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## **QUESTIONS**

Without question, cheating occurred in APS on the CRCT in 2009 and previous years. The erasure analysis is no longer a mere red flag, but is supported by confessions and other evidence of cheating in 78.6% of the elementary and middle schools we investigated. We now address the questions: Why did cheating occur at APS, and who knew about it?

## **WHY CHEATING OCCURRED**

Three primary conditions led to widespread cheating on the 2009 CRCT:

- The targets set by the district were often unrealistic, especially given their cumulative effect over the years. Additionally, the administration put unreasonable pressure on teachers and principals to achieve targets;
- A culture of fear, intimidation and retaliation spread throughout the district; and,
- Dr. Hall and her administration emphasized test results and public praise to the exclusion of integrity and ethics.

## **TARGETS**

The unreasonable pressure to meet annual “targets” was the primary motivation for teachers and administrators to cheat on the CRCT in 2009 and previous years. Virtually every teacher who confessed to cheating spoke of the inordinate stress the district placed on meeting targets and the dire consequences for failure. Dr. Hall articulated it as: “No exceptions. No excuses.” If principals did not meet targets within three years, she declared, they will be replaced and “I will find someone who will meet targets.” Dr. Hall replaced 90% of the principals

during her tenure. Principals told teachers that failure to improve CRCT scores would result in negative evaluations or job termination. The unambiguous message was to meet targets by any means necessary.

We do not express any opinion as to the merits of targets. However, targets were implemented by APS in such a way that teachers and administrators believed that they had to choose between cheating to meet targets or failing to meet targets and losing their jobs.

When Dr. Beverly Hall became superintendent in 1999, she implemented many new programs and educational strategies. Dr. Hall managed the district by relying heavily upon data, as opposed to being a hands-on leader. In this regard, she implemented the “target” program, which held teachers and principals responsible for student achievement. These targets were used to quantify expectations so that academic progress was measurable, based primarily on the prior years’ CRCT results.

The major difference between APS targets and AYP standards is that under the target system, a school is not only required to move students from the bottom to the middle (i.e., from the “not meets” standards to the “meets” standards category on the CRCT), but schools are also required to move students from the middle to the top (i.e., from “meets” standards to “exceeds” standards). In this way, a school must focus on improving achievement for both lower performing and higher performing students.

Targets are set annually by the APS administration and approved by the Board of Education. The administration, with assistance from an outside consultant, sets these targets for the district, every school and each grade. The administration notifies the schools of their targets in terms of a percentage. For example, one target at a school might be to increase the percentage of students “exceeding” standards in math by 3%, while at the same time reducing the number of students “not meeting” math standards by 2%. This allows each teacher in every classroom to know exactly how many students must “meet” or “exceed” the target objective.

Low-performing schools are required to improve by a greater margin each year than higher-performing schools. Thus, a higher burden is placed upon the lower-performing schools.

As schools achieve their targets, the next year, the targets increase. For example, if 60% of last year’s fourth grade students met expectations in math on the CRCT, then this year that target might increase to 63%. Targets are set based upon the previous year’s group of students. According to teachers and administrators, this element of targets, combined with the fact that the targets increase every year, makes them unreasonable. For instance, if last year’s fourth graders were mostly high-performing students, but the fourth grade class this year contains more low performers, the fourth grade targets are still set based on last year’s high performing students’ scores. Teachers and administrators we

interviewed consistently referred to this as “comparing apples to oranges” rather than “apples to apples.”

Schools that meet 70% of their targets receive bonuses for every employee, from bus drivers to the principal. These bonuses range from \$50 to \$2000 per person, depending on what percentage of the targets the school as a whole achieves. Dr. Hall stood to financially gain based on whether the district met targets. Over the years, she received tens of thousands of dollars based on the reported CRCT results.

Schools that meet targets will “make the floor” at Convocation, the district’s annual, system-wide celebration held at the Georgia Dome to recognize schools that make targets and improve CRCT scores. Attendance by all faculty and administrators is mandatory. Faculty at schools that hit targets sit “on the floor.” Those that do not make targets are relegated to sit in the uppermost sections of the Dome. Throughout this investigation, it became clear that for many in the district, especially principals, it was extremely important to “make the floor.”

On the other hand, if a school fails to meet targets, its principal and teachers are likely to be placed on a professional development plan (PDP) and receive negative performance evaluations. Some are terminated. Student achievement comprises 25% of principals’ evaluations, the single heaviest weighted item. Dr. Hall made it clear that if within three years a school does not meet targets, then she will replace the principal with someone who will. Principals put the same pressure

on teachers to meet targets by placing teachers on PDPs, publicly humiliating them, or threatening termination. The PDP is supposed to be a tool for helping teachers and principals improve areas of weakness. Instead, the PDP became a weapon to punish and threaten teachers for having low test scores. The message heard by teachers and principals was that the only way out of a PDP was to increase test scores.

We repeatedly heard from teachers, principals and Dr. Hall, that APS is a “data driven system.” Almost without exception, teachers and principals said that the single most important factor to this administration is “data.” They said that “data is the driver,” “data drives instruction,” and “the data controls everything.” We heard this system-wide mantra from virtually every witness.

Data can be properly used as a tool to assess academic progress. But data can also be used as an abusive and cruel weapon to embarrass and punish classroom teachers and principals or as a pretext to termination. After hundreds of interviews, it has become clear that Dr. Hall and her staff used data as a way to exert oppressive pressure to meet targets.

When principals, in groups of 10 to 12, met annually with Dr. Hall, each school’s scores were displayed on large colorful graphs framed and hung on the wall around her conference room. During the meeting, Dr. Hall would ask each principal, one by one, “are you going to meet targets this year?” No one dared tell her “no.”

Many principals humiliated teachers in front of their peers for failing to meet targets. For example, at Fain Elementary School, the principal forced a teacher to crawl under a table in a faculty meeting because that teacher's students' test scores were low. In other schools, principals told teachers that if they could not meet targets or AYP, they might be subject to disciplinary action or they should find another profession. Administrators used these types of tactics even though they knew, as they told us, that the targets set for the schools were unreasonable.

The monetary bonus for meeting targets provided little incentive to cheat. But fear of termination and public ridicule in faculty and principals meetings drove numerous educators to cross ethical lines. Further, because targets rose annually, teachers found it increasingly difficult to achieve them. After a few years of increases, teachers found the targets unattainable and resorted to cheating. Multiple years of test misconduct in the district compounded the level of cheating that was required annually to not only match the prior year's false scores but also to surpass them. The gap between where the students were academically and the targets they were trying to reach grew larger.

The cumulative effect of cheating over a decade on the CRCT made meeting targets more difficult with each passing year. To maintain the gains of the past years while achieving the target of the current year required more cheating than in prior years. Once cheating started it became a house of cards that collapsed upon itself.



APS is indeed a “data driven system,” and whether or not a school meets targets is the most important data of all. What has become clear through our investigation is that ultimately, the data, and meeting “targets” by whatever means necessary, became more important than true academic progress.

Pressure to meet targets and improve students’ CRCT scores was the single, most frequent explanation given by teachers for why they cheated. Most teachers, and many principals, described an oppressive environment at APS where the entire focus of the district had become achieving test scores rather than teaching children. Incremental, yearly progress by students was not enough unless the school met targets. Individual student progress was not as important as the school, as a whole, increasing its overall CRCT scores. In the end, meeting targets became more about the adults than the children.

### **CULTURE OF FEAR**

Dr. Hall and her top staff created a culture of fear, intimidation and retaliation, which was usually enforced on principals and teachers by some of the SRT executive directors. Many witnesses said that after reporting cheating, or some other misconduct, they became the subject of an investigation and were disciplined.

This culture of fear, intimidation and retaliation has infested the district, allowing cheating—at all levels—to go unchecked for years. Those who dared to

report misconduct in the district were held in contempt and punished. For example:

**Dr. Jackie Boyce**

Dr. Boyce worked for six years as a learning technology specialist in SRT-1, which includes most of southwest Atlanta. He was assigned to monitor the administration of the 2009 CRCT at Perkerson Elementary School, as he had done for three previous years. Because of the small class sizes at this school, test monitors did not remain in one classroom, but moved around the school. Several times during the 2009 testing, Dr. Boyce says he observed teacher Lashaine Blake, and others, improperly pointing out answers to students.

Dr. Boyce reported his observations to the principal, Dr. Mable Johnson, on two occasions, but says she “blew [him] off.” Boyce also wrote notations about what he saw on the standardized test feedback form, the state-required document filled out at the end of each day’s testing. He gave the form directly to Dr. Sharon Davis-Williams, Executive Director of SRT-1. Dr. Davis-Williams did not ask Boyce any details about the teachers’ inappropriate conduct, nor did she tell him to report his observations to anyone else. Instead, Davis-Williams gave Boyce blank forms and directed him to fill them out again without the notations about teachers pointing out answers. She told Boyce that he could not write about what he saw on the forms because “they are subject to the open records act.” Davis-Williams kept both the original and “corrected” forms.

During that same testing period in 2009, Dr. Boyce also worked at Herndon Elementary. While Dr. Boyce was in the classroom of Yolanda Coleman, she stepped into the hallway to speak with Dr. Betty Tinsley, the principal. As he watched her class, Dr. Boyce spoke with the students and asked how they performed on the CRCT. Several of the students shouted out that the teacher, Ms. Coleman, had given them the answers. One child, who according to Boyce apparently wanted to protect the teacher, said, “no, she was just giving us examples” of test questions.

When Dr. Boyce told Ms. Coleman what her students said about the CRCT answers, she became angry and accused Dr. Boyce of coercing the students to say she cheated. Dr. Boyce also spoke to Principal Tinsley and explained to her what happened. She stated she would deal with it.

