

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

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DISTRICT OF COLUMBIA STATE BOARD OF EDUCATION

PUBLIC MEETING

Wednesday, April 15, 2015

5:30 p.m.

Held At:

441 Fourth Street, N.W.

Old Council Chambers

Washington, D.C.

Reported and transcribed by: Gervel A. Watts,
CERT*D

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

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A P P E A R A N C E S

BOARD MEMBERS

- Jack Jacobson, President
- Karen Williams, Vice-president
- Mary Lord, At Large
- Laura Wilson-Phelan, Ward 1
- Ruth Wattenberg, Ward 3
- D. Kamili Anderson, Ward 4
- Mark Jones, Ward 5
- Tierra Jolly, Ward 8
- Betel Asfaha, Student Representative
- Jesse Rauch, Executive Director

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

3

1	C O N T E N T S
2	Call to Order
3	Announcement of Quorum
4	Approval of Agenda/Minutes
5	Comments from the President of the D.C. State Board of Education, Jack Jacobson
6	Comments from the State Superintendent of Education, Hansuel Kang
7	Public Comments:
8	Cathy Reilly, Senior High Alliance of Parents, Principals, and Educators
9	Madye Henson, Covenant House - Washington
10	Lescester Johnson, Academy of Hope, Adult Public Charter School
11	Amy Dudas, D.C. Alliance of Youth Advocates
12	Walter Plush, Total Sunshine, Inc.
13	Consideration for Diploma for OSSE-Managed Schools
14	Ceremonial Resolution for Jesse B. Rauch
15	Adjournment
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Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

4

1 P R O C E E D I N G S

2 CALL TO ORDER

3 MR. JACOBSON: Good evening. On behalf
4 of the members of the District of Columbia State
5 Board of Education, I want to welcome you, our
6 guests and our viewing public to our Wednesday,
7 April 15, 2015 State Board of Education meeting.

8 The State Board holds its regularly
9 scheduled meetings on the third Wednesday of every
10 month, here in the Council Chambers at 441 Fourth
11 Street, Northwest.

12 The next public meeting of the State
13 Board of Education will take place at this
14 location on Wednesday, May 20, 2015 at 5:30 p.m.
15 We look forward to you joining us.

16 The members of the State Board of
17 Education welcome your participation and your
18 support in our efforts to improve education in the
19 nation's capital.

20 The State Board of Education meeting for
21 April 15, 2015 is now called to order. The roll
22 will now be called to determine the presence of a

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DC State Board of Education Public Meeting 04-15-2015

5

1 quorum.

2 ANNOUNCEMENT OF QUORUM

3 MR. RAUCH: Jack Jacobson?

4 MR. JACOBSON: Present.

5 MR. RAUCH: Karen Williams?

6 MS. WILLIAMS: Present.

7 MR. RAUCH: Kamili Anderson?

8 MS. ANDERSON: Present.

9 MR. RAUCH: Tierra Jolly?

10 MS. JOLLY: Present.

11 MR. RAUCH: Mark Jones?

12 (No response.)

13 MR. RAUCH: Mary Lord?

14 MS. LORD: Present.

15 MR. RAUCH: Ruth Wattenberg?

16 MS. WATTENBERG: Present.

17 MR. RAUCH: Joe Weedon?

18 (No response.)

19 MR. RAUCH: Laura Wilson-Phelan?

20 MS. WILSON-PHELAN: Present.

21 MR. RAUCH: Brian Contreras?

22 (No response.)

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

6

1 MR. RAUCH: Betel Asfaha?

2 MS. ASFAHA: Present.

3 MR. RAUCH: She is present. Mr.
4 President, you have a quorum.

5 APPROVAL OF THE AGENDA/MINUTES

6 MR. JACOBSON: Thank you. A quorum has
7 been determined and the State Board will now
8 proceed with the business portion of the meeting.
9 Is there a motion to adopt the agenda items that
10 are before us?

11 MS. WILSON-PHELAN: So moved.

12 MR. JACOBSON: Is there a second?

13 MS. JOLLY: Second.

14 MR. JACOBSON: The motion has been moved
15 and seconded. Any discussion?

16 (No response.)

17 All right. I'll call for a vote. All those in
18 favor, please say "aye."

19 (Board members collectively vote
20 "aye.")

21 MR. JACOBSON: All opposed?

22 (No response.)

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

7

1 Any abstentions?

2 (No response.)

3 The ayes have it and the agenda is approved. Now
4 we'll move to the approval of the minutes. Is
5 there a motion to adopt the minutes from our March
6 16, 2015 working session?

7 MS. WILSON-PHELAN: So moved.

8 MR. JACOBSON: Is there a second?

9 MS. JOLLY: Second.

10 MR. JACOBSON: Is there a discussion?

11 (No response.)

12 The motion has been moved and seconded and we're
13 ready for a vote. All those in favor, please
14 signify so by saying "aye."

15 (Board members collectively vote
16 "aye.")

17 MR. JACOBSON: Any opposed?

18 (No response.)

19 Any discussion?

20 (No response.)

21 They ayes have it and the minutes for the March
22 26, 2015 working session are approved. Is there

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DC State Board of Education Public Meeting 04-15-2015

8

1 motion to adopt the minutes from our April 1, 2015
2 working session?

3 MS. WILLIAMS: So moved.

4 MR. JACOBSON: Is there a second?

5 MS. ANDERSON: Second.

6 MR. JACOBSON: Is there any discussion?

7 (No response.)

8 All right. All those in favor of adopting the
9 minutes from our April 1, 2015 working session,
10 please signify so by saying "aye."

11 (Board members collectively vote
12 "aye.")

13 MR. JACOBSON: Any opposed?

14 (No response.)

15 Any abstentions?

16 (No response.)

17 They ayes have it and the minutes are approved.

18 COMMENTS FROM THE PRESIDENT OF THE
19 DISTRICT OF COLUMBIA BOARD OF
20 EDUCATION

21 MR. JACOBSON: Good evening. My name is
22 Jack Jacobson and I'm the president and Ward 2

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

9

1 representative to the State Board of Education.
2 I'd like to start tonight by officially welcoming
3 our new Superintendent of Education, Hansuel Kang,
4 who is currently acting, but will soon be in the
5 permanent role, I have no doubt.

6 I just wanted to take a few minutes to
7 say what a pleasure it's been working with you for
8 these three weeks, I believe it is that you've
9 been in office. You've reached out to the Board
10 and to me, in particular, long before you started
11 here in your position. You have set a tone of
12 cooperation and congeniality that this Board
13 greatly appreciates and that I personally
14 appreciate, and we look forward to working
15 together to solve minor problems and to tackle big
16 issues in the long-term.

17 You have willing partners who want to
18 engage with you on broad policy issues and I hope
19 that our tenure together will benefit students all
20 across the school.

21 Now, I'd invite you to say some remarks.

22 COMMENTS FROM THE

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

10

1 STATE SUPERINTENDENT OF EDUCATION

2 MS. KANG: Well, good evening, President
3 Jack Jacobson, Vice-President Karen Williams and
4 State Board of Education members, and members of
5 the public joining us here today and watching at
6 home. First of all, I need to say thank you for
7 the incredibly kind words and I absolutely look
8 forward to working in collaboration and
9 partnership with all of you as well.

10 So my name Hansuel Hang. I'm currently
11 the Acting State Superintendent of Education at
12 the Office of the State Superintendent of
13 Education for D.C., also known as OSSE. I'm
14 excited to be here to join the State Board for my
15 first formal meeting as the Acting State
16 Superintendent, and I'd like to thank Mayor Bowser
17 for nominating me to serve in this role. I look
18 forward to serving the residents of the District
19 of Columbia to ensure that we have a strong and
20 robust education system in D.C.

21 I believe the State Board of Education
22 serves an important and vital role in ensuring a

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

11

1 high quality education system in the District, and
2 speaking for the constituents that you serve and I
3 look forward to collaborating with the Board. I
4 appreciate the conversations that we have had thus
5 far and welcome continued collaboration and
6 discussions in the future.

7 In particular, I also believe that the
8 role that the State Board plays in communicating
9 with the community about concerns and questions
10 from your constituents is crucial and very helpful
11 to OSSE in improving our work and ensuring that we
12 can all the students and residents of D.C.

13 While we engage with the community, each
14 member, each of you has the greater ability to
15 hear from your constituents and we hope that we
16 can continue to partner together on communication
17 and liaisons with the public.

18 Over time, I would also love to meet
19 with your constituents and welcome the opportunity
20 to work with each of you to attend meetings and
21 your awards, so that I can hear directly from
22 District residents about what they want to see and

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

12

1 relay to their state education agency of what they
2 think they should do to help improve education in
3 the District.

4 PUBLIC COMMENTS

5 MR. JACOBSON: Thank you, Superintendent
6 Kang. We will now here from public witness who
7 wish to speak on educational-related matters.
8 Public witnesses are asked to contact the State
9 Board staff by telephone or email if there is an
10 interest in providing testimony at our public
11 meetings.

12 We'll call the first witnesses, Cathy
13 Reilly, the Executive Director of the Senior High
14 Alliance of Parents, Principals, and Educators;
15 Lescester Johnson, CEO of Academy of Hope, Adult
16 Public Charter School; Julie Meyer, Executive
17 Director, The Next Step Public Charter School; Dr.
18 Madye Henson, president and CEO of Covenant House,
19 Washington. And I don't believe Marilyn Holmes
20 with Total Sunshine is here; is that correct?

21 MR. PLUSH: She's on route. Not here
22 yet.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

13

1 MR. JACOBSON: Thank you. Are there any
2 other public witnesses at this moment? Yes,
3 ma'am?

4 MS. DUDAS: Yes. Amy Dudas from D.C.
5 Alliance of Youth Advocates.

6 MR. JACOBSON: Let's have you come up
7 and fill up a seat then. The staff will put three
8 minutes on the clock. We'll get started as soon
9 as the clock starts, with Ms. Reilly.

10 MS. REILLY: Okay.

11 MR. JACOBSON: Thank you so much.

12 MS. REILLY: Thank you. Thank you for
13 this opportunity to testify. As you said, my name
14 is Cathy Reilly, and I'm the director of the
15 Senior High Alliance of Parents, Principals, and
16 Educators.

17 As I understand the issue before you,
18 you are considering passing policy to enable OSSE
19 to grant diplomas to students enrolled in a school
20 managed by the state in order to solve the one-
21 year problem for the students of Hospitality High.

22 I'm urging you to solve this singular

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

14

1 issue by emergency legislation, instead of
2 granting diploma awarding through OSSE, as it is
3 worded in this rulemaking. You are the main check
4 and balance our government has in this area and
5 this is the only moment you have to exercise it.
6 OSSE is the oversight body for the 61 local
7 education agencies. Granting this now means that
8 you will have no role in whether or not OSSE
9 grants diplomas in the future or takes on further
10 schools.

11 I don't think we want our oversight body
12 to be also managing the schools. It not only
13 creates a conflict of interest, it means there's
14 no oversight over them in this role. This
15 rulemaking does not address that issue. It does
16 not provide a mechanism for oversight over OSSE.

17 This is just my opinion, but while I
18 appreciate the chance to offer it, I know that
19 during spring break and with the budget, upper-
20 most on people's minds, this policy and its
21 possible ramifications has actually not been fully
22 vetted in the community.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

15

1 It's not a matter of trust. This
2 rulemaking will be there after the current
3 administration and after many of you will leave
4 office. So it's difficult enough that a precedent
5 is being created with this one school; let's not
6 make it worse by expanding the authority without a
7 thorough and well-researched decision-making
8 process.

9 Thank you.

10 MR. JACOBSON: Thank you so much. And
11 Ms. Johnson, before you start, I'll just make sure
12 that the record reflects that Mr. Jones from Ward
13 5 is in attendance.

14 Thank you. You may begin.

15 MS. JOHNSON: Okay. Good evening.

16 Thank you for this opportunity. My name is
17 Lescester Johnson and I'm the CEO of Academy of
18 Hope Adult Public Charter School.

19 For over 30 years, Academy of Hope has
20 provided services to individuals without a high
21 school credential through the GED and the National
22 External Diploma Program. We have locations in

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DC State Board of Education Public Meeting 04-15-2015

16

1 Ward 5 in the Edgewood/Brookland Community and
2 Ward 8 in the Congress Heights Community. And in
3 July of last year, we became an adult public
4 charter school. We made that transition. We're
5 also active members of the D.C. Adult and Family
6 Literacy Coalition and Alliance of Adult Educators
7 in the city.

8 In December, I had the pleasure of
9 testifying before the State Board meeting with
10 OSSE's proposal to create a Superintendent's
11 Diploma for those who passed the GED or completed
12 the NED Program. At that meeting, I joined a
13 chorus of education and service providers who
14 recognized the proposal as an opportunity to level
15 the playing field and open the doors for learners
16 across the District.

17 A few months later, of course, without a
18 vote on the proposal, we are disappointed to see
19 that those efforts have been put on hold. The
20 proposal to create the diploma for Hospitality
21 High graduates in front of you today is important,
22 but we urge you not to stop before the task is

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

17

1 complete. As some of you know, in 2014, both the
2 GED and the National External Diploma underwent a
3 major overhaul and is now aligned with the Common
4 Core Standards.

5 To demonstrate competencies and pass
6 these exams, our learners need to master not only
7 basic technology skills, but also deep content
8 knowledge in science, social studies, and reading.

9 Our learners and adults across the
10 District work hard to prepare to pass these exams
11 that are designed to test a high level of
12 competency. Upon completion, they deserve a
13 diploma that recognizes their achievement and
14 mastery of standardized skills. The
15 Superintendent's Diploma would do just that.

16 When Academy of Hope graduates send
17 their resumes to perspective employers and post-
18 secondary institutions, we believe they should be
19 just like everyone else, based on their skills and
20 ability to do the job well.

21 When D.C. residents compete for jobs
22 against their neighbors in Maryland and Virginia,

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

18

1 their capabilities should speak for themselves,
2 rather than the words, "GED Certificate" speaking
3 for them.

4 We strongly encourage OSSE and the State
5 Board of Education to work together to move
6 forward with a proposal to grant a
7 Superintendent's Diploma for those who pass the
8 GED and complete the NEDP Program. It simply
9 makes sense and now is the time to do it.

10 Thank you.

11 MR. JACOBSON: Thank you so much.

12 MS. DUDAS: Good evening, members of the
13 D.C. State Board of Education. Thank you for the
14 opportunity to provide testimony, as you discuss
15 the proposal permitting OSSE to award state
16 diplomas during today's working session.

17 My name is Amy Dudas, and I am a policy
18 analyst with the D.C. Alliance of Youth Advocates,
19 which is an organization that represents 130
20 youth-serving organizations. Today the State Board
21 considers a proposal that would allow OSSE to
22 issue diplomas to students graduating from OSSE-

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DC State Board of Education Public Meeting 04-15-2015

19

1 managed schools, as prompted by the need to award
2 diplomas to graduates of OSSE-managed, Hospitality
3 High School.

4 However, in December of last year, OSSE
5 released proposed regulations that would have
6 included District residents to attain a GED or
7 complete the NEDP as eligible for this
8 Superintendent's Diploma.

9 While it's certainly important and time-
10 sensitive to address the needs of the 35-some
11 students who are set to graduate from Hospitality
12 High in June, isolating this group of youth
13 receive the benefits of a state-issued
14 Superintendent Diploma, leaves the need for
15 flexible education options of at least 7,500
16 educationally disengaged District youth and 60,000
17 District adults without a high school diploma on
18 the table.

19 It's critical that our school system
20 adapt to create as many opportunities to reconnect
21 youth and adult learners to successful academic
22 and career pathways as possible. The bulk of

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DC State Board of Education Public Meeting 04-15-2015

20

1 existing programs in the District offering
2 educational re-engagement or second chance options
3 provide GED preparation to disengaged youth.

4 Preparing to attain a GED is often a
5 faster option for youth than rebooting their
6 progress towards a traditional diploma. And this
7 speedy, yet rigorous process of re-engagement is
8 critical for disconnected youth toward facing
9 real-world demands to earn income and support
10 dependents.

11 Students who become disengaged from
12 school and do not earn a high school credential
13 often struggle to gain solid footing in the labor
14 market and lack exposure to the entry level
15 positions that pave the way for long-term earning
16 potential. Alarming, 34.2 percent of 16 to 19-
17 year-olds in the District were unable to find paid
18 unsubsidized employment in 2013. By incorporating
19 GED attainment within a state- issued diploma, the
20 District can effectively shorten the on ramp to
21 post-secondary and credentialing opportunities for
22 youth who have struggled in traditional academic

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

21

1 pursuits.

2 Ensuring all youth have access to a
3 best-fit educational trajectory with a no wrong
4 door, depends on smart investments and strategic
5 planning of the School Board. We urge you to
6 consider the consequences of limiting this pathway
7 to success to graduates of Hospitality High School
8 alone.

9 I thank you for the opportunity to
10 testify.

11 MR. JACOBSON: Thank you. Dr. Henson.

12 DR. HENSON: Thank you and good evening.

13 I am Dr. Madye Henson; I'm president and CEO of
14 Covenant House, Washington. As you know, Covenant
15 House is in its 20th year of service this year and
16 during that time, we have served over 35,000 young
17 people here in the District of Columbia. We are
18 one of the largest and leading non-profits
19 supporting homeless, disconnected, and exploited
20 youth in D.C.

21 Last year alone, we served over 58,000
22 meals; we provided housing, education, work force

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

22

1 readiness and placement, did daily and nightly
2 outreach, provided afterschool prevention services
3 from middle and high school students in Ward 8 and
4 have a Gold-Tier NAEYC-accredited child
5 development center on our site.

