

RESOLUTION OF THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

Background

On April 3, 2001, the Charlotte-Mecklenburg Board of Education adopted a Resolution, which provided that the Board would take all of the following actions:

- Reaffirm its commitment to the goal of educational excellence and equal educational opportunity for all of the children of Mecklenburg County.
- Commit to continue with strategic planning, operational implementation and community collaboration to achieve the goals of educational excellence and equal educational opportunity.
- Support the Superintendent's implementation of the *Achieving the CMS Vision: Equity and Student Success* (the "Equity Plan", adopted by the Board in March 1999) framework to attain the goal of raising the academic achievement of all students to or above the appropriate grade level in all curricular areas, with a focus on the core academic subjects.
- Commit to aggressively seek the funding necessary to guarantee equity in the allocation of resources to every school.
- Direct the Superintendent to develop a student assignment plan (the "Plan") for 2002-03 for adoption by the Board by August 1, 2001 that will be in compliance with applicable law and that maximizes stability, guarantees availability of a home school assignment, guarantees options for low performing students assigned to home schools with high concentrations of low performing students and for students of low socioeconomic status who are assigned to home schools with high concentrations of low socioeconomic status students, provides choice for all students, supports families and students' interests in specialized programs in diverse environments and maximizes utilization of all schools.
- Seek the cooperation and support of both the Board of County Commissioners and the Charlotte City Council in funding the achievement and perpetuation of the Equity Plan.
- Consider, in choosing sites for future construction, the socioeconomic diversity of nearby housing and the availability of public transit lines to serve the schools

On June 26, 2001, the Board adopted Policy ADA--Equitable Educational Opportunities. That policy, which confirms the Board's commitment to providing equal access to excellent educational opportunities for all its students, requires the adoption of baseline standards in several areas, including: educational opportunities, student achievement, instructional materials and supplies, media equipment and resources, technology, facilities, faculty, teacher/student ratios, and family and community involvement.

The policy also requires that, on an annual basis aligned with the budget process, the Board will review and revise those baseline standards; assess whether all students are being provided equal access to excellent educational opportunities; direct the Superintendent to develop strategies for ensuring that those opportunities are being provided; determine the amounts of funding and resources needed to provide such opportunities; seek and direct the

Superintendent to seek the funds and resources needed to provide such opportunities; and direct the Superintendent to allocate and reallocate, the funds and resources needed to provide those opportunities.

On June 26, 2001, the Superintendent presented his student assignment proposal for 2002-03. That proposal sets forth the student assignment plan that will be implemented if the school system is declared unitary by the United States Court of Appeals for the Fourth Circuit. The proposal also sets forth the plan that would be presented to the United States District Court for approval and implementation if the system is not declared unitary.

In order for this student assignment proposal to further the Board's commitments to ensuring that all children are provided with equal access to excellent educational opportunities, as set forth in the Equity Plan, the April 3, 2001 Resolution and the Policy ADA, the Board has determined that the proposal must be supplemented and amended in certain critical ways, which are set forth below.

Resolution

Based on the foregoing, and in consideration of the Board adopting the Superintendent's June 2001 student assignment proposal, as it may be amended, the Board directs the Superintendent to do the following by October 1, 2001:

1. As required in Policy ADA, develop the template for the provision of equitable resources in all schools, but particularly schools that have been designated as "Equity Plus II" schools. Among other items, this template should specify what teacher qualifications, differentiated staffing, curriculum and instruction, support staff (e.g. parent/family advocates, social workers, psychologists, nurses, speech pathologists, mentor teachers) material and supplies will be assigned and/or available to those schools.
2. Increase stability by allowing students who attended schools in 2001-02 to remain in their respective schools, regardless of grade, if the parents so request and capacity permits.
3. Create themes and/or strengthen magnets with populations of 50% or greater of students who qualify for free and reduced price lunch.
4. Demonstrate how the Exceptional Children's ("EC") population will be assigned so as not to over-concentrate students in the most challenging schools, yet maximize opportunities for EC student success.
5. Provide choice to EC students to enroll in high performing, low poverty schools.
6. Create Professional Development Schools in the most challenging feeders, in addition to strong academic themes/programs. These schools should be created within the context of the Business/Educational Consortium structure under development, with area colleges and universities that have strong colleges or schools of education and the Charlotte Chamber of Commerce.
7. Create before and after school care in all elementary and middle schools that are identified as "Equity Plus II" schools, and others to the fullest extent feasible.
8. Consider adding foreign language instruction to schools that have thirty or more students who are enrolled in English as a Second Language programs.

This Resolution is effective as of the date of adoption.

Adopted by the Charlotte-Mecklenburg Board of Education on July 31, 2001.

Resolution

This Resolution of the Charlotte-Mecklenburg Board of Education is effective as of April 3, 2001.

