

The School District Tried to Hoodwink the Public and the School Board About Block Scheduling

By: Edward Hendrie
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The school district is attempting to expand block scheduling to the two high school in the county that do not already have it. Block scheduling is a controversial scheduling scheme because it is expensive and ineffective. I sent a series of questions regarding the block scheduling report issued by the school district via email to the Executive Director of the Department of Strategic Planning and Accountability for the Stafford County School District. Below are my questions and the director's answers, followed by my analysis of his answers.

The director's answers reveal that the school district (1) undermined and circumvented the school board committee, (2) prepared and filed a block scheduling report in contravention of the block scheduling committee and the instructions of the school board, (3) purposely delayed publishing and posting the block scheduling report to keep the public and the school board in the dark about the contents of the report, and (4) prepared a report that concealed damaging facts about block scheduling.

These shenanigans by the school district must stop! The superintendent's inaction and expressed statement that he will do nothing in the face of clear evidence of wrongdoing in other matters (i.e., the adoption of Everyday Math) demonstrates that he will not stop the misconduct of the school district. "He that justifieth the wicked, and he that condemneth the just, even they both are abomination to the LORD." Proverbs 17:15

A leopard will not change its spots; the school district has demonstrated time and again that it will continue with its malfeasance. "Can the Ethiopian change his skin, or the leopard his spots? then may ye also do good, that are accustomed to do evil." Jeremiah 13:23. The only way to stop the continual misconduct by the school district is to establish an ombudsman's office with the authority to investigate allegations of wrongdoing by the school district and make certain that they are not trying to hoodwink the public and the school board with an educational fad that will burden the taxpayers and dumb down our children.

Question: "In the two previous years (both 2006 and 2007) the block scheduling evaluation was published during the latter part of October. Why was the most recent block scheduling report not published until February 19, 2009, which was the day after the informational meetings held on February 18, 2009 by the Stafford and Colonial Forge principals?"

Answer: "The February 19, 2009 Block Scheduling Report is the only report that has been published during the course of the evaluation. Staff provided an update to the School Board in October 2006. A second update was scheduled for October 2007 but was never presented to the School Board. The Block Scheduling Report was published on February 19, 2009 because that was the date that the report was completed."

Analysis: [The director states a conclusion that is **not responsive to the question**. Simply stating that the report was published because that was the date it was completed does not answer the question as to why the report was not published in October as the previous two reports had been. I even premised my question by explaining how the previous reports (which he calls updates) were published in October. Yet, he avoids addressing the issue. *Tacita quaedam habentur pro expessis* is an expression in the law which means that things unexpressed are taken as expressed. When a person is presented with an allegation and that allegation is not explained or rebutted by that person, that failure to respond is considered a tacit admission of the truth of the allegation. The director's refusal to explain why the 2009 report was not published in October 2008 is a tacit admission that the delay in publishing the report until after the February 18th informational meetings was intentional and purposeful. That conclusion is made even more compelling when reading the director's artificial distinction between the previous reports and the 2009 report by calling the prior reports updates. That distinction is a diversion, because it is a distinction without a difference. **The fact that the previous reports were labeled updates does not change that fact that they were in fact reports.** Whether the report is labeled an update or a report does not change the fact that the documents reported information about block scheduling. All three documents are reports, regardless of how they are labeled; they were all supposed to have been reports of the committee. He further states that "A second update was scheduled for October 2007 but was never presented to the School Board." That is yet another attempt to obfuscate the issue and avoid answering my question. His attempt to divert the issue is based upon a false premise, because report was in fact presented to the school board, but the school board did not accept it because committee members appeared at the school board meeting and publicly objected to the report. **The committee members objected because the 2007 report was not even seen by the committee members before it was falsely presented to the school board as a report of the committee.** Several members of the committee were so angry at this that they appeared before the school board to demand that their names be removed from the report. The committee members had only seen an initial rough draft of the report and were not allowed to vote on the submission of the final report, which they were never given. In addition, they objected to the failure of the report to give important details about block scheduling and the fact that there were misleading and inaccurate statements in the report. Proof of this is found in the October 23, 2007 school board meeting agenda which lists "Block Scheduling Evaluation Update" under "Report of the Superintendent." The minutes confirm that the report was submitted but rejected by the school board. The minutes state: "Block Scheduling Evaluation Update: By consensus of all School Board members, staff will **resubmit** the report after all Block Scheduling Evaluation Committee members can review the final report." (emphasis added). A report cannot be "resubmitted" unless it was rejected after being initially submitted. That proves that Dr. Schuch's claim that the report was never presented to the school board is false. The school district apparently decided after the meeting that it did not want to resubmit a report approved by the school board committee, so it disobeyed the order of the school board and did not call any more meetings of the committee and never resubmitted the report to the school board. The school district then prepared its next report in secret, which it suddenly published after it was announced that there would be an expansion of block scheduling at the two remaining high schools.]