6 In Fiscal Year '13/'14, nearly 30
7 percent of the all the 18 and 24-year-olds in the
8 District of Columbia that earned their GED, earned
9 that credential through Covenant House,
10 Washington. This year we have been working and
11 being very successful in preparing young people
12 for the new, very rigorous GED assessment, as well
13 as providing them with life skills and soft skills
14 training to prepare them for post- secondary
15 education and work experiences.

16 Every young person that matriculates
17 through our program has an individualized success
18 plan. They've had financial literacy,
19 interviewing skills, mock interviews, dress for
20 success, conflict resolution, and many have done
21 internships as well as gone through other modules
22 to prepare them for success.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

23

1 While we support the proposed changes in
2 the regulation that will establish a state high
3 school diploma for the 29 to 30 students
4 graduating from Hospitality High, we must go on
5 record, stating that this just simply does not go
6 far enough. It does not eliminate the enormous
7 inequity D.C. youth face, as compared to their
8 peers in Maryland, who complete the same
9 alternative programs and earn a GED.

10 We urge you to reconsider the earlier
11 proposal that was presented in December that would
12 expand the diploma offering to those students who
13 complete the very rigorous Common Core-based GED
14 in D.C.

15 Unlike youth in our program that are
16 currently in our program and in the region from
17 Maryland who complete the same training and
18 literally can go across the street from my office
19 in Prince George's County to take the assessment.
20 When they pass the GED, they also earn their high
21 school diploma. They can then go into the
22 military if they desire, go to college, or work

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

24

1 without reservation.

2 My D.C. students do not have that same
3 opportunity, passing the same instrument, and this
4 is just simply not fair. Many students need non-
5 traditional avenues with supportive environments
6 to allow them to work, care for siblings and
7 children, et cetera, while gaining a needed
8 secondary credential.

9 MR. JACOBSON: Dr. Henson, I'll ask you
10 to wrap up in just a moment.

11 DR. HENSON: Thank you. It is important
12 that we look at those same credentials equally,
13 and give our D.C. youth the same opportunities as
14 their Maryland peers. Thank you.

15 MR. JACOBSON: Thank you. All of the
16 witnesses who were testifying today, we received
17 hard copies of your testimony and this is, again,
18 the continuation of a longer discussion that this
19 Board is engaged in, so thank you all for coming.

20 Speaking of that, we'll move on. Ms.
21 Holmes is not here.

22 MR. PLUSH: Not yet, but is it possible

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

25

1 for a stand-in to speak on her behalf?

2 MR. JACOBSON: You certainly could.

3 Yes, sir.

4 MR. PLUSH: Excellent.

5 MR. JACOBSON: And you'll have three
6 minutes as well.

7 MR. PLUSH: Outstanding. I won't need
8 all three, but thank you.

9 MR. JACOBSON: Thank you so much.

10 MR. PLUSH: Thank you. Okay. Good
11 afternoon, I believe it is. My name is Walter
12 Plush; I am a Board member of Total Sunshine,
13 Incorporated. I work closely with Marilyn Holmes
14 in a lot of the programs and things that she does
15 and I also manage her television show on DCTV.

16 The reason she was going to be here
17 today was to really promote her upcoming Total
18 Grade Award Ceremony. She's been doing this for
19 the last eight years, I believe. And what it is
20 that each valedictorian and salutatorian, every
21 District high school and charter school is
22 presented either a laptop or a tablet at the

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

26

1 ceremony.

2 This year, the ceremony will be at
3 Roosevelt High School. It will be on -- let me
4 look at my notes here -- June 11th of this year at
5 4:00 p.m., at Roosevelt High School. We're
6 projecting 68 top grants to be there receive their
7 just rewards.

8 She's really wanted to ask for your
9 support to come out and pass the word about the
10 ceremony going on. This is a well put on
11 ceremony, and it is very unusual for every
12 valedictorian and salutatorian throughout the city
13 to be recognized and presented a laptop or tablet
14 across the city at one time versus each individual
15 school.

16 So in conclusion, we would just to ask
17 for your support to come out and pass the word
18 about the ceremony, once again, on June 11th at
19 4:00, at Roosevelt Senior High School in
20 Washington, D.C.

21 MR. JACOBSON: Do you have a website?

22 MR. PLUSH: Yes.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

27

1 Totalsunshineincorporated --

2 totalsunshineincorporated.org.

3 MR. JACOBSON: Thank you so much.

4 MR. PLUSH: Oh, thank you.

5 MR. JACOBSON: We appreciate you coming
6 in to testify.

7 MR. PLUSH: Sure.

8 CONSIDERATION FOR A DIPLOMA

9 AT OSSE-MANAGED SCHOOLS

10 MR. JACOBSON: And we'll now move into
11 the business portion of our meeting. Last fall,
12 OSSE presented the State Board with an opportunity
13 to approve new regulations that would allow OSSE
14 to award diplomas in specific circumstances.

15 Today, we will only be considering one
16 of those options, specifically, establishment of a
17 state diploma for students graduating from OSSE-
18 managed schools.

19 As background, the need for these
20 regulations derives out of the mere authority to
21 designate any executive agency to run a public
22 charter school, whose charter was renewed. In

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

28

1 August 2014, Hospitality High School relinquished
2 their charter, meaning, that the mayor was
3 responsible for designating a managing agency. In
4 this case, the mayor appointed OSSE to manage
5 Hospitality High School.

6 It is my understanding that OSSE will
7 cease to manage this school after this year;
8 however, there is a need to ensure that a free and
9 appropriate education is provided for the school's
10 existing students through the awarding of high
11 school diploma for eligible seniors. After OSSE's
12 presentation, Board members will have an
13 opportunity to ask questions regarding this
14 proposal. I'd like to invite anyone from OSSE to
15 step up to the witness table. Superintendent Kang
16 is going to be giving the presentation from here.
17 We welcome that as well.

18 MS. KANG: Thank you very much,
19 President Jacobson. I'd like to just outline the
20 status of the proposed rule and options going
21 forward for the Board. Dr. Mitchell is also here
22 and members of our team, so she can help answer

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

29

1 questions if there are specific details people
2 would like.

3 So as some of you know, we had
4 originally brought a proposed rule forward at the
5 State Board's last working session. And as you
6 may know, since that time, coming out of the
7 conversations that took place at that working
8 session, OSSE took additional time to explore
9 emergency rulemaking, which had been suggested as
10 another option, which would take effect for 120
11 days and it would give OSSE the authority to grant
12 state diplomas the Hospitality High students, but
13 that authority would expire after 120 days.

14 At that point, OSSE took the additional
15 time to explore this option and whether there
16 would be sort of left sufficiency granted for that
17 option and unfortunately, it was not recognized in
18 doing that, taking the extra time to explore that.
19 Under this Administration, there is sort of a
20 different rulemaking process and that approval is
21 needed. And so at this point, the proposed rule,
22 if we were to go forward with this, would be

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

30

1 published in the Register next week, but that
2 would result in the 30-public comment period,
3 lasting past the Board's next public meeting on
4 May 20th.

5 So given that unfortunate realization,
6 we are here to discuss a few different options for
7 how the Board might choose to proceed, and I'll
8 just outline those options briefly. So one option
9 would be to go forward with emergency rulemaking.
10 The effect of that would be, again, the rule would
11 take effect immediately and would allow us to
12 grant the state diploma to the Hospitality High
13 students and that authority would be in place for
14 120 days. The emergency rulemaking process also
15 means that there is not a public comment period
16 and there is no State Board of Education vote.

17 Another possible option could be to go
18 forward with the proposed rulemaking, which would
19 include a 30-day public comment period and there
20 is a chance for a State Board of Education
21 approval and vote, but would require, in order to
22 allow the full 30-day comment period to run, it

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

31

1 would require the State Board to consider holding
2 a special meeting on May 27th. So it would be
3 after your regularly scheduled May public meeting.

4 Another possible option would be to sort
5 of pursue both tracks at the same time, emergency
6 and proposed. What that would allow us to do is
7 to have the emergency rule in effect immediately
8 to cover the Hospitality High students and then
9 would also allow going forward with the proposed
10 rule so that there could still be a full public
11 comment period and State Board of Education vote
12 on the ongoing OSSE ability to address these
13 specific situations when they arise, due to a
14 mayoral order.

15 I think that if that happens, it would,
16 of course, be up the State Board, but I believe
17 that you all would consider this to your public
18 meeting on June 17th, the proposed rulemaking
19 portion, while in the meantime, the emergency rule
20 would've gone into effect to allow Hospitality
21 High Students to graduate on June 12th. That is
22 the key deadline.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

32

1 I'll just conclude by saying I know from
2 our previous discussions in the working session, I
3 think all of our focus is on ensuring that the
4 seniors at Hospitality High are not impacted by
5 sort of these structural changes and the back and
6 forth. That they can go forward and graduate on
7 June 12th. That's certainly my main concern and
8 all of ours. So I hope, regardless of these
9 options, that we can ensure that that goes forward
10 and happens.

11 MR. JACOBSON: We'll now move to Board
12 questions. I would like the folks from OSSE to
13 just come up to the table so that we don't have to
14 scramble. We'll start on the left this time. Ms.
15 Wilson-Phelan, do you have any questions at this
16 point?

17 MS. WILSON-PHELAN: No.

18 MR. JACOBSON: Ms. Jolly.

19 MR. JOLLY: No.

20 MR. JACOBSON: No questions. Mr. Jones.

21 MR. JONES: Yeah, I do have some. The
22 first question is what happens with the emergency

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

33

1 rulemaking after 120 days? Can you speak to that
2 on put it on the record?

3 MS. SETLOW: So there was not to be
4 pursued a proposed and then a final rulemaking,
5 for the emergency, in 120 days the rulemaking
6 would expire. So then OSSE would only have
7 authority through this 120 days to grant diplomas
8 to students of state-managed schools. And then
9 past that, the authority for OSSE to do so would
10 expire.

11 MR. JONES: Thank you.

12 MR. JACOBSON: Great. We'll start over
13 here. Ms. Asfaha?

14 MS. ASFAHA: No.

15 MR. JACOBSON: Ms. Wattenberg? You have
16 five minutes.

17 MS. WATTENBERG: Is this the appropriate
18 place to also offer comments or this is now --

19 MR. JACOBSON: Comments and questions.
20 You have five minutes.

21 MS. WATTENBERG: All right. So I am in
22 favor of the option in which we would vote now on

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

34

1 the emergency regulation for Hospitality High
2 because I think it is an emergency. Those
3 students worked hard and they need to get their
4 diploma, and we need to get out of their way to
5 make that happen.

6 So for the emergency rule now and for
7 having a permanent rule adopted, maybe a day
8 later, whether that's June or later, whether
9 that's June or later, to discuss, debate, and hear
10 comment on the broader question of in what
11 situations OSSE should have that responsibility
12 and right to issue those diplomas. A number of
13 the issues that were raised here today are very
14 compelling to me. I'm sure they're very
15 compelling to other people.

16 I certainly have some policy questions
17 that I want to ask, get answered and talk to
18 people about, but I share the urgency that we need
19 to move on those questions. I'm probably in favor
20 of taking them up as separate issues so that we
21 can think about the consequences and the
22 implications of each one. One has to do with the

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

35

1 GED and one has to do with if charters fail. There
2 are several different issues that were raised, but
3 I would like to get that moving.

4 So I would like to adopt the emergency
5 rule tonight so that we can solve the Hospitality
6 High problem and don't force ourselves to move
7 without full information on the broader policy
8 questions, but move quickly to take up those
9 broader policy questions because people need an
10 answer. So I would say one at a time. Maybe
11 starting with one in June and moving forward from
12 that would be my recommendation.

13 MR. JACOBSON: Do you yield back?

14 MS. WATTENBERG: Yes.

15 MR. JACOBSON: Then I have a question
16 clarification, if I may, Superintendent Kang. Is
17 there anything before the Board on which we would
18 vote this evening or would it be -- if we just do
19 an emergency rule, when would that vote likely
20 occur if OSSE could, theoretically, help inform
21 us?

22 I don't believe anything could be voted

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

36

1 upon tonight, which I asked for clarification.

2 MS. KANG: So we wanted to discuss the
3 proposed approaches with the State Board.

4 President Jacobson, you're correct in that the
5 process for emergency rulemaking, and Christina
6 Setlow can confirm it, but I believe the process
7 for emergency rulemaking does not actually involve
8 the State Board of Education vote.

9 MS. SETLOW: So we have been under the
10 advisement of our general counsel that they do not
11 believe that the emergency would require a State
12 Board vote. That the proposed final rulemaking
13 will require the State Board vote, but that the
14 emergency would not. I know that there is a
15 little bit of a difference of opinion on that.
16 You know, we could discuss, if the State Board
17 would like, we can have that discussion. I do
18 believe that because we have a little bit of time
19 for the emergency that we are not in the position,
20 necessarily, tonight to present that language in
21 the emergency form and that we would bring that
22 back to the State Board if that was decided that

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

37

1 we want to go that route. But it is of the
2 general counsel's opinion that we have received
3 that we do not need the State Board for the
4 emergency rulemaking.

5 MR. JACOBSON: Thank you. And Board
6 members, just know that our legal attorney
7 advisors are also looking at that issue as to
8 whether or not an emergency rule would be voted
9 upon by this body, this emergency rule. We have
10 to see the actual language, I think will help make
11 that clear, perfectly clear.

12 Given that, Ms. Wattenberg, do you have
13 any other questions?

14 MS. WATTENBERG: No. Do I get to hold
15 onto time for later? I'm kidding.

16 MR. JACOBSON: Ms. Anderson.

17 MS. ANDERSON: Give me a minute because
18 I want to kind of frame my question a little
19 better.

20 MR. JACOBSON: Thank you. We'll come
21 back to you. Ms. Lord.

22 MS. ANDERSON: Please come back.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

38

1 MS. LORD: Thank you. Thank you for
2 this. First of all, I would like to just ask why
3 there isn't a vote because this Board has twice
4 before, in my experience, done emergency
5 rulemaking; once around graduation requirements in
6 which graduating seniors weren't told that they
7 were supposed to produce a senior thesis. So it
8 was the same kind of time crunch and because it
9 was graduation requirement, we had this emergency
10 rulemaking.

11 The other was to move the start date up
12 for enrollment from August, which it had been,
13 traditionally, to April and we were asked to do
14 that on an emergency basis. I suspect, in fact,
15 because the enrollment forms had already put in
16 the mail and received by parents, but in both
17 cases, they were voted on.

18 The emergency rulemaking allows us to
19 vote on something that isn't put up for 30 days of
20 public comment. So as the Superintendent's
21 Diploma is kind of neither fish nor fowl, it's a
22 new idea. So I think it would be -- we would be

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

39

1 well-advised to consider it as a vote option
2 rather than as something that is done behind the
3 screen. So that is just my main thing.

4 Secondly, we heard a lot of very
5 powerful and persuasive testimony tonight about
6 the need for GED equivalent test passers. Very
7 few, of whom, apparently, in Maryland, Virginia or
8 anyplace who passes the test, to have an
9 equivalency, have a diploma. And that really
10 does, I think, demand larger conversation.

11 There isn't a single state that I was
12 able to discover that issues a traditional high
13 school diploma unless it's the School for the
14 Blind that is run by the state, unless it is, you
15 know, the reform school that's run by the state.

16 In Maryland, the high school diploma is
17 not issued by the State Superintendent, it's
18 issued by the Department of Labor. In
19 Pennsylvania, you have to show that you've got at
20 least a semester of successfully completed
21 community college or post-secondary work. It's
22 only for adults. If it's for someone between the

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

40

1 ages of 16 and 18, there are all these caveats,
2 which are not meant to be speed bumps, but they're
3 meant to be the equivalent of high school diploma
4 for people and that we don't have a trap door
5 where, as it seems now, a charter school, like in
6 California, when your mortgage is underwater, you
7 could drop the key in the mail. So if you can drop
8 out of school and still get a Superintendent's
9 Diploma, are there consequences of increasing the
10 dropout rate or increasing the temptation to drop
11 out?

12 So I think these demand fuller
13 discussion and who do we need, you know, what is
14 the cut score for the GED? It is a test beyond
15 the GED? So I really think, like my colleague from
16 Ward 3 said, and as many members have said before
17 this, is something that deserves to be taken up.
18 But I think one of my biggest concerns is that
19 we're creating a new instrument, the
20 Superintendent's Diploma that doesn't exist. Why
21 is that the only answer?

22 Why not the Mayor's Diploma?

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

41

1 Why not the Board of Regions Diploma? I
2 mean, I just didn't hear any other options.

3 Were there other options considered and
4 discarded?

5 DR. MITCHELL: Well, I think the
6 important item is that the students who pass the
7 GED or the NEDP get a diploma. And what we call
8 it, a Superintendent's Diploma, the Mayor's
9 Diploma, Department of Labor Diploma, that piece,
10 I think, is less important.

11 I think that OSSE, and I believe that
12 the people who presented would be more than
13 willing to engage in a really important discussion
14 because the details are incredibly important and
15 we want to get them right. So the discussion that
16 you want is one that I think that everybody would
17 benefit from, including the students. And
18 clearly, the proposal that was put forth last year
19 was for students that are beyond the compulsory
20 age of education. But things like that I think
21 are important to talk and hash out, and I know
22 that I, for one, would be happy to do that.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

42

1 MS. LORD: And then if I could just
2 clarify, we have 35 or so graduating high school
3 seniors from Hospitality High. The charter was
4 relinquished last April and I guess it expired
5 sometime this year.

6 So students are sort of in limbo, but in
7 the interim, hasn't OSSE assigned a management
8 agency to kind of do the day-to-day and wouldn't
9 that entity be able to sign the diploma? I'm sort
10 of struggling to figure out why there is a problem
11 that the state has to intervene.

12 DR. MITCHELL: Right. Hospitality High
13 was an anomaly, in that generally, when a charter
14 is closed, the charter is not relinquished until
15 after the class graduates that June. In
16 Hospitality High's instance, the charter was
17 released, as you indicated, in April. So the
18 individuals who were running the school really
19 thought that the school would close, but another
20 year was granted, though, which is how OSSE became
21 involved.

