Petitioner: Samuel S. Peters, Employee of Chesterfield County Public Schools (CCPS)
Address: 413 Pleasanthill Drive, North Chesterfield, VA 23236
Email: samandpaula1@verizon.net
Cell: (804) 363-6860

Defendant: Mervin Daugherty, Superintendent of CCPS
Address: 14106 Chiasso Terrace, Chesterfield, VA 23838
Email: mervin_daugherty@ccpsnet.net
Phone: (804) 784-1405

Petition for Imposition of a Penalty for Committing Libel

Submitted to the Circuit Court of Chesterfield County on 9/10/21

This is a petition to the Circuit Court of Chesterfield County, Virginia, to impose upon Mervin Daugherty, Superintendent of Chesterfield County Public Schools (CCPS) a penalty for having committed libel in a 2/26/21 email (Appendix Item #1) to CCPS School Board Chair Harter. In that email, Superintendent Daugherty deliberately mischaracterized the reasons for why I was routinely experiencing mass truancy from my online classes. Superintendent Daugherty stated the following: “Mr. Peters’ classroom problems [of rampant and ongoing truancy] are his own doing. Poor management of students.” Included in the Appendix of this document (Item #2) is an experiment I conducted which definitively proves my assertion that there was rampant and ongoing truancy from my classes, and that the administration (which deliberately refrained from using the [free] Google Attendance App which would have enabled them to observe that truancy) was deliberately oblivious of the widespread truancy from from all the online Meets they observed.

What is furthermore the case is that In an effort to sidestep any obligation to fix the truancy problem that I persistently called the School Board’s attention to, Superintendent Daugherty libelled me with his claim that the truancy problem I was experiencing “was [my] own doing,” and was due to “poor management of students.”

I am hereby petitioning the Court to impose upon Superintendent Daugherty the penalty for having maliciously libelled me in an effort to avoid having to accept responsibility for the attendance debacle that was occurring throughout CCPS that year. The penalty I seek to be imposed is that Superintendent Daugherty be compelled to admit in writing that 1) there in fact was rampant truancy throughout CCPS, despite his denial that that was the case, and 2) that he deliberately maligned my teaching skills in an effort to sidestep having to officially acknowledge that rampant and system-wide truancy that existed in CCPS online classes.

Submitted to Chesterfield County Circuit Court on September 10th, 2021. .

Signed:

Samuel S. Peters
CCPS Employee

Appendix

1) Superintendent Daugherty's 2/26/21 email to School Board Chair Ryan Harter:

Feb 26, 2021, 12:23 PM

Merv Daugherty <merv_daugherty@ccpsnet.net>

to Ryan, me,

Thomas

Mr. Peters' classroom problems are his own doing. Poor management of students. He controls the attendance issue throughout the class. Ben needs to investigate the classroom practices of Mr. Peters. 

Merv

--

Respectfully,

Mervin B. Daugherty, Ed.D.

Superintendent

Chesterfield County Public Schools

Innovative, Engaging and Relevant

2) Study verifying that the mass truancy I was observing from my online classes was invisible to CCPS administration because they chose not to use the (free) Google Meet Attendance App which would have allowed them to see the massive numbers of students who quickly left their Meets after joining:

Study of the Correlation Between Google Meet and the Google Meet Attendance App

(conducted by Sam Peters, with data provided by his Physics 1 class on March 12, 2020)

On 3/12 my 1st Period Physics 1 class conducted a groundbreaking experiment where the information provided on the screen by Google Meet was correlated with the information provided by the Google Meet Attendance App. Data was obtained from seven independent, incorruptibly time-stamped electronic sources that were all recording the same event. The data obtained from Google Meet itself was recorded as a video on Canvas Studio. The data from the Google Attendance Meet App was also recorded by Canvas Studio, but was also more visibly recorded by the detailed, minute-by-minute spreadsheet displaying student electronic attendance data that the Google Meet Attendance App automatically creates for each Meet (and automatically sends to the teacher's hard drive at the end of each Meet). Finally, data was also obtained from the students who participated in the experiment in the form of videotapes the students made on their phones. Each participant in the experiment undertook a series of pre-arranged actions, and each student who made a videotape insured that their name and the time of each of their actions was visible during each of their recordings. In the design of the experiment, students who were present in person in the classroom as well as students who were only present virtually were all included in the list of prearranged actions. It is noteworthy that only the students who were actually physically present in the classroom actually participated in the experiment and submitted data. All of the five students physically present in the classroom actively participated by taking video at their prearranged time and submitting that data to my Google mailbox. None of the students who were virtually present submitted any videotapes, nor did any of those students appear to complete any of the prearranged actions they were scheduled to undertake.*

The data obtained in this experiment completely vindicates the reliability of the Google Meet Attendance App as a resource that teachers ought to use to get an overview of exactly how many students are at least electronically connected during their Meets. Whereas Google Meet itself does provide accurate data about which students are electronically present at any time, and whereas Google Meet does reliably indicate when students arrive and leave a Meet, it does none of that in a way that is manageable by a classroom teacher other than as showing which students were present in any Meet any more than just one moment of time. The indication of when students arrive in or leave a Meet is not permanently stored anywhere, and as a result, teachers who are presenting a lesson do not have the ability to keep a record of that information. Furthermore, the notification of a student leaving a Meet is provided using a format that is much harder to see than that used to show when students arrive.

