

RESOLUTION to reduce Stevenson Segregation and provide Economic Disadvantage Transportation

Resolution #

(1) WHEREAS This Board, like all California public school boards, has the sole power to set public school policy.[1] It is this Board's intention to take action to decrease Segregation, specifically Economic Segregation, in MVWSD schools. The Board recognizes its responsibility to take action, its duty to do so under the guidance provided by the California State Supreme Court in upholding *Crawford v. Los Angeles Board of Education* 17 Cal 3d 280. [2] The Board also subscribes to the legal argument (based on *Jackson* [3] and *Crawford*) on reducing public school segregation by its contract counsel, DWK - Evans, in her 2010 letter to the Santa Cruz County BOE in relation to the PCS renewal petition. [4]

THEREFORE This Board instructs the Administration staff to immediately change the school enrollment lottery process to a weighted random lottery at the most heavily Economically Segregated choice elementary school (Stevenson). The first change is *at least* a 2x (two time) weight for each Economically Disadvantaged student in the lottery. (FRSM criteria, like the LCFF). There is no change to the sibling preference in the enrollment process.

(2) WHEREAS The independent research report by Hanover Research was recently reviewed and discussed by the Board and it confirmed the obvious Stevenson Segregation. Hanover also suggested TRANSPORTATION as a public policy direction that can help reduce segregation with proper implementation. The Stevenson Segregation (protected class Economically Disadvantaged) may be *de facto* and not specifically *de jura* - but the Board accepts the responsibilities enunciated below from the *Crawford* court decision: (underline added)

In those instances, however, in which a court finds that a local school board has not embarked upon a course of action designed to eliminate segregation in its schools or, having done so, has not implemented a plan that provides meaningful progress toward that goal, a court has no alternative but to intervene and to order the school board to undertake immediately a reasonably feasible desegregation program. Under such circumstances, a trial court retains broad equitable power to order implementation of a realistic program which it believes will ensure meaningful progress to alleviate school segregation in the district.

THEREFORE The Board also instructs the Administration to develop and implement a Free Transportation plan by next school year for all Stevenson Economically Disadvantaged students and parents / guardians residing 2 or more walking miles from

that school. The Board requests that the client families be surveyed and a report be presented to the Board before the end of this calendar year and an adjustment/ improvement plan be presented to the Board in the first month of the next calendar year.

(3) WHEREAS The Board wishes to keep this anti-segregation policy permanent. The Board also wants to include these practices in the public Policy Manual [5] and allow further expansion or adjustment.

THEREFORE The Board instructs the Administration to prepare an Administrative Regulation (AR) on these topics, as they apply to choice school Stevenson and any needed revision of Board Policy (BP).

The dual language choice school Mistral shall likewise be included in any Transportation element.

SUMMARY. By these actions, this Board intends to take on its legal responsibility under the *Crawford* decision: to implement programs that measurably reduce school segregation. The MVWSDS has not done so over the last decade for Stevenson.

Vote: Berman __ , Blakely __ , Chiang __ , Conley __ , Wheeler __

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Option section / would be included in the "motion to adopt". (__)

(4) WHEREAS The choice school permanent facility for Stevenson was purposefully sited in a central location for access to all neighborhoods. The intent of the program has always been District-wide access. The Board wishes to actively encourage the reach of Stevenson enrollment beyond Theurkauf and Landels neighborhoods.

THEREFORE The Board also directs the Administration to conduct the enrollment random weighted lottery in a school neighborhood-by-neighborhood fashion for each cycle of the lottery. (Not by ZIP code)

References

[1] California Education Code

[2] *Crawford v. Board of Education of Los Angeles* (1976) 17 Cal.3d 280 / most easily accessed by GOOGLE Scholar using the Case law/California courts choice

[3] *Jackson v. Pasadena City School District* (1963) 59 Cal.2d 876, *ibid*

[4] The DWK Evans letter to the SCCOE from 2010 can be accessed by; asking DWK, asking Santa Cruz COE, or this external link <https://scschoolsalert.files.wordpress.com/2010/08/ltr-to-watkins-and-board-sccoe-re-pcs-renewal-and-discrimination.pdf>

[5] 9310 BB - Policy Manual