

1 RE: I-LEAD CHARTER SCHOOL HEARING  
2 (VOLUME II)

3 BEFORE: Jeffrey D. Litts, Hearing Officer

4  
5 DATE AND TIME: Friday, January 22, 2016  
6 at 9:30 a.m.

7  
8 LOCATION: Reading School District  
9 Administration Building  
800 Washington Street  
Reading, Pennsylvania

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I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
Dr. James F. Bohan, recalled	Ms. Petersen Mr. Stacey Ms. Petersen Mr. Stacey	274 373 387 393
Karen H. McCree	Mr. Stacey Ms. Petersen	395 412

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here to reconvene the hearing with regards to I-LEAD Charter School. Yesterday, when we recessed the hearing we had, Dr. Bohan was testifying, and we're going to continue to proceed with his testimony this morning. So I'll turn it over to Counsel.

DR. JAMES F. BOHAN, previously sworn,  
was recalled as a witness.

Q. Good morning, Dr. Bohan.

Q. Nice to see you again, sir.

Q. I want to get in some basics with you that I now were covered yesterday. What certifications do you have in Pennsylvania?

Q. And when you say Letter of Eligibility, do you mean a Superintendent's Letter of Eligibility?

Q. And when did you obtain that?

<p>1 A. 2008.</p> <p>2 Q. And in terms of your employment history, I</p> <p>3 understand that you were employed by Manheim Township</p> <p>4 School District for 37 years?</p> <p>5 A. No, for 18 years.</p> <p>6 Q. And where were you employed thereafter?</p> <p>7 A. The PVAAS. It's IU13 on a grant from the</p> <p>8 Pennsylvania Department of Education. It was administered</p> <p>9 by IU13, so I was technically an employee of IU13, working</p> <p>10 on the PVAAS project.</p> <p>11 Q. Let me make sure I understand. How long did</p> <p>12 you teach Math at Manheim Township?</p> <p>13 A. 18 years.</p> <p>14 Q. And then were you a Math Coordinator</p> <p>15 somewhere else?</p> <p>16 A. Prior to coming to Pennsylvania -- that was</p> <p>17 what I had in Pennsylvania -- I was a Math teacher in a</p> <p>18 Parochial school for 13 years, and then I was a Math</p> <p>19 Coordinator and teacher for five years at a private school</p> <p>20 outside of Chicago.</p> <p>21 Q. So 18 years at Manheim Township?</p> <p>22 A. Yes.</p> <p>23 Q. And then working for IU13 in the PVAAS role;</p> <p>24 correct?</p> <p>25 A. Right.</p> <p style="text-align: right;">275</p>	<p>1 different IU's in Pennsylvania and have run College Board</p> <p>2 workshops and I've done four of them up in State College</p> <p>3 and Montgomery County, that type of thing.</p> <p>4 I've also consulted with districts like</p> <p>5 Upper Perkiomen District, looking at their Math and the</p> <p>6 shift in standards. That was quite awhile ago. Currently,</p> <p>7 I've been contacted by several districts.</p> <p>8 I mentioned some yesterday, Hazleton,</p> <p>9 Scranton, a whole bunch of other ones to a certain degree</p> <p>10 on the challenge of Algebra 1, basically, Keystone Algebra</p> <p>11 1 and middle school and that type of thing, as well as some</p> <p>12 districts -- I wish I could remember the one right off the</p> <p>13 top of my head. It was two visits out in the western part</p> <p>14 of the State, talking about Algebra with them.</p> <p>15 In addition, I spent three years as the</p> <p>16 Data Manager on a Federal School Improvement Grant for the</p> <p>17 School District of Harrisburg, and I gave them unofficial</p> <p>18 Math advice doing that, but I was primarily there as the</p> <p>19 Data Manager position on the SIG Team. SIG is School</p> <p>20 Improvement Grant.</p> <p>21 Q. When did the Data Manager position for</p> <p>22 Harrisburg School District end?</p> <p>23 A. I'm thinking 2014, maybe 2013. It was</p> <p>24 probably -- I think it was November, probably, of 2013.</p> <p>25 Q. Do you believe what you just described to us</p> <p style="text-align: right;">277</p>
<p>1 Q. How long were you in that PVAAS role?</p> <p>2 A. Six years.</p> <p>3 Q. That was 2005 to 2011?</p> <p>4 A. Correct.</p> <p>5 Q. And then you retired thereafter; correct?</p> <p>6 A. Right.</p> <p>7 Q. And retired from the PSERS system?</p> <p>8 A. Yep.</p> <p>9 Q. P-S-E-R-S. And since that time, 2011 when</p> <p>10 you retired, you have been performing consulting work. Is</p> <p>11 that correct?</p> <p>12 A. Correct.</p> <p>13 Q. And you mentioned consulting for the College</p> <p>14 Board and for various School Districts?</p> <p>15 A. Correct.</p> <p>16 Q. And do you continue doing that today?</p> <p>17 A. Yes.</p> <p>18 Q. And who are you doing consulting work for?</p> <p>19 A. Do you want clients or companies or what?</p> <p>20 Q. Yeah, clients. Everyone.</p> <p>21 A. Well, clients, College Board is basically</p> <p>22 coming out of Philadelphia and Balwyn; however, I contract</p> <p>23 with different institutions. For example, Goucher College</p> <p>24 I run College AP workshops for them in the summer. I'm</p> <p>25 doing one at Rutgers. I have done in the past ones for</p> <p style="text-align: right;">276</p>	<p>1 in terms of the totality of work that you performed is</p> <p>2 everything that you've performed all as a consultant?</p> <p>3 A. Well, the only other thing I do is I do get</p> <p>4 requests to review textbooks, review articles from the</p> <p>5 National Council of Teacher Mathematics, particularly</p> <p>6 advanced placement statistics. Publishers contact me and I</p> <p>7 will review and/or sometimes edit some of the materials for</p> <p>8 them, so that's also included.</p> <p>9 Q. So in terms of the work that you've just</p> <p>10 described to us, how many of those consulting jobs have you</p> <p>11 had since December of 2014?</p> <p>12 A. Since going with I-LEAD, I'd say half a</p> <p>13 dozen.</p> <p>14 Q. And how many of those jobs have you had</p> <p>15 since July 1st of 2015?</p> <p>16 A. Maybe three, three or four.</p> <p>17 Q. Which ones have you had since then?</p> <p>18 A. Well, I sort of lump the Algebra ones as</p> <p>19 one type, and that would have been the Scranton, Hazleton,</p> <p>20 and I'm going to Bethlehem next week, in fact. That's</p> <p>21 another one. And that's as one.</p> <p>22 I also had committed to College Board</p> <p>23 workshops in July, so I did two of those for Goucher</p> <p>24 College, G-O-U-C-H-E-R, College in Towson, Maryland. I</p> <p>25 contracted to do three for them. I did one in June and two</p> <p style="text-align: right;">278</p>

1 in July, so I completed that. So I'm thinking that no more  
2 than two or three given that.

3 Q. So you mentioned the consulting jobs that  
4 you've had since July 1st, 2015, would be the College Board  
5 workshops for Goucher College; correct?

6 A. Yes.

7 Q. And the work that you're performing for  
8 Hazleton, Scranton, Bethlehem, and I believe Harrisburg was  
9 the other one that you had mentioned yesterday.

10 A. Yeah, I visited them as well. Yes.

11 Q. What does that entail?

12 A. That entails basically looking -- in a  
13 general sense, looking at their data to help them  
14 interpret, you know, both PVAAS and any other local data  
15 they have. And then specifically we then go into looking  
16 at their sequence courses, their selection process for  
17 acceleration, you know, how is their middle school Math  
18 program set up, identify candidates for Algebra 1 and those  
19 types of things.

20 Q. Are you setting up similar tiered courses  
21 for those entities as you've done for I-LEAD?

22 A. I recommend them to it. In many cases they  
23 have somewhat the same kind of system, and I help them  
24 refine it.

25 Q. And how many hours per week are you working

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1 on the consulting work that you've just described for those  
2 School Districts?

3 A. It varies. I think it's fair to say no  
4 more than eight hours, generally, per week. Some weeks  
5 it'll be two days, but most of the time it's one.

6 Q. And you mentioned the workshops at Goucher  
7 College having taken place in the summer. Do you do  
8 workshops throughout the year?

9 A. No.

10 Q. So that's only a summer activity?

11 A. Only summer.

12 Q. Are you doing any consulting work for any  
13 other entity since July 1st, 2014, other than what we just  
14 described?

15 A. No, that's it. I will say that a lot of  
16 these workshops for the Algebra is being coordinated  
17 through my contacts with the PVAAS Team, but that's the  
18 only thing.

19 Q. You did not serve as a Principal for Manheim  
20 Township School District; correct?

21 A. Right.

22 Q. Have you served as a Principal for any other  
23 entity, other than the I-LEAD Charter School?

24 A. No.

25 Q. Have you ever served as an Administrator at

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1 any school district or school entity in Pennsylvania other  
2 than I-LEAD Charter School?

3 A. I'll be honest with you, I was wondered if  
4 you were going to ask that question. My role at Manheim  
5 Township School District began as the 9 through 12 math  
6 chairperson. It was then extended to 7 through 12 and then  
7 extended to K to 12.

