

What follows are my blog posts (to date) about Michelle Rhee during her tenure as Chancellor of the schools in the District of Columbia. The first was posted about a week after our Frontline, “The Education of Michelle Rhee,” aired on PBS early in January 2013.

To read hundreds of reader comments, go to the blog itself, Taking Note, on our website, learningmatters.tv

John Merrow

May 3, 2013

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[Meet Adell Cothorne](#)

BY [JOHN MERROW](#) ON JANUARY 9, 2013

Michelle Rhee is, of course, the central character in our Frontline film, “[The Education of Michelle Rhee](#),” but I want to tell you more about Adell Cothorne, the former DC principal who appears at the end of our film. She was one of a small handful of DC educators willing to speak on the record about the [widespread erasures that occurred during Michelle Rhee’s tenure in Washington](#)—and I think what she has to say is important. It’s not an exaggeration to say that producer Mike Joseloff, researcher Catherine Rentz and I made hundreds of phone calls to teachers and principals at schools with high

erasures rates (with answers almost always changed from ‘wrong’ to ‘right’) on the District’s standardized test, the DC-CAS, and to those in Michelle Rhee’s central office. Many of those we called either hung up the phone, said ‘no comment,’ or ask to go ‘off-the-record.’ I think some changed their phone numbers, and a few managed to disappear from sight.

Why the code of silence? One person explained that she wouldn’t be able to find work in education if she spoke out—and then hung up. Others told much the same story.

So let me tell you more about Adell Cothorne, in her own words.

“I grew up in poverty. I’m a minority, of course, (laughs). (And the daughter of a) teenage mother. So I absolutely understand the value of a strong public school education. It will take you places you’ve never been before.”

Education enabled Adell Cothorne to rise from those unpromising circumstances, and she ended up as an Assistant Principal in Montgomery County, Maryland. For those unfamiliar with the Washington, DC, area, Montgomery County is a wealthy suburb of the Capital with excellent ‘Blue Ribbon’ public schools. It’s one of the top-ranked school districts in the nation.

<http://takingnote.learningmatters.tv/wp-content/uploads/2013/01/s-FRONTLINE->



[MICHELLE-RHEE-large.jpg](#)

Adell Cothorne, former principal of Noyes Education Campus

Her idealism burned brightly, and so she applied for a job in Washington, largely, she told Frontline, because of her admiration for Michelle Rhee.

“I still have the Time Magazine with Michelle Rhee on the cover,” Cothorne told Frontline. “I had been following her for a while, and I admired what I saw on the media

and the news. And so to have the opportunity to dialogue and sit across from her and then have her say to me, you know, 'It's not a matter of when you're coming to D.C., but where I'm going to put you,' that was absolute confirmation for me. And I was over the top."

Rhee installed Cothorne as principal of Noyes Education Campus, a 'Blue Ribbon' school that had achieved remarkable gains on the DC-CAS in previous years. In October Cothorne met again with the Chancellor, one-on-one, to discuss her plans for the year. (Rhee's practice was to meet with every principal to get their written guarantees.)

She told Frontline that meeting, which took place early in school year 2010-2011. "You are to 'goal set.' You are to tell her, you know, 'I will raise math scores by 5%. I will raise reading scores by 6%.' And so, yes, she and I had that conversation. And I said to her in early October, 'I'm very comfortable with a 6% gain in math and a 7% gain in reading.'"

JOHN MERROW: But ... if you make the commitment for 6%, 7%, is it understood that if you don't make it you are not going to be around?

ADELL COTHORNE: Yes.

JOHN MERROW: Produce or else?

ADELL COTHORNE: She— yes, she said that to me. Yes.

JOHN MERROW: She said—

ADELL COTHORNE: In a joking fashion, absolutely joking fashion, but she did say, 'You know, Cothorne, if you don't make this, don't be upset if you get a pink slip.' Those were her words to me. In a joking manner.

JOHN MERROW: Did you take it as a joke?

ADELL COTHORNE: No. (LAUGH) That's my livelihood. No I did not.

Even as she was making that commitment, Cothorne knew she had a problem. What she had already seen in her new school did not jibe with the test scores that had been recorded. Here's what she told Frontline:

"As any good administrator should, I visited classrooms and just made my presence known, (and) noticed a disconnect for myself and what was going on in the classroom. The level of instruction, because I've worked at Blue Ribbon Schools before, so the level of instruction that I know is needed for a Blue Ribbon School, I was not seeing on a daily ongoing basis. ... There's these huge disconnects. They're struggling academically. Yet

the data that I have been given is showing great gains. But what I see with my own eyes on a daily basis is not a true picture of great gains.”

I asked her to tell me more.

ADELL COTHORNE: Well, for instruction, I saw students who were struggling to read, which is absolutely what does not happen in a Blue Ribbon School. And did not coincide or line up with the data that I had been given as the new principal. I just really saw a lack of instruction across the board. There were only very few instances where I could go into a classroom and feel comfortable that instruction was going on and kids were learning. Wholesale, that was not happening at my school.

JOHN MERROW: It must've been upsetting.

ADELL COTHORNE: It was upsetting and it was a little nerve-wracking because I knew (LAUGH) it was my responsibility to raise the achievement of that school.

Her predecessor, Wayne Ryan had led Noyes with great success. In fact, Rhee had promoted him to her central office largely because of his school's success on the DC-CAS. In 2007, for example, only 44.14% of Noyes' students had scored at a proficient level in reading, but under Ryan's leadership that number nearly doubled, to 84.21%, in just two years. Math scores had also nearly doubled, from 34.24% to 62.79.

What Cothorne did not know was that an awful lot of answers had been changed from 'wrong' to right,' on DC-CAS answer sheets from Noyes—and in nearly half of Rhee's other schools. At Noyes 75% of the classrooms were flagged for high erasure rates. (This problem began in Rhee's first year, and she learned of it early in her second year. She had been urged to investigate the 2007-2008 erasures but did not, as the film details.)

Cothorne told Frontline that she inadvertently discovered a possible explanation for the discrepancy between the high test scores and the students' daily performance: Adults were changing answers on the tests. She had stayed late one night and heard noises coming from one classroom.

“So I walked into the room and I saw three staff members. There were test books everywhere, over 200 test books spread out on desks, spread out on tables. One staff member was sitting at a desk and had an eraser. And then there were two other staff members at a round table and they had test books out in front of them.

And one staff member said to me, in a light-hearted sort of way, 'Oh, Principal, I can't

believe this kid drew a spider on the test and I have to erase it.' ... That was a little strange to me. I mean, the whole situation of all of these test books, over 200 test books being spread out in this room after school hours with three staff members. It's not the way a testing situation is supposed to happen."

This was not an isolated incident, Cothorne told Frontline.

JOHN MERROW: Were there any other indications?

ADELL COTHORNE: Yes.

JOHN MERROW: Of— that— teachers or staff members were behaving inappropriately on testing situations?

ADELL COTHORNE: Oh, in testing situations. Yes. ... I personally walked into two different classrooms and saw two separate teachers giving instruction, trying to frontload students with information while test books are open and out. So I saw that with my own eyes.

That created a crisis for Cothorne. She felt compelled to report the incident, but her immediate supervisor was Wayne Ryan, her predecessor at Noyes. How could she call him up and accuse his former colleagues of erasing answers, without implying that he may have been part of the scheme? In the end, she told Frontline, she called someone else, who, she says, told her 'not to worry' but that was the last she heard from him. She also told Frontline that one administrator summoned her to his office. She would not reveal his identity but told Frontline about the conversation.

ADELL COTHORNE: When I was meeting with this higher up— the statement was made to me, 'You don't respect the legacy that has been built at Noyes.' Once again, I processed, and looked at the person and said, 'Could you repeat that?' The person again moved closer and said, 'You don't respect the legacy that has been built at Noyes.' And I answered with, 'You know, I thought I was doing a very good job of looking at instruction and giving support.' And the person just kind of smirked and set back.

JOHN MERROW: And how did you interpret that?

ADELL COTHORNE: "Be quiet." That was my interpretation.

(Cothorne would not tell Frontline the name of that administrator, but in court documents that were unsealed the day before our broadcast she names Wayne Ryan as the individual. He was, of course, her predecessor at Noyes and the person she reported to directly at DCPS. Back in May 2011, Cothorne filed a 'whistleblower' action with the US

Department of Education alleging widespread cheating and, therefore, fraudulent awards of federal funding. However, on the afternoon before our broadcast the Department of Education's Inspector General reported that she had not found cheating by adults and therefore the Department of Justice would not pursue Cothorne's case. Her full complaint can be found [here \(.pdf\)](#). In it she names the DCPS officials she says she spoke to. We have not been able to contact those men, and DCPS claims it has no records of phone calls from Cothorne. Cothorne's attorney says that one call was made on Cothorne's cell phone and that she has supporting documentation.)

At Noyes, however, she was in charge of the building itself. I asked her to talk about the coming DC-CAS. Here's our conversation:

JOHN MERROW: You, as principal of the school, had something to say about the DC-CAS and security. And did you do anything to make sure that DC-CAS would be a secure test?

ADELL COTHORNE: Yes. So I did speak with downtown, and— on a regular basis, after I witnessed what I saw earlier in the year, I had ongoing conversations with downtown. “Don't forget, when DC-CAS comes around, I need extra, you know, monitors. I need some other people besides my staff in the building to ensure that everything is okay.” And at that point, downtown was more willing to help because the USA Today article had come out, and so Noyes had gotten lots of publicity about an erasure scandal. So when CAS came around in 2011, I did have two extra people from downtown to help monitor to— the test, and then I had another two extra people who helped with, you know, having the test checked in to make sure all the tests came in. We had locks changed on doors so that myself and my assistant principal were the only two people that had the key to the room to get in to testing. No one— the test coordinator did not have it. No one else had the keys.

JOHN MERROW: So are you convinced that that DC-CAS in the spring of your year there, that that was a secure test?

ADELL COTHORNE: I would honestly say that was a secure test.

JOHN MERROW: So you— you're certain there were no erasures on that test?

ADELL COTHORNE: Now, I cannot be certain because I did not stay at the school 24 hours (LAUGH) a day. But while I was there, and what I saw, I do think it was a secure test.

With heightened security, Noyes' DC-CAS scores dropped 52 points in reading (from 84.21% in 2009 to 32.40%) and 34 points in math (from 62.79% to 28.17%). In fact, in 2010-2011 Noyes performed below its 2007, pre-Rhee, level.

JOHN MERROW: How do you explain the drop?

ADELL COTHORNE: Those were the true test scores.

JOHN MERROW: I'm sorry?

ADELL COTHORNE: Those were the true test scores, in my opinion. Those were what the students in that school actually were able to produce.

Take note, readers. The decline at Noyes was not an exception among 'high erasure' schools. At the 14 schools with erasure rates of 50% or higher, scores declined at 12, often precipitously, after security was tightened. For example, reading scores at Aiton fell from 58.43% in 2007-2008 to 20.80%; in math from 57.87% to 16%. Reading scores at Raymond went from 70% to 42.44%, while its math score dropped from 68% to 45.71%. By the time the 2010-2011 DC-CAS was administered, everyone knew of the widespread erasures, thanks to [USA Today's brilliant and thorough investigation](#). Rhee was gone by then, but, under public pressure, Rhee's successor asked DC's Inspector General to investigate. He began at Noyes, where he had little success. Cothorne told Frontline, "At first, they tried to interview staff members after school, but then staff members would find a reason not to be interviewed."

