

**The Tinsley Voluntary Transfer Program: How a Decade of Courtroom
Debate Resulted in a Compromise to Desegregate Mid-Peninsula Schools**

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Individual Paper

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Process Paper

I have been classmates with Tinsley voluntary transfer students since the beginning of my grade school education, but only thoroughly considered their unique circumstance in high school, when someone in my journalism class briefly referred to the program's existence. I developed an attachment to Tinsley, because of my proximity to it (I had unknowingly taken the "Tinsley" bus to school for two years in elementary school) and its relationship to two of my favorite topics: social justice and education policy. I chose to research Tinsley for my National History Day paper because I felt it necessary to share my understanding of segregation and its impact on every aspect of American life, not just as a broad issue, but as an issue affecting and pulling apart local communities. Even though events like the race riots in my school's past are closer to home for me, I hope the story of Tinsley has as profound of an impact on others as it did on me. Tinsley fit the annual theme well: it was the result of a decade of debate between lawyers over the constitutional justification for desegregation, and their eventual diplomacy and agreement to settle on a voluntary transfer program. For my preliminary research, I wished to gain a better understanding of the historical conditions that give rise to the Tinsley lawsuit. My history teacher, Mr. Shaad, recommended I read *The Color of Law* by Richard Rothstein, which recounted the history of racist housing policy. The book challenged my understanding that some governments were immune to the Jim Crow narrative, and strengthened my understanding of housing segregation. I also consulted two doctoral dissertations on the Tinsley program written by scholars involved in the area, which I used to gather modern statistical data on the Tinsley program. The main source of my research came from the Tinsley court case documents, which I retrieved from making a visit to the Superior Court of California in San Mateo County, where the case was originally filed. I was elated to hear over call that the court record department still carried the lawsuit, and making the journey to the court made the research experience feel all the more real. Inside the file for Tinsley, there were thirteen volumes, each numbering hundreds of pages, of petitions and amended petitions, respondent's demurrers, and charts and graphs I used in my appendices, all pertaining to the Tinsley case. I came to the conclusion that Tinsley had indeed reduced racial barriers plaguing students in the Mid-Peninsula. However, due to the settlement's limited

scope—the result of significant opposition to any restructuring of districts—its impacts were severely limited. Therefore, while diplomacy is beneficial in taking into account multiple perspectives, in cases of desegregation, drastic action is sometimes required. The Tinsley program is significant in history because educational inequality is a pervasive modern issue. As our nation continues to confront its past, it ought to be prepared to listen to minority voices, and not shy away from change.

Introduction

On September 18th, 1976, the National Guard arrived in full riot gear on helicopters at Menlo-Atherton High School in response to an explosion of hostilities between white and Black students following their integration.¹ Driven to rectify deteriorating student race relations, community members organized under lead plaintiff Margaret Tinsley to sue local elementary school districts for inter-district desegregation.² The ten-year debate revolved around the legal basis for desegregation, and whether it was mandatory even in the absence of overtly discriminatory laws.³ Once it was clear that desegregation was constitutionally required, both parties agreed to a diplomatic settlement—consisting of The Tinsley Voluntary Transfer Program for voluntary inter-district transfer and increased funding towards the minority Ravenswood district in East Palo Alto.⁴ Due to its limited scope that created social dislocation and failed to address issues underlying causes for disparate student achievement, the program failed to fully attain its goals of reducing minority isolation, improving Ravenswood’s educational achievement, and increasing inter-district cooperation. While diplomacy was useful to achieve minor integration, hesitance toward drastic desegregation measures limited the ability of the Tinsley program to achieve its goals.

De Facto Segregation in the Mid-Peninsula

East Palo Alto (EPA) is a suburb below San Francisco, California, and part of the Mid-Peninsula region in the San Francisco Bay Area.⁵ After the first Black people settled in the area, often due to the fact

¹ Lisa M. Krieger, "Stanford Filmmaker Fights for Aging Survivors of Nation's Worst Race Riot," *The Mercury News*, last modified February 1, 2009, accessed December 4, 2021, <https://www.mercurynews.com/2009/02/01/stanford-filmmaker-fights-for-aging-survivors-of-nations-worst-race-riot/>.

² Majorie M. Moylan, "Efforts to Integrate the Elementary Schools," in *The Conscience of a Community: Integrating Mid Peninsula Schools, 1969–1986*, ed. Jack Robertson, 16, PDF.

³ *Margaret Tinsley v. State of California*, No. 206010, (Superior Court of California Mar. 10, 1986).

⁴ *Margaret Tinsley v. Palo Alto Unified School District*, No. 206010, slip op. at 3-16 (Superior Court of California Mar. 5, 1986). <https://searchworks.stanford.edu/view/13903970>.

⁵ San Mateo County Historic Resources Advisory Board, *City of East Palo Alto Historic Resources Inventory Report*, 2-3, accessed December 1, 2021, https://www.cityofepa.org/sites/default/files/fileattachments/community_amp_economic_development/page/2961/full_report.pdf.

that it enforced few racially-restrictive housing covenants,⁶ real estate agents used fears that incoming Black families would shatter housing prices to panic white families into selling their homes far below market value and then sold the houses to Black families at a profit as part of a practice termed “blockbusting.” By 1960, Black people constituted 82% of EPA’s population, while they made up only a small fraction of the population in neighboring cities.⁷ As was true in much of the North and West, institutional racism in California was not categorically coded into laws like in the South, as part of de jure segregation, but rather existed “fortuitously” through regulations and practices that resulted in de facto discrimination.⁸ This condition would eventually lead to debates about to what extent governments should correct segregation which they were not ostensibly responsible for.

