

Review of the WCBOE Response to OCR

Page 2: While there is no evidence of racial animus, the board rather deliberately acted to separate economically disadvantaged and minority students from certain schools as shown in the spreadsheet “2011-12 WCPSS Proposed Reassignments Non Stability Non White.” A desire for homogeneity of the majority need not be animus against a minority to be a violation of civil rights.

As the WCBOE has implemented alterations to the three year plan using proximity as the dominant factor, even in contrary to the other six factors, it shows the WCBOE in fact, is defaulting to a neighborhood schools concept in their student assignment decision making, without regard to its impact on student achievement, teacher and principal retention, high concentrations of high poverty or minority students.

“Proximity to residence is only one of seven factors, none of which is predominant...” However, proximity *was* the primary reason minority students were moved to schools, all closer to their homes. Further, it appears that, for the most part, there was no consideration of the other six assignment factors. And, contrary to stability and facility utilization criteria, nodes with a majority of minority students were moved even when these nodes had been moved the prior year, regardless of whether the resulting move would (1) cause under enrollment at the school from which students were being moved, (2) take up magnet or year-round applicant seats displacing applicants and/or cause overcrowding at the receiving school.

Examples of proximity moves by the board, after voting on the new Policy 6200, for school years 2010-11 and continuing in the same mindset in assignments for 2011-12 were:

Contrary to Stability...

- 271.1 (87 percent non-white) slated to be moved in 2011-12 from Leesville High to Sanderson High, after only one year at Leesville.
- 593.1 (95 percent non-white) slated to be moved in 2011-12 from Leesville High to Southeast Raleigh High after only one year at Leesville
- 593.2 (100 percent non-white) slated to be moved in 2011-12 from Leesville High to Southeast Raleigh High after only one year at Leesville

Contrary to Facility Utilization...

- Nodes 001 & 002 leaving Morrisville for Adams (both year-round elementary schools) by request of Debra Goldman to create additional year-round seats for applicants at Morrisville (resulting in 94 percent of capacity, Oct 20, 2010 school profile sheet), moving the students to Adams and making it their base school (resulting in nine percent over capacity, Oct 20, 2010 school profile sheet). Laura Evans with Growth Management stated at the board meeting there were enough seats to keep Nodes 001 & 002 at Morrisville AND seat all applicants, while there were already too many applicants for seats at Adams. Moving Nodes 001 & 002 to Adams further reduced the number of year-round applicant seats.

The claim that the changes to the assignment policy increased the chances of minority students being admitted to magnet schools misrepresents the situation. Changing the formula by which priority was given to magnet school selection was an entirely different issue than removing academic achievement and socioeconomic factors from policy 6200. The former cannot responsibly be used to justify the latter.

It appears counterintuitive to have a magnet program with the stated objective of “reduce high concentrations of poverty and support diverse populations” and then accept more poor students back into magnet schools (see www.wcpss.net/magnet/).

Claims that the assignment plan cannot yet be judged are valid only in part. While no comprehensive new assignment plan is in place yet, the Board has intentionally and knowingly created a racially identifiable school, Walnut Creek Elementary. Furthermore, significant reassignments were made beyond the previously adopted three-year assignment plan. See:

www.wcpss.net/news/2010_march24_assign_changes/
www.wcpss.net/news/2010_april1_work_session/
http://www.wcpss.net/news/2011_jan28_assignment_proposal/assignment_changes.pdf
http://www.wcpss.net/news/2011_jan28_assignment_proposal/

The final node reassignments of nodes 504.1, 380.7 and 246.1 were prompted by Board member John Tedesco quietly having his node (formerly 504) divided and his new node, 504.1 being assigned to a lower poverty school, Aversboro Elementary.

Page 3: Prior to 2000, WCPSS was diversifying schools using race instead of SES. Balanced schools in Wake date back farther than 2000.

Page 4: It is inappropriate in this kind of brief to state as fact “long bus rides” and “frequent reassignments” being a result of utilizing diversity as a component of the assignment plan. Looking at node history (see file attached) and WCPSS distance analysis (<http://www.wcpss.net/demographics/distance/index.html>), it appears that only a handful of children were ever reassigned more than twice and that even fewer had long bus rides. Perhaps closer analysis by WCBOE and staff could yield targeted ways to prevent those unique cases from occurring.

The actual 2007 version of Policy 6200 that refers to targets and balance says:

“All of the following factors, not in priority order, will be used in the development of the annual student assignment plan. While absolute balance of each factor across all school is not achievable, comparability between neighboring schools in regard to each factor is the desired outcome of the student assignment process.”