JOHN MERROW: Why would teachers play cat and mouse?

ADELL COTHORNE: That would be speculation, but I guess they had something that they didn't want to be forthcoming.

Of course, Cothorne expected to be questioned. After all, she had filed a complaint, and Noyes was the epicenter of the story.

JOHN MERROW: Were you interviewed?

ADELL COTHORNE: No, I was not.

JOHN MERROW: Why weren't you interviewed?

ADELL COTHORNE: Again, my speculation, they didn't want to hear what I had to say. The Inspector General spent 17 months but investigated only one school, Noyes. Oddly, he did not examine data from 2007-2008, the year with the largest number of erasures but looked only at Rhee's second and third years. At Noyes, the IG finally managed to interview 32 school personnel—but not Cothorne—and 23 parents. He reported finding a

number of problems with test security but on the issue of Noyes personnel erasing answer sheets, “investigators found no evidence to corroborate these allegations.”

The Inspector General would not agree to an interview with Frontline.

Linda Mathews, the lawyer/journalist who supervised the USA Today investigation, told Frontline that , if one of her reporters had submitted a report like the one compiled by DC’s Inspector General, “I’d fire him on the spot.”

I asked Cothorne if she understood why an administrator or teacher might be tempted to cheat?

ADELL COTHORNE: Absolutely.

JOHN MERROW: Explain.

ADELL COTHORNE: Pressure. There’s pressure from central office to raise test scores. And that pressure is given to principals. And it is very clearly explained to you, not only in D.C., but many other school systems, your job is tied to test scores. Increase test scores. Period.

JOHN MERROW: Did you think there were people who, you know, outside of school, above the school, who knew something was wrong and maybe didn’t want to know?

ADELL COTHORNE: Not that they didn’t want to know, they wanted to keep their jobs. So I think that they knew, and, you know, because of the economic times that we’re in, decided to go along.

JOHN MERROW: Do you think that was widespread?

ADELL COTHORNE: In my opinion, yes.

I ask you to pay special attention to the next section of this piece.

Playing Devil’s Advocate, I suggested that changing a few answers was a victimless crime. She nearly jumped from her chair.

ADELL COTHORNE: No, it’s not a victimless crime. There are many victims. There are thousands of victims. It’s the students that are the victims.

JOHN MERROW: How?

ADELL COTHORNE: Someone is putting forth a picture that you are able to do something that you have no capability of doing. And so you keep moving to these different levels and the next person’s saying, “Oh, Janie can read on a fifth grade level and she can do fifth grade math.”

And Janie gets into your sixth grade middle school class, Janie can’t read, ‘See the dog

run down the street.' Janie can't do the math. And so Janie becomes frustrated, because you are putting these sixth grade expectations on her and she has first grade ability. So then what happens to Janie? She waits her time, and when she's 16 she's out.

Although Cothorne became disillusioned with Michelle Rhee, she suggested that the problem went beyond the Chancellor. To Cothorne, Rhee was swept up in the national obsession with test scores everywhere, created by the 2001 federal No Child Left Behind law.

She described it in these words: "(I)nstruction shuts down in February because you have to do test prep from February until the test. So instruction in many districts was already shaky in the beginning, and now you're basically shutting down all instruction in February to do all of this test prep. Because for many administrators and many school districts, it's as important to make sure that kid knows how to take the test than it is, 'Did they truly learn the content?' "

Because Cothorne is also the mother of a young child, she also sees education from a parent's perspective. She talked about that in our interview.

ADELL COTHORNE: My frustration as a parent is that education as a whole has lost the ability of students to be natural learners. No Child Left Behind has put in the caveat that every kid must get it by Tuesday at 2:00, and if you have an IEP, we'll give you until 2:15. But at 2:15 we're moving on.

And you've got to get it. So children who need a little more processing time, children who may be able to give you the idea, but they have to write a song about it, or they have to create a picture about, (but) ... when the rubber meets the road, it's not about differentiation at the end of the day. That teacher is judged on, 'What scores did those children get on that test?'

And that test doesn't look at, 'Could you sing the information?' or 'Could you create a poem?' It looks at, 'Could you write a short essay and could you bubble in the right answer?' So that has been the focus. How do they pass that test? Not 'Did they learn anything?' but 'Are they able to pass numerous tests?' Because we test all year long. Adell Cothorne, a dedicated educator who was completing work on her doctorate, resigned her principalship and gave up a reported annual salary of roughly \$130,000. She has opened up a bakery, "[Cooks 'n Cakes,](#)" in Ellicott City, Maryland, surely a gamble in these difficult economic times.

I hope it's a rousing success. When you stop by (to buy), please congratulate her on her courage.

The Missing Memo

BY JOHN MERROW ON JANUARY 15, 2013

What follows is the story of a missing memo, numerous attempts to unearth it using the Freedom of Information Act, confidential sources, apparently lost email, and new questions about Michelle Rhee's decision not to investigate widespread erasures on an important standardized test during her first year in Washington, DC.

Readers of this blog know that our Frontline film, "[The Education of Michelle Rhee](#)," has stirred up the conversation about Chancellor Rhee's tenure in Washington, DC. Debate continues about the 'wrong to right' erasures on the DC-CAS, and about the quality and depth of the investigation of those erasures. (Read more about these reactions, including my response, [here](#).)

Erasures matter. The DC-CAS is a diagnostic tool whose wrong answers reveal where students are weak (say, multiplying fractions), so that teachers can provide the necessary catch-up instruction. If adults change answers, then the weaknesses are not discovered or remediated. If you believe, as I do, that education is a civil right, then those cheaters are denying children a basic civil right.

As the film documented, the new Chancellor extracted written guarantees of gains from her principals and offered cash bonuses to principals, assistant principals and teachers if their students' scores jumped. The implicit message was that principals might lose their jobs if scores did not go up.

Scores jumped, sometimes as much as 42%.

In response to those dramatic increases, she awarded more than \$1.5 million in bonuses to principals, assistant principals and teachers. As she said at the celebration—without a trace of irony—when awarding the bonuses, "These are unbelievable for a one-year time period."

Shortly thereafter, Rhee was informed by Deborah Gist, the Superintendent of Education, that the test maker had discovered large numbers of erasures, most of the answers changed from 'wrong to right.' In an "action required" memo dated November 21, 2008, Gist asked Rhee to investigate. (Gist, now Rhode Island's State Superintendent, declined to discuss this on the record.)

As our film documented, the normally decisive Chancellor responded to Gist's memo by asking first for more time and then for more information. In the end, she did not investigate the possibility that adults had cheated in order to raise the scores.

What almost no one outside of Rhee's inner circle knew—perhaps until now—is that the usually decisive Rhee did not stray from her normal pattern of behavior. She acted decisively, but she did this privately.

She turned to a trusted advisor, Dr. Fay G. 'Sandy' Sanford. Dr. Sanford began consulting for DCPS early in Rhee's tenure. He had been approached by Erin McGoldrick, Rhee's Chief of Data and Accountability, even before she began working for DCPS. "She didn't have any background in data-driven instruction," Sanford told me in mid-November of last year, "and so she asked me for help."

Sanford's undated agreement says he will be paid \$85 per hour for work performed at his offices in California (his company is called Eduneering) and \$1500 per day for work performed at DCPS, plus reimbursement for travel, food and lodging.

The document makes clear that he would be under the direct supervision of McGoldrick. His duties are broadly defined in five areas: professional development; data analysis and data modeling; critical review of plans, programs or any other related topics, program design and implementation; and—the open-ended job—"any other services not specified above but related to the data and accountability welfare of the district as directed by the Chief of Data and Accountability (McGoldrick)."

McGoldrick and DCPS relied on Dr. Sanford to the tune of at least \$218,935.45 in roughly three years. Sanford's purchase orders and invoices, which we obtained through the Freedom of Information Act (FOIA) were invariably sent to the attention of Erin McGoldrick (with her email address) and paid by DCPS.

A confidential source told Producer Mike Joseloff that, around the time of Gist's memo, DCPS asked Dr. Sanford to examine the same data that set off alarm bells in Deborah

Gist's office. It stands to reason that McGoldrick, Sanford's direct supervisor, would have made the request on the Chancellor's behalf.

Dr. Sanford confirmed that he had written a memo about the erasure data at the request of DCPS. He said that to Joseloff in late spring of 2012 and again to me in our phone conversation on November 20, 2012, a conversation that lasted for 44 minutes and 30 seconds (according to billing records).

I asked him for a copy of the 2008 memo. He said he would release it if DCPS agreed, but, because it was a 'work for hire,' he couldn't simply send me a copy. He told me that he had already given copies to the Inspectors General of both DCPS and the US Department of Education, under subpoena.

Here beginneth our tale of FOIA frustration. Starting in early May of 2012, we submitted FOIAs to DCPS, the DC Inspector General, the Mayor and the US Department of Education. DCPS told us the document did not exist. The DC Inspector General told us he had it but wouldn't release it, a decision echoed by the US Department of Education's IG. The Mayor supported DCPS. I have copies of 46 communications on my desk as I write this, but there may have been more.

Careful readers will recall that Sanford reported to McGoldrick and that he regularly invoiced her for payments. We inferred from this that they probably communicated by email, given that Sanford was in California and McGoldrick in DC. Therefore, on July 3, 2012, we filed a FOIA with DCPS for email communications between the two. We sent 'reminder' requests on August 14 and October 1. On October 5 the DCPS FOIA officer, Donna Whitman Russell, wrote to say "We should receive the emails within the next 15 days. We'll have to review them. And hope to have response in approximately 20 days." Our November 5, 2012 FedEx letter to her was returned, unopened, with the notation, "moved." However, Ms. Russell was still on the job as of January 15, 2013.

It's been over six months, and we have still not received the McGoldrick-Sanford emails. How hard can it be to find email? Or could there be something in the McGoldrick-Sanford communications that DCPS does not want the public to read?

But we know the Sanford memo is out there. What does it say? Three secondary sources have told us that Sanford was troubled by the widespread erasures. An anonymous letter was mailed to me on June 20, 2012, stating in part, "The memo indicated there was cause for concern with a significant number of school test

results....(Sanford) did not draw conclusions, but we all know he suspected cheating was widespread.”

A second secondary source told of being in a meeting where McGoldrick spoke of Sanford’s memo and conveyed his concern. A third secondary source said much the same thing.

Primary sources are the gold standard, of course, and in this case there is only one: the memo itself.

In my conversation with Dr. Sanford (November 20, 2012), he said to me, “You know, the memo doesn’t say what you think it says.”

And what is that, I asked him?

“You think it says I found cheating.”

No, I responded. I think it says that there was cause for concern.

He was silent.

Am I right, I asked? Is that what you reported, that there was reasonable cause to investigate?

He was silent.

I asked him to confirm or deny.

He was silent for a long time, and then he changed the subject.

I inferred from that exchange that he did not want to lie to me but that he also felt bound by the rules of his contractual relationship and could not answer. By this point in our conversation I come to feel that Dr. Sanford was a straightforward and honorable man. I say that because I spent the first 30 minutes of the phone call learning his life story. He grew up in Tennessee and said he didn’t learn to read until he was in 6th grade. He hated school so much, he said, that he “had to be scraped from the car in the mornings.” He wouldn’t have made it through high school if it had not been for four very special teachers and music. He played the string bass and said he was an All-State musician who played rock, jazz and classical music.

