

MEMORANDUM

June 24, 2005

TO: Dr. Kevin Castner; Members of the Albemarle County School Board

FROM: John Hermann, Anne Izard, Linda McRaven, and James Ryan
(Redistricting Committee Members)

RE: Minority Report

We voted against the plan proposed by twelve members of the redistricting committee. This report explains why. It also makes recommendations for moving forward. We begin with comments about the process and then turn to a critique of the majority's plan. We end with our suggestions, which are procedural and substantive.

This report pulls few punches and is candid in pointing out the flaws in the process and the majority plan. We do not intend to disparage individuals or to question their integrity and desire to reach a result they believed best, for whatever reason. At the same time, we believe that the committee, unwittingly, was given an impossible task, and that the process and results were, not surprisingly, deeply flawed. It is our hope that fully airing these problems, rather than pretending they did not occur or did not affect the final result, will ultimately lead to a redistricting process and plan that reflects well on an excellent school district.

I. The Process Was Deeply Flawed

The nine-month process by which the proposed plan was cobbled together could be described as meandering, at best, and chaotic at worst. Structural flaws in the process, which became more apparent over time, set the stage for the confusion and frustration that followed. To begin with, the School Board and the Superintendent provided insufficient guidance regarding the goals of this committee and the criteria to guide the process. The committee itself, moreover, was neither fish nor fowl. It did not consist of impartial experts, who had no stake in the outcome and some experience or demonstrated aptitude in analyzing the complicated data necessary to reach an informed decision. Nor did the committee consist of individuals who were accountable to the public through elections. Giving little guidance to a group that is not expert, impartial, or accountable simply invites randomness -- or worse. It is a poor way to structure the redistricting process, given the importance of this process to the families affected, and given that the integrity of the process (or lack of it) undoubtedly affects the reputation of the county school system and its administrators.

A. Lack of Sufficient Guidance and Concrete Criteria

Initially, populating the Southern Urban Elementary School provided an anchor around which other potential moves could be organized. When that proposal was abruptly taken off the table -- after months of planning around it and without any consultation of the committee -- the committee was essentially set adrift. To be sure, the School Board had offered some general direction to guide the redistricting process, which consisted of the charge “to plan for straight feeder patterns where appropriate, and to populate current and planned facilities.” But a moment’s reflection reveals that this hardly offers much concrete guidance.

Consider, for example, the phrase that split feeders be eliminated “where appropriate.” On its face, the phrase is hopelessly capacious. Presumably, it is meant to refer back to the compendium of criteria for redistricting, set forth in School Board Policy FB-AB5. But these fourteen(!) criteria are vague and impossible to reconcile, as even the majority report concedes. One cannot, for example, both eliminate all split feeder patterns and minimize travel time. Thus, the directive to eliminate split feeder patterns “where appropriate” simply drew the committee’s attention back to a set of vague and internally inconsistent criteria. Not surprisingly, it was obvious, from the very first meeting to the last, that different committee members had different ideas of what was appropriate and what was not.

Consider, as well, the charge to “populate” facilities. What in the world, one might reasonably ask, does this actually mean? Current facilities are already populated. Does it mean that the committee should simply avoid overcrowding? Balance enrollment at all facilities, so that all are roughly at the same ratio of enrollment to capacity? What if doing so interferes with eliminating split feeder patterns? What if it increases travel time? What if it creates an imbalance in the racial or socioeconomic composition of the school? Again, different committee members had starkly different views about populating facilities, with some believing we should strive to anticipate residential developments years down the line by making moves now, and others suggesting a more cautious approach.

Vague and internally inconsistent criteria are no guidance. To the contrary, they are an invitation for inconsistent and arbitrary moves, given that at least one of the fourteen criteria could be used to justify any move contemplated. What is worse, vague criteria are also an invitation for self-dealing on the part of committee members, who may very well have a stake in the outcome. We do not suggest that anyone on this committee accepted that invitation, though it would be blinking reality not to acknowledge that members of the public certainly *do* believe this. Whether rightly or wrongly, this perception -- that at least some members of the committee acted in a biased, self-interested fashion -- is not surprising given that the process has been guided by no obvious and binding criteria, and therefore has lacked the transparency necessary to avoid creating public suspicion about motivations and results.

