

Inter-District Public School Mobility: Common Misperceptions and a Call for Local Revival

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LEGAL STUDIES DEPARTMENT

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Legal Studies 195B
Honors Thesis
Spring 2013
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ACKNOWLEDGEMENTS

I would like to thank Professor Michael Musheno and Christina Stevens-Carbone for their support and guidance throughout the thesis writing process. I would also like to thank the district administrators who were so helpful and responsive to my requests for information, and those individuals who enriched my research through the sharing of personal stories.

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ABSTRACT

Since the 1970s there has been an ongoing movement to localize control of public schools in the United States, returning decision-making power to the school district level. While many strong arguments favor the model of localism, one detrimental side effect has been the emergence of stark inequalities across contiguous school districts. These disparities are both socio-economic and racial, following patterns of neighborhood segregation and suburban expansion. In some regions, community leaders have given up some autonomy to form open-enrollment relationships with neighboring districts, letting students move more or less freely to the schools of their choice regardless of district of residence. However, the Northern California districts of East Point, San Vincente, San Felipe and Clover Hills¹ seem to officially maintain strictly closed borders, allowing only for mobility in very specific cases following a detailed inter-district transfer application process. This project demonstrates that the idea of “closed” borders is one of many common misperceptions surrounding school district practices in this region of California, a state in which legislators have recently attempted to increase mobility for underprivileged students. While mobility is still closely tied to issues of access to justice and racial bias, the combination of this legislation and the existence of an overarching County Office of Education supports mobility at the district level, rendering the borders in this region more flexible than previously imagined. I also argue that localism as a paradigm may retain some value in a system where parents desert local schools in search of what they perceive to be the “best” education for their children. The process uncovered in this exploratory study is subject to the control of local administrators but does appear to offer mobility and opportunity to many students in this fragmented metropolitan region.

¹ Place names have been changed to preserve anonymity of human subjects.

I. INTRODUCTION

Theories of governmental localism in education evolved out of the 1970s era campaign to give control of public schools back to the community, which assumedly best understands the needs of its own student population. Although theoretically a sound idea, strict deference to local control has over the years proven to give disproportionate advantages to wealthier, whiter districts and ignore the plight of students living in low-income and often urban school districts generally home to more minority and immigrant populations. When local officials are allowed to maintain and control the majority of their resources within district borders, those districts with fewer resources to begin with must fend for themselves with minimal outside assistance to account for disadvantages. In the Calderon County² metropolitan region the unfortunate side effects of governmental localism are all too clear. Residential borders drawn by local officials divide the area into fragmented contiguous districts clearly unequal in the distribution of resources. Over the years the migration of groups with more wealth and social capital to districts with higher funding has exacerbated the already existing disparities. While many other regions across the nation have attempted to address this issue by allowing greater mobility between disparate districts, the bordering Northern California school districts of East Point, San Vincente, San Felipe and Clover Hills all maintain officially “closed” borders, a concept that is drawn into question by the results of this study.

Based on size and demographics, I have categorized East Point as an urban school district, San Vincente and San Felipe as inner-ring suburbs, and Clover Hills as a suburban district. By using these three district types, I attempt to offer an understanding of inter-district transfer patterns in a metropolitan region where school districts within these three categories are

² Place names have been changed to preserve anonymity of human subjects.

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in close proximity to one another. In all four of the districts studied, inter-district transfers are viewed as contracts between the two districts involved and the applications require legitimate reasons for transfer such as parent employment in the receiving district or health and safety issues in the district of residence. Districts are allowed to deny transfers for a host of reasons including discipline, academic record, poor attendance and lack of space.

My first preliminary research question asks: How are inter-district transfers realized in practice in officially closed-border but contiguous school districts? I then ask: How do these practices align with state educational policy and underlying theories about the socio-spatial dynamics of education? Using background research on governmental localism, fragmentation in urban areas and community control of public schools, I place inter-district transfers in this larger relational dynamic between theory, politics and the formation of multiple school districts in a metropolitan region. I then looked to how transfers play into the current state of the public education system by studying their effects on the educational opportunities provided to students in one region of California.

My empirical investigation takes place on four levels, the order of which follows the stages in which I collected information. These levels were determined through my exploration of the history and theory surrounding school districts outlined in the following section. Beginning at the interactional level, I answer the question of how the inter-district transfer practices in this region actually affect the lives of families. The organizational level then explores the kinds of decisions made when policy is put into practice by district and county administrators. The legal level analyzes the state and federal legislation concerning inter-district transfers and how those laws affect actors at the interactional and organizational levels. Finally, the extralegal level of this research investigates those transfers that occur outside of the official system, including

perceptions and policy concerning extralegal transfers and what they indicate about current access to legal mobility.

Beginning my research at the interactional level lent a very local focus to this project. This report of findings does not attempt to make generalizations about other similar regions but does present itself as a starting point for further research on inter-district transfers across what were previously believed by many, including myself, to be strictly closed borders. The conclusions of this research demonstrate that the concept of closed enrollment is one of a number of popular misperceptions that surround the policy and practice of inter-district mobility. They also indicate that an underlying ethno-racial element drives inter-district transfer discussion and practice in the region investigated. This study addresses those misperceptions and ethno-racial concerns but then goes on to draw conclusions about the autonomy of district administrators and tensions between space needs, funding and the law, and demonstrates how these concerns tie in to the value of localism and social justice for students.

II. THEORETICAL FRAMING

CONCEPTUALIZING THE PROBLEM

There is a wealth of literature on general trends in public education over the past half-century showing how localism and resulting fragmentation has led to the current state of our schools. Critics point to the myth of equal opportunity in education (Orfield, 1994), and the stark disparities in the distribution of resources existing between stratified geographic communities. A number of authors identify the reality of “resegregation” of our public schools, observing that rhetoric favoring localism drew desegregation efforts to an end and led to a renewed stratification by both race and class in poor-performing schools (Wilson, 2011). Stating its

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preference for the, “local control of the management of school districts,” the California Department of Education leaves the drawing of district boundaries to each local district governing board. This partiality to district autonomy has led to fragmentation in the metropolitan regions and resulted in inequitable allocation of public education (Briffault, 1996).

Supporters of localism claim that if power is decentralized to local government agencies, each community will decide to offer their own variety of public goods and services and citizens can then “vote with their feet” by moving to communities in which the local government offers the goods and services those citizens desire (Tiebout, 1956). The clear flaw in this theory is that many families simply cannot afford to move to neighborhoods with more desirable schools due to higher property costs in those areas. Instead, residential segregation leaves poor and often minority populations in central cities and inner-ring suburbs while more affluent, and generally white, populations settle in outer-ring suburbs (Orfield, 2005). As a result, many poor and minority students end up in schools lacking resources and exhibiting low academic achievement (Wang & Kovach, 1995).

While a number of laws have recently attempted to give residents of impoverished neighborhoods the option of mobility to other schools, one obstacle remains in unequal access to information for residents of those areas, despite technological advances in information flow (Horrihan, 2009; Roscigno et al., 2006). Families in urban areas often rely on public libraries for information (Bertot, et al., 2008), and lack of infrastructure and funding for libraries can further exacerbate the disparity in access to information (Sin, 2011). Issues of racial disparity have also been identified in access to information for certain minority groups (Lorence, et al., 2006). Unless schools and districts make concerted efforts to inform parents of the law put in place to

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mobilize them, it is likely that many of California's most underprivileged families will remain ignorant of their ability to better their children's educational opportunity.

IDENTIFYING POSSIBLE SOLUTIONS

Despite obvious disparities created by systems of local control, the U.S. judiciary has not offer a definitive solution, repeatedly deferring control over finance and school assignment to local officials (Chemerinsky, 2004; Jenkins Robinson, 2007). This leaves the assurance of justice up to district leaders, some of whom have offered a solution that entails helping students transfer to their school of choice, even if that means stepping across district boundaries. This alternative to the tradition of attending neighborhood schools reflects a new theoretical preference for regionalism over localism (Wilson, 2011). Regionalism, as opposed to localism, encourages the opening of district boundaries within a region to increase inter-district mobility and thus combat disparities caused by residential segregation along race and class lines (Cashin, 2000).

The choice to implement regionalist policies is, however, still left up to districts and existing literature is concentrated around regions where local policy has facilitated high rates of inter-district mobility. During the 1990s, some states tested inter-district school choice based on two underlying assumptions. The more conservative assumption claims that giving students a choice of schools will create competitive market pressure resulting in the improvement of all schools involved (Welshe & Zimmer, 2010). Although many researchers have attempted to prove this hypothesis, critics of free market theories claim such reasoning only applies in affluent areas as low-income districts lack the resources necessary to compete (Wilson, 2011).

The more progressive theory asserts that offering choice will advance equal opportunity by helping disadvantaged students attain a better education than would be provided in their home

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district (Holme, 2009). Whether open enrollment policies actually help those students is still debated. Many researchers and officials claim that the availability of inter-district transfers has provided opportunity to poor and often minority students by allowing them to exit failing neighborhood schools (Burke & Sheffield, 2011; Holme, 2009). This rhetoric is upheld by research on regions such as Boston where inter-district choice does seem to improve prospects of lower-income students (Orfield et al., 1998). However, in other areas some serious flaws were identified in choice programs. Critics claim that policies allowing districts too much discretion in accepting transfers can generate bias and limit access to the most desired schools (Holme & Richards, 2009 on Fowler, 1996). Some studies also show that choice can further stratify districts by race and class as higher income and white students tend to seek transfers more frequently than lower income and minority students and districts that gain students are ones attended by more white and affluent students than those being left (Holme & Richards, 2009). Holme and Richards also note that policies that failed to provide adequate information and free transportation options to low income students saw low participation rates from that demographic.

Additionally, researchers have attempted to identify who transfers, from and to where, and why. Some found that students residing in high property value but low tax districts tend to transfer into districts with higher spending (Welsch, Statz and Skidmore, 2010). Others have shown that students often transfer from districts with fewer extracurricular opportunities and to areas with fewer minorities (Welsch et al., 2010), and to districts with higher test scores and income levels (Reback, 2008; Hastings, Kane and Staiger, 2005). While some literature points to student and parent cost utility calculations as the driving force of transfers (Welsch et al., 2010), other studies assert that, “academic goals overwhelm other concerns” (Orfield et al., 1998).