22 And yes, OSSE has engaged with a

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

43

1 foundation to run Hospitality High. There is a
2 principal in place, as well as other
3 administrators, however, they do not --

4 MR. JACOBSON: I'd ask the witness to
5 wrap up.

6 DR. MITCHELL: -- they're not an LEA.
7 They not an LEA and they're not DCPS, so they
8 don't have the authority to sign a diploma.

9 MR. JACOBSON: Thank you.

10 MR. JONES: Point of order, Mr.
11 President.

12 MR. JACOBSON: Mr. Jones.

13 MR. JONES: I do have another question,
14 but point of order is just to note to this Board
15 that the State of Maryland actually does issue a
16 diploma at the aggregating program. Those
17 students passed the GED, but they receive a
18 Maryland State Diploma. So I just think that we
19 should be clear about that. That doesn't mean I
20 support the proposal, but I just want to make note
21 that Aberdeen does convey high school diplomas in
22 the State of Maryland.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

44

1 MR. JACOBSON: Thank you for that
2 clarification. And certainly, this Board had more
3 research to do all the way around on this.

4 Ms. Anderson, are you prepared or should
5 we go to Ms. Williams?

6 MS. ANDERSON: I think that in much of
7 our discussion about the case of Hospitality High,
8 I think we were moved by the arguments to make
9 those students whole by granting OSSE the
10 authority to issue diplomas for those students.
11 But in addressing that effort, you know, we find
12 ourselves in much larger discussions to cover the
13 broader issue about whether or not other
14 classifications of students should be able to
15 receive a diploma from the state, the students who
16 pass the GED, NEDP. I think we've even talked
17 about home-schooled students, et cetera.

18 I guess my question is, well, first of
19 all, I think I do agree that we should separate
20 the two issues because one is, again, kind of an
21 emergency situation and the other one is something
22 that requires, I guess, a much deeper engagement

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

45

1 between ourselves and the Board and OSSE and other
2 stakeholders. I guess, perhaps, there are some
3 other solutions. Because we're in this situation,
4 we really haven't allowed ourselves enough time to
5 really exhaust all the possibilities.

6 We have four options presented to us and
7 I guess, I'm just saying that within the short
8 period of time that we have been kind of weeding
9 through this -- I don't if we have really opened
10 the doors to really get the full discussion and
11 that's why I think that, you know, some of us -- I
12 mean, I don't want to paint us into a corner, but
13 we're kind of being painted in the corner. I
14 really would like to be able to, at some point, to
15 go -- well, first, to address this issue, this
16 specific circumstance and I do like the idea of a
17 short-term solution to, and the most narrow as
18 possible solution to it.

19 I'm just wondering, you know, as we go
20 forward and we try to look at other solutions and
21 other possible options that we can have, are we
22 really going to have the time to do that? And I

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

46

1 hope that we will take the time to do that, I
2 guess that's what I'm trying to say, and that we
3 will really be able to engage more stakeholders in
4 that discussion because, again, we're are often
5 presented to work with these emergency
6 legislations -- not legislation, but these
7 emergency rulings, but again, we end up opening up
8 a can of worms in a way.

9 Not to say there are worms in that
10 sense, but I mean, again, we open up, again, much
11 larger issues. And then I just don't know if we
12 really give ourselves or if we really -- and I
13 hope that we would take the time to really exhaust
14 all the possibilities for addressing how to deal
15 with students who take the GED and other kinds of
16 equivalencies so that we could give them the
17 opportunity to make them whole. And I really want
18 us, as a Board, to not cut off the discussion at
19 this point, this Hospitality High and OSSE to be
20 engaged with us to try and find the solutions and
21 find something that is more amenable to the State
22 Board.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

47

1 I guess my question is, is there
2 something else, perhaps, are there other avenues
3 or have we exhausted, as a Board, our thinking
4 about this? Or do these four options, I guess,
5 kind of, the best we can do in the time we've had
6 to look at this?

7 DR. MITCHELL: Well, we certainly, in
8 the year that OSSE has been working with
9 Hospitality High, this is not an issue that just
10 popped us on us. We've been thinking this through
11 and trying to come up with other options, and
12 constantly, this is the one that we come back to.
13 We just could not think of a different option,
14 other than the students have to get a diploma.
15 Someone has to give that diploma.

16 We have the requirements for graduation
17 that this Board has passed, as well as the
18 requirements at Hospitality High. And so this
19 option makes sense. It's the best one that we
20 could come up with.

21 MS. ANDERSON: And when you decided upon
22 these options, were you thinking narrow or were

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

48

1 you trying to think broadly with the options?

2 DR. MITCHELL: I think we were thinking
3 broadly. We really did search hard for other
4 solutions and could not find any.

5 MS. ANDERSON: Okay. Thank you.

6 MR. JACOBSON: Ms. Williams?

7 MS. WILLIAMS: As I sit here and listen
8 to the debate, I see we have two separate issues,
9 the issue of Hospitality High and then the broader
10 issue of the State Superintendent's Diploma. And
11 the four options given to us by OSSE are very
12 specific. I was wondering if we could, maybe,
13 compromise a little and say that the Board takes a
14 vote tonight that we do an emergency or a short-
15 term solution by voting to give the diplomas to
16 the people at Hospitality High and then we address
17 the larger issues of the DED and the other thing,
18 which means that you would have to put it for
19 public comment. It would alleviate some of the
20 other problems and also of you having to go where
21 we have to go to get emergency legislation. I'm
22 just throwing it out there as a proposal.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

49

1 MR. JACOBSON: And maybe that's a
2 question our attorney could answer, perhaps. Is
3 there anything before the Board on which we can
4 vote this evening?

5 MS. WILLIAMS: Well, I think she
6 answered that question because I asked it earlier,
7 but the things that are for us to vote on are the
8 four proposals. So I'm changing, I'm asking if we
9 could work together to maybe reword one of those
10 proposals and go ahead and take a vote tonight?
11 But that would have to be --

12 MR. JACOBSON: We're going to pause the
13 clock for a second. Thank you. Staff is already
14 way ahead of me, as usual.

15 (Whereupon, School Board Members and
16 the attorney advisor confer.)

17 MR. JACOBSON: I've got some advice, but
18 I'm going to let OSSE speak first.

19 MS. KANG: So I think the language that
20 we brought to the last working session is what we
21 would present in the form of an emergency rule.
22 And so Christina Setlow is prepared to read that

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

50

1 forward if that is what the Board would like.

2 MR. JACOBSON: And then the advice that
3 I got from our attorney advisor, Ms. Davis, is
4 that the Board, theoretically, could approve a
5 Resolution of approval this evening, but since
6 nothing is before OSSE, we would be approving
7 language that we hadn't seen yet.

8 My recommendation would be to just slow
9 it down for a week or two and let OSSE do their
10 work and bring to us actual language in an
11 emergency manner on which we could vote. At the
12 same time, we could continue our internal dialogue
13 and our public dialogue regarding whether or not a
14 permanent proposal would move forward. That would
15 be my suggestion.

16 MS. WILLIAMS: Well, I understand it has
17 to be written. We have nothing to actually vote
18 on tonight, but I'm just saying, can't we agree to
19 vote on something or we get near that --

20 MR. RAUCH: Karen, use the mic.

21 MS. WILLIAMS: I'm sorry. I realize
22 that you have to have the actual wording, but I

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

51

1 still think we're all basically on the same page
2 in that we want to solve this problem now, the
3 easiest way possible or the quickest way possible
4 and then we can look at the other options and the
5 other things after we finish with this one. And
6 if the problem is just the wording, then can we
7 change the wording?

8 Thank you.

9 MR. JACOBSON: Thank you. Ms. Jolly had
10 a question. And then I'll have a couple and then
11 we can go to Round 2. Five minutes for Ms. Jolly.

12 MS. JOLLY: I actually have several
13 comments. As a teacher, I'm accustomed to putting
14 the needs of my students front and center, at the
15 core of my professional duties every day. And
16 perhaps, it's because of that I'm a little
17 disappointed that a lot of the conversation about
18 granting diplomas to students centers around who
19 is the person that would do it.

20 Frankly, I'm concerned about putting the
21 needs of these approximately 35 students first and
22 making sure that they get the diploma that they've

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

52

1 worked hard for. I am happy to do both for any
2 initiative whenever it is presented to me that we
3 will do that for students. I don't care who signs
4 it. I don't care what mechanism, but it needs to
5 be put in place to get that in front of us. I
6 just would like to do that as quickly as possible.

7 In a separate issue, I'm also concerned
8 that that has been the tone of the conversation
9 surrounding a state diploma for GED recipients.
10 There are, and I have the research myself, it's
11 been reported frequently in newspapers and in
12 education journals around the country. There are
13 13 states that currently do this. Thirteen states
14 in our country grant state diplomas to students
15 who pass the GED test.

16 Looking at the data for the District of
17 Columbia, only 258 of the 120,000 students who
18 pass the GED in 2013, were from the District of
19 Columbia. That same year, we had 3,027 four-year
20 graduates from high school. So we're talking
21 about 258 to 3,027.

22 When we're talking about issuing a state

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

53

1 diploma for people who pass the GED, we're talking
2 about a relatively small pool of students for whom
3 this relatively small rule can do a
4 disproportionate amount of good because when we
5 also look at the data surrounding GED recipients,
6 they are significantly less likely to be employed
7 in professional, technical or managerial positions
8 than there appears with traditional high school
9 diplomas and they have higher rates of
10 unemployment than individuals who have a
11 traditional, or respectable high school diploma.
12 We're not asking -- like, the people who are
13 asking for this are not asking for standards to be
14 watered down for children. They're not asking for
15 the quality of the credential to be watered down;
16 they're simply asking that for, typically, adults
17 who take this exam that it is based on the same
18 exact now Common Core Standards that the test that
19 our traditional high school students are taking be
20 granted, a diploma that looks the same.
21 I don't think that this is
22 revolutionary. Perhaps, only 13 states have done

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

54

1 it previously, but I think that when we put
2 students and the needs of students first that it
3 becomes crystal clear that this is something that
4 we, as a Board, should do, especially given the
5 fact that budget cuts are currently making it
6 difficult, if not, impossible for schools like
7 Ballou to stay, to provide education and GED
8 support services for adult learners above the age
9 of 25. So at the same time that budgets are being
10 cut that allows the students who need this
11 credential to be able to better support their
12 families, we are talking about not doing it
13 because we're concerned about who might sign it?
14 Or because it might somehow water down the value
15 of someone else's diploma? I find that
16 preposterous and frankly, I think that it's really
17 disrespectful to the people whose lives will be
18 tremendously and positively impacted. That's' it.

19 MR. JACOBSON: All right. Five minutes
20 for me, and then we'll do a second round and
21 hopefully, they will be three-minute questions. So
22 write them down and get ready.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

55

1 I want to make sure that the record
2 reflects that the State Board has received letters
3 of support from Jacque Hayden, principal of
4 Hospitality High School and Michael -- I'm going
5 to mispronounce his name, Cucciardo, executive
6 director at the Washington Hospitality Foundation
7 in support of an initiative to ensure that the
8 graduates of Hospitality High receive diplomas on
9 June 12th.

10 And regarding who issues the diploma, as
11 other states do other things, I very much prefer
12 my education agency to issue diploma, rather than
13 an agency like the Department of Labor or the
14 Department of Health, or the Department of the
15 Environment that doesn't deal with education day
16 and day out to be the one that issues the diplomas
17 to students. If the LEA can't -- there isn't an
18 LEA in the event of a home-schooler, for instance.

19 I was elected to solve problems. This
20 is a problem that I want to help solve, working
21 with our partners at OSSE, to ensure that these
22 students at Hospitality High receive their

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

56

1 diplomas on June 12th. It sounds like an
2 emergency regulation is probably the best way to
3 go for the will of the Board, but this is not
4 something that I'm going to drop, as a larger
5 issue of the authority of this state to issue
6 diplomas.

7 With that, I'm going to conclude my
8 remarks. I don't have any questions at this time,
9 but I will, on the second round. You have three
10 minutes, Mr. Jones from Ward 5.

11 MR. JONES: Thank you, Mr. President. I
12 have a question for the panel and the
13 superintendent if she so pleases. Are any of you
14 all familiar with the Challenge Program that is
15 run by the National Guard?

16 DR. MITCHELL: Right. I am. I believe
17 that our GED program works closely with them.

18 MR. JONES: Why is it that you all have
19 not responded to them of the same request that has
20 been for years, requesting that they issue a high
21 school diploma for their GED graduates?

22 DR. MITCHELL: Well, that request has

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

57

1 not been made -- well, known to me. I have not
2 really known about that request, but should that
3 request be made known to me, I think it would
4 nicely fold into the conversation that we're
5 having. I just haven't had direct access to that
6 request.

7 MR. JONES: Well, General Schwartz would
8 probably differ. Maybe not to you, personally,
9 but certainly to OSSE and DCPS.

10 DR. MITCHELL: And is that program in
11 D.C. --

12 MR. JONES: No. It is a D.C.-based
13 program --

14 DR. MITCHELL: -- or do they have D.C.
15 students in Maryland?

16 MR. JONES: -- but the property is
17 located in Laurel, Maryland. This issue has been
18 on the forefront for years and I've been involved
19 in this issue. Certainly, we have an emergency. I
20 have a couple of issues. 1) We should resolve
21 this emergency.

22 I believe in doing what's right for

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

58

1 students for the emergency, but I also believe in
2 process and I believe in planning. And I think we
3 should not, just as we should take care of our
4 students, process is important. Planning is
5 important. And I would be careless and I think
6 this Board would be careless to suggest that it
7 isn't. Let's take care of our students, but
8 process and planning is important.

9 I'm surprised that you all have not
10 moved this forward earlier. That's disappointing.
11 All of us has got to do better in this city. This
12 should've been brought to us much earlier. When
13 OSSE took over, you all knew was going to be an
14 issue. That's when it should've been presented.
15 And lastly, I don't necessarily agree with you on
16 whether you need our support for the rulemaking. I
17 do not agree with that.

18 You have your attorney opinion, we have
19 our attorney opinion. Did you get an opinion from
20 the Attorney General?

21 MS. KANG: We have not been in touch
22 with the OAG. That is something that we can do.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

59

1 I would like to say that this was brought forth to
2 the Board back in December, through the overall
3 bigger discussion about competency-based learning
4 and the state diploma for the students in a state-
5 managed school were included in the state diploma.
6 And so it was included in what we put before the
7 Board in December, but when it was voted to table,
8 that issue also got tabled. And so we are
9 bringing this back separately because this issue
10 continues. And since it was tabled by the Board
11 in December, it could not be solved at that point.

12 MR. JACOBSON: Time is up.

13 MR. JONES: Thank you, Mr. President.

14 MR. JACOBSON: Thank you so much, Mr.
15 Jones. I believe Ms. Lord has a question. Does
16 anyone else, just for planning?

17 Thank you. Ms. Lord, you have three
18 minutes.

19 MS. LORD: Thank you. I'd just like to
20 know if there is anything else you need to
21 consider. This was a one-all situation, but as
22 far as I know, there's nothing in the rules that

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

60

1 prevents another charter from relinquishing its
2 charter. I feel like the Public Charter School
3 Board was enormously irresponsible letting a
4 school operate without a charter. Banks can't do
5 it. I'm just a little concerned.

6 I mean, I totally agree with my
7 colleague from Ward 8, this is about kids and
8 about opportunities and it's a broader discussion.
9 I don't know why we don't talk about badges,
10 certificates, diplomas of distinction. All of
11 those were up for discussion when the Board was
12 undertaking its graduation requirements revision
13 and review. But my biggest concern right now is
14 that we don't lock the barn door after the horse
15 has gotten out.

16 DR. MITCHELL: So I am unaware of any
17 pending issues that would be pertinent in this
18 situation. I don't know that the Charter Board --
19 I don't if there are any policies in place right
20 now or being proposed to the Charter Board that
21 would change and prohibit something like this from
22 happening again. I just don't know.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

61

1 MS. LORD: Is there something that we
2 can write into the policy that would say hey, this
3 is it, no more? You know, you can't allow this
4 anymore?

5 MS. KANG: So I think that would
6 actually have to be legislative action that would
7 have to be taken by the Council, partly the
8 authority that dealt with the relinquishment of
9 the charter comes from laws that were written into
10 the legislation, it's not a regulatory fix. So I
11 believe that would have to go before the Council
12 for them to make a legislative change when it
13 comes to relinquishment of the charters because
14 it's a statutorily-based issue.

15 MS. LORD: Well, the other reason -- I
16 would like to just put on the record that the
17 reason the discussion was tabled at the end of
18 last year is because, again, to speak to process.
19 A whole lot of things were brought to the Board at
20 a public meeting in mid-November, and a 30-day
21 public comment period would've had to happen and
22 we would've, essentially, ignore the law.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

62

1 So it wasn't that we didn't think it was
2 a good idea, we just didn't have enough time to
3 properly consider and discuss it. So I'm glad
4 we're resuming that, but I also think that we
5 would be very short-sided to continue to allow
6 this loophole to exist.

7 MR. JACOBSON: Thank you. Ms.
8 Wattenberg.

9 MS. WATTENBERG: I have a question and
10 then I have a request for some advice about, at
11 least how I would like to proceed. And other may
12 or may not choose to proceed in the same way, but
13 my question is I'm just trying to understand, in
14 order to have sort of a focused, systematic and
15 timely conversation on this broader set of issues,
16 I would like to understand the various categories
17 for which there may be a need for an OSSE diploma.

18 I know there are some people who come
19 from schools where the Charter Board has
20 relinquished them, so that's a category or
21 whatever. The category of people who are getting
22 GEDs, can they get the Superintendent's Diploma?