Dr. Boyce was summoned to meet the next day with his immediate supervisor, Dr. Tinsley, and SRT Executive Director Sharon Davis-Williams. Davis-Williams accused Boyce of coercing children to say a teacher cheated, and informed Boyce that she would be investigating him. Ultimately, Dr. Davis-Williams gave Boyce a reprimand to be placed in his personnel file. (Ex. 11). In this memorandum, the cheating allegations against the teacher were noted as “unfounded.” Boyce refused to sign the document because it was erroneous. He was sanctioned for reporting possible cheating, while the accused teacher was

cleared by the SRT executive director without a proper inquiry, and in violation of APS policies.

### **Jimmye Hawkins**

On November 17, 2010, Ms. Jimmye Hawkins was serving as an interim principal at one of the “flagged” schools. Her immediate supervisor, Executive Director Tamara Cotman (SRT-4), held a principals’ meeting, ostensibly to discuss teaching practices. Ms. Cotman began this meeting with a lengthy diatribe, bashing the Governor and this investigation. Cotman discussed the “tricks” she expected the investigators would use and warned the principals of things they needed to watch for in the event they were interviewed. Cotman then handed out forms with the words “Go to Hell” printed at the top. Cotman directed each principal to write letters to anyone for whom the principals felt animosity, including the Governor and the special investigators. She asked for volunteers to “read aloud” their “Go to Hell” notes.

In December, APS received an anonymous complaint describing what occurred at this meeting. (Ex. 12). The district hired a local attorney to investigate this complaint. Ms. Hawkins was interviewed on January 25, 2011. Afterwards she wrote to Veleter Mazyck, APS General Counsel, expressing her fear of retaliation by SRT-4 Executive Director Cotman. Mazyck assured Hawkins that steps had been taken to protect her from retribution. (Ex. 13). However, within hours of Hawkins’ interview, Cotman appeared at her school for a “site visit,”

which culminated in a list of “concerns and recommendations.” Additional site visits followed, all resulting in a list of alleged problems at Ms. Hawkins’ school.

On February 11, 2011, Cotman demoted Hawkins from principal due to “poor performance,” and moved her back to her previous position. Ms. Hawkins immediately called Mazyck and informed her that Cotman retaliated against her for providing information regarding the November 17, 2010 meeting. Ultimately, Hawkins was reinstated to the principal’s position and Cotman was transferred out of SRT-4 pending further investigation, but not until the matter was reported in the local media.

Ms. Cotman spoke with us concerning this matter. She said that the November 17, 2010, meeting was an ordinary principals’ meeting and the “Go to Hell” memo was intended as a “stress relief tool.” Cotman says she routinely began principals’ meetings in this manner. Cotman claimed that at the time Ms. Hawkins was demoted, she did not know that Hawkins had been interviewed as part of that investigation. Cotman says she began the process to demote Ms. Hawkins back in October 2010, and had been accumulating the appropriate documentation to take that action. The “site visits” in January and February 2011, comprised the final steps in the removal process.

Other attendees at the November 17th meeting supported Ms. Hawkins’ version of the story. At the very least, the timing of Ms. Hawkins’ mid-school year

“removal” was highly suspicious, coming so soon after she provided information unfavorable to Ms. Cotman.

### **Michael Milstead**

Michael Milstead was the principal at Harper Archer Middle School from 2006 until 2009. He noticed a discrepancy between students’ high CRCT scores in elementary school and their poor academic performance. Many of these students were several grade levels behind academically, and Milstead soon suspected that some of these students had inflated CRCT scores.

This achievement gap was such a problem that Mr. Milstead raised it in a May 2008 meeting and suggested that elementary and middle school principals should work together to resolve the problem. Executive Director Tamara Cotman later confronted Milstead about his comments. She told him that some of the principals were very upset about his statements with regard to the CRCT scores. Cotman berated Milstead for speaking out about these matters at the meeting.

(We have heard the same concerns from scores of teachers regarding students’ achievement not matching their high CRCT scores from prior years.)

After Cotman informed him that his services would no longer be needed in the district, Michael Milstead resigned.

### **Former High-Level Official**

On January 15, 2010, an attorney for a former high-ranking district official sent a letter to Dr. Hall alleging that APS retaliated against this official when the

official objected to unethical conduct by Chief Human Resources Officer Millicent Few. Specifically, this letter asserted that Ms. Few improperly ordered the destruction of all versions of an investigative report done by attorney Penn Payne with regard to allegations of cheating during the administration of the summer 2008 CRCT at Deerwood Academy.

When the official objected to destroying these documents, this official believed he/she became the subject of a sham investigation based on a trumped-up complaint by a former employee whom APS had ordered the official to terminate. Although APS denied retaliating against this official, the district paid over \$30,000 to settle the claim and \$5,000 in attorney's fees. The charges in the letter are consistent with evidence we have obtained through other sources.

While we have not independently investigated these charges, the timing of this official's termination is highly suspect, and provides validity to her claims. Even more suspicious is that APS investigated the allegations made against the official by a former employee, but never investigated the allegations in the January 15, 2010 letter, that Millicent Few ordered the destruction of documents related to cheating.

**Patrick Crawford**

Patrick Crawford worked for APS from 1991 until June 30, 2010, when he was fired. He was a fixed assets accountant and one of his duties was to conduct

internal audits. He visited schools to perform spot checks for property that APS owned.

Prior to 2008, the threshold for reporting and tracking equipment was \$250, including computers regardless of value. In 2008, APS changed that threshold from \$250 to \$5,000. As a result, 129,000 pieces of equipment no longer had to be accounted for, most of which were computers and flat screen televisions.

On April 22, 2010, Mr. Crawford submitted a report detailing 24 million dollars in fixed assets that were missing. That report also explained that APS had increased its threshold for reporting and tracking equipment to \$5,000. On May 3, 2010, Dr. Hall acknowledged receiving Mr. Crawford's report but disagreed with his conclusion. Four days later, Mr. Crawford, and the other two co-authors of the report, were placed on administrative leave and ultimately terminated. Crawford was told that his position was eliminated due to "budget constraints." He believed these terminations were a result of the report he submitted.

### **Santhia Curtis**

Ms. Santhia Curtis served as Deputy General Counsel for APS from 2007 until April 22, 2011, when she was dismissed. Ms. Curtis supervised some of the legal staff at APS and never received negative evaluations or disciplinary actions regarding her job performance. She has an excellent reputation in the legal community. However, in the months leading up to her termination, Ms. Curtis



engaged in two protected activities that she believes led General Counsel Veleter Mazyck, and others, to retaliate against her. (Ex. 14).

In October 2010, a member of the legal staff said that he had been discriminated against by the APS General Counsel. Ms. Curtis, as this employee's direct supervisor, reported these concerns to the Director of Human Resources. Because Ms. Mazyck was Ms. Curtis' immediate supervisor, Ms. Curtis also notified Mazyck of the complaint. Ms. Mazyck showed obvious displeasure and informed Ms. Curtis that it was inappropriate for her to have reported the allegations to the Director of Human Resources.

An investigation into the discrimination complaint was completed in late January or early February, 2011. Contrary to APS investigative policies, however, no written report was issued. The internal investigator was told to report his findings back to the district through an oral report only. The file was closed on the investigation on April 15, 2011. One week later, APS fired Ms. Curtis.

Veleter Mazyck met with us on May 18, 2011. During that interview, she stated that Ms. Curtis was terminated because APS was "eliminating the Deputy General Counsel position for budget considerations." However, Chuck Burbridge, APS' Chief Financial Officer, and the person with the greatest knowledge of the APS budget, said that he had "no idea" why Ms. Curtis had been terminated. He made no mention of budgetary concerns or her position having been eliminated.

## **TEACHERS**

The events discussed above are not isolated. Throughout this investigation numerous teachers told us they raised concerns about cheating and other misconduct to their principal or SRT executive director only to end up disciplined or terminated.

In sum, a culture of fear, intimidation and retaliation permeated the APS system from the highest ranks down. Cheating was allowed to proliferate until, in the words of one former APS principal, “it became intertwined in Atlanta Public Schools . . . a part of what the culture is all about.”

## **ETHICS**

Teachers and principals denied receiving any ethics training. Dr. Hall failed to balance the data-driven environment she created with an equal focus on the importance of integrity in achieving these goals. In fact, the opposite occurred. Teachers who conducted themselves ethically, but failed to achieve required results, were sanctioned. Those who reported unethical conduct often became a target of retaliation, intimidation and harassment. As a result of the APS failure to temper its drive for success with ethical guidelines, the message was: Get the scores up by any means necessary. In Dr. Hall’s words: “No exceptions and no excuses.”

## **EARLY WARNINGS**

Sudden and dramatic test score gains across schools and grade levels should have alerted Dr. Hall and her administration to investigate the cause of these shifts. We interviewed numerous teachers, principals and upper-level administrators, including superintendents of other districts, who reviewed the CRCT test score gains in APS. They universally agreed that such large gains over a short period of time should have been red flag warnings to APS administrators. As Dr. John Fremer of Caveon Test Security recently stated: “an individual student can exceed beyond their wildest dreams in any given year, but when a whole group shifts its position dramatically, you have to worry.” (When Test Scores Seem Too Good to Believe, *USA Today*, Mar. 6, 2011).

As early as 2001, an AJC story questioned the gains posted by a number of APS schools in the 4th grade on the 2001 CRCT. (Ex. 15). The story reported that of the 68 APS elementary schools tested in 2001, almost half posted dramatic gains of 30 or more percentage points in one or more CRCT subjects at a grade level. Ten of those schools had gains of 40 or more percentage points. APS publicly defended the increases, attributing the sudden gains to improved teaching strategies and new instructional models. APS did not investigate whether cheating or other misconduct could have been the cause of these remarkable gains.