FOCUSING IN ON CALIFORNIA

Adhering to a preference for localism, California districts may choose within which section of the Education Code to operate. The school districts in Calderon County currently operate under Ed Code §46600 by which, “districts may draft agreements to consider individual requests for interdistrict transfers for stipulated reasons...on a case-by-case basis” (Hein, 1997; District web pages). AB 19 gives districts the option to become a ‘District of Choice’ and accept students from outside its boundaries using a “random, unbiased” process (Hein, 1997). The Code allows rejection of applications if the inter-district transfer would negatively impact the district’s court-ordered or voluntary desegregation plan (Kemerer & Sanson, 2009). Additionally, the Allen Law gives elementary school students grounds to enroll in the district of their parent’s work, but with no guarantee of acceptance by that district. Requests may be denied for numerous reasons and districts are not required to offer an appeal process, although they must provide a written explanation of each denial (Hein, 1997).

While most literature on the actual practice of inter-district transfers is concentrated on regions outside of California that have implemented open enrollment policies, there have been a number of studies on a few localities within the state as well. One recent analysis of three programs in San Diego found that the two rooted in 1970s integration reforms that include transportation do have the effect of integrating the district. However the third approach, which did not include transportation, actually contributed to further segregation (Koedel et al., 2009). While this study provides a starting point for research in a California metropolitan region, it focused on intra-district transfers, leaving inter-district mobility unexplored.

Another study of the Los Angeles open enrollment program found that, “mobility associated with open enrollment is a more important determinant of academic outcomes than is

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race, suggesting that the socio-spatial dimension of student performance needs to be more adequately addressed as a potential explanation for the pervasiveness of the achievement gap between white students and their black and Latino counterparts” (Ledwith, 2010). With its complex multiculturalism and racial diversity, Los Angeles is a comparable region to the Calderon County. Yet once again this study focuses on intra-district transfers within the LA Unified School District, leaving the phenomenon of inter-district mobility largely untouched in metropolitan California. An additional study comparing the California districts of Oakland and Compton shed some light on Oakland’s intra-district open enrollment policy, but again did not discuss district boundary crossing (Snell & Dalmia, 2007). One goal of my research has been to investigate the inter-district mobility of students in closed border districts that may not provide many options within their borders for students seeking higher-achieving schools with greater resources.

I found a single article by Esther Prins addressing inter-district transfers in California, focusing mainly on the increase in segregation of Latino and White students as a result of mobility across district boundaries. This study points to the troubling fact that Latino students experience the most significant rates of segregation in schools in the U.S. (Orfield & Yun, 1999). It also reiterates the conclusion found in many studies across the nation that, “Open enrollment policies may exacerbate segregation and stratification because parents tend to choose schools based on class and racial composition, not just academic criteria” (Holme & Richards, 2009 on Fossey, 1994; Schneider & Buckley, 2002). Prins’ work is helpful to my research because it addresses the reality of inter-district transfers in a region with similar closed border policies to Calderon County and identifies important social justice issues resulting from local control. Assigning culpability to both districts involved, Prins concludes that, “the interdistrict transfer

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policy and its implementation were discriminatory because the policy provided a mechanism for White parents to leave the school while effectively ensuring that Latino/a students would remain in a segregated, high-poverty school” (Prins, 2007). She attributes this institutional racism to the reluctance of white parents to send their children to a majority Latino school and the unwillingness of school administrators to actively prevent segregating mobility. Although I kept these conclusions in mind for my own study, the overcrowding of schools in urban areas tends to inhibit the high volume of mobility observed by Prins. This study provides some insight on the realities of inter-district mobility when left up to the discretion of the districts involved. However, because Prins focused on a rural area almost entirely comprised of White and Latino students, there remains a gap in the literature, which I attempted to address with considerations of inter-district mobility in a metropolitan region where racial dynamics are much more complex.

FINAL NOTES ON THE LITERATURE

My review of the literature led me to identify the goal of adding knowledge to the already existing wealth of research on school choice. Specifically, I aimed to provide some insight on the dynamics of district boundary crossing in a fragmented and closed border post-industrial metropolitan region in a state where mobility is restricted by the autonomy given to local districts. This research is set to a backdrop of existing literature on historical trends of localism in the U.S. and various phenomena unique to the region and state of California.

III. REGIONAL CONTEXT

Calderon County has been cited as one of the most populous and ethnically diverse regions in California and in the nation as a whole. The region contains no majority racial or

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ethnic group and is home to many immigrant groups, with English language learners speaking over 50 different languages in its primary and secondary school systems.³ This study focuses on the area of Calderon County containing the cities of East Point and San Vincente and the unincorporated communities of San Felipe and Clover Hills. Mostly urban and residential, these areas reflect the diversity of the region as a whole, although some significant differences can be noted in the size and demographics of their populations.

East Point is the region's largest city and seat of County government. For the purposes of this study I have characterized the East Point Unified School District as an urban district serving an extremely ethno-racially and socio-economically diverse student population. Because of their smaller size and relatively peripheral location to the region's larger cities, I have classified San Vincente and San Felipe as inner-ring suburbs which are more diverse and urban than "conventional" suburbs but less densely populated and centrally located than urban areas. Both San Vincente and San Felipe have their own Unified School District, but each share parts of the region's "grey areas," which exist in the neighborhoods of overlap and discontinuity between city and school district borders. Finally, because of its location and demographics I have characterized the unincorporated community of Clover Hills Unified as a suburban school district, although it is more diverse than many conventional suburbs.

While there are demographic differences between these cities and unincorporated areas, the populations are all very diverse and none contain a majority ethnic or racial group. Although local perceptions would indicate that these neighboring districts vary greatly from one another in school quality and racial composition, the differences are not as stark as is depicted by regional popular conscience. This issue of common perceptions diverging from current realities will be

³ *Calderon County Government*. County of Calderon, 2012. Web. 5 Apr. 2013. <<http://www.ccgov.org/about/>>.

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touched upon in the following sections. It is also important to note that the school districts in this region do not always coincide with the city or community boundaries. As mentioned above, there are a number of “grey areas” between San Vincente, San Felipe, Pittsfield⁴ (another neighboring district), and Clover Hills that frequently create confusion and conflict over school district attendance.

IV. METHODOLOGY

It is important to note up-front that I chose my research topic because I grew up in San Vincente and experienced the difficulties of living in a district with limited public school options. I entered into this study with knowledge of the region’s politics and community character and while there was potential for bias, I believe that my personal background served to guide my inquiry into many areas that require a more nuanced understanding of the regional context. This study took an exploratory approach using mixed quantitative and qualitative methods to outline the functioning of the interactional, organizational, legal and extralegal levels that inform the inter-district transfer process in Calderon County. I began first at the interactional level by interviewing one student and one parent/teacher identified through snowball sampling in the region. In recorded conversations, I asked subjects to tell their own personal stories of mobility across district lines, and then transcribed those interviews for later analysis. These interviews were conducted in February and April and lasted between thirty minutes and one hour.

At the organizational level, I interviewed district administrators in the San Vincente, San Felipe, Clover Hills, and East Point Unified school districts, in that order. These interviews were scheduled for one-hour periods in February and March and were conducted on-site at the district

⁴ Place names have been changed to preserve anonymity of human subjects.

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offices of administration. I asked those administrators to provide quantitative data on transfers in and out of their districts and then posed a series of questions regarding their perception of patterns in transfer requests and mobility and their own formation and implementation of district-specific inter-district transfer policy. Interview questions that formed the basis for those conversations can be found in the appendices. While data recorded and provided by administrators is inconsistent across districts, I identified points of comparison in volume and directionality of transfers. I also interviewed the Calderon County employee who filters inter-district transfer appeals to the County Board of Education to inquire about numbers of appeals and the resolution process employed by the County Offices of Education.

The legal level of analysis was based on those laws identified as currently relevant to transfers in the organizational level interviews. From those interviews, I decided to research one federal and three state laws to provide background for my analysis of student mobility, administrative policy-making and organizational processes addressed in interviews.

Finally, I examined the extralegal level of inter-district mobility through an analysis of interview notes from district administrators and the transcribed text of one student interview. When applicable, district administrators were asked their perception of and policy toward extralegal transfers and their responses created the basis for this level of the study.

All interview subjects were informed at the beginning of the conversation that their responses would be kept anonymous through the use of pseudonyms. Each interview was conducted in-person, except for one student interviewed over Skype due to distance. I took detailed notes by hand in all organizational level interviews, which I then transcribed digitally later the same day. Interview subjects at the interactional level were informed that their

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responses were being recorded, and I later transcribed those responses word-for-word. Detailed descriptions of all interview subjects are included in an appendix to this study.

V. INTERACTIONAL LEVEL

The first personal story behind this research begins at the border of East Point and San Vincente, where a drastic change can be seen across the two sides of this seemingly fluid boundary. Driving down a main avenue in San Vincente the houses appear to be well-kept middle class homes. But once you cross the border at a narrow street, you find yourself in the heart of one of East Point's most poverty-stricken and dangerous neighborhoods. Upon crossing a single intersection, the driver will begin to see run-down houses and apartment buildings with bars covering street side windows. This harsh contrast is only a visual marker of more deeply rooted problems that have plagued the region for decades.

In the years following World War II, development in the Calderon County was largely shaped by racial housing covenants that prevented African Americans from moving into homes in cities such as San Vincente. San Vincente's population exploded following the war and became a booming industrial center, which led to employment opportunities and whites-only middle class housing development.⁵ For this reason San Vincente was an almost entirely white town up until the 1970s and this historical context could be one of the reasons that San Vincente is perceived by many to be a more desirable, "middle class" school district than East Point Unified.

Although San Vincente has now greatly diversified, the city's affluent neighborhood closest to the East Point boarder is an enduring legacy of the region's mid-20th century

⁵ *City of San Vincente History*. Retrieved from <<http://www.sanvincente.org/about/cosvhistory.asp>>.