Background

Equal opportunity for all children to receive an excellent education in every facility of the Charlotte-Mecklenburg Schools ("CMS") is essential to the success of our citizens and our community. **Stability** of pupil assignment is essential to the student and faculty relationships that foster excellent education. **Proximity** of assigned schools to the homes of the children learning in those schools facilitates the family participation that strengthens education. Balanced **utilization** of schools enhances both efficiency and effectiveness. Choice of school assignment within a plan providing equal access to excellent schools with the opportunity for **real options for stability, proximity and diversity** provides students, families, faculty and staff with the freedom to find satisfactory individual alternatives enhancing the effectiveness of the system.

The Charlotte-Mecklenburg Board of Education (the "Board") has pursued equal educational opportunity only since the early 1970's after the decision of the United States Supreme Court in *Swann v. Charlotte-Mecklenburg Board of Education* ordering the desegregation of separate and unequal schools in CMS. In March 1999, the Board adopted a document entitled *Achieving the CMS Vision: Equity and Student Success* (the "Equity Plan"). As noted in the Equity Plan, it "started out as a means for the district to achieve unitary status; however, it became a comprehensive framework for student achievement." The Equity Plan outlines goals and strategies for achieving equity in the several areas, including educational opportunities, family and community involvement, instructional materials and supplies, media centers, technology, faculty, instructional facilities, organizational capacity and accountability. On June 1, 2000, the Board adopted a resolution in which it recommitted itself to the components of equity outlined in the Equity Plan and to avoiding, to the extent possible, the resegregation and racial isolation of schools. On February 8, 2001, the Superintendent presented to the Board a status report on the work done to date to implement the Equity Plan to provide for all children enrolled in CMS an equal opportunity to receive an excellent education in every school.

The Board has determined that the foundation of equal educational opportunity under the Equity Plan framework is sufficiently sound, if completely developed and adequately funded, to result in the resolution of remaining inequalities over a reasonable time to justify the adoption of a plan of pupil assignment for the 2002-2003 school year.

Resolutions

Based on the foregoing, and in recognition of its responsibility to guarantee for all students equal access to excellent educational opportunities, the Board is taking all of the following actions:

1. The Board hereby **reaffirms its commitment to the goals of educational excellence and equal educational opportunity for all of the children** of Mecklenburg County.

2. The Board **commits to continue with strategic planning, operational implementation and community collaboration** to achieve the goals of educational excellence and equal educational opportunity.

3. The Board **supports the Superintendent's implementation of the Equity Plan framework to attain the goal of raising the academic achievement of all students** to or above the appropriate grade level in all curricular areas, with a focus on the core academic subjects. The actions to attain this goal include maintaining universally high expectations and high standards for students, teachers and administrators, providing a rigorous and engaging curriculum and instruction, offering support for families, obtaining consistent parental and community involvement and delivering programmatic and fiscal accountability. The Board directs the Superintendent to develop an educational template to eliminate the inequities documented in the Equity Plan and to continue to develop and implement procedures to monitor the provisions of the Equity Plan to assure equity in personnel allocations, curriculum and program offerings, professional development, facilities and maintenance and fiscal support to guarantee that excellence and equity will be sustained over time.

4. The Board **commits to seek aggressively the funding necessary to guarantee equity in the allocation of resources to every school**, including quality teachers, rigorous curricular offerings, appropriate educational materials and supplies, effective family support services and adequate physical facilities. The Board acknowledges that providing equal educational opportunities within all schools requires providing additional resources, such as differentiated staffing, smaller class size, better balance of experienced and successful teachers with newer teachers, increased instructional supplies and materials, expanded and renovated facilities, new parental involvement initiatives, upgraded technology, full extracurricular and co-curricular activities, supplemental guidance and counseling and enhanced professional development to schools serving students with additional educational needs, and the Board commits to allocating and reallocating available funds within its budgets to maintain as the first priority the achievement of the goals of the Equity Plan framework.

5. The Board **directs the Superintendent to develop a student assignment plan (the " Plan") for 2002-2003** for adoption by the Board by August 1, 2001 that will be in compliance with applicable law and that:

a. **maximizes stability** for students to the fullest extent feasible;

b. **guarantees availability of a "home" school assignment** choice for every student in proximity to the student's home;

c. as described in paragraphs 6(a) and 6(b) of this Resolution, **guarantees options** for low performing students assigned to home schools with high concentrations of low performing students and for students of low socioeconomic status who are assigned to home schools with high concentrations of low socioeconomic status students, to choose assignment to schools with higher performance and lower concentrations of low socioeconomic status; as described in paragraph 6(d), **guarantees options** for all students in schools with chronic low performance; and, as described in paragraphs 6(c) and 6(e), provides priorities to avoid concentrations of low socioeconomic status and to encourage socioeconomic diversity;

d. **provides choice** for all students;

e. **supports families' and students' interests** in specialized programs in diverse environments; and

f. **maximizes utilization** of all schools to encourage successful outcomes for all children. The Plan shall be designed with due regard for the pending litigation to which the board is subject, maintaining the flexibility to be modified to accommodate possible court actions on both unitary status and the use of race as a factor in student assignment.