Elementary and middle school districts in the Mid-Peninsula were equally segregated as neighborhoods as they were small and represented individual towns, whereas high school districts were more diverse overall as they taught to numerous jurisdictions. In the 1977-1978 school year, almost 100% of students in EPA’s Ravenswood City School District were non-white, compared to neighboring districts Las Lomas, Menlo Park, Portola Valley, San Carlos, and Woodside, which did not exceed 10% racial minority student populations.⁹ In the 1976-1977 school year, the average incoming freshman from Ravenswood at the Sequoia Union High School District (SUHSD) was 2 ½ to 3 years below grade level in reading and math, while districts like Las Lomas and Menlo Park scored in the 90th percentile across the board in state testing.¹⁰

⁶ Kim-Mai Cutler, "East Of Palo Alto's Eden: Race And The Formation Of Silicon Valley," TechCrunch, last modified January 10, 2015, accessed December 1, 2021, <https://techcrunch.com/2015/01/10/east-of-palo-altos-eden/>.

⁷ Richard Rothstein, "Public Housing as a Segregating Agent," in *The Color of Law* (n.p.: Liveright, 2017).

⁸ Elise C. Boddie, "The Muddled Distinction between De Jure and De Facto Segregation," *The Oxford Handbook of U.S. Education Law*, February 2020, 1, accessed October 16, 2021, <https://doi.org/10.1093/oxfordhb/9780190697402.013.17>.

⁹ San Mateo County Committee on School District Organization, *Study of School District Organization, 1977-1978 San Mateo County, California*, by Ole Sell Christensen (n.p., 1978), 39.

¹⁰ San Mateo County Committee on School District Organization, *Study of School*, 18.

Racial Riots Stir a Reckoning

“White students act as if they own the place and are just letting us use it as a favor.” —Student at M-A, 1976¹¹

EPA high school students attended Ravenswood High School (RHS) in the Sequoia Union High School District.¹² Despite initial success at attracting white students, the school could not retain its momentum and was operating at half-capacity. SUHSD consequently closed the high school in 1975, transferring everyone into white schools in the district, including Menlo-Atherton High School (M-A).¹³ Relations between white and Black students at M-A were turbulent upon integration and culminated in a series of racially motivated physical altercations, and an ultimate declaration of martial law, during which the National Guard arrived.¹⁴

This unrest created an urgency for desegregation in younger grades, with the purpose of fostering respect between students of separate backgrounds and creating more equitable educational opportunities for all. With this objective in mind, more than 30 community members, both white and non-white parents and children, sued seven Mid-Peninsula non-minority districts and the Ravenswood district, which served EPA, for racial integration (See Appendix A).¹⁵ The lead plaintiff, Margaret Tinsley, was an EPA parent whose two daughters attended M-A.¹⁶ Though plaintiffs did not specify what remedies they sought, they implied the goal of a district “merger,” despite the respondent districts’ adamant opposition.¹⁷

¹¹ Quoted in Alana Hartsell, "Menlo-Atherton's Race Riots," M-A Chronicle, last modified February 14, 2020, accessed November 28, 2021, <https://www.machronicle.com/menlo-athertons-race-riots/>.

¹² Greg Gavin, Rosan Gomperts, and Carole Hall, eds., Ravenswood (Woodside, CA: Pressed for Time Press, 1976), PDF.

¹³ Kendra C. Bischoff, "Negotiating Disparate Social Contexts: Evidence from an Interdistrict School Desegregation Program" (PhD diss., Stanford University, 2011), https://stacks.stanford.edu/file/druid:bx634gn8318/7.27.11_Bischoff_Dissertation_FINAL-augmented.pdf.

¹⁴ Krieger, "Stanford Filmmaker," The Mercury News.

¹⁵ Moylan, "Efforts to Integrate," 16.

¹⁶ Bayinaah R. Jones, "The Tinsley Case Decision" (PhD diss., University of North Carolina at Chapel Hill, 2006), 38, <https://cdr.lib.unc.edu/downloads/p2676w056?locale=en>.

¹⁷ Gerald Z. Marer, "The Tinsley Lawsuit: Background," in *The Conscience of a Community: Integrating Mid Peninsula Schools, 1969–1986*, ed. Jack Robertson, 117, PDF.

Debate: Does De Facto Segregation Warrant Court-Relief?

The original petition, filed on October 5, 1976, alleged that “minority and non-minority children are being deprived of equal opportunities for education and are being denied equal protection and due process of law.” Petitioners cited statistical evidence indicating racial separation of students and teachers, gross financial disparity, and stark differences in student achievement between Ravenswood and the other districts (See Appendix B).¹⁸

The debate between respondents and petitioners revolved around whether de facto segregation warranted court-ordered relief, even though it was not codified in law. Petitioners insisted upon a California mandate from the *Crawford v. Los Angeles Board of Education* decision, which determined that state authorities were constitutionally obligated to desegregate, regardless of whether they explicitly caused racial imbalances. This decision was harmonious with the nationwide push toward desegregation busing during the 1960s to 1980s. By 1972, after the *Brown v. Board of Education* case, which deemed school segregation unconstitutional, and a series of subsequent court victories that mandated desegregation busing, though only for de jure segregation, nearly half of Black children were attending predominantly white schools in the South.¹⁹ Yet, much of this impact was constrained to this region, especially after the *Milliken v. Bradley* Supreme Court case asserted that only de jure segregation could be deemed a constitutional violation.²⁰ Respondents of Tinsley cited this principle, denying the legal basis for a court-ordered mandate.²¹ Although segregation was arguably as endemic to the North as it was in the South, it was more difficult to prove discriminatory intent within the North’s governance.²²

Petitioners amended their original petition to clarify that they did not allege any de jure or de facto segregation, rather merely that respondents were complicit in the segregation of their schools, through restrictive residency requirements and policies against inter-district transfer. Petitioners debated

¹⁸ First Amended Petition for Writ of Mandate, *Tinsley v. State of California*, No. 206010 (Oct. 20, 1976)

¹⁹ "School Segregation and Integration," Library of Congress, accessed February 20, 2022, <https://www.loc.gov/collections/civil-rights-history-project/articles-and-essays/school-segregation-and-integration/>.