8 In that regard, when I went K to 12, I was  
9 told that I would have to leave the classroom and become a  
10 full-time Administrator. I refused. I declined the offer,  
11 you know, very respectfully and said I didn't want to leave  
12 the classroom.

13 So we struck, basically, an arrangement  
14 whereby I taught two classes a day in the high school or  
15 even in 8th grade. One year I was in 8th grade, and I  
16 happily went back to the high school.

17 I taught two classes every year, plus ran  
18 all the independent studies for the kids that had already  
19 completed our programs. So that was sort of half-time  
20 teaching, half-time administering. So have I ever been an  
21 Administrator? The answer is sort of, yes.

22 Q. But only within the role as the Math  
23 Coordinator; correct?

24 A. Correct. Absolutely.

25 Q. So you would agree with me that serving as

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1 I-LEAD's Principal is your first stint as a Principal ever?

2 A. Absolutely.

3 Q. Am I correct that your official start date  
4 as the Principal at the Charter School is July 1, 2015?

5 A. I think that's correct. Yes.

6 Q. Was a job description created for your  
7 position as Principal or is there one?

8 A. I don't think so.

9 Q. And I believe that you indicated you were  
10 working part-time for the Charter School?

11 A. Correct.

12 Q. What does that mean?

13 A. It means that basically I schedule actually  
14 about a half day on Monday and three-quarters of a day on  
15 Tuesday to be on-site. And then I will work from home on  
16 different projects and, you know, data issues and things  
17 like that as necessary.

18 Q. So are you saying then that you are on-site  
19 at the Charter School for a half day on a Monday and  
20 three-quarters of a day on a Tuesday?

21 A. Generally.

22 Q. And typically not longer than that or not  
23 more than that during a week?

24 A. Correct.

25 Q. And the other hours that you put in for the

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1 Charter School are all from home?  
2 A. Yes.  
3 Q. You have an office at home?  
4 A. Yes.  
5 Q. And in your absence as the Principal, who is  
6 supervising the building of the Charter School?  
7 A. The Vice Principal and an Assistant to the  
8 Vice Principal.  
9 Q. Who is the Vice Principal?  
10 A. His name is Dwayne Brown.  
11 Q. How long has Mr. Brown worked for the  
12 Charter School?  
13 A. I'm thinking since its inception. He's  
14 been there a long time.  
15 Q. And was Mr. Brown in a different position  
16 before becoming the Vice Principal?  
17 A. Yes. He was the Director of Teacher  
18 Effectiveness, I think was his title.  
19 Q. And what certifications does Mr. Brown have?  
20 A. I'm not really sure.  
21 Q. Does he have a Principal's Certificate?  
22 A. I don't know. I know he has a Math  
23 Certificate because he's an ex Math teacher. And I think  
24 he has a counseling one, but I'm not sure.  
25 Q. And do you know how long he was in the

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1 position of Director of Teacher Effectiveness?  
2 A. I'm not sure.  
3 Q. Did you think it was important to know if  
4 the Vice Principal who's supervising the building when  
5 you're not there is certified as a Principal or not?  
6 A. No. It's not important for me, but I think  
7 it's important to HR and that type of thing.  
8 Q. Do you know if HR has done that?  
9 A. They keep track of all the certifications,  
10 so I'm assuming they did.  
11 Q. And that's an assumption; correct?  
12 A. Correct.  
13 Q. You never checked with that?  
14 A. That is correct.  
15 Q. So you're not a direct employee of the  
16 Charter School?  
17 A. Correct.  
18 Q. You're a contractor?  
19 A. Exactly.  
20 Q. And you're paid on an hourly basis for the  
21 work that you perform?  
22 A. Correct.  
23 Q. Are you responsible for evaluating staff at  
24 the Charter School?  
25 A. Yes.

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1 Q. Have you done so so far this year?  
2 A. We're in process. We're adapting the  
3 Danielson model to our environment, which is the model that  
4 the State recommends for teacher effectiveness reviews.  
5 And Mr. Brown and his assistant are performing  
6 walk-throughs under the guidance of our Academic Recovery  
7 Liaison, who was assigned to us by the State and has been  
8 working, actually, since before I began as a Math  
9 Consultant. So he's been there for quite awhile.  
10 Q. Have you performed any walk-throughs to date  
11 so far this year?  
12 A. No.  
13 Q. Have you been in any classrooms during this  
14 school year --  
15 A. Yes.  
16 Q. -- '15/16 school year?  
17 A. Yes.  
18 Q. On what occasions?  
19 A. Basically just poking my head in as I'm  
20 going through the building, that type of thing.  
21 Q. Have you been involved in any student  
22 disciplinary situations this year?  
23 A. No.  
24 Q. Who is dealing with student discipline at  
25 the school?

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1 A. Mr. Brown.  
2 Q. Does he ask you to sign off on any student  
3 disciplinary paperwork?  
4 A. No.  
5 Q. Have any students been expelled since the  
6 start of the year?  
7 A. Yes.  
8 Q. How many?  
9 A. I don't know that.  
10 Q. And are you involved in the student  
11 expulsions?  
12 A. No.  
13 Q. How often do you interact with students at  
14 the Charter School?  
15 A. Very seldom.  
16 Q. Am I correct that before December, 2014, you  
17 did not have any role at the Charter School?  
18 A. Correct.  
19 Q. Had you ever even heard of the I-LEAD  
20 Charter School?  
21 A. I had not.  
22 Q. How many students are currently enrolled at  
23 the Charter School?  
24 A. Approximately 520, I think.  
25 Q. And how many per grade?

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1 A. It's approximately 25 percent each, a  
2 hundred and -- what would that be -- 25, 130 maybe per  
3 grade.  
4 Q. So Grades 9 through 12 there's about an even  
5 number per grade?  
6 A. Approximately, yes.  
7 Q. Do you know how many of those students are  
8 from the Reading School District?  
9 A. The majority, but not all. I don't know  
10 what percentage or what number exactly.  
11 Q. Where are the other students from that are  
12 not from Reading?  
13 A. I know that we have some from Muhlenberg.  
14 I think we also have some from private and Parochial  
15 schools.  
16 Q. Do you have any coming to you out of cyber  
17 charters?  
18 A. Not that I know of.  
19 Q. How many students were enrolled at the  
20 Charter School last year?  
21 A. Approximately the same number, I think.  
22 Q. How many students per grade last year,  
23 '14/15?  
24 A. Yeah, it's approximately the same  
25 distribution.

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1 Q. Of the students that are there in the  
2 current school year, '15/16, how many of them had been  
3 dropped out of school before enrolling in I-LEAD, and by  
4 that I mean had not been on the rolls at any school?  
5 A. I really don't know.  
6 Q. Do you know the same data for last year?  
7 A. No.  
8 Q. Do you know how many students that are  
9 currently enrolled in the '15/16 school year had a history  
10 of truancy before enrolling in the Charter School?  
11 A. Not precisely, no.  
12 Q. Would your answer be the same for the '14/15  
13 school year?  
14 A. Correct.  
15 Q. Do you know how many students that are  
16 enrolled at the I-LEAD Charter School currently are  
17 pregnant?  
18 A. No.  
19 Q. Are homeless?  
20 A. No.  
21 Q. Have been incarcerated at some point?  
22 A. No.  
23 Q. Have been in a mental health placement?  
24 A. No.  
25 Q. Do you have any specific information about

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1 any student at the Charter School in terms of what their  
2 circumstances were before coming to I-LEAD?  
3 A. No.  
4 Q. And your answers would be the same for the  
5 '14/15 school year, too?  
6 A. Correct.  
7 Q. Does the Charter School offer any gifted  
8 programming?  
9 A. No.  
10 Q. Does it offer any Advanced Placement  
11 courses?  
12 A. There are Advanced Placement courses in the  
13 course catalog, but there are no students who qualify for  
14 them.  
15 Q. And what does a student need to do to  
16 qualify for it?  
17 A. They basically have to have excellent  
18 performance in the prerequisite courses. And that -- I've  
19 been told we ought to get a calculus class going, but given  
20 our population and their performance, it's, in my opinion,  
21 quite unlikely we'll ever get there.  
22 Q. Who told you that you should get a calculus  
23 class going?  
24 A. Well, the Math people thought it would be a  
25 great idea.

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1 Q. You mean Math teachers?  
2 A. Math teachers, yes.  
3 Q. That are employed by the Charter School?  
4 A. Right.  
5 Q. And in terms of excellent performance in  
6 their courses being a prerequisite, would that be obtaining  
7 an A, for example, in a course?  
8 A. Um-hum, for example, yep.  
9 Q. Are any students attaining A's in any  
10 courses at I-LEAD?  
11 A. Yes.  
12 Q. And you're saying that those students would  
13 not be good candidates for an advanced placement course?  
14 A. Well, many of them specifically run out of  
15 time. In other words, to get to an Advanced Placement  
16 course, you really have to complete the normal high school  
17 curriculum in advance of when you would graduate. And we  
18 have very few that will qualify in terms of the pacing of  
19 the courses, let alone the performance.  
20 Q. You would agree with me that in schools, and  
21 particularly in Manheim Township, that an Advanced  
22 Placement course could replace the regular level course.  
23 So, for example, a calculus course, you could take regular  
24 calculus or you could take Advanced Placement calculus;  
25 correct?

