

**Magnet Schools Assistance Program
Pre-Application Webinar: Office for Civil Rights
March 8, 2022**

Manya Walton: Hello. Welcome to the Magnet Schools Assistance Program. Fiscal year 2022 grant competition pre-application webinar. Today the Office for Civil Rights at the U.S Department of Education will discuss desegregation plans, minority group isolation, and their role in MSAP. But before I turn the session over to the Department, I'll review basic webinar logistics. We are making an audio recording of this session. The recording and transcript will be posted online. The link will be available on the MSAP page, at the U.S. Department of Education's website. To reduce background noise, we've muted everyone's phone. To speak, press star six, to unmute your phone, you'll also press star six to mute your phone again. You can ask questions throughout the presentation by using the chat feature. Go to the chat pod in the lower right corner of your screen, and type in your questions. Please be aware that your questions will be seen by everyone participating in this webinar. The U.S. Department of Education will provide written responses to all the questions and post them with the webinar recording. Now, I'll turn the session over to Gillian Cohen-Boyer of the U.S. Department of Education.

Gillian Cohen-Boyer: Hi, all. Can you hear me?

Manya Walton: Yes. Thank you.

Gillian Cohen-Boyer: Terrific. Thank you, Manya. Hi, my name is Gillian Cohen-Boyer, and you'll note that I'm not either Bridget Joyce or Dana Russo, but I am the lead for the MSAP program, and I just wanted to provide a little context and introduce my colleagues, Bridget and Dana, by noting that MSAP is a very unusual program in its civil rights specific requirements. The fact that it requires a desegregation plan, and that we talk about things like minority group isolation. Our two offices, I'm in the office of Elementary and Secondary Education, which oversees the MSAP program, we administer it. We work very closely with the Office for Civil Rights and other departments such as our Office of General Counsel. Well, we're working on this program and specifically in the review of both applications and then annually of the grantees. So Bridget and Dana are going to represent all of us today, by talking specifically about some of the more nitty gritty parts of the application that has to do with the Office for Civil Rights and with desegregation specific components, but we do all work on this together.

And again, MSAP is unique in that it has a provision that the Assistant Secretary for Civil Rights has a direct involvement in this program. So we just want to provide that context, and say that, on any of these issues, you

are welcome to reach out to our Office for Civil Rights. If you have questions about the following information, it will also be posted, as Many said, as is our overview of the NIA, it should be posted today, but you're also welcome to reach out to our office on any of these issues as well, to the msap.team@ed.gov, and I'll put that in the chat. So with all of that, let me turn it over to my colleagues, Bridget and Dana, and thank you so much for helping us share this information.

Bridget Joyce:

Thank you so much Gillian, we're really glad to be here today, and we're looking forward to addressing questions at the end of our presentation. As Gillian mentioned, we're going to be speaking about a variety of topics, and so this first slide is an overview of our presentation. We're going to be speaking first about the role that OCR plays in MSAP which as Gillian mentioned is unusual and we'll talk about that, and where it comes from, as well as our review process and some of the common civil rights questions that we see, when we do our civil rights reviews. And then we'll be talking about desegregation plan, I'm sure that's a familiar topic for everybody here. All applicants are required to submit them. We'll be talking about the difference between the required plan and voluntary plan and some other information related to these ED plans, and then I will be turning it over to my colleague, Dana Russo, who's going to be speaking about minority group isolation. What is that? What does it look like? And enrollment data, as well as strategies for reducing minority group isolation.

And we will try to speak quickly enough that we have plenty of time for questions at the end, because we do want to hear any questions that you have for us. So, I'll start by speaking about OCR's role in MSAP. As you know, MSAP is a discretionary grant program. The department selects grantees for multi-year project periods, and awards those grants one budget period at a time. So that's why you're going to be communicating with OSE throughout the grant, if you receive a grant, and then you communicate in some respect, most likely with OCR before each year grant period, because we are going to be making our certification prior to each year of the grant period as well. And so MSAP awards grant funds to school districts or to consortia of school districts that seek to desegregate schools, under either a required or a voluntary desegregation plan, through the operation of magnet schools.

And so that's MSAP in a nutshell. A primary goal of MSAP is to reduce, eliminate or prevent minority group isolation, and that's a term from the statute, in schools with a substantial proportion of students from any minority group, through the use of innovative magnet school programs. And as I mentioned, my colleague, Dana will be talking a lot more about minority group isolation at the end of the presentation. So as Gillian mentioned, she is from the Office of Elementary and Secondary

Education. That's the office that is responsible for administering the MSAP grant program, and OESE has the primary role in managing programmatic and budgetary oversight of grantees. So each year, OCR determines whether each district or consortium of districts will meet its MSAP assurances of non-discrimination. So the MSAP statute specifies that, that determination needs to be made by the Assistant Secretary for Civil Rights.

