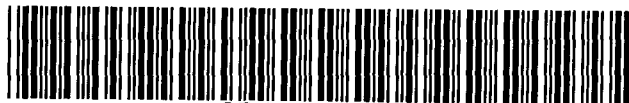


- Appendix A: Court Orders
1. Comprehensive Remedial Order
 2. United Staes Court of Appeals

COMPREHENSIVE REMEDIAL ORDER

MAGISTRATE P. MICHAEL MAHONEY

1996



SD-IL-0001-0021

BOARD OF EDUCATION OF ROCKFORD
SCHOOL DISTRICT NO. 205
WINNEBAGO-BOONE COUNTIES, ILLINOIS

average of minority students. The testimony is that 80 to 90% of parents will receive their first, second or third choice.⁶⁶ The system has a mandatory component to the extent that parents' choices result in schools that would not be within these racial/ethnic guidelines. Tr. 241.

An important precept of controlled choice is that all students are to be assigned schools within the plan's racial fairness guidelines. These guidelines direct that "non-magnet" elementary and middle schools will be considered "desegregated" if the school's racial composition is within fifteen points of the district wide percentage of minority⁶⁷ students at that grade configuration. Tr. 114-15. Therefore, district wide minority/majority ratios at the three grade configurations, elementary, middle and high schools, will be important in determining whether a school is within the racial fairness guidelines.⁶⁸ Furthermore, the plan calls for all available space or unused classroom seats in each school and program of choice to be allocated to majority and African-American and/or Hispanic students on the basis of their proportion in the District at each grade level. Master's Ex. 14 at 21. This provision would guarantee equal access to all schools and programs of choice to both majority and minority students. This

⁶⁶See Master's Ex. 13 at 23; Tr. 623 (in the Lowell, Massachusetts controlled choice plan, 70% of parents received their first choice and 90% received their first or second choice); Tr. 817 (in the Cambridge, Massachusetts controlled choice plan, 80% of parents received their first, second or third choice); Tr. 922 (in the St. Lucie County, Florida controlled choice plan, 84% of parents received their first or second choice).

⁶⁷"Minority" in controlled choice is defined as African-American and Hispanic students combined. Master's Ex. 14 at 22.

⁶⁸Magnet schools and magnet programs, including alternative "school within a school" programs (e.g. gifted programs), must also meet the plus or minus 15% standard. In addition, these programs must have an entry-grade enrollment that is equal to or greater than the district wide percentage of African-American and Hispanic students for that grade, combined. Lastly, all high schools, in addition to the 15% standard, must have an enrollment that is not less than 25% Black/Hispanic students combined. Master's Ex. 14 at 22.