

TIMEFRAME	ASSIGNMENT METHOD	LEGAL CONTEXT
<p>1983 through 2000-01 School Year (17 years)</p>	<p>Optional Enrollment Process</p> <ul style="list-style-type: none"> - All students new to SFUSD had to submit an application and could list three to five choices. Assignments were made using the Optional Enrollment Process (OER) described below. - All 5th and 8th grade SFUSD students were accommodated by their attendance area school. <ul style="list-style-type: none"> o Students automatically assigned to their attendance area school, regardless of capacity and racial/ethnic composition, unless they requested other schools through an Optional Enrollment Form (OER). o Non-SFUSD students exiting 5th and 8th grade were processed through the OER procedure and there was no guarantee that they could get assigned to their attendance area school. - OER assignments were made using a “Computer Random Selection Process” -- a method of reviewing and evaluating applications randomly by computer. <ul style="list-style-type: none"> o School assignments were determined by space availability in the requested grade level, and the racial/ethnic balance of the requested school. o The computer determined which race/ethnicity was appropriate to fill any openings. o The computer evaluated each request randomly looking to fill the openings with students who would not adversely impact the racial/ethnic percentages at the school. - The maximum percentage of students for any racial/ethnic group was 45% for non-alternative schools and 40% for alternative schools. <ul style="list-style-type: none"> o These caps were based on the entire student population, not the grade level. o The same caps (45% and 40%) were applied to all schools. o In cases where the automatic assignment of attendance area students through promoting current 5th and 8th grade students exceeded the racial/ethnic caps, the school would become balanced through the OER process i.e., through requests to attend non-attendance area schools and through students new to SFUSD. - Attempts for placements were made in the following order: <ul style="list-style-type: none"> • Siblings • Designated students (students who were not assigned to their attendance area school received a priority the following year) • Bayview/Hunter’s Point students (Zip Code 94124) • Hispanic and African American students • All other requests <p>Note: The priority groups were not static during the 17 year period. For example, at one point 94110 was a priority zip code. There was also a priority for students attending SFSUD children centers.</p> 	<p>SFNAACP v. SFUSD</p> <ul style="list-style-type: none"> - Filed against SFUSD and State of CA in 1978. - The class was all children of school age who were or may in the future attend public schools. - Plaintiffs alleged that the District and State engaged in discriminatory practices and maintained a segregated school system. - Consent Decree approved by US District Court in 1983. <ul style="list-style-type: none"> o Paragraph 39 “The overall goal of this Consent Decree will require continued and accelerated efforts to achieve academic excellence throughout the SFUSD.” o Paragraph 13 set forth racial and ethnic guidelines for student assignment. <ul style="list-style-type: none"> • No school could have fewer than 4 racial/ethnic groups. • No racial/ethnic group could constitute more than 45% of the student enrollment.

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2001-02 School Year (1 year)	<p>Random Computerized Process</p> <ul style="list-style-type: none"> - 5th and 8th grade SFUSD students who were currently attending an SFUSD school were no longer automatically assigned to their attendance area school. <ul style="list-style-type: none"> o It was the first time that 5th and 8th grade SFUSD students were required to complete an enrollment application form. - The 40%/45% caps were abolished. - Assignments were made through a random computerized process that did not use race as a factor. - All first choice requests were reviewed and processed. <ul style="list-style-type: none"> o If students were not assigned to their first choice, the lottery attempted to assign students to their second choice. o The lottery then moved to the third choice, and so forth until it had reviewed all choices and assigned as many students as possible to one of their choices. - Siblings and attendance area students received a priority in the lottery. - Students who did not get one of their choices were designated to the school that was closest to them that still had space. 	<p>Ho v. SFUSD</p> <ul style="list-style-type: none"> - Filed against SFUSD and State of CA in 1994. - Brought on behalf of all children of Chinese descent of school age who were current residents of San Francisco and who were eligible to attend public school. - Plaintiffs alleged that Paragraph 13's student assignment plan violated the U.S. Equal Protection Clause because it discriminated based on race. - 1999 Settlement Agreement.

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2002-03 School Year through Present (8 years)	<p>Diversity Index Lottery</p> <ul style="list-style-type: none"> - Designed to attempt to give parents choice, ensure equal access, and promote diversity without using race/ethnicity. - The most significant determinants of a student’s school assignment are parental choice and school capacity. - Any child can apply to attend any school in the District; parents/guardians are strongly encouraged to list 7 schools on the application form. - Younger siblings and students with program need (inclusion students, students exiting newcomer programs and requesting language programs) get pre-assigned. - The diversity index lottery is used when there are more applicants than seats. - The diversity index is a formula, made up of six race neutral, but educationally significant, diversity factors that calculates the probability that in a given grade, randomly chosen students will be different from each other based on the race neutral factors. <ul style="list-style-type: none"> o Extreme poverty; socioeconomic status; student’s home language; quality of student’s prior school; student’s prior academic achievement. - Attendance area students receive a preference, not a priority. - Students who do not get assigned to one of their choices get designated to the school closest to them that still has space. - There are waiting pools, medical appeals, and family hardship appeals. <p><i>Summary of modifications to the diversity index lottery</i></p> <table border="1" data-bbox="415 1029 1459 1307"> <tbody> <tr> <td data-bbox="415 1029 642 1089">2003-04 SY</td> <td data-bbox="642 1029 1459 1089">Allow any student that could be assigned to more than one choice to be assigned to their highest choice</td> </tr> <tr> <td data-bbox="415 1089 642 1153">2004-05 SY</td> <td data-bbox="642 1089 1459 1153">Expand the number of schools a family can request on the enrollment application form from five to seven</td> </tr> <tr> <td data-bbox="415 1153 642 1216">2006-07 SY</td> <td data-bbox="642 1153 1459 1216">Eliminate the <i>language proficiency</i> factor from the Diversity Index Lottery</td> </tr> <tr> <td data-bbox="415 1216 642 1307">2007-08 SY</td> <td data-bbox="642 1216 1459 1307">Eliminate <i>mother’s educational background</i> as a factor from the Diversity Index Lottery Add a factor for <i>extreme poverty</i></td> </tr> </tbody> </table>	2003-04 SY	Allow any student that could be assigned to more than one choice to be assigned to their highest choice	2004-05 SY	Expand the number of schools a family can request on the enrollment application form from five to seven	2006-07 SY	Eliminate the <i>language proficiency</i> factor from the Diversity Index Lottery	2007-08 SY	Eliminate <i>mother’s educational background</i> as a factor from the Diversity Index Lottery Add a factor for <i>extreme poverty</i>	<p>2001 Settlement Agreement</p> <ul style="list-style-type: none"> - In 2001 the District Court approved a settlement agreement for both cases. - Called for the District to implement “Excellence for All”. - The District agreed to take all practicable actions to eliminate any vestiges of past <i>de jure</i> racial and ethnic discrimination. - The agreement modified the student assignment process. - Since then, SFUSD has operated a race-neutral, choice-based student assignment system that includes three parts: <ol style="list-style-type: none"> 1. Outreach and Recruitment 2. Program Placement 3. Diversity Index Lottery - On December 31, 2005 the Consent Decree expired. <ul style="list-style-type: none"> o Judge William Alsup denied the Consent Decree parties’ request for an 18 month extension to the Consent Decree. - For the first time in twenty-two years the SFUSD student assignment process is not regulated by a federal judge.
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