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segregated development. Today San Vincente continues to attract more middle class families, of all races, than the bordering neighborhoods in East Point. The close proximity of many East Point Neighborhoods to North San Vincente also creates issues of school attendance. The school district lines at the East Point-San Vincente border are drawn along the city division and it is common for the closest school to a student's residence to lie on the other side of the district boundary. This was the case for one East Point family whose story was told Denise⁶, a San Vincente resident, parent, and district employee.

Denise, who works at a San Vincente border school, had just moved her aging mother into her San Vincente home and hired Veronica⁷ as a caregiver. Veronica's sons were enrolled in another San Vincente elementary school near the East Point border. When Veronica decided to invest in a home in East Point, just outside of San Vincente, her mother began to watch the children afterschool in her San Vincente home. The children obtained inter-district transfer permits based on childcare and school continuation, and everything was fine at first. Denise goes on to describe how the story takes a complicated turn:

So [Veronica] was very active in the PTA, which I think helped, because what happened was, some of the people at Van Buren Elementary⁸ were very upset that a lot of students were transferring, an intra-district transfer, meaning they were in Van Buren's boundaries but they wanted to go to Coolidge Elementary⁹ which was considered a better school at the time... I think just by nature, parents who do transfers are the ones that are also going to be pretty active in the schools, because they are the ones who care so much about their kids they're going to transfer. So they bleed their home school of PTA assistance,

⁶ Interviewee names have been changed to preserve anonymity of human subjects.

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because they're the ones that were probably most involved there. So that's why some of the parents who don't leave become more concerned, "how can we stop the drain...of active parents leaving this school and moving to another school?"

So one thing they thought was, well, we can get rid of all the inter-district transfer people taking up a spot in our school and make it look like our enrollment's too low for them to be released to another school. So that's what these people looked into, and one of the people they looked into was my caregiver, for my mom. Found out she lived in East Point and thought, hmm, what if we complain about her inter-district transfer, and that is just adding to the lack of spots so that people are transferring to this other school and we want to keep them at our school. And it became very political, I think. And I don't have all the inside story, I just know it was affecting me and my family because I didn't want to lose her as my mother's caregiver. She was in tears over whipping her 5th grader out. He had gone all the way from preschool through, was now in 5th grade, and wanted to graduate with his class. And this was the beginning of the year, probably around November.

When asked why Veronica's sons did not simply attend their neighborhood school in East Point, Denise explains that:

They had moved into an area that had one of the worst elementary schools in the East Point area, pretty dangerous...And they could get into the lottery, which would have been fine, but they had no way to get the children, if they got into the lottery and got a better middle school and elementary school, they would not have been able to arrange the transportation to get to those schools because they had one car and that car was used for work to come take care of my mom, etc, etc. And the bus system wasn't, isn't really ...

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the best bus system in the world. In San Vicente, it's almost non-existent; in East Point, it's difficult...So when you're poverty level, you can take advantage, maybe, of a [intra-district] transfer in the East Point lottery, but then the problem becomes how do you get your child to school? So they realized they weren't willing to sacrifice their children in the sense of getting them to a school in a dangerous neighborhood, and they weren't sure how they would get them to the schools that were possibly going to open up that would have been hours of bus rides. So it was so easy for them to go three blocks across the border to the school that they had been at, and, that was where their caregiver, her mother...could have provided transportation.

Fraught with distress over the news that she may not be able to keep her sons' transfers, Veronica considered using her mother's San Vicente address to feign her boys' residency in the district. Denise, however, advised her to take the legal route and argue her case to the school district. A well-informed district parent and employee, Denise explains that:

What I knew, politically, was that, as a Hispanic family that was very involved and modeling to other Hispanic families and getting other Hispanic families to come to a lot of the evening activities and get them involved in the PTA, I knew this was not somebody they would want to lose. So I felt pretty comfortable in giving her the advice I gave her. And, sure enough, they stayed, everything worked out fine.

And the reason having her as my mother's caregiver also, I think, played into the district. The district understood how important that was, it was her job, and her mother being her babysitter, was a San Vicente resident...So they were never a problem, they were great.

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This was, however, not the end of the line for Veronica. Using her inter-district transfer, she enrolled her older son at the local San Vicente middle school and became involved there on the PTA and as a volunteer. Denise continues to tell the story:

Her son is, fast-forward to I think he was in 7th grade, the younger one was probably graduating from elementary school, and now they're being told there really probably won't be a seat for the child in middle school. And I panicked, because they're now going to have to move maybe out of the area. This is my mom's caregiver. So I took it upon myself to go to the district office, to the attendance clerk, and plead my case, saying this was going to affect my family as well as her family, that this was an exemplary family in the Hispanic community, she was a great role model, her kids were great, and I would be willing to have her children move into my house not to lose her as a caregiver. So, no matter what the decision was going to be, I was going to make sure that they had their seat.

So then I went to the principal, who I knew. I had helped her move the entire [middle] school into portables one year when they retrofitted the school and move it out. I had been PTA president. So I don't know how much that really plays into it, but I suspect that when you're a volunteer and you kill yourself for a school that they at least don't turn you away. I have no proof of any of that, but I'm sure it plays into it. So [the principal] assured me she wanted to keep this family, that yes indeed they were a model family for them. The son was doing super well in school, and he was in the band and everything, and she didn't think I was going to have to move them in with me but took note that I was going to do that, so please arrange a space for them. And that was their story, and sure enough they were not denied a spot and I do believe they didn't move into

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San Vicente until their oldest was a sophomore in high school. It was recently, within the last year...and now they don't have to worry anymore either.

Veronica's is a story that not only shows the obstacles to crossing borders in the Calderon County, but also demonstrates that mobility can provide huge benefits to individual families. Instead of being forced to enroll in what is described as a dangerous urban school, Veronica's sons used the transfer system to move to safer schools where they excelled academically. The story never insinuates that her boys would not have also been excellent students in an East Point school, but Denise implies that school environment may contribute to safety and academic success.

Still, in this story, much of Veronica's success was due to the help of a savvy district employee who had a personal connection to the family and knew what was at stake for her own family as well as for Veronica's. Denise had an understanding of local politics and knew how to appeal to school and district administrators to secure space for Veronica's family. It is likely that during the "political" turmoil over the loss of valuable parents at Van Buren, there were other families who lost their inter-district transfers but had no one to advocate for their children.

This story also indicates that in this region, there is a common misperception that transfers from neighboring districts can be detrimental to local schools. While Veronica's story demonstrates that parents of inter-district transfer students can, on the contrary, greatly contribute to their new communities, these misperceptions continue to hold strength in some areas. These types of misperceptions seem to be the most powerful where district lines represent stark difference, as does the boundary between East Point and San Vicente, indicating that these beliefs could be based in fears of what lies beyond the border of a comfortable community.

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The East Point/San Vincente border is, however, only one of many types of boundaries that appear within the region. On the other end of San Vincente, the district border with the unincorporated community of San Felipe is much less conspicuous. Driving from San Vincente to San Felipe, it is almost impossible to determine where one zone ends and the other begins. This blurred continuity has deceived many new residents, including Denise, who has her own story of struggle with district lines that begins when she first moved to San Vincente:

So the beginning of the story is I moved to San Vincente when my first-born was 8 months old, bought a house and part of why I bought the house was that I was told it was in SVUSD. So it was off of 150th in a small court but clearly part of San Vincente because I was able to get a SV library card, that's sort of the gage of if you're in SanVincente, paid taxes in San Vincente, so I thought I was fine.

Fast-forward to [my son] is now 5, ready to go to kindergarten and I go to in the spring before the fall kindergarten. I check out my local school, Harrison Elementary¹⁰, which was within four blocks of walking right to, so I was sure, I didn't even call, it was so close. And I ask if they have childcare because I decided I'm going to go back and teach two days a week. Come to find out they don't have childcare; they only have low-income childcare. I didn't qualify, and they sent me across town to Coolidge, which I wasn't happy about but they had childcare and I thought, "ok great that's what we'll do, how do we do that?" And they said you get an intra-district transfer from your home school, which we all assumed was Harrison, which was three blocks from me. So that's what I did the first year...and the next year the district gives me a notification that not only will I not get my intra-district transfer but I need to apply for an inter-district

¹⁰ Place names have been changed to preserve anonymity.

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transfer because I'm actually not in San Vicente Unified, I'm in San Felipe Unified, and my home school would be, if I didn't have a car it would be a long bus ride, or quite a drive, like at least 2 to 3 miles away.

So that was shocking. I called the district, "what's going on?" "Yes indeed, the way the lines are drawn and the boundaries, if you lived across the street, you'd be in San Vicente, but you don't, you're in the 'grey area'". "What's the grey area?" "Well, the grey area means we normally grant your inter-district transfer and a lot of people do use them because they're much closer to the San Vicente schools than San Felipe". So that was my first shock. [I] applied for the inter-district transfer, found out I had to apply for it, in those days, every year, but as long as my child was not problematic behavior-wise, we would be fine.

So now by the time my daughter comes along five years later, my son is now going to be in the middle school, which is impacted. And the middle school is telling me, "Well, we realize you've been in San Vicente schools but we have to have a seat for every butt and these schools at the middle school level are now getting to be more and more impacted and so we're not going guarantee you a spot". So I began to get really nervous, find out that because I'm a teacher in San Vicente Unified that I will get priority. So now I feel a little better. My daughter starts elementary school, my son starts middle school, things are ok in 6th grade and kindergarten.

Then when he's in 7th grade and she's in 1st grade, my principal pulls me aside and says, "Look, I'm not going to color coat this with anything but reality, which is I think our schools are going to get so impacted that you may not be able to get your transfer even though you're a teacher".

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So they were basically saying that the population was high enough and more and more kids were moving into the San Vicente area that also had middle school-age kids. So I began to get nervous and by the time [my son] was in 8th grade they told me, “You know, this is really going to be difficult for your daughter who’s coming up behind him”. So I began to look for housing and eventually moved into the San Vicente boundaries, end of their story. But, I would have probably had a lot of difficulty with [my daughter] staying in San Vicente schools if we hadn’t moved into San Vicente.