²⁰ "Milliken v. Bradley." Oyez. Accessed February 20, 2022. <https://www.oyez.org/cases/1973/73-434>.

²¹ *Margaret Tinsley v. State of California*, 154 Cal. Rptr. 591, (Court of Appeal of California, First District, Division One Apr. 13, 1979).

²² *Boddie*, "The Muddled," 4.

that, since respondents failed to pursue reasonable steps to desegregate, they had denied petitioners' children equal protection guaranteed from state authorities in *Crawford*. Nonetheless, the trial court sustained the respondent's arguments underscoring an absence of de jure segregation, thereby dismissing the lawsuit.²³

The petitioners promptly appealed their case to the California Court of Appeal, which reversed the lower court's decision. It reasoned that because the California Constitution forbade de facto segregation, "it is the existence of segregation, not its cause, which gives rise to a constitutional right to relief."²⁴

Forces against a District Merger

Despite the plaintiff's initial success, the appellate court warned that drastic change may be counterproductive due to "rancor and prejudice." It was true that many community members and leaders feared that an inter-district remedy may reduce local control of schools, disrupt administration, and ultimately cause more racial strife.²⁵ One major source of apprehension towards a district merger was the topic of busing. Glen B. Haydon, chairman of the San Mateo County Committee on School District Organization, wrote in a declaration to the court, "a young child beginning kindergarten needs familiar surroundings in order to develop positive relations and attitudes towards going to school."²⁶ Moreover, respondent districts were content with their racial affairs and felt intervention would disturb this peace. District Chairman of the respondent San Carlos School District, Paul Licciardello, wrote in a declaration, "The students of all races who attend schools in this district freely interact with each other."²⁷ While there may have been significant interactions among different races within white-dominated districts, districts

²³ Order Sustaining and Overruling Demurrers at 2, *Tinsley v. State of California*, No. 206010 (Dec.12, 1977)

²⁴ *Margaret Tinsley v. State of California*, 154 Cal. Rptr. 591, (Court of Appeal of California, First District, Division One Apr. 13, 1979).

²⁵ Declaration of Glen B. Haydon at 1, *Tinsley v. State of California*, No. 206010 (Sept.14, 1979); Declaration of Margaret S. Ziegler at 5, *Tinsley v. State of California*, No. 206010 (Sept.14, 1979); Declaration of Paul Licciardello at 2, *Tinsley v. State of California*, No. 206010 (Sept.14, 1979)

²⁶ Declaration of Glen B. Haydon at 1, *Tinsley v. State of California*, No. 206010 (Sept.14, 1979)

²⁷ Declaration of Paul Licciardello at 2, *Tinsley v. State of California*, No. 206010 (Sept.14, 1979)

themselves remained segregated. Six of seven of the San Carlos schools did not exceed a 10% minority student percentage.²⁸ To those opposed to an inter-district remedy, racial imbalance—which many also denied had any adverse effects on students’ educational opportunities²⁹—did not justify a complete reorganization of districts.

Proposition 1

The Tinsley lawsuit, along with other desegregation cases like *Crawford*, provoked fear in other parts of California about the erosion of neighborhood schools. Accordingly, voters were persuaded to approve Proposition 1 in November 1979,³⁰ which reduced Californians’ rights to those afforded by the United States Constitution, meaning that courts could only order forced busing and pupil assignment as a remedy of de jure segregation.³¹ As the proposition seemingly eliminated possibilities for inter-district relief, the court dismissed the lawsuit a second time.³² Upon the petitioners’ appeal, the appellate court clarified that it was within the court’s bounds to order techniques other than forced desegregation in cases of de facto segregation, and therefore the trial court proceedings resumed.³³

Parties Reach Settlement Through Diplomacy

Although petitioners did not initially allege de facto segregation, it would have been easily proven in trial that Ravenswood was a de facto segregated district. Because the districts worried about the magnitude of a court-ordered remedy, they agreed to a settlement. In order to foster diplomacy and bring an end to the drawn-out court case, both parties needed to make mutual concessions. As summarized by a

²⁸ Petition for Writ of Mandate, *Tinsley v. State of California*, No. 206010 (Oct. 5, 1976)

²⁹ Declaration of Glen B. Haydon at 1, *Tinsley v. State of California*, No. 206010 (Sept. 14, 1979); Declaration of Margaret S. Ziegler at 5, *Tinsley v. State of California*, No. 206010 (Sept. 14, 1979); Declaration of Paul Licciardello at 2, *Tinsley v. State of California*, No. 206010 (Sept. 14, 1979)

³⁰ Marer, "The Tinsley," 119.

³¹ Wallace Turner, "Californians Favor Propositions to Halt Busing and Limit Spending," *The New York Times*, last modified October 29, 1979, accessed December 4, 2021, <https://www.nytimes.com/1979/10/29/archives/californians-favor-propositions-to-halt-busing-and-limit-spending.html>.

³² *Margaret Tinsley v. State of California*, No. 206010, (Superior Court of California Mar. 10, 1986).

