inequity-Education Leadership*, 74:3, November 2016. http://www.ascd.org/publications/educational-leadership/nov16/vol74/num03/Does-Common-Enrollment-Work%C2%A2.aspx
[40] Figure contents adapted from: Ibid.

The negative impacts of CES are an indication that districts need to go farther to eliminate disproportionality of choice school enrollment. Districts should work to reduce transportation barriers, work to improve communication, and continuously strive to understand why parents make school choice decisions. Figure 2.8 profiles how Denver Public Schools in Colorado uses CES and how it works to overcome other barriers to school choice.

Figure 2.8: Denver Public Schools (CO)

In 2012, Denver Public Schools (DPS) implemented a unified system that simplifies families' enrollment and ensuring equitable quality school access. DPS is one of few school districts where almost all schools participate in the one-application, one-deadline system.

Any student wanting to attend a school other than their neighborhood school applies for SchoolChoice, particularly students in "transitioning" grades (Grades K, 6, and 9). Families submit one SchoolChoice application per student, ranking up to 12 of their top schools in order of preference. DPS uses a computer algorithm matching each student to schools based on the ranked preferences, available space, and school priorities (e.g., geographic boundaries, enrollment zones, and sibling priority). The algorithm ranks and stacks students within each priority category based on their randomly assigned lottery number, creating a list of students for every grade at every school. SchoolChoice allocates seats to students based on the list order and assigns waitlist numbers to all students who do not obtain a seat in rank and stack order.

The system is highly successful in placing students in their preferred schools. Last year:

- 81 percent of incoming kindergarten students received their first-choice school placement
- 83 percent of incoming Grade 6 students received their first-choice school placement
- 85 percent of incoming Grade 9 students received their first-choice school placement

Source: Multiple[41]

[41] Figure contents adapted from: [1]"SchoolChoice Round 1." Denver Public Schools. http://schoolchoice.dpsk12.org/schoolchoice-round-1/ [2] "School Admission Priorities." Denver Public Schools. http://schoolchoice.dpsk12.org/school-admission-priorities/

SECTION III: LEGAL AND ETHICAL CONSIDERATIONS IN SCHOOL CHOICE

In this section, Hanover briefly summarizes legal and ethical school choice considerations existing in recent research. Specifically, Hanover highlights these considerations in the context of California's choice schools.

LEGAL CONSIDERATIONS

Choice schools began operating in California in 1992.[42] In 2019, the California Legislature passed Assembly Bill 1505, significantly revising California's approach to approving and renewing choice schools but not fundamentally changing choice admissions laws.[43] Figure 3.1 lists California's choice school admissions laws.

Figure 3.1: California Admissions Laws for Choice Schools

	Choice schools must admit all students who wish to attend. If student demand exceeds the number of available seats, a random public drawing will determine student admission.
	The following student populations receive choice school admission preference: ▪ Students currently attending the choice school; ▪ Students living in the district; ▪ Siblings of admitted students or students attending the choice school; and ▪ Children of the choice school's teachers, staff, and founders identified in the initial charter
	Choice schools may give an admissions preference for free or reduced-price meal-eligible students, based on the choice school's location.
	These preferences cannot limit enrollment access for the following groups: ▪ Students with disabilities; ▪ Academically low-achieving students: ▪ English language learners; ▪ Neglected or delinquent students; ▪ Homeless pupils; ▪ Economically disadvantaged students; or ▪ Admission based on nationality, race, ethnicity, or sexual orientation
	Choice schools cannot require mandatory parental volunteer hours as admissions criteria.

Sources: Multiple[44]

WEIGHTED LOTTERY

California is one of several states allowing individual districts to use other preferences besides a strictly random lottery for choice school admission.[45] Weighted lotteries use an algorithm increasing the odds of

[42] "California Legislative Information Code Section." California Legislative Information. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=47605.&highlight=true&keyword=Section%2049011

[43] "Bill Text - AB-1505 Charter Schools: Petitions and Renewals." California Legislative Information, 2019. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1505

[44] Figure contents adapted from: [1] Ibid. [2] "Code Section EDC-47614.5." California Legislative Information. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=47614.5&lawCode=EDC

[45] "Clear Student Enrollment and Lottery Procedures," Op. cit.

certain types of students getting into a choice school (e.g., minority students, students with disabilities).[46] However, choice schools may only use weighted lotteries in certain instances, as detailed in Figure 3.2.

Figure 3.2: Permitted Instances for Choice School Weighted Lotteries in California

- The weighted lottery is necessary to comply with Title VI of the Civil Rights Act of 1964 ("Title VI"), Title IX of the Education Amendments of 1972 ("Title IX), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the equal protection clause of the Constitution, or applicable State law;
- The weighting favors students seeking to change schools under the public school choice provisions of Title I, Part A of the Elementary and Secondary Education Act (ESEA) for the limited purpose of providing greater choice to students covered by those provisions; or
- The weighting favors specific subgroups of educationally disadvantaged students (e.g., economically disadvantaged students, students with disabilities, homeless students), and State law permits the use of weighted lotteries in favor of such students. Importantly, schools may not use weighted lotteries to create schools exclusively to serve a particular subset of students.

Source: California Charter Schools Association[47]

ETHICAL CONSIDERATIONS

There are many vital ethical considerations for and against choice school enrollment policies and practices. Choice schools increase the number of schools and choices available to families and break down barriers by creating new communities around shared interests and preferences.[48] Since choice schools do not have traditional public school boundaries, they can specifically recruit a diverse student body.[49] In some instances, choice schools give an admissions advantage to at-risk students (e.g., special educational needs students, ELLs), helping these students avoid academic failure and increasing student diversity.[50]

However, choice schools often divide students along race, class, and language lines.[51] Private, charter, and magnet schools tend to cause the increased racial segregation of local neighborhood schools because they draw majority and affluent families away from schools otherwise governed by attendance boundaries.[52] Additionally, choice schools compete with neighborhood schools for district funds. In some districts where funds are scarce, this potentially can cause adverse, unintended impact on other programs that work support low socio-economic students or other disadvantaged populations. Districts need to balance these considerations within their individualized contexts.[53]

[46] Prothero, A. "In Charters, Using Weighted Lotteries for Diversity Hits Barriers - Education Week." Education Week, March 8, 2016. https://www.edweek.org/ew/articles/2016/03/09/in-charters-using-weighted-lotteries-for-diversity.html
[47] Figure contents taken verbatim with minor modifications from: "Developing Admissions and Enrollment Policies for Your Charter School," Op. cit.
[48] Wilson, T.S. "Exploring the Moral Complexity of School Choice: Philosophical Frameworks and Contributions." *Studies in Philosophy and Education; Dordrecht*, 34:2, March 2015. p. 181. Accessed from ProQuest.
[49] "Charter School FAQ." National Alliance for Public Charter Schools. https://www.publiccharters.org/about-charter-schools/charter-school-faq
[50] "A Model Law for Supporting the Growth of High-Quality Charter Schools, Second Edition." National Alliance for Public Charter Schools, 2016. p. 9. https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2016/10/2016ModelCharterSchoolLaw.pdf
[51] Wilson, Op. cit.
[52] "Breaking Down Barriers: Housing, Neighborhoods, and Schools of Opportunity," Op. cit.
[53] "Who Has a Voice in School Choice?" The Kenan Institute for Ethics at Duke University, January 4, 2018. https://kenan.ethics.duke.edu/who-has-a-voice-in-school-choice/

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