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

63

1 What are the other categories in that list?

2 DR. MITCHELL: Two other categories that
3 come to mind most immediately are individuals who
4 receive the NEDP, the National Education Develop
5 Program, who receive that credential and then
6 there are home-schoolers, who also don't receive a
7 diploma at this point. We open up the discussion
8 and I think that there may be another group of
9 special ed students that could be in the mix, but
10 I'm not as certain about that last category as I
11 am the NEDP and the home-schoolers. Those are the
12 categories that we put forward in November.

13 MS. WATTENBERG: So I would like to make
14 a proposal, but it's not technical. I need
15 somebody else to help me figure out how to move it
16 forward. So one piece is -- there's a clear
17 sentiment that everybody wants to make sure the
18 students from Hospitality High get their diplomas
19 and get them on time. Period. So that's number
20 one.

21 Related to that, I think there is also a
22 desire of people on the Board to vote in favor of

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

64

1 that, ideally. So my first question is sort of a
2 process, parliamentary, question, which is can we
3 do both of those? In other words, if it's an
4 emergency rule that gets done now and it ensures
5 that the Hospitality High students graduate, does
6 that preclude us -- from your attorney's point of
7 view, does that preclude us from having a vote or
8 no? Am I losing you?

9 MS. KANG: I think I'm a little confused
10 by what you're trying to say.

11 MS. WATTENBERG: I'm probably very
12 confused. So look, I want to have us support --
13 do what's necessary to make sure that students
14 from Hospitality High get their diploma from OSSE.
15 If possible, I want this Board to vote on
16 something that says that. So that's Part 1, so I
17 need counsel on that.

18 Now, Part 2 is I would like to propose
19 that we set up a process, and if we could do it
20 here and now, let's do it here and now. If we
21 have to do it at our next working meeting, let's
22 promise to do it at the next working meeting,

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

65

1 which is to take the steps necessary so that in
2 June, let's say, we can take up the simpler of
3 these issues, which I think is what should happen
4 to students whose -- go to schools whose charters
5 were relinquished, try to fix it.

6 And then in July, take up, perhaps, the
7 issue about the GED. If we could feel that we
8 could do the due diligence to do that research
9 that quickly and having the witnesses we want or
10 we might have to wait until August or September;
11 although, I believe, that would still assure that
12 everything would be in --

13 MR. JACOBSON: Your time has expired by
14 a minute.

15 MS. WATTENBERG: That's my goal.

16 MR. JACOBSON: Okay. Thank you. I
17 think we can work as a Board to accommodate those
18 things with our partners at OSSE and I think Board
19 leadership is committed to doing so.

20 I think Ms. Anderson had a question, so
21 three minutes for Ms. Anderson.

22 MS. ANDERSON: I have two kind of

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

66

1 elementary question. My daughter always says,
2 "Some things are very elementary," when she refers
3 to very simple questions. If the Hospitality High
4 was a chartered entity -- I'm trying to figure out
5 how to ask this politely -- why can' the Public
6 Charter School Board take up the matter of issuing
7 the diplomas of those students?

8 DR. MITCHELL: So it is my understanding
9 that when the charter was relinquished, the Public
10 Charter School Board's involvement with the school
11 pretty much ended. They don't feel obligated.
12 They don't feel that it is in their purview
13 anymore to issue a diploma because the school is
14 no longer a charter.

15 MS. ANDERSON: But the school was a
16 charter?

17 DR. MITCHELL: That's correct.

18 MS. ANDERSON: And my other question to
19 this, why is OSSE compelled to pick up that duty?
20 Is there something legally -- I mean, OSSE is
21 saying that it is their legal obligation is to
22 mend that schools and take care of all their

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

67

1 functions thereafter, but is there something that
2 allows the Public Charter School Board to
3 basically wash their hands of this school and put
4 it in OSSE's hands?

5 MS. KANG: So what happened is after the
6 charter was relinquished, the mayor decided to
7 take over the school, Former Mayor Gray. And when
8 he did that through a mayoral order on August 12th
9 of 2014, he indicated that OSSE was to take over
10 control of the school under his mayoral order,
11 using his mayoral delegation authority, and
12 essentially, made Hospitality High a state-run for
13 the year.

14 The plan from here on out is that DCPS
15 will take over management of Hospitality High next
16 year. So this is just a one-year when OSSE has
17 been overseeing the school. It was basically a
18 transition to allow the students to continue. I
19 think part of it was timing and that my
20 understanding is the District of Columbia Public
21 Schools were not in the position, just yet, to
22 take over the school, given the timing. So when

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

68

1 the mayor took over the school, he issued the
2 order to give the school to OSSE for a year to
3 oversee.

4 MS. ANDERSON: So let me understand --

5 DR. MITCHELL: Take over, meaning that
6 many of the students will be attending DCPS
7 schools. The management of Hospitality High as an
8 entity will disappear.

9 MS. ANDERSON: But that was a mayoral
10 order that has a time -- it allows OSSE to take
11 this entity over for a period of one year?

12 DR. MITCHELL: Uh-huh.

13 MS. ANDERSON: And then after, it goes
14 back to DCPS, I guess. So basically, that doesn't
15 prevent, as we've talked in other instances,
16 another school to have that same -- the same kind
17 of situation is can pop up again, and again, and
18 again, and again. So each time we'll be asked to
19 do some kind of emergency ruling?

20 MR. JACOBSON: We'll have the witnesses
21 respond and then the general lady's time is
22 expired.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

69

1 MS. ANDERSON: Thank you.

2 DR. MITCHELL: Generally, when a charter
3 is released -- I'm sorry. When a charter school
4 is closed, the charter is not relinquished until
5 after the graduating class finishes and the
6 diploma is issued. Hospitality High was an
7 exception.

8 MR. JACOBSON: Thank you. I think
9 everyone who has wanted a second round has
10 received one. With that, I will thank our friends
11 from OSSE for their time. We're going to be
12 asking for additional information.

13 Primarily, we're going to be working
14 with you and our attorney advisor to review, I
15 believe, an emergency ruling and we will also be
16 discussing whether or not that emergency ruling
17 will come before this Board for consideration.
18 Certainly, our preference is that it does, and we
19 will work with you all on the details of that,
20 moving forward.

21 So I will now release the witnesses and
22 will entertain a motion to amend our agenda.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

70

1 Tonight is a special night. Probably a celebrated
2 night, in his view. Our executive director, Mr.
3 Jesse Rauch has tendered his resignation, and this
4 is his last official meeting with us.

5 We are excited at the opportunity that
6 he has been presented. We will miss his
7 friendship and his counsel and guidance as the
8 executive director of this body. I believe we
9 have a Ceremonial Resolution honoring him if we
10 get a motion and a second to amend the agenda to
11 allow consideration.

12 MS. WILLIAMS: So moved.

13 MS. WATTENBERG: Second.

14 CEREMONIAL RESOLUTION FOR
15 EXECUTIVE DIRECTOR JESSE B. RAUCH

16 MR. JACOBSON: Wonderful. The
17 Resolution, I will read it into the record. I'm
18 not allowed to move the Resolution, so after it's
19 read, someone else can move the Resolution.

20 Ceremonial Resolution honoring departing
21 Executive Director, Jesse B. Rauch,
22 WHEREAS, the District of Columbia State Board of

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

71

1 Education recognizes Jesse B. Rauch for his
2 dedicated service as executive director;
3 WHEREAS, Mr. Rauch, a third grade teacher in the
4 District of Columbia Public Schools has almost a
5 decade of experience working in the education
6 policy, including the American Federation of
7 Teachers and former District of Columbia Board of
8 Education before serving as senior legislative
9 analyst for then Committee Chairman of the
10 Council, Vincent C. Gray;
11 WHEREAS, in November 2012, Mr. Rauch accepted the
12 position of executive director and served under
13 the leaderships of Presidents Laura Slover, Mark
14 Jones, and Jack Jacobson;
15 WHEREAS, after the State Board gained autonomy
16 from the Office of State Superintendent of
17 Education, Mr. Rauch ensured Board Members would
18 be supported by policy and the legal expertise
19 necessary to carry out the functions of an
20 independent entity;
21 WHEREAS, during Mr. Rauch's tenure as executive
22 director, he conceived then spear-headed the

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

72

1 development of the policy unit, including
2 establishment of the position and policy fellow to
3 strengthen the State Board's policy and research
4 capacity;

5 WHEREAS, Mr. Rauch strengthened the State Board's
6 position in reviewing policy, greatly benefitting
7 students, families, and communities;

8 WHEREAS, Mr. Rauch demonstrated
9 leadership by creating a process for the Board to
10 review it and ultimately, hire candidates for the
11 vital positions of ombudsman for public education
12 and the chief student advocate;

13 WHEREAS, Mr. Rauch demonstrated
14 policy leadership and support in such areas as the
15 State Board's review of the Elementary and
16 Secondary Education Act Accountability Waiver,
17 issues involving truancy and student engagement,
18 and the creation of a process for the review of a
19 statewide health and physical education standards;

20 WHEREAS, Mr. Rauch demonstrated initiative and
21 successfully attaining stipends from the National
22 Association of State Boards of Education that

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

73

1 strengthened the State Board's policy leadership
2 and ability to deliver on its vision and mission
3 to prepare all students for success in college
4 careers and civic life;

5 WHEREAS, Mr. Rauch has resigned as executive
6 director of the State Board, effective April 17,
7 2015.

8 BE IT RESOLVED that on April 15th of
9 2015, the District of Columbia State Board of
10 Education honors Mr. Jesse B. Rauch for his
11 outstanding service to the students and residents
12 of the District of Columbia.

13 MR. JONES: Mr. President?

14 MR. JACOBSON: Mr. Jones?

15 MR. JONES: I move that we adopt the
16 Resolution for Mr. Rauch.

17 MR. JACOBSON: Is there a second?

18 MS. WILLIAMS: Second.

19 MR. JACOBSON: Is there discussion among
20 Board members? This is your opportunity to pile
21 on praise to Mr. Rauch before he goes.

22 Yes, Ms. Williams.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

74

1 MS. WILLIAMS: I'd just like to say
2 Jesse was hired maybe three or four months before
3 Jack and I were elected to the Board and has been
4 very instrumental in helping us to through this
5 transition, figuring out our places, what we do as
6 a Board. And personally, I would like to thank
7 him for always being there when I had a question
8 or a problem, or lost my pass, or couldn't get
9 onto my government email or whatever the issue
10 was. Thank you, Jesse, for your service.

11 MR. JACOBSON: Ms. Wattenberg and then
12 Ms. Anderson.

13 MS. WATTENBERG: Thanks, Jesse, so much.
14 I was just elected and as Karen said, you've been
15 so helpful, and as you say, onboarding us and
16 helping us get acclimated and bring us to speed,
17 and learning the policy and process of all this.

18 Obviously, I have not been a great
19 student or I would have done better this evening
20 with my proposals, but really, it's been great to
21 work with you and I wish you so much luck.

22 MR. JACOBSON: Ms. Anderson.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

75

1 MS. ANDERSON: Yes. I would also like
2 to wish you all the best in your next position,
3 Jesse. When I first heard that you were leaving,
4 I guess I was shocked. I'm going to miss you
5 because I think you really have done an excellent
6 job, in terms of bringing some order and
7 stability, and again, some process to the office,
8 in terms of a hierarchy of command, in terms of
9 being able to organize and corral, I guess, this
10 herd of cats that we can sometimes be, as well as
11 bring in -- I really appreciate the way that you
12 brought the interns into the office and channeled
13 their energies and their interest on behalf of the
14 Board.

15 I really do think that you are an
16 exceptional public servant and I, for one, am
17 going to miss you. I hope at some point we'll see
18 you in a karaoke bar somewhere, and I can really
19 rate your skills in that regard. But I do
20 definitely want to say that I will -- I have
21 appreciated your service and I will miss. Thank
22 you for your service.

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

76

1 MR. JACOBSON: Ms. Lord.

2 MS. LORD: Thank you. Well, as somebody
3 who has known Jesse, probably longer than anybody
4 on this Board, it goes back to the old School
5 Board days. I have to say I have appreciated all
6 of your advice over the years, even before you
7 were in this vaulted position, from just
8 introducing me to the person who would be the
9 first State Superintendent, to getting the State
10 Board of Education's website back up and
11 functioning and the behind the scene things.

12 We really had very little, in terms of
13 internal processes when you came aboard, and I'm
14 pleased as hell to say that -- excuse me --
15 pleased as heck to say that we function much
16 better as a Board because of the work that you and
17 the staff did.

18 Policy fellows have provided us with
19 research that is not only incredibly insightful,
20 but also incredibly useful, such as how many
21 people and programs are operating in our schools
22 that has something to do with parent involvement

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

77

1 and parent engagement or family school
2 relationships. That's a huge plus not only the
3 Board and the Board leadership, but that's a huge
4 plus for every student and every community.

5 So I'm not only going to miss you, I am
6 going to sort of keep you on speed dial every time
7 I can't operate these new and improved
8 documentation systems. And as Kamili said, I
9 guess we'll have to go into the karaoke bars and
10 spot you out. Congratulations and good luck on
11 your next step.

12 MR. JACOBSON: Thank you, Ms. Lord. Ms.
13 Jolly, do you have any comments? I know you need
14 to get out of here.

15 MS. JOLLY: No.

16 MR. JACOBSON: Ms. Wilson-Phelan?

17 MS. WILSON-PHELAN: I just want to echo
18 the gratitude of my colleagues, as also a fellow
19 newbie, you've answered any question high and low,
20 so thank you for that. And I also want to
21 recognize and appreciate that you've been plugging
22 along until the very end. It's really easy, once

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

78

1 you know you're leaving somewhere, to just sort of
2 going into senior slide mode, but you just
3 launched an electronic way for us to have our
4 meetings up and our materials collected, which I
5 think is going to be a huge service. So thanks
6 for plugging through to the end and good luck.

7 MR. JACOBSON: Mr. Jones.

8 MS. ASFAHA: I would like --

9 MR. JACOBSON: And then Ms. Asfaha.

10 MR. JONES: Thank you, Mr. President.

11 I'll be brief. I want to congratulate Jesse on
12 your next step in life. When I first heard, I
13 called Jesse and my first question to Jesse was,
14 "Is this your dream job that you're going to?" And
15 he said, "Not exactly, but it's something that I
16 believe I need to do and I'm committed to doing to
17 improve the lives of women." And I support that.

18 I was this close to asking him to
19 reconsider. Jesse will probably be the first to
20 tell you, Jesse and I pushed each other, but I
21 think both of us learned a great deal about one
22 another in that pushing and I want to say I

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

79

1 appreciate your creativity and hard work. God
2 bless you and keep pushing.

3 MR. JACOBSON: Ms. Asfaha.

4 MS. ASFAHA: Okay. I just wanted to
5 acknowledge how helpful Mr. Rauch has been with
6 the Student Advisory Committee in getting that up
7 and running. And I know that with all the time
8 you've invested to it, I'm sure that it will be a
9 great success. Young man, thank you.

10 MR. JACOBSON: As usual, our student
11 representatives say things the best. I will be
12 incredibly brief to say that I will miss your
13 counsel, your guidance, your sense of humor, and
14 your friendship. Actually, I'm not going to lose
15 your friendship because we will continue to be
16 friends even after you've gone.

17 With that, I'm going to call the
18 question and then ask if we could get a quick
19 photo with you if the Resolution passes. So on
20 the motion of the Ceremonial Resolution honoring
21 Jesse Rauch, all those in favor, please signify by
22 saying "aye."

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

80

1 (Board members collectively respond
2 "aye.)

3 MR. JACOBSON: Any opposed?

4 (No response.)

5 MR. JACOBSON: Any abstentions?

6 (No response.)

7 It's unanimous. Congratulations, Jesse.

8 MS. WILSON-PHELAN: Can I make a motion
9 to adjourn before we take the photo?

10 MR. JACOBSON: Certainly.

11 ADJOURNMENT

12 MS. WILSON-PHELAN: Motion to adjourn.

13 MS. JOLLY: Second.

14 MR. JACOBSON: Without objection.

15 MS. WILLIAMS: All in favor? You've got
16 to call it Jack.

17 MR. JACOBSON: Without objection.

18 (Whereupon, at 6:54 p.m., the
19 Public Meeting was adjourned.)

20 * * * * *

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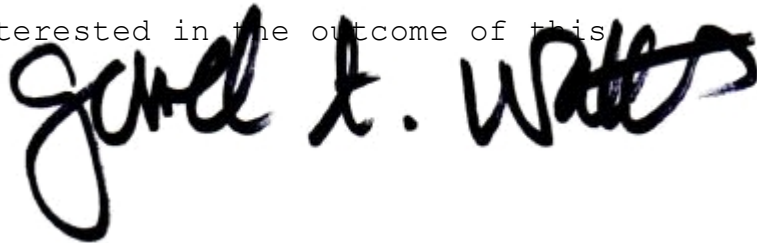
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Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

81

1 CERTIFICATE OF NOTARY PUBLIC

2 I, GERVEL A. WATTS, the officer before whom the
3 foregoing meeting was taken, do hereby certify
4 that the testimony that appears in the foregoing
5 pages was recorded by me and thereafter reduced to
6 typewriting under my direction; that said meeting
7 is a true record of the proceedings; that I am
8 neither counsel for, related to, nor employed by
9 any of the parties to the action in which this
10 meeting was taken; and further, that I am not a
11 relative or employee of any counsel or attorney
12 employed by the parties hereto, nor financially or
13 otherwise interested in the outcome of this
14 action.