Whereas the names of arriving students are shown in the bottom right side of the screen (beside the official list of who is currently present in the Meet) displayed over top of a white block of background, the names of departing students is indicated on the bottom of the (less prominent) left side of the screen, and the names of those students have no white block of background behind them to create greater visibility. In other words, the announcements indicating when students leave a Meet are comparatively invisible.

The following are the critical findings from this study:

1) Given the difference in placement and presentation of the names of students entering or leaving a Google Meet, anyone observing a Meet is far likelier to notice the names of students entering a Meet than the names of students leaving a Meet. As a result, in a large Meet (where the names of those attending extends below the bottom of the screen) observers are unlikely to notice at all when students leave a Meet.

2) Google Meet Attendance App is completely reliable. Every prearranged action of our experiment was accurately recorded in both attendance-recording mechanisms. Although Google Meet itself does display accurate information regarding Meet attendance, because that information is transient (no permanent record is kept) the information provided by Google Meet itself is nearly useless as indicators of how long students actually remain in a Meet.

3) It is critical that teachers know (though they currently do not know this) that during a Meet students can click on new tabs or click on tabs that are already open on their Chromebook screen and there is no electronic indication (either on the Google Meet screen, or in the electronic history of student attendance created by Google Meet Attendance App) that the student has actually stopped watching the Meet. In all likelihood, most students in CCPS are probably watching material on another tab during all their Meets and their teachers are completely unaware that this is what is going on.

4) The consequence of students closing their Chromebooks without exiting the Meet is that the student is ejected from the Meet, and also that their avatars and names (in the list of those present in the Meet) disappear. (There is currently an understanding among some teachers that when students close their Chromebook lids without leaving the Meet that their names disappear from the official list of those present, but that their avatars remain present.)

5) School districts relying only on Google Meet data for class attendance are completely uninformed about the length of time students are electronically present in their Meets.

6) The study makes clear that knowing that students are electronically present in a Meet does not begin to guarantee that those students are actually paying attention to the Meet. It furthermore makes it clear that in all likelihood most Meet students are probably watching

something on a different tab. While it is clearly more useful to know how long students are electronically present in a Meet than otherwise, an even better guarantee of student Meet attention would be gained from periodic chat questions that students are required to respond to (a gauge that is currently used in industry). Mandating such periodic chat questions in all classes (and allowing teachers to give zeroes to those who don't answer them) would be the most effective method to ensure greater student attentiveness during Meets.

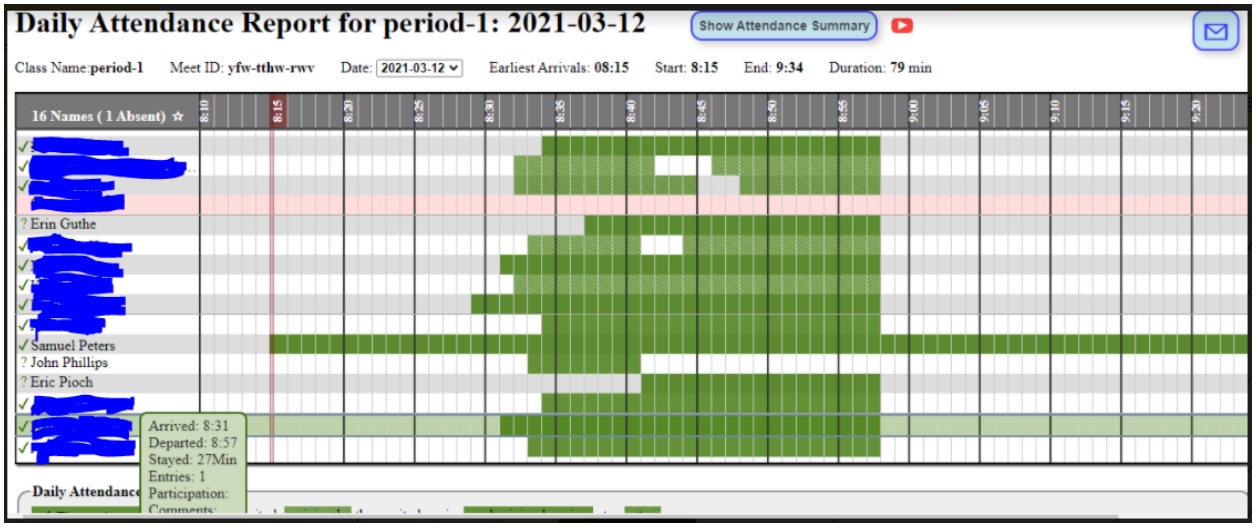
*This complete one-for-one correspondence between the active involvement of students who were physically present and the absence of involvement of any student who was not physically present is itself an alarming indicator of the probable lack of active engagement of most virtual students in most of their classes.