The committee also had little idea about how to apply criteria that they believed were relevant to a particular decision. Capacity, for example, was a recurring issue. Yet the committee was never told how to determine just when a school had too many or too few students, nor did it come up with any consistent answers on its own. Perhaps not surprisingly, the enrollment-capacity ratios under the current plan are all over the map, with some schools at or over capacity, while other schools – like Burley – dramatically under capacity. How can the committee claim to have dealt appropriately and rationally with the issue of capacity when it had no agreed upon, objective measure of appropriate enrollment?

The only concrete advice given to the committee came in the last ten minutes of the very last meeting, shortly after the committee voted *against* the current plan. At this point, Dr. Castner told the committee that high schools are generally fine if the enrollment-capacity ratio falls within an 80%-120% range. This was useful information, to be sure, but why did it come so late? More importantly, can anyone be confident that this literally last minute information was used intelligently? Consider that it was seized upon by some committee members as a rationale to justify the controversial move of students from the Western feeder pattern to the Albemarle pattern, given that Dr. Castner had told us that Albemarle could handle some initial overcrowding caused by the move. It is almost embarrassing to have to point out the obvious: precisely the same reasoning (high schools can handle some overcrowding) supports *leaving* these same students in the Western feeder pattern. Nonetheless, armed with this new information, the committee voted again. The requisite supermajority was reached, and the plan was approved. This does not inspire confidence.

One might have thought, given the lack of guidance and specific criteria to govern this process, that the committee would have sought out the help and expertise of the staff. And, indeed, the staff was asked to come up with a plan for discussion and review. At least some of us were greatly relieved by the arrival of this plan, believing that staff had more expertise and objectivity than the committee. Amazingly, however, a majority of the committee voted *not even to discuss* this plan!

This offers as good an introduction as any to the nature of the committee's decision-making, to which we now turn.

B. The Committee's Deliberations Were Unfocused, Unruly, and Superficial

Instead of balking at the lack of guidance and the randomness it invited, the majority of the committee appears to have embraced it. The committee, for example, never resolved how to reconcile conflicting criteria; it never decided what the first priority should be, the second, or the third. It never decided, for example, whether ending splits should trump capacity or proximity, or whether proximity should trump ending splits.

1. The Committee Barely Discussed and Certainly Never Agreed To The Rationales For Moving Some Students.

In fact, the committee spent hardly any time at all wrestling with the rationales behind particular moves, in an effort to ensure that the plan was consistent and coherent. Indeed, and this is almost beyond belief, the actual rationales behind the plan, which are stated in the “majority” report, were supplied *not* by committee members. Instead, they were supplied by Dr. Behrens, who did a heroic job of creating the rationales after the fact. It would be one thing if the rationales were obvious to all, or were all discussed and agreed upon during the course of our various meetings, and Dr. Behrens were simply given the task of writing up these rationales. But to suggest that happened here would be to rewrite history and engage in fantasy. Deciding to make moves and then delegating to someone else the task of creating a rationale is not just putting the cart before the horse. It is the definition of arbitrariness. Yet that is precisely what happened here, not once, but twice – first for the May 10 plan presented to the public, and then again with the final plan.

When challenged to defend particular moves, the majority seemed generally content to retreat to platitudes about how this plan “looked to the future” and would reduce the need for redistricting. Those who urged a more cautious approach, by contrast, were portrayed as inviting incessant redistricting and as abdicating the committee’s assumed responsibility to end redistricting as we know it. Platitudes are easy to articulate, but they prove little. Repeating them, even over and over, does not make them true.

Unfortunately, despite multiple invitations to do so, the majority never tied these platitudes to particular moves proposed. For example, it would be nice to know how moving 17 students from Meriwether Lewis to Greer significantly reduces the likelihood of redistricting in the future – or, alternatively, how leaving these 17 students where they are would greatly enhance the likelihood of redistricting in the future. Similarly, it would be nice to know why, one week, eliminating the split out of Burley was crucial to the plan and to the stated goal of reducing the need for future redistricting, whereas the next week, it was not. Indeed, it would be interesting to hear how moving or not moving *two children* from Greer to Agnor-Hurt (the only students being moved out of Greer) is critical to the long term stability of the district. But such discussion never took place. Instead, we were essentially assured that all of these moves were inextricably linked together, like threads in a quilt. We were not persuaded then and remain convinced now that *each* move should be examined to determine if the overall costs are worth the apparent benefits. Nothing even close to this happened.