Denise’s story differs from Veronica’s in a number of ways. Most obviously, Denise was living in the San Felipe Unified School District while Veronica had her home in East Point. Because of the unclear border and resulting “grey area,” San Vicente Unified School District was much more accepting of transfers from San Felipe, as opposed to the East Point transfer students crossing a well-defined and visually obvious boundary. This is all despite the fact that it is perfectly plausible that an East Point resident could be equally close to a San Vicente school as Denise was from her San Felipe District home.

The other significant difference between the two stories is that Denise had insider knowledge and financial resources while Veronica, at least on her own, did not. These are factors that appear, at times, to play a powerful role in both access to the transfer system and ability to “choose” a preferred school. Denise was not only more likely to keep her transfer due to her status as a district employee, but she also had access to information provided to her by coworkers and friends within the district. As will be discussed the following section, access to valuable information about the transfer system is not necessarily equally distributed to all candidates. Additionally, although it was not at all easy for Denise and her family, they were able to find the

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financial resources to move into a more expensive neighborhood of San Vicente in order to maintain enrollment in their schools of choice. It was from this new San Vicente residence that Denise would advocate for Veronica in the following years.

These stories demonstrate the very individual effects of transfer policies that can at times be formed with an attempt at standardization. Section VI outlines in greater detail how administrators and cope with this tension between individual student needs and their district's fiscal and space constraints. As Denise pointed out in her interview, and as is very clear in these stories, when thinking about inter-district public school transfers it is absolutely essential to remember that the ability to transfer has a real effect on the individual lives of students and their families. It is for this reason that the interactional level of this research has been situated at the front end of this paper, and I hope that readers will keep these personal stories in mind as they go on to read about the administration, law and policy that affect individual student mobility.

VI. ORGANIZATIONAL LEVEL

The organizational level of my research addresses the policy and practice of local institutional actors at the district and county levels. In order to apply for an inter-district public school transfer in Calderon County, a student must first be released by their district of residence and then accepted to enter the desired school district. District administrators receive applications, but the Calderon County Board of Education sets standards for the application form and works to align district practice with state law. Despite this overarching county presence, administrators in each district seem to have found a space for their own personalized district policies based on local needs, values and political pressures. This section is organized in order of interviews conducted and contains, at the start of each district segment, available data on the volume and directionality of inter-district transfers experienced by the district's administrative offices. The

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numbers included here are dependent on the time of year that this data was collected, as transfers are ongoing year-round. This data was collected between February and April and may vary from the final count at the end of the school year in June.

SAN VINCENTEVolume of Incoming Transfer Requests 2013-2013

Total Requests	Approved	Denied	Revoked	Rescinded	Undetermined
673	381	227	33	26	6

Directionality of Incoming Transfer Requests 2012-2013

District of Residence	Number of Requests	Percent of Total
Pittsfield	84	12.69%
East Point	244	36.86%
San Felipe	296	44.71%

*12 other districts provided less than 2% each of incoming requests not recorded on this table

*Place names have been changed to preserve anonymity of human subjects

Volume of Outgoing Transfer Requests 2012-2013

Total Requests	Approved	Denied	Undecided
566	321	62	183

Directionality of Outgoing Transfer Requests 2012-2013

District Requested	Number of Requests	Percent of Total
Calderon County Office of Education	31	5.48%
Alvarado	62	10.95%
Clover Hills	87	15.37%
Pittsfield	31	5.48%
East Point	95	16.78%
San Felipe	157	27.74%

*19 other districts received less than 5% each of outgoing requests not recorded on this table

*Place names have been changed to preserve anonymity of human subjects

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The issue of popular misperceptions was brought in front and center by San Vincente district administrator, Doris¹¹, when in an interview she began by explaining that many families want to transfer into San Vincente because they think of it as a suburban school district. But she quickly clarifies that San Vincente and the districts to its North and South are all urban districts, “jockeying” for more students. According to Doris, she receives calls at the end of each spring semester from parents who are upset that San Vincente is a program improvement district. Like many of the surrounding districts, San Vincente Unified must perform what Doris refers to as “a balancing act,” in which the district must examine incoming and outgoing transfer requests on a case-by-case basis, taking into consideration district attendance levels and resources.

Doris has made some substantial changes to district transfer policy since she arrived five years ago. At the time of her arrival, she explains, San Vincente transfer policy was very rigid, accepting almost no transfers in from East Point and denying all requests by new kindergarteners wishing to be released to another district. She has since adapted the district policy to her own beliefs of what is equitable and administratively feasible. Doris ended the strict acceptance policy of her predecessor, seeing it as racially biased, and now releases all kindergarteners who request a transfer out. She says she made this second change because it was not only pointless to force unhappy families to stay, but such action also fails to align with County policy. Although some school board and community members pushed for stricter regulations on outgoing transfers, students can always appeal a denial to the Calderon County Board of Education, which according to Doris will always side with a kindergartener wishing to exit a district.

It is easy to see why some parents whose children have not yet attended a San Vincente school might be concerned about the quality of education within the district. San Vincente

¹¹ Interviewee names have been changed to preserve anonymity of human subjects.

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currently has only three elementary schools that are not identified as program improvement.

According to the Doris, many parents become angry when they cannot transfer into one of those schools, but then find that after a few months they are actually very content with their neighborhood elementary school. She says that API scores, the current measurement of school performance under the Public Schools Accountability Act,¹² do not always accurately convey the quality of a school. According to Doris these tests are an inaccurate measure of schools because African American and ESL students tend to score disproportionately low on aptitude tests.¹³

To counter the negative perceptions of San Vicente schools, Doris says she tries to refocuses attention to the district's strengths. She explains that despite low API scores, San Vicente schools actually have many attractive attributes including a focus on local education, equity for all students, a tolerance policy for LGBTQ students, an afterschool program with the Boys and Girls Club, and a park next to every elementary school in the city. She believes that if the playing field becomes more level following the expiration of the NCLB Act, San Vicente may actually have more students wanting to enter the district due to these attractions.

As a district administrator, Doris has the ability to make these small policy changes according to what her experience tells her is best for students and the district as a whole. She explains that when she wants to make a policy change, she first goes to her supervisors for approval and then sends a proposal to the School Board Policy Committee. That committee then

12 Academic Performance Index (API). California Department of Education, 27 Mar. 2013. Web. 6 Apr. 2013. <<http://www.cde.ca.gov/ta/ac/ap/>>.

13 Krieg, John M. "Which Students Are Left Behind? The Racial Impacts of the No Child Left Behind Act." *Economics of Education Review* 30.4 (2011): 654-64. Web. 13 Apr. 2013. <http://faculty.wvu.edu/kriegj/Econ.%20Documents/ECOEDU_1172.pdf>.

Rowley, Rochelle L., and David W. Wright. "No "White" Child Left Behind: The Academic Achievement Gap Between." *Journal of Negro Education* 80.2 (2011): 93-107. *EBSCO*. Web. 6 Apr. 2013.

Darling-Hammond, Linda. "Race, inequality and educational accountability: The irony of 'No Child Left Behind'." *Race, Ethnicity & Education* 10.3 (2007): 245-60. *EBSCO*. Web. 7 Apr. 2013.

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takes their revisions to the Board for a vote. She notes that there are some very conservative board members who are unwelcoming to change and flexibility in policy. Nonetheless, Doris continues to suggest what she believes are improvements to district policy.

In addition to policy-making power, Doris also exercises control in decisions made regarding individual transfer cases brought to the district. She tells the story of a fifth grader residing in the San Felipe Unified School District who had been attending school in San Vincente for a number of years. When his request had to be denied due to lack of space, the child came to her office in tears about having to leave his school and friends. Doris ended up working with the principal to create space for the student to stay in the school. This story shows flexibility in the system and demonstrates the ability of district administrators to use their power and connections to create solutions on a situational basis.

Doris goes on to explain that her office receives most of its inter-district transfer requests from students residing in the “grey areas” between San Vincente and the surrounding school districts. These students must apply for inter-district transfer permits to attend San Vincente schools, but the district will always accept them as long as there is space. According to Doris, the creation of these areas was no accident. For example, residents of the Pinecrest¹⁴ neighborhood, which is technically in East Point but borders San Vincente, are allowed to attend San Vincente schools. Doris believes that this policy is rooted in the fact that Pinecrest is generally home to more affluent families with political influence who do not want their children attending East Point schools. She then points to other more industrial neighborhoods in south San Vincente that were left outside of the district lines, possibly because of higher poverty rates and lower parent

¹⁴ Place names have been changed to preserve anonymity of human subjects.

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education levels. It was in one of these neighborhoods that Denise originally purchased her house, assuming it was within the lines of the San Vicente school district.

Doris' account demonstrates that district policy is not created out of thin air. Acceptance rules and district zoning are built upon a backdrop of longstanding racial and socioeconomic issues. What becomes very clear is that administrators have the power to reinforce the legacies of older policies or reject them through their own personal approaches to inter-district transfer policy. While administrators must generally remain within the bounds of State and County policy due to the possibility of student appeals to the County Board of Education, they maintain a surprising amount of control in the policy-making and implementation process when it comes to inter-district transfers. It will become obvious in the following sections that this reality leads to quite a bit of variance in transfer policy and practice across district lines in Calderon County.

SAN FELIPEVolume of Incoming Transfer Requests 2011-2012

Processed	Approved	Denied
614	470	144

Volume of Outgoing Transfer Requests 2011-2012

Processed	Approved	Denied
851	511	340

Data on directionality of transfers was not available in the San Felipe Unified School District.

James¹⁵, an administrator in the San Felipe Unified School district, has his own personal policy on inter-district transfers, emphasizing that if a family is really hard-pressed, the district will try to be helpful and understanding. He says, however, that elementary and high schools in his district are very impacted right now. One of the reasons for high enrollment in San Felipe

¹⁵ Interviewee names have been changed to preserve anonymity of human subjects.

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elementary schools is the attractiveness of the district's preschool programs. In San Felipe, every elementary school has an adjacent preschool that feeds into its kindergarten. As word has gotten out about these programs, more and more families want to transfer in to San Felipe Unified to take advantage of its public preschools.