A. Populations of Students With Higher Needs

The student assignment plan will create balance across schools in the distribution of students who:

1. are eligible to receive free or reduced price lunches in the child nutrition program
2. perform below grade level on End-of-Grade tests
3. are identified as being Limited English Proficient
4. require services from Special Education programs

Whenever any of the following ‘**targets**’ are exceeded, the Board directs the Superintendent to review the reasons for exceeding the target, study trends across several years, and recommend ways in which the student assignment plan could help achieve the targets:

1. Less than 25 percent of students at any school, averaged across a two-year period, will score below grade level on the Reading End-of-Grade test.
2. Less than 40 percent of students at any school will qualify for free or reduced price lunches.”

All that remains of the above text in the new Policy 6200 is:

G. Students with Higher Needs

“Assignments should accommodate students with higher needs, including those identified as being Limited English Proficiency (LEP) or requiring services from Special Education programs.”

*** Copies of former Policy 6200 with markups are available at: <http://www.greatschoolsinline.org>

The above modifications to Policy 6200 not only eliminated consideration of socio-economic diversity from student assignment, but also eliminated any considerations of appropriate **student achievement** metrics.

This directly contradicts the BOE majority’s claims that their changes to the assignment plan were to improve student achievement.

Page 5: The percentage of schools exceeding FRPL targets probably includes Special/Alternative schools (so slightly over estimated), but even so, the 2010-11 percentage includes moves made by BOE majority in addition to the three-year assignment plan.

The response suggests that there is discontent with the school assignment policy based on a private poll of 798 voters conducted by Public Policy Polling (www.publicpolicypolling.com). The actual survey is not available on their Web site, but it is quoted in a link to a News & Observer story. It appears the poll was taken only from those districts up for re-election, located in the suburbs, and therefore not indicative of Wake County as a whole. This also contradicts the results of the parent survey conducted in early 2010 that indicated 94.5 percent of more than 40,000 parents who responded were satisfied with their children’s current school assignment (<http://www.wcpss.net/Board/2010-calendar-survey/>).

The four new school board seats were not won by “wide margins,” only about 6 percent of all registered Wake County voters elected new board members. A runoff ballot was required in District Two (Tedesco’s district).

Page 6: “promoting student achievement” – majority voted to remove “student achievement” from assignment and voted against amendments from minority members to prevent segregation at March 23, 2010 meeting (<http://www.wral.com/news/education/video/7291596/#/vid7291596>).

“time and patience and input from many different stakeholders.” AdvancEd found the process to be flawed.

It is not correct to say that “the most significant changes” to Policy 6200 was “to remove the ‘target’ of SES diversity from the student assignment policy, leaving six other factors intact” – student achievement was also removed from the Policy.

Changes to the three-year assignment plan were more than “minor,” as indicted by the fact that more than twice the number of node reassignments than necessary were made for the opening of Walnut Creek ES, affecting thousands of children—many of whom had already been moved within the last 2 years. These assignments knowingly concentrated low-income, minority and low-performing students in one school, resulting in the creation of a racially identifiable school.

“There is no substance to Complainants’ discriminatory intent claim” – video of Margiotta whispering “I never said that” (<http://www.americanindependent.com/134583/nc-wake-county-school-board-chairman-contradicts-himself-on-high-poverty-schools>). Also Wake Education Partnership Topic Review of assigning students to the closest school gives clear evidence of how some schools would be segregated by race and

SES through a neighborhood school system:

<http://www.wakeedpartnership.org/news/TopicReview02082010.html>.

Page 7: Video of meeting discussing Stough/Lacy and Garner/Southeast Raleigh node moves:

(<http://www.wral.com/news/education/video/7341255/#/vid7341255>)

Discussions regarding additions to the three-year assignment plan begin at 35:40. However, this video also contains discussion regarding the magnet grant before the 35:40 mark. The capacity of Stough and Lacy demonstrates these moves were not for facility utilization

<http://www.wcpss.net/demographics/reports/book09/VF-Facilities.pdf>.

“Complainants fail to cite a single example of any person (let alone any Board member) expressing such a view” – video of the Nov. 30, 2010 Student Assignment Committee Meeting shows WCBOE representatives for Margiotta, Prickett & Tedesco came prepared to move primarily minority, high poverty nodes out of their schools (<http://www.wral.com/news/video/8701140/#/vid8701140> – starting at 1:36).

Page 9: Node history (attached) indicates that there Wake has not been “shifting these kids around every year;” however, the unfortunate truth is that many children who have moved multiple times are children of poverty who are often transient and change schools due to their housing changes.