After graduating from high school in 1965, Sanford joined the Marines and expected to be sent to Vietnam. Instead, this almost-dropout was assigned to teach math and physics to new recruits. Why me, he asked? “The tests show you can do this,” he said they responded.

So he went to junior college and earned enough credits to qualify to become a commissioned officer in the Marines. He eventually earned his Bachelor's degree from the University of California and Master's and Doctor's degrees from USC.

After 24 years in the Marine Corps, he retired in 1989 and began teaching 4th grade. He rose through those ranks to become a principal.

When criterion-reference testing came to California, his skills were in demand, and he was promoted to the central office. He jumped from that in 2000 to form his own company. "Big mistake," he said. "I made a grand total of \$250 my first year." But it grew and grew, finally becoming too big for his sensibilities, and so he sold it and started his current small consulting company, Eduventures.

Oh, he also took up motor car racing two years ago, at age 64. Said he's good enough to win his age class, even won a big award that entitled him to go to Lotus Academy in England. 'Math has served me well,' he said, explaining that motor car racing is a matter of mathematics.

And so, when Dr. Sanford remained silent for a long time before changing the subject, I drew the inference that our secondary sources were probably right, and that this seemingly honorable man had seen enough in that raw data to believe an investigation was warranted.

If you have read this far, you must be wondering why we didn't simply ask McGoldrick or Rhee for the document. I called McGoldrick at her home in California at least a dozen times. I never got anything but her answering machine (including once again this morning). I left messages with a call back number. She hasn't called.

As for Michelle Rhee, we did ask, but even that story is a bit complicated. It begins with phone calls this past summer from a prominent Washington criminal attorney, Reid Weingarten. Mr. Weingarten indicated that, if we would submit our questions in writing, she would reply in writing.

I responded to Mr. Weingarten's offer in good faith. In my email dated August 22, 2012, I asked the former Chancellor to release Sanford's memo. She did not reply.

In that same letter, I asked for a formal sit-down interview for our Frontline film to give her 'the last word.' She did not reply.

So what does Dr. Sanford's 4-page memo say? We haven't seen it and have only circumstantial evidence that suggests its contents.

But if Sanford concluded that the Chancellor had no cause for concern and no reason to investigate, wouldn't it be in her best interests to release it? Why not provide Frontline with a copy and dispel suspicion?

If, on the other hand, Sanford suggested there was reason to investigate, then that means that two experts, Gist and Sanford, thought something might be amiss. And one of those experts was her own trusted data person.

What we know for certain is that Michelle Rhee did not investigate the DC-CAS erasures on the 2007-2008 test. She did not hire experts to perform erasure analysis or use other forensic tools to determine whether adults cheated. There's no record of anyone in power even trying to find out if anyone might have witnessed cheating. It's as if no one wanted to know.

Where is that memo?

Michelle Rhee's Reign of Error

BY JOHN MERROW ON 11. APR, 2013

With the indictment of former Atlanta School Superintendent Beverly A. Hall and 34 other public school employees in a massive cheating scandal, the time is right to re-examine other situations of possible illegal behavior by educators. Washington, DC, belongs at the top of that list.

Michelle A. Rhee, America's most famous school reformer, was fully aware of the extent of the problem when she glossed over what appeared to be widespread cheating during her first year as Schools Chancellor in Washington, DC. A long-buried confidential memo from her outside data consultant suggests that the problem was far more serious than kids copying off other kids' answer sheets. ("191 teachers representing 70 schools"). Twice in just four pages the consultant suggests that Rhee's own principals,

some of whom she had hired, may have been responsible (“Could the erasures in some cases have been done by someone other than the students and the teachers?”).

Rhee has publicly maintained that, if bureaucratic red tape hadn’t gotten in the way, she would have investigated the erasures. For example, in an interview^[1] conducted for [PBS’ “Frontline”](#) before I learned about the confidential memo, Rhee told me, “We kept saying, ‘Okay, we’re going to do this; we just need to have more information.’ And by the time the information was trickling in back and forth, we were about to take the next year’s test. And there was a new superintendent of education that came in at the time. And she said, ‘Okay, well, we’re about to take the next test anyway so let’s just make sure that the proper protocols are in place for next time.’”

At best, that story is misleading.

The rash of “wrong to right” (WTR) erasures was first noticed by the DC official in charge of testing, who, after consulting with the test-maker, asked Rhee to investigate, in November, 2008. Through her data chief, Rhee turned to Dr. Fay G. “Sandy” Sanford for outside analysis.

I have a copy of the memo^[2] and have confirmed its authenticity with two highly placed and reputable sources. The anonymous source is in DCPS; the other is DC Inspector General Charles Willoughby. A reliable source has confirmed that Rhee and Deputy Chancellor Kaya Henderson discussed the memo in staff gatherings. Sanford came to Washington to present his findings in late January, 2009, after which he wrote his memo. In response to my request for comment, Rhee issued the following careful statement: “As chancellor I received countless reports, memoranda and presentations. I don’t recall receiving a report from Sandy Sanford regarding erasure data from the DC CAS, but I’m pleased, as has been previously reported, that both inspectors general (DOE and DCPS) reviewed the memo and confirmed my belief that there was no wide spread cheating.” After receiving this statement, I sent her the memo; her spokesman responded by saying that she stood by her earlier statement.

Chancellor Henderson did not respond to my request for a response.

Sanford wanted the memo to be kept confidential. At the top and bottom of each page he wrote “Sensitive Information–Treat as Confidential,” and he urged, “Don’t make hard copies and leave them around.” ([The memo.](#))

The gist of his message: the many ‘wrong to right’ erasures on the students’ answer sheets suggested widespread cheating by adults.

“It is common knowledge in the high-stakes testing community that one of the easiest ways for teachers to artificially inflate student test scores is to erase student wrong responses to multiple choice questions and recode them as correct,” Sanford wrote. Sanford analyzed the evidence from one school, Aiton, whose scores had jumped by 29 percentiles in reading and 43 percentiles in math and whose staff—from the principal down to the custodians—Rhee had rewarded with \$276,265 in bonuses. Answer sheets revealed an average of 5.7 WTR erasures in reading and 6.8 in math, significantly above the district average of 1.7 and 2.3.^[3]

Sanford, a Marine officer who carved out a post-retirement career in data analysis in California, spelled out the consequences of a cheating scandal. Schools whose rising scores showed they were making “adequate yearly progress” as required by the federal No Child Left Behind Act could “wind up being compromised,” he warned. And what would happen to the hefty bonuses Rhee had already awarded to the principals and teachers at high-achieving schools with equally high erasure rates, Sanford asked? And, Stanford pondered, “What legal options would we have with teachers found guilty of infractions? Could they be fired? Would the teachers’ contract allow it?”^[4]

While Sanford’s memo doesn’t raise the issue, falsely elevated scores would deny remedial attention to children whose true scores would trigger help. Just how many children could only be determined by an investigation.

Michelle Rhee had to decide whether to investigate aggressively or not. She had publicly promised to make all decisions “in the best interests of children,” and a full-scale investigation would seem to keep that pledge. If cheating were proved, she could fire the offenders and see that students with false scores received the remedial attention they needed. Failing to investigate might be interpreted as a betrayal of children’s interests—if it ever became public knowledge.

The 37-year-old Michelle Rhee had been a surprise choice to lead the schools. After college, she joined Teach for America and taught for three years in a low-income school in Baltimore. After earning a graduate degree in public policy at Harvard, she took^[5] over a fledgling non-profit that recruits mid-career professionals into teaching, The New

Teacher Project. In that role, she eventually ended up supervising 120 employees. As Chancellor, Rhee would be managing a school system with 55,000 students, 11,500 employees and a budget of nearly \$200 million.

She surrounded herself with people with no experience running a large urban school system. Her deputy would be her best friend, Kaya Henderson, another former Teach for America corps member who was then Vice President for Strategic Partnerships at TNTF. She would be managing the District's 11,500 employees.

Her Chief of Data and Accountability would be Erin McGoldrick, whom Rhee had met at Sacramento High School some years earlier and who was an avowed fan of Rhee. A classics major at Notre Dame, McGoldrick also studied public policy at UCLA. Although she was in charge of data analysis at the California Charter Schools Association when Rhee offered her the job, McGoldrick had no experience in Rhee's 'data-driven decision making,' according to several reliable sources.

Rhee selected Jason Kamras, the 2005 National Teacher of the Year and a veteran of seven years in the classroom, to lead what she called her 'Human Capital Design Team.' Kamras' assignments were to design a teacher evaluation system and create a model union contract.

That no one in her inner circle had any experience managing an urban school system did not seem to concern Rhee.

And if inexperience led her astray, Rhee believed that she had a fail-safe system that would steer her back on course, data-driven decision making. "We're going to be doing parent satisfaction surveys, principal satisfaction surveys, teacher satisfaction surveys, so that we can gauge how good a job we are doing," she said. There would be no management by hunches or anecdotal evidence—only numbers. "I am a data fiend," she told me. "Measure everything. Don't do anything you can't measure."

She was determined not to let anything get in her way. "What I am is somebody who is focused on the end result that I think needs to happen," she told the PBS NewsHour in September, 2007. "If there are rules standing in the way of that, I will question those rules. I will bend those rules."⁶¹

Rhee said she would be guided by one principle: "I am going to run this district in such a way that is constantly looking out for the best interests of the children." And she knew that her actions were being watched beyond the District of Columbia. "All the eyes of the

country are now on DC,” she said. “I believe that what we are embarking upon is a fight for the lives of children.”

From her first days in Washington, Michelle Rhee had flaunted her inexperience (“I have never run a school district before,” she told her 5,000 teachers at their first meeting.), but here it seems to have hurt her. An experienced educator might well have gone public with the erasures and simply cancelled the results, boldly declaring that, because the interests of children came first, she was ordering retesting, this time with the tightest possible security. Privately, the veteran could have raised the roof, but publicly she would have been a hero.

Getting at the truth would have required bold action. The essential first step: a deep erasure analysis^[7] to determine whether the erasures showed patterns, because patterns are very strong evidence of collusion. Even with 70 schools involved, that could have been done quietly, but step two—putting people under oath—would have been public. The Mayor and City Council would have to be involved. While that would have been messy, it would have been dramatic evidence that she truly did put the interests of children above those of all adults, including her own.

The model for an effective investigation can be found 640 miles to the south, in Atlanta, Georgia, where an eerily similar situation involving roughly the same number of adults and schools existed. As in Washington, the Atlanta superintendent resisted investigation. As in Washington, an expert was privately asked for his analysis, which was then ignored and kept out of view.^[8]

Because of aggressive reporting by the Atlanta Journal-Constitution and strong political leadership from two Republican Governors, the situation in Atlanta was investigated from top to bottom. An investigative team led by former Attorney General Mike Bowers and former DeKalb County District Attorney Robert Wilson interviewed more than 2,000 people and reviewed more than 800,000 documents. Because Wilson and Bowers were working with the Georgia Bureau of Investigation, they were able to put people under oath when they questioned them.

Cheating was found to have taken place in 78.6% of the schools investigated.