³³ *Margaret Tinsley v. State of California*, 197 Cal. Rptr. 643, (Court of Appeal of California, First District, Division One Dec. 23, 1983).

member of counsel, Michael J. Brady: “The plaintiffs gave up the opportunity to seek a much more drastic remedy upon the school districts; the defendants gave up the opportunity to prove that they were not required to do anything and that what plaintiffs were posing was unconstitutional.”³⁴

After months of conferences with the Judge, lawyers, and school officials, the two parties reached a settlement in March 1986, ten years after the initial petition was filed.³⁵ Three goals of the settlement were 1) reducing minority isolation in respondent districts, 2) improving Ravenswood’s academic achievement, and 3) enhancing cooperation between districts.³⁶

First, to treat minority isolation, the settlement ordered a voluntary student transfer plan, which allowed a maximum of 206 minority, kindergarten to third-grade students to transfer each year from Ravenswood to other participating elementary districts, and inversely, non-minority students to transfer into Ravenswood. Addressing the second goal, the plan directed an additional \$1.5 million of state funding to Ravenswood. Though half of what California’s Department of Education recommended, the money still contributed to worthwhile improvements, such as decreased class sizes, extended instructional time, and library books. Ravenswood was able to hire two new teachers in the 1988-1989 school year, as well as a Director of Curriculum to oversee a greater diversity and caliber of content in classrooms (See Appendix C).³⁷ Lastly, for “enhancing inter-district cooperative efforts,” the settlement ordered a study of the feasibility of an integrated “Model School” to attract students from all backgrounds, though the idea never came to fruition.³⁸

³⁴ Michael J. Brady to William J. Lanam, "Re: Tinsley v. Palo Alto et al.," April 28, 1986, Margaret Tinsley v. State of California et al., San Mateo Superior Court Records Management.

³⁵ Marer, "The Tinsley," 121.

³⁶ Margaret Tinsley v. Palo Alto Unified School District, No. 206010, slip op. at 3 (Superior Court of California Mar. 5, 1986). <https://searchworks.stanford.edu/view/13903970>. <https://www.pausd.org/student-supports/vtp>.

³⁷ Margaret Tinsley v. State of California, No. 206010, slip op. at 13 (Superior Court of California Mar. 10, 1986).

³⁸ Margaret Tinsley v. Palo Alto Unified School District, No. 206010, slip op. at 13 (Superior Court of California Mar. 5, 1986). <https://searchworks.stanford.edu/view/13903970>.

Tinsley Settlement Falls Short of Goals

Despite efforts to eliminate barriers separating students in Ravenswood and neighboring districts, minority isolation was still not altered substantially. Only two students from any of the original seven participating non-minority districts have transferred into Ravenswood since the program's commencement.³⁹ The stark reality of conditions in Ravenswood schools meant parents of children in surrounding areas rejected the idea of sending their kids to these schools. So while a degree of racial amalgamation existed in white-dominated schools, that was not true of Ravenswood.

The settlement never intended for minority students to become the majority demographic in receiving school sites, because of the enrollment cap on transferring students. Today, a maximum of 166 students are allowed to transfer each year (the cap was lowered because the Redwood district exceeded a 60% minority student population and was released from the program);⁴⁰ the introduction of these students across seven districts is thus negligible. Because districts opposed a merger or any other drastic solution, the settlement shifted the burden of integration on EPA's youth, who scattered among the affluent, majority-white districts. Despite efforts from staff to integrate transfer students, a lack of diversity in receiving districts contributed to a worsened sense of belonging for many transfer students. A Black female former Tinsley student spoke about her transition into high school at SUHSD, which taught students from Tinsley receiving districts as well as Ravenswood students. She said, "I think I fit in more in Sequoia because I find a lot of people that live like around the corner from me and I will see them walk out down street and I am like hi, you know."⁴¹ Although the research indicates that most Tinsley students were still able to form their own communities of friends within their receiving schools⁴², a lack of diversity in receiving districts could be isolating and prevented a sense of closeness within schools for transfers. Though social outcomes are often treated as secondary to academic outcomes in desegregation literature, they are important indicators of school success because they address the citizen-building

³⁹ Jones, "The Tinsley," 54.

⁴⁰ Bischoff, "Negotiating Disparate," 54.

⁴¹ Bischoff, "Negotiating Disparate," 160.

⁴² Bischoff, "Negotiating Disparate," 152.

aspects of education, and also establish the underlying conditions for students to capitalize on educational resources.

That is not to say there were no positive outcomes of the Tinsley program. Although research on data from 2003-2010 shows minimal changes for program participants in math and English language arts, transfer students were shown to gain in areas of science and history.⁴³ The Tinsley program also appeared to have a positive effect on its participants' graduation rates.⁴⁴ Nonetheless, the Tinsley settlement fell short of addressing the structural nature of the lawsuit's underpinnings. There still exists a vast educational disparity between students in Ravenswood and neighboring districts, and Ravenswood continues to underperform most Californian students. In the 2018-2019 school year, the percentage of Ravenswood students who achieved proficiency in math was 11% (the state average was 40%), and the percentage of students achieving proficiency in reading was 18% (the state average was 51%).⁴⁵ Besides a temporary increase in state funding, the lawsuit did not specify any concrete action to improve EPA's educational outcomes writ large—the plaintiff's second goal—nor did it specify any action to enhance interdistrict cooperative efforts—the third goal.

Conclusion

De facto segregation has not lost relevance in the past decades. As school district borders are often drawn along municipality lines that reflect housing discrimination, educational inequality continues to plague America. Though efforts like Tinsley have helped blur the effects of racialized school district boundaries, significant forces against racial integration in the process of debate and diplomacy impeded its progress, as limitations embedded into the Tinsley settlement isolated minority participants and

⁴³ Bischoff, "Negotiating Disparate,".