15
16

GERVEL A. WATTS
Notary Public in and for the
District of Columbia

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21 My Commission expires: February 14, 2019
22

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p><u>1</u> 1 2:6 8:1,9 57:20 64:16 11th 26:4,18 120 29:10,13 30:14 33:1,5,7 120,000 52:17 12th 31:21 32:7 55:9 56:1 67:8 13 52:13 53:22 13/'14 22:6 130 18:19 14 81:21 15 1:6 4:7,21 15th 73:8 16 7:6 20:16 40:1 17 73:6 17th 31:18 18 22:7 40:1 19 20:16</p> <hr/> <p>2 2 8:22 51:11 64:18 20 4:14 2012 71:11 2013 20:18 52:18 2014 17:1 28:1 67:9 2015 1:6 4:7,14,21 7:6,22 8:1,9 73:7,9 2019 81:21 20th 21:15 30:4 24-year-olds 22:7 25 54:9</p>	<p>258 52:17,21 26 7:22 27th 31:2 29 23:3</p> <hr/> <p>3 3 2:7 40:16 3,027 52:19,21 30 15:19 22:6 23:3 38:19 30-day 30:19,22 61:20 30-public 30:2 34.2 20:16 35 42:2 51:21 35,000 21:16 35-some 19:10</p> <hr/> <p>4 4 2:8 4:00 26:5,19 441 1:10 4:10</p> <hr/> <p>5 5 2:9 15:13 16:1 56:10 5:30 1:7 4:14 58,000 21:21</p> <hr/> <p>6 6:54 80:18 60,000 19:16 61 14:6 68 26:6</p> <hr/> <p>7</p>	<p>7,500 19:15</p> <hr/> <p>8 8 2:10 16:2 22:3 60:7</p> <hr/> <p>A Aberdeen 43:21 ability 11:14 17:20 31:12 73:2 able 39:12 42:9 44:14 45:14 46:3 54:11 75:9 aboard 76:13 absolutely 10:7 abstentions 7:1 8:15 80:5 academic 19:21 20:22 Academy 3:11 12:15 15:17,19 17:16 accepted 71:11 access 21:2 57:5 acclimated 74:16 accommodate 65:17 Accountability 72:16 accustomed 51:13 achievement 17:13 acknowledge 79:5 across 9:20 16:16 17:9 23:18 26:14 Act 72:16 acting 9:4</p>	<p>10:11,15 action 61:6 81:9,14 active 16:5 actual 37:10 50:10,22 actually 14:21 36:7 43:15 50:17 51:12 61:6 79:14 adapt 19:20 additional 29:8,14 69:12 address 14:15 19:10 31:12 45:15 48:16 addressing 44:11 46:14 adjourn 80:9,12 adjourned 80:19 Adjournment 3:17 80:11 administration 15:3 29:19 administrators 43:3 adopt 6:9 7:5 8:1 35:4 73:15 adopted 34:7 adopting 8:8 adult 3:11 12:15 15:18 16:3,5,6 19:21 54:8 adults 17:9 19:17 39:22 53:16 advice 49:17 50:2 62:10 76:6 advisement 36:10</p>
--	--	--	---

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>advisor 49:16 50:3 69:14</p> <p>advisors 37:7</p> <p>Advisory 79:6</p> <p>advocate 72:12</p> <p>Advocates 3:13 13:5 18:18</p> <p>afternoon 25:11</p> <p>afterschool 22:2</p> <p>against 17:22</p> <p>age 41:20 54:8</p> <p>agencies 14:7</p> <p>agency 12:1 27:21 28:3 42:8 55:12,13</p> <p>agenda 6:9 7:3 69:22 70:10</p> <p>Agenda/Minutes 3:4 6:5</p> <p>ages 40:1</p> <p>aggregating 43:16</p> <p>ahead 49:10,14</p> <p>Alarmingly 20:16</p> <p>aligned 17:3</p> <p>alleviate 48:19</p> <p>Alliance 3:9,13 12:14 13:5,15 16:6 18:18</p> <p>allow 18:21 24:6 27:13 30:11,22 31:6,9,20 61:3 62:5 67:18 70:11</p> <p>allowed 45:4 70:18</p> <p>allows 38:18 54:10 67:2 68:10</p>	<p>alone 21:8,21</p> <p>already 38:15 49:13</p> <p>alternative 23:9</p> <p>am 18:17 21:13 25:12 33:21 52:1 56:16 60:16 63:11 64:8 75:16 77:5 81:7,10</p> <p>amenable 46:21</p> <p>amend 69:22 70:10</p> <p>American 71:6</p> <p>among 73:19</p> <p>amount 53:4</p> <p>Amy 3:13 13:4 18:17</p> <p>analyst 18:18 71:9</p> <p>Anderson 2:8 5:7,8 8:5 37:16,17,22 44:4,6 47:21 48:5 65:20,21,22 66:15,18 68:4,9,13 69:1 74:12,22 75:1</p> <p>Announcement 3:3 5:2</p> <p>anomaly 42:13</p> <p>answer 28:22 35:10 40:21 49:2</p> <p>answered 34:17 49:6 77:19</p> <p>anybody 76:3</p> <p>anymore 61:4 66:13</p> <p>anyone 28:14 59:16</p>	<p>anyplace 39:8</p> <p>anything 35:17,22 49:3 59:20</p> <p>apparently 39:7</p> <p>appears 53:8 81:4</p> <p>appointed 28:4</p> <p>appreciate 9:14 11:4 14:18 27:5 75:11 77:21 79:1</p> <p>appreciated 75:21 76:5</p> <p>appreciates 9:13</p> <p>approaches 36:3</p> <p>appropriate 28:9 33:17</p> <p>approval 3:4 6:5 7:4 29:20 30:21 50:5</p> <p>approve 27:13 50:4</p> <p>approved 7:3,22 8:17</p> <p>approving 50:6</p> <p>approximately 51:21</p> <p>April 1:6 4:7,21 8:1,9 38:13 42:4,17 73:6,8</p> <p>area 14:4</p> <p>areas 72:14</p> <p>arguments 44:8</p> <p>arise 31:13</p> <p>Asfaha 2:11 6:1,2 33:13,14 78:8,9 79:3,4</p> <p>assessment 22:12 23:19</p>	<p>assigned 42:7</p> <p>Association 72:22</p> <p>assure 65:11</p> <p>attain 19:6 20:4</p> <p>attaining 72:21</p> <p>attainment 20:19</p> <p>attend 11:20</p> <p>attendance 15:13</p> <p>attending 68:6</p> <p>attorney 37:6 49:2,16 50:3 58:18,19,20 69:14 81:11</p> <p>attorney's 64:6</p> <p>August 28:1 38:12 65:10 67:8</p> <p>authority 15:6 27:20 29:11,13 30:13 33:7,9 43:8 44:10 56:5 61:8 67:11</p> <p>autonomy 71:15</p> <p>avenues 24:5 47:2</p> <p>award 18:15 19:1 25:18 27:14</p> <p>awarding 14:2 28:10</p> <p>awards 11:21</p> <p>aye 6:18,20 7:14,16 8:10,12 79:22 80:2</p> <p>ayes 7:3,21 8:17</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>background 27:19</p> <p>badges 60:9</p> <p>balance 14:4</p>
---	---	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>Ballou 54:7 Banks 60:4 bar 75:18 bard 60:14 bars 77:9 based 17:19 53:17 basic 17:7 basically 51:1 67:3,17 68:14 basis 38:14 became 16:3 42:20 become 20:11 becomes 54:3 begin 15:14 behalf 4:3 25:1 75:13 behind 39:2 76:11 believe 9:8 10:21 11:7 12:19 17:18 25:11,19 31:16 35:22 36:6,11,18 41:11 56:16 57:22 58:1,2 59:15 61:11 65:11 69:15 70:8 78:16 benefit 9:19 41:17 benefits 19:13 benefitting 72:6 best 21:3 47:5,19 56:2 75:2 79:11 Betel 2:11 6:1 better 37:19 54:11 58:11 74:19 76:16 beyond 40:14 41:19</p>	<p>bigger 59:3 biggest 40:18 60:13 bit 36:15,18 bless 79:2 Blind 39:14 Board 1:3 2:2 3:5 4:5,7,8,13,16,20 6:7,19 7:15 8:11,19 9:1,9,12 10:4,14,21 11:3,8 12:9 16:9 18:5,13,20 21:5 24:19 25:12 27:12 28:12,21 30:7,16,20 31:1,11,16 32:11 35:17 36:3,8,12,13,16, 22 37:3,5 38:3 41:1 43:14 44:2 45:1 46:18,22 47:3,17 48:13 49:3,15 50:1,4 54:4 55:2 56:3 58:6 59:2,7,10 60:3,11,18,20 61:19 62:19 63:22 64:15 65:17,18 66:6 67:2 69:17 70:22 71:7,15,17 72:9 73:6,9,20 74:3,6 75:14 76:4,5,10,16 77:3 80:1 Boards 72:22 Board's 29:5 30:3 66:10 72:3,5,15 73:1 body 14:6,11 37:9 70:8</p>	<p>Bowser 10:16 break 14:19 Brian 5:21 brief 78:11 79:12 briefly 30:8 bring 36:21 50:10 74:16 75:11 bringing 59:9 75:6 broad 9:18 broader 34:10 35:7,9 44:13 48:9 60:8 62:15 broadly 48:1,3 brought 29:4 49:20 58:12 59:1 61:19 75:12 budget 14:19 54:5 budgets 54:9 bulk 19:22 bumps 40:2 business 6:8 27:11 <hr style="width: 20%; margin: 10px auto;"/> <p style="text-align: center;">C</p> <hr style="width: 20%; margin: 10px auto;"/> California 40:6 candidates 72:10 capabilities 18:1 capacity 72:4 capital 4:19 care 24:6 52:3,4 58:3,7 66:22 career 19:22 careers 73:4 careless 58:5,6 carry 71:19 case 28:4 44:7</p>	<p>cases 38:17 categories 62:16 63:1,2,12 category 62:20,21 63:10 Cathy 3:9 12:12 13:14 cats 75:10 caveats 40:1 cease 28:7 celebrated 70:1 center 22:5 51:14 centers 51:18 CEO 12:15,18 15:17 21:13 Ceremonial 3:16 70:9,14,20 79:20 ceremony 25:18 26:1,2,10,11,18 CERT*D 1:18 certain 63:10 certainly 19:9 25:2 32:7 34:16 44:2 47:7 57:9,19 69:18 80:10 Certificate 18:2 81:1 certificates 60:10 certify 81:3 cetera 24:7 44:17 Chairman 71:9 Challenge 56:14 Chambers 1:11 4:10 chance 14:18 20:2</p>
--	--	--	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>30:20 change 51:7 60:21 61:12 changes 23:1 32:5 changing 49:8 channeled 75:12 charter 3:12 12:16,17 15:18 16:4 25:21 27:22 28:2 40:5 42:3,13,14,16 60:1,2,4,18,20 61:9 62:19 66:6,9,10,14,16 67:2,6 69:2,3,4 chartered 66:4 charters 35:1 61:13 65:4 check 14:3 chief 72:12 child 22:4 children 24:7 53:14 choose 30:7 62:12 chorus 16:13 Christina 36:5 49:22 circumstance 45:16 circumstances 27:14 city 16:7 26:12,14 58:11 civic 73:4 clarification 35:16 36:1 44:2 clarify 42:2</p>	<p>class 42:15 69:5 classifications 44:14 clear 37:11 43:19 54:3 63:16 clearly 41:18 clock 13:8,9 49:13 close 42:19 78:18 closed 42:14 69:4 closely 25:13 56:17 Coalition 16:6 collaborating 11:3 collaboration 10:8 11:5 colleague 40:15 60:7 colleagues 77:18 collected 78:4 collectively 6:19 7:15 8:11 80:1 college 23:22 39:21 73:3 Columbia 1:3 4:4 8:19 10:19 21:17 22:8 52:17,19 67:20 70:22 71:4,7 73:9,12 81:17 comes 61:9,13 coming 24:19 27:5 29:6 command 75:8 comment 30:2,15,19,22 31:11 34:10 38:20 48:19</p>	<p>61:21 comments 3:5,6,8 8:18 9:22 12:4 33:18,19 51:13 77:13 Commission 81:21 committed 65:19 78:16 Committee 71:9 79:6 Common 17:3 23:13 53:18 communicating 11:8 communication 11:16 communities 72:7 community 11:9,13 14:22 16:1,2 39:21 77:4 compared 23:7 compelled 66:19 compelling 34:14,15 compete 17:21 competencies 17:5 competency 17:12 competency- based 59:3 complete 17:1 18:8 19:7 23:8,13,17 completed 16:11 39:20 completion 17:12 compromise 48:13</p>	<p>compulsory 41:19 conceived 71:22 concern 32:7 60:13 concerned 51:20 52:7 54:13 60:5 concerns 11:9 40:18 conclude 32:1 56:7 conclusion 26:16 confer 49:16 confirm 36:6 conflict 14:13 22:20 confused 64:9,12 congeniality 9:12 congratulate 78:11 Congratulations 77:10 80:7 Congress 16:2 consequences 21:6 34:21 40:9 consider 21:6 31:1,17 39:1 59:21 62:3 consideration 3:15 27:8 69:17 70:11 considered 41:3 considering 13:18 27:15 considers 18:21 constantly 47:12 constituents 11:2,10,15,19</p>
---	--	--	--

Capital Reporting Company
 DC State Board of Education Public Meeting 04-15-2015

<p>contact 12:8 content 17:7 continuation 24:18 continue 11:16 50:12 62:5 67:18 79:15 continued 11:5 continues 59:10 Contreras 5:21 control 67:10 conversation 39:10 51:17 52:8 57:4 62:15 conversations 11:4 29:7 convey 43:21 cooperation 9:12 copies 24:17 core 17:4 51:15 53:18 Core-based 23:13 corner 45:12,13 corral 75:9 correct 12:20 36:4 66:17 Council 1:11 4:10 61:7,11 71:10 counsel 36:10 64:17 70:7 79:13 81:8,11 counsel's 37:2 country 52:12,14 County 23:19 couple 51:10 57:20</p>	<p>course 16:17 31:16 Covenant 3:10 12:18 21:14 22:9 cover 31:8 44:12 create 16:10,20 19:20 created 15:5 creates 14:13 creating 40:19 72:9 creation 72:18 creativity 79:1 credential 15:21 20:12 22:9 24:8 53:15 54:11 63:5 credentialing 20:21 credentials 24:12 critical 19:19 20:8 crucial 11:10 crunch 38:8 crystal 54:3 Cucciardo 55:5 current 15:2 currently 9:4 10:10 23:16 52:13 54:5 cut 40:14 46:18 54:10 cuts 54:5</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:12 3:5,13 10:13,20 11:12 13:4 16:5 17:21 18:13,18 21:20</p>	<p>23:7,14 24:2,13 26:20 57:11,14 D.C.-based 57:12 daily 22:1 data 52:16 53:5 date 38:11 daughter 66:1 Davis 50:3 day 34:7 51:15 55:15,16 days 29:11,13 30:14 33:1,5,7 38:19 76:5 day-to-day 42:8 DCPS 43:7 57:9 67:14 68:6,14 DCTV 25:15 deadline 31:22 deal 46:14 55:15 78:21 dealt 61:8 debate 34:9 48:8 decade 71:5 December 16:8 19:4 23:11 59:2,7,11 decided 36:22 47:21 67:6 decision-making 15:7 DED 48:17 dedicated 71:2 deep 17:7 deeper 44:22 definitely 75:20 delegation 67:11</p>	<p>deliver 73:2 demand 39:10 40:12 demands 20:9 demonstrate 17:5 demonstrated 72:8,13,20 departing 70:20 Department 39:18 41:9 55:13,14 dependents 20:10 depends 21:4 derives 27:20 deserve 17:12 deserves 40:17 designate 27:21 designating 28:3 designed 17:11 desire 23:22 63:22 details 29:1 41:14 69:19 determine 4:22 determined 6:7 Develop 63:4 development 22:5 72:1 dial 77:6 dialogue 50:12,13 differ 57:8 difference 36:15 different 29:20 30:6 35:2 47:13 difficult 15:4 54:6 diligence 65:8 diploma 3:15 14:2</p>
---	--	--	--