That's the head of our office, the Office for Civil Rights, and that's by special rule in the statute. So I mentioned assurances of nondiscrimination. Many of you might be familiar with assurances of nondiscrimination, and some of you may not be, so I want to spend a little bit of time talking about what we mean when we talk about that. Each year, applicants will be submitting with their application assurances of non-discrimination. And these come from, this is the regulatory citation below, and so, the applicants must assure that they will not engage in discrimination based on race, color, nation of origin, religion, sex, or disability in employment, assignment of students to schools and courses of instruction, and designing or operating extracurricular activities. And those three categories are interpreted broadly.

So, our review process. Because our Assistant Secretary has to make these certification decisions, we have designed a review process to provide a basis for the Assistant Secretary to rely on in making a determination about whether each grantee or applicant will meet its nondiscrimination assurances. And I want to mention, it says parenthetically here, and co-applicant, if there is a partnership or consortium of districts, there is a competitive priority five in the notice inviting applications, that is encouraging folks to have co-applicants, to have a joint application, to consider that it can be a very helpful tool for desegregation, depending on your circumstances. All applicants, so if have a co-applicant that includes them as well, must sign current assurances. So, you need to sign assurances that go in your application, and if you receive a grant, each applicant needs to sign assurances each year of the grant going forward. Under the MSAP statute, OCR's review is not limited to the MSAP project schools or proposed programs.

It is districtwide. So we might be speaking with you about schools that are not part of the magnet schools project. And that's because, these assurances run to the district, or the consortia of districts as the grantee. So we're looking at everything that's going on in your district to make that determination about whether the district or consortia of districts will meet its non-discrimination assurances. So more about our review process. We review applications and in continuation year's Annual Performance Reports for language that might raise civil rights concerns. So a recommendation that we have is, applicants might want to ask the district's

Title IX in section 504 coordinators, to review grant materials, to ensure that materials don't raise concerns under those civil rights spots, and that they also don't incorrectly state policies. So, that can be helpful on the front end, it might raise fewer questions later on for us when we're reviewing materials. If we have questions about your materials, if we need more materials for clarity, we, per our regs, can ask for any information that's necessary for the Assistant Secretary for Civil Rights to determine whether assurances will be met.

So that would be a request that would be part of follow up communications. And speaking of follow up communications, we may contact you by email to schedule a teleconference, to discuss language in your application or in a continuation in your Annual Performance Report, if language is unclear, or it could raise civil rights concerns, or we just want to make sure that we're on the same page. Don't be concerned, that's really common, if we reach out to you, we're just trying to get a good sense of what you mean. It might be a question about your student selection process, it might be a question about wording, and sometimes it just means that a page was cut off in the process and we can't quite see the whole page so, no need to be concerned when you hear from us.

In terms of those communications, it's helpful if relevant school district personnel, evaluators and legal counsel are available to provide support for these reviews, to facilitate timely responses to our inquiries. Our review process typically happens over the summer, so that's just something to think about to make sure that if we contact your district in July, or in June, that somebody who's knowledgeable about these materials will be present and available to answer those questions. And districts might consider also having relevant personnel participate in contact with OCR so, you're welcome to have your legal counsel or school assignment administrators, or anybody else that you'd like to have present participate in those phone calls.

As part of our process, we contact our regional offices, the Equal Employment Opportunity Commission, or EEOC and the Department of Justice to inquire about any outstanding civil rights violations against, or concerns about an applicant. So, it's just a piece of our process, and I'll talk a little bit more about that on the next slide. MSAP Project Directors and other key grant writing personnel may wish to be in contact with personnel in the district who would be aware of those ongoing investigations, just to expedite communication if needed. So we know that in large districts, that might be a whole different team of folks who would be dealing with ongoing investigations. And it can be helpful if you have those contacts sorted out on the front end. I mentioned that I was going to talk a little bit more, about what happens when we reach out to our regional offices, to the Department of Justice into EEOC.

So the existence of an ongoing investigation where no decision has been made, does not make a district ineligible. There are many districts who have ongoing investigations, particularly large districts, so that alone is not likely to raise a flag for us. If finding of a civil rights violation that the district has not agreed to remedy, might lead OCR to decline to certify that an applicant will meet its nondiscrimination assurances. That would follow numerous conversations with the district, it won't just come out of the blue, so we'll always have conversations with the district to do our best, to work through any concerns that are identified. An ongoing investigation or resolution agreement in monitoring or questions that arise in the context of our reviews, sometimes lead to requests for additional assurances or specific conditions to ensure compliance with the assurances and the civil rights laws that OCR enforces. And so those special conditions or specific conditions can sometimes be placed on the grant, so that the Assistant Secretary feels comfortable certifying that the non-discrimination assurances will be met.

So I spoke about, I just referred to the laws that OCR enforces, and this set of slides identifies some of the common civil rights questions that we see in our reviews of the applications and the Annual Performance Reports, and we thought it might be helpful to share some of that information with you. So Title VI prohibits recipients of federal financial assistance from discriminating based on race, color, or nation of origin, so that applies to all school districts. Here's the common issue that we see, the failure to make marketing information about school courses, programs, events or applications available to students, parents or legal guardians who have limited English proficiency, in the language they understand, may raise civil rights concerns under Title VI. So that's something to think about the accessibility of the information or parents or legal guardians who have limited proficiency in English. And also another common issue, please keep an eye out for any use of racially discriminatory discipline practices.