“Superintendent Beverly Hall and her senior staff knew, or should have known, that

cheating and other offenses were occurring,” the [813-page report](#) says. Hall, a former National Superintendent of the Year, left the district just before the Governor released the report, which implicated 178 principals and teachers. If convicted, she faces up to 45 years in prison.

According to the July 5, 2011 report, “a culture of fear and conspiracy of silence infected (the Atlanta) school system and kept many teachers from speaking freely about misconduct.”

As Georgia Governor Nathan Deal said when releasing the conclusions, “When test results are falsified and students who have not mastered the necessary material are promoted, our students are harmed, parents lose sight of their child’s true progress, and taxpayers are cheated.”

In an interview in February 2013, Wilson said that he had been following the DCPS story closely. “There’s not a shred of doubt in my mind that adults cheated in Washington,” he said. “The big difference is that nobody in DC wanted to know the truth.”

It’s easy to see how not trying to find out who had done the erasing–burying the problem–was better for Michelle Rhee personally, at least in the short term. She had just handed out over \$1.5 million in bonuses in a well-publicized celebration of the test increases^[9]. She had been praised by presidential candidates Obama and McCain^[10] in their October debate, and she must have known that she was soon to be on the cover of Time Magazine^[11]. The public spectacle of an investigation of nearly half of her schools would have tarnished her glowing reputation, especially if the investigators proved that adults cheated–which seems likely given that their jobs depended on raising test scores. Moreover, a cheating scandal might well have implicated her own “Produce or Else” approach to reform. Early in her first year she met one-on-one with each principal and demanded a written, signed guarantee^[12] of precisely how many points their DC-CAS scores would increase.

Relying on the DC-CAS^[13] was not smart policy because it was designed to assess students’ strengths and weaknesses. It did not determine whether students passed or were promoted to the next grade, which meant that many students blew it off.

Putting all her eggs in the DC-CAS basket was a mistake that basic social science warns against. “The more any quantitative [social indicator](#) is used for social decision-making,

the more subject it will be to corruption pressures and the more apt it will be to distort and corrupt the social processes it is intended to monitor.” That’s Campbell’s Law, formulated in 1976 by esteemed social scientist Donald Campbell (1916-1976) . Applied to education, it might go this way: “If you base nearly everything—including their jobs—on one test, expect people to cheat.” And the novice Chancellor was basing nearly everything on the DC-CAS.

Associate Superintendent Francisco Millet sat in on some of the meetings with individual principals. “In that 15-minute period she would ask each one of the principals, ‘When it comes to your test scores, what can you guarantee me?’ And she would write it down. And you could cut through the air with a knife, there was so much tension.”^[14] Millet had no doubt that Rhee was sending the message that they would be fired if they didn’t achieve those guarantees. “Absolutely. Principals were scared to death that, if their test scores did not go up, they were going to be fired. And they knew that she could do it.”

Millet, who resigned after Rhee’s first year, is convinced that principals passed the message along. “There was this whole atmosphere of uncertainty. And when principals feel threatened that if their scores don’t go up, what do you think they’re going to bring down the next level, to their teachers? They’re going to make their teachers feel extremely intimidated that if they don’t do better this year than they did last year, there are going to be consequences.” That led to changes in teaching. “Everybody felt this urgency to improve test scores, and there was no focus on instruction,” Millet says. “The entire focus was on improving test scores.”^[15]

Rhee categorically rejected this interpretation in an interview in September 2011 when I asked her if she had created a ‘climate of fear.’ “No! Absolutely not!,” she exclaimed, adding, “Was there a lot of pressure to improve student achievement levels in the district? Absolutely. A hundred percent. There was a lot of pressure to do that. But I think that somehow that making the leap from that to and therefore you added to it, it’s crazy.” Perhaps inadvertently, the rookie Chancellor seems to have provided principals with two motives to cheat, a carrot—the possibility of large bonuses—and a stick—the threat of being fired.

DC's procedures for administering tests—established before Rhee's arrival—provided multiple opportunities for cheating. According to a veteran principal, “The test booklets came into the school a week before they were given, and they were just in a shrink-wrapped package. The booklets weren't sealed. They were just wide open. You could just flip through the pages and see what was inside of them.”^[16] From there, the principal said, it would have been easy to tip off teachers.

A number of teachers, including Martha Harris, a veteran of 46 years in DCPS, told us that some teachers received special treatment. “If you were one of the favorites, you were given (the test) by the head of the testing committee, or someone allowed you to put hands on that test ahead of time.” In short, it would have been easy for teachers to make sure their students knew the right answers ahead of time.

After-the-fact cheating—by erasing and changing answers—was even easier. “The tests would stay in the building for almost two weeks after they were given” so students who had missed a test could make it up. “They were in the building for a good month between arriving about a week ahead of time and finally getting shipped out. It would have been fairly easy for people to sit down and look through the booklets and change answers.”^[17]

The erasures stayed buried for years. The official who had spotted the problem and urged Rhee to investigate has kept her mouth shut. Five months after she had informed Rhee of the widespread erasures, Deborah Gist resigned to become State Superintendent in Rhode Island. Rhee now publicly praises her efforts there.^[18] Sandy Sanford, who earned roughly \$9,000 for his work on the memo, has been paid at least \$220,000 by DCPS for various services.^[19]

When erasures continued in Rhee's second and third years at slightly diminished rates, she and Henderson contracted for three severely limited investigations, none of which allowed for erasure analysis or an examination of the original answer sheets.

Two were performed by Caveon, a Colorado-based company. The other was performed by Alvarez and Marsal, a firm that usually coaches corporations on how to improve profit margins^[20]. D.C. officials set limits on investigations, never insisting on the obvious essential step of erasure analysis; they dictated which schools should be investigated and even suggested the questions to be asked. A D.C. official sat in on many of the interviews with staffers. No erasure analysis has ever been performed. Caveon's

president, John Fremer, later told the Washington Post and USA Today that it had performed ‘a security audit’ and not an investigation.

Caveon’s 2009 inquiry turned up no cheating. Its 2010 investigation fingered three adults — from three different schools. One of them, a first-year teacher, confessed that he had stood over some of his pupils and coached them until they penciled in the right answers. His explanation: That was the way testing was conducted at his school. He lost his job.

The situation came close to exploding in March 2011 when [USA Today blew the whistle on the erasures](#). The newspaper’s investigative team ^[21] reported that the odds against the 2008 wrong-to-right erasures having happened by chance in some of the schools were greater than the odds of winning the Powerball. ^[22] Tom Haladyna, a professor emeritus at Arizona State who has spent decades investigating cheating, told the newspaper that the score gains reported at DCPS were implausible, observing that “a slow runner can improve a little in each race he runs, but he’s not going to set a new world record.” And some of those score gains were akin to setting a new world record or “losing a hundred pounds a month on a new diet,” Haladyna said. ^[23]

Even then there was no full investigation. Chancellor Henderson somehow persuaded DC’s Inspector General to investigate the matter without looking into the 2008 erasures. He spent 17 months on the case, during which time he interviewed only 60 people from just one school (even though by then more than 90 schools had been implicated). ^[24] When I asked Mr. Willoughby why he had not looked into the first year or at other schools, all he said was that it was not “a fishing expedition,” adding “We stand by our report.”

Choosing to bury the problem and minimize investigations ^[25] allowed Rhee to continue with her radical makeover of the low-performing DC public school system. She extended her ‘produce or else’ approach to teachers ^[26] and continued to remove or reward principals based on DC-CAS scores. In 2010, Rhee confidently predicted that, within five years, the D.C. school system would be “the highest performing urban school district in the country and one that has the faith and confidence of the citizens of the city.”

Her policies remained in force even after she left DC in October 2010 to start, as she proclaimed on Oprah, “a revolution on behalf of America’s children.” Through her well-financed “StudentsFirst” lobbying non-profit organization, she began crisscrossing the nation, urging governors and legislators to do what she did in Washington.

She has been remarkably successful. At least 25 states have adopted her 'produce or else' test-score based system of evaluating teachers.^[27]

But politicians (and citizens) in those 25 states might want to take a closer look at what she actually accomplished. Sadly, DC's schools are worse by almost every conceivable measure.

For teachers, DCPS has become a revolving door. Half of all newly hired teachers (both rookies and experienced teachers) leave within two years; by contrast, the national average is said to be between three and five years.^[28]

It was a revolving door for principals as well. Rhee appointed 91 principals in her three years as chancellor, 39 of whom no longer held those jobs in August 2010. Some left on their own; others, on one-year contracts, were fired for not producing quickly enough.^[29] She also fired more than 600 teachers.^[30]

Child psychiatrists have long known that, to succeed, children need stability. Because many of the District's children face multiple stresses at home and in their neighborhoods, schools are often that rock. However, in Rhee's tumultuous reign, thousands of students attended schools where teachers and principals were essentially interchangeable parts, a situation that must have contributed to the instability rather than alleviating it.

The teacher evaluation system that Rhee instituted designates some teachers as 'highly effective,' but, despite awarding substantial bonuses and having the highest salary schedule in the region, DCPS is having difficulty retaining these teachers, 44% of whom say they do not feel valued by DCPS.^[31]

Although Rhee removed about 100 central office personnel in her first year, the central office today is considerably larger, with more administrators per teachers than any district surrounding DC. In fact, the surrounding districts seem to have reduced their central office staff, while DC's grew.^[32] The greatest growth in DCPS has been in the number of employees making \$100,000 or more per year, from 35 to 99.^[33] Per pupil expenditures have risen sharply, from \$13,830 per student to \$17,574, an increase of 27%, compared to 10% inflation in the Washington-Baltimore region.^[34]

A comparison of pre- and post-Rhee DC-CAS scores shows little or no gain, and most of the scores at 12 of the 14 highest 'wrong to right' erasure schools are now lower. Take Aiton Elementary, the school that Sanford wrote about: The year before Rhee arrived, 18% of Aiton students scored proficient in math and 31% in reading. Scores soared to

over 60% during the 'high erasure' years, but today both reading and math scores are more than 40 percentile points lower.^[35]

Enrollment declined on Rhee's watch and has continued under Henderson, as families enrolled their children in charter schools or moved to the suburbs. The year before Rhee arrived, DCPS had 52,191 students. Today it enrolls about 45,000, a loss of roughly 13%.^[36]

Even students who remained seem to be voting with their feet, because truancy in DC is a "crisis" situation^[37], and Washington's high school graduation rate is the lowest in the nation.^[38]

Rhee and her admirers point to increases on the National Assessment of Educational Progress, an exam given every two years to a sample of students under the tightest possible security. And while NAEP scores did go up, they rose in roughly the same amount as they had under Rhee's predecessor, and Washington remains at or near the bottom on that national measure.^[39]

The most disturbing effect of Rhee's reform effort is the widened gap in academic performance between low-income and upper-income students, a meaningful statistic in Washington, DC because race and income are highly correlated. On the most recent NAEP test (2011) only about 10% of low income students in grades 4 and 8 scored 'proficient' in reading and math. Since 2007, the performance gap has increased by 29% in 8th grade reading, by 44% in 4th grade reading, by 45% in 8th grade math, and by 72% in 4th grade math. Although these numbers are also influenced by changes in high- and low-income populations, the gaps are so extreme that it seems clear that low-income students, most of them African-American, did not fare well during Rhee's time in Washington.^[40]

It's 2013. Is there any point to investigating probable cheating that occurred in 2008, 2009 and 2010? After all, the children who received inflated scores can't get a 'do-over,' and it's probably too late to claw back bonuses from adults who cheated, even if they could be identified. While erasure analysis would reveal the extent of cheating, what deserves careful scrutiny is the behavior of the leadership when it learned that a significant number of adults were probably cheating, because five years later, Rhee's former deputy is in charge of public schools, and Rhee continues her efforts to persuade

states and districts to adopt her approach to education reform—an approach, the evidence indicates, did little or nothing to improve the public schools in our nation’s capital.