6. The Plan shall be based on the "Family Choice Plan" adopted by the Board on June 1, 2000 and suspended by the Board on December 1, 2001. The Plan shall retain many features of the Family Choice Plan to enhance stability, such as the priority for highly mobile students in the magnet lottery and the priority for students to remain in current assignments. The choices of students within the Plan shall also be based on the choices available under the Family Choice Plan, but shall be restructured as follows:

a.) no later than the Spring of 2003 for the Fall of 2003, to guarantee the right to choose (with transportation provided within the same choice zone and without transportation provided outside the same choice zone) placement in another school for students who qualify for free or reduced price lunch and who are assigned to a home school where the percentage of enrolled students qualifying for free or reduced price lunch was thirty (30) percentage points or more above the CMS average in the preceding year, where the chosen placement school was five (5) percentage points or more below the CMS average for free or reduced price lunch in the preceding year;

b.) no later than the Spring of 2004 for the Fall of 2004, and for each year thereafter, to guarantee the right to choose (with transportation provided within the same choice zone and without transportation provided outside the same choice zone) placement in another school for students performing below grade level in reading and assigned to a home school (i) where the percentage of enrolled students qualifying for free or reduced price lunch was thirty (30) percentage points or more above the CMS average in the preceding year and (ii) where the students performed at an average of ten (10) percentage points or more below the CMS average for reading on grade level in the preceding year, where the chosen placement school's performance in reading was five (5) percentage points or more above the CMS average in the preceding year (for high schools, performance shall be measured by the percentages passing end-of-course tests);

c.) no later than the Spring of 2003 for the Fall of 2003, to provide for other students assigned to a home school where the percentage of enrolled students qualifying for free or reduced price lunch was thirty (30) percentage points or more above the CMS average in the preceding year priority to choose (with transportation provided within the same choice zone and without transportation provided outside the same choice zone) placement in another school;

d.) to guarantee for all students assigned to a home school where the students have performed at an average of ten (10) percentage points or more below the CMS average for reading on grade level for two (2) consecutive years the right to choose (with transportation provided within the same choice zone and without transportation provided outside the same choice zone) placement in another school where the chosen placement school's performance in reading was five (5) percentage points or more above the CMS average in the preceding year (for high schools, performance shall be measured by the percentages passing end-of-course tests); and

e.) in the Spring of 2002 for Fall of 2002, and in each year thereafter, to provide for all students priority to choose (with transportation provided within the same choice zone and without transportation provided outside the same choice zone) placement for the following Fall in another school where their choice would enhance economic diversity but not create a concentration of low socioeconomic status above 50% free or reduced price lunch in the chosen placement school.

The Superintendent shall accelerate, to the extent reasonably possible, the implementation of choice priorities or guarantees for students of low socioeconomic status or low performance whose home school zones have populations with high concentrations of low socioeconomic status students. The Superintendent shall also design the Plan to avoid the involuntary movement of students reassigned in the 2001-2002 school plan, to seek continuity with the 2001-2002 school plan, to anticipate the addition of the new schools in 2002-2003, to reduce high concentrations of low socioeconomic status students in home school zones, to continue to assess the location and relocation of existing programs, and to provide additional staff and programmatic support needed both to meet expectations of excellence in schools demonstrating poor or declining student achievement and to attract a variety of students, including higher achieving students, to these schools. Finally, the Plan shall provide for voluntary transfers of students (without transportation) in the Fall of 2001 through a lottery into their projected "home" schools under the Plan, to the extent capacity is available in those schools in 2001-2002, and to the extent that it is legal and practical.

7. Because some greater concentrations of low socioeconomic status (as measured by students eligible for free or reduced price lunch) may not be reasonably avoidable under the Plan, **schools with higher concentrations of low socioeconomic status and schools which qualify as Equity Plus II schools under the applicable criteria of the Board shall receive additional resources under the Equity Plan**, including, but not limited to, family support services, teacher and administrator incentives to create and maintain stable balances of experience and qualification, reduced class sizes and curriculum enhancements to elevate and meet expectations of excellence. The Board shall work cooperatively with parents, other interested citizens, community leaders and elected officials to ensure the sustained availability and equitable distribution of high quality educational resources needed to provide for all students an equal opportunity for an excellent education. **The Board shall seek the cooperation and support of both the Board of County Commissioners and the Charlotte City Council in funding the achievement and perpetuation of the Equity Plan.**

8. The Board shall also seek the cooperation of the Board of County Commissioners and the Charlotte City Council in promoting the growth and dispersion of affordable housing throughout Mecklenburg County and in expanding public transit serving houses, apartments and schools. **In choosing sites for future construction of schools, the Board shall consider, in addition to other criteria in no prescribed order of priority, the socioeconomic diversity of nearby housing and the availability of public transit lines to serve the schools.** In particular, to enhance the likelihood of reducing socioeconomic segregation and racial isolation in schools, the Board shall work with the Commissioners and Council Members to encourage the implementation of an affordable housing initiative in conjunction with the ten-year Capital Improvement Plan.