These types of dramatic increases continued in the district over the next decade. We reviewed the CRCT results from 2004 to 2010 for all schools

currently under investigation. We found incredible swings in student performance for these years in many schools. For example:

- From 2006-2007, the percentage of students “exceeding expectations” in English/language arts at Peyton Forest Elementary School climbed 51 percentage points, from 28% to 79%;
- From 2004-2005, F.L. Stanton Elementary School posted a 42 percentage point gain in the number of students “exceeding” standards in math;
- From 2005-2006, all grades at Parks Middle School posted a 30.84 percentage point increase in math;
- From 2004-2005, all grades at East Lake Elementary School posted a 20.78 percentage point increase in math, a 20.23 percentage point increase in English/language arts, a 16.82 percentage point increase in reading;
- From 2006-2007, Dunbar Elementary School posted a 20 percentage point gain in reading. By 2009, 88.26% were passing;
- From 2006-2007, C.W. Hill Elementary School posted a 16 percentage point increase in reading;
- From 2007-2008, Benteen Elementary School posted a 16 percentage point increase in reading;
- From 2005-2006, Parks Middle School increased the percentage of students “exceeding expectations” in math by 21 percentage points;
- From 2006-2007, Parks Middle School increased the number of students exceeding in English/language arts by 16 percentage points, followed by an additional gain of 19% the next year;
- From 2007-2008, Parks Middle School increased its percentage of students “exceeding expectations” in reading by 22 percentage points;
- From 2007-2008, East Lake Elementary School increased the percentage of children “exceeding expectations” in English/language arts by 22 percentage points and in reading by 26 percentage points.

The following year, East Lakes' percentage of students "exceeding expectations" in math increased again by 17.86 percentage points; and

- From 2007-2008, Benteen Elementary School increased its percentage of students "exceeding expectations" on the CRCT by 18 percentage points.

Throughout our investigation, numerous teachers, principals and former officials told us that gains such as these over a short period of time raised questions as to whether the test scores were genuine or achieved by cheating. Yet APS leadership never questioned or investigated these extraordinary increases to ensure that they were honestly achieved.

### **ALLEGATIONS OF COVER-UP**

Dr. Hall and her senior cabinet received numerous reports of cheating. We found cheating allegations being made to top leadership in the district beginning as early as 2005, and continuing through this investigation. In many instances, those reports were ignored, superficially investigated, or hidden from view.

#### **Parks Middle School**

APS received three complaints of cheating and other improprieties concerning Parks Middle School and Principal Christopher Waller at the end of 2005 and the beginning of 2006. Dr. Hall personally received the first complaint on December 22, 2005 from the Atlanta Federation of Teachers, and forwarded this complaint to Dr. Augustine and Millicent Few. (Ex. 16).

On January 13, 2006, Dr. Hall received a second complaint which was an anonymous letter. (Ex. 17). This letter alleged that Christopher Waller was manipulating the Supplemental Education Services after-school tutoring program (SES), which provided free services to certain students, paid for with federal money. The letter also described attempts by Principal Waller to “[p]ersuade, intimidate and coerce teachers to cheat on the upcoming spring 2006 G.C.R.C.T.”

The third complaint letter alleged that Waller gave the eighth grade teachers a document entitled “Tips for Passing the 8th Grade Writing Test.” (Ex. 18). The eighth grade students were allegedly given the “tips” and told to focus on question number seven, which was similar to the official question on the writing test. Question number seven on the “tips” asked students to think of a “rule” they thought was unfair, while the actual test question asked the students to think of a “law” they thought was unfair. Teachers coached students to think about the question in terms of a “law,” the exact question they were asked to write about. According to the complaint, Waller told his staff that elementary schools were cheating and that unless teachers at Parks cheated the school would continue to look bad.

### **Investigation at Parks**

Damaris Perryman-Garrett, the head of OIR from June 2000 through June 2007, supervised the investigation into Parks Middle School. She hired Reginal

Dukes to conduct an investigation of the complaints for APS.<sup>1</sup> Dukes conducted interviews at the beginning of 2006, and outlined his preliminary findings in a March memo. He wrote that the after-school tutorial program was being abused and the “[eighth] grade writing assessment may have been compromised after Waller persuaded, [or] coerced teachers to cheat on the test.” (Ex. 19). Perryman-Garrett told us she remembered receiving Dukes’ preliminary report, which confirmed some of the allegations made with regard to Mr. Waller. Despite the forewarning that cheating might occur, the district took no action to secure the upcoming CRCT testing environment with respect to the allegations made against Principal Christopher Waller.

On May 5, 2006, Dukes sent APS a second report that confirmed the allegations the district had received in January 2006. (Ex. 20).

Dukes found the following:

- Three eighth grade teachers saw and received the writing tips;
- Thirteen students he spoke to were aware of the tips and told Dukes they got them from their eighth grade language arts teachers;
- Most students said they were directed to practice responding to question number seven;
- Most students admitted that a very similar question was on the actual writing test; and,
- Some students said they received the tips before Christmas, while others said they received them a week before the test.

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<sup>1</sup> Dukes is a former client of Balch & Bingham LLP.

Dukes found:

[W]e conclude that students were coached on the topics that were actually on the formal writing exam. The language arts teacher most mentioned in providing this information is no longer at the school. The investigation did not determine how he gained access to this information. We do also conclude that there is reason for concern about the securing of these tests before the exam at Parks Middle School.

Dukes made further findings that should have raised questions about Principal Christopher Waller and his conduct. Specifically, Dukes' investigation revealed that student attendance data and grades were manipulated, and that the after-school tutorial services were mismanaged and money was misallocated.

#### **Meeting with Senior Leadership**

Dukes met with top APS officials to discuss his findings on Parks Middle School, and he recalled that Dr. Hall, Ms. Few, Ms. Perryman-Garrett and Dr. Augustine were in attendance. Dr. Hall, Few and Augustine all denied attending any meeting with Dukes. Dukes was positive these individuals were there, but said that Dr. Augustine was "in and out" of the meeting. Dukes' billing records show that he attended a meeting at APS headquarters building on May 10, 2006, and lists Dr. Hall, Few and SRT Executive Director Michael Pitts as being there. (Ex. 21).

Ms. Perryman-Garrett remembered attending a meeting with Dukes regarding his Parks Middle School investigation. She specifically recalled Ms. Few being at this meeting and said that either Dr. Augustine or Michael Pitts, the SRT Executive Director over Parks Middle School, would have been there also.



Perryman-Garrett, who described Dr. Augustine to us as the “god-mother” of APS, said that everything had to be run past her. We have heard similar testimony about Augustine from several witnesses and according to Perryman-Garrett, it would have been likely for Augustine to have been at this meeting.

Perryman-Garrett did not recall Dr. Hall being at the meeting, but told us she would not question Dukes’ recollection of it. She described Dukes as “thorough and trustworthy” and she “assigned him the tough cases.”

Dukes said that during the meeting he handed a copy of his May 5, 2006 report to Dr. Hall, but she never opened the report and did not read a single page while he was there. He explained his findings about the mishandling of the after-school tutorial program and improper accounting for student attendance at Parks Middle School. Dukes said Dr. Hall had a “glazed over” look as he was discussing his report.

Dukes explained the cheating allegations and told the group that the only way the “tip sheet” could have been prepared was for someone to open a test booklet and see the specific subject about which the students were to write an essay. Christopher Waller was one of only two people with access to the test booklets.

Dr. Hall wanted to know if Dukes had “any direct proof” of cheating or whether anyone had confessed. He responded that there were no confessions, but that no one could explain where the writing tip came from. (Dr. Hall has stated

frequently that absent “any direct proof” she would not believe that cheating had occurred.) Dukes was instructed to continue his inquiry. He completed his investigation on June 30, 2006. (Ex. 22).

When we interviewed Dr. Hall, she denied attending a meeting with Dukes and said that once Christopher Waller arrived as principal, she only heard good things about Parks Middle School. Hall said she did not recall any concerns over how federal funds were being spent or allegations of cheating on the Eighth Grade Writing Test. Even if she was not at the meeting, Dr. Hall said she believes that her staff would have told her about the subjects discussed. Few and Augustine, who also denied being at the meeting, agreed that had they attended the meeting, they would have told Dr. Hall about the discussion.

Despite these denials, Ms. Perryman-Garrett told us that one result of the Dukes investigation was that the company that provided after-school tutorial services at Parks Middle School, in which Principal Christopher Waller had a financial interest, was no longer allowed to do business with the district. This is strong evidence that action was taken as a result of Dukes’ investigation and that APS was aware of what had happened at Parks. Dr. Kathy Augustine confirmed knowledge of the after-school program matter at Parks Middle School, and that a conflict actually existed and Waller was told to “stop.” However, this matter is not mentioned in the principal’s personnel file. Additionally, there is no evidence that

APS took any action with regard to the allegations of cheating and other misconduct of Principal Waller.

### **Retaliation by Waller**

Dukes believed Principal Christopher Waller was attempting to determine the source of the complaints against him. Our investigation revealed that Tameka Butler Grant, a teacher at Parks Middle School, submitted the last two complaints against Waller. According to Ms. Grant, Christopher Waller told her that he was “going to get rid” of her. And at the end of the 2006 school year, he did. Grant was transferred to another school and ultimately terminated from the district.

Waller also “got rid” of Kelley Collins and Fabiola Aurelien. Like Grant, Collins and Aurelien gave Dukes information supporting the allegations against Waller. Later, Principal Waller flaunted his removal of certain employees from the school, stating in an article published by the Annie E. Casey Foundation:

If you have folks on the team who don't think you can win, you are in trouble . . . . So we had to get some people off the bus first. Then, we had to get the right people on the bus.

(A copy of this article is attached to the Parks Middle School summary.)