Capital Reporting Company
 DC State Board of Education Public Meeting 04-15-2015

<p>15:22 16:11,20 17:2,13,15 18:7 19:8,14,17 20:6,19 23:3,12,21 27:8,17 28:11 30:12 34:4 38:21 39:9,13,16 40:3,9,20,22 41:1,7,8,9 42:9 43:8,16,18 44:15 47:14,15 48:10 51:22 52:9 53:1,11,20 54:15 55:10,12 56:21 59:4,5 62:17,22 63:7 64:14 66:13 69:6</p> <p>diplomas 13:19 14:9 18:16,22 19:2 27:14 29:12 33:7 34:12 43:21 44:10 48:15 51:18 52:14 53:9 55:8,16 56:1,6 60:10 63:18 66:7</p> <p>direct 57:5</p> <p>direction 81:6</p> <p>directly 11:21</p> <p>director 2:12 12:13,17 13:14 55:6 70:2,8,15,21 71:2,12,22 73:6</p> <p>disappear 68:8</p> <p>disappointed 16:18 51:17</p> <p>disappointing 58:10</p> <p>discarded 41:4</p> <p>disconnected 20:8</p>	<p>21:19</p> <p>discover 39:12</p> <p>discuss 18:14 30:6 34:9 36:2,16 62:3</p> <p>discussing 69:16</p> <p>discussion 6:15 7:10,19 8:6 24:18 36:17 40:13 41:13,15 44:7 45:10 46:4,18 59:3 60:8,11 61:17 63:7 73:19</p> <p>discussions 11:6 32:2 44:12</p> <p>disengaged 19:16 20:3,11</p> <p>disproportionate 53:4</p> <p>disrespectful 54:17</p> <p>distinction 60:10</p> <p>District 1:3 4:4 8:19 10:18 11:1,22 12:3 16:16 17:10 19:6,16,17 20:1,17,20 21:17 22:8 25:21 52:16,18 67:20 70:22 71:4,7 73:9,12 81:17</p> <p>documentation 77:8</p> <p>done 22:20 38:4 39:2 53:22 64:4 74:19 75:5</p> <p>door 21:4 40:4 60:14</p>	<p>doors 16:15 45:10</p> <p>doubt 9:5</p> <p>Dr 12:17 21:11,12,13 24:9,11 28:21 41:5 42:12 43:6 47:7 48:2 56:16,22 57:10,14 60:16 63:2 66:8,17 68:5,12 69:2</p> <p>dream 78:14</p> <p>dress 22:19</p> <p>drop 40:7,10 56:4</p> <p>dropout 40:10</p> <p>Dudas 3:13 13:4 18:12,17</p> <p>due 31:13 65:8</p> <p>during 14:19 18:16 21:16 71:21</p> <p>duties 51:15</p> <p>duty 66:19</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 23:10 49:6 58:10,12</p> <p>earn 20:9,12 23:9,20</p> <p>earned 22:8</p> <p>earning 20:15</p> <p>easiest 51:3</p> <p>easy 77:22</p> <p>echo 77:17</p> <p>ed 63:9</p> <p>Edgewood/ Brookland 16:1</p>	<p>education 1:3 3:5,7 4:5,7,13,17,18,2 0 8:20 9:1,3 10:1,4,11,13,20, 21 11:1 12:1,2 14:7 16:13 18:5,13 19:15 21:22 22:15 28:9 30:16,20 31:11 36:8 41:20 52:12 54:7 55:12,15 63:4 71:1,5,8,17 72:11,16,19,22 73:10</p> <p>educational 20:2 21:3</p> <p>educationally 19:16</p> <p>educational- related 12:7</p> <p>Education's 76:10</p> <p>Educators 3:9 12:14 13:16 16:6</p> <p>effect 29:10 30:10,11 31:7,20</p> <p>effective 73:6</p> <p>effectively 20:20</p> <p>effort 44:11</p> <p>efforts 4:18 16:19</p> <p>eight 25:19</p> <p>either 25:22</p> <p>elected 55:19 74:3,14</p> <p>electronic 78:3</p> <p>elementary 66:1,2 72:15</p> <p>eligible 19:7 28:11</p>
---	---	--	---

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>eliminate 23:6</p> <p>else 17:19 47:2 59:16,20 63:15 70:19</p> <p>else's 54:15</p> <p>email 12:9 74:9</p> <p>emergency 14:1 29:9 30:9,14 31:5,7,19 32:22 33:5 34:1,2,6 35:4,19 36:5,7,11,14,19, 21 37:4,8,9 38:4,9,14,18 44:21 46:5,7 48:14,21 49:21 50:11 56:2 57:19,21 58:1 64:4 68:19 69:15,16</p> <p>employed 53:6 81:8,12</p> <p>employee 81:11</p> <p>employers 17:17</p> <p>employment 20:18</p> <p>enable 13:18</p> <p>encourage 18:4</p> <p>energies 75:13</p> <p>engage 9:18 11:13 41:13 46:3</p> <p>engaged 24:19 42:22 46:20</p> <p>engagement 44:22 72:17 77:1</p> <p>enormous 23:6</p> <p>enormously 60:3</p> <p>enrolled 13:19</p> <p>enrollment</p>	<p>38:12,15</p> <p>ensure 10:19 28:8 32:9 55:7,21</p> <p>ensured 71:17</p> <p>ensures 64:4</p> <p>ensuring 10:22 11:11 21:2 32:3</p> <p>entertain 69:22</p> <p>entity 42:9 66:4 68:8,11 71:20</p> <p>entry 20:14</p> <p>Environment 55:15</p> <p>environments 24:5</p> <p>equally 24:12</p> <p>equivalencies 46:16</p> <p>equivalency 39:9</p> <p>equivalent 39:6 40:3</p> <p>especially 54:4</p> <p>essentially 61:22 67:12</p> <p>establish 23:2</p> <p>establishment 27:16 72:2</p> <p>et 24:7 44:17</p> <p>evening 4:3 8:21 10:2 15:15 18:12 21:12 35:18 49:4 50:5 74:19</p> <p>event 55:18</p> <p>everybody 41:16 63:17</p> <p>everyone 17:19 69:9</p>	<p>everything 65:12</p> <p>exact 53:18</p> <p>exactly 78:15</p> <p>exam 53:17</p> <p>exams 17:6,10</p> <p>excellent 25:4 75:5</p> <p>exception 69:7</p> <p>exceptional 75:16</p> <p>excited 10:14 70:5</p> <p>excuse 76:14</p> <p>executive 2:12 12:13,16 27:21 55:5 70:2,8,15,21 71:2,12,21 73:5</p> <p>exercise 14:5</p> <p>exhaust 45:5 46:13</p> <p>exhausted 47:3</p> <p>exist 40:20 62:6</p> <p>existing 20:1 28:10</p> <p>expand 23:12</p> <p>expanding 15:6</p> <p>experience 38:4 71:5</p> <p>experiences 22:15</p> <p>expertise 71:18</p> <p>expire 29:13 33:6,10</p> <p>expired 42:4 65:13 68:22</p> <p>expires 81:21</p> <p>exploited 21:19</p> <p>explore 29:8,15,18</p>	<p>exposure 20:14</p> <p>External 15:22 17:2</p> <p>extra 29:18</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>face 23:7</p> <p>facing 20:8</p> <p>fact 38:14 54:5</p> <p>fail 35:1</p> <p>fair 24:4</p> <p>fall 27:11</p> <p>familiar 56:14</p> <p>families 54:12 72:7</p> <p>family 16:5 77:1</p> <p>faster 20:5</p> <p>favor 6:18 7:13 8:8 33:22 34:19 63:22 79:21 80:15</p> <p>February 81:21</p> <p>Federation 71:6</p> <p>feel 60:2 65:7 66:11,12</p> <p>fellow 72:2 77:18</p> <p>fellows 76:18</p> <p>field 16:15</p> <p>figure 42:10 63:15 66:4</p> <p>figuring 74:5</p> <p>fill 13:7</p> <p>final 33:4 36:12</p> <p>financial 22:18</p> <p>financially 81:12</p>
---	---	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>finish 51:5 finishes 69:5 first 10:6,15 12:12 32:22 38:2 44:18 45:15 49:18 51:21 54:2 64:1 75:3 76:9 78:12,13,19 Fiscal 22:6 fish 38:21 fit 21:3 five 33:16,20 51:11 54:19 fix 61:10 65:5 flexible 19:15 focus 32:3 focused 62:14 fold 57:4 folks 32:12 footing 20:13 force 21:22 35:6 forefront 57:18 foregoing 81:3,4 form 36:21 49:21 formal 10:15 former 67:7 71:7 forms 38:15 forth 32:6 41:18 59:1 forward 4:15 9:14 10:8,18 11:3 18:6 28:21 29:4,22 30:9,18 31:9 32:6,9 35:11 45:20 50:1,14 58:10 63:12,16 69:20</p>	<p>foundation 43:1 55:6 Fourth 1:10 4:10 four-year 52:19 fowl 38:21 frame 37:18 frankly 51:20 54:16 free 28:8 frequently 52:11 friends 69:10 79:16 friendship 70:7 79:14,15 front 16:21 51:14 52:5 full 30:22 31:10 35:7 45:10 fuller 40:12 fully 14:21 function 76:15 functioning 76:11 functions 67:1 71:19 future 11:6 14:9</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>gain 20:13 gained 71:15 gaining 24:7 GED 15:21 16:11 17:2 18:2,8 19:6 20:3,4,19 22:8,12 23:9,13,20 35:1 39:6 40:14,15 41:7 43:17 44:16</p>	<p>46:15 52:9,15,18 53:1,5 54:7 56:17,21 65:7 GEDs 62:22 general 36:10 37:2 57:7 58:20 68:21 generally 42:13 69:2 George's 23:19 Gervel 1:17 81:2,16 gets 64:4 getting 62:21 76:9 79:6 given 30:5 37:12 48:11 54:4 67:22 giving 28:16 glad 62:3 goal 65:15 God 79:1 Gold-Tier 22:4 gone 22:21 31:20 79:16 gotten 60:15 government 14:4 74:9 grade 25:18 71:3 graduate 19:11 31:21 32:6 64:5 graduates 16:21 17:16 19:2 21:7 42:15 52:20 55:8 56:21 graduating 18:22 23:4 27:17 38:6 42:2 69:5 graduation 38:5,9</p>	<p>47:16 60:12 grant 13:19 18:6 29:11 30:12 33:7 52:14 granted 29:16 42:20 53:20 granting 14:2,7 44:9 51:18 grants 14:9 26:6 gratitude 77:18 Gray 67:7 71:10 great 33:12 74:18,20 78:21 79:9 greater 11:14 greatly 9:13 72:6 group 19:12 63:8 Guard 56:15 guess 42:4 44:18,22 45:2,7 46:2 47:1,4 68:14 75:4,9 77:9 guests 4:6 guidance 70:7 79:13</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hands 67:3,4 Hang 10:10 Hansuel 3:7 9:3 10:10 happen 34:5 61:21 65:3 happened 67:5 happens 31:15 32:10,22</p>
---	--	--	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>happy 41:22 52:1 hard 17:10 24:17 34:3 48:3 52:1 79:1 hash 41:21 haven't 45:4 57:5 having 34:7 48:20 57:5 64:7 65:9 Hayden 55:3 headed 71:22 health 55:14 72:19 hear 11:15,21 34:9 41:2 heard 39:4 75:3 78:12 heck 76:15 Heights 16:2 Held 1:9 hell 76:14 help 12:2 28:22 35:20 37:10 55:20 63:15 helpful 11:10 74:15 79:5 helping 74:4,16 Henson 3:10 12:18 21:11,12,13 24:9,11 herd 75:10 hereby 81:3 hereto 81:12 hey 61:2 hierarchy 75:8 high 3:9 11:1 12:13 13:15,21 15:20 16:21 17:11 19:3,12,17</p>	<p>20:12 21:7 22:3 23:2,4,20 25:21 26:3,5,19 28:1,5,10 29:12 30:12 31:8,21 32:4 34:1 35:6 39:12,16 40:3 42:2,3,12 43:1,21 44:7 46:19 47:9,18 48:9,16 52:20 53:8,11,19 55:4,8,22 56:20 63:18 64:5,14 66:3 67:12,15 68:7 69:6 77:19 higher 53:9 High's 42:16 hire 72:10 hired 74:2 hold 16:19 37:14 holding 31:1 holds 4:8 Holmes 12:19 24:21 25:13 home 10:6 homeless 21:19 home-schooled 44:17 home-schooler 55:18 home-schoolers 63:6,11 honoring 70:9,20 79:20 honors 73:10 hope 3:11 9:18 11:15 12:15 15:18,19 17:16</p>	<p>32:8 46:1,13 75:17 hopefully 54:21 horse 60:14 Hospitality 13:21 16:20 19:2,11 21:7 23:4 28:1,5 29:12 30:12 31:8,20 32:4 34:1 35:5 42:3,12,16 43:1 44:7 46:19 47:9,18 48:9,16 55:4,6,8,22 63:18 64:5,14 66:3 67:12,15 68:7 69:6 House 3:10 12:18 21:14,15 22:9 housing 21:22 huge 77:2,3 78:5 humor 79:13 <hr style="width: 100%;"/> I <hr style="width: 100%;"/> I'd 9:2,21 10:16 28:14,19 43:4 59:19 74:1 idea 38:22 45:16 62:2 ideally 64:1 ignore 61:22 I'll 6:17 15:11 24:9 30:7 32:1 51:10 78:11 I'm 8:22 10:10,13 13:14,22 15:17 21:13 34:14,19 37:15 42:9 45:7,19 46:2 48:21 49:8,18</p>	<p>50:18,21 51:13,16,20 52:7 55:4 56:4,7 58:9 60:5 62:3,13 63:10 64:9,11 66:4 69:3 70:17 75:4 76:13 77:5 78:16 79:8,14,17 immediately 30:11 31:7 63:3 impacted 32:4 54:18 implications 34:22 important 10:22 16:21 19:9 24:11 41:6,10,13,14,21 58:4,5,8 impossible 54:6 improve 4:18 12:2 78:17 improved 77:7 improving 11:11 Inc 3:14 include 30:19 included 19:6 59:5,6 including 41:17 71:6 72:1 income 20:9 Incorporated 25:13 incorporating 20:18 increasing 40:9,10 incredibly 10:7 41:14 76:19,20 79:12 independent</p>
---	---	---	---

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>71:20 indicated 42:17 67:9 individual 26:14 individualized 22:17 individuals 15:20 42:18 53:10 63:3 inequity 23:7 inform 35:20 information 35:7 69:12 initiative 52:2 55:7 72:20 insightful 76:19 instance 42:16 55:18 instances 68:15 instead 14:1 institutions 17:18 instrument 24:3 40:19 instrumental 74:4 interest 12:10 14:13 75:13 interested 81:13 interim 42:7 internal 50:12 76:13 interns 75:12 internships 22:21 intervene 42:11 interviewing 22:19 interviews 22:19 introducing 76:8</p>	<p>invested 79:8 investments 21:4 invite 9:21 28:14 involve 36:7 involved 42:21 57:18 involvement 66:10 76:22 involving 72:17 irresponsible 60:3 isn't 38:3,19 39:11 55:17 58:7 isolating 19:12 issue 13:17 14:1,15 18:22 34:12 37:7 43:15 44:10,13 45:15 47:9 48:9,10 52:7 55:12 56:5,20 57:17,19 58:14 59:8,9 61:14 65:7 66:13 74:9 issued 20:19 39:17,18 68:1 69:6 issues 9:16,18 34:13,20 35:2 39:12 44:20 46:11 48:8,17 55:10,16 57:20 60:17 62:15 65:3 72:17 issuing 52:22 66:6 item 41:6 items 6:9 it's 9:7 15:1,4 19:9,19 38:21 39:13,17,21,22</p>	<p>47:19 51:16 52:10 54:16 60:8 61:10,14 63:14 64:3 70:18 74:20 77:22 78:15 80:7 I've 49:17 57:18 <hr/><p style="text-align: center;">J</p><hr/>Jack 2:3 3:5 5:3 8:22 10:3 71:14 74:3 80:16 Jacobson 2:3 3:5 4:3 5:3,4 6:6,12,14,21 7:8,10,17 8:4,6,13,21,22 10:3 12:5 13:1,6,11 15:10 18:11 21:11 24:9,15 25:2,5,9 26:21 27:3,5,10 28:19 32:11,18,20 33:12,15,19 35:13,15 36:4 37:5,16,20 43:4,9,12 44:1 48:6 49:1,12,17 50:2 51:9 54:19 59:12,14 62:7 65:13,16 68:20 69:8 70:16 71:14 73:14,17,19 74:11,22 76:1 77:12,16 78:7,9 79:3,10 80:3,5,10,14,17 Jacque 55:3 Jesse 2:12 3:16 70:3,15,21 71:1 73:10 74:2,10,13 75:3 76:3 78:11,13,19,20</p>	<p>79:21 80:7 job 17:20 75:6 78:14 jobs 17:21 Joe 5:17 Johnson 3:11 12:15 15:11,15,17 join 10:14 joined 16:12 joining 4:15 10:5 Jolly 2:10 5:9,10 6:13 7:9 32:18,19 51:9,11,12 77:13,15 80:13 Jones 2:9 5:11 15:12 32:20,21 33:11 43:10,12,13 56:10,11,18 57:7,12,16 59:13,15 71:14 73:13,14,15 78:7,10 journals 52:12 Julie 12:16 July 16:3 65:6 June 19:12 26:4,18 31:18,21 32:7 34:8,9 35:11 42:15 55:9 56:1 65:2 <hr/><p style="text-align: center;">K</p><hr/>Kamili 2:8 5:7 77:8 Kang 3:7 9:3 10:2 12:6 28:15,18</p>
---	---	--	---