Page 11: “50 percent of our African American boys are dropping out”

Drop out data and enrollment data by race, ethnicity and gender for Wake County from the NC Department of Public Instruction (www.ncpublicschools.org) indicates the following regarding drop out data for African Americans in Wake County:

- i. In 2009-2010 (the most recent year available), 676 black students (combined male & female) dropped out of the 9-12 grades out of 1494 students for Wake Co. This constitutes 45 percent of the total number of students dropping out, but that is not what Mr. Tedesco claimed.
- ii. In 2009-2010, there were 6,600 black males in grades 9-12 and 6,352 females in grades 9-12 for a total of 12,952 students. 676 black students out of 12,952 is approximately 5.2 percent of the total number of black students in WCPSS.
- iii. In 2008-09, the most recent year available to Mr. Tedesco as he compiled his responses to the Independent Weekly, the total number of black students dropping out was higher at 717 students, with 1,510 students dropping out system-wide in 9-12 grades for 47.4 percent of the total students dropping out. Mr. Tedesco overstated the number of African American **males** in his statement.
- iv. In fact, no data could be found to corroborate Mr. Tedesco’s claims regarding drop out data for black males in Wake County. The dropout rates presented in the drop out reports do not break down the data by gender and race.

Dropout rates in Wake County are far lower than in Charlotte Mecklenburg Schools (CMS) and have been dropping since 2006-07; contrary to Mr. Tedesco’s statement and implications.

Page 12: “utilization of objective, data-driven, decisions better supports these efforts than subjective classification and profiling of students”

- a. The Response implies that WCPSS prior to December 1, 2009 was subjectively classifying and profiling students. They provide no data to back up this claim.
- b. On the contrary, the new WCBOE members have ignored all the data and research by educational experts over the last 40 years (from Coleman Report in 1960’s to recent

Montgomery Co., MD study) that clearly demonstrates the many problems with achievement and capacity utilization that occur when schools are sorted and students taught according to their race or class. The board majority has not utilized the data appropriately and seems to lack skills in data interpretation and analysis.

“all students at all schools with an equal opportunity to a sound, basic education”, “voluntary desegregation” – this is guaranteed in NC Constitution

- a. The new WCBOE majority consistently voted down attempts by the minority members of the WCBOE to incorporate resolutions to confirm that “voluntary desegregation in an effort to reduce and prevent minority group isolation and promote cultural integration” and to “prevent segregation.”
- b. Ms. Goldman stated that we could have neighborhood schools and diverse schools “working in tandem” (page 12); however Ms. Goldman never once indicated how that would be accomplished in the absence of an affirmative obligation to require it in our schools.

Page 13: The report by Tedesco & Margiotta is replete with inaccuracies. Their conclusions regarding the SES assignment practices are a complete misinterpretation—even of their own data. The manipulative and selective use of data in that report, particularly failing to recognize the substantial improvements in achievement among the students in Southeast Raleigh compared to the stagnant performance of the students in East Wake notably contrasts the misleading characterization of the Tedesco/Margiotta report “*Wake County Public Schools: The problems-what you’ve never been told by the mainstream media & the solutions—to better academic achievement.*”

(http://assets.bizjournals.com/cms_media/triangle/pdf/WCPSS%20The%20Problems%209-30-10_Rev.pdf)

WCBOE members Ron Margiotta and John Tedesco use WCPSS performance data comparing the Southeast Raleigh and East Wake high school zones to claim a failure of the old assignment policy. Their claim is that “*Southeast Raleigh represents a low-income area that has many students that are bused to more affluent parts of the county. East Wake represents another low-income area, but the district does not assign many of these students to other schools. A comparison of the two areas can provide insight into the impacts of the school assignment plan across the district.*” This is in fact true; however, the conclusions from a more comprehensive evaluation of the data are exactly the opposite of that claimed by Tedesco and Margiotta.

The following performance and demographic data for students in these two areas is provided by the WCPSS at <http://www.wcpss.net/assignment-drafts/>.