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1 A. Not at Manheim Township because I didn't  
2 let it happen. At a lot of schools that's true.  
3 Q. So you could set it up that way at I-LEAD  
4 Charter School; correct?  
5 A. I could.  
6 Q. You mentioned the course catalog. Is there  
7 a course catalog at I-LEAD Charter School?  
8 A. Yes, there is.  
9 Q. And is that another name for a course of  
10 studies book?  
11 A. Yes.  
12 Q. Those two terms could be synonymous?  
13 A. Yes, I would say so.  
14 Q. And how long has a course catalog been in  
15 place at the Charter School?  
16 A. There was a version in place when I got  
17 there in December of 2014. I'm not sure when that began.  
18 We updated it this September, and I actually continue to  
19 revise and update it. About on a monthly basis we take a  
20 look at it.  
21 Q. The version that was in place when you got  
22 there in December, was it an accurate depiction of what  
23 courses the Charter School was offering at that time?  
24 A. I would say yes, in my review it was.  
25 Q. And did it indicate a course progression,

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1 how students would progress from one Math course to the  
2 next, for example?  
3 A. There was an indication, but it wasn't as  
4 obvious as I thought it should be. So part of the new  
5 course catalog includes sequence tables of how students can  
6 progress through, particularly, Math, English Language  
7 Arts, Science and to a certain extent Social Studies. It  
8 isn't quite as organized by prerequisites as the others  
9 would be.  
10 Q. And the course catalog that you indicated  
11 was developed in September of this school year, 2015, does  
12 that course catalog indicate the tiered courses that are  
13 described in the Amendment Request?  
14 A. Yes.  
15 Q. Have we been presented with that course  
16 catalog?  
17 A. I don't think so. I don't know.  
18 Q. I'm going to ask you to turn to Joint  
19 Exhibit 1, please.  
20 A. Okay.  
21 (Witness complies.)  
22 Q. And if you could flip to Page 8.  
23 A. There's 7 of 8 and 8 is --  
24 Q. I think it's flipped. I think that's 8  
25 (indicating).

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1 A. The signature page, yes.  
2 Q. Is that your signature on Page 8?  
3 A. Yes, it is.  
4 Q. If you could turn to the next page, do you  
5 see it says Verification at the top?  
6 A. Yes.  
7 Q. Who signed the Verification page?  
8 A. Angel Figueroa.  
9 Q. And was there a reason that you signed the  
10 Amendment Request and Mr. Figueroa signed the Verification  
11 page?  
12 A. The only reason I assumed -- and it's an  
13 assumption -- was because the Amendment dealt -- its  
14 highest priority was in terms of the academic, you know,  
15 measures that we had that I signed it as the Chief Academic  
16 Officer. He signed the Verification as the CEO of the  
17 school.  
18 Q. Did you have information relative to the  
19 other matters raised in the Amendment Request other than  
20 the academic pieces?  
21 A. No, I focused on the academic.  
22 Q. Am I correct then that you did not have a  
23 role in preparing Paragraphs 19 through 23 of the Amendment  
24 Request?  
25 A. I reviewed them, but I did not have a role

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1 in writing any of that.  
2 Q. You didn't provide any information relative  
3 to those requests?  
4 A. My Academic Team provided information about  
5 the highly qualified teacher aspect as part of our normal  
6 reporting to HR.  
7 Q. And in terms of you and your Academic Team  
8 knowledge about highly qualified teachers at the Charter  
9 School, are you aware that the Charter School had not had  
10 100 percent highly qualified teachers in any of its first  
11 four years --  
12 A. Yes.  
13 Q. -- of existence?  
14 A. Yes.  
15 Q. What is the current status of teachers in  
16 terms of them being highly qualified at the Charter School?  
17 A. For our permanent employees, it's  
18 100 percent.  
19 Q. I'm sorry, you said?  
20 A. For permanent employees. We do have one  
21 substitute who doesn't qualify yet.  
22 Q. Is it a he or a she?  
23 A. She.  
24 Q. What is she teaching?  
25 A. English.

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1 Q. So Core subject English?

2 A. Yes.

3 Q. How long has she been employed by the

4 Charter School?

5 A. It was fairly recently. I'm not exactly

6 sure what her start date was.

7 Q. Prior to her start date, had that position

8 been filled with a highly qualified English teacher?

9 A. Yes.

10 Q. Now, if you could turn to Paragraph 13,

11 which is Page 3, please.

12 A. (Witness complies.)

13 Okay.

14 Q. And you had made some statements in your

15 direct-examination yesterday regarding the information

16 that's conveyed in little (a) within Paragraph 13. Do you

17 recall that?

18 A. Yes.

19 Q. And do you recall testifying that the

20 information that's conveyed in that subsection doesn't

21 actually apply to the Charter School because it doesn't

22 apply to Keystone exams?

23 A. Correct.

24 Q. And the Charter School is only administering

25 Keystone exams?

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1 A. Correct.

2 Q. And the State --

3 A. I do need to qualify that. We are also

4 administering CDT tests for middle school Math and English

5 Language Arts to diagnose deeper deficiencies than the

6 CDT's will show on the Keystone test.

7 Q. CDT's are diagnostic assessments; correct?

8 A. Correct.

9 Q. They're not benchmark assessments?

10 A. No. Right.

11 Q. So they're not the same thing as Keystone

12 exams?

13 A. Keystone are end of course exams, which is

14 not a benchmark either. They're a summative, end of course

15 exam similar to a final exam.

16 Q. I want to make sure we're using the same or

17 the proper --

18 A. Terminology.

19 Q. Thank you. Sorry. So CDT is a diagnostic

20 exam; correct?

21 A. Correct.

22 Q. And that's used to diagnose or identify

23 areas where students have deficiencies. Is that correct?

24 A. Or strengths, yes. Correct.

25 Q. It could be either?

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1 A. Yep.

2 Q. And then there are benchmark assessments;

3 correct?

4 A. Yes.

5 Q. And can you give us some examples of

6 benchmark assessments?

7 A. Study Island has one, a very popular one

8 that's really -- I think it's still available, but not in

9 high use in Pennsylvania. It's the FourSight exams. There

10 are several others that are available commercially.

11 Q. And then you have summative assessments?

12 A. Correct.

13 Q. And that's some things like the PSSA and the

14 Keystone exams?

15 A. Exactly.

16 Q. Am I correct that a diagnostic assessment

17 like the CDT is going to provide you with certain

18 information, but it's not going to tell you if a student is

19 on grade level as determined by a summative assessment?

20 A. Correct, or a benchmark. A benchmark would

21 tell you grade level as well.

22 Q. So in terms of the statements that are in

23 Paragraph 13, the State has not reset the baseline academic

24 data for Keystones; correct?

25 A. Correct.

297

1 Q. And I think you also testified yesterday

2 that the request for the amendment, the intent of it is not

3 to relieve the Charter School from accountability.

4 A. Correct.

5 Q. And I think you also testified that the

6 Charter School should be measured via growth.

7 A. Correct.

8 Q. And you provided some information about sort

9 of comparing different populations of students. You used

10 the word homogeneous, if you remember that.

11 A. Right.

12 Q. And then I believe you testified that the

13 school, in your opinion, enrolls a more homogeneous

14 population, and then you went on to describe the larger

15 percentages of people -- kids who fell in different

16 categories. Do you recall that?

17 A. Yep.

18 Q. And you used economically disadvantaged as

19 one example; correct?

20 A. Correct.

21 Q. Minority students; correct?

22 A. Correct.

23 Q. Are you familiar with the demographics of

24 the student body at the Charter School?

