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To: OUSD Board of Education
From: Charles Wilson, Executive Director: Enrollment and Registration Management
Subject: **Board Policy 5116.1: Enrollment Policy Update**
Date: December 19, 2016

OVERVIEW & OBJECTIVE

- The goal of the policy update is to:
 - Begin discussion of policies governing the prioritization of OUSD intradistrict enrollment placements in light of the Board's earlier community engagements and discussions on equity.
 - Learn about the ways that similar districts have used enrollment prioritization policies to achieve increased equity by focusing on socioeconomic diversity.
 - Propose a schedule for continued exploration of Board Policy 5116.1 in light of data that will be collected during the 2016 / 2017 academic year.
- This update and discussion align to our vision, mission and strategic plan by:
 - Supporting Priority 2: Accountable School District
 - Supporting Priority 3: Quality Schools
 - Embracing OUSD Values: Students First, Equity, Excellence, Integrity, Cultural Responsiveness, and Joy.

SUMMARY

Include any relevant context related to:

- **History**

Board Policy 5116.1: Intradistrict Open Enrollment was last modified in 2008. In an effort to reach the goals of the OUSD Pathway to Excellence, new scrutiny is being paid to how enrollment policies intersect with efforts to improve school quality. On January 20, 2016, the Board held a community engagement event asking the questions, "Equity: What does it mean to you? What should equity look like in schools?." On June 6, 2016 the board heard a presentation on the status of enrollment improvement processes underway in the district. This presentation focuses on the ways and degree to which current enrollment prioritization policies support equity of access to quality schools for diverse learners.
- **Introduction**

Ways that some similar districts have used policy to increase socioeconomic diversity in schools:

 - Socioeconomic diversity is a proposed lens through which to view the district's equity goals.
 - Ali and Perez (2011) provide guidance from the U.S. Education Department's Office of Civil Rights (OCR) to districts seeking to create more racial diversity in their schools. This guidance directs districts to look for other means of achieving diversity before turning to racial categories.
 - Potter, Quick, and Davies (2016) provide an overview of districts using socioeconomic diversity as a means of achieving greater equity in both student access to quality schools and student performance outcomes.
 - The methods used by other districts to increase socioeconomic diversity in schools include:



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- Modifying attendance zone boundaries of schools to include more diverse neighborhoods;
- Modifying policies to include “controlled choice”, which weights the choices of students differentially based on factors related to their socioeconomic status;
- Establishing high-demand magnet school programs;
- Enacting transfer policies which weight the choices of students differentially based on factors related to their socioeconomic status;
- The districts that currently use some or all of these policies include: Kalamazoo, MI; LaGrange, GA; Lee County, NC; Nashville, TN; Springdale, AR; Denver, CO; Fort Myers, FL; Fort Pierce, FL; Newark, NJ; Rochester, NY; St. Paul, MN; Alexandria, LA; Bartow, FL; Baton Rouge, LA; Chicago, IL; Fresno, CA; Hartford, CT; Miami, FL; New Haven, CT; New York City, NY; Omaha, NE; Pittsburgh, PA; San Diego, CA; Topeka, KS; Beaumont, TX; Des Moines, IA; Lafayette, LA; Minneapolis, MN; Omaha, NE; Postville, IA; and Waterloo, IA.
- **Discussion**

Reviewing the priorities presented in Board Policy 5116.1 and discussing their implications and potential alternatives:

 - Each priority of Board Policy 5116.1 is presented in the order they appear in the policy. Each policy is analyzed for both the potential positive and negative impacts it has on the District’s equity goals. These potentials impacts are meant to spur further discussion and are not meant to be definitive or exhaustive. Finally, potential areas of change in policy or alternative approaches are suggested.
 - **Priority Policy: Sibling Priority**
 1. In recognition of the Governing Board's stated policy goal of keeping families and siblings together, siblings of students who are enrolled in the school and who will be enrolled in the school concurrently with their sibling in the same school the following year, shall have first priority. (Education Code 35160.5)
 - Potential positive impacts
 - Maintains strong family / school relationships over multiple years.
 - Strong relationships lead to increased personalization of programming.
 - Encourages families to stay: increased cohort persistence.
 - Potential negative impacts
 - Limits access of new, more diverse families to seat inventory.
 - When combined with some attendance boundaries built on historic lines of segregation, can limit socioeconomic diversity.
 - Encourages a culture of gamesmanship and / or deception.
 - Potential areas of change
 - Expanding attendance zone boundaries.
 - Looking at facility expansion as a tool of increasing diversity.
 - Balance with controlled choice and / or targeted transfer policies.



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- **Priority Policy: Neighborhood Priority**

2. Elementary school students who are unable to attend the school within their elementary school boundary due to overcrowding of their neighborhood school, shall have priority to attend an elementary school within their middle school boundary as set forth in Board Policy 5116 - School Attendance Boundaries. Middle or high school students who are unable to attend the school within their attendance boundary due to overcrowding of their neighborhood school, shall have priority to attend the next closest school based on available space.

- Potential positive impacts

- Helps keep students within their communities: improves relationships.
- Creates more sustainable travel needs for working families.
- Encourages stability of neighborhoods, removing a motivation for families to leave area.

- Potential negative impacts

- Limits access to seat inventory at neighboring schools for families further from the attendance boundary.
- Decreases cohort stability during grade span transitions.