### **Dramatic Gains at Parks**

If the complaints of cheating on the 2006 Eighth Grade Writing Test were not enough to raise suspicions about cheating by Christopher Waller, beginning with the 2006 CRCT exam, Parks Middle School also had stunning increases in its scores on the CRCT. (Ex. 23).

- Comparing the 2005 and 2006 CRCT, the percentage of eighth graders passing reading increased 31 percentage points, climbing from 50% in 2005 to 81% in 2006.
- In one year, the percentage of eighth graders passing in English/language arts increased by 27 percentage points, climbing from 54% to 81%.
- In one year, the percentage of eighth graders passing in math increased by 62 percentage points, climbing from 24% to 86%.
- In one year, the percentage of eighth graders exceeding expectations in math increased by 45 percentage points, from 1% to 46%.

One year gains of 31, 27, 62 and 45 percentage points should have raised suspicions for district administrators. This is particularly true since the district had been explicitly warned that the security of the Eighth Grade Writing Test had been breached. Dr. Hall told us that she would be suspicious of gains of this magnitude if she had been aware of a prior testing security breach. Nonetheless, she took no action when she learned of the implausible gains at Parks. Instead, Dr. Hall held up Parks and Waller as shining examples of APS progress.

In an article published by the Annie E. Casey Foundation, a private charitable organization that supports Parks Middle School, Dr. Hall is quoted as saying:

When I can stand up in front of my principals and read the list of highest-performing schools in the district, a list that runs the gamut from schools in the highest income areas to schools in the lowest income areas, there are no excuses.

Dr. Hall even praised Waller's management style:

You have to find someone who is able to lead....That sounds vague, but they must be able to go in and, while not being a dictator, get people's attention and articulate a vision and mission in a way that people want to be on board with it....

The "progress" reported about Parks caused money to flow into Parks Middle School and to Waller's pocket. Gail Hayes, the executive director of the Atlanta office of the Annie E. Casey Foundation, said that sometime after 2006, Waller threatened to leave Parks Middle School. The Annie E. Casey Foundation, with the knowledge of Dr. Hall and others, interceded and contributed \$10,000 to Waller, in addition to his salary. Ms. Hayes did not know about the Dukes investigation. Even though Ms. Hayes was on the Blue Ribbon Commission, she did not learn about the 2006 issues at Parks Middle School until our interview with her. Dr. Hall, and her administration, kept this information from the Foundation and Ms. Hayes.

In 2008, Parks was the only middle school in the district to make 100% of its targets. This resulted in Principal Christopher Waller's collecting incentive payments, and additional payments went to members of the school staff. Dr. Hall lauded this "progress" to the Board of Education, noting that Parks Middle School was one of three schools receiving the district's "highest honors." Waller also received the Atlanta Family Award, resulting in several thousand dollars going to him personally. APS continued to tout Parks Middle School as an example of the success its reform models provided.

Dukes said that sometime in 2009, he was called by OIR Director Colinda Howard's assistant, YaQuanda Williams, asking for the reports on three different investigations he had completed because OIR could not locate the documents. In searching for his files, Dukes discovered that APS never paid him for the work he performed in 2006. Dukes took his copies of these reports to APS (including his Parks Middle School investigation) and requested a meeting with Howard with regard to his fee. The district paid Dukes in May 2009.

On May 23, 2011, we served a subpoena on the district for all records regarding Dukes' investigation. One day later, Chief Human Resources Officer Millicent Few asked her assistant Nicole Lawson (now Director of OIR) to "close out" the 2006 Parks Middle School investigation. Lawson drafted a "note to the file," which closed the investigation, without either Lawson or Few reading the Dukes report. (Ex. 24). Lawson's note made absolutely no sense whatsoever. This was one day after our subpoena, and five years after the district received Dukes' report.

In sum:

- Dr. Hall, Dr. Augustine and Ms. Few all received complaints about cheating at Parks in 2006;
- An investigation was started;
- The investigator, Reginal Dukes, wrote three reports of his findings, which confirmed the allegations;
- APS did nothing about Parks Middle School for three years;

- In 2009, these reports could not be found in the district;
- In 2009, Dukes resubmitted the reports, at the district’s request; and
- In 2011, after receiving our subpoena, APS “closed” the file.

As a result of APS’ failure to act on Dukes’ report:

- Christopher Waller, Parks Middle School’s principal, remained in charge;
- Waller removed those individuals he believed reported his improper conduct to APS officials;
- Waller collected money and accolades for himself and the district based on false test results; and
- Waller continued to orchestrate cheating on the CRCT test, at least until he was transferred to APS headquarters in 2009 as a result of the BRC report.

### **Deerwood Academy**

In 2008, there were questions about 11 Deerwood Academy students’ CRCT scores from the summer retest. Five schools sent students to Deerwood to retake the CRCT. When the scores were reported, the 11 Deerwood students’ scores stood out as being statistically improbable. GOSA commissioned an erasure analysis, which revealed that those 11 students also had high WTR erasures. GOSA conducted its own preliminary investigation into the cause of the erasures, ultimately determining that the data collected overwhelmingly showed that someone changed the students’ answers on the Fifth Grade Math Test at Deerwood. GOSA issued a preliminary report on this investigation in June 2009.

The district hired attorney Penn Payne to conduct an investigation. She concluded that no cheating had occurred at Deerwood Academy. However, APS had her make many changes to her report, which placed the district in a more favorable light. On July 2, 2009, while her investigation into the 2008 CRCT retest at Deerwood was still ongoing, Ms. Payne met with Dr. Kathy Augustine, Director of RPA Lester McKee, and Director of OIR Colinda Howard. There are differing accounts of the meeting. According to Ms. Payne, Dr. Augustine asked for this meeting in order to be briefed on the Deerwood matter. Kathy Augustine told us that Ms. Payne wanted to interview her, and at the end of the interview, she asked that Payne give her a brief overview of the Deerwood investigation. However, according to Ms. Payne, she neither asked to meet with Dr. Augustine, nor did she interview her at any time during the Deerwood investigation.

When Payne and Colinda Howard arrived at the meeting, Lester McKee was present. Payne gave them an overview of the status of the investigation. Mr. McKee and Dr. Augustine presented Payne with a draft letter to GOSA Executive Director Kathleen Mathers, for the purpose of reporting on the Deerwood matter to the State. This document falsely claimed that Payne's investigation had been completed, and that no evidence of cheating had been found.

Payne took a quick look at the draft and immediately told Dr. Augustine, McKee and Howard that the letter was not correct, as her investigation was not complete. Ms. Payne had not yet reached a conclusion as to what had transpired at



Deerwood. In fact, she was still attempting to interview key witnesses. Payne said that she would review the letter more closely that evening and then email her comments to both McKee and Augustine. Augustine gave Payne her private email address.

That evening, Payne carefully reviewed the letter and suggested changes, specifically noting the parts of the letter that incorrectly stated that her investigation was complete and that no cheating had been found. Payne then emailed the revised version of the letter to McKee and Augustine. (Ex. 25). Payne heard nothing further about the letter until later.

Unknown to Ms. Payne, on July 6, 2009, Dr. Hall signed the letter without Ms. Payne's suggested changes. (Ex. 26). It was not until a year later, in 2010, when Payne began preparing to testify at a PSC hearing related to Deerwood Academy, that she saw a copy of Dr. Hall's July 6, 2009, letter. Payne's response upon reading the letter: "Oh Shit." She realized that, in spite of her verbal and written warnings to McKee and Augustine that the investigation was not complete, they had allowed the false and misleading letter to be sent to Kathleen Mathers, executive director of GOSA.

Contrary to what Payne told both McKee and Augustine at the meeting, and in her later email, Hall's letter to GOSA claimed that, "the portion of that investigation focusing on the 'cheating charge' is completed and concludes that there is no evidence, no basis in fact, that someone actually altered students'

answers.” This was a false statement, and both McKee and Augustine knew it. It became crucial for Dr. Hall, and her top leadership, that Payne’s findings match the results that Dr. Hall had falsely reported in her letter to GOSA.

Payne did not submit her report to the district until nine days later on July 15, 2009. At the time Payne submitted this report, she believed it to be the “final” report. However, that evening, she received an email from Colinda Howard asking Payne to make specific revisions to the document. Payne made the revisions, as requested, and resubmitted the report. Again, Ms. Payne believed it to be her final report. But that was not the case.

School officials kept asking Ms. Payne for more changes and additions to the report. Ms. Payne revised her report at least three more times before APS ultimately accepted it as “final” on August 20, 2009.

Once Payne’s initial Deerwood Academy report of July 15, 2009 was submitted to APS General Counsel, Veleter Mazyck became more involved in the Deerwood matter, according to a confidential informant. The informant says that as Ms. Mazyck’s involvement increased, the involvement of OIR decreased, and Ms. Mazyck took control over the final report. The week that the Penn Payne report was finally released, Ms. Mazyck told our informant that she had “spent all weekend working on the Penn Payne report.”

The confidential informant, who worked closely with OIR and was in a position to know the events of that time, has provided information on a number of

matters which we have verified through other sources. This informant told us that once the final Deerwood report was accepted by APS, it was considerably “watered down” from Payne’s original version. Chief Human Resources Officer Millicent Few illegally ordered all other versions from Payne be destroyed, except for the final version, dated August 20, 2009.

We received several editions of Payne’s report from the district. However, many of the earlier versions were missing, which is consistent with what the informant told us. When we first interviewed Ms. Payne on February 22, 2011, she was subpoenaed to produce all of her records on the Deerwood investigation. But when interviewed again on June 10, 2011, she provided additional documents that she had discovered the day before on her computer. Among these records were other versions of her report and various communications with APS. These versions had not been produced to us by the district, even though we had requested (via subpoena) all such records.