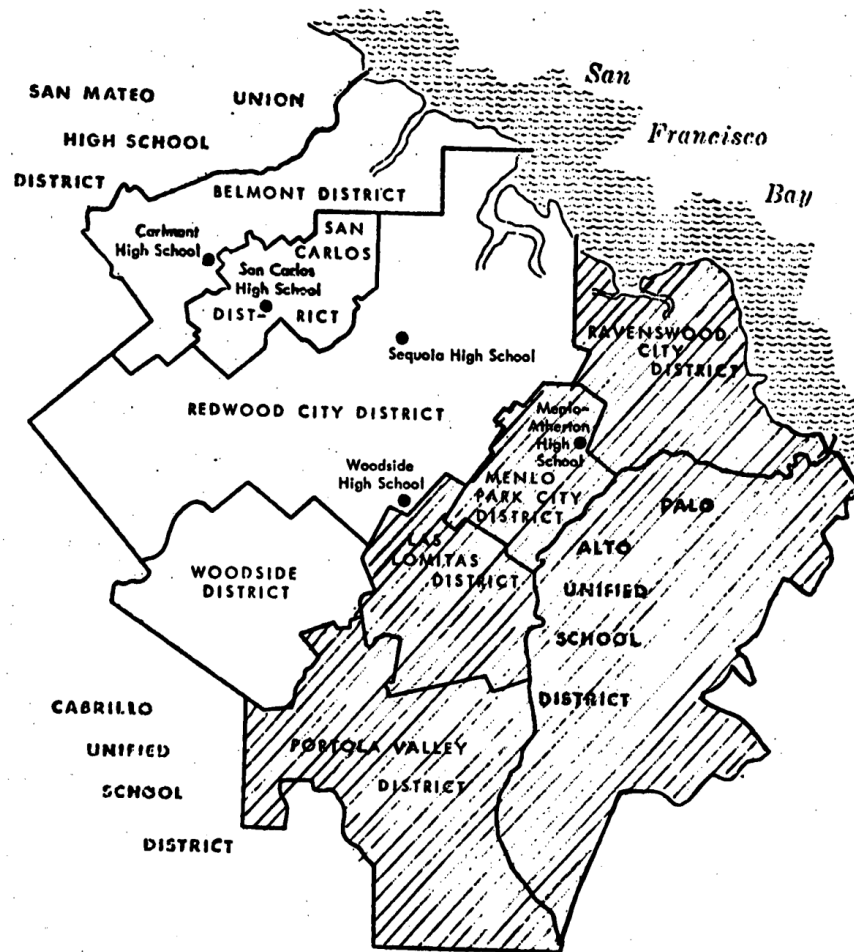
⁴⁴ Jessica Bernstein-Wax and Diana Samuels, "Tinsley Program Still Attracting Students 22 Years Later," *The Mercury News*, last modified February 2010, accessed October 19, 2021, <https://www.mercurynews.com/2010/02/23/tinsley-program-still-attracting-students-22-years-later/>.

⁴⁵ "Ravenswood City Elementary School District," *Public School Review*, accessed February 2, 2022, <https://www.publicschoolreview.com/california/ravenswood-city-elementary-school-district/631860-school-district>.

reduced the program's effectiveness.⁴⁶ Although diplomacy helped achieve integration through the Tinsley program and provided valuable experiences for many students involved, the Tinsley lawsuit demonstrated that limited reform will produce limited outcomes. As we consider how de facto segregation continues to operate in our society today and whatever solutions might best work to make education more equitable, Tinsley demonstrates that proposed efforts ought to be pursued with full force in order to foster structural change.

⁴⁶ Lindsey M. Burke, "Housing Redlining and Its Lingering Effects on Education Opportunity," The Heritage Foundation, last modified March 11, 2021, accessed February 20, 2022, <https://files.eric.ed.gov/fulltext/ED612951.pdf>.

Appendix A



Portrayed are the eight districts plaintiffs sued in the Tinsley case. All of them, except for the Ravenswood City District, were affluent and white-dominated.

Ole Sell Christensen, Map of Mid-Peninsula School Districts, map, PDF.

Appendix B

PROFILES OF SCHOOL DISTRICT PERFORMANCE, CALIFORNIA STATE TESTING PROGRAM, 1973-74

County - SAN MATEO																			
School District - RAVENSWOOD CITY ELEMENTARY																			
Grades and Content Areas Tested	Average Scores for This District				State Percentile Ranks of District Averages				Predicted Score Ranges	Grade	Percentile Ranks of District Average (X) and Predicted Score Range (O) 1973-74				Distribution of Students in District According to State School Percentile Ranks (*Indicates frequency of 10 or more)				
	1970	1971	1972	1973	1970	1971	1972	1973			75	50	25	00	1	25	50	75	00
	-71	-72	-73	-74	-71	-72	-73	-74											
Grade 2 Reading	26.6	26.3	25.3	61.2h	53	43	30	26	19-34	W					111	11	1	1	1
Grade 3 Reading	58.9	34.5	33.5	74.0b	34	27	19	18	21-29	B					1111		1		1
Grade 6 Reading	42.4	40.6	44.2	43.0	6	4	7	6	29-45	B	X	000			12	4			
Grade 6 Language	44.6	40.7	43.4	41.7	10	8	10	10	24-46	B	X	0000			2112				
Grade 6 Spelling	20.1	17.9	18.7	17.3	22	9	14	11	20-35	B	X	000			2	23			
Grade 6 Mathematics	55.6	51.6	54.4	54.0	6	5	6	6	25-45	B	X	000			1111				
Grade 12 Reading	--	--	--	--	--	--	--	--	--										
Grade 12 Language	--	--	--	--	--	--	--	--	--										
Grade 12 Spelling	--	--	--	--	--	--	--	--	--										
Grade 12 Mathematics	--	--	--	--	--	--	--	--	--										