25 A. Yes.

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<p>1 Q. Can you tell us, in your words, what the 2 percentage of economically disadvantaged students is at the 3 Charter School?</p> <p>4 A. Approximately 99 percent.</p> <p>5 Q. What about minority enrollment?</p> <p>6 A. 99 percent.</p> <p>7 Q. What about Special Ed enrollment?</p> <p>8 A. 28 maybe, 30 percent.</p> <p>9 Q. I think you also talked about students who 10 arrive with no records or dubious records was your wording.</p> <p>11 A. Yes.</p> <p>12 Q. Are you talking about students who arrive, 13 for example, from countries outside of the United States?</p> <p>14 A. Sometimes. I mean, it's a larger group 15 than that. There are -- for example, some transcripts that 16 we get from certain institutions will identify that a 17 student is in 11th grade but has only three or four credits 18 on the transcript. So there's quite a bit of ambiguity in 19 some cases. Now, in other cases we get the full 20 transcripts.</p> <p>21 Unfortunately, we don't have access, 22 particularly for Pennsylvania students, to their PSSA 23 histories. That would be very useful to us, but we don't 24 get that.</p> <p>25 Q. Let me ask you that because I was unclear</p> <p style="text-align: right;">299</p>	<p>1 Reading School District to produce that report.</p> <p>2 Q. Had you ever tried to run one of those 3 reports in any other of your positions or duties as a 4 contractor?</p> <p>5 A. I did that for Harrisburg.</p> <p>6 Q. And were you able to do it for Harrisburg?</p> <p>7 A. Yes.</p> <p>8 Q. Did you contact the State to find out what 9 the problem might be?</p> <p>10 A. No.</p> <p>11 Q. You didn't think it was worth doing that?</p> <p>12 A. I -- at the time we were primarily looking 13 for analyzing our Keystone results, and it occurred to me 14 that it would be nice. I was hoping, actually, to go in -- 15 the tool is divided into Keystone results and PSSA results.</p> <p>16 And I was hoping to go into the PSSA side 17 and, actually, I think that may be the problem. On the 18 Keystone side, I don't think Feeder Reports are available. 19 On the PSSA side they are, but since we had none of our 20 students take the PSSA, we didn't qualify to get any of 21 those reports.</p> <p>22 Q. You are very familiar with the PA Secure ID 23 process; correct?</p> <p>24 A. Yes.</p> <p>25 Q. And what that is?</p> <p style="text-align: right;">301</p>
<p>1 about your testimony yesterday regarding that topic. 2 You're familiar with the Feeder Reports that are generated 3 by the State?</p> <p>4 A. Correct.</p> <p>5 Q. And the Feeder Reports show a student's 6 performance on the PSSA and/or Keystone exam?</p> <p>7 A. Right.</p> <p>8 Q. Are you saying that the Charter School 9 doesn't receive Feeder Reports for your students?</p> <p>10 A. There's what's called data interaction by 11 eMetric, which is the tool the State provides for 12 delivering PSSA data on the student performance side.</p> <p>13 There was a Feeder Report available, but I 14 actually tried this fall when the results were released to 15 run that Feeder Report for I-LEAD Charter School, and it 16 came back no data, and I actually didn't find out why.</p> <p>17 Q. So I want to make sure we're talking about 18 the same thing. Are you saying there was a Feeder Report 19 specifically for the Charter School?</p> <p>20 A. No. There's a function on the tool for 21 Feeder Reports for wherever you're at. And so in the menu 22 you could select Feeder Report and then ask for the Feeder 23 Report for your school. The problem is I'm not sure if the 24 State really has the feeder relationship between I-LEAD and 25 all of our feeder schools or even the School District,</p> <p style="text-align: right;">300</p>	<p>1 A. Right.</p> <p>2 Q. And you would agree with me that PA Secure 3 ID is where every student in the Commonwealth of 4 Pennsylvania receives an identification number; correct?</p> <p>5 A. Correct.</p> <p>6 Q. And that number follows them regardless of 7 what school they enroll in; correct?</p> <p>8 A. Correct.</p> <p>9 Q. So if a student, for example, started out at 10 Reading School District in the intermediate school, they 11 received a PA Secure ID number, and then if they enrolled 12 in the I-LEAD Charter School, that number followed them to 13 the I-LEAD Charter School.</p> <p>14 A. Correct.</p> <p>15 Q. So am I also correct that the data, the 16 State level summative assessment data that's reported for 17 every student is attached to that Secure ID?</p> <p>18 A. Correct.</p> <p>19 Q. So there is a way to run Feeder Reports for 20 individual students; correct?</p> <p>21 A. There's a way.</p> <p>22 Q. Do you know what way that is?</p> <p>23 A. Yes.</p> <p>24 Q. Did you run reports, Feeder Reports on the 25 individual students that enrolled at I-LEAD?</p> <p style="text-align: right;">302</p>

1 A. I tried and it failed.  
2 Q. Did you contact anyone at the State to find  
3 out why?  
4 MR. STACEY: Objection. Asked and  
5 answered.  
6 MS. PETERSEN: He was talking about the  
7 school level reports. We're talking about the student  
8 level reports.  
9 HEARING OFFICER: I'll let him answer the  
10 question.  
11 THE WITNESS: Yeah. No, I didn't. The  
12 reason I didn't was the fact that given the FERPA Laws  
13 and the privacy issues, the State's tool is set up  
14 primarily to return data on students who tested with you.  
15 Since none of our students took PSSA's with us, we don't  
16 have access to anything until they're currently enrolled.  
17 And in that regard, PVAAS has a currently  
18 enrolled function that allows us to see projections and  
19 past history, but the data interaction does not have the  
20 currently enrolled feature. So if we had not tested a  
21 student or a group of students on the PSSA, we had no  
22 access to their PSSA data, either as a Feeder Report or  
23 just a general report.  
24 BY MS. PETERSEN:  
25 Q. Are you suggesting then that you can't log

303

1 into the feeder system, the report generating system, put  
2 in a student Secure ID number and get their history of PSSA  
3 performance or Keystone performance?  
4 A. It's not a suggestion. That's a fact. We  
5 can't.  
6 Q. You cannot do that?  
7 A. We cannot do it. It's not allowed.  
8 Q. Are you aware that the Charter School has  
9 copies of Feeder Reports on students in the exhibits that  
10 were provided?  
11 A. No.  
12 Q. Did you ever access any students file to see  
13 if the Feeder Reports were included in their student  
14 records?  
15 A. No.  
16 Q. So sitting here today, you're not aware that  
17 those reports exist in the Charter School's own files?  
18 A. Correct.  
19 Q. And a Feeder Report, just so we're clear, is  
20 going to give you the raw data score and sort of the  
21 category where the child fell on the PSSA or Keystone;  
22 correct?  
23 A. I believe so.  
24 Q. Have you ever seen the Feeder Reports?  
25 A. Not recently, so I don't know if they've

304

1 changed or not.  
2 Q. When I say category, I mean below basic,  
3 basic, proficient or advanced; correct?  
4 A. Correct.  
5 Q. You would agree with that?  
6 A. Yes.  
7 Q. I'm going to ask you to turn to Joint  
8 Exhibit 19, which is in that same binder.  
9 A. (Witness complies.)  
10 Okay.  
11 Q. Are you familiar with this document, sir?  
12 A. Yes.  
13 Q. This is the School Performance Profile for  
14 I-LEAD Charter School?  
15 A. Correct.  
16 Q. And this is the one for the '14/15 school  
17 year?  
18 A. Correct.  
19 Q. And that first page includes demographic  
20 information about the student body of the Charter School;  
21 correct?  
22 A. That's correct.  
23 Q. It looks like in the column on the left  
24 there's a line for school enrollment, and it says 516  
25 students; correct?

305

1 A. Correct.  
2 Q. And then it has a line for percentage of  
3 gifted students. What's the percentage there?  
4 A. It says .58.  
5 Q. And on the right-hand side you would agree  
6 with me that the Charter School has 91.09 percent Hispanic  
7 students?  
8 A. Correct.  
9 Q. 6.4 percent African American students?  
10 A. Yes.  
11 Q. And then the remainder it appears are either  
12 white students or native Hawaiian?  
13 A. And there are some American Indian, Alaskan  
14 natives.  
15 Q. And the economically disadvantaged  
16 percentage is 99.61 percent?  
17 A. Correct.  
18 Q. And the Special Ed percentage is 21.9  
19 percent; correct?  
20 A. Correct.  
21 Q. Have you ever seen the School Performance  
22 Profile for '14/15 for Reading Senior High School?  
23 A. Yes.  
24 Q. If you could turn to Exhibit 20, is this the  
25 profile for Reading Senior High School that you reviewed?

306

1 A. I believe so.

2 Q. So if you can look at the information that's

3 conveyed on this document, you see school enrollment at

4 Reading Senior High School was 3,044 kids?

5 A. Yes.

6 Q. That's accurate, according to what this

7 says?

8 A. Yes.

9 Q. And you see percentage of gifted students

10 5.95 percent?

11 A. Correct.

12 Q. And if you look at the demographic

13 information, it appears 79.01 percent Hispanic at the high

14 school?

15 A. Yes.

16 Q. And 11.63 percent African American?

17 A. Yes.

18 Q. And then the remainder are either Asian,

19 multi-racial or Caucasian; correct?

20 A. Correct.

21 Q. What's the number of economically

22 disadvantaged students at the high school?

23 A. A hundred.

24 Q. What is the percentage of Special Education

25 students at the high school?

307

1 A. 21.58.

2 Q. Would you agree with me that the demographic

3 information for the students at the high school is, for the

4 most part, somewhat similar to the I-LEAD Charter School?

5 A. It depends what you mean by similar. I

6 would say there's parallels, but, in my opinion at least,

7 the Reading High School demographics, first of all, reflect

8 10 through 12 grades. We are 9 through 12.

9 There are some substantial -- this appears

10 to be very -- it's similar in sort of the lower end of

11 their population, but they have more of a comprehensive

12 typical urban population, which includes, for example, the

13 almost six percent that are gifted.

14 Q. So that's about five and a half percent more

15 than what you have, actually less than that. Is that the

16 difference there?

17 A. Yeah, at least.

18 Q. And in terms of suggesting that they're more

19 comprehensive, on what do you base that?

20 A. Simply the fact that they offer a full

21 curriculum all the way through advanced placement courses.

22 Q. And the fact that the Charter School has

23 chosen not to do that?

24 A. Well, it's not a matter of choosing. It's

25 a matter that we don't have candidates capable of it, in

308

1 our opinion.

2 Q. Have you ever stepped foot into Reading

3 Senior High School?

4 A. No.

5 Q. Have you ever spoken to the Principal there?

6 A. No.

7 Q. Do you know who the Principal is?

8 A. I know his name.

9 Q. Could you pick him out of a crowd?

10 A. I think so.

11 Q. Do you see him in the room here today?

12 A. I think so.

13 Q. Are you aware that the high school educates

14 students who have never been educated in the Commonwealth

15 of Pennsylvania before?

16 A. Yes.

17 Q. Are you aware that the high school educates

18 students who have never been educated in the United States

19 before?