We find that the information provided by our confidential informant is correct and that Chief Human Resources Officer Millicent Few illegally ordered the destruction of prior versions of Penn Payne’s report. We also believe that Dr. Augustine knowingly allowed Dr. Hall to sign a letter to GOSA regarding the Deerwood investigation that was false, with intent to mislead the state as to the status of that case. Moreover, the district’s repeated requests for revisions of

Payne's report were an interference with, and manipulation of, what was to be an independent investigation.

### **Alteration and Destruction of Documents**

The Parks and Deerwood investigations were not the last time the district would try to hide, minimize or keep secret, evidence of cheating. According to a confidential informant in 2009, when the AJC requested OIR complaints related to testing misconduct, APS Chief Human Resources Officer Millicent Few instructed OIR personnel to destroy documents, while illegally withholding other records from production.

In the spring of 2009, an AJC reporter submitted an open records act request to APS for "all OIR complaints involving testing misconduct" in APS for the 06-07, 07-08, and 08-09 school years. (Ex. 27). These complaints were maintained on a computer log kept by OIR to indicate open investigations, including those regarding testing misconduct. OIR personnel reviewed that log to identify files that alleged testing misconduct and ordered that the responsive documents be retrieved. When OIR gathered the files, some of the documents listed on the log were missing.

Although OIR has its own director and staff, it is directly under the control of Millicent Few. When Ms. Few learned that certain OIR files were missing, she directed OIR personnel to create a separate list of files from the computer log, and

to omit those files that could not be found. The original log was directly responsive to the AJC's records request and was illegally withheld.

Ms. Few reviewed the various OIR files that had been assembled and according to an informant, decided not to produce a number of them. Ms. Few ordered that those files also be omitted from the incorrect list being prepared for production to the AJC. According to an informant, strong disagreement was voiced with Ms. Few regarding this matter and she was told: "We can't do that. Under the open records act this is not proper," and "this will not work." In spite of those concerns, Few issued her directive: "this is what I want and this is what you are going to do." Ms. Few illegally ordered the old case log destroyed. An OIR secretary prepared the revised list, which was provided to the AJC in response to the open records act request in May 2009. (Ex. 28).

When the AJC received the district's response, the reporter reviewed the files and found the list to be incomplete. The reporter knew certain complaints had been omitted from the APS list because of information she had obtained from other sources. The AJC raised questions with the district regarding the missing files and specifically asked that the records be provided. Production of the files took several months and the reporter began to raise more questions. By late August 2009, the reporter noted in an email communication to APS: "I am also growing more concerned that I have not received all testing misconduct complaints that should

have been provided under state law.” (Ex. 29). APS finally produced the files with the exception of several documents that allegedly could not be found.

During our investigation, Ms. Few denied altering or destroying documents, or ordering anyone to do so. However, we verified the information provided by the confidential informant through several sources. According to the informant, APS improperly withheld these documents because the files made the district “look bad” since APS “either did a poor job in investigating the matter or gave a very minimal sanction for the wrongdoing.”

### **Porter and Reeves Reports**

In the fall of 2009, more allegations of cheating at some schools at APS emerged. *The Atlanta Journal-Constitution* published an article that raised questions about extraordinary gains in CRCT scores at some APS schools. (Ex. 30). Specifically, the AJC hired a statistician to study third, fourth and fifth grade scores on reading, English/language arts and math. The article said ten schools in the district posted what the AJC determined to be improbable gains in certain grades and subject areas and suggested that cheating could be one explanation for the jumps in scores in these schools.

The results were reported by the AJC in terms of raw test scores, not percentages. Some of these questionable results included:

- In 2008, Peyton Forest’s third grade math results were among the lowest in the state. However, as fourth graders in 2009,

these same students had the fourth highest math scores, out of nearly 1,200 elementary schools statewide;

- In 2008, West Manor’s fourth grade math scores ranked 830<sup>th</sup>. Yet in 2009, West Manor achieved the highest scores in the state. West Manor’s fourth grade average math score increased 90 points, six times the average increase;
- In 2008, Toomer Elementary fourth grade students posted the highest English/language arts scores in the state, only to see their scores plummet by 58 points as fifth graders in 2009.

Several experts, including Walt Haney of Boston College, told the AJC that “[c]hanges of that magnitude are just extremely suspicious.” As for Toomer Elementary’s drop in performance, Tom Haladyna, a professor emeritus at Arizona State University, said that researchers rarely see such a steep drop. According to experts in testing, precipitous drops in scores can be indicative of cheating on the prior year’s test. Once again, the district defended the results and relied on alternative factors to explain them, including high student turnover rates, instructional practices and smaller class sizes.

In a public response to the AJC’s article, Dr. Hall announced that she would be hiring two experts to look into these test scores—Dr. Douglas Reeves, an expert on instruction and education reform, and Dr. Andrew Porter, Dean of the Graduate School of Education at the University of Pennsylvania. In a district news release, Dr. Hall said that both Porter and Reeves were going to inform the district in separate reports whether the large gains or declines in student testing are the result

of “[f]actors not considered in recent news reports” and that both reports would be made public. (Ex. 31).

Dr. Douglas Reeves was expected to evaluate instructional practices and strategies in the twelve schools identified by the AJC and tell APS whether those practices could lead to the achievement reflected by the test results. Dr. Hall told us that she thought Reeves had observed classrooms to see if there was evidence of appropriate instructional practice. She also said she thought he worked in the district for about two weeks.

Reeves’ report clearly set out the limitations of his work, which are not consistent with what Dr. Hall told us. (Ex. 32). In actuality, Reeves spent only thirty to forty-five minutes in each school and did not observe any classroom instruction during his visit, completing his assessment in just two days. Dr. Reeves’ report, based only on interviews and no classroom observations, was positive for the district. He further said he would be surprised if scores did not increase based on these practices. APS publicized that report and posted it on the district’s website.

A second APS expert, Dr. Andrew Porter, conducted a statistical analysis using the same information as the AJC and produced results almost identical to the newspaper’s unfavorable analysis. Dr. Porter looked at the AJC’s statistical methodology to determine whether it was valid, and whether there were alternative explanations for the gains reported, other than cheating. He ultimately concluded



that while the results of his analysis did not prove cheating, they did “point to student achievement gains and losses that are highly unusual and for which cheating could be one explanation.” Porter presented no other explanation for the gains.

The initial draft of Porter’s report went to Dr. Hall on February 22, 2010. (Ex. 33). Superintendent Hall, Dr. Kathy Augustine and others had a teleconference with Porter in which they discussed his findings. Porter’s final report, dated May 11, 2010, was sent directly to Dr. Hall by email on May 18, 2010. (Ex. 34). His final report restated the conclusions he reached in his previous drafts. Dr. Hall acknowledged receipt of the email the next morning, and indicated that she would read the report and get back with Porter. She never got back to Porter, and Dr. Hall claimed she deleted this report from her computer.

Unlike the favorable Reeves’ report, and contrary to Dr. Hall’s stated intent, the district did not make Porter’s report available to the public. APS publicly used Reeves’ report as a defense to allegations of cheating, while Drs. Hall and Augustine claimed not to realize the limited scope of his review.

Hall and Augustine acknowledged that Dr. Reeves could not have conducted a true assessment of APS’ instructional practices in two days, without classroom observations and other more detailed work. Nevertheless, when Reeves’ report was received, APS released the report as support for the district’s test score gains, while making no public mention of the Porter report.

### **Media Request for Porter Report**

On July 19, 2010, two months after Dr. Hall received the Porter report, the AJC sent an open records request to the district asking for “[t]he report compiled by Andrew Porter, Dean of the University of Pennsylvania Graduate School of Education, concerning CRCT results.” (Ex. 35). Sharron Pitts contacted both Dr. Kathy Augustine and Dr. Hall regarding this request. Pitts was told by them that they did not have the report. (Ex. 36).

A district official responded to the AJC saying “[a] copy of the Porter report does not exist in the district.” (Ex. 37). Shortly thereafter, the district told the AJC that the requested information was in the possession of AEF: “[t]he Porter report is included in the Blue Ribbon Commission’s investigative materials, so it will not be released until the report is released on August 2nd.” The AJC did not challenge the APS response at that time, but the Porter report was not released or mentioned in the BRC findings.

On November 19, 2010, the AJC filed a complaint with the State Attorney General, regarding APS’ failure to provide Porter’s report pursuant to a records request. On December 6, 2010, the AJC sent another request asking APS to provide copies of all materials that the district had provided to us. (Ex. 38). Deputy Superintendent Kathy Augustine claimed that while searching for records responsive to the AJC’s December request—five months after the AJC asked for

Porter's report—she discovered an “unopened email in the archives” of her computer containing a copy of Porter's second draft. (Ex. 39).

After we met with Dr. Hall in May 2011, her lawyers wrote to provide clarification on the issues surrounding Porter's report. (Ex. 40). Her legal team attempted to separate Dr. Hall from the report and asserted that there was no legitimate basis upon which to conclude that she acted improperly.

To be clear, however, it was Dr. Hall who decided to use the services of Dr. Porter to evaluate the AJC's work, held him out as the expert, participated in a telephone conference regarding his study, proclaimed his report would be made public, received a copy of his report, deleted it from her computer, and allowed APS to falsely claim that a copy of the report was not in the district. There is sufficient evidence that both Hall and Augustine did not properly maintain this public document and illegally withheld its release.

### **APS REACTION TO GOSA**

As with previous responses of APS to cheating allegations, the district's first reaction to the 2009 GOSA erasure analysis was to try and explain it away. The day after Kathleen Mathers, Executive Director of GOSA, met with Dr. Beverly Hall and other top APS officials regarding the GOSA erasure analysis, Governor Perdue called Dr. Hall. The Governor told Dr. Hall that he was comfortable with the GOSA analysis and that APS should not question the state study. He further said that “the time for data analysis [was] over and an investigation should begin.”