EXHIBIT C (P. 2)

Background Factors	District Values				State Percentile Ranks of District Values				Distribution of Students in District According to State School Percentile Ranks (*Indicates frequency of 10 or more)									
	1970-71	1971-72	1972-73	1973-74	1972-73	1973-74	1972-73	1973-74	75	50	25	00	1	25	50	75	00	
Entry Level Test	c	c	c	28.10	c	28								112	1		1	1
Socioeconomic indicator	c	c	c	1.70	c	19	R											
Percent bilingual	c	c	c	1.9	c	55												
Average class size K-8	--	22.4	23.6	22.9	c	20			P									
Average class size 9-12	--	--	--	--	c	20												
General purpose tax rate	\$3.21	\$3.74	\$3.74	\$3.94	d	90												
Assessed valuation per unit of a.d.a.	\$14,015	\$16,726	\$18,230	d	32	d												
Percent minority pupils, total	86.5	87.7	c	90.5	c	29												
Percent American Indian	0.2	0.2	c	0.2	c	47												
Percent Negro	80.6	81.4	c	84.4	c	99												
Percent Oriental	1.2	1.2	c	1.3	c	67												
Percent Spanish surnamed	3.9	4.0	c	4.4	c	34												
Index of family poverty	\$58.63	\$73.06	\$66.86	d	4.4	d												
Pupil mobility:																		
Grades 1-889	.98	.89	d	95	d												
Grades 9-12	--	--	--	d	--	d												
Expenditures for instruction/unit of a.d.a.	\$669	\$735	\$862	d	85	d												
Regular a.d.a. grades 1-12	4,505	4,316	4,065	d	79	d												
U.S. Census factors (1970):																		
Percent Spanish language			5.36			35												
Percent college educated males			7.00			80												
Percent college educated females			7.07			87												
Median income - male professionals			\$9,721			17												
Median income - male operatives			\$7,001			47												
Median income - all males			\$7,622			52												

Exhibit C of the plaintiff's petition shows Ravenswood students dramatically underperforming district averages on state-wide assessments, as well as the district's vast minority population

"Profiles of School District Performance, California State Testing Program, 1973-74." Chart. PDF.

Appendix C

RAVENSWOOD IMPROVEMENT PLAN Degree of Implementation 1988-89

<u>Activity</u>	<u>Extent of Implementation</u>	<u>Amount Budgeted*</u>	<u>Amount Expended</u>
a. Library Books, Furniture, Equipment	Limited	\$145,000	\$ 18,331
b. Librarian	None	40,000	-0-
c. Instrumental Music	Full	85,000	74,255
d. Curriculum Materials	Full	150,000	175,299
e. Extended Instructional Time	Full	135,000	128,540
f. Staff Development - Extended Work Year	Limited	368,000	124,614
g. Services for Special Needs Students	Full	110,000	59,484
h. Community Relations Specialist	None	35,000	-0-
i. Facility Improvement	Full	300,000	72,778
j. Salary Increases	Substantial	900,000	598,538
k. Class Size	Limited	442,000	60,000
l. Director of Curriculum/Staff Development	Full	75,000	63,352
m. Accountant	Full	30,000	30,000
n. Fiscal Manager/Planner and Personnel Director	None	70,000	2,000
o. Evaluator	None	45,000	-0-
p. Warehouse Manager	Substantial	30,000	12,810
q. Assistant Superintendent	Full	<u>40,000</u>	<u>59,999</u>
Totals		\$3,000,000	\$1,480,000

* Note: This budget plan was developed on the assumption that the district would receive \$3,000,000.

This document shows recommended improvements to Ravenswood, and the extent to which they were achieved.

San Mateo County Superintendent of Schools. "Ravenswood Improvement Plan: Degree of Implementation 1988-89." Table. January 1990. PDF.

Annotated Bibliography

Primary Sources

Brady, Michael J. Letter to William J. Lanam, "Re: Tinsley v. Palo Alto et al.," April 28, 1986. Margaret Tinsley v. State of California et al. San Mateo Superior Court Records Management.

In this letter, a council member on the Tinsley case describes the process of settlement and some of his preoccupations. I quoted this letter to show how both parties in the lawsuit had to concede points in order to reach diplomacy and a solution both could agree with.

Declaration of Glen B. Haydon at 1, Tinsley v. State of California, No. 206010 (Sept. 14, 1979)

In this declaration to the court, Haydon lists his reasons for opposing a district merger. I used his writing in my paper to show opposing perspectives in the lawsuit.

Declaration of Margaret S. Ziegler at 5, Tinsley v. State of California, No. 206010 (Sept. 14, 1979)

This is a declaration to the court, of a person who lists some of her grievances with a merger. I cited her when describing such perspectives.

Declaration of Paul Licciardello at 2, Tinsley v. State of California, No. 206010 (Sept. 14, 1979)

I used this declaration from the District Chairman of the respondent San Carlos School District to show the general opinion of districts that integration, or at least to the degree petitioners asked for, was unnecessary. In it, he writes that his district is sufficiently integrated.

First Amended Petition for Writ of Mandate, Tinsley v. State of California, No. 206010 (Oct. 20, 1976)

This is the first amended petition, in which petitioners clarified their stance and responded to the initial demurrer. I cited this document when describing the arguments petitioners made and clarified in the courtroom debate.

Margaret Tinsley v. Palo Alto Unified School District, No. 206010 (Superior Court of California Mar. 5, 1986). <https://searchworks.stanford.edu/view/13903970>.

This is the document outlining the Tinsley settlement. I used it in my paper to show how parties diplomatically agreed on a set of actions to desegregate.