This story is bound to remind old Washington hands of Watergate and Senator Howard Baker’s famous question, “What did the President know and when did he know it?” It has a memo that answers an echo of Baker’s question, “What did Michelle know, and when did she know it?” And the entire sordid story recalls the lesson of Watergate, “It’s not the crime; it’s the coverup.”

That Michelle Rhee named her new organization “StudentsFirst” is beyond ironic.

Footnotes (↵ returns to text)

1. 1. Conducted September 2011 when Rhee appeared at NBC’s “Education Nation.” ↵
2. 2. I first got wind of the Sanford memo while working on a documentary about Rhee for the PBS series “Frontline.” I spoke with Sanford, who confirmed that he had indeed written a memo but could not turn it over to me because it was “a work for hire.” Producer Michael Joseloff and I filed Freedom of Information Act requests with DCPS, which denied its existence, and with two Inspectors General, who acknowledged that they had it in their possession but refused to turn it over on grounds that the memo was part of the “deliberative process” within the D.C. government and thus not available to the public.
Not long after I blogged about “The Missing Memo” on January 15, 2013, it arrived in a plain white envelope. A second copy—perhaps from the same leaker—arrived in late March.
The original leaker of the memo added a note: “You’ve made some folks here nervous, but Rhee, Henderson and Kamras will all deny knowing anything about what Erin worked on.” ↵
3. 3. The differences, measured in standard deviations from the norm, were astonishing. Experts say that three standard deviations is a ‘red flag’ and four or more are prima facie evidence of cheating. At some DCPS schools the WTR erasure rates were five, six and even seven standard deviations from the norm. ↵
4. 4. Apparently Dr. Sanford expected Rhee to act decisively. In his memo he recommends that, “as soon as you think it advisable, someone contacts the legal people and asks

them to determine what possible actions can be taken against identified offenders.” As far as we could determine, Rhee did not follow this recommendation. ↵

5. Her claim to have founded TNTP is disputed by people in a position to know. It began within Teach for America and was the brainchild of TFA founder Wendy Kopp. ↵
6. Rhee’s biographer, Richard Whitmire, has characterized her as ‘a zealot’ who believes in the absolute rightness of what she is doing. His book is *The Bee Eater*. She also declared—proudly—that she was not inclined to look back. Shortly after she fired a principal she had appointed just a few weeks earlier (replacing one she had fired), I asked her if she had any regrets about her actions. “I’m a very unusual person in that, in my entire life, I don’t have any regrets. I’m a person without regret. Now, are there things that I could have done differently? And if I had to rewrite it, you know, I would have, you know, done it with a smarter way or whatnot, yeah. There are absolutely things that I could have done better. But regrets? No.” She said that in December 2007. Would she say that today? ↵
7. At its simplest level, investigators can determine which kinds of questions had their answers erased, because multiple-choice tests are planned carefully to include some easy questions, some hard questions, and some of a moderate degree of difficulty. Students would be expected to answer the easy questions correctly and make their mistakes on the harder ones. If answer sheets showed that students with lots of erasures consistently got the difficult questions right—because of WTR erasures—but messed up on the easy ones, that is evidence of tampering. If in one classroom almost all the students erased the same answers in a WTR pattern, that is evidence of tampering, probably by one individual. Sophisticated analysis will reveal whether several classrooms display identical patterns, which would be evidence of coordinated cheating, a so-called “erasure party.” ↵
8. Professor Andrew Porter of the University of Pennsylvania did the analysis for Hall. ↵
9. August 8, 2008. When those results arrived, Rhee, her deputies and the principals who later would receive \$10,000 bonuses gathered in her meeting room. One person who was present described the festive atmosphere. “We were euphoric. Michelle gave a rousing speech, and we drank sparkling cider out of plastic Champagne glasses.” ↵
10. October 16, 2008. OBAMA: I’ll just make a quick comment about vouchers in D.C. Senator McCain’s absolutely right: The D.C. school system is in terrible shape, and it

has been for a very long time. And we've got a wonderful new superintendent there who's working very hard with the young mayor there to try...

MCCAIN: Who supports vouchers.

OBAMA: ... who initiated — actually, supports charters.

MCCAIN: She supports vouchers, also. ↵

11. 11. She would be pictured in an empty classroom holding a broom, on the December 8th issue. The photo caused an uproar, implying as it did that the solution was to sweep out the bad teachers. ↵

12. 12. At least one dozen principals described this process, including the written guarantee, in interviews for "Frontline." Several principals apparently chose not to sign and instead submitted their resignations. ↵

13. 13. The DC-CAS was an assessment tool with roughly 50 multiple choice questions in both reading and math. The scores did not determine whether kids passed or failed. In the parlance of education, it was not a 'high-stakes' test for students, and so many—perhaps most—kids did not care a whit about it. Some slept through the testing, and others filled in bubbles randomly.

Their indifference led principals to take extreme measures to try to get students to take the test seriously. Some principals offered cash to students who promised to try hard. One pledged to get a tattoo if his students did well on the DC-CAS. They would get to pick the tattoo; he would pick the spot on his body where it would be permanently engraved. (Even that desperate strategy did not work!)

The 2008 version had 45 multiple choice questions in reading and 51 in math. Like most standardized tests, some questions were relatively easy, a few very difficult. Designed to assess student strengths and weaknesses, the DC-CAS results would reveal which students needed remedial help in multiplying with fractions or identifying adverbs, for example. The test has four performance levels: below basic, basic, proficient and advanced. Teachers would get that information and be able provide the individual attention—if the system worked as designed. ↵

14. 14. Interviewed at his home in Dallas, Texas, where he moved after resigning. ↵

15. 15. I spent enough time in classrooms during Rhee's first year to support his observation. We saw hours and hours of drill on basic concepts, and we heard parental complaints like this one: "There's no attention to the actual depth of instruction going on

in the classroom. What we've seen is the quick-fix solutions of choosing to work intensively with kids who you knew could boost their test scores if they just got a few extra hours of instruction on particular glitches in their own test results." She said that her daughter spent nearly three weeks of school on practice testing.

Did she mean that her daughter spent the day filling in bubbles on sample answer sheets? "Exactly," she answered. "I'm not joking. That's what you do. You take tests. You take practice tests."

Martha Harris, the 46-year veteran, agreed. "That's all we did," she said. "There came a point in time where we almost abandoned teaching. After Christmas, there was nothing but test prep." The DC-CAS is given in April. [↵](#)

16. 16. The interview was conducted in shadow to shield the principal's identity. We did not use it on "Frontline." [↵](#)

17. 17. The Frontline broadcast of January 8, 2013 brought one individual's complaint about cheating into focus. Adell Cothorne, the former principal of Noyes Education Campus, went public with her story of an apparent 'erasure party.' "I walked into the room and I saw three staff members," Cothorne told Frontline. "There were test books everywhere, over 200 test books spread out on desks, spread out on tables. One staff member was sitting at a desk and had an eraser. And then there were two other staff members at a round table and they had test books out in front of them. And one staff member said to me, in a light-hearted sort of way, 'Oh, Principal, I can't believe this kid drew a spider on the test and I have to erase it.'"

Cothorne was in her first year at Noyes, appointed because Rhee had promoted her predecessor, Wayne Ryan, to her central office. Under Ryan, Noyes had achieved remarkable growth in DC-CAS scores, and Rhee had (literally) made him her poster child for recruitment. In 2007, for example, only 44.14% of Noyes' students had scored at a proficient level in reading, but under Ryan's leadership that number nearly doubled, to 84.21%, in just two years. Math scores had also nearly doubled, from 34.24% to 62.79.

(What Cothorne did not know—could not have known—was that a lot of answers had been changed from 'wrong' to right' on DC-CAS answer sheets from Noyes. At Noyes 75% of the classrooms had been flagged for high erasure rates.)

Education enabled Adell Cothorne to rise from the unpromising circumstances—child of a teenage mother, raised in poverty. She rose to become an Assistant Principal in Montgomery County, Maryland, a wealthy suburb of the Capital with excellent ‘Blue Ribbon’ public schools. It’s one of the top-ranked school districts in the nation. Her idealism burned brightly, and so she applied for a job in Washington, largely, she told Frontline, because of her admiration for Michelle Rhee.

“I still have the Time Magazine with Michelle Rhee on the cover,” Cothorne told Frontline. “I had been following her for a while, and I admired what I saw on the media and the news. And so to have the opportunity to dialogue and sit across from her and then have her say to me, you know, ‘It’s not a matter of when you’re coming to D.C., but where I’m going to put you,’ that was absolute confirmation for me. And I was over the top.”

Rhee installed Cothorne as principal of Noyes Education Campus, a ‘Blue Ribbon’ school, and in October she met with the Chancellor, one-on-one. At that meeting she promised Rhee a 6% gain in math and a 7% gain in reading.

Even as she was making that commitment, Cothorne knew she had a problem. What she had already seen in her new school did not jibe with the test scores that had been recorded, she told Frontline: “As any good administrator should, I visited classrooms and just made my presence known, (and) noticed a disconnect for myself and what was going on in the classroom. The level of instruction, because I’ve worked at Blue Ribbon Schools before, so the level of instruction that I know is needed for a Blue Ribbon School, I was not seeing on a daily ongoing basis. ... There’s these huge disconnects. They’re struggling academically. Yet the data that I have been given is showing great gains. But what I see with my own eyes on a daily basis is not a true picture of great gains.”

The apparent ‘erasure party’ she had walked in on galvanized Cothorne. She arranged for tightened security. She changed the locks and had four additional people to monitor classrooms during the tests.

With heightened security, Noyes’ DC-CAS scores dropped 52 points in reading (from 84.21% to 32.40) and 34 points in math (from 62.79% to 28.17% in math). That meant that in 2010-2011 Noyes performed significantly below its 2007, pre-Rhee, level.

Those numbers, she told Frontline, were the true test scores. “Those were what the students in that school actually were able to produce,” she said.

Adell Cothorne, who was completing work on her doctorate, resigned her principalship and gave up an annual salary of roughly \$130,000. She has since opened up a bakery, “Cooks ‘n Cakes,” in Ellicott City, Maryland. Her whistleblower suit against DCPS was dismissed in January 2013. [↵](#)

18. 18. In her Students First rating system, Rhee gave the highest marks to Rhode Island, Louisiana and the District of Columbia. She was interviewed on ‘Morning Joe’ on January 7, 2013 and publicly praised Gist, the only person she mentioned by name in the interview. [↵](#)

19. 19. From documents released by DCPS in response to FOIA requests. [↵](#)

20. 20. A&M was technically hired by OSSE, not DCPS, but that is a distinction without much of a difference because OSSE’s leader was in synch with DCPS. A&M conducted interviews in those 60 classrooms and, in June 2012, reported it had found “definitive test tampering” in only two of them.