Dr. Hall agreed, but told Governor Perdue that APS already determined some classrooms were flagged based on disabled students' tests. But at the time Dr. Hall made this declaration, GOSA had not yet given Dr. Hall, or APS, the student-level information from which Hall could have drawn such a conclusion.

Following this meeting with GOSA, APS generated its own analysis, purportedly to help them better understand the GOSA erasure data. Dr. Kathy Augustine directed Dr. Cari Ryan, a senior research associate with the APS Research, Planning and Accountability unit (RPA), to analyze the GOSA statistics. Dr. Ryan worked with Dr. Augustine and Lester McKee to create a chart that compared the 2008 CRCT scores to the 2009 scores. (Ex. 41).

The APS assessment, as reflected in its chart, was not an analysis of the GOSA data, but an effort to disprove cheating. In contrast to the grade and teacher-specific erasure analysis, the APS chart reflected the "average" number of erasures above ten on each section of the test across an entire school. It then compared this information with 2008 and 2009 CRCT results to show that scores in many schools did not increase as a result of the erasures. Dr. Hall, Dr. Augustine, Jeffrey Schiller (an outside consultant), and others told us that they believed this chart showed cheating was not widespread. However, they acknowledged to us that if there was cheating in 2008, then the APS analysis meant nothing.

Shortly after Governor Perdue ordered APS to conduct an investigation, Dr. Hall called a meeting with the principals of the flagged schools and presented APS's internal chart. Remarkably, Dr. Hall and Dr. Augustine never showed the principals the teacher-specific GOSA erasure analysis. Instead, they offered their own interpretation of GOSA's data. In fact, no principal or SRT Executive Director we interviewed had seen GOSA's erasure analysis until we showed it to them.

When we questioned Dr. Hall and Dr. Augustine about their failure to share the GOSA erasure analysis, they explained that because of the impending BRC investigation, they did not want to taint the investigation. Yet they had no concern about sharing the APS internal chart, which attempted to explain how the erasures were not the result of cheating.

### **BLUE RIBBON COMMISSION**

As a result of the erasure analysis, Governor Sonny Perdue ordered the 35 districts with flagged schools to conduct a qualitative investigation to determine the cause of such a high number of WTR erasures outside the expected norm. Thirty-three of the 35 districts performed adequate investigations, which met the Governor's mandate. APS did not.

On February 12, 2010, GOSA issued its investigative guidelines, requiring APS to investigate all schools with more than 10% of the classrooms flagged and report to GOSA by May 14, 2010. (Ex. 42). Within a day or two after the meeting

with GOSA, Dr. Hall determined an independent commission should conduct the investigation. The deadline was extended several times, and the report was submitted on August 2, 2010.

The first outside entity considered by the district to assist the Governor-ordered investigation was the American Institutes of Research (“AIR”). Dr. Gary Phillips is a research scientist with AIR. APS unsuccessfully tried to convince Phillips that the GOSA erasure analysis did not indicate that there was widespread cheating on the 2009 CRCT.

On February 28, 2010, Dr. Phillips met with Dr. Hall, Augustine, McKee, Schiller, APS Board Chair LaChandra Butler Burks, Bill McCargo of AEF and Renay Blumenthal of the Atlanta Metro Chamber. Several people who were in attendance at this meeting have told us that APS presented “chart after chart” focusing on demographic factors and test score changes over a few years. According to Ms. Blumenthal, Dr. Phillips challenged the APS data analysis, stating that it would be inaccurate to look at test score gains over a short period and learn anything. Mr. McCargo described the APS presentation as denying there was widespread cheating. After the meeting, Dr. Hall told Dr. Phillips that testing strategies used by APS might also explain the high WTR erasures.

Dr. Phillips told Ms. Blumenthal that APS should audit the schools with “[t]he highest number of erasures . . . and show a real commitment to taking the

state's data seriously.” Phillips also said APS has “a leadership issue, not a data issue.” (Ex. 43).

On March 8, 2010, the Atlanta Board of Education established the BRC and selected its members. It was to be funded by the Atlanta Education Fund. Gary Price was asked to be chair. BRC members volunteered their time and served *pro bono*. Additionally, Board of Education Chair LaChandra Butler Burks, insisted that she serve on the panel, even though several members of the BRC believed this could compromise the public's perception of the independence of this body.

The BRC created a “working group” to run the investigation between meetings. Burks and Price were the only two members serving on the initial working group. Full time employees of AEF served as administrative support to the BRC. Renay Blumenthal of the Atlanta Metro Chamber provided assistance as needed.

The BRC hired Caveon Test Security to conduct a security analysis and perform further statistical study. The BRC hired accounting firm KPMG to conduct interviews at the 58 schools in APS that were flagged for high erasures.

Even though many of the classes in APS had standard deviations between 20 and 50, the BRC did not obtain any admissions of wrongdoing during its investigation. Ultimately, the BRC concluded that Atlanta's written testing practices and procedures indicated a “tight” testing environment, with some improvements needed. They further concluded that there was no evidence of

centrally-coordinated cheating, but that APS should further investigate a number of schools and certain educators and administrators.

### **TEST SECURITY**

The BRC hired Caveon Test Security to perform a security audit on its test procedures, to review student answer sheets, and to provide a statistical assessment of GOSA’s erasure analysis to help prioritize their investigation. Dr. John Fremer, President of Caveon, and Dennis Maynes, its chief statistician, both worked on the project and prioritized the schools based upon what they referred to as the “Caveon Index.”

Both Maynes and Fremer said that the “Caveon Index” is different for each job based on what data is available to them. Caveon used different measures to look for where the probability of cheating was “the highest.” Two of the measures Caveon used for this job were “abnormally high wrong-to-right erasures” and “abnormally high total erasures.” According to Maynes, for its WTR erasures, Caveon set its probability calculation so it would only flag the worst five percent of the teachers. For total erasures, Caveon set its calculations to only flag those tests that had more than two times the median of total erasures. Before he calculated it, Maynes expected this would flag approximately twenty-five percent of the teachers in the fifty-eight schools.

Dennis Maynes said he used some of the GOSA erasure analysis data for his review but chose not to use the state-wide averages and deviations. He only



examined WTR erasures in the 58 flagged schools in the district. By reducing his statistical universe to this highly suspect and limited set of schools, Caveon redefined the criteria against which a school or teacher would be flagged.

Maynes admitted that confining his statistical model to this small set of highly suspect schools meant his statistical universe was “contaminated.” Caveon believed this was appropriate, however, because their overall methodology was to focus on finding “the worst of the worst.” Mr. Maynes further said that there was an enormous amount of erasures in the 58 APS schools and that there was no doubt that cheating was occurring in APS.

Because of the manner by which Caveon calculated its index, and the contaminated statistical universe it used, many schools for which there was strong statistical evidence of cheating were not flagged by Caveon. Nonetheless, the twelve worst schools identified by the BRC are the same schools GOSA identified as having the highest percentage of flagged classrooms in APS.

### **KPMG AND APS INTERVIEWS**

The BRC hired accounting firm KPMG to handle the BRC investigative efforts. Remarkably, APS never provided GOSA’s erasure analysis to the BRC or KPMG. Therefore, KPMG did not use this information to question teachers during their interview process. In fact, not one teacher, principal or executive director ever saw the GOSA erasure analysis until confronted by us. Dr. Hall’s Chief of Staff, Sharron Pitts, said that when she saw KPMG’s proposed list of questions,

she found them to be superficial and not likely to get relevant information. Therefore, she said, it is not surprising that no one confessed.

KPMG found evidence of a pervasive fear of retaliation for reporting wrongdoing and pressure to meet targets. KPMG interviewers told us that a teacher's fear of retaliation was a recurring theme. They summarized this information in a presentation given to the BRC. They wrote:

During the interview process, a common theme emerged that may indicate potential cultural issues to be considered. Investigators noticed frequent expressions of concern including but not limited to the following:

- Fear of job loss in the event of reporting violations and/or not meeting target goals;
- Inability to trust administrators or central office;
- Being unduly pressured to meet test score requirements.

(Ex. 44). Chuck Riepenhoff, who supervised this work for KPMG, said this information was discussed during BRC executive sessions.

BRC Chair Gary Price told us that APS did not have adequate controls to “keep people from crossing ethical lines.” In his view, APS did not have things in place, such as policies and procedures, to ensure ethical conduct. They are “[a]ll about perform, perform, perform . . . they just don't have that culture. They were not in balance.” He was disappointed when Dr. Hall proclaimed that the BRC report “vindicated” APS. Price went on to say that the BRC report did not vindicate Dr. Hall.

John Rice, an executive with the General Electric Company who also sat on the BRC, agreed with Price's sentiment. He felt that APS had "lost its balance between performance and ethics." He said there was no release valve for the performance pressure in the system.

The BRC submitted its report to the Atlanta Board of Education on August 2, 2010. Governor Perdue found the BRC investigation into APS to be insufficient in scope and depth. But the BRC was never likely to uncover the truth because the scale of the problem in APS was too deep, given the limited resources available and the time restrictions on the BRC's work. While Caveon's statistical analysis helped prioritize the BRC's efforts, its analysis was flawed and understated the potential for cheating in many schools. In the end, the problem was much larger than anyone on the BRC could have imagined.