I'm going to move on to the next slide, and we're going to talk about common civil rights issues related to sex discrimination that we see. So Title IX, prohibits recipients of federal financial systems from discriminating based on sex and federally funded education programs and activities, including discrimination in the form of sexual harassment and discrimination based on sexual orientation, or gender identity. Sex targeted program in generally does not raise concerns under Title IX. Sex-exclusive programming, must be justified by an exception to Title IX general prohibition, on different treatment based on sex. Schools may offer single sex classes or activities if they comply with the requirements outlined in this regulation listed on the slide 34 CFR 106.34 B. Schools may also host single sex programs that are run by voluntary youth service organizations as long as the school ensures comparable educational

opportunities overall. So those are some common issues that we see in the area of sex discrimination.

And finally disability. My job for this slide is that we do see probably a little bit more disability issues by volume in the materials than race and sex discrimination, so that's why the slump is a little bit smaller on this slide. So section 504 prohibits recipients of federal financial assistance from discriminating on the basis of disability, again, that includes all full districts. Title II of the ADA prohibits discrimination on the basis of disability by public entities, including public schools, whether or not they receive federal financial assistance. So, first disability issue that we ask you to keep an eye on, school districts or schools must provide technology that's accessible to students with disabilities. Or must provide students with disability equally effective alternative access to the educational benefits or opportunities provided by the technology. So that's something to think about.

We know that a lot of the applicants are using technology that's really innovative, to take the extra step to think about the access to those opportunities for students with disabilities. Students with disabilities must be provided an equal opportunity in the student selection process. That's something to think about as well. And finally, marketing information, applications and events for prospective parents, and parents of current students must be accessible to parents with disabilities, including disabilities that affect vision, hearing and or mobility. And so that it's almost parallel to, similar to the language that we mentioned, about making information accessible to parents with limited English proficiency, make sure that information is also accessible to individuals who have disabilities that affect vision, hearing and mobility.

So now I'm going to talk a little bit about desegregation plans. I promise that, we're getting to the portion of the presentation where we're going to switch speakers, so you'll get a new voice to listen to soon. So, as we mentioned, each MSAP application must include a desegregation plan. Applicants indicate as part of that application whether the desegregation plan is required or voluntary. So applicants can also include a description of the student selection process that will be used for MSAP schools. That's very important, it gives us a good idea of the design of your project, and for that reason, we ask that the student selection process be described in complete and accurate detail, and even if your district has not yet needed to implement the plan for over subscription. We still need to know what would happen if the school did become oversubscribed.

So quick note about required desegregation plans. These are in the minority, most of the plans are going to be voluntary. A required plan is a plan that's based on a state or a federal court order, a mandate imposed by

a state agency or another plan, entered into with an official or competent jurisdiction for the purposes of desegregating students or faculty. So the requirement here is, district must provide current documentation that they are operating under a required plan, including a consent decree or a settlement, from the federal or state court agency or other official competent jurisdiction. And the magnet schools that are proposed in the project are part of that plan. So we know that courts can move slowly, so if you need additional documentation, please, reach out on the early side to request that. A note about districts that have been declared unitary.

Those districts are no longer under a required plan, they're considered voluntary, because a district that has been declared unitary, that can only happen when the vestiges of unlawful segregation have been eliminated to the extent practical. So moving on to voluntary desegregation plans, as I mentioned, most districts will submit a voluntary desegregation plan. The plan is a voluntary plan if it's not required by a federal or state court or other entity. So it's entered into voluntarily. A voluntary desegregation plan should include a complete and accurate narrative description of marketing, recruitment and student assignment plans designed to further the district's desegregation goals. Districts also must provide current documentation of school board approval of the plan in their applications. And so the department considers on a case by case basis, whether a district's voluntary plan meets statutory purpose of reducing, eliminating or preventing minority group isolation, of substantial proportions of minority group students in its magnet or feeder schools, considering the unique circumstances in each district and school.

So as part of this consideration, the department looks at the student enrollment numbers of the district and the targeted project schools disaggregated by race. Dana's going to be going into a lot more detail about this, and this is a really important part of this presentation. Applications must aim to reduce racial isolation of minority group students in magnet or feeder schools in which substantial, proportions of minority group students are enrolled. And so that underlines substantial, there is a bit of foreshadowing to the next part of this presentation. And with that, I will hand it over to my colleague, Dana Russo. Take it away, Dana.

Dana Russo:

Thanks Bridget. Hi everyone. Thank you for joining today and to those who are listening to the recording as well. We are going to go into the weeds a little bit, I apologize for that, of minority group isolation and data. Just to hopefully clarify for new applicants as well as applicants in the past, that things may have not been as clear as they could be. So we just wanted to clarify a few terms and what we as the Department and what the peer reviewers will be looking for. So in your application, you need to clearly identify your definition of minority group isolation, we'll refer to it

as MGI. And must specifically identify the racial or ethnic group or groups, it could be more than one, that you'll be targeting in your schools with substantial proportions of minority group students. We're going to focus a lot in the next two slides on that term "substantial proportions" and what that means.