2. Plans Shifted Often and Without Rhyme or Reason.

As might be expected given the structural flaws that infected this process, plans shifted fairly dramatically over the nine month process, and, indeed, from meeting to meeting. Moves would be proposed, enthusiastically endorsed and vigorously defended by a majority of the committee, only to be abandoned at a later date. To cite one of a

number of examples, in Phase I of this process, the committee endorsed a plan that retained a split out of Burley Middle School. When Phase II began, a majority of the committee, seemingly out of nowhere, insisted that all middle school splits must be eliminated. The reason? Curiously, the only stated rationale was that middle school students identify with the high schools they will be attending.

It is hard to see, of course, how this fact is relevant to the issue of whether to eliminate middle school splits, especially out of Burley, which is not located on or near a high school campus. Nonetheless, based on this peculiar rationale, Agnor-Hurt families “east of the tracks” were to go to Monticello rather than remain at Albemarle High School, which would have sent these families to a high school farther away. This raised the obvious question of why eliminating this split, despite increasing travel time, made sense, when other splits (such as those out of Stone Robinson and Stony Point) were retained because of proximity concerns.

Thankfully, this particular proposal was abandoned after numerous families who would be affected by the move pointed out the flaws that were (or should have been) obvious from the present. (The committee’s inability to secure a traffic light, which provided one of the more bizarre but entertaining sideshows of this process, also seems to have played a role.). One might be tempted to say that avoiding this particular mistake is simply proof that the process worked. In reality, however, it should make one question the moves that remained in place. Are they motivated by rationales as specious as the one to end middle school splits at any cost because of psychological attachments to high schools? It is hard to say, because the majority never really discussed their rationales. Would the current moves remain in place if the committee had one or two more meetings, or would they, like countless others, be abandoned as the committee tossed out prior proposals and tossed in new ones?

Given the shifting plans and the instability of the various proposals, this process calls to mind the game of musical chairs. In that game, children end up in a particular seat due to the random fact of where they are located when the music stops; the next time the music stops, they may be in a completely different seat. Here, the plan that barely passed is the plan reached when the music ended at the last meeting. Who can say what the plan would look like if the music began just one more time?

3. The Committee Sought Ways to Dismiss Rather Than Respond To Comments Made at the Public Hearing

The committee exhibited a disturbingly cavalier attitude toward the concerns of parents whose children would be moved. Clearly, the committee could not simply bend to the wishes of every parent who objected to a particular move, and, just as clearly, some parents will object to moves that, for objective and compelling reasons, ought to be made. In addition, the committee did listen to and respond to some complaints, including those made by families from Dunlora. The problem, again, was one of inconsistency and an unwillingness to look hard at the rationales supporting particular moves.

At the public hearing, almost all of the comments were directed to three general moves: the one involving Agnor-Hurt families east of the tracks, the ones involving Meriwether Lewis families, and the ones involving Murray families. At the last redistricting committee meeting, subsequent to the public hearing, the general response from committee members to parental concerns was that “no one likes to be moved,” and that “every move proposed will draw complaints from parents.” Others suggested that parental concerns should be discounted because (ironically enough given the self-contradictory plan put forward by this committee) parents said inconsistent things. Still others suggested that they might have listened if more people spoke, but, after all, only about 80 parents spoke (put aside the fact that 79 of those spoke *against* the plan).

To begin, it is simply not true that all parents will (or did) complain about every move and that “no one” ever likes to be moved. The proposed plan involves a number of moves, including eliminating the split out of Jouett, moving Woodbrook families from Sutherland and Burley to Jouett, and moving families in the Northfields subdivision from Agnor-Hurt to Woodbrook. Yet very few families who would be affected by these moves complained, nor did their representatives. Indeed, none of the relatively numerous representatives from Woodbrook on the committee complained about the moves affecting Woodbrook. Perhaps we are wrong in thinking this, but our guess is that a move not supported by the majority of families in Woodbrook would have been loquaciously contested by one or more of the several representatives on the committee who happen to live in Woodbrook.

This suggests that a number of the contemplated moves (indeed, perhaps most of the moves) have the support of the majority of families affected. Given this reality, one might think that the repeatedly expressed concerns regarding a few relatively small moves would focus the attention of the committee and generate a desire to ensure that these moves were supported by compelling rationales. Instead, it drew a dismissive response, which must be all the more galling to parents given that most if not all of the unanswered complaints from the public meeting involved elementary school children. Yet not a single committee member has a child who is being moved from one elementary school to another.