20 A. Yes.

21 Q. Are you aware that the high school educates

22 students who arrive having failed one or more classes?

23 A. Yes.

24 Q. Are you aware that the high school educates

25 students who arrive significantly below grade level?

309

1 A. Yes.

2 Q. Are you aware that the high school educates

3 students who are experiencing pregnancy?

4 A. Yes.

5 Q. Do you have any idea what the numbers are at

6 the high school in that regard?

7 A. None whatsoever.

8 Q. Homelessness?

9 A. No.

10 Q. Are you aware of the transient nature of the

11 student population in the City of Reading?

12 A. Yes.

13 Q. And you're aware that the high school deals

14 with those same issues that the I-LEAD Charter School deals

15 with?

16 A. Absolutely.

17 Q. Highly transient population here, isn't it?

18 A. Yes.

19 Q. Do you have -- if I asked you this before, I

20 apologize. Do you know how many students have arrived at

21 the Charter School this year from out of state?

22 A. No.

23 Q. How about from out of the country?

24 A. I don't know.

25 Q. Let's talk a bit about -- go back to Joint

310

1 Exhibit 1. I apologize for jumping around.  
2 A. That's all right.  
3 Q. You had testified yesterday about the tiered  
4 courses that the Charter School began implementing in the  
5 current school year, '15/16; correct?  
6 A. Correct.  
7 Q. Those had not been implemented before?  
8 A. Correct.  
9 Q. Is the position of the Charter School that  
10 it needs an amendment in order to implement the tiered  
11 courses themselves?  
12 A. No.  
13 Q. So the issue with the academic piece of the  
14 Amendment Request is with the goals?  
15 A. Correct.  
16 Q. So you've gone ahead and implemented the  
17 tiered course system already?  
18 A. Correct.  
19 Q. I think you testified yesterday that every  
20 school that you're aware of uses some sort of tiered  
21 courses?  
22 A. Yes, at least in Math.  
23 Q. Particularly in Math?  
24 A. Yes.  
25 Q. Schools refer to those tiered courses by

311

1 different names; correct? Like, for example, pre-Algebra  
2 could be an initial Algebra course, then an Algebra 1,  
3 Algebra 2, et cetera.  
4 A. Right.  
5 Q. A pre-Algebra -- in your opinion, does a  
6 pre-Algebra course trigger the requirement to take a  
7 Keystone exam?  
8 A. No, it does not.  
9 Q. An Algebra course would?  
10 A. Yes.  
11 Q. And what has to be the qualifications or  
12 criteria of the Algebra course that triggers the  
13 requirement to take the Keystone exam?  
14 A. Basically, if you're going -- the State  
15 requires that if you are going to -- in the case of Algebra  
16 and Biology, if you're going to put on the transcript that  
17 the student has taken Algebra 1 or Biology, then they are  
18 in a trigger course and, therefore, have to take the exam.  
19 In the case of English Language Arts,  
20 because it is a literature exam that doesn't really fall  
21 into English 10, 11 and so forth, the school entity has the  
22 prerogative to identify what their Keystone course or  
23 courses would be.  
24 Q. So then looking at the courses that are  
25 identified in Paragraph 15, you have the Readiness for

312

1 Keystone course as the first tier. Is that correct?  
2 A. Correct.  
3 Q. Then the Beginning Keystone course would be  
4 the middle tier?  
5 A. Correct.  
6 Q. And then the Full Keystone course would be  
7 the last tier?  
8 A. Correct.  
9 Q. So let's use Algebra 1 because I think it's  
10 easier to make sure we try to understand what it is you're  
11 asking for. So of these three courses, which course will  
12 trigger -- which course or courses would trigger the  
13 requirement to take the Keystone exam?  
14 A. On the list that's here, the only one would  
15 be the Algebra 1.  
16 Q. Which is the Full Keystone course?  
17 A. Correct.  
18 Q. Why would Algebra 1a not trigger the  
19 Keystone exam?  
20 A. It's only the first half of the curriculum.  
21 Q. When does the student receive the second  
22 half?  
23 A. In the following year they would do a 1b  
24 course, and that 1b course would also be a trigger at that  
25 point.

313

1 Q. The 1b courses aren't reflected anywhere in  
2 the Amendment Request; correct?  
3 A. Correct.  
4 Q. Is there a description of the different  
5 courses that is anywhere?  
6 A. In the course catalog.  
7 Q. But we don't have that?  
8 A. Yes.  
9 Q. Has a rubric or some other standard been  
10 developed that dictates when a child is placed into each  
11 one of these courses?  
12 A. Yes.  
13 Q. Have we been presented with that  
14 information?  
15 A. The information is there. It's at least  
16 referenced. It's based on the placement exams that they  
17 take during orientation and any actual records that we have  
18 that have come with the student or we can get from the  
19 student.  
20 Q. Are there minimum scores that a child needs  
21 to reach on the placement exam to be placed in one of these  
22 three courses?  
23 A. Yes.  
24 Q. What are they?  
25 A. It depends on the subject area, and it

314

1 depends -- because each of the placement exams have a  
2 different scale, so I think the Math one is a 30 point  
3 scale and it's basically zero to ten they go into  
4 Readiness, and 10 to 20 -- it's something like that which  
5 we could provide if you'd like, but we didn't put it in  
6 here.

7 Q. And let's start with the Readiness for  
8 Keystone course. Is this a full-year course?

9 A. Yes, it is.

10 Q. How many credits does a child receive?

11 A. One.

12 Q. Is the Beginning Keystone course a full-year  
13 course?

14 A. Yes.

15 Q. Same, one credit?

16 A. Correct.

17 Q. What about the Full Keystone course?

18 A. Same.

19 Q. So one credit for each of them, all  
20 full-year courses?

21 A. Correct.

22 Q. Plus Algebra 1b would have to be worked in  
23 here, too; correct?

24 A. Correct.

25 Q. So if a child -- let's say this. If a child

315

1 enrolled in 9th grade, tested, was shown to fall within the  
2 Readiness for the Keystone course, the child would be  
3 enrolled in that course in 9th grade, what determines if  
4 the child passes the course or not?

5 A. Performance in the class.

6 Q. What is the minimum performance for a  
7 passing grade at the Charter School?

8 A. 70.

9 Q. So if a child receives a 70, then what, they  
10 go into the Beginning Keystone course?

11 A. Correct.

12 Q. And they're in that course for a year?

13 A. Correct.

14 Q. So that's Algebra 1a?

15 A. Right.

16 Q. If they receive at least a 70, they pass  
17 that course. Then the next year they go into Algebra 1b?

18 A. Typically, yes.

19 Q. Same thing, receive a passing grade, then  
20 the following year they go into the Full Keystone course  
21 for Algebra 1?

22 A. No. No. 1a and 1b encompass the  
23 curriculum of the Full Algebra. So once they finish 1b,  
24 they're in the trigger course which has to -- you know,  
25 they have to take the Keystone, and based on that

316

1 performance, if they have the credit in 1a and 1b, they are  
2 finished with the Algebra.

3 Q. So they would take the Keystone after  
4 Algebra 1b?

5 A. Correct.

6 Q. And then they would skip the Full Keystone  
7 course?

8 A. Correct.

9 Q. What if they didn't pass the Algebra 1b  
10 course?

11 A. They would repeat it.

12 Q. So is it fair to say then that a child could  
13 spend their entire four years at I-LEAD Charter School  
14 taking some sort of Algebra course?

15 A. Correct.

16 Q. Would they also be taking other Math courses  
17 at the same time?

18 A. No.

19 Q. So a child could graduate after going four  
20 years at I-LEAD Charter School never having taken Geometry?

21 A. Correct.

22 Q. Or Trigonometry?

23 A. Correct.

24 Q. Or any other Math course?

25 A. Right.

317

1 Q. Do you know if that is consistent with the  
2 Chapter 4 requirements?

3 A. Currently -- currently, right now, the  
4 State is requiring -- even though I do think -- again,  
5 that's hearsay -- there's going to be a moratorium on what  
6 I'm about to say. Currently, passing, success on the  
7 Keystone exams is a graduation requirement for all students  
8 who will graduate in the '16/17 school year. That's part  
9 of Chapter 4.

10 Consequently, even though we may wish to  
11 have a more diversified program, particularly in terms of  
12 preparing our students or any students for life -- and I  
13 personally think, you know, a small Geometry and a little  
14 bit of Trig, a lot of statistics, all of these types of  
15 subjects should be covered.

16 If, indeed, the State holds us to a  
17 graduation requirement of Algebra, then we have to  
18 structure our sequences so that we will get these students  
19 through an Algebra course and successfully pass that exam.

20 Similarly in Biology, potentially a student  
21 could continue taking Biology courses, you know, in an  
22 attempt to pass the Biology exam.