The Department, meaning, us in the Office for Civil Rights, as well as Gillian's group in OESE, as well as the peer reviewers will be looking carefully at your definition of MGI and your performance measures, and your data. The statute, the regulations, and we do not have a definition for minority group isolation. Back in the day there used to be, now there is not. We look to you, the districts to define what minority group isolation means in your district. It just has to make steps. So we look to say, well, is that a logical definition? Is the program and the proposed magnet schools and the projected enrollment addressing that minority group isolation? So you create the definition, and your vision for the program, and we as the department and the peer reviewers we're really just looking, does that seem to make sense? Is that it logical? Is that a strong program? We'll get into the details of that in the next few slides.

So MGI refers to racial isolation of students from one or more minority groups, in schools where there are substantial proportions of minority students. The minority group students defined in the regulations include American Indian, Alaska Natives, Asian Pacific Islander, Black, and Hispanic students. White students are not included. So a program or a goal that's aiming to reduce the isolation of White students or reduce the White enrollment, would not really fall under this grant. There might be a good goal and a reason for that, but it wouldn't fall under the purpose for the MSAP grant, which is to reduce isolation of groups. An example might be a school that has 90 or 95 percent African American. Now it doesn't have to be 90 percent, there's no magic number, but that might be, an example of one, where that district is looking to bring in students from different racial groups into that school, so the group that is currently isolated, can have meaningful interaction with students of other racial groups.

Okay. MGI definition should capture the racial isolation again of minority group students. For example, if enrollment of Latino students is 90 percent in the school, Latino students would likely be considered racially isolated from other groups. However, if enrollment of Latino students was say 10 percent in the school, where 90 percent of the student population was White, for example, Latino students would not be considered racially isolated. Because 90 percent of the students they attend school with, are students of another race. So that 10 percent of Latino students, they have ample opportunity to interact with students of different racial groups in this case, White students. Okay. So this would be true, even if the

districtwide enrollment of Latino students was lower. Say districtwide, there were only 5 percent, but this school had 10 percent.

They still wouldn't be considered racially isolated, because logically as a group, they're not isolated. They see lots of students who have a different race than themselves. One thing that is often confusing, is folks will think of isolation is maybe while there are only say, 10 students who are African American in the school. Those individuals may indeed feel isolated, because they're only 10 in a whole school. And that is absolutely logical, that makes sense. That is not however what the MSAP statute is targeting. Okay. So again, the MSAP statute, the purpose is to target where there's a large group of minority students, and that group is isolated from students of different races.

Okay. So we provided a few examples. The first two are examples just based on these facts, and we do look very carefully case by case because there's no magic number, there's no magic percentage we're looking for. We look case by case for you to explain your definition and your rationale. Ideally it's well explained in the narrative of the application. We also may have conversations with you too, to further explain it. Excuse me. So in this example, district A has two schools, where the Latino student enrollment is 75 percent and 73 percent. The Latino student enrollment at public schools in the district is 50 percent. Okay, so they're a little bit higher in the schools than in the district, and the Latino population of school aged children within the district boundaries or city is only 35 percent. We see this a lot, and typically it's because a lot of families are choosing to go to either private schools or schools outside of the district.

So in this case, a district might explain to us that this was the result of many non-Latino families choosing to send their children to either private schools or outside of the district. The two schools have experienced declining enrollment in the last 5 years, as more non-Latino families continue to send their children elsewhere. So this is a trend. District A's proposed plan is to turn these two schools into magnet schools, to attract students who currently attend other schools within the district, as well as those attending private schools and public schools outside of the district. So this is a pretty common model, I would say one that makes sense as far as the logic model of what this district is trying to do, and how they're going to do it. An analysis by the Department, by the peer reviewers might be, well, the two schools do have an overrepresentation of Latino students, both compared to the district enrollment and to the population within district boundaries.

And the key is that those numbers are pretty high. Now if the district enrollment were only 5 percent, and the school enrollment was 10 percent, we would say, well yeah it's above average but it's still not isolation. Here

it's 75 percent, 73 percent based on those facts, it does look like those students might be isolated, or arguably isolated and arguably getting more and more isolated each year. So, we would say, well, this makes sense and what the district's trying to do is to bring in other students so that they can foster meaningful interaction among students of different racial and ethnic backgrounds, and that's based on the statute. Again, the purpose of the statute is to create these voluntary magnet schools, to foster meaningful interaction amongst students of different racial and ethnic backgrounds. We would look at the trend and say, well, likely based on what the district's saying, it is likely to worsen. So as a logic model, as a program, this is something that likely would make sense to us.

Example two, another one where it does look like there's minority group isolation. So in district B, Black student enrollment is approximately 80 percent district-wide, and between 78 and 82 percent at the middle schools. This district proposes a project, to reduce the MGI of Black middle school students, by partnering, and as Bridget mentioned, there is a competitive priority, I believe it's number five, for interdistrict partnership. So they're partnering with district C, for Black student enrollment is approximately 15 percent districtwide. District B and C proposed one new inter-district magnet school, serving middle school students, which will have a STEM theme, and that parents in both districts express interest based on feedback received at several community meetings. So we always like to see that districts are gathering feedback, gathering information from the community as to what they actually want. So the districts will use extensive targeted marketing to attract families to the new school.