4. The Chaotic Last Meeting

Anyone in attendance at the last meeting would have wondered whether to laugh or cry at the spectacle of the committee trying to figure out how to figure out how to amend and then vote on the plan. They would have been disturbed by the obvious confusion and increasing hostility among committee members, capped by Dr. Castner having to insist upon civility. They would have been alarmed that some committee members were still asking basic questions about which enrollment figures ought to be consulted, and disturbed by other questions suggesting that some committee members still did not know which neighborhoods they were considering moving. And they would, at the very end, have wondered about the final vote on this plan. As described above, the last twenty minutes of this nine month process featured one vote, under which the current

plan failed to pass, and then a second vote, where a couple of committee members (without explanation) changed their votes and the plan passed.

Why tolerate such a chaotic ending to a nine-month process? Indeed, the committee did not even look at how the final plan affected enrollment, despite professing to be keenly interested in questions of capacity. It amended the May 10 plan, and, without looking at updated enrollment projections, voted on approving it. Why not hold at least one more meeting to look at the numbers? Why not hold one more meeting to see if the same plan would actually survive for more than one meeting or would be changed again? Why not spend more than a few minutes discussing grandfathering, which creates administrative complications and calls into question any potential gains in “utilizing capacity,” as explained below. Clearly, the majority of the committee wanted to put this plan to bed, an understandable sentiment given the aggravating nature of this process. At the same time, however, a rushed vote, after an acrimonious, confusing, and embarrassing meeting is an absolutely awful way to generate any degree of confidence in the finished product.

C. Procedural Irregularities

Some important decisions were made outside of meetings and without input from the redistricting committee. The decision to take the Southern Urban Elementary School off the table is the most obvious example. Another was the decision to increase capacity at Albemarle High School and at Cale. As the majority report states, the Long Range Planning Committee asked the School Board to answer several important questions, including the maximum capacity that would be allowed at Albemarle High School and Cale Elementary School. The School Board agreed, as we were told when we began Phase II of the redistricting process, to expand both schools.

How or why that request was made to the School Board was never adequately explained, and yet the decision obviously affected the redistricting process. It is unclear, for example, why the Long Range Planning Committee would take it upon itself to make this request. After all, we were told that the redistricting process was supposed to drive capital decisions, like whether and where to expand schools, and not the other way around. The redistricting committee, however, never had the opportunity to determine if redistricting required an expansion at Albemarle. Indeed, the question was never even presented to us for consideration. Instead, we were simply told that this was gong to happen, and that capital decision in part drove the redistricting process, which is exactly the reverse of how we were told the process was supposed to work.

We raise this issue not to ascribe nefarious motives to any on or off the committee, but simply to point out that it was hard – at least for some of us – to know who was making certain decisions and why. This left at least some committee members in the dark, and wondering what was really driving crucial parts of this process. It surely raised similar questions in the minds of parents, which only served to heighten suspicion and distrust of the process in general.

D. Summary: The Costs to the School System

In sum, it would be impossible, if one were being honest, to call this process a success, even a modest one. Committee members themselves expressed increasing frustration with it, and parents who witnessed the meetings – even when their specific concerns were addressed – uniformly expressed bewilderment and dismay regarding the substance and meandering nature of the discussions, as well as the increasing belligerence and animosity exhibited by some committee members. No process is perfect, obviously, and there is a reason why the legislative process is often compared to making sausage. But this process went beyond minor imperfections and crossed into the realm of embarrassment.

The embarrassment is not confined to the committee, unfortunately. This process reflects on the school district as a whole, and, in particular, on the School Board and the Superintendent. Redistricting is one of the most contentious, controversial, and emotional decisions that a school district will make. How it is handled matters a great deal in terms of maintaining the public’s confidence and trust. That confidence and trust, in turn, is crucial to maintaining support for the county’s public schools. This was a wasted opportunity to build trust and confidence among the public. It does not matter whether a parent ultimately “won” or “lost” personally in this process, we are absolutely confident that not a single outside observer – not one – could honestly say that the process inspired confidence in the outcome. That is a shame, of course, but it also presents a challenge and an opportunity.

The challenge is whether the Superintendent and Board can repair the damage. The first step would be to reject the majority’s plan. There are many reasons to do so.

II. The Majority’s Plan Is Not Based on Consistent and Coherent Rationales

The majority plan is perverse in parts, internally inconsistent, and consists of moves that are still in search of a stable rationale.

A. Perverse Results

One of the originating purposes of this committee, as well as a driving reason for recently expanding Henley Middle School, was to end the double split out of Meriwether Lewis and Jack Jouett. The current plan accomplishes this not, as one might reasonably have expected, by sending all (or nearly all) of the Meriwether Lewis-Jouett students to Henley. Instead, it does so by taking about 40% of these students out of Meriwether Lewis and putting them into different feeder patterns altogether. Of the 97 middle school students at Jouett who currently reside in the Meriwether Lewis district, this plan takes 38 of them out of the Meriwether district and places them in either the Greer or Agnor-Hurt districts. This means that the millions of dollars spent to expand Henley now – rather than at some future time – were spent to accommodate roughly 59 middle school students.