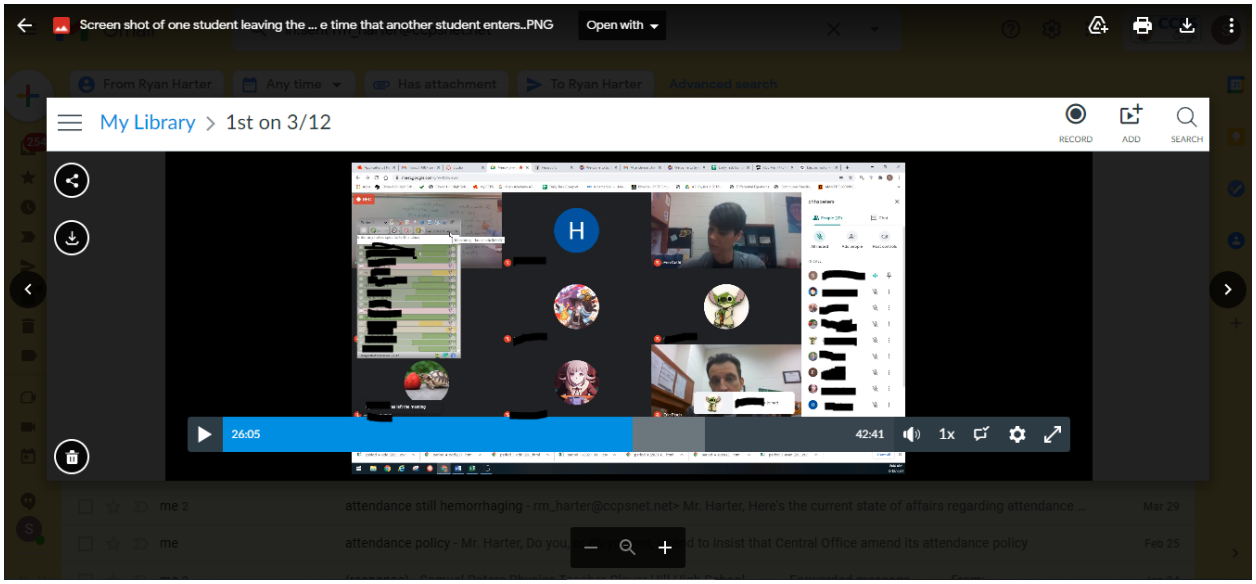
(Extensive documentation of all the claims made above is available upon request.)

Samuel Peters

Physics Teacher

Clover Hill High School





Students of my 1st Period class,

This morning we will conduct our experiment where we test how the Google Meet Attendance App correlates with the information provided on the screen by Google Meet. You'll be providing data by following the particular instructions I give to each of you about exactly when and how to leave and reenter the Meet. All students are asked to place their name card at the bottom center of their screen, and to videotape themselves clicking on the buttons when they leave and reenter the meet, being sure to show the time and also their name card and the time during each of the two videos. Please send those two videos to my CCPS mailbox: samuel_peters@ccpsnet.net.

On Monday we will correlate the data that will have been provided from as many as sixteen time-stamped, incorruptible sources. On the basis of all our data we will make a determination about which attendance tracking system is the most reliable for accurately providing data about who is actually present in any Meet at any particular time. In doing all of this we will have created an empirical data base that currently seems not to exist, despite the fact that having significantly greater information about actual student participation in online classes is essential for all schools that are truly committed to promoting student participation in online schooling.

Thank you.

Here's the schedule for leaving and reentering the Meet:

(Remember to videotape yourself when you leave and reenter the Meet, being sure to show the time [at the bottom right of your screen], your name [as displayed on your notecard] and the buttons you click.)

Christian and Aiden leave the Meet (by clicking on the "X" on the Meet tab at the top of their screen) at exactly 8:40 and then rejoin the Meet at exactly 8:44.

Carlos and Harlee leave the Meet (by clicking on the "X" on the Meet tab at the top of their screen) at exactly 8:42 and then rejoin the Meet at exactly 8:46.

Alyssa and Ryan stay in the Meet but close their Chromebook lid at 8:44 and then reopen their lid and rejoin the Meet at 8:48.

Malise and Kaleb open a new tab at 8:50 and then close that new tab at 8:54.

Heather and Abdulnur already have open a tab on Youtube. At 8:52, each of them click on the Youtube tab at the top of their screen, and then at 8:56 click back into the Meet tab at the top of their screen.

<u>It is imperative that you remember to videotape when you leave and rejoin, and that you send me that video.</u>