All students in districts C and C may apply, and if there are more applicants than seats available, because we always ask, what is the student selection plan B? Here the district will use a plan that includes a weighted lottery. We as the department and the peer reviewers will look at this and say, well, the project proposes a well-designed plan to reduce MGI of Black students at two middle schools, where there are substantial proportions of Black students, that we can reasonably say, well, those groups are likely isolated.

Even though Black enrollment at two middle schools is similar to the district average, they're arguably isolated from peers of other race because less than one quarter of the students of these schools are of a different race. Again, we're looking to see, is there meaningful interaction amongst groups of different racial students, of different students of different racial and ethnic backgrounds, and is this plan proposing to address that? Here, it makes sense that to create diversity district B partnered with district C to create a new magnet school, with diverse learners and to reduce the racial isolation of Black students at the two schools in district B.

Okay. Here's an example, example three where at least based on these facts, it doesn't look like there's minority group isolation. Can we look to you in your narrative, in your applications to explain to us how you're defining MGI and how it makes sense? And then we'll have subsequent or try to have subsequent conversations with you. No magic number, but it just has to make sense. So here district D defines MGI as occurring whenever any racial group within a school is more than 10 percentage points plus, or minus the district average for that racial group. Okay. So they're tying it to the district average. The district proposes four magnet schools and sets the goal for each school to have no more than 25 percent, and no less than 5 percent of enrollment of Asian students, since the district average is 15. Currently, each school has Asian enrollment between 30 percent and 5 percent.

So right off the bat, I'm thinking, well, definitely 5 percent as a group wouldn't be isolated, likely 30 percent might not be, but we would look case by case. Okay. So likely we might have concerns with this approach. First, MGI occurs when minority group students are overrepresented, not underrepresented, so no less than 5 percent is not in line with the term minority group isolation as contemplated in the MSAP statute. It may indeed be a concern, for a school to have too few of a group, certainly, that's just not something the MSAP statute is designed to target. Second, even at the school where the Asian students make up 25 percent of the enrollment, they're not isolated as a group because 75 percent of their peers are of a different race. They have a lot of opportunity for interaction with students of different races. Here the district should consider either targeting different schools, where Asian students maybe experienced minority group isolation and, or a different student population. So we're not saying, well, this district shouldn't even bother applying, they should look to see though, do they have MGI at different schools, or maybe amongst different student populations?

And this last example here, example four, again, just based on these facts, it looks like perhaps no MGI. Here, district E proposes to use MSAP funds to create a whole-school magnet program at three existing schools. Districtwide demographics are 70, oh, sorry, 70 percent White, 15 percent Latino and 15 percent Black. The application states that Black students are experiencing MGI because enrollment for them at the proposed magnet schools is between 17 and 20 percent, which exceeds district wide enrollment. That's true, but likely they're not isolated based on those numbers. Enrollment of White students at each of the proposed magnet schools is between 70 and 75 percent for White students. Application states that the district aims to attract new White and Latino families to the proposed MSAP schools to bring Black enrollment closer to the district average of 15 percent. Okay, so they're tying it to the district average, which sometimes makes sense.

But when the district average is pretty low, it doesn't always make sense. It doesn't usually make sense to be honest. The department would have concerns with this approach. Okay. It does not appear that Black students are experiencing MGI at the three proposed magnet schools. Okay, because MGI occurs, and I know I'm repeating myself, enrollment of a group of students of a particular race is so high within a school, that the school does not foster meaningful interaction among students of different racial and ethnic backgrounds. Because here enrollment of Black students at the three schools is 20 percent or lower, at least 80 percent of the students at each school have a different racial background, so there is that interaction among students of different groups. Moreover, because enrollment of White students at all three schools is 78 percent or higher, the project does not propose to reduce MGI in magnet or feeder schools in which substantial proportion of minority group students are involved, consistent with the regulation.

Okay, and I did tell you we're going in the weeds. That's where we went. Part of your application are these performance measures, and you have them for academics. You're projecting that a certain number of students or percentage of students will meet state standards in math and English and all of that is very important. You also have performance measures for how you are going to reduce, eliminate or prevent MGI. So all applications include performance measures for these goals. They typically include annual targets for each year of the project, for the targeted racial or ethnic group or groups, sometimes folks have two groups. For example, an applicant might seem to reduce enrollment of African American students from 90 percent, to 87 percent, 84, 81, 78 and 75 percent. So gradual changes, typically this is because the school is attracting more students of other races. We certainly don't want to see the school excelling or moving the targeted group out, by no means, but ideally the school is attracting students from other races so that there's more diversity.

Performance measures should be consistent with projected enrollment data. And I'll show you examples of that. Okay? Enrollment data. So, enrollment tables should be complete and accurate, because it's just another section in the application. The application requires submission of projected data for each project here. So we look at what's your current data as you're applying, and what are your projections? We don't tie you, so if you say, I project that I'm going to have, 78 Latino third graders next year, we certainly don't say, you only have 77 or you have 79. No, that's not a problem, just a projection based on your plan. Your projection should assume implementation of the MSAP project, be realistic and logical. I wish I could highlight, bold those words, realistic and logical, and align with your performance measures for enrollment.