Margaret Tinsley v. State of California, 197 Cal. Rptr. 643 (Court of Appeal of California, First District, Division One Dec. 23, 1983).

This is the appellate court's second ruling on the Tinsley lawsuit, overruling the respondent's demurrers. I used it to explain the Tinsley lawsuit's proceedings, especially in relation to Proposition 1.

Margaret Tinsley v. State of California, 154 Cal. Rptr. 591 (Court of Appeal of California, First District, Division One Apr. 13, 1979).

This is the appellate court's first ruling on the Tinsley lawsuit, upholding the thrice amended petition. I used it in my paper to explain the court's relation to the debate on whether de facto segregation warranted court-order relief.

Margaret Tinsley v. State of California, No. 206010 (Superior Court of California Mar. 10, 1986).

This is the Tinsley civil court case, including almost every document in the Tinsley lawsuit, and is twelve columns long. I cited it in my paper while describing the courtroom debate and courts' opinions throughout.

Margaret Tinsley v. State of California, 472 F. Supp. 282 (Superior Court of California Dec. 17, 1977).

This is the document in which the trial court first overruled the plaintiff's petition. I cited it in my paper.

Order Sustaining and Overruling Demurrers at 2, Tinsley v. State of California, No. 206010 (Dec.12, 1977)

This is the trial court's order dismissing the Tinsley lawsuit for the first time. I cited it to show an initial defeat for the petitioners.

Petition for Writ of Mandate, Tinsley v. State of California, No. 206010 (Oct. 5,1976)

This is the original petition petitioners filed, in which they claim the existence of unconstitutional segregation in Mid-Peninsula districts, and cite a multitude of evidence to back their claim. I cited this petition to describe the stance of the petitioners in my paper, and I also used some statistics from this document as context for the lawsuit.

"Profiles of School District Performance, California State Testing Program, 1973-74." Chart. PDF.

This chart is from Exhibit C of the original Tinsley petition, showing disparate student performance and minority enrollment between Ravenswood and other California districts. I showed the chart in my appendix to show the plaintiff's concerns.

Rudy, Robert. "9 California Districts Tentatively Approve Integration Plan." Education Week.

Last modified March 19, 1986. Accessed October 23, 2021.

<https://www.edweek.org/education/9-california-districts-tentatively-approve-integration-plan/1986/03>.

This source is from 1986, when the Tinsley Settlement was reached. It explains the plans for integration, which I used to understand the settlement.

San Mateo County Committee on School District Organization. *Study of School District Organization, 1977-1978 San Mateo County, California*. By Ole Sell Christensen. N.p., 1978.

This report reports on the Mid-Peninsula districts in the 1970s, and focuses on their disparities. I used its information to describe the racial and educational context for the Tinsley lawsuit.

San Mateo County Historic Resources Advisory Board. *City of East Palo Alto Historic Resources Inventory Report*. Accessed December 1, 2021.

https://www.cityofepa.org/sites/default/files/fileattachments/community_amp_economic_development/page/2961/full_report.pdf.

This inventory report tells a story about how East Palo Alto was built. I used it to describe the location of East Palo Alto and to get a better understanding of the city's context in general.

San Mateo County Superintendent of Schools. "Ravenswood Improvement Plan: Degree of Implementation 1988-89." Table. January 1990. PDF.

This chart shows the funding that the Tinsley settlement plan directed toward Ravenswood improvement in the 1988-89 school year, compared to the proposed funding. I showed this chart in my appendix.

Second Amended Petition for Writ of Mandate, *Tinsley v. State of California*, No. 206010 (Jan. 13, 1977)

This is the second round of amendments petitioners made to their petition. I used this to understand the courtroom debate and cited it in my paper.

Third Amended Petition for Writ of Mandate, *Tinsley v. State of California*, No. 206010 (Oct. 25, 1977)

This is the third round of amendments petitioners made to their petition. I read it to understand the petitioners' stance over time in the debate about segregation and cited it to explain the debate to readers.

Secondary Sources

Bernstein-Wax, Jessica, and Diana Samuels. "Tinsley Program Still Attracting Students 22 Years Later." *The Mercury News*. Last modified February 2010. Accessed October 19, 2021. <https://www.mercurynews.com/2010/02/23/tinsley-program-still-attracting-students-22-years-later/>.

I used this source to explain some present-day implications of the Tinsley Program. It allowed me to hear from some student perspectives, and also raised some concerns with the program, which I cited in my paper.

Bischoff, Kendra C. "Negotiating Disparate Social Contexts: Evidence from an Interdistrict School Desegregation Program." PhD diss., Stanford University, 2011. https://stacks.stanford.edu/file/druid:bx634gn8318/7.27.11_Bischoff_Dissertation_FINAL-augmented.pdf.

This source vastly contributed to my preliminary research on the Tinsley program. Although it focused largely on the academic and social effects of the program, I used some of its historical information on the Tinsley lawsuit to guide my research and to use in my paper.

Boddie, Elise C. "The Muddled Distinction between De Jure and De Facto Segregation." *The Oxford Handbook of U.S. Education Law*, February 2020, 252-74. Accessed October 16, 2021. <https://doi.org/10.1093/oxfordhb/9780190697402.013.17>.

This journal article explains the distinction between de jure and facto segregation. I cited it to explain this difference in my paper.

Burke, Lindsey M. "Housing Redlining and Its Lingering Effects on Education Opportunity." The Heritage Foundation. Last modified March 11, 2021. Accessed February 20, 2022.
<https://files.eric.ed.gov/fulltext/ED612951.pdf>.

This article describes how school segregation continues to reflect housing discrimination. I used this information to draw national implications from the Tinsley lawsuit.

Christensen, Ole Sell. Map of Mid-Peninsula School Districts. Map. PDF.