23 Q. Are you familiar with the SAT?

24 A. Yes.

25 Q. Are there components of other Math -- you're

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<p>1 the Math guy, I don't know what the right word is -- Math</p> <p>2 programs or Geometry and other Math subjects that are</p> <p>3 included within the SAT?</p> <p>4 A. Absolutely.</p> <p>5 Q. Have you read the revised application of the</p> <p>6 Charter School?</p> <p>7 A. Yes.</p> <p>8 Q. There's references in there to preparing</p> <p>9 students for college readiness; correct?</p> <p>10 A. Correct.</p> <p>11 Q. SAT, ACT tests are indicators of college</p> <p>12 readiness; correct?</p> <p>13 A. Yep.</p> <p>14 Q. So there are some students who are never</p> <p>15 going to be exposed to other aspects of Math at the Charter</p> <p>16 School prior to taking the SAT?</p> <p>17 A. Well, I want to explain because it's really</p> <p>18 kind of a complicated thing. And it's not just for us;</p> <p>19 it's for any high school in the State, particularly in</p> <p>20 dealing with Algebra.</p> <p>21 There are many students who, for example,</p> <p>22 again, generically across the State, they may take an</p> <p>23 Algebra 1 course in 8th grade. It is a trigger course</p> <p>24 because it's an Algebra 1. If they take the Keystone exam</p> <p>25 and pass it, then the State -- and the term that they use</p> <p style="text-align: right;">319</p>	<p>1 attempt some intervention to prevent that sequence from</p> <p>2 lasting there.</p> <p>3 Q. Those other survey courses that you've</p> <p>4 referenced, have those yet been implemented at the Charter</p> <p>5 School?</p> <p>6 A. No.</p> <p>7 Q. If I could have you turn to the following</p> <p>8 page.</p> <p>9 A. (Witness complies.)</p> <p>10 Q. In Paragraph 16 it says that, quote, Only</p> <p>11 students enrolled in Full Keystone courses will take the</p> <p>12 appropriate Keystone exam, end quote. Is that an error?</p> <p>13 A. Yes.</p> <p>14 Q. So it's really Full Keystone courses and</p> <p>15 Algebra 1b?</p> <p>16 A. And Biology 1b. There would be a b course</p> <p>17 in both Biology and Algebra.</p> <p>18 Q. Thank you for clarifying that because I was</p> <p>19 going to ask you that question. So Biology would have a 1a</p> <p>20 and 1b, two separate years of courses?</p> <p>21 A. Correct.</p> <p>22 Q. And it would be similar to the setup that</p> <p>23 you described with Algebra 1?</p> <p>24 A. Correct.</p> <p>25 Q. What about for Language Arts 1 and 2?</p> <p style="text-align: right;">321</p>
<p>1 is that that passing grade is banked until they're in 11th</p> <p>2 grade. They have the graduation requirement. The District</p> <p>3 can claim that as a successful student and so forth.</p> <p>4 The issue happens, and it happens in 9th</p> <p>5 grade, 10th grade, whenever this happens. What if the</p> <p>6 student passes the course, but fails the test. So,</p> <p>7 essentially, your scenario of students being in Algebra</p> <p>8 forever undoubtedly wouldn't happen because if a student,</p> <p>9 say, goes in Readiness and then 1a and 1b, it's more likely</p> <p>10 that they're going to pass 1a and 1b, but even with that,</p> <p>11 they may not be successful on the Keystone.</p> <p>12 What most places do is they -- well, part</p> <p>13 of the law in Chapter 4 is that institutions have to</p> <p>14 remediate students so they can retake the Keystone. It</p> <p>15 does not have to be in that course.</p> <p>16 So if a student passes Algebra 1a and 1b,</p> <p>17 it's most likely they would take Geometry or some type of a</p> <p>18 survey course. And then my vote, when we have students</p> <p>19 that get there, would be to take a survey course that would</p> <p>20 hit Geometry, Trig, Statistics and pretty much the broad</p> <p>21 spectrum of what other course work in Mathematics they</p> <p>22 would need.</p> <p>23 So I think it's unlikely they'd spend all</p> <p>24 four years in Algebra. That would assume that there would</p> <p>25 be multiple failures going in there, and I think we would</p> <p style="text-align: right;">320</p>	<p>1 A. Language Arts 1 and 2 do not trigger it.</p> <p>2 The current setup that we have with the State is our</p> <p>3 American Literature or World Literature would be considered</p> <p>4 trigger courses, and those follow Language Arts 1 and 2.</p> <p>5 Q. Is Language Arts 1 a separate full-year</p> <p>6 course?</p> <p>7 A. Yes.</p> <p>8 Q. And Language Arts 2 is a separate course the</p> <p>9 following year?</p> <p>10 A. Correct.</p> <p>11 Q. And then the Full Keystone courses</p> <p>12 description references World Literature and American</p> <p>13 Literature.</p> <p>14 A. Right.</p> <p>15 Q. Are those two different courses?</p> <p>16 A. Correct.</p> <p>17 Q. So then what would be the progression of</p> <p>18 Literature-based English courses at the Charter School?</p> <p>19 A. It would be either Readiness or Language</p> <p>20 Arts 1, then Language Arts 2, then most students take</p> <p>21 American, but they could take World. There's no sequencing</p> <p>22 between American and World History or Literature.</p> <p>23 Q. It's sort of one or the other?</p> <p>24 A. Right. Many take both. I mean, if one</p> <p>25 takes one American as a Junior, they would then probably</p> <p style="text-align: right;">322</p>

1 take World or one of our electives in English.  
2 Q. If a child comes to you as an 11th grader  
3 and they have not yet passed the Keystone exam, but they  
4 test as falling within the Readiness for Keystone course,  
5 do they take the Keystone exam in their 11th grade year?  
6 A. No. They would not be placed in a Keystone  
7 trigger course.  
8 Q. And what then would be the progression of  
9 how you're going to help that child pass the Keystone exam?  
10 A. As an 11th grader, they would go into the  
11 Readiness, and we do our best to remediate all the  
12 deficiencies the student has, and then, undoubtedly,  
13 because of the time limit and the graduation requirement,  
14 we would probably place that student in an Algebra 1 class  
15 and try and structure support to get them through that.  
16 Q. So they would then take the Keystone in 11th  
17 grade, at the end of the 11th grade year?  
18 A. 12th grade.  
19 Q. What if a child came to you who has never  
20 taken the Keystone exam before and is in 11th grade and  
21 they test into the Readiness for Keystone exam, are they  
22 going to take the Keystone exam in 11th grade?  
23 A. No.  
24 Q. Is it your understanding that Chapter 4  
25 requires every student to take at least one attempt on the

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1 Keystone exam by the end of 11th grade?  
2 A. Correct.  
3 Q. But I-LEAD Charter School is not going to do  
4 that?  
5 A. Well, I would attempt as much as I can to  
6 deviate from that.  
7 Q. I'm not sure I understand what that means.  
8 A. What it means is I'd do everything in my  
9 power not to comply with that.  
10 Q. Have you talked to PDE regarding whether you  
11 have the authority to not comply with Chapter 4?  
12 A. Not yet.  
13 Q. So going back to Page 5, Paragraph 17.  
14 A. (Witness complies.)  
15 Okay.  
16 Q. In little (a), this is talking about what  
17 the proposed goal is for those students enrolled in the  
18 Readiness course; correct?  
19 A. Right.  
20 Q. And what is the pre-course and post-course  
21 assessment that is being referenced in little (a)?  
22 A. Basically what happens there is that the  
23 students to get into the course has to take a placement  
24 test. As it's designed right now -- and I really want to  
25 emphasize the fact that the amendment was written when we

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1 were just implementing this with, you know, the  
2 Administration, and the Board at I-LEAD understands that  
3 this was going to be refined over time, but the idea was  
4 that using the -- at least for this year, to establish the  
5 baselines, using the placement test which would be given  
6 during orientation and prior to placement, and then  
7 retesting using the same exam at the end of the year to  
8 measure the difference between those two.  
9 This pre-test and post-test processes is  
10 very common. And the idea is that you give the same  
11 examination to the subjects at the beginning with some  
12 experience and at the end of experience. We do that -- for  
13 example, even a lot of Federally-funded grants and even  
14 some of the College Board workshops we do has a pre- and  
15 post-test at the beginning and end of the week.  
16 So we're basically saying we're giving a  
17 pre-test in terms of the placement test. We would then  
18 retest that test at the end of the year and measure to see  
19 the increase in proficiency that is indicated there.  
20 Q. So this Request for Amendment was filed on  
21 September 21st, 2015.  
22 A. Right.  
23 Q. And we're sitting here today, it's  
24 January 22nd, 2016 -- I don't know what day it is anymore.  
25 What has the Charter School done in the last four months,

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1 five months to determine which assessments would be used  
2 and how they will be used to deal with the Readiness goal?  
3 A. At the Readiness goal right now we're still  
4 continuing to use the -- we plan to use the placement test  
5 at the end of the year that they were taking. However, all  
6 those students have also taken the CDT's, the first level  
7 of CDT's, and we are considering and, actually, I'm  
8 suggesting that we use the administration of the CDT's at  
9 the end of the year to have a better instrument to measure  
10 that growth.  
11 Q. So the placement test that you referenced is  
12 a locally developed assessment?  
13 A. Correct.  
14 Q. It is not the CDT?  
15 A. Correct.  
16 Q. So are you suggesting now that for the  
17 Readiness courses the assessments that would be used to  
18 determine whether the goal has been met is actually going  
19 to be the CDT?  
20 A. Well, right now, officially we are still  
21 saying it's going to be the placement test, but as I said,  
22 once this was initiated, we had every intention of  
23 investigating either using Study Island, which we have  
24 licenses for, which provides another computer-based  
25 assessment system, or CDT's as the measurement tool.