Capital Reporting Company
 DC State Board of Education Public Meeting 04-15-2015

<p>35:16 36:2 49:19 58:21 61:5 64:9 67:5</p> <p>karaoke 75:18 77:9</p> <p>Karen 2:4 5:5 10:3 50:20 74:14</p> <p>key 31:22 40:7</p> <p>kidding 37:15</p> <p>kids 60:7</p> <p>kinds 46:15</p> <p>knew 58:13</p> <p>knowledge 17:8</p> <p>known 10:13 57:1,2,3 76:3</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>labor 20:13 39:18 41:9 55:13</p> <p>lack 20:14</p> <p>lady's 68:21</p> <p>language 36:20 37:10 49:19 50:7,10</p> <p>laptop 25:22 26:13</p> <p>Large 2:5</p> <p>larger 39:10 44:12 46:11 48:17 56:4</p> <p>largest 21:18</p> <p>last 16:3 19:4 21:21 25:19 27:11 29:5 41:18 42:4 49:20 61:18 63:10 70:4</p> <p>lasting 30:3</p> <p>lastly 58:15</p> <p>later 16:17 34:8,9</p>	<p>37:15</p> <p>launched 78:3</p> <p>Laura 2:6 5:19 71:13</p> <p>Laurel 57:17</p> <p>law 61:22</p> <p>laws 61:9</p> <p>LEA 43:6,7 55:17,18</p> <p>leadership 65:19 72:9,14 73:1 77:3</p> <p>leaderships 71:13</p> <p>leading 21:18</p> <p>learned 78:21</p> <p>learners 16:15 17:6,9 19:21 54:8</p> <p>learning 59:3 74:17</p> <p>least 19:15 39:20 62:11</p> <p>leave 15:3</p> <p>leaves 19:14</p> <p>leaving 75:3 78:1</p> <p>legal 37:6 66:21 71:18</p> <p>legally 66:20</p> <p>legislation 14:1 46:6 48:21 61:10</p> <p>legislations 46:6</p> <p>legislative 61:6,12 71:8</p> <p>Lescester 3:11 12:15 15:17</p> <p>less 41:10 53:6</p>	<p>let's 13:6 15:5 58:7 64:20,21 65:2</p> <p>letters 55:2</p> <p>letting 60:3</p> <p>level 16:14 17:11 20:14</p> <p>liaisons 11:17</p> <p>life 22:13 73:4 78:12</p> <p>likely 35:19 53:6</p> <p>limbo 42:6</p> <p>limiting 21:6</p> <p>list 63:1</p> <p>listen 48:7</p> <p>literacy 16:6 22:18</p> <p>literally 23:18</p> <p>little 36:15,18 37:18 48:13 51:16 60:5 64:9 76:12</p> <p>lives 54:17 78:17</p> <p>local 14:6</p> <p>located 57:17</p> <p>location 4:14</p> <p>locations 15:22</p> <p>lock 60:14</p> <p>long 9:10</p> <p>longer 24:18 66:14 76:3</p> <p>long-term 9:16 20:15</p> <p>loophole 62:6</p> <p>Lord 2:5 5:13,14 37:21 38:1 42:1 59:15,17,19</p>	<p>61:1,15 76:1,2 77:12</p> <p>lose 79:14</p> <p>losing 64:8</p> <p>lost 74:8</p> <p>lot 25:14 39:4 51:17 61:19</p> <p>love 11:18</p> <p>low 77:19</p> <p>luck 74:21 77:10 78:6</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>ma'am 13:3</p> <p>Madye 3:10 12:18 21:13</p> <p>mail 38:16 40:7</p> <p>main 14:3 32:7 39:3</p> <p>major 17:3</p> <p>man 79:9</p> <p>manage 25:15 28:4,7</p> <p>managed 13:20 19:1 27:18 59:5</p> <p>management 42:7 67:15 68:7</p> <p>managerial 53:7</p> <p>managing 14:12 28:3</p> <p>manner 50:11</p> <p>March 7:5,21</p> <p>Marilyn 12:19 25:13</p> <p>Mark 2:9 5:11 71:13</p>
--	---	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>market 20:14 Mary 2:5 5:13 Maryland 17:22 23:8,17 24:14 39:7,16 43:15,18,22 57:15,17 master 17:6 mastery 17:14 materials 78:4 matriculates 22:16 matter 15:1 66:6 matters 12:7 may 4:14 15:14 29:6 30:4 31:2,3 35:16 62:11,12,17 63:8 maybe 34:7 35:10 48:12 49:1,9 57:8 74:2 mayor 10:16 28:2,4 67:6,7 68:1 mayoral 31:14 67:8,10,11 68:9 Mayor's 40:22 41:8 meals 21:22 mean 41:2 43:19 45:12 46:10 60:6 66:20 meaning 28:2 68:5 means 14:7,13 30:15 48:18 meant 40:2,3 meantime 31:19 mechanism 14:16</p>	<p>52:4 meet 11:18 meeting 1:4 4:7,12,20 6:8 10:15 16:9,12 27:11 30:3 31:2,3,18 61:20 64:21,22 70:4 80:19 81:3,6,10 meetings 4:9 11:20 12:11 78:4 member 11:14 25:12 members 2:2 4:4,16 6:19 7:15 8:11 10:4 16:5 18:12 28:12,22 37:6 40:16 49:15 71:17 73:20 80:1 mend 66:22 mere 27:20 Meyer 12:16 mic 50:20 Michael 55:4 middle 22:3 mid-November 61:20 military 23:22 mind 63:3 minds 14:20 minor 9:15 minute 37:17 65:14 minutes 7:4,5,21 8:1,9,17 9:6 13:8 25:6 33:16,20 51:11 54:19 56:10 59:18</p>	<p>65:21 mispronounce 55:5 miss 70:6 75:4,17,21 77:5 79:12 mission 73:2 Mitchell 28:21 41:5 42:12 43:6 47:7 48:2 56:16,22 57:10,14 60:16 63:2 66:8,17 68:5,12 69:2 mix 63:9 mock 22:19 mode 78:2 modules 22:21 moment 13:2 14:5 24:10 month 4:10 months 16:17 74:2 mortgage 40:6 motion 6:9,14 7:5,12 8:1 69:22 70:10 79:20 80:8,12 move 7:4 18:5 24:20 27:10 32:11 34:19 35:6,8 38:11 50:14 63:15 70:18,19 73:15 moved 6:11,14 7:7,12 8:3 44:8 58:10 70:12 moving 35:3,11 69:20</p>	<p>myself 52:10 <hr/> N <hr/> N.W 1:10 NAEYC- accredited 22:4 narrow 45:17 47:22 National 15:21 17:2 56:15 63:4 72:21 nation's 4:19 nearly 22:6 necessarily 36:20 58:15 necessary 64:13 65:1 71:19 NED 16:12 NEDP 18:8 19:7 41:7 44:16 63:4,11 neighbors 17:22 neither 38:21 81:8 newbie 77:19 newspapers 52:11 nicely 57:4 night 70:1,2 nightly 22:1 nominating 10:17 non 24:4 non-profits 21:18 nor 38:21 81:8,12 Northwest 4:11 Notary 81:1,17 note 43:14,20 notes 26:4</p>
---	--	---	---

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>nothing 50:6,17 59:22</p> <p>November 63:12 71:11</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 58:22</p> <p>objection 80:14,17</p> <p>obligated 66:11</p> <p>obligation 66:21</p> <p>Obviously 74:18</p> <p>occur 35:20</p> <p>offer 14:18 33:18</p> <p>offering 20:1 23:12</p> <p>office 9:9 10:12 15:4 23:18 71:16 75:7,12</p> <p>officer 81:2</p> <p>official 70:4</p> <p>officially 9:2</p> <p>Oh 27:4</p> <p>Okay 13:10 15:15 25:10 48:5 65:16 79:4</p> <p>old 1:11 76:4</p> <p>ombudsman 72:11</p> <p>onboarding 74:15</p> <p>one-all 59:21</p> <p>one-year 67:16</p> <p>ongoing 31:12</p> <p>onto 37:15 74:9</p> <p>open 16:15 46:10 63:7</p> <p>opened 45:9</p>	<p>opening 46:7</p> <p>operate 60:4 77:7</p> <p>operating 76:21</p> <p>opinion 14:17 36:15 37:2 58:18,19</p> <p>opportunities 19:20 20:21 24:13 60:8</p> <p>opportunity 11:19 13:13 15:16 16:14 18:14 21:9 24:3 27:12 28:13 46:17 70:5 73:20</p> <p>opposed 6:21 7:17 8:13 80:3</p> <p>option 20:5 29:10,15,17 30:8,17 31:4 33:22 39:1 47:13,19</p> <p>options 19:15 20:2 27:16 28:20 30:6,8 32:9 41:2,3 45:6,21 47:4,11,22 48:1,11 51:4</p> <p>order 3:2 4:2,21 13:20 30:21 31:14 43:10,14 62:14 67:8,10 68:2,10 75:6</p> <p>organization 18:19</p> <p>organizations 18:20</p> <p>organize 75:9</p> <p>originally 29:4</p> <p>OSSE 10:13 11:11 13:18</p>	<p>14:2,6,8,16 18:4,15,21,22 19:4 27:12,13,17 28:4,6,14 29:8,11,14 31:12 32:12 33:6,9 34:11 35:20 41:11 42:7,20,22 44:9 45:1 46:19 47:8 48:11 49:18 50:6,9 55:21 57:9 58:13 62:17 64:14 65:18 66:19,20 67:9,16 68:2,10 69:11</p> <p>osse-managed 3:15 27:9</p> <p>OSSE-managed 19:2</p> <p>OSSE's 16:10 28:11 67:4</p> <p>otherwise 81:13</p> <p>ours 32:8</p> <p>ourselves 35:6 44:12 45:1,4 46:12</p> <p>outcome 81:13</p> <p>outline 28:19 30:8</p> <p>outreach 22:2</p> <p>outstanding 25:7 73:11</p> <p>overall 59:2</p> <p>overhaul 17:3</p> <p>oversee 68:3</p> <p>overseeing 67:17</p> <p>oversight 14:6,11,14,16</p> <hr/> <p style="text-align: center;">P</p> <hr/>	<p>p.m 1:7 4:14 26:5 80:18</p> <p>page 51:1</p> <p>pages 81:5</p> <p>paid 20:17</p> <p>paint 45:12</p> <p>painted 45:13</p> <p>panel 56:12</p> <p>parent 76:22 77:1</p> <p>parents 3:9 12:14 13:15 38:16</p> <p>parliamentary 64:2</p> <p>participation 4:17</p> <p>particular 9:10 11:7</p> <p>parties 81:9,12</p> <p>partly 61:7</p> <p>partner 11:16</p> <p>partners 9:17 55:21 65:18</p> <p>partnership 10:9</p> <p>pass 17:5,10 18:7 23:20 26:9,17 41:6 44:16 52:15,18 53:1 74:8</p> <p>passed 16:11 43:17 47:17</p> <p>passers 39:6</p> <p>passes 39:8 79:19</p> <p>passing 13:18 24:3</p> <p>past 30:3 33:9</p> <p>pathway 21:6</p> <p>pathways 19:22</p> <p>pause 49:12</p>
--	--	---	---

