

Franz Marshall
ED. OPPS. Section
Civil Rights Division – PHB
U.S. Department of Justice
950 Pennsylvania Ave.
Washington D.C. 20530

2/5/2010

Dear Mr. Marshall

Per our conversation in December 2009, I am writing on behalf of the Lowndes Valdosta Chapter of the Southern Christian Leadership Conference (SCLC). I am contacting you to ask for your assistance and guidance. For more than two years the Lowndes/Valdosta SCLC has approached Valdosta City School System concerning glaring racial inequalities within the system. As a school system that had to be pressured by the federal government from 1969 to 1970 to desegregate, it remains a system that clearly does not serve all of its students effectively. We can make this claim based on more than a year's worth of research on this school system. That research revealed that as a predominately African American school system (77% or more of the 5500 student population), Valdosta City Schools System is not able to meet the educational needs of many of those students. That claim is based on the following data.

*** Disparate Graduation Rates:** As of 2007 VCS graduated only 50% of its majority African American student population, a rate lower than the state graduation rate for African American students statewide. At the same time, the VCS graduated 78% of its White “minority” student population, at a rate higher than the state graduation rate for white students statewide. This means that for over four years more than 2500 African American students effectively “fell through the cracks” of VCS.

*** Gifted/Academically Accelerated Students:** In addition to a dismal graduation rate, African American students are disproportionately underrepresented in VCS Gifted Programs, Advanced Placement Programs, College Preparatory Courses, etc. For example, and noting that data on Gifted Programs is not readily available publicly, as of 2003 African Americans students comprised only 33% of total students in VCS gifted programs.

*** Test Scores:** Across ever standardized and/or state/federally mandated tests (all CRCT testing, Middle and High School End of Course Exams, and SAT scores) African American Students are substantially outperformed by their White counterparts, with White students scoring higher on all those assessments. For instance, as of 2007 African American students had an average combined (Verbal/Math) SAT scores of 873 while White students averaged a score of 1053. (Please see included 2009 Math CRCT datasheet for VCS – **Item A**)

*** Disciplinary Data:** African American students are disproportionately over represented in expulsion/suspension rates. As of 2006-2007, African American students comprised 93% of out of school suspensions. Furthermore, predominantly African American Middle School J.L. Newbern suspended 40% of its entire student population in 2009 (Please see Corrective Action Addendum – **Item B**). In addition to suspending more than 1000 African American students annually (18-19% of all African American students), to date we have no accurate data that has

been made available about the actual expulsion rates in the system because of how that data is currently managed.

*** Internal Segregation within VCS:** The VCS system internally segregates students (racially and economically) resulting in certain schools having higher concentrations of poor and African American students in comparison to others. For example, J.L. Newbern Middle School's student population as of 2007 was 93% African American and 85% of those students qualified as "economically disadvantaged" as defined by the Georgia Department of Education. That year there were only 18 white students at this school. Its counterpart, Valdosta Middle School, that same year, had a student population that was 67% African American (with 258 white students) and 65% of its student population qualified as economically disadvantaged.

*** Addressing Federal Consent Order:** Since 1970 VCS has been under a federal Consent Order to fully desegregate its schools. Although it evidently met two of the conditions outlined by the Department of Justice, to date the system have been unable to address the lack of minority educators, administrators, and support staff within VCS (please see attached Consent Decree – **Item C**).

Please know that all of these claims are based on data gathered from VCS and /or the Georgia Department of Education (for examples of above data please see enclosed "Town Hall Meeting" document – **Item D**). We can also provide you with additional data if necessary. Please also know that this letter comes after countless attempts at engaging the Valdosta City Schools Board of Education and Superintendent about these matters. Those attempts have repeatedly fallen on deaf ears. In fact, at times, we have also encountered resistance when we have tried to gather data on the system and raised questions about the direction it is taking. In support of this statement we offer you a short list of our experiences with the VCS Board of Education and the current Superintendent. We also feel this experience reflects the system's inability to adequately serve students of color.