Question: "Why did the school district wait until February 23rd, which was the day

before the February 24th school board hearing on block scheduling, to post the report on the school district website?"

Answer: "The Block Scheduling Report was completed on Thursday, February 19, 2009 and posted on Monday, February 23, 2009."

Analysis: [The director merely recites the facts as to when the report was posted, but does not answer why there was a four day delay in posting the report. His answer is unresponsive to the question as to why was there a the delay in posting the report. **The director refuses to answer the question.** *Tacita quaedam habentur pro expessis*; the director's failure to offer an explanation in the face of an allegation that he waited to post the block scheduling report is a **tacit admission that he did in fact wait to post the report the day before the school board meeting and that delay in posting was intentional and purposeful.** Posting the block scheduling report at the very last opportunity the day before the school board meeting assured that the public and the school board would be kept in the dark about the contents of the report before the meeting during which block scheduling was the topic for a school district presentation.]

Question: "The school board on February 28, 2006, ruled that the evaluation of block scheduling should be in accordance with the 2006 block scheduling evaluation plan. The 2006 block scheduling evaluation plan specifically states that it will review and compare SAT scores of the block and traditional schools. Why did the block scheduling report not contain a comparison of SAT scores between the block and traditional schools as required by the 2006 block scheduling plan?"

Answer: "SAT reports from the College Board are only available at the school and school division levels. As a result, there is not a valid mechanism to compare the SAT results of block schools with traditional schools. (See pages 3 and 5 of the Block Scheduling Report for additional information about SAT scores and the limitations of comparing block and traditional schools in this evaluation.)"

Analysis: [The director explains the failure to compare the SAT scores of the block and traditional schools by stating: "SAT reports from the College Board are only available at the school and school division levels." While that statement is likely true, it does not explain why the 2009 report does not contain the SAT comparison. In fact, his statement is a tacit admission that the data was in fact available to him. That is because if the school district had data at the school level, that means that it had the data to compare the block and traditional SAT results. His contention that "there is not a valid mechanism to compare the SAT results of block schools with traditional schools" is simply not true. The falsity of his statement is illustrated by the fact that there was an SAT comparison in the 2007 report. All one has to do is average the scores between the block and traditional schools, just as was done by the school district in the 2007 report. The director's reference to the limitations of the SAT reports is an excuse but not a justification for violating the instructions of the school board to include the SAT comparison. In fact, **he offers no direct explanation for why the school district disobeyed the directions of the school board.**]

Question: “The 2006 evaluation plan specifically states that it would analyze and compare the graduation rates in the block schools with the graduation rates in the traditional schools. Why did the block scheduling report not contain any comparative graduation data?”

Answer: “Graduation rate information provided by the Virginia Department of Education is only available at the school, school division, and state levels. As a result, there is not a valid mechanism to compare the No Child Left Behind Graduation Indicator (formerly known as ‘Graduation Rates’) of block schools with traditional schools. (See pages 3 and 5 of the Block Scheduling Report for additional information about the No Child Left Behind Graduation Indicator and the limitations of comparing block and traditional schools in this evaluation.)”