We cannot know for sure, but it seems to us unlikely that this is what the School Board had in mind when it agreed to expand Henley. Indeed, a consultation of the minutes of prior School Board meetings, where the Henley expansion was proposed and discussed, specifically refer to expanding Henley such that “all” Meriwether Lewis students at Jouett could be transferred to Henley. (*See, e.g.*, Minutes of School Board Meeting, October 10, 2002.). Regardless, spending millions of dollars now to accommodate 59 new middle school students seems like a curious way to spend taxpayer dollars and a curious way to utilize capacity. If the hesitation to actually fill the newly created seats at Henley is due to concern about overcrowding at Western, moreover, one should recall Dr. Castner’s assurance that high schools can safely be at 120% capacity without significant effect on instructional quality. Alternatively, one would have to question the wisdom of the decision to expand Albemarle High School -- and *only* Albemarle High School -- at this time (especially when the School Board, in February 2004, reached consensus that Albemarle High School “should not be made larger.” See Minutes, Special Meeting, February 21, 2004).

B. Inconsistent (and Incoherent) Application of Redistricting Criteria

One of the recurring problems in utilizing the fourteen criteria that were supposed to guide redistricting is that they were not applied consistently and across the board to all schools.

1. Elementary School Capacity

Take the criterion of capacity. All of the elementary school transfers out of Meriwether Lewis are justified on the grounds that they end the double split (this is the perversity, described above) and that they “utilize[] available capacity” at Agnor-Hurt or Greer. To begin, it is not clear what it means to “utilize available capacity,” but under no plausible conception can that rationale be used to justify these moves.

Neither Meriwether Lewis, Agnor-Hurt, nor Greer is over capacity. Nor are any of these schools projected to be overcapacity by 2009, the last date for which there are enrollment projections. So the moves cannot be justified on the grounds that they are designed to eliminate overcrowding.

The only alternative, then, is that they are designed to alleviate under-enrollment. But this rationale does not withstand scrutiny. Start with Greer. Greer is at 90% of capacity without Meriwether students. Many other elementary schools are well below 90% of capacity and are projected to be well below 90% of capacity in 2009, and yet this plan does nothing to increase their capacity. What is more, the end result of this plan would leave Meriwether Lewis at 87% of capacity and Greer at 92% of capacity. How can “utilizing available capacity” be a rationale for a move that results in the school to which students are transferred (Greer) being more overcrowded than the school from which they came (Meriwether Lewis)? This is shuffling for no apparent reason.

Now turn to Agnor-Hurt. It is currently at 79% of capacity. Again, there are other elementary schools, at or near the same capacity, yet nothing is being done to those schools. In addition, if under-enrollment is a problem at Agnor-Hurt, one must immediately question the decision to move the 16 students from Northfields *out of* Agnor-Hurt. (We guess that, in this instance, the criterion of contiguity trumps that of capacity, though we are never told why.). They are replaced by 36 students – 34 from Meriwether and 2 from Greer – for a total addition of 20. It is difficult to agree that moving 20 students into Agnor-Hurt will appreciably “utilize capacity” at Agnor-Hurt – especially, again, when one contemplates that the wildcard of grandfathering means that no one knows how many students will actually go to these schools over the next five years.

In addition, it bears mentioning that just one year ago, Dr. Behrens and Dr. Castner wrote to the School Board that “[b]y 2008, Agnor-Hurt [with no moves] will be at 92% of capacity, Greer will be at 95% of capacity and Meriwether Lewis will be at 98% capacity. *The Route 29 corridor will use the available capacity at Agnor-Hurt and Greer.*” (June 10, 2004 Memo; emphasis added.). It is difficult to understand what has changed in the short space of one year, such that moving students from Meriwether Lewis to both Agnor-Hurt and Greer is justified on the grounds of “utilizing capacity” at the latter two schools.

Another inconsistency is obvious if one compares Murray and Crozet elementary schools. Both are overcrowded, though Crozet *more so* than Murray. Committee members fixated on Murray, despite assurances from families there and the principal that enrollment was not interfering with the quality of academic offerings. By contrast, the committee left Crozet alone, in large part because, as one committee member frankly admitted at the last meeting, the representative from Crozet said overcrowding there was not a real problem.