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<p>1 Q. And the placement test, the locally 2 developed placement test, who created that? 3 A. The Math Department with -- I worked on the 4 Math one, but basically each department came up with it. 5 Q. Has that been peer reviewed? 6 A. No. 7 Q. Has that been normed to meet Chapter 4 8 requirements for the subject matters that it addresses? 9 A. No. 10 Q. Has that been provided to us? 11 A. Not that I know of. 12 Q. You would agree with me that the actual goal 13 for the Readiness course is set forth in Paragraph 17(a) 14 little (i)? 15 A. Yes. 16 Q. And the goal is to, quote, The Charter 17 School will increase the percentage of students in the 18 Keystone Readiness courses who show improvement on the pre- 19 and post-test in each subject area by five percent per year 20 during the term of the Charter; correct? 21 A. Correct. 22 Q. Does that mean that the goal is five percent 23 of the students in Readiness courses have to show 24 improvement? 25 A. Correct.</p> <p style="text-align: right;">327</p>	<p>1 that. It's certainly not the intent. 2 Q. But that's what it says? 3 A. Yes. 4 Q. And that would apply to students enrolled in 5 any Readiness courses in any of the core subject areas that 6 are referenced here; correct? 7 A. Correct. 8 Q. So let's look at the next one, the Beginning 9 course, which is 17(b). 10 A. Let me -- I'm not sure -- 11 Q. Dr. Bohan, there's no question pending. If 12 your Counsel wants to ask you another question, he can 13 certainly do that. 14 A. Okay. 15 Q. So for 17(b) for the Beginning courses, the 16 assessment that's going to be used for the Beginning 17 courses is the CDT; correct? 18 A. Correct. 19 Q. And that would be the pre-assessment and the 20 post-assessment; correct? 21 A. Correct. 22 Q. And how does that differ from the assessment 23 with the Readiness course? 24 A. The Readiness, because those are locally 25 designed, that's strictly working off of a multiple choice</p> <p style="text-align: right;">329</p>
<p>1 Q. And you haven't quantified improvement; 2 correct? 3 A. Correct. 4 Q. They just have to show some improvement? 5 A. Correct. 6 Q. So how is the assessment scored? 7 A. Manually. 8 Q. Who does the scoring? 9 A. Mr. Brown. 10 Q. Mr. Dwayne Brown? 11 A. Yes. 12 Q. What qualifications does he have to score 13 the assessments? 14 A. To score them? He's a certified teacher. 15 Q. That's it? 16 A. Yeah. 17 Q. Are you suggesting to us that the goal of 18 showing any level of improvement is a rigorous one? 19 A. Not really, not for that level of student, 20 anyway. 21 Q. Am I correct then that the Charter School 22 would be suggesting that if 95 percent of the kids enrolled 23 in the Readiness course don't show improvement, the Charter 24 School will have still met its goal? 25 A. I think that's a possible interpretation of</p> <p style="text-align: right;">328</p>	<p>1 examine in each of the subject areas and taking the number 2 of correct items. 3 In the case of the Beginning courses, using 4 the CDT, they report placement of the students in either of 5 the three regions that are indicated, the red, the green 6 and the blue, based on their level of understanding in -- 7 they give it for an overall score on the test, plus they 8 also give it for each reporting category in the particular 9 subject area. 10 Q. Is there also a score attached to it? 11 A. Yes, there's an overall score. 12 Q. So there's two ways of looking at the data. 13 There's an actual numeric score -- 14 A. Um-hum. 15 Q. -- and also a color coding system; correct? 16 A. Correct. 17 Q. So in terms of the goal that's set forth in 18 17(b) little (i), you would agree with me that the goal is 19 the same as in 17(a)(i)? 20 A. I would say it's the same philosophy, but 21 in 17(b) we're talking about using CDT where we basically 22 have the State assigning the improvement, and the issue is 23 it's -- actually, to use your term, it's more rigorous from 24 the standpoint that shifting from a red to the green region 25 isn't the same as just getting one more question correct.</p> <p style="text-align: right;">330</p>

<p>1 It's a substantial change from the different performance 2 levels as indicated by the test.</p> <p>3 Q. We don't have the CDT in front of us, so how 4 are the different regions categorized?</p> <p>5 A. The lowest one is red, which says 6 significant deficiencies. The green is basically, you 7 know, sort of the as expected type of thing. And the blue 8 means deep understanding.</p> <p>9 Q. Are there any other color coding?</p> <p>10 A. No.</p> <p>11 Q. So it's only three?</p> <p>12 A. Correct.</p> <p>13 Q. And how many points does a student have to 14 jump in order to go from one category to the next?</p> <p>15 A. It depends where they start. Each of them 16 have, you know, scoring boundaries, which, again, we can 17 supply. The State specifies those. And it all depends. 18 You could have, for example, a student that's in the high 19 red who gains 30 scale score points, and they're now in the 20 low green, that type of thing. So there's not a fixed 21 number I can tell you. It's a jump.</p> <p>22 Q. Does the scale move depending upon where the 23 student starts?</p> <p>24 A. No.</p> <p>25 Q. So it's not tailored to the student?</p> <p style="text-align: right;">331</p>	<p>1 Keystone exam by five percent per year. That -- and that's 2 what I wanted to qualify earlier. This is saying five 3 percent per year, which is more the type of metric that we 4 talked about yesterday with the four percent a year and the 5 seven percent a year where we would be saying actually that 6 we would increase the percentage of students each year by 7 five percent in the Keystone courses for those that are 8 appropriately tested.</p> <p>9 Q. I was a little confused by your testimony in 10 that regard yesterday because you were actually proposing 11 that type of percentage increase that you took issue with 12 when the School District's negotiation proposals with the 13 four percent increase.</p> <p>14 A. Right.</p> <p>15 Q. So why is this different than that?</p> <p>16 A. Well, simply the fact that we're talking 17 about this in the tiered way so that it's reasonable to say 18 that that metric makes more sense, as I said -- when I 19 followed that up, I said the idea of those percentages make 20 eminent sense in the case of PSSA where basically you have 21 greater control over the groups of students that are coming 22 through.</p> <p>23 In the case of what we're saying here, I 24 think it's reasonable for those that are in the Keystone if 25 they're coming from an environment where they've actually</p> <p style="text-align: right;">333</p>
<p>1 A. No.</p> <p>2 Q. In terms of the expected performance, you 3 would agree with me that to meet the goal, the Charter 4 School only has to have five percent of the students 5 enrolled in the Beginning courses show improvement by 6 jumping from one performance range to the next?</p> <p>7 A. Correct.</p> <p>8 Q. So if 95 percent of them didn't move, the 9 Charter School would still meet its goal?</p> <p>10 A. Correct.</p> <p>11 Q. For the Full Keystone courses, this is tied 12 to Keystone exam performance?</p> <p>13 A. Correct.</p> <p>14 Q. And the goal is talking about measuring 15 students based on their performance on the Keystone and 16 also their growth as measured by PVAAS; correct?</p> <p>17 A. Correct.</p> <p>18 Q. The goal that's outlined in Paragraph 17(c) 19 little (i) is again five percent of the students in the 20 Full Keystone courses have to increase from some point 21 below proficient to proficient or advanced. Is that 22 correct? Did I get that right?</p> <p>23 A. No. As it says -- and let me read it 24 exactly -- the Charter School will increase the percentage 25 of students scoring proficient or better on the appropriate</p> <p style="text-align: right;">332</p>	<p>1 worked through the tiered program as necessary, and my 2 feeling is that not only are the Keystone exams -- part of 3 that philosophy is that they should be end of course exams, 4 but I think they also should be exams that are administered 5 when the students are ready. And that's currently not the 6 practice.</p> <p>7 Q. But if you're dictating when students can 8 take the keystones under the parameters that you've 9 described this morning, why do you need other goals?</p> <p>10 A. Because of the fact that looking at the 11 past history of our data and so forth -- for example, last 12 year because of the lack of student histories, last year 13 our school was rated for Algebra 1 on the basis of 61 14 students. My feeling and the Administration and the Board 15 feel that's not a fair representation of what we do to look 16 at 61 out of 500 and some odd students to evaluate our 17 school.</p> <p>18 It does make a comment about the programs 19 those students were in. It makes a very strong comment 20 about our effect on the students and so forth, their 21 response to what we've been doing, and that's where the 22 really proactive side of the assessment comes.</p> <p>23 But the issue of saying, well, we had 61 24 who had sufficient data to be in the PVAAS report, which is 25 different than the number that were tested. We have to be</p> <p style="text-align: right;">334</p>