I. Lack of Demographic Monitoring for Long Range Planning, Transparency, and Obstructed Public Involvement

*** Data Monitoring and Management:** Upon requesting data on the system via Georgia Open Records (GOR) law (Summer, 2008), VCS balked and wanted to know "why the SCLC was interested in such data." Three staff members particularly inquired about "what we were going to do with that data." When contacting the Superintendent's office for pertinent data that fell under GOR law, the SCLC was directed by the Superintendent's Office to a work-study student from Valdosta State University (Ms. Brittany Jackson). Ms. Jackson then provided "School Fact Sheets" (provided to parents and the public) to the SCLC instead of the data we requested. This led to a six-week process that culminated with the SCLC filing a formal complaint with the Georgia Attorney General's Office. That complaint outlined the fact that VCS had not complied with Georgia Open Records Law and seemed to be unable or unwilling to do so. The SCLC provided documentation that showed how the Superintendent and entire School Board were aware of the requests for several weeks and failed to respond. Once contacted by the Attorney General with the formal complaint, VCS simply suggested there was a miscommunication at the onset of the request and that the SCLC had been provided the data that was requested. The matter was dropped at that point. Since our complaint with the Georgia Attorney General VCS has been more compliant with Open Record Requests. (Please see attached documentation and email correspondence – **Items E**).

Transparency: Until the SCLC gathered data on VCS, two Town Hall Meetings had been held on the matter, and discussed on the local radio shows, VCS was not discussing or acknowledging any racial disparities, particularly their 50% graduation rate for African American Students. This claim is made in light of our review of available VCS Board meeting minutes.

Data Management: Prior to the SCLC request for data on race/gender, academic performance, and disciplinary actions, the VCS did not manage this data in one-place or track relevant trends in said data over time? We make this claim given 1) the fact that VCS had to go “find” the data we requested, 2) the multiple forms that data took when it was provided to us (e.g. hand written/typed versus spreadsheets, etc), and 3) given the more than six weeks it took them to compile the information. With this in mind, we are doubtful of VCS’s ability to effectively monitor and direct the system in a direction that will resolve current disparities.

Adequate Documentation of Board Meeting: Prior to applying public pressure on the VCS to adequately document Board proceedings, it did not. One example that demonstrates is historical pattern involved a “public forum” where parents and citizens shared concerns about the system. Regardless, VCS failed to document any of those concerns. Instead, minutes for that meeting simply reported “16 people addressed the board and superintendent with various concerns”. (Please see attached minutes 4/14/09 – **Item F**).

Following Board Policy: At times it appears that VCS School Board members fail to follow their own policy relative to program development and system policy changes. For example, in the Fall of 2008 VCS approved of \$170,000 International Baccalaureate Program that was not publicly discussed? The SCLC asked about this matter and has yet to receive any answer as to how a \$170,000 program for students who are already excelling was approved by the Board without any documented public discussion? (Please see attached minutes and Valdosta Daily Times Story – **Item G**).

Public Involvement: Until recently, VCS has essentially controlled and discouraged active public involvement. In addition to its lack of transparency when questioned, VCS currently requires anyone who wishes to speak before the school board to submit a request in writing to the Board four business days before a scheduled Board Meeting. At one point this process required five business (“working”) days instead of four, which effectively made it impossible to address issues as they arose in a timely manner. In that request petitioners must also explain why they want to address the board and what they are going to discuss. Please note that this screening process is not used at any other public institution in Valdosta/Lowndes County (including Lowndes County Schools, Valdosta City Council, and Lowndes County Board of Commissioner Meetings). To date, VCS has failed to offer any reason for its policy while simultaneously complaining about the lack of parental-public participation in VCS matters? (Please see attached Board policy – **Item H**).

II. Lack of Cultural Competency

In addition to poor data management, a lack of transparency, and obstructing relevant community stakeholders, the leadership of VCS has repeatedly shown a lack of cultural competency relative to its minority staff and minority “majority” student population. We make this claim based on the following occurrences.

* In the Fall of 2008, the VCS had to be publicly pressured to include a picture of the first African American Superintendent (Mr. Sam Allen) along side of his White predecessors at the VCS Boardroom. When asked to include another superintendent that preceded Mr. Allen, Dr. Gary Walker, the SCLC was told they would include his picture but did not have a digital file that was good enough. The SCLC then secured a high quality digital file for the VCS, who then refused to include the picture of Dr. Walker with the pictures of the other superintendents? We have repeatedly raised this issue and have as of yet to receive any response on the matter? That same Fall, the SCLC also provided the VCS an update District Map. Up until that time community members were told by VCS Board of Education staff that there was not one available to the public, making it difficult for community member to identify and locate their district representatives on the VCS Board of education (Please see attached email correspondence – **Item I**).