Okay. And I'll provide an example of how that alignment should look. So in table two, and I believe this is changed from the last year, but you'll see this in the application which tables you have to put which data and that'll make sense. Districtwide enrollment data for all relevant delegates, for all grades that are covered. So if you are in a consortium, and there are two districts doing middle schools, you would give us your current district-wide data for six through eight, again in both districts, and then you would project that data out for 5 years. So if you know in your district, that either based on the MSAP project, you expect changes in districtwide student enrollment, or often we'll talk to districts and they've analyzed trends over the years and they know that there's housing shifts and population shifts or maybe an influx of families, and they've projected that, they've forecasted that, that makes sense, and that should all be in your data. You know your population and your data best, it just has to be logical, and realistic to us.

Okay. The data must be disaggregated by grade and race or ethnicity. So for example, Gillian and I mentioned this before, the school covered K through five and six through eight and covering two districts, you would give us K-8 data disaggregated by race and ethnicity, from both districts. Obviously, if it's just a single district we just need the single district's data. Okay. I see questions popping up, I will get to them at the end, so thank you for everyone who is submitting them. So the next section table three will be for your MSAP-targeted schools. And we need, again, the enrollment data disaggregated by grade and race and ethnicity, and the projection assumed by MSAP project, be realistic and logical, those are my two favorite words, realistic and logical, and align with the performance measures for enrollment.

If there are, and we've seen this before and I totally get it, because I do this often in Excel, say a data error where all this time the data doesn't make sense, and the numbers aren't adding up to 100 percent, we won't disqualify your application, likely either I or Bridget or folks from OCR in conversations we'll see or we'll just raise some questions, ask you to explain the data, if you find the error or we find the error, whatever you can resubmit them, ideally it's best if they're submitted correctly the first time, but what we are looking for is for everything to make sense. So, the last table is table four, for data and that's where you're going to give us the current and projected enrollment data for the feeder schools.

Again, disaggregated by race and ethnicity, as you'll see on the application, it does not have to be disaggregated by grade. So, folks who have applied before know this, for new folks, the feeder school under the MSAP statute means a school from which the students are drawn to attend a magnet school. So the schools are at the same grade level, where the students would otherwise attend if they did not choose to attend a magnet

school. So, say a feeder school might be Maple Elementary, that's where I used to teach back in the day.

And instead of my Maple Elementary, they're now going to STEM Academy. Maple Elementary is the feeder school for STEM Academy, even though STEM Academy is also a K-6 elementary school. So it's not used how you would typically use feeder schools like a middle school feeding into a high school, that would be too easy. It's used as well, what is the base school or the zone school that they would attend, had they not attended the magnet school? The reason we look at that is we want to make sure that this program that you're proposing, isn't increasing MGI at the feeder schools. So say, for example, a district says, we're creating the STEM Academy, that's going to be very racially diverse, but actually what they're doing, is drawing from the feeder schools, and making them less diverse. So we want to make sure that's not happening.

Okay. Here's one of my favorite slides because it gets to logical and matching targets and data. So here's an example of a performance measure, somewhat typical that we would see, where they're forecasting that Black students enrolled at elementary school A will decrease from 88.9 percent down to 87, down to 86 again, gradual shift, so that in Year 4, we're at 84.9 percent, and by Year 5, 82.9 percent. Now, do we hold you to these exact percentages? Absolutely not, that would be insane. We just look, is this logical? Okay. So that seems like safe, a logical performance measure. Now is that reflected in these tables for your school. Here it is. So the green circle on the left, you'll see for Year 4, says 84.9. The green circle on the right, for Year 5, has 82.9. So your projections, your targets match your performance measure. I think of this similar to if I were planning to go on a diet, and I said, well, I plan to lose two pounds a week, for the next 5 weeks.

If I'm charting my projections, then in 5 weeks, I should be down 10 pounds. Right now I may be down 12 pounds, because maybe I did extra exercise, I may only be down eight pounds because I went to a few parties, whatever it might be, I'm not exactly sure but that's my goal, and my goal is matching my projections. It would make sense for me to have the goal of two pounds a week and then say, well in 5 weeks, I think I'm going to be down 20 pounds. Mmh-hmm(Negative), that's not realistic, that's not logical based on my goals, my performance measures. Similar if you're saving money and I hope to save \$100 a week, at the end of 5 weeks, I should have saved 500. If I say, oh, I'm going to buy something, \$1,000 new TV, that doesn't make sense because I've only projected to save a hundred. So the whole goal, is this should make sense, and if you have separate people doing your data versus your performance measures, they should be talking to each other. It should be aligned.