Analysis: [The director’s response that “[g]raduation rate information provided by the Virginia Department of Education is only available at the school, school division, and state levels” is not a reason for failing to report that data. In fact, if there is graduation data at the school level, that means he has the data to report the comparative graduation rates of the block and traditional schools. The director then shifts the discussion from the graduation data matter to discussing the No Child Left Behind Indicator, which is not even at issue and was not raised by my question. The school board on February 28, 2006, ruled that the evaluation of block scheduling should be in accordance with the 2006 evaluation plan. That plan specifically states that it would analyze the following data: “The graduation rates in 2005-08 compared to 2004-05 (sic) in the block schools and to 2005-08 in the non-block schools.” The school district had no choice in the matter. **The school district was under specific instructions from the school board to report comparative graduation rates.** Furthermore, it is rather disturbing that the school district finds it difficult to determine the graduation rates for its schools. It would seem that rate at which students that have graduated from their high schools would be the easiest thing for any school district to keep track of. Yet, the Stafford School District finds that difficult. The director’s explanation that there is no valid mechanism to compare school graduation rates is simply not credible in light of the fact that all of the data to produce that graduation rates for the different schools is found on the Virginia DOE website at <http://www.doe.virginia.gov/VDOE/Publications/>. The School District Department of Strategic Planning and Accountability, who prepared the 2009 report, knows the website contains the necessary information, because they furnished this author with that website as the source for graduation data for the Stafford Schools when I asked them to provide me with that information. It is particularly hard to swallow the director’s claim that there is no valid mechanism for determining comparative graduation rates, since the data on the DOE website came directly from the school district. The school district provided the DOE with the data that is on its website. It is incredible for the director to claim that his difficulty in determining the graduation rate is because of the nature of the information provided by the Virginia Department of Education, because the source of that information is Stafford County, presumably the very department of which he is the director. The director’s attempt to limit his statement to the No Child Left Behind data is a red herring, and his claim that there is no valid mechanism to compare graduation rates is disingenuous, especially in light of the fact that I had no difficulty obtaining the comparative graduation rates for the schools from the data on the website identified for me by the school district.]

Question: “The 2006 evaluation plan specifically states that ‘student behavioral success will be compared by examining attendance, suspension rates, and discipline referrals.’ The plan specifically states that suspension rates would be compared between the block schools and the traditional schools. On page 26 the 2009 report states that ‘participants reported a decrease in disciplinary referrals over the course of the block scheduling implementation.’ Further, on page 25 the report states that the ‘principals noted that disciplinary issues have diminished during the implementation of block scheduling.’ Suspension data was provided in the 2007 report. Why was no suspension data contained in the 2009 report as required by the evaluation plan?”

Answer: The February 19, 2009 Block Scheduling Report is the only report that has been published during the course of the evaluation. The discipline data you are referencing from 2007 was select data that was reviewed during the course of the evaluation. We did not include any quantitative discipline data in the February 19, 2009 Block Scheduling Report due to concerns about the reliability and consistency of the reporting mechanisms.”

Analysis: [From what I have been able to determine, his statement on that matter is likely correct.]

Question: “The 2009 report states: ‘With regards to financial issues, participants relayed that there is not a significant difference in the budget of block high schools as compared to traditional high schools with the exception of paper due to the additional grade reporting that occurs with courses operating on a 4x4 format.’ Why is there no cost comparison data contained in the report to substantiate that conclusion? Please provide me with that data.”

Answer: “We do not differentiate between traditional and block high schools when budgeting the cost of educating high school students. Copies of the School Board Adopted Budgets back to FY 2003 can be accessed at:
<http://stafford.schoolfusion.us/modules/cms/pages.phtml?pageid=22232&sessionid=83a80ccbba2dcf16529127941fa5cf08&sessionid=83a80ccbba2dcf16529127941fa5cf08> “

Analysis: [He states that the school district “does not differentiate between traditional and block high schools when budgeting the cost of educating high school students.” Then how can his report state that there is “not a significant difference in the budget of block high schools as compared to traditional high schools”? **How were the "participants" able to know something that the director claims the school district does not track?**]

Question: “As mentioned above, on February 28, 2006, the school board created the block scheduling evaluation committee. The committee was to provide reports on block scheduling in accordance with the 2006 block scheduling evaluation plan. Were any of the block scheduling reports approved by a vote of the school board block scheduling committee? If so, which reports, and how and where was the vote taken? If not, why not?”

Answer: “The February 19, 2009 Block Scheduling Report is the only report that has been published during the course of the evaluation. As indicated on its cover, the February 19, 2009 Block Scheduling Evaluation Report was authored by [my staff] and me.”