	F&R	White	Black	Hisp	Asian	% Pass Reading/English EOG/EOC			grad rate
						3-5	6-8	9	
EAST WAKE	55%	35%	38%	21%	1%	61.8%	66.0%	75.9%	61.2%
ENLOE/SE RALEIGH	68%	4%	70%	21%	1%	46.7%	48.6%	66.0%	53.3%
Difference	13%	31%	32%	0%	0%	15.1%	17.4%	9.9%	7.9%

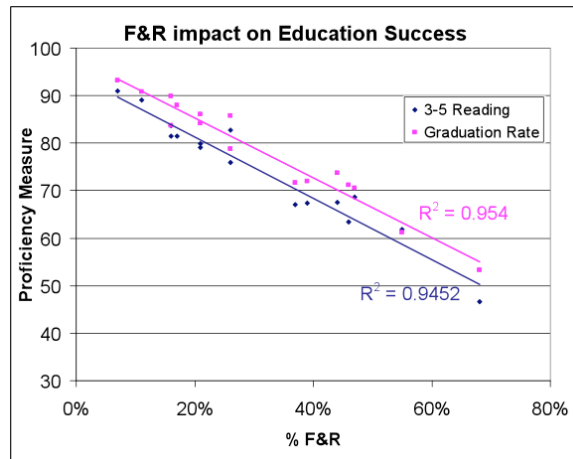
The 13 percent difference in the number of F&R students between these two zones is more significant than implied by Tedesco and Margiotta. Furthermore, they failed to recognize the dramatic dissimilarity of the black/white ratios.

Tedesco and Margiotta are correct that in all reported measures of proficiency, reading EOG tests in grades 3-5 and 6-8, 9th grade 1 English EOC, and graduation rates, the East Wake zone outperforms the Southeast

Raleigh zone. However, this fails to recognize the difference between starting and ending points, in part related to the success (or not) of the school system.

The student performance in the early years (3-5) most closely reflects student preparation for entry into the school system, whereas graduation rates more closely reflect the impact of the school system itself. Quite notably, the East Wake zone started with a reading performance rate of 61.8 percent and ended with a 61.2 percent graduation rate; a decline of 0.6 percent. By contrast the Southeast Raleigh zone started with a 46.7 percent reading performance and concluded with a 53.3 percent graduation rate; a 6.6 percent improvement. It is further important to note that evaluation of the WCPSS demographic and performance data for all sixteen identified areas finds that the East Wake area is the only one in Wake County for which the graduation rate is not improved over the 3-5 reading EOG performance. Across the district, the average improvement between 3-5 reading EOG and graduation rate is 4.2 percent.

The two areas of Southeast Raleigh and East Wake do have the lowest graduation rates of the county. This is sadly not a surprise because these are also the two most economically challenged areas. As shown in the figure at the right, the WCPSS performance data for each of the 16 identified zones, strongly correlate with the F&R population. Nevertheless, while the graduation rates in these and other zones are unacceptably low, the significantly greater increase in performance between grades 3-5 and graduation observed for the Southeast Raleigh zone compared to the stagnant level of performance in East Wake suggests exactly the opposite conclusion to that proposed by Tedesco and Margiotta. The old assignment policy apparently had a positive impact. It was not sufficient, but its impact was clearly in the right direction.



2010 Wake Co. private school enrollment quoted in the response and white paper are inaccurate. Using information from www.ncdnpe.org and www.ncpublicschools.org, 2010 private school enrollment for Wake was 15,689; home school enrollment was 4,023; charter 5,963 and public avg. daily membership was 139,064. Private school enrollment (15,689/164,739) was 9.5 percent. Even if you add the home school numbers to private (19,712/164,739) the "opt-out percentage is 12 which is nowhere near the 17.5 percent figure quoted by WCBOE.

Furthermore, Market Share studies by WCPSS staff (found at www.wcpss.net/demographics/reports/index.html) indicate more students entering public school from private and home schools than actually leave for those schools.

Page 14: How can you "hide" students when DPI and school report cards disaggregate by race and ED status?

The statement that, taken together, none of the Board majority's words or actions have been driven by racial animus can only be made because this brief selective chose words and actions to prove their case. This brief fails to even note efforts (albeit failed) by the Board minority to ensure non-discriminatory language into resolutions and policy. It fails to note that demographic data was intentionally and willfully ignored, even when Dr. Morrison question the impact it might have on this very civil rights investigation, when making student reassignments. It fails to recognize actions such as Ms. Goldman's wiping down of

her chair and desk after protesters sat in her chair. It fails to recognize the reams of data suggesting the Board's actions of concentrating high poverty students into select schools are detrimental to the academic success of children. Selective inclusion and exclusion of words and actions is the only way one can conclude there is no evidence of racial animus and/or bias.

Page 15: If the Board did not know about the racial make-up of the reassigned nodes, it is only because of willful ignorance. When Dr. McLaurin asked for the SES data for the nodes being moved, it was only provided minutes before the votes were taken for reassignment. This brief fails to recognize intentional ignorance as evidence of intent.

“There was simply no ‘usual practice’ for considering changes to the second year of a three year plan.”