Okay. We're getting out of the weeds soon, I promise. Here's an example that doesn't make sense, and if we saw this, it would raise a lot of questions. So the performance measure is the same as in the previous example, but here at the enrollment table, they're not aligned. So table three on the left side, for Year 4, has the Black student enrollment at 94.9. That's very different than the performance measure. And for Year 5, it has it at 64.9. Again, that's very different than the performance measure. So first of all, it doesn't match the performance measure. Second of all, it looks (inaudible). Now, there may be huge increases or decreases, sometimes a school will be downsizing, a school will be adding a grade each level, and that certainly makes sense.

But otherwise it would seem pretty odd, for Black enrollment to go from 540 to 371 within 1 year, where did all these students go? And then at the same time for Latino student enrollment to go from 21 to 101, and for White student enrollment to go from eight to 100, so there are several problems. One, the data doesn't match the performance measure, and the other, the data itself is not logical. Those don't seem to be rational shifts from one year to the next. So, you know your data, you know your goals, you know your proposed program, it just has to make sense.

You'll be happy to see we are somewhat changing topics, and indeed we are getting out of the weeds, just a few more slides and then we will go to questions. Okay. Some strategies for how to do this. And this is what we're seeing districts do currently, and hopefully we'll see in future applications. So strategies for reducing MGI. So school districts may use numerous strategies to pursue diversity and avoid racial isolation. Again, the goal being, for the MSAP statute to foster meaningful interaction amongst students of different racial and ethnic backgrounds. This isn't the only way to grade education, but this is what the MSAP statute is for. This is the goal of the MSAP statute. So school zoning examples, the school district might draw an attendance zone for a magnet school in a way that considers the socioeconomic or racial composition of surrounding neighborhoods, and then all students in the zone, would be treated the same without regard to individual characteristics. So the logic and the thought is how the zone is being drawn.

Similarly, a school district might consider the socioeconomic and racial composition of the areas surrounding potential sites, in deciding where to locate a brand new magnet program. Again, so that they can draw from the different racial groups and socioeconomic groups. Student selection example. A district might establish a preference for a new magnet school established in an underperforming school for students attending a higher performing school, if doing so would reduce racial isolation in the magnet school. A school district could also design a student selection process for a magnet school that assigns preference to students based on their

socioeconomic status, in a way that's likely to do increased MGI at the magnet school. So again, being very, very thoughtful, in how these plans are developed. And the next one, and again, there is a competitive priority for this, a competitive preference. A racially isolated school district could partner with an adjacent school district with a different racial composition to permit students from the neighboring district to access a magnet program, regardless of the race of the individual student.

Okay. We are out of the weeds, we are done with the actual substance. We will try to answer questions now, and then also anything we don't get to, we will provide an answer to in writing. Plus if your district has OCR related questions or concerns regarding the answer process or reviews, you can contact us. I work extremely closely with Bridget, so together we will tackle your question and provide an answer. And then also if you're just interested in general technical assistance regarding anything OCR related, any civil rights compliance concerns, you can of course contact our general e-mail address and someone will get back to you. And now, we have, I think 8 minutes for questions, I think I will ask. Yep?

Gillian Cohen-Boyer: I can help with answers if that's helpful.

Dana Russo: Oh, perfect.

Gillian Cohen-Boyer: So, Nicole asked, is there an example of a weighted lottery that could be shared?

Bridget Joyce: So I've had a benefit. This is Bridget. I've had the benefit of, while Dana has been presenting, taking a look at the questions that have been coming in. So yeah, lots of people do use weighted lottery, and we see that all the time, they can be weighted based on various things. An example might be, having a weight in a lottery for students from particular ZIP codes that are socioeconomically different than the population of the school. So sometimes we'll see that students from those ZIP codes would get an extra weight for example. But there are lots of different examples, there are lots of different ways that people can arrange their student selection priorities and their process, having various, I think we commonly see, the very common ones, maybe sometimes there's a walk zone, sometimes there isn't, maybe there's a sibling preference, maybe there isn't, and then maybe you have a priority for a lower performing or a higher performing school, so we see all types of variations. And please feel free to follow up if there's something more specific that we can provide guidance on.

Gillian Cohen-Boyer: Great.

Bridget Joyce: And Dana, if you have anything to add to that answer too.

Dana Russo: Nope. That was great.

Gillian Cohen-Boyer: Liz asked the question that I suggested had two parts to it. So the question was, what about instances where a magnet school might prevent MGI by bringing students from a feeder school, where there's MGI isolation? And so I think there's two parts to this. There's both, what about magnet schools that are trying to prevent MGI? And I think the question was in the context of establishing MGI, and the second part of that is what if the MGI is in feeder schools rather than in the magnet school? Is that okay?

Bridget Joyce: I think the answer that Gillian gave is actually really a good one. And I think Dana and I can chime in too. Dana, do you want to go first?

Dana Russo: Sure. The only thing I was going to add regarding the present piece, because I saw that in quotes. An example I could think of is, a school district might say, we have say 40 or 50 percent of this racial group at our school, or maybe even 35. Well, that doesn't look too high, but they might say, well, we're trying to prevent MGI. And the reason we're trying to prevent it is that we've seen over the last 5 years, that more and more families of other racial groups are moving out of the district. So while this racial group isn't experiencing isolation yet, we know based on what we've seen in the last 5 years, or what we've seen going on, or we've seen these other private schools developing and pulling our kids away, we need to prevent it from even occurring.