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>pave 20:15</p> <p>peers 23:8 24:14</p> <p>pending 60:17</p> <p>Pennsylvania 39:19</p> <p>people 21:17 22:11 29:1 34:15,18 35:9 40:4 41:12 48:16 53:1,12 54:17 62:18,21 63:22 76:21</p> <p>people's 14:20</p> <p>percent 20:16 22:7</p> <p>perfectly 37:11</p> <p>perhaps 45:2 47:2 49:2 51:16 53:22 65:6</p> <p>period 30:2,15,19,22 31:11 45:8 61:21 63:19 68:11</p> <p>permanent 9:5 34:7 50:14</p> <p>permitting 18:15</p> <p>person 22:16 51:19 76:8</p> <p>personally 9:13 57:8 74:6</p> <p>perspective 17:17</p> <p>persuasive 39:5</p> <p>pertinent 60:17</p> <p>photo 79:19 80:9</p> <p>physical 72:19</p> <p>pick 66:19</p> <p>piece 41:9 63:16</p> <p>pile 73:20</p>	<p>placement 22:1</p> <p>places 74:5</p> <p>plan 22:18 67:14</p> <p>planning 21:5 58:2,4,8 59:16</p> <p>playing 16:15</p> <p>plays 11:8</p> <p>please 6:18 7:13 8:10 37:22 79:21</p> <p>pleased 76:14,15</p> <p>pleases 56:13</p> <p>pleasure 9:7 16:8</p> <p>plugging 77:21 78:6</p> <p>plus 77:2,4</p> <p>Plush 3:14 12:21 24:22 25:4,7,10,12 26:22 27:4,7</p> <p>point 29:14,21 32:16 43:10,14 45:14 46:19 59:11 63:7 64:6 75:17</p> <p>policies 60:19</p> <p>policy 9:18 13:18 14:20 18:17 34:16 35:7,9 61:2 71:6,18 72:1,2,3,6,14 73:1 74:17 76:18</p> <p>politely 66:5</p> <p>pool 53:2</p> <p>pop 68:17</p> <p>popped 47:10</p> <p>portion 6:8 27:11 31:19</p>	<p>position 9:11 36:19 67:21 71:12 72:2,6 75:2 76:7</p> <p>positions 20:15 53:7 72:11</p> <p>positively 54:18</p> <p>possibilities 45:5 46:14</p> <p>possible 14:21 19:22 24:22 30:17 31:4 45:18,21 51:3 52:6 64:15</p> <p>post 17:17 22:14</p> <p>post-secondary 20:21 39:21</p> <p>potential 20:16</p> <p>powerful 39:5</p> <p>praise 73:21</p> <p>precedent 15:4</p> <p>preclude 64:6,7</p> <p>prefer 55:11</p> <p>preference 69:18</p> <p>preparation 20:3</p> <p>prepare 17:10 22:14,22 73:3</p> <p>prepared 44:4 49:22</p> <p>preparing 20:4 22:11</p> <p>preposterous 54:16</p> <p>presence 4:22</p> <p>present 5:4,6,8,10,14,16, 20 6:2,3 36:20</p>	<p>49:21</p> <p>presentation 28:12,16</p> <p>presented 23:11 25:22 26:13 27:12 41:12 45:6 46:5 52:2 58:14 70:6</p> <p>president 2:3 3:5 6:4 8:18,22 10:2 12:18 21:13 28:19 36:4 43:11 56:11 59:13 73:13 78:10</p> <p>Presidents 71:13</p> <p>pretty 66:11</p> <p>prevent 68:15</p> <p>prevention 22:2</p> <p>prevents 60:1</p> <p>previous 32:2</p> <p>previously 54:1</p> <p>Primarily 69:13</p> <p>Prince 23:19</p> <p>principal 43:2 55:3</p> <p>Principals 3:9 12:14 13:15</p> <p>probably 34:19 56:2 57:8 64:11 70:1 76:3 78:19</p> <p>problem 13:21 35:6 42:10 51:2,6 55:20 74:8</p> <p>problems 9:15 48:20 55:19</p> <p>proceed 6:8 30:7 62:11,12</p>
---	--	--	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>proceedings 81:7</p> <p>process 15:8 20:7 29:20 30:14 36:5,6 58:2,4,8 61:18 64:2,19 72:9,18 74:17 75:7</p> <p>processes 76:13</p> <p>produce 38:7</p> <p>professional 51:15 53:7</p> <p>program 15:22 16:12 18:8 22:17 23:15,16 43:16 56:14,17 57:10,13 63:5</p> <p>programs 20:1 23:9 25:14 76:21</p> <p>progress 20:6</p> <p>prohibit 60:21</p> <p>projecting 26:6</p> <p>promise 64:22</p> <p>promote 25:17</p> <p>prompted 19:1</p> <p>properly 62:3</p> <p>property 57:16</p> <p>proposal 16:10,14,18,20 18:6,15,21 23:11 28:14 41:18 43:20 48:22 50:14 63:14</p> <p>proposals 49:8,10 74:20</p> <p>propose 64:18</p> <p>proposed 19:5 23:1 28:20 29:4,21 30:18</p>	<p>31:6,9,18 33:4 36:3,12 60:20</p> <p>provide 14:16 18:14 20:3 54:7</p> <p>provided 15:20 21:22 22:2 28:9 76:18</p> <p>providers 16:13</p> <p>providing 12:10 22:13</p> <p>public 1:4 3:8,11 4:6,12 10:5 11:17 12:4,6,8,10,16,1 7 13:2 15:18 16:3 27:21 30:3,15,19 31:3,10,17 38:20 48:19 50:13 60:2 61:20,21 66:5,9 67:2,20 71:4 72:11 75:16 80:19 81:1,17</p> <p>published 30:1</p> <p>pursue 31:5</p> <p>pursued 33:4</p> <p>pursuits 21:1</p> <p>purview 66:12</p> <p>pushed 78:20</p> <p>pushing 78:22 79:2</p> <p>putting 51:13,20</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>quality 11:1 53:15</p> <p>question 32:22 34:10 35:15 37:18 43:13 44:18 47:1</p>	<p>49:2,6 51:10 56:12 59:15 62:9,13 64:1,2 65:20 66:1,18 74:7 77:19 78:13 79:18</p> <p>questions 11:9 28:13 29:1 32:12,15,20 33:19 34:16,19 35:8,9 37:13 54:21 56:8 66:3</p> <p>quick 79:18</p> <p>quickest 51:3</p> <p>quickly 35:8 52:6 65:9</p> <p>quorum 3:3 5:1,2 6:4,6</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raised 34:13 35:2</p> <p>ramifications 14:21</p> <p>ramp 20:20</p> <p>rate 40:10 75:19</p> <p>rates 53:9</p> <p>rather 18:2 39:2 55:12</p> <p>Rauch 2:12 3:16 5:3,5,7,9,11,13,1 5,17,19,21 6:1,3 50:20 70:3,15,21 71:1,3,11,17 72:5,8,13,20 73:5,10,16,21 79:5,21</p> <p>Rauch's 71:21</p> <p>reached 9:9</p> <p>readiness 22:1</p>	<p>reading 17:8</p> <p>ready 7:13 54:22</p> <p>realization 30:5</p> <p>realize 50:21</p> <p>really 25:17 26:8 39:9 40:15 41:13 42:18 45:4,5,9,10,14,2 2 46:3,12,13,17 48:3 54:16 57:2 74:20 75:5,11,15,18 76:12 77:22</p> <p>real-world 20:9</p> <p>reason 25:16 61:15,17</p> <p>rebooting 20:5</p> <p>receive 19:13 26:6 43:17 44:15 55:8,22 63:4,5,6</p> <p>received 24:16 37:2 38:16 55:2 69:10</p> <p>recipients 52:9 53:5</p> <p>recognize 77:21</p> <p>recognized 16:14 26:13 29:17</p> <p>recognizes 17:13 71:1</p> <p>recommendation 35:12 50:8</p> <p>reconnect 19:20</p> <p>reconsider 23:10 78:19</p> <p>record 15:12 23:5 33:2 55:1 61:16 70:17 81:7</p>
--	--	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>recorded 81:5 reduced 81:5 re-engagement 20:2,7 refers 66:2 reflects 15:12 55:2 reform 39:15 regard 75:19 regarding 28:13 50:13 55:10 regardless 32:8 region 23:16 Regions 41:1 Register 30:1 regularly 4:8 31:3 regulation 23:2 34:1 56:2 regulations 19:5 27:13,20 regulatory 61:10 Reilly 3:9 12:13 13:9,10,12,14 related 63:21 81:8 relationships 77:2 relative 81:11 relatively 53:2,3 relay 12:1 release 69:21 released 19:5 42:17 69:3 relinquished 28:1 42:4,14 62:20 65:5 66:9 67:6 69:4 relinquishing 60:1</p>	<p>relinquishment 61:8,13 remarks 9:21 56:8 renewed 27:22 reported 1:17 52:11 representative 2:11 9:1 representatives 79:11 represents 18:19 request 56:19,22 57:2,3,6 62:10 requesting 56:20 require 30:21 31:1 36:11,13 requirement 38:9 requirements 38:5 47:16,18 60:12 requires 44:22 research 44:3 52:10 65:8 72:3 76:19 reservation 24:1 residents 10:18 11:12,22 17:21 19:6 73:11 resignation 70:3 resigned 73:5 resolution 3:16 22:20 50:5 70:9,14,17,18,19 ,20 73:16 79:19,20 resolve 57:20 RESOLVED 73:8 respectable 53:11</p>	<p>respond 68:21 80:1 responded 56:19 response 5:12,18,22 6:16,22 7:2,11,18,20 8:7,14,16 80:4,6 responsibility 34:11 responsible 28:3 result 30:2 resumes 17:17 resuming 62:4 review 60:13 69:14 72:10,15,18 reviewing 72:6 revision 60:12 revolutionary 53:22 rewards 26:7 reword 49:9 rigorous 20:7 22:12 23:13 robust 10:20 role 9:5 10:17,22 11:8 14:8,14 roll 4:21 Roosevelt 26:3,5,19 round 51:11 54:20 56:9 69:9 route 12:21 37:1 rule 28:20 29:4,21 30:10 31:7,10,19 34:6,7 35:5,19</p>	<p>37:8,9 49:21 53:3 64:4 rulemaking 14:3,15 15:2 29:9,20 30:9,14,18 31:18 33:1,4,5 36:5,7,12 37:4 38:5,10,18 58:16 rules 59:22 ruling 68:19 69:15,16 rulings 46:7 run 27:21 30:22 39:14,15 43:1 56:15 running 42:18 79:7 Ruth 2:7 5:15 <hr/> <p style="text-align: center;">S</p> <hr/> <p>salutatorian 25:20 26:12 scene 76:11 scheduled 4:9 31:3 school 3:12 9:20 12:16,17 13:19 15:5,18,21 16:4 19:3,17,19 20:12 21:5,7 22:3 23:3,21 25:21 26:3,5,15,19 27:22 28:1,5,7,11 39:13,15,16 40:3,5,8 42:2,18,19 43:21 49:15 52:20 53:8,11,19 55:4 56:21 59:5 60:2,4</p> </p>
---	---	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>66:6,10,13,15 67:2,3,7,10,17,2 2 68:1,2,16 69:3 76:4 77:1</p> <p>schools 14:10,12 19:1 27:18 33:8 54:6 62:19 65:4 66:22 68:7 76:21</p> <p>school's 28:9</p> <p>Schools 3:15 27:9 67:21 71:4</p> <p>Schwartz 57:7</p> <p>science 17:8</p> <p>score 40:14</p> <p>scramble 32:14</p> <p>screen 39:3</p> <p>search 48:3</p> <p>seat 13:7</p> <p>second 6:12,13 7:8,9 8:4,5 20:2 49:13 54:20 56:9 69:9 70:10,13 73:17,18 80:13</p> <p>secondary 17:18 22:14 24:8 72:16</p> <p>seconded 6:15 7:12</p> <p>Secondly 39:4</p> <p>seems 40:5</p> <p>seen 50:7</p> <p>semester 39:20</p> <p>send 17:16</p> <p>senior 3:9 12:13 13:15 26:19 38:7 71:8 78:2</p> <p>seniors 28:11 32:4 38:6 42:3</p>	<p>sense 18:9 46:10 47:19 79:13</p> <p>sensitive 19:10</p> <p>sentiment 63:17</p> <p>separate 34:20 44:19 48:8 52:7</p> <p>separately 59:9</p> <p>September 65:10</p> <p>servant 75:16</p> <p>serve 10:17 11:2</p> <p>served 21:16,21 71:12</p> <p>serves 10:22</p> <p>service 16:13 21:15 71:2 73:11 74:10 75:21,22 78:5</p> <p>services 15:20 22:2 54:8</p> <p>serving 10:18 71:8</p> <p>session 7:6,22 8:2,9 18:16 29:5,8 32:2 49:20</p> <p>Setlow 33:3 36:6,9 49:22</p> <p>several 35:2 51:12</p> <p>share 34:18</p> <p>She's 12:21 25:18 26:8</p> <p>shocked 75:4</p> <p>short 45:7 48:14</p> <p>shorten 20:20</p> <p>short-sided 62:5</p> <p>short-term 45:17</p> <p>should've</p>	<p>58:12,14</p> <p>siblings 24:6</p> <p>sign 42:9 43:8 54:13</p> <p>significantly 53:6</p> <p>signify 7:14 8:10 79:21</p> <p>signs 52:3</p> <p>simple 66:3</p> <p>simpler 65:2</p> <p>simply 18:8 23:5 24:4 53:16</p> <p>single 39:11</p> <p>singular 13:22</p> <p>sir 25:3</p> <p>sit 48:7</p> <p>site 22:5</p> <p>situation 44:21 45:3 59:21 60:18 68:17</p> <p>situations 31:13 34:11</p> <p>skills 17:7,14,19 22:13,19 75:19</p> <p>slide 78:2</p> <p>Slover 71:13</p> <p>slow 50:8</p> <p>small 53:2,3</p> <p>smart 21:4</p> <p>social 17:8</p> <p>soft 22:13</p> <p>solid 20:13</p> <p>solution 45:17,18 48:15</p> <p>solutions 45:3,20</p>	<p>46:20 48:4</p> <p>solve 9:15 13:20,22 35:5 51:2 55:19,20</p> <p>solved 59:11</p> <p>somebody 63:15 76:2</p> <p>somehow 54:14</p> <p>someone 39:22 47:15 54:15 70:19</p> <p>sometime 42:5</p> <p>somewhere 75:18 78:1</p> <p>sorry 50:21 69:3</p> <p>sort 29:16,19 31:4 32:5 42:6,9 62:14 64:1 77:6 78:1</p> <p>sounds 56:1</p> <p>speak 12:7 18:1 25:1 33:1 49:18 61:18</p> <p>speaking 11:2 18:2 24:20</p> <p>spear 71:22</p> <p>special 31:2 63:9 70:1</p> <p>specific 27:14 29:1 31:13 45:16 48:12</p> <p>specifically 27:16</p> <p>speed 40:2 74:16 77:6</p> <p>speedy 20:7</p> <p>spot 77:10</p> <p>spring 14:19</p>
---	--	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>stability 75:7 staff 12:9 13:7 49:13 76:17 stakeholders 45:2 46:3 standardized 17:14 standards 17:4 53:13,18 72:19 stand-in 25:1 start 9:2 15:11 32:14 33:12 38:11 started 9:10 13:8 starting 35:11 starts 13:9 state 1:3 3:5,6 4:4,7,8,12,16,20 6:7 9:1 10:1,4,11,12,14, 15,21 11:8 12:1,8 13:20 16:9 18:4,13,15,20 20:19 23:2 27:12,17 29:5,12 30:12,16,20 31:1,11,16 36:3,8,11,13,16, 22 37:3 39:11,14,15,17 42:11 43:15,18,22 44:15 46:21 48:10 52:9,14,22 55:2 56:5 59:4,5 70:22 71:15,16 72:3,5,15,22 73:1,6,9 76:9 state-issued 19:13</p>	<p>state-managed 33:8 state-run 67:12 states 52:13 53:22 55:11 statewide 72:19 stating 23:5 status 28:20 statutorily-based 61:14 stay 54:7 step 12:17 28:15 77:11 78:12 steps 65:1 stipends 72:21 stop 16:22 strategic 21:4 street 1:10 4:11 23:18 strengthen 72:3 strengthened 72:5 73:1 strong 10:19 strongly 18:4 structural 32:5 struggle 20:13 struggled 20:22 struggling 42:10 student 2:11 72:12,17 74:19 77:4 79:6,10 students 9:19 11:12 13:19,21 18:22 19:11 20:11 22:3 23:3,12 24:2,4 27:17 28:10</p>	<p>29:12 30:13 31:8,21 33:8 34:3 41:6,17,19 42:6 43:17 44:9,10,14,15,17 46:15 47:14 51:14,18,21 52:3,14,17 53:2,19 54:2,10 55:17,22 57:15 58:1,4,7 59:4 63:9,18 64:5,13 65:4 66:7 67:18 68:6 72:7 73:3,11 studies 17:8 success 21:7 22:17,20,22 73:3 79:9 successful 19:21 22:11 successfully 39:20 72:21 sufficiency 29:16 suggest 58:6 suggested 29:9 suggestion 50:15 Sunshine 3:14 12:20 25:12 superintendent 3:6 9:3 10:1,11,12,16 12:5 19:14 28:15 35:16 39:17 56:13 71:16 76:9 Superintendent's 16:10 17:15 18:7 19:8 38:20 40:8,20 41:8 48:10 62:22</p>	<p>support 4:18 20:9 23:1 26:9,17 43:20 54:8,11 55:3,7 58:16 64:12 72:14 78:17 supported 71:18 supporting 21:19 supportive 24:5 supposed 38:7 sure 15:11 27:7 34:14 51:22 55:1 63:17 64:13 79:8 surprised 58:9 surrounding 52:9 53:5 suspect 38:14 system 10:20 11:1 19:19 systematic 62:14 systems 77:8 <hr style="width: 20%; margin: 0 auto;"/> <p style="text-align: center;">T</p> <hr style="width: 20%; margin: 0 auto;"/> <p>table 19:18 28:15 32:13 59:7 tabled 59:8,10 61:17 tablet 25:22 26:13 tackle 9:15 taking 29:18 34:20 53:19 talk 34:17 41:21 60:9 talked 44:16 68:15 talking 52:20,22 53:1 54:12 task 16:22</p> </p>
--	--	---	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

<p>teacher 51:13 71:3 Teachers 71:7 team 28:22 technical 53:7 63:14 technology 17:7 telephone 12:9 television 25:15 temptation 40:10 tendered 70:3 tenure 9:19 71:21 term 48:15 terms 75:6,8 76:12 test 17:11 39:6,8 40:14 52:15 53:18 testify 13:13 21:10 27:6 testifying 16:9 24:16 testimony 12:10 18:14 24:17 39:5 81:4 thank 6:6 10:6,16 12:5 13:1,11,12 15:9,10,14,16 18:10,11,13 21:9,11,12 24:11,14,15,19 25:8,9,10 27:3,4 28:18 33:11 37:5,20 38:1 43:9 44:1 48:5 49:13 51:8,9 56:11 59:13,14,17,19 62:7 65:16 69:1,8,10 74:6,10 75:21</p>	<p>76:2 77:12,20 78:10 79:9 thanks 74:13 78:5 that's 32:7 34:8,9 39:15 45:11 46:2 49:1 54:18 58:10,14 62:20 63:19 64:16 65:15 66:17 77:2,3 themselves 18:1 theoretically 35:20 50:4 thereafter 67:1 81:5 there's 14:13 59:22 63:16 thesis 38:7 they're 34:14 40:2 43:6,7 53:14,16 they've 22:18 51:22 third 4:9 71:3 Thirteen 52:13 thorough 15:7 three-minute 54:21 throughout 26:12 throwing 48:22 thus 11:4 Tierra 2:10 5:9 timely 62:15 today 10:5 16:21 18:20 24:16 25:17 27:15 34:13 today's 18:16</p>	<p>tone 9:11 52:8 tonight 9:2 35:5 36:1,20 39:5 48:14 49:10 50:18 70:1 top 26:6 Total 3:14 12:20 25:12,17 totally 60:6 Totalsunshineincorporated 27:1 totalsunshineincorporated.org 27:2 touch 58:21 toward 20:8 towards 20:6 tracks 31:5 traditional 20:6,22 24:5 39:12 53:8,11,19 traditionally 38:13 training 22:14 23:17 trajectory 21:3 transcribed 1:17 transition 16:4 67:18 74:5 trap 40:4 tremendously 54:18 truancy 72:17 true 81:7 trust 15:1 try 45:20 46:20 65:5</p>	<p>trying 46:2 47:11 48:1 62:13 64:10 66:4 twice 38:3 typewriting 81:6 typically 53:16</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>Uh-huh 68:12 ultimately 72:10 unable 20:17 unanimous 80:7 unaware 60:16 understand 13:17 50:16 62:13,16 68:4 understanding 28:6 66:8 67:20 undertaking 60:12 underwater 40:6 underwent 17:2 unemployment 53:10 unfortunate 30:5 unfortunately 29:17 unit 72:1 unless 39:13,14 Unlike 23:15 unsubsidized 20:18 unusual 26:11 upcoming 25:17 upon 17:12 36:1 37:9 47:21</p>
--	--	--	--

Capital Reporting Company
 DC State Board of Education Public Meeting 04-15-2015

<p>upper 14:19</p> <p>urge 16:22 21:5 23:10</p> <p>urgency 34:18</p> <p>urging 13:22</p> <p>useful 76:20</p> <p>usual 49:14 79:10</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>valedictorian 25:20 26:12</p> <p>value 54:14</p> <p>various 62:16</p> <p>vaulted 76:7</p> <p>versus 26:14</p> <p>vetted 14:22</p> <p>vice-president 10:3</p> <p>Vice-president 2:4</p> <p>view 64:7 70:2</p> <p>viewing 4:6</p> <p>Vincent 71:10</p> <p>Virginia 17:22 39:7</p> <p>vision 73:2</p> <p>vital 10:22 72:11</p> <p>vote 6:17,19 7:13,15 8:11 16:18 30:16,21 31:11 33:22 35:18,19 36:8,12,13 38:3,19 39:1 48:14 49:4,7,10 50:11,17,19 63:22 64:7,15</p> <p>voted 35:22 37:8</p>	<p>38:17 59:7</p> <p>voting 48:15</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 65:10</p> <p>Waiver 72:16</p> <p>Walter 3:14 25:11</p> <p>Ward 2:6,7,8,9,10 8:22 15:12 16:1,2 22:3 40:16 56:10 60:7</p> <p>wash 67:3</p> <p>Washington 1:12 3:10 12:19 21:14 22:10 26:20 55:6</p> <p>wasn't 62:1</p> <p>watching 10:5</p> <p>water 54:14</p> <p>watered 53:14,15</p> <p>Wattenberg 2:7 5:15,16 33:15,17,21 35:14 37:12,14 62:8 63:13 64:11 65:15 70:13 74:11,13</p> <p>WATTENBERG G 62:9</p> <p>Watts 1:17 81:2,16</p> <p>website 26:21 76:10</p> <p>Wednesday 1:6 4:6,9,14</p> <p>weeding 45:8</p> <p>Weedon 5:17</p> <p>week 30:1 50:9</p>	<p>weeks 9:8</p> <p>welcome 4:5,17 11:5,19 28:17</p> <p>welcoming 9:2</p> <p>we'll 7:4 12:12 13:8 24:20 27:10 32:11,14 33:12 37:20 54:20 68:18,20 75:17 77:9</p> <p>well-advised 39:1</p> <p>well-researched 15:7</p> <p>we're 7:12 16:4 26:5 40:19 45:3,13 46:4 49:12 51:1 52:20,22 53:1,12 54:13 57:4 62:4 69:11,13</p> <p>we've 44:16 47:5,10 68:15</p> <p>whatever 62:21 74:9</p> <p>whenever 52:2</p> <p>WHEREAS 70:22 71:3,11,15,21 72:5,8,13,20 73:5</p> <p>Whereupon 49:15 80:18</p> <p>whether 14:8 29:15 34:8 37:8 44:13 50:13 58:16 69:16</p> <p>whole 44:9 46:17 61:19</p> <p>whom 39:7 53:2 81:2</p>	<p>whose 27:22 54:17 65:4</p> <p>Williams 2:4 5:5,6 8:3 10:3 44:5 48:6,7 49:5 50:16,21 70:12 73:18,22 74:1 80:15</p> <p>willing 9:17 41:13</p> <p>Wilson-Phelan 2:6 5:19,20 6:11 7:7 32:15,17 77:16,17 80:8,12</p> <p>wish 12:7 74:21 75:2</p> <p>witness 12:6 28:15 43:4</p> <p>witnesses 12:8,12 13:2 24:16 65:9 68:20 69:21</p> <p>women 78:17</p> <p>Wonderful 70:16</p> <p>wondering 45:19 48:12</p> <p>worded 14:3</p> <p>wording 50:22 51:6,7</p> <p>work 11:11,20 17:10 18:5 21:22 22:15 23:22 24:6 25:13 39:21 46:5 49:9 50:10 65:17 69:19 74:21 76:16 79:1</p> <p>worked 34:3 52:1</p> <p>working 7:6,22 8:2,9 9:7,14 10:8 18:16 22:10 29:5,7 32:2 47:8 49:20 55:20</p>
---	--	--	--

Capital Reporting Company
DC State Board of Education Public Meeting 04-15-2015

Page 21

<p>64:21,22 69:13 71:5</p> <p>works 56:17</p> <p>worms 46:8,9</p> <p>worse 15:6</p> <p>would've 31:20 61:21,22</p> <p>wrap 24:10 43:5</p> <p>write 54:22 61:2</p> <p>written 50:17 61:9</p> <p>wrong 21:3</p> <hr/> <p>Y</p> <hr/> <p>year-olds 20:17</p> <p>yet 12:22 20:7 24:22 50:7 67:21</p> <p>yield 35:13</p> <p>you'll 25:5</p> <p>young 21:16 22:11,16 79:9</p> <p>youth 3:13 13:5 18:18 19:12,16,21 20:3,5,8,22 21:2,20 23:7,15 24:13</p> <p>youth-serving 18:20</p> <p>you've 9:8,9 39:19 74:14 77:19,21 79:8,16 80:15</p>			
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