- a. There was a usual practice for considering node reassignments and the new members of the WCBOE did not follow it.
- b. It was always assumed that any adjustments to the three year plan would be only to populate new schools and accommodate growth; the new members of the WCBOE used it as an opportunity to quickly and without proper notice move “certain students” in what seems to be in accordance with their campaign promises, whether the students being removed had been requested to be moved or not.

Pages 16-17: The discussion of reassignments fails to note that the Board made a substantially greater number of reassignments that were recommended by the WCPSS staff. And all these additional reassignments carried with them high percentages of low-income students.

“the public were provided ample opportunities to comment...and possible changes to the 2010-11 plan. In 2009, the board initiated...public outreach...” and “the board made extra efforts to inform parents affected by the Garner High School/Southeast Raleigh High School node moves...their options under grandfathering...” and on page 17 that the move was in part done to “reduce the long bus commutes for students in the affected nodes.”

- a. These community engagement meetings were for the purpose of discussing calendar options and were not held to address possible movement of nodes. It is disingenuous for the Response to use this fact in this way.
- b. It should be noted that options of keeping a student at a particular school under grandfathering clauses that don’t include transportation, especially for families in which transportation may be problematic (as the WCBOE is so quick to cite), is not a realistic option.
- c. Regarding the characterization of these as long bus rides for students, the schools are only five miles apart so this doesn’t seem to be a logical reason for the changes.

Page 19: Must one prove that there was intent to create a racially identifiable school? Or does failure to pay attention to such matters not also demonstrate intent? The fact is that racially identifiable schools have been created. With planning and forethought, Walnut Creek Elementary could have been opened as a theme or magnet school this year or advertised to be such in the next school year, thereby reducing the concentration of low-income students. No effort was made to prevent the resulting high concentration of low-income students.

The actual number is not relevant. It was the future number that mattered after grandfathering was completed. Lacy is significantly overcapacity.

Specific Reassignment Issues

How many reassigned students does it take to show racially motivated intent? (Ref Pgs. 19-24 of complaint response). The argument that only five students out of 59 reassigned actually attended Stough, and that the schools were “trivially affected,” is inconsequential. Over time, fewer students would be attending Lacy from these nodes, and more would be attending Stough, addressing the original intent – overcrowding at Lacy. The fact that the board *reversed* this in Year One of the three-year student assignment plan is of consequence. The response’s claim that these children have always gone to Lacy is of particular interest. While this is indeed true (reference, node history excel file from WCPSS Growth Management), the same can be said of nodes 506.3, 506.4, 506.5 and 743 moved from Garner to Southeast Raleigh High. These students have always gone to Garner High, matriculated through Garner High; their parents volunteered, contributed, and invested in Garner High the same as the Lacy parents and students. If a student is a student is a student, why then does the same type of example warrant two different actions from the board?

While the board’s claims that the move of nodes 506.3, 506.4, 506.5, and 743 did not make Garner High any more racially identifiable than the prior years, and the claims the racial demographics at Southeast Raleigh were caused by parental choice does not justify this board’s action – which is **applying two different decisions to two identical scenarios**. Lacy was overcrowded; this was the original reason for the move of nodes 114, 115, and 158 to Stough, but ignored by this board in its reversal. That Garner was overcrowded, the current Board’s stated reason for the move of nodes 506.3, 506.4, 506.5 and 743, shows how this board applied two different decisions to two identical scenarios. The quoting of resulting racial statistics does not prove lack of intent. The different decision about how assignments were made with a predominately white group of nodes (Stough to Lacy), as compared to the assignment decisions with predominately minority group of nodes (Garner to SE Ral) speaks louder, as the only difference in the nodes is racial composition.

Pages 21-22: In discussing the node changes for Garner High School and Southeast Raleigh High School, this comment is made: “they did not substantially change the racial composition of the sending or receiving school.” Stating further that the black student population was reduced in 2010-11 by two percentage points and that the Hispanic population went up by three percentage points.” Based on data presented in the Wake County Demographic Reports for the cited year:

- a. In actuality, the number of black students in Garner High School did change dramatically in the three year period beginning in 2008-09 with 1113 black students, dropping to 1058 students in 2009-10 (the first year of the three-year plan) and then again with a decrease to 891 black students in 2010-11. This is quite a decrease in the number of black students at the school with a drop of about five percent (55 students) in population in the first year of the three-year plan, followed by a 16 percent (167 students) decrease in the second year of the plan fueled by WCBOE changes for an overall reduction in that time period of 20 percent overall (222 students).
- b. This reduction in black students at Garner High creates a very different ratio of white to black students in each of the three years beginning in 2008-09: 1.3 times the number of blacks than whites in 2008-09 to 1.02 times the number of blacks than whites in 2010-11.
- c. While the number of black students in 2010-11 in Southeast Raleigh High School is generally the same in 2010-11 (1,155 students) as it was in 2008-09 (1,151 students), there were 36 fewer black students at Southeast Raleigh High School in 2009-10 – the first year of the three-year plan.
- d. The number of white students at Southeast Raleigh High School has dropped substantially in the time from 2008-09 to 2010-11 with 360, 276, and 229 white students at this school in

the respective academic years, a decrease of about 23 percent from the first to the second year and another 17 percent from the second to the third year of this time period. This decrease changes the ratio of black to white students at Southeast Raleigh High School from 3.09 times more black students than white students in 2008-09 to 5 times more black students than white students in 2010-11.

Southeast Raleigh High School, "Of the base population, 659 of the 670 were minority students..." This is unexpected given the racial demographics of the neighborhood."

- a. This statement demonstrates that the new WCBOE do recognize that there is segregation by neighborhood and that neighborhood schools in segregated areas will equate to segregated schools.
- b. The WCBOE goes on to state that there are mostly minorities that are choosing to go to school here; that is because the school has a great program and is a magnet school located in the southeast Raleigh neighborhood. This is not justification for moving students who didn't want to be moved from Garner High School to Southeast Raleigh High School. Those students did not CHOOSE Southeast Raleigh High School.

Page 23: The characterization of the magnet population of Southeast Raleigh High School being heavily minority is again overstated. While many minority students select this school, the brief is written in such a way that one would not recognize that Southeast Raleigh is the only magnet high school that many minority students are eligible to apply to, and/or have any reasonable chance of attending. This is a result of the non-transparent magnet school selection algorithms.

Why only look at black students attending Stough? What about after the grandfathering process was completed?

Page 24: See Eric Houck and Sheneka Williams response to being quoted in WCBOE response: (<http://www.newsobserver.com/2011/04/15/1130342/what-we-found-and-didnt-find.html>) "student achievement is the result of many complex factors" – yet WCBOE use very limited data to make their case.

How can ANY student be better served if we are forced to increase additional resources into high-poverty schools? ALL children suffer from the resource drain since the money will come from all schools. And, of course, board members were given this evidence and seemed to ignore it.

Page 25: no evidence? Not possible to study without a control group! And why compare with other wake systems when urban poverty and rural poverty are very different?

Page 27: How about SAT scores (<http://www.ncpublicschools.org/docs/accountability/reporting/sat/2010/satreport2010.pdf>) or performance in UNC system (www.northcarolina.edu/ira/ir/analytics/fresh.htm)? Comparison districts and comparison cohorts inconsistent (exclude CMS and switch from Black Males to Black Students).

Pages 28-29: It appears that some rates were double counted and does not clarify whether they passed one or none of the exams. In other words, the data they are using are simply not accurate.

Also, comparing schools on a macro level like this is not a viable analysis. For example, let's say you have two schools with 300 children who qualify for F&RL of 600 (50 percent). In School A, 60 of those children are homeless and the rest receive free lunch versus in School B, all children receive only reduced lunches

and live in a two parent household. It is impossible to compare the educational attainment of these two schools, as “300 F&R students’ is too general of a term

This is a sweeping generalization. Low-income kids in magnet schools are PROBABLY different from non-magnet low-income kids. E.g., they are VERY poor, not just ‘kind of poor,’ and are less likely to have intact families – both highly correlated (negatively) with achievement. It also counters their argument that busing creates low achievement. Most base assigned students at magnet schools walk to school, so they should be the best performing in the system based on WCBOE argument.

Page 30: Many students assigned to schools farther from their home are assigned for special programs. 2008-09 study (<http://www.wcpss.net/demographics/distance/index.html>) indicates a majority of students assigned over 13 miles from home were for special programs (such as special education or alternative), and all 15 students assigned over 15 miles from home were for special programs.

Page 31: How many in each cohort? What year? What proficiency rate being used? What about trends?

Page 33: Again, why would WCPSS want more low-income students at magnets when one of the objectives is to reduce concentrations of poverty?

Average bus ride in Wake is 20 minutes, and optimum and maximum bus ride times are still the same as they were under previous BOE Policy 7125 (this Policy has not changed and is still referred to in 6200).

Page 34: Other students at a sending or receiving school can be adversely affected by reassignments. What about PTA participation rates/volunteerism and fundraising?

SE Raleigh HS and Garner HS have two very different magnet programs. Moving high school students in the middle of their high school years does disrupt their curriculum pathways and the school calendars are different.