* In the Fall of 2009, Superintendent Cason, who has repeatedly and publicly commented on the need for positive Black male role models for VCS students, refused to let students watch President Barack Obama's speech (geared to U.S. young people) about the importance of education. As a result of the decision, more than 300+ parents and community members protested the VCS School Board at its October Meeting and requested the immediate resignation of Dr. Cason. (Please see attached stories from Valdosta Daily Times – **Item J**).

* Although VCS has been a majority African American school system (as far as student population goes) Whites have consistently retained a majority of School Board membership since that time, even currently when White students comprise only 18% of the total student population. It should also be noted that Whites also comprise only 49% of Valdosta's total population.

In all, and reiterating that VCS is a 77% majority African American system with a roughly 70% White Administrative/Education Staff, the SCLC is deeply concerned about the cultural competency of said Administrators and Educators.

III. Ineffective Leadership

The SCLC also feels that the VCS Superintendent and Board lack the necessary skills to address the specific needs of VCS students. We base this claim on the following.

* **Addressing Discriminatory Practices in VCS Schools:** In August of 2008 the SCLC was contacted by a number of distraught families about the racial targeting of their children at Sallas Mahone Elementary School. As families that had transferred their children from South East Elementary school because it had continuously failed AYP, the principal of Sallas Mahone (Mr. Glover) decided to separate said AYP transfers on the basis of "race and gender" instead of integrate them into the school's existing population. Accompanying the parents of children, members of the SCLC met with Superintendent Bill Cason to discuss the matter. Admitting that it was wrong for the Principle Glover to separate students out on "the basis of race and gender," initially Dr. Cason suggested there were "two options" available to the parents, 1) to add a teacher to the class these transfers were in or 2) "transfer" the students to another school. When pressed to address the principals' discriminatory actions and how his racial profiling might be affecting other decisions he might make, Dr. Cason informed families and the SCLC that it would be addressed in Mr. Glover's "evaluation." It was not until Dr. Cason was told that his two options we not acceptable (by family members and the SCLC) that he agreed to

integrate those students into the school's existing population. (please refer to digital recordings of those meetings "Dr. Cason 9-16" and "Dr. Cason 9-15" on **enclosed CD**)

*** Short Sightedness and Strategic Planning:** The fact that system has been experiencing extensive "white flight" since forced desegregation in 1970, VCS has experienced an assortment of significant changes yet there is no record of said trends ever being discussed or addressed by the VCS Board? Some of those changes include dramatic shifts in student population makeup; relevant funding/tax base change with neighborhood shifts, growing academic inequalities/disparities and disciplinary issues accompanying said shifts, etc. In short the SCLC wonders where the Board has been on these important changes/issues?

*** Problem Solving:** Many Board members have been a part of the board for a significant number of years. Some Board members have served as long as eighteen years. And yet, during this 35+ years VCS has been under a Federal Consent Order, those same members have remained silent on the changes the systems has experienced and failed to resolve or be proactive on personnel issues highlighted in the 1970 decree. With that in mind, and with all due respect, the VCS board has a record of ineffectiveness when it comes to complying with federal guidelines and serving its majority student population.

*** Internal Procedures and Hiring:** In September of 2008, the SCLC approached the VCS Superintendent and Board with several concerns and questions (please see the attached documentation – **Item K**). One of those questions concerned the hiring of Principle Gary Boling at Valdosta High School (VHS). In particular, we questioned the fitness of Mr. Boling to serve VHS given that many of the issues we had shared with the board and broader community (i.e. the glaring racial disparities outlined in this document). We wanted to know what the thinking was behind Mr. Boling's hiring since VHS clearly has specific issues that need a developed strategic plan from someone who has worked in a similar system. Mr. Boling, the Board's choice for the job, was clearly not that person. In addition to following their long used hiring strategy (that has not been able to satisfy the personnel issues raised in the Federal Consent Decree), the VCS hired a person from an AYP failing, predominantly white, middle class system that did not have the same issues that VHS had. As of 2006-07, Mr. Boling's system, North Cobb High School (NCHS), had a 51% White and 30% Black population. That same year VHS had a 75% Black and 18% White student population. What's more, as of 2006-07 NCHS's low-income student population was 26% while VHS's low-income population was 56%. In addition to being a poor match, upon securing Mr. Boling's application materials, the SCLC found that he did not follow the application process.

For example.....