This is a map of Mid-Peninsula districts plaintiffs sued in the Tinsley lawsuit. I showed this in my first appendix to set the scene for the lawsuit.

Cutler, Kim-Mai. "East Of Palo Alto's Eden: Race And The Formation Of Silicon Valley." TechCrunch. Last modified January 10, 2015. Accessed December 1, 2021.
<https://techcrunch.com/2015/01/10/east-of-palo-altos-eden/>.

This article details the history of East Palo Alto and how it became so segregated from other towns. I used it to narrate the causes of inequality in East Palo Alto.

Gavin, Greg, Rosan Gomperts, and Carole Hall, eds. *Ravenswood*. Woodside, CA: Pressed for Time Press, 1976. PDF.

This book tells a story about Ravenswood High School and its ultimate closure. I used it to describe events leading up to the Tinsley lawsuit.

Hartsell, Alana. "Menlo-Atherton's Race Riots." M-A Chronicle. Last modified February 14, 2020. Accessed November 28, 2021.
<https://www.machronicle.com/menlo-athertons-race-riots/>.

This article described the race riots that occurred at M-A upon integration. This source showed me how severe race relations were, and I also used the source to explain the short-term impact of the Tinsley lawsuit.

Jones, Bayinaah R. "The Tinsley Case Decision." PhD diss., University of North Carolina at Chapel Hill, 2006. <https://cdr.lib.unc.edu/downloads/p2676w056?locale=en>.

This source provides historical knowledge of the Tinsley settlement and does some similar analysis as Bischoff. I used this paper in my preliminary research to familiarize myself with the topic.

Krieger, Lisa M. "Stanford Filmmaker Fights for Aging Survivors of Nation's Worst Race Riot." The Mercury News. Last modified February 1, 2009. Accessed December 4, 2021.
<https://www.mercurynews.com/2009/02/01/stanford-filmmaker-fights-for-aging-survivors-of-nations-worst-race-riot/>.

This article is advertising a presentation on Menlo-Atherton's race riots. Through reading this article, I gained knowledge about the riots and used that information in my paper.

Lorenz, Elizabeth. "Tinsley Settlement Was a Decade in the Making." Palo Alto Online. Last modified October 1998. Accessed October 19, 2021.

https://www.paloaltoonline.com/weekly/morgue/cover/1998_Oct_7.COVSIDE1.html.

This article summarized the Tinsley settlement, so I used it in my preliminary research to familiarize myself with the program. It also raised some questions that directed the research.

Lowe, Robert Eric. "Ravenswood High School and the Struggle for Racial Justice in the Sequoia Union High School District." PhD diss., Stanford University, 1999.
<https://www.proquest.com/openview/e0de3b16d70dc9c9ca24cac587c9a280/1?pq-origsite=gscholar&cbl=18750&diss=y>.

This dissertation tells the story of Ravenswood High School. It used it to get a basic understanding of the school and how it formed the scene for the Tinsley lawsuit.

Marer, Gerald Z. "The Tinsley Lawsuit: Background." In *The Conscience of a Community: Integrating Mid Peninsula Schools, 1969–1986*, edited by Jack Robertson, 115-22. PDF. This chapter describes the progress of the Tinsley case, including its appeals and the plaintiff's concerns expressed. I used this knowledge to describe the court case in my paper and help clarify the debate involved.

"Milliken v. Bradley." Oyez. Accessed February 20, 2022.

<https://www.oyez.org/cases/1973/73-434>.

This article explains the Milliken v. Bradley Supreme Court case. I used its information to contextualize the national politics related to the Tinsley lawsuit.

Moylan, Marjorie M. "Recognizing the Issues: Racial Problems at Menlo-Atherton High School, September 1967." In *The Conscience of a Community: Integrating Mid Peninsula Schools, 1969–1986*, edited by Jack M. Robertson, 12-16. PDF.

This chapter describes the race riots at Menlo-Atherton High School. I used it to help explain the plaintiff's motivations for desegregation/short-term cause.

"Ravenswood City Elementary School District." Public School Review. Accessed February 2, 2022.

<https://www.publicschoolreview.com/california/ravenswood-city-elementary-school-district/631860-school-district>.

This website gives an overview of the Ravenswood district in East Palo Alto. I used it to show the continuing academic disparity among the minority students there.

Rothstein, Richard. "Public Housing as a Segregating Agent." In *The Color of Law*, 1-32. N.p.: Liveright, 2017.

I read this book as recommended to me by my teacher about the history of racism in housing. Although I did not incorporate the author's argument that all de facto segregation is effectively government facilitated, the book helped me gain a preliminary setting of the condition leading to the Tinsley settlement; I cited it in my paper to explain blockbusting.

"School Segregation and Integration." Library of Congress. Accessed February 20, 2022.

<https://www.loc.gov/collections/civil-rights-history-project/articles-and-essays/school-segregation-and-integration/>.

This article describes the history of school desegregation. I used it to explain the *Brown v. Board of Education* decision in my paper to contextualize the national politics occurring during the period of the Tinsley lawsuit.

Turner, Wallace. "Californians Favor Propositions to Halt Busing and Limit Spending." The New York Times. Last modified October 29, 1979. Accessed December 4, 2021.
<https://www.nytimes.com/1979/10/29/archives/californians-favor-propositions-to-halt-busing-and-limit-spending.html>.

This article describes Proposition 1, which I cited in my article to explain what the amendment was.

"Voluntary Transfer Program." Palo Alto Unified School District. Accessed December 4, 2021.
<https://www.pausd.org/student-supports/vtp>.

This webpage explains the Tinsley Transfer Plan and lists the original goals of the Tinsley. I used it to explain the goals in my paper.