When asked to explain other patterns seen in transfer requests, James says he has observed a multiplicity of shifts. He says sometimes parents coming in from San Vincente asking him to help them get their child out of that district and other times he will see a dissatisfied San Felipe parent wanting to leave. He notes that transfer students wishing to enter from East Point are primarily trying to get away from a particular element, namely violence or the bad reputation of the East Point Unified School District. Concerns about violence are marked off as "health and safety" reasons on the inter-district transfer application. James also receives health and safety requests from students wishing to enter from San Vincente, but he says that such requests can also result from boundary issues concerning the "grey areas" between the two districts.

James explains that many parents requesting transfers into San Felipe are aware of the reputation the district has of being more relationship-oriented and proactive with its students. He also points to his extremely popular two-day-a-week independent study program as a point of attraction within the district. However, this program is so popular that he has to deny all inter-district transfer requests for independent study. He relays that just recently he received a call from a social worker asking that a girl currently residing in a group home in East Point be allowed to transfer in to the program, but he regrettably had to turn her away as well.

When questioned about the types of parents who seek transfers, James smiles and notes that it is a good question. He has noticed that some of the families who operate under the inter-district transfer system are definitely a bit savvier and better informed. He sees patterns of more

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“entitled” parents wanting transfers into Clover Hills, but also sees some savvy families attempting to enter San Felipe and then requesting specific schools within the district. While students applying for inter-district transfers may request the district but not a specific school, he observes that the majority of high school-level transfer applicants request one school in particular because they assume its higher test scores indicate a better school. Because of increasing enrollment and the high volume of requests for this school, James must deny a large number of those requests and he says that many parents become angry at that denial.

When asked about race as a factor in the inter-district transfer process, James observes that it is often Asian families that submit inter-district transfer requests for the high school mentioned above. He says he has had conversations of race and culture, delving into why these students want this particular high school while refusing to accept other options. Here again, the issue of popular misperceptions comes into play. According to James, despite the fact that San Felipe has no stereotypical white schools, there is still a common misperception that certain schools, including the frequently requested high school, are “white” schools. He is quick to explain that this is not the reality and that San Felipe schools are, for the most part, schools of color. In his years in the district he has even noticed patterns of “white flight” from the area, causing San Felipe’s white population to decline over time. He goes on to lament the fact that in today’s society, the perception of what is real can often be more powerful than the actual truth.

This issue of misperceptions came to light about three years ago in San Felipe in what James describes as a sweeping notion that if the district’s test scores were going down it was because of the inter-district transfer students. In response to this, James sent the GPA’s of all inter-district transfer students, which he recalls averaged out to about 3.5, to the district superintendent. According to James, families of transfer students often “know the game” and

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many of their children are straight-A students. Nevertheless, there are still some complaints from resident parents directed at inter-district transfer students. Such complaints occur when students must be moved to another classroom or even another school to adjust to space needs in San Felipe's impacted elementary schools. James explains that it can be very hard on a child to switch schools mid-year, and some parents come to him complaining that they know of students in the class who do not reside in the district who should be moved instead of their child. However, if it does become necessary to move a student due to class crowding, the first ones to be sent to other schools within the district will be those with inter-district transfer permits.

Like Doris, James also has his own policy initiatives within his district. For students wishing to leave San Felipe, he states that he will not deny any outgoing transfer requests because there is no sense in trying to keep students who can just appeal a denial to the County Board of Education. Also, because of the district's increasing enrollment, losing students to other districts has not been an issue in San Felipe. Furthermore, James identifies himself as an administrator who will give students a chance. He explains that if the family of a student applying for a transfer into San Felipe convinces him that their poor grades are a result of the prior school's environment, he will give them a chance to prove themselves on a transfer. He will very rarely revoke an inter-district transfer permit within the school year but if it does occur, the student is generally allowed to remain in school until the end of the year. The district will also not revoke an inter-district transfer permit after April 1, and instead lets the student stay on until the end of the school year. During second semester, James sends a list of all transfer students to the school principals for recommendations on which students should be allowed to stay and which should have their transfer permits revoked. He uses this system because, having served as

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a vice principal himself, he respects the fact that school administrators are the ones who know the student personally and can best evaluate their performance, attendance and behavior.

For those cases in which a transfer into San Felipe is denied or revoked, James has created his own appeals process within the district, through which parents can bring their case to him for a second review. He uses a form very similar to the original transfer application but will listen to the story more intently this second time around for nuances such as bullying claims. James handles appeals in this manner because he has heard that the County Board of Education is pretty family friendly, siding with the family over the district nine times out of ten.. So instead of sending transfer appeals to the County, James hears a large number of appeals cases during the year. He says this is feasible unless they bring in the elementary school-age child to his office, which makes the appeal more emotional and difficult to resist. Despite this realization of the flaws in his system, James is content with the fact that he has not, in his five years with the San Felipe School District, had to deal with the County Board of Education.

He does, however, see that it can be tricky to use his power as a district-level administrator to overrule the revocation requests of school principals. He admits that it is very difficult to call a school administrator and inform them that he has overturned a revocation on appeal and that a student which administration recommended be removed would in fact be returning to the school in the fall. In an attempt to ensure improved performance, James takes care to inform a student that if their revoked transfer permit is reestablished on appeal, they will be under strict scrutiny and can have their transfer revoked again, even mid-year, for a breach of regulations. He sites one case in which he revoked the transfer of a student with poor attendance and an instance of possession of marijuana but then allowed him to stay after hearing an appeal. Unfortunately he student's behavior and attendance did not improve and he was sent back to the

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Pittsfield Unified School District mid-year, although he was frequently seen loitering around his old San Felipe school even after that.

Policy decisions and initiatives, including James' district appeals system, are often backed up by similar anecdotes. Because administrators have years of experience dealing with issues related to inter-district transfers, they find themselves in a position to make informed decisions about what is best for their district, schools and individual students. It is difficult to argue with the fact that administrators hold a lot of clout in policy making due to their unique positioning between higher levels of administration and actual students and families. They know the law and what to expect from their supervisors and from the County, but they also have an unquestionable connection to the individual students because of their day-to-day interactions. Some administrators, like James, see it as their responsibility to mold district policy to meet the needs of local schools and individual students. Others endeavor to distance themselves from those factors in an attempt at policy standardization, as is demonstrated in following sections.

CLOVER HILLSVolume of Incoming Transfer Requests 2012-2013

Processed	Approved	Denied	Undetermined/Rescinded
523	287	212	24

Directionality of Incoming Transfer Requests 2012-2013

District of Residence	Number of Requests	Percent of Total
Pittsfield	271	51.82%
East Point	19	3.63%
San Vincente	75	14.34%
San Felipe	125	23.9%

*14 other districts provided less than 2% each of incoming requests not recorded on this table

*Place names have been changed to preserve anonymity of human subjects

The administrator interviewed in Clover Hills informed me that the district sees approximately 40 outgoing inter-district transfers but the number is so few that they do not track those students.

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Clover Hills receives a large number of inter-district transfer requests from students wishing to enter the school district. According to Joe¹⁶, an administrator interviewed at the Clover Hills Unified School District, the majority of transfer requests are from students wishing to enter the district. He says that only about forty or so students apply for permits to leave Clover Hills each year and that he always lets them leave without questioning their request or tracking their destination. However, he does go on to explain that most of the students leaving Clover Hills are requesting an independent study school in a nearby suburban district and that Clover Hills Unified is considering opening their own independent study program to retain those students.

In order to handle the high volume of transfer requests coming into the district, Clover Hills follows a number of practices unique to its situation. According to Joe, Clover Hills Unified does not usually approve transfers after the start of the school year, and for four years they have not approved any new inter-district transfers at the high school level. They even discussed cutting off new transfers into their middle schools as well to ease crowding. They do, however, usually keep high school students with inter-district permits from previous years. Joe explains that Clover Hills very rarely denies returning transfer requests. While Clover Hills is a very impacted district, he expects growth to slow eventually because of a projected decreased birth rate and the fact that land locking will prevent geographic expansion of the district.

For kindergarteners, Joe says he accepts requests based on space and tries to also factor in location, favoring those who are “just down the street.” Acceptance of students in other grade levels is based on report cards from prior districts that demonstrate records of behavior and attendance. Joe notes that revocation is very rare, occurring only three to four times a year. He

¹⁶ Interviewee names have been changed to preserve anonymity of human subjects.

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says they will revoke a transfer automatically for any type of suspendable offense, often for fighting at the middle school level. In high school, he explains that they will revoke a transfer for poor attendance and failed classes if it becomes obvious that the student will not be able to graduate. He also tells the story of one elementary school student who had his transfer permit revoked for accruing fifty tardies in one school year, but he asserts that a revocation at the elementary school level is extremely rare. Before the district revokes a transfer, they will hold a “Student Study Team” conference with the parents, and will also let a student finish the school year in Clover Hills if a decision to revoke is made after April 1.

Because the Clover Hills Unified School District receives so many transfer requests, Joe admits that he does not really have time to read all of the applications. Having worked in his position for two years, he has learned to identify what he calls extenuating circumstances, for which he will automatically allow a transfer in. Such circumstances include a case approved for transfer by his predecessor in which a transgender student facing discrimination in their district of residence was allowed to enter Clover Hills. Other circumstances include bullying, sexual harassment and any type of abuse experienced in the student’s home district. These circumstances fall under “health and safety” concerns on the transfer application, and the district requires proof, often gathered by calling the former school district to confirm the situation.

Since Joe does not have time to carefully review all the applications he receives, and often denies large numbers simply due to lack of space, some parents will then turn to the inter-district transfer appeals process provided by the Calderon County Board of Education. Unlike James in San Felipe, Joe deals with the County fairly frequently on appeals. When the Board overturns appeals in closed session, they are then sent back to Clover Hills for acceptance into the district. Even if the district is technically not required to take transfers if they are full, they

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must make room if the County mandates acceptance. Joe sites one case in which he had denied a transfer that then reached the County and was sent back to his office for approval. In this particular case, the student was a girl who had been brutally attacked by students in her home district who then posted footage of the incident to YouTube. Joe says that he was unaware of the incident when he originally received the transfer request but that upon seeing the video, he immediately issued a permit to the student. He explains that these are exactly the types of extenuating circumstances the district will accommodate.