* Mr. Boling did not include any references from "supervising teachers, and/or major professors, principals, or superintendents under whom (he) served" as stated in the VBOE application process. The VCS application states "references should be persons qualified to answer questions concerning your qualifications for the position you seek." The reference "letters", not forms, Mr. Boling provided were all from people who had worked at the same organizational level or who had worked under him.

* Mr. Boling did not provide his references with the official reference forms required by the Valdosta City Schools. The application process states that it is the applicants "responsibility to send the reference forms to these persons. A stamped, addressed envelope should be sent with each request form so that the form may be promptly

returned to the office.” Mr. Boling’s reference letters provided no such forms to the VCS?

- * Two of Mr. Boling’s reference “letters” (not forms) were not signed, one was over a year old, and two had no date?

- * The content of three of the reference letters provided by Mr. Boling did not address his academic expertise/ability in any detail whatsoever. These three letters instead stressed his ability to improve sports programs and halt gang activity? What abilities does he possess that addresses the specific struggles that VHS faces?

- * A final curiosity occurred when the SCLC requested copies of the applications submitted for the VHS position. Reviewing those applications we found that Mr. Boling’s application was missing the third page. The SCLC then made another open records request for that page. This sticks in our mind because it seemed odd that it was missing. It was also odd that when we received it from VCS Attorney Moser it was hand written while the other pages of Mr. Boling’s application were typed? Although, this doesn’t prove anything, like the possibility his application was submitted incomplete, it certainly is a bit unprofessional.

When publicly asked (9/8/08) about these issues, the Board’s written response several weeks latter stated that they had “hired the best person for the job” (Please see supporting documentation – **Item K**)

Other Current Issues

As a system that was compelled under said Consent Decree to... .. “complete a review and evaluation of its current personnel policies and procedures related to the recruitment, hiring and assignment of faculty, administrators and certified staff members” and to “develop a new personnel plan”.....in order to address the lack of minority Educators and Administrators, the SCLC finds the “plan” they have submitted to DOJ to be both inadequate and problematic. We make this claim given the following.

- * Although VCS has articulated an outreach strategy to potential minority candidates via advertising and visiting historically Black Universities, they fail to specifically articulate what both will involve (e.g. number of contacts, when contacts will occur, how many advertisements/in what specific publications, etc)?

- * Although VCS has formulated an internal, all minority “recruitment committee” to identify potential minority educators and administrators, the actual “screening interview panel” that will really interview and recommend candidates to principles is **comprised of 6 White and 1 African American personnel?** Given the system’s historical inability to resolve the 1970 federal order calling for more minority personnel, the SCLC is deeply troubled about VCS’s plan, commitment, and ability to do so in the future. (Please see attached VCS plan – **Item L**)

Regardless of recent policy changes within the system, the inability of VCS to educate all children remains questionable at best given. We make this claim based on its history and response to SCLC concerns. And in spite of the fact that in 2009 VCS is now boasting a 67% graduation rate for African Americans students (an approximately 17% jump in one year that the SCLC finds dubious), their recent reply to the DOJ’s 1970 Consent Decree is another matter that troubles us greatly. It also reflects their inability to be proactive and driven to

address persistent racial inequalities within the system. Furthermore, the SCLC has asked to see empirical data that demonstrates that recent policy changes (2008-09) are going to specifically address the needs of VCS's students. We have as yet to be presented with that data.

With that said and given the many issues outlined in this complaint, the Valdosta/Lowndes Chapter of the SCLC would deeply appreciate your assistance. We are contacting your office because we are convinced that our local superintendent and school board are unable to address and serve all students. We are contacting your office because we need your help.

Please also know that we file this complaint given the body of research that shows that the life options of individuals who fail to complete their high school education will be drastically impacted. For example, as of 2007 nearly 70% of prisoners in the Georgia Prison system failed to complete their high school education. What's more, that same year more than 61% of that prison population was African American even though African Americans comprise only 32% of the state's total population (Georgia Department of Corrections). Noting this reality and crisis, we ask that the Office of Civil Rights formally investigate all matters related to the functioning of VCS (i.e. personnel matters, academic/disciplinary disparities, funding and allocation of funds, school assignment and districting, Title IX adherence, etc.).

We look forward to your response and will be glad to be of assistance in any way possible.

Sincerely,

A handwritten signature in black ink, reading "Mark Patrick George". The signature is written in a cursive, flowing style.

Mark Patrick George
Education Chairperson-Valdosta/Lowndes SCLC