Accordingly, the current plan moves a small number of students (15) out of Murray (question whether this will really make much of a difference), but leaves Crozet untouched, even though there is currently plenty of room at nearby Brownsville. The stated rationale for doing nothing about Crozet’s overcrowding is that, in the future, Brownsville may need the space it has, which creates a risk that some families (although almost certainly *not* the same *students*) would eventually be moved back to Crozet. In addition, there is a possibility that a new elementary school will be built in the Crozet area.

To begin, if that school is built, it is quite possible that some students at the western boundary of the Murray district would be moved there, so the same reason to hold off on Crozet now would also be a reason to hold off on Murray now. More fundamentally, though, notice the inconsistency of rationales here: with regard to Murray, in order to supposedly benefit a majority of students, some families are being asked to move their children. But with regard to Crozet, the same utilitarian calculus is not used. Instead, the few families who would be burdened are spared, despite the fact that they, too, could generate benefits to the majority of students at Crozet by alleviating

overcrowding. We do not argue with the decision to leave Crozet alone. We only plead for consistency: if you are going to spare some families the burden of moving, despite overcrowding, apply that principle consistently.

One last point: When the families and principal at a school say that overcrowding is not interfering with instructional quality, on what basis does the committee conclude otherwise?

2. Middle School Capacity

The inconsistencies regarding capacity are even more obvious at the middle school level. Again, recall that the rationale for moving students out of Meriwether and into Greer and Agnor-Hurt must be to address under-enrollment at the latter two schools. Well, take a look at Burley. It is currently at 62% of capacity. And what does this plan do? It moves students *out* of Burley. Now look at Jouett. It is currently at 83% of capacity. And what does this plan do? It moves kids *into* Jouett. Indeed, it moves so many kids into Jouett that in the first year of implementation, enrollment shoots up to 112%. By 2009, enrollment will have declined to “just” 100% of capacity. If this committee were really concerned about utilizing capacity, clearly some students who are slated to attend Jouett would be going to Burley. Why aren’t they?

Clearly, this plan cannot be defended on the ground that it utilizes capacity. Some moves justified in the name of capacity will have a negligible effect, at best. (There may be one exception: the principal at Meriwether Lewis expressed concern, completely ignored by the majority of the committee, that this plan moves too many children out of Meriwether, and that this will affect instructional quality). Other moves actually exacerbate existing capacity problems. So how can this rationale be taken seriously?

Indeed, when one considers the fact that, under the grandfathering proposal offered, students may stay in the schools they started, it becomes clear that even trying to predict how the plan will impact capacity over the next several years is guesswork. The few students slated to move into Greer, Agnor-Hurt, or Meriwether Lewis, for example, may not actually show up at all. The movement, if any, might come if those students have younger siblings or if families with young children live or move into the small geographical areas involved. Is it really sensible to justify moves that will result in an unknown number of students shifting schools on the grounds that these moves wisely “utilize[] capacity”?

3. Contiguity

Now consider the notion of contiguity. Moving students who live in Northfields from Agnor-Hurt to Woodbrook is justified on the grounds that “[t]his area is contiguous with other neighborhoods currently attending Woodbrook.” Unfortunately, this is also true of families along Woodlands Road, whose homes are contiguous with those along Free Union Road; the latter will continue to attend Meriwether Lewis. Yet Woodlands Road students are being moved away from the school their neighbors attend; they are

being moved, moreover, to solve a problem (under-enrollment at Agnor-Hurt) that is *exacerbated* by moving Northfields *out* of Angor-Hurt!

Moreover, one of the fourteen redistricting criteria suggests using natural boundaries as a dividing line for attendance zones. There is a pretty clear, natural boundary at the end of Woodlands Road: the reservoir. Why is that obvious boundary, not to mention that redistricting criterion, ignored? How does sending students to the other side of this reservoir respect natural boundaries and promote contiguous attendance zones, as the School Board's policy on redistricting recommends?

Northfields was moved to be closer to contiguous neighborhoods, while Woodlands Road was moved away from contiguous neighborhoods. That is (at least) one inconsistency. A second comes not from action, but inaction. The committee never engaged in a systematic search or discussion about whether there might be neighborhoods similar to Northfields that, too, should be moved based on the same rationale. This specific example was repeated countless times: the committee would make a move based on one apparent rationale, but it would not seek to determine if other moves could be made on exactly the same rationale. This is one of the costs of searching for moves to make rather simply addressing pressing problems; the search is bound to be incomplete, if not selective.