Page 35: “It is premature to tell whether GHS has closed that gap based on the 2009-10 data alone.”—yet the WCBOE response uses the same snapshot data in their arguments.

Page 38: WCBOE is mixing issues. “Tracking down” individuals versus having a balanced school are two different issues altogether.

Page 39: Renaissance School Plan was an idea talked about years ago under Del Burns’ leadership:

http://www.wcpss.net/Board/agendas_schedules/04_24_2007-agenda.html

<http://www.wcpss.net/evaluation-research/reports/2009/0825grants-asr2006-07.pdf>

<http://www.wcpss.net/budget/2008-09-spss/spss--2008-09.pdf>

http://www.wcpss.net/evaluation-research/reports/2009/0935msap_yr2apr09.pdf

No clear plan after Race to Top funds dry up & research shows that even with bonuses highly-qualified teachers are hard to retain in high-poverty schools.

Fallacious argument #1 is that:

“No Studies Showing that SES Diversity Has Markedly Improved Academic Achievement for Poor & Minority Students in Wake”

Longitudinal evaluations of EOG test score data broken down for minority groups clearly demonstrate that Wake County had some of the lowest achievement gaps and highest scores for disadvantaged students in the state dating back to the 1990s and the early 2000s (www.ncpublicschools.org). These data are reported in "Great Schools in Wake: Calculating the Costs & Consequences: What's at Stake for Wake?" (10/2010) http://wakeupwakecounty.com/cms/sites/default/files/image/Oct16_ForumReport_abridged_v3_FINAL.pdf.

Because the EOG tests were renormed, care must be taken when comparing from year to year; however, a comparison in any given year between other school districts in the State of North Carolina is still valid.

When one compares individual years with the closest school district in size and population/urban environment to Wake County's, the Charlotte Mecklenburg Schools (CMS), one sees that it isn't until growth accelerates in Wake County to beyond CMS' population coupled with the vastly different funding differences between CMS and Wake County that slippage of EOG scores is evident in Wake.

One also has to wonder given the recent problems uncovered in the District of Columbia school system and elsewhere regarding cheating on standardized tests, whether the undue stress on end-of-grade testing in certain schools has led to abuses of the testing system in districts where private money has been invested and teacher pay is rigidly tied to student outcomes on standardized test results.

Fallacious argument #2 is that:

Faulty comparisons to other North Carolina school districts lead one to conclude that Wake County just doesn't cut it (pages 25 – 33).

Several issues are problematic with the use of the N&O article and other data cited in the Response. There is fault in the parameters measured, defining what constitutes a "peer" district, the specific time period presented (one year), small sample population size, and drawing spurious cause and effect relationships between datasets to deliberately mislead readers when other factors equally important, if not more so, have not been presented and analyzed.

Significant errors of omission are noted when it comes to proper evaluation of the data. Most notably are substantial funding differences on a per pupil basis to WCPSS relative to its "peers", the accelerated growth experienced by the County especially since 2007, a real discussion of the different approaches used by "peer" districts to achieve in various parameters, the high suspension rate in Wake County due to the former zero-tolerance policy in schools, and various other parameters of success such as drop-out rates (Wake outperforms), SAT rates (Wake outperforms), & non-promotion rates (Wake outperforms) to name a few examples. And finally, proper data analysis such as regression analysis and controlling for other factors was not conducted. This is not an appropriate or statistically valid application of scientific research and analysis practices.

Interestingly, the four-year cohort graduation rates for black males for CMS were not presented. This is misleading since WCPSS outperforms CMS in this category.

The reality is that diversity is necessary as a foundation to maintaining a school system that is not separate and provides equity. Funding and capacity issues have to be properly addressed so teachers can teach and students can learn at the best level possible. Crowding has been a significant issue in many schools in Wake County especially over the time period when student achievement slipped and our low per pupil funding rate is legendary.

How can the WCBOE claim on page 24 of the Response that “years of experience have shown that the...past student assignment policies and practices have failed to close a long-standing and substantial achievement gap between minority & non-minority students” when clearly the record shows WCPSS had some of the lowest achievement gaps in the nation prior to accelerated growth and funding issues. In a blatant example of internal conflict within the Response, the WCBOE cites the N&O on p. 26: “Wake was once praised for nearly eliminating the racial academic achievement gap.” Please note that achievement gaps have been closing again as teachers and administrators again do more with less in Wake County.

Wake had socioeconomic diversity in student assignment while achieving the smallest achievement gaps in the nation. Compare that to a time when there is diversity, but the system is stressed by accelerated growth and underfunding and performance slips. How could anyone looking objectively at that data think that diversity caused student performance to slip?