In one classroom at Martin Luther King Elementary, two students reported that their teacher pointed out correct answers; another student in the same classroom reported that the proctor had read answers aloud, raising his/her voice to indicate the correct answer. But, A&M said, the latter charge was “not corroborated” by either of the other two students interviewed from that classroom. A&M apparently interviewed only three students in the class.

At another school, the Langdon Education Campus, a K-8 school, two students reported that the adult administering the test provided assistance to them and other students during the test. Minor infractions — missing security binders and the like — were found at 15 other schools.

Were the adults fired? The report issued by OSSE said that, at both schools, “personnel action for implicated staff members” was pending.

Among the 13 schools where A&M said it found no evidence of any violations was J.O. Wilson Elementary, where in one preceding year every classroom that gave tests had been flagged for abnormally high erasure rates. On the 2011 test, one Wilson classroom registered an average of 9 erasures per student, compared to a district average of 1

erasure per student on that same test. A&M did not explain why it found nothing amiss at Wilson, at least not in the summary made public by OSSE.

A&M was not given access to test answer sheets and did not perform an electronic analysis. ↵

21. 21. Reported by Jack Gillum and Marisol Bello under the direction of Linda Mathews ↵

22. 22. What USA Today reported in March 2011 was truly staggering. Between 2008 and 2010, nearly one-quarter of the nearly 3,000 classrooms tested on the DC CAS showed high rates of wrong-to-right erasures. Such erasures persisted at schools like J.O. Wilson, a primary school in the city's gentrifying H Street corridor, in all of the classrooms tested. At Noyes Education Campus, nearly every classroom had been flagged — the same year Ryan and DCPS officials were filling out their federal Blue Ribbon School application. All told, those erasures were the kinds of anomalies that Rhee's hired consultant, CTB/McGraw-Hill and the District's own officials said could be signs of malfeasance.

Just how significant were the erasures? The rates at which students' answers were erased and changed to the correct answer were enough to make a statistician squirm. In spreadsheets sent to DCPS, classroom after classroom showed remarkable changes — leaving a smudged erasure mark behind while changing the answer to the correct choice wholesale. The odds that these changes were happening—over and over again—by chance, statisticians told USA Today, were greater than the odds of winning the Powerball.

The mathematics weren't enough to convince Victor Reinoso, DC's deputy mayor for education. He—and later Rhee—interpreted McGraw-Hill's memo on the subject to mean that erasures alone were not enough to draw conclusions about cheating—and therefore there was no reason to investigate. The logic is remarkably convoluted: McGraw-Hill said that the data alone didn't prove cheating but could be used for 'follow-up investigation.' However, following up was apparently the last thing anyone in power wanted to do.

(Some public charter schools — which were also subject to DC testing protocols — responded to erasures by launching inquiries to find out what had happened. DCPS responded by tightening test security for future tests and hoped it wouldn't happen again.)

The newspaper printed the back-and-forth correspondence between Rhee and the testing supervisor, with Rhee asking first for more time and then for more information. However, USA Today's reporters did not know of Sandy Sanford's confidential memo. Rhee, by then leading her new organization, StudentsFirst, initially dismissed USA Today's reporting as racist because, she said, it implied that poor Black children could not achieve. She subsequently apologized for the comments but did not call for an investigation. ↵

23. 23. Cited by Linda Mathews, in a personal communication. ↵

24. 24. The Inspector General's investigation is remarkable for what it did not investigate. Inspector General Charles Willoughby chose not to investigate Rhee's first year, the year with the most erasures. He chose not to investigate Aiton, the school Sanford had singled out for special attention because of its high wrong to right erasures. He did not examine the test answer sheets or perform an electronic analysis. And he did not investigate J.O Wilson – a school with excessive WTR erasures in 100% of its classrooms – simply because the School Chancellor had assured him that it was a good school!

Although more than half of DC's schools had been implicated, he focused only on Noyes Education Campus, the school that USA Today had made the centerpiece of its investigation. Over the course of the next 17 months, his team interviewed just 60 administrators, teachers, parents and teachers (Atlanta investigators interviewed over 2,000), all from Noyes Education Campus. Rather than seek outside experts (as Atlanta investigators had), he relied on information from Caveon and Alvarez & Marsal, two firms in the employ of DCPS. He did not ask to perform erasure analysis but relied on interviews—sometimes conducted over the phone.

Without the power to put people under oath, he told City Council member Kenyan McDuffie that asked them if they had cheated. If they said they hadn't, that was the end of it, because, he explained, he "wasn't conducting a fishing expedition." Test monitors sent by the central office to patrol Noyes for the 2010 test told Willoughby that they had been barred from entering classrooms. School officials denied that charge—and Willoughby believed them, not the monitors.

Willoughby was called to testify on February 21, 2013, by McDuffie (who remains the only elected official in DC to show official interest in the erasures). McDuffie asked the IG why he had not looked at other high-erasure schools. “Because we didn’t find evidence of a conspiracy to cheat at Noyes,” he replied. Was it prudent to take the word of two firms that were paid by DCPS instead of seeking an outside, independent opinion, McDuffie asked. “Yes,” Willoughby replied.

Asked by McDuffie if he had tried to find an explanation for the pronounced test score drops when security was tightened, Willoughby replied, “We were told that it was caused by an influx of new students.” His 17-month investigation resulted in a 14-page report, which he released August 8, 2012. (The Atlanta report runs 413 pages.) He found no evidence of widespread cheating at Noyes but cited some security concerns and noted that one teacher had been dismissed for coaching students on a test. The IG’s essential message: except for that one teacher, all was well. ↵

25. Henderson praised the IG’s report as exculpatory, and the Washington Post’s editorial page chimed its agreement.

Henderson and Rhee maintain that the investigations were thorough. After our Frontline in January 2013, Henderson issued this statement: “Since 2009, there have been multiple investigations looking into these allegations, including one by the DC Office of the Inspector General and one by the US Department of Education Inspector General. There was an instance of cheating at Noyes and the individual who was found to be guilty was terminated. All of the investigations have concluded in the same way that there is no widespread cheating at DC Public Schools.”

Rhee’s (and Henderson’s defense) against widespread charges of cheating is to cite these five investigations and claim that they turned up no credible evidence. That’s what Rhee did on February 8, 2013, at a Politico breakfast. She told the audience that the five investigations “found that there was some cheating, but that it was isolated to only a few schools. For some people, it puts it to bed. For others, it’ll never be put to bed — it is what is,” Rhee said. The cheaters, Rhee says or implies, were rogue teachers, never principals.

However, none of the five investigations meet the criteria for a serious in-depth investigation. In most cases, DCPS decreed which schools and which classrooms within

those schools would be scrutinized. The investigating companies were not given access to answer sheets or the electronic tapes of the answer sheets.

And the all-important answer sheets from 2008 still have not been examined. [↵](#)

26. 26. She imposed a system known as IMPACT that evaluated teachers based on three observations (two by her own staff of ‘master educators’) and DC-CAS scores. The scores counted for 50% of a teacher’s rating. IMPACT used a 1-4 scale, and teachers receiving a 1 were dismissed, regardless of seniority or tenure. [↵](#)
27. 27. Various news reports and Rhee’s own website have given this number. The federal government’s “Race to the Top” program also requires states to use student test scores in evaluating teachers. [↵](#)
28. 28. Highly regarded data analyst Mary Levy has done thorough analysis of virtually every aspect of DCPS, including teacher turnover. She is often called upon by the City Council to provide expert testimony, and reporters have also learned they can trust her analysis. [↵](#)
29. 29. Jay Mathews, the Washington Post, August 23, 2010. [↵](#)
30. 30. <http://www.nytimes.com/2010/07/24/education/24teachers.html?adxnnl=1&adxnnlx=1363741389-HfYwIQc6OTSizbC97ZZpTg><http://www.nytimes.com/2010/07/24/education/24teachers.html?adxnnl=1&adxnnlx=1363741389-HfYwIQc6OTSizbC97ZZpTg>. Tamar Lewin reports that 682 teachers were fired during Rhee’s time in Washington. Her source is a DCPS spokesperson. [↵](#)
31. 31. Data provided by Mary Levy. [↵](#)
32. 32. I called or wrote to every surrounding school district in late 2011. All said their central office staff had been reduced. According to Levy, Rhee’s central office reduction numbers involved some sleight of hand, because she moved some bureaucrats over to the central office of the State Superintendent (OSSE), which means that she did not actually cut the number of central office personnel as much as reported but instead moved their desks. [↵](#)
33. 33. Mary Levy [↵](#)
34. 34. Mary Levy [↵](#)

35. 35. On the 2011 DC-CAS (the most recent) 21% of Aiton’s students were proficient in reading, and just 17% in math. The DCPS website has school by school comparisons as well as year by year. <http://nclb.osse.dc.gov/> ↵
36. 36. DCPS website data ↵
37. 37. Washington Post, November 9, 2012. “D.C. Schools Chancellor Kaya Henderson said Thursday that the school system’s high truancy rates amount to an educational “crisis,” as D.C. officials disclosed that more than 40 percent of the students at Ballou, Anacostia, Spingarn and Roosevelt high schools missed at least a month of school last year because of unexcused absences.” ↵
38. 38. 59%. DC and Nevada have gone back and forth for the dubious distinction of being at the bottom. http://nces.ed.gov/programs/coe/indicator_scr.asp ↵
39. 39. NAEP data can be difficult to interpret in the case of Washington, which is—for statistical purposes—both a city and a state. NAEP has two separate data tracks, its measurement of state-by-state performance and its Trial Urban District Assessment, or TUDA. <http://nces.ed.gov/nationsreportcard/pubs/dst2011/2012455.asp>. Washington has improved, as Rhee’s supporters say, but, as her detractors point out, the District was so low that the increases are not a reason for great celebration and they are fairly consistent with the gains made under Rhee’s predecessor, Clifford Janey. ↵
40. 40. Mary Levy and Tom Loveless, personal communication. Dr. Loveless has some qualms about this interpretation as a general rule, but the huge disparities in this case indicate that something significant has taken place. ↵

Who Created “Michelle Rhee”?

BY JOHN MERROW ON 18. APR, 2013

We know that the flesh and blood Michelle A. Rhee was born in Michigan 43 years ago, the second child of South Korean immigrants Shang Rhee, a physician, and Inza Rhee,

a clothing store owner. She spent most of her childhood in Ohio, where she attended public and private schools.

My question is about the public phenomenon known as “**Michelle Rhee.**” The one that’s has become America’s most prominent education activist. She’s loved by some, hated and/or feared by others. To her admirers, she’s a shining symbol of all that’s right in school reform. Her opponents see her as the representative of the forces of greed, privatization and teacher-bashing in education.

Who created that character, that symbol? I can identify four possible parents: She created herself. We created her. “They” did. U did.

Michelle Rhee created “Michelle Rhee.” There’s some evidence for this line of thinking. Either accidentally or deliberately, she exaggerated her success as a teacher in Baltimore. She inflated her resumé to include an appearance on Good Morning America, which has no record of her being on the program. [Her early resumé](#) claims that she had been featured in the Wall Street Journal, but, again, we could find no record. She said (and still says) that she ‘founded’ The New Teacher Project, an assertion that is disputed by reliable sources familiar with Teach for America. A more likely story is that she was asked by its real founder, Wendy Kopp, to take it and run with it—and she did.