### **APS RESPONSE TO BRC REPORT**

The BRC sent 108 certified educators' names to APS for additional investigation. It also referred the principals at the 12 worst schools to the district because it believed the extent of the circumstantial or statistical evidence was sufficient to conclude at least a failure of leadership. The BRC believed there was sufficient evidence of cheating in several other schools outside of these twelve. The report was presented to the Board of Education on August 2, 2010. Following the release of the BRC report, Dr. Hall proclaimed it as "vindication" of APS and proof that no system-wide cheating occurred. Dr. Hall issued a news release the

same day, trusting that “[t]he media and public will focus on the main findings of the report that there is no orchestrated cheating in Atlanta Public Schools....” (Ex. 45). Dr. Hall quoted the BRC language regarding “no district-wide effort to manipulate” the 2009 CRCT again, and concluded by stating that “[i]f we are guilty of anything, we are guilty of demanding high standards of our students, teachers and principals.” Dr. Hall denied all responsibility for the cheating the BRC believed existed, but she promised to “ferret out” those responsible and impose severe consequences if necessary.

As to the 12 schools in which the BRC suspected cheating occurred, APS transferred those 12 principals to other positions within APS pending further investigation. Even though the BRC referred numerous educators back to APS for additional investigation, Dr. Hall announced just four days later, that she would refer these people to the PSC instead, without additional inquiry by the district. (Ex. 46). Many of those teachers had never even been interviewed by the BRC, much less investigated by APS.

Although Deputy General Counsel Santhia Curtis and her staff reviewed the BRC report for evidence that would support these complaints, in large part, the sole basis for the complaints filed by APS against the teachers was “high Caveon index”—the statistical index used by Caveon to identify potential irregularities. No other explanation was provided. According to Kelly Henson, Executive

Director of the PSC, it could not take any action based on this inadequate information.

We reviewed each of the PSC complaints filed, many of which were supplemented the very day Governor Perdue appointed us as special investigators. The vast majority of the complaints say only that a teacher has a high “Caveon Index,” although no one at APS with whom we have spoken knew what this meant. Dr. Augustine, Millicent Few and Veleter Mazyck each acknowledged to us that even if a teacher has high statistical evidence showing cheating in his or her classroom, it does not mean that that teacher did anything wrong. Regardless, Dr. Hall decided to refer these employees to the PSC, issuing a news release publicizing her actions.

As to the teachers referenced in the BRC report, Dr. Hall made accusations against them when it was obvious there was insufficient supporting evidence. Ms. Mazyck, Ms. Pitts and Ms. Few acknowledged that “PR” [public relations] was a factor in the decision. This was done to promote Dr. Hall’s public image so she would appear to be taking the allegations of misconduct seriously. These complaints made against 108 people without further investigation by APS as recommended by the BRC, and without sufficient cause to believe they had acted improperly, are unconscionable.

## **THE BUSINESS COMMUNITY**

Dr. Hall had the support of community leaders after becoming superintendent. She courted philanthropic and business leaders rather than spend her days in the schools, working in the “trenches” and speaking one-on-one with teachers to know what was happening in her district.

In many ways, the community was duped by Dr. Hall. While the district had rampant cheating, community leaders were unaware of the misconduct in the district. She abused the trust they placed in her. Hall became a subject of adoration and made herself the focus rather than the children. Her image became more important than reality.

What began as a minor cheating scandal at Deerwood Academy, led to an investigation by a then-obscure state agency, headed by a former elementary school teacher. This was the first CRCT cheating by APS uncovered by a governmental agency, the Governor’s Office of Student Achievement. Questions began about Dr. Hall’s leadership.

When the 2009 results were published, they were startling. Governor Perdue ordered an erasure analysis. There were concerns that the high scores were the result of cheating.

Many of Dr. Hall’s supporters defended her and the district. The possibility of a negative reflection on the Atlanta “brand” caused some to protect Dr. Hall and attack the messengers. Image was more important than the truth.

An email we obtained illustrates this belief. The email, from Senior Vice President of the Metro Atlanta Chamber, Renay Blumenthal, stated that the BRC final report is to be “finessed” past the Governor. (Ex. 47). This effort was unsuccessful.

Somewhere in this process, the truth got lost, and so did the children.

### **FINDINGS**

We found cheating in 44 of the 56 schools we examined (78.6%). There were 38 principals of those 56 schools (67.9%) found to be responsible for, or directly involved in, cheating.

We determined that 178 teachers and principals in the Atlanta Public School System cheated. Of the 178, 82 confessed to this misconduct. Six principals refused to answer our questions, and pled the Fifth Amendment, which, under civil law is an implied admission of wrongdoing. These principals, and 32 more, either were involved with, or should have known that, there was test cheating in their schools.

We empathize with those educators who felt they were pressured to cheat, and commend those who were willing to tell us the truth regarding their misconduct. However, this report is not meant to excuse their ethical failings, or exonerate them from their wrongdoings.

The massive test score increases alone, on the CRCT beginning in 2001, were enough to trigger an inquiry by Dr. Hall or others to determine if the gains

were achieved legitimately. We interviewed experts in the education field, including teachers, principals and superintendents, who agreed that the incredible increases in the test scores, over a short period of time, should have drawn the attention of Dr. Hall and her cabinet.

The standard deviations with regard to the WTR erasure analysis on the 2009 CRCT were so high as to rule out any conclusion other than cheating. However, we stress that a high standard deviation does not always mean that a particular teacher cheated because we know that some teachers' tests were changed by others, without their knowledge. Additionally, during the 2009 CRCT and previous testing years, security protocols were regularly breached with reckless disregard for state-mandated procedures.

Amazingly, while APS was in denial, entities such as *The Atlanta Journal-Constitution*, recognized these gains as extraordinary and began raising questions as early as 2001. The AJC questioned test score gains in APS in 2006 and 2009. Never once did Dr. Hall, or other officials, investigate to confirm that these scores were legitimate. While others were questioning these gains, Dr. Hall staunchly denied that the scores were a result of cheating, attributing the gains to their educational initiatives and prowess. To make matters worse, the district then touted the principals at schools with the highest increase in scores, like Parks Middle School, as models of APS and the district's achievements.



Publicly, the district flatly rejected any suggestion of test misconduct, but internally, Dr. Hall and her administration received numerous reports of cheating at a number of schools. She ignored them, hid them, or attempted to explain them away. In 2006, an APS investigator concluded that cheating occurred on an Eighth Grade Writing Test at Parks Middle School. Dr. Hall took no action, despite evidence that the principal may have been involved in making students change test answers. Instead, she ordained the principal at Parks as the poster child for how a school can turn around. Ironically, when numerous principals and teachers were asked during this investigation if they believed cheating occurred in APS, they immediately pointed to Parks Middle School, and its principal.

In 2009, when the district received an open records request seeking all complaints of cheating, certain administrators illegally altered the complaint log (a public document) to minimize the number of complaints and hide files that would have cast APS in a negative light. Similarly, when an expert, hired by APS produced a report which suggested that cheating could be one explanation for large score gains, Dr. Hall deleted that report from her computer. It was never made public by the district.

Dr. Hall pledged “full cooperation” with this investigation, but did not deliver. The district’s responses to our subpoenas were slow and often incomplete. APS withheld documents and information from us. Many district officials we interviewed were not truthful.

On multiple occasions, APS administrators attempted to explain away evidence of cheating. On the summer 2008 CRCT retest at Deerwood Academy, they manipulated and softened the report of the purportedly “independent” investigator. Likewise, when GOSA produced the 2009 erasure analysis, APS tried to secrete that data, such that only the highest ranking district administrators saw it.

Rather than use the GOSA analysis to aid in its investigation (through the BRC), APS created its own internal study to explain how the high erasures were not the result of cheating. Dr. Hall never shared the GOSA erasure analysis with her executive directors, principals or teachers, instead showing them the APS internal analysis. She knew this information was not shared with the BRC and that they had only seen Caveon’s flawed analysis. BRC members never saw the very document that laid the foundation for its investigation.

APS became such a “data-driven” system, with unreasonable and excessive pressure to meet targets, that Dr. Hall and her senior cabinet lost sight of conducting tests with integrity. This immense pressure to meet targets placed on principals was imposed upon the classroom teachers. Meeting targets “by any means necessary” became more important than actual student achievement.

Dr. Hall and her cabinet knew or should have known that cheating was occurring on the CRCT. For years, they disregarded warning signs or failed to see them. If they failed to see the warnings, they were not the leaders they claimed to

be. And if they disregarded them, it was a gross and willful breach of their duty to the children of Atlanta.

As a result, school children were harmed by the failure to honestly measure their academic achievements, depriving them of the educational assistance they needed, and to which they were entitled.

**Dr. Sharon Davis-Williams**

Dr. Sharon Davis-Williams, Executive Director of SRT-1, failed in her responsibility for testing activities and for ensuring the ethical administration of, and proper security for, the 2009 CRCT. Williams failed to properly monitor the 2009 CRCT and adequately supervise testing activities and test security in SRT-1. This resulted in, and she is responsible for aiding and abetting Dr. Hall in falsifying, misrepresenting or erroneously reporting the evaluation of students to the State Department of Education with regard to the results of the 2009 CRCT.

We conclude that Sharon Davis-Williams either knew or should have known cheating and other misconduct was occurring within schools in SRT-1.

**Michael Pitts**

Michael Pitts, Executive Director of SRT-2, failed in his responsibility for testing activities and for ensuring the ethical administration of, and proper security for, the 2009 CRCT in SRT-2. Pitts failed to properly monitor the 2009 CRCT, and adequately supervise testing activities and test security in SRT-2. This resulted in, and he is responsible for aiding and abetting Dr. Hall in falsifying,

misrepresenting or erroneously reporting the evaluation of students to the State Department of Education with regard to the results of the 2009 CRCT.

We conclude that Michael Pitts either knew or should have known cheating and other misconduct was occurring within schools in SRT-2.

More particularly, we conclude that Michael Pitts had knowledge of cheating at Parks Middle School and aided and abetted cheating at this school by:

- Failing to investigate allegations of cheating and reports that attendance records had been falsified;
- Discouraging teachers from making complaints against Principal Christopher Waller; and
- Advising teachers at Parks Middle School not to cooperate with this investigation.