The real question is whether disadvantaged students, no matter their race or ethnicity, will perform better when corralled into high poverty, racially identifiable schools? This has been asked and answered across the nation and in NC. The answer is NO.

Examples of failed schools in CMS are plentiful. Take a look at the passing rates for students at Billingsville Elementary School or Bishop Spaugh Middle School in Charlotte. They were drastically hurt by the removal of integration from the assignment model in CMS. Look at the passing rates of blacks in advanced placement classes in CMS – sure more blacks get into those classes – only about 20 percent of them pass (2005-2008).

CMS is hitting a financial wall with huge budget cuts looming and they are closing schools, cutting programs that help academically challenged students and ending the practice of paying teachers and administrators more to work in high poverty schools.

For more information on an in depth comparison between CMS and WCPSS, review GSIW Forum Final Report (February 2011). There is data to support WCPSS and it has been provided to the WCBOE. The Board majority chose not to consider this information before making their decisions.

Comparing magnet vs. non-magnet student aggregated proficiency rates is meaningless, since the comparison doesn’t control for bus ride, race/ethnicity, or poverty level. On page 29, WCBOE disprove their own argument regarding busing by stating that minority students who attend magnet schools perform significantly worse, on average, on standard measures of academic achievement as compared to minority students who attend non-magnet schools. This disputes their own claim because minority magnet students live in close proximity to their schools, many within walking distance. If distance mattered so much to achievement, those children attending their neighborhood school would be the best performing students. This isn’t the case because the determining factor for student achievement is neither proximity to school nor length of bus ride. One or more other factors, including urban poverty, are preventing disadvantaged students from performing better.

The WCBOE attempt to equate the proficiency rates on EOGs/EOCs for Black students by length of bus commute to base school without controlling for poverty level, ability level (IEP, AG, LEP, SWD, 504s, physical or emotional disability), urban or rural residence, attendance in alternative

or special programs, and other factors. The date of the year used isn't provided; neither is the number of students in each bracket. Beware of percentages when you don't understand the sample population: 49.5 percent proficiency rates for 4 students is a lot less troubling than say 49.5 percent proficiency rate with a sample size of 2000 students.

Middle income black families who live in neighborhoods with lower poverty schools—relative to low income neighborhoods--may choose to send their students to schools closer to them, therefore skewing data when it comes to controlling for poverty.

It is interesting that, with all the purported concern over the length of bus rides (the average ride is 20 minutes) Policy 6200 was revised, while Policy 7125, which spells out optimum and maximum bus ride times remains unchanged and is still referenced in Policy 6200.

If one looks at the data from the N&O's WakeEd blog (ostensibly obtained from) that 92.54 percent of black students in K-8 attended schools within 10 miles of their homes, with 69 percent attending schools within 5 miles of their homes. Asian and White student populations have about 98percent attending school within 10 miles of their residence, a difference of only about 5.5percent. This equate to about 924 Black students attending school greater than 10 miles from their homes.

It's clear, the WCBOE did not look at its data very carefully as they claim that the "trends are undeniable: students of all racial subgroups see their academic performance decline as the length of their bus ride increases." Using their own data and means of analysis, Hispanic students perform better academically the farther they are bused from their home. The trends are in fact quite deniable.

p. 33-36 of the Response deals with the move of a number of students from Garner High School to Southeast Raleigh High School. Both Garner High School and Southeast Raleigh High School are magnet programs with very different themes, International Baccalaureate and Leadership & Technology, respectively. One thing the WCBOE failed to discuss in their very defensive posture on this is that changing a student's magnet assignment can have drastic implications for a child's curriculum pathway. Magnet curriculum is NOT interchangeable. Students should not have been reassigned to another magnet program as their base without the specific parent's request. Again grandfathering is meaningless without transportation for these students.

On page 35 of the Response, the WCBOE claims, "It is premature to tell whether Garner High School has closed that gap based on the 2009-2010 data alone." This is curious, as the entirety of the WCBOE's Response is based on this same one-year period. The WCBOE majority doesn't seem to be concerned with drawing phantom conclusions from one year's worth of limited data, as long as it bolsters their case.

Once again, the right question is not, "How are magnet vs. non-magnet disadvantaged students doing." Rather, there is an important series of questions that need to be asked: "How well do disadvantaged students perform in racially identifiable, high poverty schools? How much will racially identifiable, high poverty schools cost the taxpayers of Wake County? How many resources will be taken from more affluent schools to be spent in high poverty schools? How many excellent teachers will leave the system as the balance is tipped more and more toward high poverty schools along with many middle class families?"