- Potential areas of change

- Transportation policies that support safe transit to a wider variety of schools.
- Magnet programs to encourage socioeconomic diversity.

- **Priority Policy: Program Improvement Priority**

3. If a district school receiving Title I funds is identified for **program improvement, corrective action or restructuring**, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC 6316)

- Potential positive impacts

- Helps maintain pressure on school improvement efforts through creating “market effect”.
- Gives students in most impacted communities access to seat inventory in more successful schools.
- May create increased socioeconomic diversity in receiving schools.

- Potential negative impacts

- Potentially drains schools undergoing improvement efforts of families with access to resources.
- Pragmatic access to seat inventory in more successful schools can be



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- severely limited.
- May not be sustainable during cohort transitions.
- Potential areas of change
 - Not clear if this priority is needed, given CORE Waiver.
 - Creation of magnet programs could be used as a part of school improvement efforts.
 - Attendance zone boundary revisions or controlled choice may provide a more scaled approach.
- **Priority Policy: Safety Priority A**

4. Beginning in the 2003-04 school year, if while on school grounds a student becomes a victim of a violent criminal offense, as defined by the State Board of Education, or **attends a school designated by the California Department of Education as “persistently dangerous”**, he/she shall be provided an option to transfer to another district school or charter school. (20 USC 7912; 5 CCR 11992)

 - Potential positive impacts
 - Safety frequently named by families as key priority in evaluation and selection of schools.
 - Helps maintain pressure on school improvement efforts through creating “market effect”.
 - Provides immediate relief to victimized students.
 - Potential negative impacts
 - Safety transfers, when used out of sequence in problem solving practices, can result in undercutting the effectiveness of restorative justice efforts.
 - Potentially drains schools undergoing improvement efforts of families with access to resources.
 - Doesn’t get at root cause of conflicts.
 - Potential areas of change
 - Part of federal Title IX compliance.
 - No evidence of current list of “persistently dangerous” schools maintained by California Department of Education.
 - Potential room for expansion of language to include different metrics of school culture and safety.
- **Priority Policy: Safety Priority B**

5. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area,



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including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

- Potential positive impacts
 - Safety frequently named by families as key priority in evaluation and selection of schools.
 - Helps maintain pressure on school improvement efforts through creating “market effect”.
 - Provides immediate relief to victimized students.
- Potential negative impacts
 - Safety transfers, when used out of sequence in problem solving practices, can result in undercutting the effectiveness of restorative justice efforts.
 - Potentially drains schools undergoing improvement efforts of families with access to resources.
 - Doesn’t get at root cause of conflict.
- Potential areas of change
 - Potential room for expansion of language to include different metrics of school culture and safety.
 - Create language explicitly naming the necessity of exhausting all opportunities to resolve conflicts through restorative justice practices.
- **Priority Policy: Employment Priority**

6. Priority shall be given to students whose parent/guardian is assigned to that school as his/her primary place of employment. For all other applications for enrollment outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

 - Potential positive impacts
 - Helps deepen the nature of school community culture.
 - May encourage increased stability of teaching staff at some schools.
 - Helps encourage socioeconomic diversity in some schools.
 - Random process of assignment ensures equality of opportunity.
 - Potential negative impacts
 - Anecdotal evidence shows many staff choose schools / attendance boundaries different than the ones in which they work.
 - Equality of opportunity does not necessarily achieve goals of equitable outcomes.
 - Lack of transparency of random process encourages distrust, may allow



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manipulation.

- Potential areas of change
 - Increase incentives for staff to choose the school in which they work.
 - Future staff housing assistance efforts should be closely linked to this policy to avoid socioeconomic clustering.
 - Increase transparency of random process and waiting-list maintenance.

- **Priority Policy: Ban on entrance criteria**

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

- Potential positive impacts
 - Avoids the likelihood of “performance drain”.
 - May decrease levels of intradistrict competition for higher-performing students.
 - Encourages all schools to work towards increased personalized learning.
- Potential negative impacts
 - Gifted and talented programs not implemented at most schools, limiting district response to these students’ needs.
 - May increase likelihood of higher performing students leaving district-run schools.
 - May lead to programmatic tracking within secondary schools.
- Potential areas of change
 - Magnet programs can help address need for accelerated / specialized programs, especially if support structures are maintained and used.
 - Higher-performing students lead, in part, high level of student attrition from district-run schools, indicating that their needs are not currently met.

- **Looking Ahead**

A timeline for continuing this process of review and revision, coordinated with the ongoing Access study.

- February 2017: Access Study data collection will be mostly complete.
- **March 2017: Revisit Board Policy 5116.1 to examine how data trends may shape policies.**



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- April 2017: Access Study data analysis will be mostly complete.
- **June 2017: Recommended policy changes to Board Policy 5116.1 based on results of Access Study presented.**

Sources

Ali, R., & Perez, T. E. (2011). Guidance on the voluntary use of race to achieve diversity and avoid racial isolation in elementary and secondary schools. *US Department of Justice, Civil Rights Division and US Department of Education, Office for Civil Rights. Washington, DC.* <http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.html>

Potter, H., Quick, K., & Davies, E. (2016). A new wave of school integration: Districts and charters pursuing socioeconomic diversity. The Century Foundation. <https://tcf.org/content/report/a-new-wave-of-school-integration/>