So there, it might be logical that, okay, yes, you don't have a 95 percent and there's no magic number, I wish it was, that'd make it easier for everybody. But we don't have that high of a concentration, but we know if we don't do something to prevent it, that private school across the street, this fancy school outside of the district, they're going to pull our kids away, and we need to prevent that.

Gillian Cohen-Boyer: I think related to that, something Dana would normally say, I think is, and that should be reflected in your enrollment projections. They can you that potentially happening. And then the second part of that was, go ahead Bridget.

Bridget Joyce: I was going to say, yeah, and you'd be explaining the piece about why it's necessary to prevent the MGI in your narrative, as well. And then I was telling you about the pivot, to the piece about the feeders.

Gillian Cohen-Boyer: Yep. Go ahead.

Bridget Joyce: Yes. So I think Gillian gave exactly the right answer there as well. Yes, I think the majority of the applications that we see target MGI in the magnet schools from itself, but it's definitely another totally legitimate design to

design magnet schools to prevent or reduce or eliminate MGI in feeder schools, that the same level schools that would be sending students. And very similar to what we've been saying, you'll be describing that in the narrative as well. How will that be happening? And then your enrollment projections you'd want have that reflected as well in the enrollment projections for the targeted schools. And Dana or Gillian, is there anything else to add to that answer?

Gillian Cohen-Boyer: The only thing I would say is, as Dana said before, MGI has to make sense in the context of meeting the purpose of MSAP. So, and part of the purpose of MSAP is to reduce MGI in schools where there are substantial numbers of minority students in schools that have a substantial number of minority students or proportion. So it really does just demonstrate that it's worth really looking at the legislation itself and being really clear on what the purpose is, which I covered a lot in the previous webinar. Sarah asks, and Sarah, you might want to elaborate on this a little bit what you're exactly asking, but she's asking about socioeconomic isolation. [crosstalk 01:02:19].

Bridget Joyce: I saw this as well. Looks like Sarah's typing.

Gillian Cohen-Boyer: Great.

Bridget Joyce: So I can start by saying while Sarah's typing, yes, socioeconomic isolation. We do see projects that are designed to get at that as well. Obviously the primary purpose of MSAP is to get at the racial isolation, but in the statute itself, as well as in the NIA, there is a priority for applicants that propose to increase racial integration by taking into account socioeconomic diversity, and designing and implementing magnet school programs. And so I think that an acknowledgement that those things can go hand in hand. And I see Sarah is still typing, so we may follow up. Oh, let's see.

Gillian Cohen-Boyer: So can reducing socioeconomic isolation be a project goal in a school where MGI is not as significant?

Bridget Joyce: So Dana, would you like to take the first stab or would you like me to?

Dana Russo: I guess, I can take a first stab and then you can clarify whatever [crosstalk 01:03:33].

Bridget Joyce: I'm sure we have the same answer.

Dana Russo: So, yes, it can, and that should be explained in the narrative. I guess I would say the only thing is that project would be competing against schools where MGI might be significant, and they're reducing it. So, we

will look at it, we will consider it, the peer reviewers will rank it, but in the batch of applicants likely, hopefully will be projects where they are attacking MGI, where it is more significant. One thing I might say that goes back to the previous question and explanation is, is there a goal of preventing MGI? And could you tie that in? Because that might be helpful. Maybe it's not as significant now, but based on trends and looking at populations and data and different school choices, your goal is to prevent it. That's all.

Bridget Joyce: Okay. Right. And you'd want to be thinking about schools with substantial proportions of minority group students as well. And that's also a requirement. But it's not a good substitution for, really the primary purpose is to really be looking at MGI.

Gillian Cohen-Boyer: Right. So, yeah, exactly. The purpose of the program still goes back, a part of the history and the program, it goes back to racial desegregation and really looking at the minority group isolation component. We have found that socioeconomic isolation can be, and addressing socioeconomic isolation, for example, in targeting particularly ZIP codes as Dana had spoken about before, can be an effective tool, but the purpose of MSAP still needs to go back to the MGI. The other piece of what Dana said about the ranking, well, to ranking is, all these applications are peer reviewed, and they are assessed against the selection criteria that are published in the notice, inviting applications. And there is a selection criteria that has to do with the magnitude of the problem that you're trying to solve, and that is one place where I think to Dana's point, we are going to be asking peer reviewers to really think about the significance of the problem of MGI in your context. So it's something that you're going to want to be speaking to you, as well.

Any last questions as we approach the witching hour here?

And if you do have questions later, please do free to follow up by using the contact information in the presentation. I see we have another one coming in.

Oh, just a thank you.

You're welcome. Okay. Well, since we are at the time, won't we go ahead and close out but Manya, any administrative pieces for the good of the order?

Manya Walton: No, just this ends the webinar. No, this ends the webinar. Thanks.

Bridget Joyce: Yeah.

Gillian Cohen-Boyer: Thank you everybody. Thank you, Bridget and Dana.

Bridget Joyce: Thank you.

Dana Russo: Thanks. Bye everyone.

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