4. Proximity

Proximity is another rationale applied inconsistently. All of the high school transfers involve moves from Western to Albemarle. They are all justified on the grounds of eliminating the split out of Jouett (which we have already discussed) and because these areas are closer to Albemarle than to Western. To begin, it is not at all clear that the travel times to Western for all of these areas are greater than the travel times to Albemarle. The travel time from Ivy Farms to either Albemarle or Western, for example, is apparently about the same.

Just as importantly, however, these same families are being moved to elementary schools that are generally farther away than the ones their children currently attend. Meriwether Lewis is certainly closer to Ivy Farms than is Greer, and the traveling time is certainly less. The same is true for most of the families along Woodlands Road – Meriwether Lewis is closer than Agnor-Hurt. Why does proximity count at the high school level, but not at the elementary school level?

These few families are being singled out and moved in the name of proximity. But just as it failed to look broadly and consistently at the issue of contiguity and capacity, the committee never bothered to determine if other, similar, moves could be made to reduce the distance traveled by high school students. It seems highly unlikely that there are *no* other high school students who might be saved some travel distance or time if moved, other than the few students being asked to move. Yet this issue was never explored.

In addition, under the current plan, students are being moved from Jouett to Henley, despite the fact that this will *increase* the distance and perhaps travel time to middle school for most of them. One might respond by saying that this is an inevitable byproduct of eliminating the split. But some splits were retained – those out of Stony Point and Stone Robinson, for example – *because* of proximity concerns. So in one case, ending a split trumps proximity, while in others, proximity trumps ending splits. Again, the end result is that it is difficult to take proximity very seriously as a rationale, given that it is applied so inconsistently, and given that in some instances, the supposed proximity gains are negligible at best.

5. Moves In Search of a Stable Explanation

Finally, there are some moves made here that continue to be in search of a stable rationale. They concern the moves involving Murray and Meriwether. At first, only students from Murray were proposed being moved. Meriwether was left alone in Phase I. This is curious, of course, given that the stated rationales for moving Meriwether Lewis students – proximity to Western Albemarle High School, for example -- were just as true in Phase I as in Phase II. Ivy Farms and Woodlands Road, for instance, have not gotten any closer to Western Albemarle in the last few months.

In Phase II, though, attention shifted slowly away from Murray and onto Meriwether Lewis. Moving students out of Meriwether, and to a lesser extent Murray, was initially justified on the grounds of avoiding overcrowding at Henley and Western. This justification was rebutted, however, when it was pointed out that *keeping* Meriwether students in Jouett, while adding all of Woodbrook to Jouett, would create overcrowding at Jouett. (This is, of course, precisely what would happen if the majority's plan is accepted.). By contrast, there is room for these students, now, at Henley. (This is, after all, one of the reasons the addition was built.).

So the rationale of keeping some Meriwether students at Jouett to avoid overcrowding at Henley was discarded and replaced, without discussion, by the current rationales of proximity and utilizing capacity at Agnor-Hurt and Greer. Similarly, with regard to Murray, the rationales have ranged from, initially, populating the new elementary school (abandoned), utilizing Greer (abandoned when Farmington was left in Murray), and relieving overcrowding at Murray (the last rationale standing).

It is hard not to conclude that some committee members, for whatever reason, were determined to make at least some families in one or both of these schools move. Resistance to these moves was typically treated as unfounded and selfish. But these families are not asking for special treatment. They are asking to be treated similarly to families whose children attend other elementary schools; they would like to see a compelling rationale, consistently applied, to justify the moves. Almost all students *in the entire county* are being left in the elementary schools they currently attend. Almost all elementary schools (12 out of 16) are left untouched. In three of the four affected by the plan, only 16, 2, and 15 students, respectively, are being moved away.

Not so in Meriwether Lewis, where 51 students are being asked to leave, with some to one elementary school and others to another, and all eventually sent to a different high school than the one they would have attended. Why is this school being singled out? Is it really the case that the rationale of “utilizing capacity” *at another elementary school* justifies moving these children – *and only* these children? This seems hard to believe, and very difficult to reconcile with the committee’s aggressive desire to maximize redistricting now in order to minimize it in the future.

Finally, one might ask whether it is justified to move some of these children from one split feeder pattern (out of Meriwether) into another (out of Agnor-Hurt) partially in the name of eliminating split feeder patterns?