Finally, when questioned about these allegations, Pitts provided false information to us.

#### **Tamara Cotman**

Tamara Cotman, Executive Director of SRT-4, failed in her responsibility for testing activities and for ensuring the ethical administration of, and proper security for, the 2009 CRCT in SRT-4. Cotman failed to properly monitor the 2009 CRCT, and adequately supervise testing activities and test security in SRT-4. This resulted in, and she is responsible for aiding and abetting Dr. Hall in falsifying, misrepresenting or erroneously reporting the evaluation of students to the Georgia Department of Education with regard to the results of the 2009 CRCT.

We conclude that Tamara Cotman either knew or should have known cheating and other misconduct was occurring within schools in SRT-4.

Finally, when questioned about these matters and the “Go to Hell” meeting, she provided false information to us.

**Veleter Mazyck**

As General Counsel for APS, Ms. Mazyck’s conduct raised the following concerns.

She attempted to manipulate and influence the outcome of the investigation into potential cheating at Deerwood Academy in 2008.

When questioned about the Deerwood Academy investigation and other matters, she provided less than candid responses.

**Millicent Few**

Millicent Few, Chief Human Resources Officer, on two occasions ordered those under her supervision to illegally destroy and alter public documents in order to hide evidence related to test cheating and misconduct.

When asked about these matters, Ms. Few made false statements.

**Dr. Kathy Augustine**

Dr. Kathy Augustine, Deputy Superintendent for Instruction and Curriculum, failed in her responsibility for testing activities and for ensuring the ethical administration of and proper security for the CRCT in 2009, as well as in previous years. Dr. Augustine failed to properly monitor the CRCT in 2009 and in

previous years, and to adequately supervise testing activities and test security. This resulted in, and she is responsible for, aiding and abetting Dr. Hall in falsifying, misrepresenting or erroneously reporting the evaluation of students to the State Department of Education with regard to the results of the 2009 CRCT in the APS system.

Dr. Augustine had a legal and ethical duty not to falsify, misrepresent, omit or erroneously report information submitted to governmental agencies. We conclude that Dr. Augustine violated this duty by intentionally causing a letter containing false information to be transmitted to the state. Specifically, Dr. Augustine caused and allowed a letter to be transmitted to the state indicating that the investigation into allegations of cheating at Deerwood Academy was complete and that no evidence of cheating had been found.

We conclude that Dr. Augustine either knew or should have known cheating and other misconduct was occurring in schools in the APS system.

Finally, when questioned about the Deerwood Academy investigation and other matters, she made false statements.

### **Dr. Beverly Hall**

Dr. Beverly Hall, Superintendent of the Atlanta Public School System, was ultimately responsible for honestly and accurately reporting information to the State of Georgia regarding the evaluation of students. She certified to the Georgia Department of Education that the district “adhered to all written regulations and

procedures relating to testing and test administration including the distribution and collection of test materials, test security, use of these results and department testing dates and the reporting of irregularities” as required by the relevant guidelines and test manuals. It is our finding from the statistical data and other evidence, that Dr. Hall’s certification to the state was false.

Dr. Hall failed in her leadership of, and ultimate responsibility for, testing activities and for ensuring the ethical administration of the CRCT in 2009, as well as in previous years. This resulted in, and she is responsible for, falsifying, misrepresenting or erroneously reporting the evaluation of students to the State Department of Education with regard to the results of the 2009 CRCT in the APS system.

Finally, we conclude that Dr. Hall either knew or should have known cheating and other misconduct was occurring in the APS system.

## GLOSSARY

TERM	DEFINITION
APS	Atlanta Public Schools. An independent school system in the City of Atlanta, Fulton County, Georgia. Officially the “Atlanta Independent School System.”
AYP	Adequate Yearly Progress. Part of the federal No Child Left Behind Act of 2001, AYP is a measure of year-to-year student achievement on statewide assessments. Schools, school districts, and states must demonstrate a certain level of performance on reading and/or language arts and mathematics assessments. Schools that do not “meet AYP” for two consecutive years in the same subject area are designated as schools in “Needs Improvement.”
Certified educator	Individuals trained in education who hold teaching, leadership, service, technical specialist, or permit certification issued by the PSC.
Classroom level data	CRCT erasure analysis data for specific teacher or homeroom, including the subject tested, number of students, total number of wrong to right erasures, and resulting standard deviation.
Confessed	Admitted to the truth of a charge or accusation.
Convocation	Annual celebration held by APS to recognize schools that have met at least 70 percent of its performance targets. All APS schools’ faculty are expected to attend.
CRCT	Criterion-Referenced Competency Test. A standardized test used by Georgia as the AYP assessment tool for elementary and middle schools. Tests grades 1-8 in reading, English/language arts, and math. In addition, grades 3-8 are tested in science and social studies.
ELA	English /language arts
Fifth (5 <sup>th</sup> ) Amendment	The privilege against self-incrimination grounded in the Fifth Amendment to the U.S. Constitution, providing that no person will be compelled to be a witness against himself. In a criminal case, if a defendant invokes the 5 <sup>th</sup> Amendment and refuses to testify, he may not be presumed guilty based on that refusal. However, in a civil case, if a witness invokes the 5 <sup>th</sup> Amendment and refuses to answer questions concerning whether he or she committed a particular act, “it creates an implied admission that a truthful answer would tend to prove that the witness had committed the act.” <i>Perez v. Atlanta Check Cashers, Inc.</i> , 302 Ga. App. 864, 870 (2010).
GOSA	Governor’s Office of Student Achievement. State agency which provides accountability for Georgia's schools, pre-K through postsecondary levels. The intent is to improve student achievement and school completion in Georgia.
GTR ID#	Unique identification number assigned to each student.



IEP	<b>Individualized Education Program.</b> Free, appropriate, public special education services which students with certain disabilities or impairments are eligible to receive. An IEP is a written plan developed by a team of teachers, other qualified personnel, parents, guardians, and the student if appropriate.
Implicated	Shown to be also involved, usually in an incriminating manner.
LA	Language arts
MA	Mathematics
Makes the floor	At Convocation, schools that “make the floor” have met at least 70 percent of its targets. Those schools’ faculty members are seated in groups on the floor of the host venue, with the schools meeting the highest percentage of its targets seated closest to the stage. Schools that do not make the floor are seated in bleachers or other remote seating.
Meets, exceeds	Refers to a measurement, usually expressed as a percentage, of students who “met” or “exceeded” state standards in certain core curriculum subjects (math, reading, English/language arts, science, and social studies) as measured by the CRCT.
Monitors	Persons assigned to a school to observe test administration procedures; e.g. test distribution, test collection, storage of test materials. Observes testing sites to see that schedules are being followed, reports unusual activity.
OIR	<b>APS Office of Internal Resolution/Employee Relations.</b> Processes and investigates complaints and reports of employee wrongdoing and related employment matters.
Paraprofessional	A person who may have less than professional-level certification, who relates in role and function to a professional and does a portion of the professional’s job under the professional’s supervision, and whose decision-making authority is limited and regulated by the professional. O.C.G.A. § 20-2-204. Georgia paraprofessionals must be certified by the PSC.
PDP	<b>Professional Development Plan.</b> A plan developed and implemented to correct perceived deficiencies in performance of teachers and administrators, used to encourage and support improvement in specific areas.
PEC	<b>Program for Exceptional Children.</b> Program offering specialized, educational testing, evaluation and other services to eligible children with certain disabilities or impairments. Each eligible student must have an IEP.
Preponderance of the evidence	A standard of proof in civil cases. Evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.
Proctors	Persons assigned to monitor classrooms or other specific areas during testing; circulate to observe students and discourage misconduct; assist test examiner to maintain testing security; report unusual activity or irregularities.

Prompting	Assisting students during testing by use of verbal or nonverbal cues. Examples include voice inflection, pointing to answers, repetition or rephrasing of words or passages, physical cues, movements, sounds, or signals meant to suggest or convey the answer or encourage students to erase and change an answer.
PSC	Georgia Professional Standards Commission. A state agency created “to set and apply high standards for the preparation, certification, and continued licensing of Georgia public educators.” The PSC also handles the investigation and due process of cases referred for disciplinary action.
RD	Reading
RPA	APS’ Department of <b>R</b> esearch, <b>P</b> lanning and <b>A</b> ccountability. Among other functions, RPA manages and oversees all testing programs at APS.
Social promotion	The practice of promoting a student from one grade level to the next on the basis of age rather than academic achievement.
SRTs	School <b>R</b> eform <b>T</b> eams. APS is organized into four (4) geographically aligned areas comprised of elementary and middle schools, each headed by an executive director. The structure is meant to provide greater accountability and faster service to schools and parents.
Standard deviation	A measure of the variability or dispersion of a distribution of scores that represents the average difference between individual scores and the mean. The more the scores cluster around the mean, the smaller the standard deviation.
Student level data	CRCT erasure analysis data for each individual student for each subject tested (RD, ELA, MA) showing the total number of erasures made on that test, and the number of those erasures that changed from wrong to right.
Stray marks	Pencil markings made on answer sheets that are visible outside of the “bubble” or oval area where answer choices are to be marked.
Targets	An accountability program implemented by APS, consisting of specific performance goals set for each school at the beginning of the school year. The targets are based on quantifiable measures, primarily CRCT test scores, and also include factors such as student attendance, and enrollment in rigorous academic courses.
Testing accommodation	A change in a test administration that modifies how a student takes or responds to the assessment. Accommodations are designed to provide equity and serve to level the playing field for students with disabilities and English Language Learners.
Totality of the evidence	Finding or conclusion based on all of the circumstances of a particular case, rather than any one factor.
WTR	<b>Wrong To Right</b> = an incorrect answer choice is erased and changed to a correct answer choice on an answer sheet, as detected by erasure analysis using high speed optical scanners.