Analysis: [The director's reply was unresponsive to the questions. Furthermore, the director goes off on yet another obfuscatory tangent by claiming that only the 2009 report was in fact a report. He is apparently maintaining his earlier assertion that the 2006 and 2007 reports were only updates and not therefore reports. That is a silly distinction without any real difference. Whether the report is labeled an update or a report does not change the fact that they were supposed to be under the auspices of the same committee and were reporting information on the same matter. All three documents are reports, and they were all supposed to have been reports of the committee to the school board. **The director is trying to dodge the issue of why the committee did not vote on any of the reports submitted to the school board.** His dodge is yet another tacit admission that there was no vote by the block scheduling committee approving any of the block scheduling reports. This failure of the committee to vote to approve a report is a violation of Art. IX, section 52, of Robert's Rules for committee meetings and invalidates the reports.]

Question: "Was there any public notice given for any of the block scheduling committee meetings? If so, how was the notice given? If notice was given, please provide me with a copy of the notice.

Answer: "Appropriate notice was given of the block scheduling evaluation committee meetings through either news releases/public notice releases or the special page built for the Block Schedule Evaluation Committee on our website at www.staffordschools.net (this page has now been archived)."

Analysis: [The director states that notice was given and that the notice still exists in an archive, yet he did not provide me with a copy of the notice as I requested. He instead referred me to the general website for the school district. **His failure to provide me with the documents that I requested is a violation of Virginia Freedom of Information Act § 2.2-3704**, which states: "Public bodies shall produce nonexempt records maintained in an electronic database in any tangible medium identified by the requester."]

Question: "Why have there been no meetings of the block scheduling committee held after the October 2007 report was filed with the school board?"

Answer: "The February 19, 2009 Block Scheduling Report is the only report that has been published during the course of the evaluation. Staff provided an update to the School Board in October 2006. A second update was scheduled for October 2007 but was never presented to the School Board. The Block Scheduling Evaluation Committee was established as an ad-hoc advisory committee to the School Board for the purpose of assisting staff with the first two years of the formative evaluation. The committee's last scheduled action was its meeting in October 2007."

Analysis: [The director claims that the school board committee did not meet after 2007 because the Block Scheduling Evaluation Committee was only supposed to assist the school district staff with the first two years of the formative report. In fact the committee was to stand until the committee's final report as directed by the school board. In addition, the school board

specifically stated in its 2006 order that the committee was to report directly to the school board not to the school district staff as alleged by the director. The school district staff were supposed to assist the committee in preparing the report for the school board, not the other way around as claimed by the director. On February 28, 2006, the school board created the block scheduling evaluation committee by unanimously voting to approve the following: “the school board form a committee to evaluate the hybrid block scheduling used in three of the divisions high schools. The committee, as appointed by school advisory councils and school board selected at-large members, will report directly to the school board.” The director attempts to make the committee a committee of the school district whose purpose was to assist them in preparing a report for the school board, when in fact the committee was a committee of the school board which was to report directly to the school board. **The school district staff was to assist the school board’s block scheduling committee, the staff was not supposed to circumvent the committee by preparing its own report apart from the committee and submitting it to the school board without committee approval, as was done by the director.** In addition, the director continues with his irrelevant and misleading mantra that the 2006 and 2007 reports were updates and not reports.]

Question: “Why was the school board block scheduling committee not consulted during the preparation of the 2009 block scheduling report?”

Answer: “As indicated on its cover, the February 19, 2009 Block Scheduling Evaluation Report was authored by [my staff] and me. The Block Scheduling Evaluation Committee was established as an ad-hoc advisory committee to the School Board for the purpose of assisting staff with the first two years of the formative evaluation. The committee’s last scheduled action was its meeting in October 2007.”

Analysis: [The director’s claim that the block scheduling committee was established for the purpose of assisting the school district staff is false. The block scheduling committee was established by the school board on February 28, 2006, as a committee of the school board to “report directly to the school board.” The 2009 block scheduling report is in contravention of the specific instructions from the school board. The school board instructed that the committee was to report directly to the school board. Instead, the school district circumvented those instructions by turning the committee into a committee of the school district which reported to the school district. The school district decided after October 2007 that they were done with the school board committee and did not find it necessary to even consult with the committee in the preparation of the 2009 report. The 2009 report was supposed to have been a report of the committee directly to the school board, instead it became a report of the school district to the school board. The school district apparently felt that the school board committee could be ignored altogether.]

You can obtain more information on block scheduling in Stafford County at the Stafford County Home Owners Coalition website at www.schoc.org .

The Stafford School Board will be voting on this matter in April, let your school board representatives know how you feel about the school district’s plan to add to your tax burden by

expanding an expensive and ineffective program.

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