But lots of people puff up their resúmes early in their career, without attaining Rhee-level success. She may have started the ball rolling, but she can’t claim most of the credit/blame for her own creation. We need to search further to find her principal creators.

We, the mainstream media, created “Michelle Rhee.” Good argument there. Rhee blew into Washington like a whirlwind, where she was a great story and an overdo gust of fresh air. DC schools were pretty bad, and she was candid, accessible, energetic, young, and attractive—everything reporters love. While I don’t think my reporting for the NewsHour was puffery, we did produce twelve (!) pieces about her efforts over the 40 months — about two hours of primetime coverage. That’s an awful lot of attention. Did anyone else get that much air time from us? Well, yes, we also produced twelve reports about [Paul Vallas in New Orleans](#). But Vallas never received the positive treatment (or even the coverage) from the Wall Street Journal, the Washington Post, the New York Times, Charlie Rose, et alia, that Rhee did back in 2007-2009.

Were we skeptical enough about the ‘miracle’ gains in her first year? Unfortunately not. So we certainly helped create the public phenomenon that is “Michelle Rhee.” “They” created her. “They,” according to conspiracy theorists, are the Walton Foundation and other right-leaning organizations; ALEC; the Koch brothers, Eli Broad and other wealthy individuals; and influential power-brokers like Joel Klein. Without them, this explanation has it, she would be nothing.

But we don’t know for certain where the money behind Michelle Rhee and StudentsFirst comes from. Moreover, it’s an insult to her to assume that she would fall in line and parrot whatever her wealthy backers want her to say. Seems more likely they liked what she was saying and decided to bankroll her efforts. So I guess one could say that “They” helped create her, just as the mainstream media did.

And finally U created her. “U” is my shorthand for teacher unions. This is simple physics: “For every action, there is an equal and opposite reaction.” The “Michelle Rhee” phenomenon is the inevitable product of, and reaction to, intransigent teacher union policies like the ones that produced New York City’s famous “rubber room,” where teachers who couldn’t be fired spent their days reading, napping, and doing crossword puzzles—on full salary and with the full support of the United Federation of Teachers, the local union. (See Steven Brill’s Class Warfare.) She’s the inevitable reaction to union leaders who devote their energy to preserving seniority at the expense of talented young teachers, not to mention children. She’s the product of the California Teachers Association, which I recall was willing to sacrifice librarians’ jobs in order to preserve salary increases for teachers. She’s a social reaction to union leaders like Vice President Jack Steinberg of the Philadelphia Federation of Teachers. In an interview that is burned into my memory, Steinberg asserted that teachers can never be held accountable for student results. No teacher! Not ever! Jack was muzzled when he said that on national television in 1996, but he and his union have stayed on message.

But let’s remember that union intransigence didn’t just spring up all of a sudden out of nowhere. It too was produced by that same law of physics. Teacher union militancy was a long time coming and was the reaction to administrative policies that infantilized and trivialized teaching.

Nevertheless, it seems to me that U(nions) also created the social phenomenon that is “Michelle Rhee”—and are now reaping that bitter fruit.

So 'They,' we and U created the social phenomenon that is "Michelle Rhee." What happens next?

Rhee's critics now openly mock her after [the revelations about her failure to investigate widespread erasures while she was Chancellor in Washington](#). "Erase to the Top" is the clever new meme, and [her famous Time Magazine cover has been altered](#). Will this mockery defeat her? Perhaps.

Even if that strategy is successful, it won't do much for kids, who are generally forgotten in these nasty political fights.

Is it asking too much to expect strong leadership from Arne Duncan and President Obama on this? More words about 'Race to the Top' and 'The Common Core' are not enough, not now.

I have said this before, but we need to be measuring what we value, instead of valuing what we measure (usually cheaply). [What do we value?](#) That's a more important question than "Who created "Michelle Rhee"?"

Penetrating the Smokescreen

BY [JOHN MERROW](#) ON 25. APR, 2013

A great deal has happened since "Michelle Rhee's Reign of Error" appeared in this space two weeks ago.

- DC Schools Chancellor Kaya Henderson testified under oath that she learned of Sandy Sanford's long-buried memo from my blog this past January. My source recalls being in at least one meeting when Ms. Henderson and then Chancellor Michelle Rhee discussed the memo and its contents. Someone is lying.
- The DC City Council held what it called a 'round table' that, for the most part, danced around the crucial issues and failed to address an important question: "Did Chancellor Rhee cover up the 2008 erasures?"
- The DC Inspector General continued to evade direct questions, further embarrassing himself and his inadequate investigation.

- The Rhee-Henderson smokescreen—their claim that six investigations have proved they did the right thing—has become easier to see through. It turns out that everything rests on the first ‘investigation’ done by Caveon, a shaky foundation if ever there was one. At the risk of burying the lead, I propose to examine these points in order.^[1]

“The first time I ever saw the Sandy Sanford memo was in January of this year. John Merrow reported on it, and I had to ask my staff, ‘What is this Sandy Sanford memo? Can I see it?’ It has been alleged that I have been in meetings with former Chancellor Rhee about this issue. That was not something that I would have been engaged in, in the scope of my responsibilities at that time.”

That is Kaya Henderson’s sworn testimony before the City Council’s ‘roundtable’ hearing on education on April 18, 2013. She prefaced her statement by acknowledging that she knew she was under oath.

As noted above, my source told me about being present at ‘at least one meeting’ in 2009 when Ms. Henderson and Ms. Rhee discussed the memo and its contents. My source is absolutely terrified of being publicly identified, and I have sworn to protect my source’s identity, but I can tell you that my source had little to gain by speaking to me in the first place. “If anyone ever figures out that it was me, I will never work in education again,” my source said, trembling. Such is the level of fear that Ms. Rhee and Ms. Henderson inspire.

But leave aside the contradiction between Ms. Henderson and my source for a moment. Consider instead the likelihood of Henderson’s not being involved in discussions of this deadly serious challenge to Ms. Rhee’s leadership. Ms. Rhee and Ms. Henderson are best friends, as both have said many times. Is it credible that best friends would not unite to face this most challenging moment, when powerful evidence had emerged suggesting that Ms. Rhee’s own principals might have been responsible for the rash of ‘wrong-to-right’ erasures? Is it credible that Ms. Rhee would not have asked her best friend to help her figure out how to react to this threat to her claim of unprecedented academic success? What are best friends for?

[The Council hearing](#) was called by David Catania, who chairs the newly reconstituted Education Committee. The key witnesses were Chancellor Henderson and Inspector General Charles Willoughby. Two other Council members, Kenyan McDuffie and David

Grosso, joined Mr. Catania. One purpose of the hearing was to advance Mr. Catania's own legislation to make cheating a crime (which it apparently is not under current District law). But he acknowledged that the publication of Dr. Sanford's memo had given the hearing a second purpose: to look back at what transpired in 2008 and 2009.

Reading from what he called a 'timeline' of events, Mr. Catania said that Dr. Sanford had been asked to review the testing data on January 28, 2009 and wrote his memo the next day. Dr. Sanford actually traveled to Washington on January 25th and spent the next five days at DCPS, apparently writing his memo on the fifth day of his work there. (Dr. Sanford also billed DCPS for 16.5 hours of work done before flying to Washington.) He did not, as Mr. Catania's timeline suggested, get the data one day and dash off a memo the next. He took it seriously, as well he should have.

While the timeline error is minor, it highlights a pattern of minimizing the memo itself, which both Ms. Rhee and Ms. Henderson have done publicly. They have cited Dr. Sanford's warning that 'the picture is not perfectly clear,' while omitting the rest of his point: 'the possible ramifications are serious.'

Chairman Catania kept pressing on the absence of an investigation of the 2008 erasures. Every other year has what he called a "Good Housekeeping Seal of Approval" investigation. After all, Mr. Catania said, we have investigations by "independent outsiders" in 2009, 2010, 2011 and 2012. Why not 2008?

And the Chairman made his own position clear: "If I found any evidence that suggested there was a coverup or significant cheating, this would be a different situation."

Several times he contrasted the DC situation with Atlanta, usually saying something to the effect that 'this is not Atlanta.'

Later he noted, "We may never really know what happened in 2008 because the trail runs cold."

As the Chairman must know, the trail has not 'run cold.' And while there is no proof that cheating in 2008 was not as extensive as it was in Atlanta, the truth is out there: CTB/McGraw-Hill still possesses all of the materials from the 2008 DC-CAS. He, the entire City Council or the Mayor could demand a sophisticated erasure analysis to determine if the WTR erasures reveal patterns. We already know that hundreds of classrooms in about half of the schools had WTR erasures that were four, five and six

standard deviations away from the norm. That suggests but does not prove hanky-panky.

A deep analysis might reveal that almost all the students answered the hard questions correctly—after erasing their original wrong answers. Bingo!

If someone wants to know the truth, it's right there in the files.

Councilmember McDuffie questioned Inspector General Willoughby at some length, following up on his own hearing on February 21, 2013. At that first hearing, Mr. McDuffie asked the IG why he had not looked at other high-erasure schools. “Because we didn’t find evidence of a conspiracy to cheat at Noyes,” he replied. Was it prudent to take the word of firms that were paid by DCPS or OSSE ^[2] instead of seeking an outside, independent opinion and to rely on media reports, Mr. McDuffie asked. “Yes,” Mr. Willoughby replied.

Asked by Mr. McDuffie if he had tried to find an explanation for the pronounced test score drops when security was tightened, Mr. Willoughby replied, “We were told that it was caused by an influx of new students.” His 17-month investigation resulted in a 14-page report, which he released August 8, 2012. (The Atlanta report runs 813 pages.) He found no evidence of widespread cheating at Noyes but cited some security concerns and noted that one teacher had been dismissed for coaching students on a test. The IG’s essential message: except for that one teacher, all was well. ^[3]

The IG’s investigation had been requested by Ms. Henderson (who had succeeded Ms. Rhee as Chancellor) not long after [USA Today revealed the extent of the erasures](#). Even today she boasts of the thoroughness of her approach: “I am frustrated because people are saying I haven’t done enough,” she told ABC News recently. “I have used every tool in my tool kit to get to the bottom of cheating.”

Mr. Willoughby’s February testimony did not assuage Mr. McDuffie’s concerns. [In a letter dated April 17, 2013, the Council Member wrote that he continued to be ‘gravely concerned.’](#) *“While I do not wish to make inflammatory accusations, the discovery of this memorandum creates doubt that your investigation thoroughly and expansively examined the allegations,”* Mr. McDuffie wrote. In his testimony, Mr. Willoughby had referred to ‘factors that limited the scope of his investigation,’ but the tone of Mr. McDuffie’s letter suggested he saw the five factors as excuses. *“In my review of the*

factors I cannot help but conclude that your office did not investigate further because you were told that no cheating occurred anywhere else.”

Mr. Willoughby was called back before the Council on April 18th and was closely grilled once again by Mr. McDuffie. It is sad and disappointing to watch Mr. Willoughby’s weak defense of his badly compromised report. Unfortunately, Mr. McDuffie could not get a straight answer when he tried to get Mr. Willoughby to explain why he ignored the 2008 data.