When asked why so many students from other districts want to attend Clover Hills schools, Joe explains that the district's API scores are very strong, and that it is generally perceived to be a safer district than those to its south, including San Vincente and San Felipe, which also have lower API averages. Additionally, there is a large section of the unincorporated area of Clover Hills that is not actually within the school district lines, a similar issue to the grey areas observed on the San Vincente-San Felipe border. Parents often move to these neighborhoods assuming that district lines align with municipal boundaries and then apply for inter-district transfer permits when they realize their mistake.

The issue of common misperceptions is also very relevant to the policy concerns of the Clover Hills Unified School District. Joe describes a perception among some community members that 25-50% of district attendance is made up of students residing outside the district lines. In an attempt to publicly disprove this misperception, he publishes data frequently that shows that only 7% of Clover Hills students hold official inter-district transfer permits and that those students tend to have excellent GPAs and attendance records. Still some parents complain that traffic around schools and campus congestion are signs that the district is accepting too many outside students and put pressure, especially concerning the high school, on the district to

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tighten their acceptance policy. One community member even ran for school board on a platform of ridding the district of inter-district transfers in order to ease crowding. Although this candidate was not elected, misperceptions remain an issue in district politics. Because the School Board ultimately makes the policy decisions to guide the superintendent, sentiments of the community that elects local officials are definitely relevant factors in the inter-district transfer process.

Another common misperception that Joe identified is that Clover Hills is a majority “white” district and that many of its students of color come in from outside of its boundaries. Facing a similar problem as James does in San Felipe, Joe clarifies that in reality the district is becoming more diverse with time. Although the district’s student population was 67% white ten years ago, he explains that now Clover Hills unified is only 33% white. Although he attempts to better inform the public, there is still a small group in the community that believe that students of color seen on campuses in Clover Hills must have entered from a neighboring district.

Here again, issues of community misperceptions and hostility toward inter-district transfer students play in to the complicated task of transfer policymaking in an impacted district experiencing rapid demographic changes in its student population. District administration has a fair amount of power in decisions about transfers, as is demonstrated in its ability to deny all new transfer requests at the high school level. However, due to the large demand for inter-district transfer permits to enter Clover Hills Unified, Joe also interacts quite frequently with the County Board of Education, which has the power to overturn any denial he makes if they believe a case to be compelling. It seems that with high demand for district seats, administrators might have less control over transfer policy because they must constantly answer to community voices and County authorities. Issues of local politics, however, appear to be of more concern to

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administrators in the smaller school districts, as will become clear in the following text taken from an interview with an administrator at the East Point Unified School District.

EAST POINTVolume of Incoming Transfer Requests 2012-2013

Processed	Approved	Denied	Undetermined/Pending
130	78	30	22

Directionality of Incoming Transfer Requests 2012-2013

District of Residence	Number of Requests	Percent of Total
Alvarado	11	8.46%
Millport	10	7.69%
Pittsfield	23	17.69%
Red Bay	7	5.38%
San Vincente	18	13.85%
San Felipe	14	10.77%
West Sierra Negra	21	16.15%

*13 other districts provided less than 4 % each of incoming requests not recorded on this table

*Place names have been changed to preserve anonymity of human subjects

Volume of Outgoing Transfer Requests 2012-2013

Processed	Approved	Denied	Undetermined/Rescinded/Canceled
1861	1676	98	87

Directionality of Outgoing Transfer Requests 2012-2013

District Requested	Number of Requests	Percent of Total
Alvarado	258	13.86%
Addison	297	15.96%
Grantsville	313	16.82%
Kentwood	176	9.46%
Bridgeport	145	7.79%
San Vincente	299	16.07%

*38 other districts received less than 4% each of outgoing requests not recorded on this table

*Place names have been changed to preserve anonymity of human subjects

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Rita¹⁷, the administrator interviewed at the East Point Unified School District, was quick to point out that the trends in East Point transfer requests are very different from those in the surrounding districts. In East Point, almost all inter-district transfer requests are outgoing because of the bad reputation of district schools. Rita explains that many of the East Point students with higher socioeconomic status try to leave the district and many of the more affluent ones request permits to enter the Addison Unified School District to the north. Because of this flight from the district, East Point Unified is stricter about who they allow to leave.

Of the few students who transfer into East Point Unified, many of them do so to take advantage of the full-day Kindergartens that have been offered district-wide for a few years. According to Rita, this program can be a huge draw to working parents who face some serious difficulties in the surrounding districts that offer only partial-day Kindergarten programs. With additional after school programming, in East Point it is possible to attain care for a kindergartener in the public school system from 8:00 AM to 5:30 PM. Some elementary and middle school students also transfer in because of proximity to border schools. At the high school level, some students enter to gain access to the district's more specialized charter and magnet schools. It is also common for incoming transfer students to request East Point's special education program, which is significantly better than those in other nearby districts. Rita says that she basically accepts anyone and everyone wishing to transfer into the district, although the special education program has become more impacted and they may need to find ways to expand and gain more funding in order to continue accepting transfers. One thing that Rita did complain of was the fact that she sees East Point as receiving other school districts' poorer performers. She says that this is not fair to East Point, but still she accepts almost all incoming transfers and will

¹⁷ Interviewee names have been changed to preserve anonymity of human subjects.

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hardly ever revoke a permit except for the occasional students with exceptionally poor attendance.

East Point also stands apart from the other districts studied in its intra-district open enrollment program. In this system, any student within the district has the option to either attend their neighborhood school or enter a lottery to request one of six top choices out of all schools in the district. This means that with an inter-district transfer permit to enter East Point Unified, a student could potentially have access to a broad choice of schools within the district.

In policy decisions, Rita asserts that she always refers straight to County policy with any doubts. Because the East Point School Board policy on inter-district transfers is vague, administrators are left a lot of room for flexibility. Deference to County policy generally helps Rita avoid appeals, which she does not encounter frequently. When asked about district politics surrounding decision-making, Rita says that school board politics are nonexistent in East Point. Because of the sheer size of district enrollment, she explains that they do not have time for political debates and must handle cases in a more systemic way. Rita believes that this systematization due to volume actually makes East Point's practices much more fair.

Rita further explains that her personal policy on transfers is to not see applicant families. She has parents drop off applications in a box at the district office, believing that this policy is fairer because it leaves no room for even accidental bias. According Rita, her predecessor exercised bias to help more affluent families through the transfer process. Although this may not have been intentional, his desk was apparently within hearing reach of the front reception office and he would step out upon hearing affluent-sounding parents in reception. Rita argues that this greatly affected the system because this administrator had the power to bend the rules and make decisions on the spot in favor of more affluent families with whom he identified. She says that

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anticipation of this type of intervention even affected the way in which front-desk employees received families seeking transfer permits. It is for this reason that Rita has her desk positioned in the back of the office away from reception and tries to avoid interaction with families.

This type of standardized policy is very different from what is seen in the surrounding districts where administrators are willing to meet with the families and students to hear their cases before making final decisions. Although there is a strong argument that systematization improves fairness and helps eliminate bias, it also removes the possibility for an individual case to be heard. As seen in other interviews, students often have extenuating circumstances that seem to necessitate their acceptance into a non-resident district. In a region where localism has managed to prevail as the primary political paradigm for schools, East Point is an outlier in its larger size, system of intra-district mobility, and what seems to be a standardization of applicant review aimed at efficiency and the elimination of individual story telling from the process.

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When parents have exhausted all avenues at the district level, district administrators will inform them of their ability to appeal their case to the Calderon County Board of Education where Marianne¹⁸, a County employee, is the first to review each appeal. Marianne observes that the majority of appeals she receives are filed by students denied entrance into Clover Hills Unified, which has now enacted a blanket denial of transfer requests in at the high school level due to crowding. She says that most of those students come from the Pittsfield School District and believe that Clover Hills schools have a better curriculum. Marianne notes that appeals on safety issues often come from students wishing to exit the East Point and nearby Leroy¹⁹ Unified

¹⁸ Interviewee names have been changed to preserve anonymity of human subjects.

¹⁹ Place names have been changed to preserve anonymity of human subjects.

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School Districts, but that it is not necessarily the district but often a particular school that the students want to leave. Marianne receives the most appeals at the middle and high school level.

Upon receiving the appeal, Marianne first asks the family why they wish to transfer and clarifies that if they do not have a good reason, the Board will probably not overturn the district's decision. Many parents, she says, come to her appealing a denial that was simply the result of improperly portraying the details of their case on the transfer application. Marianne sites one such case that in which a student was denied entrance while their sibling retained their permit to Clover Hills Unified. With a quick phone call to Joe, who she says will not split up a family, the sibling's entrance permit was approved. Marianne refers to this as a "resolution prior," which is solved before reaching the County Board. According to Marianne, the Board prefers to see such a resolution prior because it saves everyone time. She explains that 65% of appeals are resolved prior and some do not even make it onto her docket sheet because a quick phone call clears up the issue. The majority of those cases are resolved in favor of the family, mostly because they address transfer requests that should have been approved in the first place.

If the case is not resolved prior, Marianne prepares the family to move toward a hearing in front of the Board. She first goes on a fact-finding mission to accumulate all documentation that can be presented to the Board as proof. This documentation can include doctor's notes, records of bullying and daycare letters. She also encourages the parents or older students to write a letter detailing their case. If the district denied the student a transfer permit because of space issues, Marianne will confirm attendance numbers of the district in question. Once all the information is compiled on a case, the family and district can move forward to be heard by the Board of Education. Of around 225 inter-district transfer appeals filed in the 2012-2013 school year, Marianne says that only 57 of those actually went to the Board for a hearing.

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At the hearing before the Board, parents advocate for the family and an administrator from the district represents their side of the case. Each party receives six minutes to present their case and the Board then votes on a final decision. According to Marianne, the set of criteria that the Board uses to evaluate cases is different from that employed by districts in their review of transfer requests. The largest weighing factors considered by the Board are childcare in the district requested, medical necessity, and safety issues in the district of residence. While the Board gives very serious consideration to safety issues, such cases are usually resolved prior. Marianne notes that in the last year, of the six safety cases appealed, all were resolved prior to a hearing. On the other hand, if the denial is based on the student's discipline record, Marianne explains that the Board is unlikely to overturn the district's decision on appeal.

