

Educational Policy¹
Mid-Term Policy Brief
Spring 2011

Introduction

You are to write a 5-8 page policy brief (~1250-2000 words). Please see “Guidelines for Drafting a White Paper/Policy Brief” for more details on the craft of writing a policy brief. The brief is due **Wednesday, March 16** in class. Please make sure to turn in the brief and the peer edit table (the table that your partner filled out regarding your brief). You are only required to read course materials. Please make sure to read all of the opinions in the *Parents Involved in Community Schools V. Seattle School District No. 1* case (Seattle case) to inform your answer.

Your Task

The school board of a medium size Midwestern school district has hired you to advise the district on redesigning its high school student assignment plan. The district selected you because of your background in both constitutional law (you are an expert on Equal Protection cases) *and* education (you are currently a professor of Educational Policy and prior to that you were a classroom teacher for 10 years).

The district wants you to design a student assignment policy that will stand up to strict scrutiny *and* is educationally sound. In doing so, please provide a detailed description regarding how your plan will meet the standards of the Equal Protection clause. Please make sure to clearly illustrate: 1) the school district’s compelling interest in having more “integrated” schools; and 2) how your plan is narrowly tailored. In addressing how your recommendations will meet the standards of strict scrutiny please make specific references to the *Seattle* case. Additionally, please provide a comprehensive explanation regarding how your plan will improve the educational experience of all of the students in the district.

Background on the District

The district has never operated legally separate schools for students of different races nor has it ever been subject to court-ordered desegregation. However, the district’s 10 public high schools have historically been racially isolated. The district adopted its current student assignment plan prior to the 2009-2010 school year to address this racial isolation. The district’s current high school student assignment plan is based on the policy that was used in the Seattle Community School District. The district has not made modifications in its plan since the United States Supreme Court ruled the Seattle plan unconstitutional. Recently, a group of angry parents has threatened legal action if the district does not modify its student assignment plan. The parents, all White, are upset that their students were not admitted to their “first” pick of schools.

The district’s current plan allows incoming ninth graders to choose from among any of the district’s high schools and has resulted in a significant decrease in racial isolation in the schools. The students rank as many schools as they wish in order of preference. Since some schools are more popular than others, when too many students list the same school as their first choice, the district employs a series of “tiebreakers” to determine who will fill the open slots at the oversubscribed school. The first tiebreaker selects for admission students who have a sibling currently enrolled in the chosen school. The second tiebreaker depends upon the racial composition of the particular school and the race of the individual student. In the district’s public schools approximately 42 percent of enrolled students are White; 18 percent Asian American; 25 percent Black; 14 percent Latino/a; and 1 percent American Indian. If an oversubscribed school is not within 10 percentage points of the district’s overall white/nonwhite racial balance (for the

district's plan student are classified as white and non-white. Non-white is a group that consists of all other racial ethnic groups), it is what the district calls "integration positive," and the district employs a tiebreaker that selects for assignment students whose race will bring the school into "balance". If it is still necessary to select students for the school after using the racial tiebreaker, the next tiebreaker is the geographic proximity of the school to the student's residence.

Most of the White students live in the northern part of the district and most students of other racial backgrounds live in the southern part. Five of the district's high schools are located in the north and four in the south. One school is in the middle. A majority of the district's most experienced teachers are in the northern schools. There are five schools that are oversubscribed. So much so, that 80% of all students put one of these schools as their first choice. Four of the oversubscribed schools are in the northern part of the city and one is in the southern part of the city. All of the schools that are oversubscribed are integration positive because their White student populations exceed 52 percent. The school in the southern part of the city is operated in partnership with a large research university. The school offers a rich academic program and allows students to take courses at university for free (White students from across the city take a bus to this school).

Deleted: , except the one in the center of the city,

Additional Information

The district has recently received a large grant to begin construction on a new high school. The funding is to build a "21st Century" school. The school will have state-of-the-art classrooms including science and computer labs. The school will also have a large auditorium and library as well as modern athletic facilities (including an indoor pool and multiple fields). Currently, the district plans to build the school in the northern part of the district, but is open to suggestions on the new school's location.

The state has agreed to augment transportation costs associated with any district plan that seeks to ease the racial imbalance in its schools. The district has a significant budget for professional development.

My Expectations

- You will develop a thoughtful and compressive plan offering specific recommendations
- You will ***persuasively argue*** for the adoption of your plan in your policy brief
- You will talk with as many classmates as possible as you think about the design of your plan
- You will talk with classmates explicitly about the *Seattle* case and how your plan has the potential to stand up to strict scrutiny
- You will have your paper peer-edited, and peer edit a partner's paper
- You will be honest with your partner and provide meaningful feed back
- YOU WILL HAVE STARTED THE PROCESS OF OUTLINING YOUR ANSWER PRIOR TO CLASS ON MARCH 2 (WE WILL SPEND TIME IN CLASS WORKING ON THE ASSIGNMENT)
- YOU WILL SEE ME WITH ANY QUESTIONS
- YOU WILL HAVE FUN!

¹ Some of the district demographics and language in this assignment are taken from the majority opinion in *Parents Involved in Community Schools V. Seattle School District No. 1*.