6. The Wildcard of Grandfathering

One final issue to consider in the majority plan is its liberal grandfathering provision. Although this may be a well-intended effort to soften the impact on the families and students who would be most adversely affected by the plan, we believe it is unwise and raises questions about the very necessity of the moves proposed by the plan. If the moves are really needed, how can we wait for years for them to be actualized?

While it was noted on multiple occasions that grandfathering without transportation provides options for some families but not others, the majority has chosen to provide the opportunity for continuity in attendance zones only for those who can afford it (through means or family circumstances). In addition, this grandfathering policy would require administrative oversight and associated overhead costs for another five years to come. It will also, as mentioned, increase uncertainty about year-to-year enrollments at schools and will complicate resource planning throughout this period. In all likelihood, further redistricting of some sort will be needed before this plan is even fully implemented. We therefore find it ironic that the majority plan claims to minimize the frequency of redistricting while making redistricting a permanent state of affairs, at least for some parts of the County.

III. Recommendations

Our first recommendation is to start over. Having devoted a substantial amount of time to this process, it pains us to make this recommendation. But the process was sufficiently flawed that this seems the only appropriate response. In beginning again, we would strongly recommend that you significantly alter the process. In our view, you should choose one of two structures. One, the Board should agree upon concrete goals and formulate workable criteria for redistricting. The Board should then ask staff to formulate a plan consistent with these goals and criteria. In consultation with the Superintendent, the Board should then propose a plan to the public. After sufficient public input, at one or more hearings, the Board should announce a final plan. Alternatively, instead of assigning the task to staff, the Board should contract out with a firm that could follow criteria established by the Board and analyze the relevant data necessary to formulate a workable plan.

Either method would cure the obvious flaws in this process. Both would ensure that the plan is formulated by those who have some knowledge and expertise in dealing with the sort of data involved, and both would ensure that those accountable to the public (namely, Board members) play a more integral role in the drafting and finalizing of the plan. This will alleviate the problems created by delegating this task to typically well-meaning but largely ill-equipped citizens, who lack expertise, impartiality, and accountability. The public may initially be frustrated that this nine-month process led to few tangible results in terms of redistricting. But if this failed process can lead to one that will provide both more rationality and more accountability, whatever costs are incurred will be more than offset by the gains in public trust that accompany a candid acknowledgement of failure and a sincere commitment to rectifying past mistakes.

Alternatively, if the Superintendent and Board cannot face beginning again, our recommendation is that you focus on the plan proposed by the staff for the April 26, 2005 meeting, and subsequently dubbed “Alternate One.” This is the plan, mentioned above, that the committee remarkably voted against *even discussing* in depth. We generally defer to this plan, first and foremost, because we trust the staff more than we trust the committee; they have greater knowledge, experience, expertise, and objectivity. The staff’s plan, moreover, moves fewer students and eliminates one more split than the current proposal. It deals with current, pressing problems, and clearly seeks to respect the principle of doing no harm, which we believe should form the basis of any redistricting proposal.

As should be apparent from the above comments about elementary schools, we disagree with the staff’s proposal only as it relates to elementary schools. In our view, none of these three, quite limited, elementary school moves is justified by a compelling rationale. The unfortunate effect, of course, is that a small split would remain out of Agnor-Hurt – a split that was created, appropriately enough, by the last redistricting committee’s decision to move families from Earlysville Road from Broadus Wood to Agnor-Hurt. Given that these families were just moved two years ago to Agnor-Hurt, it does not seem right to make them move again. This would mean that Alternate One, as amended, would still move fewer students and would eliminate as many splits as the majority’s plan.

As already mentioned, the majority’s expressed belief is that their plan “looks to the future” and will reduce the amount of redistricting that must occur. In our view, this belief is unsubstantiated and tethered to nothing concrete. Redistricting is inevitable in a county like Albemarle, which covers a huge area and will continue to experience at least modest growth. Given this inevitability, redistricting should be based on current problems and justified by compelling, consistent rationales. If it were your family, and not someone else’s, being asked to move, presumably you would settle for nothing less. This means that you should provide nothing less. It also means that moving fewer students, rather than more, should be the default.

In this regard, it is instructive to consider that a number of current members of the redistricting committee participated in the decision to move the Earlysville Road students two years ago. This time around, however, some candidly acknowledged that this earlier move was a mistake and seriously considered moving these same students back to Broadus Wood. Had those students not been moved in the first place, there would have been no apparent mistake to correct this time around. Redistricting should solve existing, pressing problems, not create new ones that will have to be corrected in the inevitable next round.