Despite these patterns, once the case goes to the Board, Marianne admits that she really has no idea how Board members will vote. In order to cope with her position between the families and the legal and administrative level, she says she removes herself from the situation and tries to be realistic about the process. Although she does not lean to one side or another, she realizes that it does weigh on her if she feels that the Board does not fully grasp one side. She sees a lot of parents become upset by Board decisions because they affect their lives and the education of their child. Yet in the end, Marianne knows that it is the Board's decision and she asserts that the County will try to work with families to secure an alternate choice, either within their district of residence or in another nearby district. She also claims that the Board really takes appeals on a case by cases basis and is not affected by outside opinions or politics.

As far as the district's role in this procedure, administrators are required by the California Education Code to inform parents of their right to appeal and the process involved within thirty

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working days of their request for a permit.²⁰ Marianne says that often districts become frustrated, particularly when many appeals are being filed, and there is a common misperception that the Board overturns more district decisions than they do in reality. While some administrators believe that a majority of appeals are overturned by the Board of Education, the truth is that only about 45% of appeals that reach the Board are decided in favor of the family. According to Marianne, this frustration and misperception is rooted in the fact that there is a thin jurisdictional line between the County Board of Education and the school district offices. In cases of revoked transfers, for example, some districts do not think that students should be allowed to appeal a revocation. However, because the law is not clear on this matter, families who have their transfer permits revoked can simply reapply for a transfer and appeal upon denial. Marianne says she has heard only two revocation appeals in the past year in special circumstances in which the district wrote a letter allowing the appeal. In normal appeals of transfer permit denials, district administrators may share similar sentiments that their decisions should not be subject to further review. One complaint made by district administration was that in denying a transfer request due to lack of space in their schools, if the County overturns that denial the district is then responsible to make room for the student, even if that means overburdening teachers with class enrollment beyond district and union allowance.

The fact that an inter-district transfer appeals process exists at all is actually quite remarkable. It signifies that policy makers take seriously the concerns of students seeking inter-district mobility and that these students have an avenue to take if they feel that their case has not been given proper attention at the district level. However, this process also shifts power from the local level upwards and thus creates some conflict between administrators who believe they

²⁰ "California Education Code: Section 46601.(a)." *Official California Legislative Information*. Legislative Council of California, n.d. Web. 7 Apr. 2013. <<http://www.leginfo.ca.gov/>>.

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know best for their district and elected County officials who are responsible for ensuring justice for students. The appeals system can be an excellent option for families whose case was misunderstood or not fairly considered at the district level. However, it can also result in a further burden on school districts that must prepare and present their case and then comply with Board rulings without assistance in accommodating new transfer students. The legal analysis in section VII shows that state laws have recently been aimed at providing assistance and routes of opportunity for California's most disadvantage students. According to their web page, the Calderon County Office of Education, "plays a critical role in actively linking state policy priorities and new initiatives to administrators, teachers, students, and parents...in Calderon County".²¹ Whether or not the inter-district transfer appeals process advances those goals is a topic for further research.

VII. LEGAL LEVEL

There are three California state laws and one federal law that permeate the current discussion of inter-district transfers among administrators and policy makers. Details of each piece of legislation are outlined in the appendices. The laws in question are designed, in theory, to allow more mobility to at-risk students who arguably need inter-district transfers to escape failing schools and dangerous situations. At the federal level, Title I, Part A of the NCLB Act is designed to provide intra-district mobility to struggling students in Program Improvement (PI) schools. However, one issue James pointed out is that San Felipe has six or seven PI schools out of nine total elementary schools. Although he asserts that he would send his own children to one of those schools in a heartbeat, for parents who are dissatisfied with school performance, this

²¹ *Calderon County Office of Education*. County of Calderon, 2012. Web. 2 Apr. 2013.
<<http://www.ccoe.org/acoe/Home/Districts-Schools>>.

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reality leaves few options since non-PI schools fill up quickly. It is for this reason that many families opt for inter-district transfers to provide their children with educational opportunities.

At the California state level, the Open Enrollment Act of 2010, also known as the Romero Bill, further elaborates on the concept of school choice, giving students in the state's 1000 lowest-performing schools the right to enroll in a higher achieving school. According to one district administrator, a district can only deny entrance to a student from one of these schools for lack of space. Although this new law should provide many of the state's most underprivileged students with opportunities for mobility, according to James in San Felipe, many families are not aware of the implications of the Romero Bill. At the County level, Marianne has not received any claims under the Open Enrollment Act and assumes that the districts are simply not fully explaining this option to parents. So while this law actually requires districts of residence to inform parents and guardians of their option to transfer Under the Romero Bill²², it seems that districts are not communicating to parents the Act's full implications for inter-district mobility.

Another piece of state legislation cited by administrators in their interviews is assembly Bill 2444, which aims to treat transfers students more like residents of their new school district by removing the yearly reapplication requirement for inter-district transfer permits. James applauds this new bill as a great relief because receiving new applications every year had previously meant a huge amount of work for his office. He says he probably will not even require reapplication for middle and high school unless there is some kind of problem with the student. This new law, he explains, gives administrators the luxury to allow students to stay in their district without the time-consuming reapplication process. The second effect of this law is in its clause stating that districts cannot revoke permits of inter-district transfer students entering

²² *Title 5, CCR Open Enrollment Act*. California Department of Education, 5 Apr. 2012. Web. 9 Apr. 2013. <<http://www.cde.ca.gov/sp/eo/op/title5regs.asp>>.

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grades 11 and 12.²³ This aspect of the law aims to grant resident status to transfer students finishing high school. For districts that issue blanket denials at the high school level, the Bill has created some confusion and appeals that Marianne had to resolve by calling district administrators. AB 2444 seems to have made the transfer process less demanding those involved and created a space for inclusion of transfer students within their new districts of enrollment.

The final state law that was discussed by administrators interviewed for this project is Assembly Bill 9, commonly known as Seth's Law. Although the law does not explicitly discuss inter-district transfers, Marianne notes that its provisions, commonly referred to as the "bullying laws", have become a reason for approval of inter-district transfer requests. According to Marianne, AB 9 does not change the inter-district transfer application, but districts are now much more aware of bullying as a valid health and safety issue. While she says that all of the districts she works with are excellent in adhering to Seth's law, the difficulty lies in obtaining proof that the bullying actually occurred. She explains that a lot of undocumented bullying goes on in schools and that districts can deny bullying claims in an appeals hearing if no teachers or school administrators documented the occurrence. One current case mentioned by administrators involves a student wishing to enter Clover Hills Unified on claims of bullying in a San Felipe school. James was only made aware of this claim when he received an email from Joe in Clover Hills regarding the appeal of that student to the County Board of Education. Joe was trying to determine the truth of the bullying claim, but if James was not already aware of the issue, it is unlikely that it was documented in San Felipe Unified. These new bullying laws contain clauses requiring that teachers and school administrators officially report any bullying observed on the

²³ *Official California Legislative Information*. State of California Legislative Counsel, 19 Feb. 2010. Web. 10 Apr. 2013. <<http://leginfo.ca.gov/>>.

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job.²⁴ However, as becomes obvious in this particular appeal, bullying claims are still very dependent upon the active reporting and documentation of school employees.

As James pointed out in his interview, these four laws together make it possible for underprivileged students to pursue mobility through the official system. If this legislation is truly put into effect at the district level, it is difficult to argue that Calderon County is not, in a sense, an open enrollment region. Still, the issue remains that information about opportunities for mobility under these laws has not been fully disseminated to parents in the region's most trouble schools. Parents with knowledge of the system can use this legislation to their advantage to access the schools of their choice. But the laws discussed in this section were not designed to help already knowledgeable parents. They were instead incorporated to offer assistance to students in struggling schools and from low-income families with parents who may not have the knowledge and social capital necessary to take advantage of all available outlets. However, there are often disincentives for district administrators to inform parents of all the options, mainly in that they do not wish to see their district's enrollment continue to fall. It seems that these laws cannot truly fulfill their purpose until they are accompanied by mandates that district-level administrators provide information to all eligible parents on how these laws affect their student and how to work within the official system to access the full range of options. Until then, many of the state's most underprivileged children will either remain in failing schools or be driven into extralegal mobility, a phenomenon that is discussed in the following section.

²⁴ *Official California Legislative Information*. State of California Legislative Counsel, 21 Mar. 2011. Web. 10 May 2013. <<http://leginfo.ca.gov/>>.

VIII. EXTRALEGAL LEVEL

Extralegal transfers encompass student mobility that occurs outside of the official transfer process. Generally this mobility is obtained through the use of a falsified address within the desired district. Although there are widespread perceptions that extralegal transfers are a common occurrence, they cannot easily be measured because this undocumented mobility often goes undetected. When asked about extralegal transfers, both James and Joe said they believe, or have heard, it is a widespread practice, but are really unable to say just how frequently this type of mobility occurs. In each of their districts, they have their own protocol for investigating extralegal transfers, but as James points out, the district does not provide resources to investigate and their efforts are not generally fruitful. He notes that of about twenty extralegal transfers that he will investigate at one time, he will only be able to confirm one as a falsified address.

James generally begins an investigation if the district receives returned mail from a student's listed address or if some person, at times the child, acknowledges non-district residence. He will then make a home visit to investigate, but says he must be very careful because if not handled correctly a family may accuse the district of discrimination for visiting only selected student homes. Joe says that he has a list of suspect students provided by school administrators who notice frequent tardies or returned mail. He tells one particularly colorful story of a family that claimed to be living at an address that upon investigation turned out to be a hair salon. Although the father insisted that the children slept on a love seat in the reception area, Joe explains that by the time he made this "home visit" to the salon it was clear that the residency was a fabrication.