Mr. McDuffie chastised the IG for relying on news reports as his source, for not looking beyond Noyes, and for relying on companies hired by DCPS. Mr. Willoughby spoke positively of his reliance upon Caveon’s investigations and responded to the Council member’s criticism by saying “I stand by the report...It is an excellent report.”

And speaking of Caveon.....

The investigations “found that there was some cheating, but that it was isolated to only a few schools.” (Michelle Rhee, February 8, 2013)

“We have had six^[4] investigations that have cleared DCPS of widespread cheating. (Henderson, April 16, 2013)

If you believe Michelle Rhee and Kaya Henderson, those multiple investigations prove that Rhee and Henderson were on the case. What’s more, the fact that the investigations failed to turn up credible evidence of widespread illegal behavior bears witness to their integrity.

If you believe them....

It turns out that the first Caveon investigation is the linchpin for all that follows, from Chairman Catania’s citing it as the first to have a “Good Housekeeping Seal of Approval” to Ms. Rhee’s and Ms. Henderson’s claims that these investigations vindicate them. You recall that the rash of ‘wrong-to-right’ erasures in half of DCPS schools during Ms. Rhee’s first year has never been thoroughly investigated, beyond the initial analysis done by CTB/McGraw-Hill. Deep erasure analysis, a process that would have revealed any patterns of erasures, was never ordered by Chancellor Rhee (or by the Mayor, presuming he was aware of the issue).

When the erasures continued in Ms. Rhee’s second year on the job, she was under pressure to investigate, and so in December 2009 she hired Caveon, a security firm that

is based in Utah. Why Caveon? Ms. Henderson explained to Mr. Catania's Committee, "The reason that we hired Caveon was because we thought that we needed an objective third party to actually do the investigation and to make recommendations to us."

However, according to Caveon President John Fremer,^[5] his firm did not conduct an investigation in Washington in the normal sense of the word because his firm does not conduct investigations. ^[6] "We use the word 'investigation' in our materials because everyone else does," he said, "but we do analysis, with the goal of process improvement and quality assurance." Then he added, "We were not brought in to help DCPS with an analysis of what had happened."

The contract was for a two-part project: a security audit and questioning of certain people at just eight DCPS schools (even though many more had been implicated). But, he emphasized again in our conversation, it was not an investigation Caveon was hired to "review and collect information," he said. "I give advice as to where to focus attention. I am not trying to position a client to put people in jail. Instead, we give them enough information about problems to allow them to fix them in the future."

The security audit, he said, consisted of examining DCPS' policies and procedures around the testing. Caveon did not seek to find out if principals and teachers actually followed the rules, and so Caveon apparently did not inform Chancellor Rhee just how easy it would be to cheat on the DC-CAS before, during and after its administration. ^[7] Caveon did make some recommendations to improve security—recommendations, he said, that DCPS did not follow.

Part Two of Caveon's work—the questioning—is even more interesting. Dr. Fremer told me that DCPS gave him a list of the eight schools it was authorized to go into. DCPS also gave Caveon about 50 questions to ask of teachers, proctors, principals and assistant principals. He said DCPS indicated that Caveon was not to stray from the list. Follow-up questions, the essence of a good investigation, were actively discouraged, according to Dr. Fremer.

He told me that DCPS' list of questions did not include "Did you see anyone erasing answers?" or "Did you participate..." or "Are you aware of organized erasures?" or "Are you aware of cheating?"

Dr. Fremer told me that his employees never use words like ‘cheating’ or ‘illegal behavior’ because they are ‘too emotional.’ Instead, he said, they asked individuals if they could explain huge discrepancies in wrong-to-right erasures between classrooms. Caveon was contractually obligated to show DCPS drafts of the report before it was made final, which Dr. Fremer said was completely appropriate. “There was no pressure to ‘sweeten the sound’ of our report,” Dr. Fremer said. “We wanted DCPS to check for mistakes and make certain that we did not reveal the identities of individuals.”

Caveon sent DCPS its final report in February 2010, saying that it had not found evidence of cheating—which it had not been looking for, as Dr. Fremer explained. It recommended some changes in security procedures.

How much control did Chancellor Rhee have over what Caveon did? It seems obvious that she could have demanded a deep analysis of the erasures—after all, it was her contract. But she recently told one of her supporters that she was frustrated by what went on. Here’s what Whitney Tilson wrote to me after talking with Ms. Rhee this week: “She also expressed frustration at some of the investigations because she agrees that they were weak – but she didn’t control them and any attempt by her to influence them would be inappropriate.”

That is her public position: she didn’t control the process and was frustrated but didn’t interfere because that would have been inappropriate, but she had approved (and possibly designed) the process for Caveon to follow, and Caveon was contractually obligated to let DCPS review its drafts.

At the April 18th hearing Chairman Catania alluded to what he called Caveon’s ‘positive’ role in helping expose the Atlanta cheating. That is an overstatement, to put it mildly.

Prior to its work for DCPS, Caveon had been hired by the (so-called) “Blue Ribbon Committee” established to look into allegations of cheating in Atlanta. Caveon looked—and reported finding nothing wrong in what turned out to be the epicenter of cheating by adults on standardized tests. ^[8] Dr. Fremer told me that while he ‘knew’ there was widespread cheating going on, that was not mentioned in his final report. “We did not try to find out who was cheating,” he said. “Our purpose was to rank order the schools beginning with those with the most obvious problems (of unbelievably dramatic score increases), in order to make the task of investigating more manageable.” In other words, Caveon produced a list!

Dr. Fremer admitted that he knew some Atlanta teachers were lying to him, but he said his hands were tied because he didn't have subpoena power.

Georgia's investigators are contemptuous of Caveon's efforts, labelling it a 'so-called investigation.' Richard Hyde, one of the three leaders of the investigation, told me that "either by coincidence or design, it was certain to fail." Mr. Hyde denied that Caveon needed subpoena power because its investigators were representing a governmental agency, and under Georgia law it is a felony to lie to someone representing the government. What's more, Mr. Hyde said, Caveon had a fundamental conflict of interest—it was investigating its employer, at least indirectly, because the "Blue Ribbon Commission" (which Mr. Hyde dismisses as "The Whitewash Commission") included a deputy superintendent of schools.

Robert Wilson, another leader of the Georgia investigation, is even blunter. Of course Caveon didn't find cheating because "Caveon couldn't find its own ass with either hand," he scoffed. Why anyone would hire Caveon was, he said, beyond him—unless they didn't want to find out anything.

Dr. Fremer seemed hurt and offended by the criticism. "We try to be non-emotional," he said, acknowledging that "People who listen only to the law enforcement side do not respect us."

Caveon / was Chancellor Rhee's first foray into 'investigation,' and she and Ms. Henderson regularly cite it as evidence that all was well—because Caveon did not find what it was not looking for.

Next in this row of dominos is Charles Willoughby, who leaned heavily upon Caveon's report as he exonerated DCPS.

Then there's the Department of Education's Inspector General's investigation, which leaned heavily upon Mr. Willoughby's work when it reported on January 17, 2013, that "No information was obtained or developed during the course of the investigation that substantiated the allegation of false claims made to the federal government or confirmed widespread cheating on standardized tests."

For some reason I hear Harry Belafonte singing "Hosanna."

House built on a weak foundation

Will not stand oh no

Story's told throughout creation

Will not stand oh no

So let's connect the dots: Scores rose dramatically on the 2008 DC-CAS after Chancellor Rhee required her principals to give her written guarantees of test score increases. The subsequent discovery of a rash of wrong-to-right erasures suggested collusion by adults but the erasures were not (and have never been) investigated.

Caveon was hired to 'investigate' the 2009 results even though it does not do investigations, and, surprise, it did not find evidence of cheating. And Caveon's supposed 'clean bill of health' is the foundation for the claims by former Chancellor Rhee, Chancellor Henderson and Chairman Catania that all is well.

All is not well.

Footnotes (↵ returns to text)

1. 1. If you think I've become a fanatic, or as one blogger put it, "Ahab," please consider this: It's easy to say "We'll never know what happened, so let's move on," but those smudge marks on the 2008 answer sheets represent real kids who may have been denied remedial help because adults conspired to cheat. And given Michelle Rhee's national prominence, it could happen again.
If you've made up your mind one way or the other, you can stop reading now. But if you are on the fence and can keep an open mind, please read on. A web of deception that has been woven with great care over the past five years now seems to be unravelling.↵
2. 2. He was referring to Caveon and Alvarez & Marsal, hired by either DCPS or OSSE, the Office of the State Superintendent of Education.↵
3. 3. Just how weak was Mr. Willoughby's effort? [As we reported on Frontline in January](#), the Inspector General's investigation is remarkable for what it did not investigate. He chose not to investigate 2008, the year with the most erasures. He chose not to investigate Aiton, the school Dr. Sanford had singled out for special attention because of its high wrong to right erasures. He did not examine the test answer sheets or perform an electronic analysis. And he did not investigate J.O Wilson – a school with excessive WTR erasures in 100% of its classrooms – simply because Chancellor Henderson had assured him that it was a good school.

Although more than half of DC's schools had been implicated, he focused only on Noyes Education Campus, the school that USA Today had made the centerpiece of its investigation. Over the course of the next 17 months, his team interviewed just 60 administrators, teachers, parents and teachers, all from Noyes Education Campus. (Atlanta investigators interviewed over 2,000 people and reviewed 800,000 documents). Rather than seek outside experts (as Atlanta investigators had), he relied heavily on information from Caveon, which had been, of course, in the employ of DCPS. He did not ask to perform erasure analysis but relied on interviews—sometimes conducted over the phone.

Without the power to put people under oath, he told City Council member McDuffie in February that he just asked them if they had cheated. If they said they hadn't, that was the end of it, because, he explained, he "wasn't conducting a fishing expedition." Test monitors sent by the central office to patrol Noyes for the 2010 test told Mr. Willoughby that they had been barred from entering classrooms. School officials denied that charge—and Mr. Willoughby believed them, not the monitors.

One of those witnesses was breaking the law by lying to an official of the DC Government. Washington has enacted a statute that is parallel to US Code 18-1001, which makes it a crime to lie to an official of the US Government, according to the office of the Attorney General of the District of Columbia. ↵

4. 4. Two of them (Caveon I and II) were directly controlled by Rhee and Henderson, and the first Alvarez & Marsal investigation was paid for by OSSE. Willoughby's investigation was heavily—perhaps inappropriately— influenced by DCPS. A sixth investigation, by the US Department of Education's Inspector General, was narrow in scope. The investigation of 2012 DC-CAS results—by A&M—was more aggressive; not surprisingly, it is the only one that has turned up a significant amount of cheating by adults. ↵
5. 5. We spoke on the phone—twice—for over an hour on April 22, 2013. ↵
6. 6. Dr. Fremer did tell me, however, that he was convinced that there had been a significant amount of cheating, involving what he called 'collusion.' "It would have been nearly impossible for individual teachers to have done that much erasing," he said. He suggested two possible explanations: 1) teachers working with the classroom proctors during the test; and 2) organized erasing after the test was over. ↵

7. 7. I refer you to ["Michelle Rhee's Reign of Error"](#) for details on how easy it would have been to cheat. ↵
8. 8. 35 people indicted, including former Superintendent Beverly A. Hall ↵