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One student interviewed told his own story of using a false address to gain access into a Clover Hills school. Alex²⁵ says that while he never lived in the neighborhood of the school he attended, his parents used his grandmother's local address to enroll him every year until fourth grade when the district discovered the falsification. For a time, he explains, he was commuting forty-five minutes from his father's home in a more urban district to his Clover Hills school. He remembers always being extremely tired from waking up early to make the commute and thinks part of the reason he was investigated was his falling asleep in class. Describing his extralegal transfer, Alex explains that, "I remember it was constantly just a little conniving game of, you know, lying about addresses and stuff and it was always really stressful. Everybody wants to go to the good school so they'll lie about their address to try to get to the school". He admits that it was also stressful to coordinate after school activities, such as sports, while living so far away from his school and friends. Recalling the day his mother informed him that he would be changing schools, he says, "I remember just being really, really upset and crying...And I was just, you know, really confused. I didn't really know what was going on". Required to leave mid-year, Alex remembers, "That was really difficult for me having to change schools. I had made all these friends that I had known since Kindergarten, and I had to abandon them...And when you're in fourth grade, I don't know, that's a really difficult thing to do".

While Alex's story is just one, it is easy to imagine, as some administrators do, that this kind of mobility is rampant across the contiguous districts in Calderon County. It would, however, be a difficult feat to determine just how often of an occurrence this truly is. What we do know is that parents will go to great measures, including falsifying an address on official forms, to reach what they perceive to be a better school. It is possible that with the new

²⁵ Interviewee names have been changed to preserve anonymity of human subjects.

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legislation discussed in Section VII, more parents will begin to opt for the legal transfer route. However, if families do not have access to information about their rights under those new laws, and if the official transfer process remains as complicated and competitive as it is now, it is likely that extralegal mobility will persist in Calderon County.

IX. CONCLUSION AND IMPLICATIONS FOR POLICY

The main finding of this study is that the dichotomy of open and closed enrollment districts is in reality not as strictly divided as existing literature on inter-district mobility suggests. What is seen in the four districts studied in Calderon County seems to lie somewhere in between open enrollment and closed borders. Federal and state legislation in combination with a County Board of Education creates opportunities for students in need of mobility to access schools outside of their resident district. Although mobility is definitely hindered by spatial limitations in the most desired districts, the idea that borders are rigid barriers is one of the many common misperceptions encountered in this study.

This research identified that district administrators hold a great deal of power in forming local policy, and generally choose between a focus on individual student cases and standardization of the inter-district transfer process. Although administrators do maintain a significant amount of control in their decision-making, their resolutions in individual cases are subject to review by County-level officials in an inter-district transfer appeals process. For this reason, and for their own purposes of ensuring equity and fairness, administrators explain their decisions as attempts to align district policy with state law and ensure opportunity for the most needy and deserving students.

One main issue identified in this study is the fact that although state law in California has attempted to create avenues for the state's most underprivileged students to transfer to higher

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achieving and safer schools, unequal access to information appears to prevent many of them from doing so. Administrators described those parents who seek transfers as being savvy, and although provision of some information to families is mandatory, it seems that the full range of options is not being communicated to the most disadvantaged students.

Personal stories show that the ability to transfer from one district to another can bring great opportunities to some families. However, administrators pointed out that often perceptions of what are “better” schools and districts are rooted in racially biased state performance measures, neighborhood reputation, and legacies of housing segregation. Districts that are losing students to inter-district transfers argue that their schools are not as terrible as popular perceptions would make them out to be. They claim that their program improvement schools can actually offer wonderful community-based education but are painted in a bad light by performance tests that are a poor measure of minority student achievement. One student interviewed actually said that giving up his extralegal transfer to Clover Hills and enrolling in a more diverse East Point school was the best thing that ever happened to him. He valued the life experiences gained through interactions with a diverse group of classmates and criticized what he recalled to be an isolated world of gated communities in Clover Hills.

This underlying ethno-racial dynamic to inter-district mobility was present throughout this study. Often, the politics surrounding inter-district mobility at the district level are driven by the perceived racial impact of transfer students on school demographics. This was seen in the attempts by San Vicente and Clover Hills community members to block entering inter-district transfers, believed to be minority students flooding into white schools and districts. These efforts appear to represent communities clinging to a segregated past in a time when all districts in the area are rapidly diversifying. District administrators can either work to correct racial injustice in

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the transfer process or acquiesce to the community and political pressures that reinforce traditional racial disparities across district lines. It seems that combating racial inequality requires resistance to such pressures and active work toward educating the public on histories of racial disparity and current realities of diversification.

While a history of localism has led to the unsupervised creation of harsh disparities across school districts, I argue that localism has not yet lost its value in California. Because of those disparities, many families in recent years have been driven to seek mobility out of their neighborhood schools and even into other districts to ensure a better education for their children. Still I am convinced that the solution cannot be to desert failing schools in impoverished areas by flooding those in more affluent suburban communities. Current policy must focus on reviving those schools from which students are fleeing so that youth can achieve success in their own neighborhoods, where local schools often serve to connect and strengthen the community.²⁶ Politicians and administrators should also continue their efforts to combat common misperceptions that push families away from certain schools that are perceived to be poor performing and dangerous. As we move forward away from state testing as a measure of school success, it is possible that some of the stigma surrounding those schools will begin to fade away. That is, of course, a subject for further research.

This study began an investigation of the dynamics of one urban California region, but it leaves several topics unexplored in both Calderon County and statewide. There are many districts yet to be studied in the region that could further inform our understanding of the inter-district transfer system. Additionally research in other regions of California would serve as an interesting point of comparison with this study. This paper attempts to add some knowledge to

²⁶ Sanchez-Jankowski, Martin. *Cracks in the Pavement, Social Change and Resilience in Poor Neighborhoods*. Berkeley, CA: University of California Press, 2008. Print.

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the existing literature on school choice and student mobility and I hope that the findings here will give way to further research on inter-district public school mobility in metropolitan California.

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APPENDICES

ADMINISTRATOR INTERVIEW SCRIPTS

These questions served as a guideline for interviews but do not necessarily represent the full script for each interview conducted. Often other questions came up during the course of the interview, guiding the conversation to topics not covered in this script.

Guideline Questions Used for Interviews with District Administrators:

1. How common are incoming and outgoing transfer requests to your district?
2. Do you have data that shows volume and directionality of both incoming and outgoing transfer requests?
3. Can you offer explanations for the patterns in directionality?
4. What kinds of cases are generally given preference? What policy do you use in reviewing inter-district transfer applications?
5. The literature suggests that there are political agendas that drive transfer policy. Some say this goes on in Calderon County and others don't. Do you see any politics to the transfer process and if so, can you describe that?
6. How common do you think extralegal transfers are in your district and how do you address them?
7. Do you see any patterns in who applies for inter-district transfer permits?
8. Do you think there are issues of race and ethnicity involved in the transfer process?

Guideline Questions Used for Interview with County Employee:

1. What is your role in the appeals process?
2. Can you explain how appeals are processed through the system?
3. Who advocates for the family?
4. Does the district have representation?
5. Who hears the appeal and makes the final decision?
6. What criteria are used in the evaluation of an appeal?

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7. What kind of proof does the County require from families?
8. How many appeals do you receive each year?
9. From which districts' denials do you see the most appeals?
10. What is the rate at which the County overturns district decisions?
11. What kinds of claims do families bring to you most frequently?
12. Do you see any patterns in the families who appeal district decisions?
13. On the one hand, you have families who want the best opportunities for their children and on the other hand there is a legal and administrative process working above you. How do you negotiate that space and tension between the personal and the legal/administrative aspects of your job?
14. Do you think that families are aware of the appeals process?
15. Who makes County policy? Do you see a lot of politics surrounding the actions of the County in appeals cases?
16. How do you see the new bullying laws playing into the County's decisions on appeals?

SUMMARY OF RELEVANT LEGISLATIONTitle 1, Part A of the federal No Child Left Behind (NCLB) Act of 2001

This law states that students whose resident school is identified as a Program Improvement (PI) school are allowed to transfer, with paid transportation, to non-PI schools in the same district that are not "persistently dangerous". If funds are limited for transportation costs, first priority must be given to the lowest-achieving students from low-income families. PI schools are defined as those that do not make Adequate Yearly Progress (AYP) under the Elementary and Secondary Education Act based on statewide testing in reading and math.²⁷

²⁷ "Title 1, Part A School Choice." California Department of Education. n.p. 29 Mar. 2013. Web. 2 Apr. 2013. <<http://www.cde.ca.gov/ta/ac/ti/schoolchoice.asp>>.

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Under this act, also known as the Romero Bill, the state's 1000 lowest-performing schools are published on a list of "Open Enrollment Schools" and their students then have the right to enroll in higher achieving schools. Achievement under this law is measured by the Academic Performance Index (API), calculated using statewide achievement tests in reading and math. Under the Open Enrollment Act, students enrolled in the 1000 schools on the list must be notified of their option to transfer and once a student has transferred to another school, they are given resident status in that school and will not be required to reapply for a transfer permit.²⁸ This right to transfer applies not only to intra-district requests but also inter-district permits for the student to attend a higher performing school outside of their home district.

California Assembly Bill 2444 of 2010

This bill amended Section 46600 of the California Education Code with an aim to treat transfer students more like residents of their new school district. AB 2444 makes it possible for inter-district transfer students to remain enrolled in their district of choice without reapplying on a yearly basis, as they were previously required to do. School districts now have the option to require re-application only when the student advances to middle or high school.

California Assembly Bill 9 of 2012

This bill, which became operative in July of 2012, was named for a 13-year-old California student who committed suicide after he was bullied at school. The law's provisions,

²⁸ *Open Enrollment*. California Department of Education, 11 Feb. 2013. Web. 9 Apr. 2013. <<<http://www.cde.ca.gov/sp/eo/op/>>>.

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that expand and reinforce the Safe Place to Learn Act, are often collectively referred to among administration as “the bullying laws.” The law expands the definition of discrimination and harassment to include intimidation and bullying, allowing students to apply for transfer permits under health and safety concerns after experiencing bullying in their district of residence.²⁹

²⁹ Holloway, Amy. "Implementation of Assembly Bill (A B) 9 in Relation to Uniform Complaint Procedures." . California Department of Education, 4 Sept. 2012. Web. 10 Apr. 2013.