<p>1 clear about that.</p> <p>2 The performance data is based on whoever</p> <p>3 was tested. And right off the top of my head I went to</p> <p>4 look it up last night to see how many we were tested last</p> <p>5 year. But I do know on PVAAS that there were only 61</p> <p>6 included in the report, which means PVAAS could only</p> <p>7 find -- of all the students that we had take the Keystone</p> <p>8 Algebra 1, they could only find sufficient data on 61 of</p> <p>9 them to include them in the report.</p> <p>10 So the reason that we want further measures</p> <p>11 -- and, again, this is why I'm saying we're not suggesting</p> <p>12 we're relieving the pressure on I-LEAD. What we're saying</p> <p>13 is give us a metric for 9th grade, for 10th grade for these</p> <p>14 preliminary courses and, yes, we'll accept what the State</p> <p>15 has for Keystone courses because both their achievement and</p> <p>16 growth are very robust, and we really respect and use that</p> <p>17 data very, very supportively, but the issue is -- and I had</p> <p>18 the same problem when we had the 11th grade PSSA.</p> <p>19 In the case of the 11th grade PSSA, you</p> <p>20 were rating the entire high school based on what your 11th</p> <p>21 graders did. And I don't think that's a fair assessment of</p> <p>22 the quality of the program you have.</p> <p>23 Q. How many students are currently enrolled in</p> <p>24 Full Keystone courses at the Charter School this year?</p> <p>25 A. Oh, boy, probably about 150.</p> <p style="text-align: right;">335</p>	<p>1 Q. And to that last point, you testified</p> <p>2 yesterday about the difficulties that the Charter School</p> <p>3 has because it's a 9 through 12 entity; correct?</p> <p>4 A. Correct.</p> <p>5 Q. And how it doesn't have the precursor Grades</p> <p>6 3 through 8 PSSA testing data to assist it in any way?</p> <p>7 A. Correct.</p> <p>8 Q. And Reading Senior High School would have</p> <p>9 the same problem; right?</p> <p>10 A. No.</p> <p>11 Q. Why is that?</p> <p>12 A. Because they're all in the same School</p> <p>13 District they can easily access -- for example, they could</p> <p>14 call the Citadel and say, would you send me all the PSSA</p> <p>15 data on all of last year's 8th graders or 9th graders,</p> <p>16 whatever they needed and so forth. Because it's within the</p> <p>17 District, District level access would allow them to see all</p> <p>18 the PSSA data, actually, you know, former projections if</p> <p>19 they were keeping track of that, all of the PSSA and PVAAS</p> <p>20 data, whereas, since we are a separate entity, even though</p> <p>21 we're a Charter School of the School District, we don't</p> <p>22 have access to any of that information.</p> <p>23 Q. Well, you don't know if you don't have</p> <p>24 access to the Feeder Reports.</p> <p>25 A. I'm about 98 percent sure we don't.</p> <p style="text-align: right;">337</p>
<p>1 Q. So if you used the five percent figure,</p> <p>2 you're suggesting that only 7.5 students have to improve</p> <p>3 their Keystone exam score in order to meet the goal?</p> <p>4 A. No. The goal would basically say, as it</p> <p>5 says, will use these assessments this year as the baseline.</p> <p>6 So say, for instance, in Keystone Literature we had</p> <p>7 40 percent of proficient or advanced. This is saying that</p> <p>8 next year our goal is 45 percent.</p> <p>9 So it is increasing the percentage in the</p> <p>10 way that it was recommended. What we're basically saying</p> <p>11 is for the students in the Full Keystone course, we don't</p> <p>12 have a problem with what's been suggested by the District.</p> <p>13 What we're saying is we need to have more,</p> <p>14 a better story of -- our effect is to look at the</p> <p>15 pre-Keystone courses as well. And to be honest with you, I</p> <p>16 would think even the School District would like to have</p> <p>17 something like that. The fact that --</p> <p>18 Q. I'm sure the School District would love to</p> <p>19 have something like that.</p> <p>20 A. Yeah, it's really a matter that the State</p> <p>21 is evaluating high schools, and I think this has been a</p> <p>22 very long-term problem. They've been evaluating high</p> <p>23 schools based on one grade level. Now, it's three</p> <p>24 different courses, but it's still the same thing. It's</p> <p>25 just, you know, snapshots.</p> <p style="text-align: right;">336</p>	<p>1 Q. But you've never tried to access the student</p> <p>2 level ones?</p> <p>3 A. Not the student level, no.</p> <p>4 Q. Have you had --</p> <p>5 A. I --</p> <p>6 Q. I'm sorry, Dr. Bohan.</p> <p>7 A. Okay.</p> <p>8 Q. Let me keep going with my questions.</p> <p>9 A. Sure.</p> <p>10 Q. In terms of the courses that are identified</p> <p>11 here, have you run any of these courses by the NCAA?</p> <p>12 A. No.</p> <p>13 Q. Do you have any of your children participate</p> <p>14 in athletics?</p> <p>15 A. Yes.</p> <p>16 Q. In NCAA approved athletics?</p> <p>17 A. Yes.</p> <p>18 Q. Do some of the kids participate in programs</p> <p>19 at the high school?</p> <p>20 A. Yes.</p> <p>21 Q. And you've not run any of these courses by</p> <p>22 the NCAA?</p> <p>23 A. No.</p> <p>24 Q. Are you aware that the NCAA has to approve</p> <p>25 all courses?</p> <p style="text-align: right;">338</p>

1 A. Yes.  
2 Q. And that hasn't been done to date?  
3 A. No.  
4 Q. Are you aware that the NCAA does not give  
5 credit for remedial courses?  
6 A. Correct.  
7 Q. Are any of these considered remedial  
8 courses, in your opinion?  
9 A. Readiness.  
10 Q. The Readiness is. There was a reference in  
11 Paragraph 17 in the opening paragraph. Do you see the  
12 number 80 percent there?  
13 A. Yes.  
14 Q. That's not actually correct, is it?  
15 A. Yes, it is.  
16 Q. What part of the SPP system includes  
17 80 percent based on academic performance?  
18 A. It's not academic performance. It's the  
19 performance and the Keystone exam is used to calculate both  
20 the achievement and growth figures. The achievement is  
21 40 percent, the growth is the other 40 percent, but for a  
22 high school, since you're only using the Keystone exams to  
23 calculate the growth, indeed, that statement is correct  
24 that 80 percent of the SPP academic score is based on  
25 Keystone performance.

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1 MS. PETERSEN: May I approach the  
2 witness?  
3 HEARING OFFICER: Sure.  
4 BY MS. PETERSEN:  
5 Q. Dr. Bohan, I'm handing you a printout from  
6 the SPP website. Are you familiar with that document  
7 (indicating)?  
8 A. Correct. Yes, I am.  
9 Q. That is a tab for the SPP profile for the  
10 I-LEAD Charter School; correct?  
11 A. Yes.  
12 Q. And that tab is actually the same for every  
13 school in the Commonwealth of Pennsylvania, is it not?  
14 A. Correct.  
15 Q. And that tab reflects the different  
16 components of the SPP profile score; correct?  
17 A. Correct.  
18 Q. And you would agree with me that the  
19 information on that page conveys the breakdown of the  
20 calculation of the SPP score; correct?  
21 A. Correct.  
22 Q. And you would agree with me that 50 percent  
23 of the SPP score is associated with academic performance;  
24 correct?  
25 A. Correct.

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1 Q. And 40 percent of the SPP score is  
2 associated with the PVAAS --  
3 A. Correct.  
4 Q. -- growth component; correct?  
5 A. Yes.  
6 Q. And the remaining 10 percent is factored  
7 through other things like graduation rate, attendance rate,  
8 etcetera?  
9 A. Correct.  
10 Q. Does that change your testimony regarding  
11 the 80 percent?  
12 A. No.  
13 Q. Why not?  
14 A. Simply because when they say the first  
15 three areas represented by the 50 percent, the issue is if  
16 you look at the calculation form, which you can do that for  
17 any of them, and actually see how it's apportioned out,  
18 40 percent of that -- or the largest part of that  
19 50 percent, actually 40 percent, is based on either PSSA or  
20 Keystone performance with 5 percent each -- applied to  
21 closing the achievement gap for all students and also  
22 historically disadvantaged.  
23 So in other words, those three categories  
24 that they have there are not balanced in that 50 percent.  
25 It's mostly the performance coming off of the State

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1 assessments, and then there are -- and, again, this is  
2 significant improvement -- there are components of the  
3 performance in terms of closing the achievement gap, but  
4 it's not weighted anywhere near as heavy as the  
5 performance.  
6 Q. So what I understand you to just say is that  
7 how you got the 80 percent figure was based on 40 percent  
8 of the 50 -- 40 of the 50 points for the academic  
9 performance, plus the 40 for PVAAS?  
10 A. Correct.  
11 Q. And you would agree with me there's a  
12 difference between academic performance that's measured by  
13 the Keystone versus growth measured by PVAAS?  
14 A. Absolutely.  
15 Q. So you're looking at PVAAS plus 40 of the  
16 50 points for performance?  
17 A. Correct.  
18 Q. And you're excluding the historically  
19 underperforming data?  
20 A. In that 80 percent, yes.  
21 Q. Is there a particular reason you're  
22 excluding historically underperforming data?  
23 A. No. Truly, it was because we were trying  
24 to make a point that the evaluation system that is in place  
25 in the State puts 80 percent of the weight on the

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1 performance of the Keystones, and that's not to diminish  
2 the value of the other 20 percent, but it's merely to say,  
3 you know, in terms of establishing that we would prefer to  
4 have a metric that provides evaluation at the pre-Keystone  
5 level as well as the Keystone level.  
6 Q. You would agree with me that all schools  
7 that serve a population that includes historically  
8 underperforming students, as that term is defined by the  
9 State, are measured by that calculation; correct?  
10 A. Yes.  
11 Q. And the student body at I-LEAD for the vast  
12 majority of them fall within that category?  
13 A. Correct.  
14 Q. And the student body at Reading Senior High  
15 School, the vast majority of them fall in that category;  
16 correct?  
17 A. Correct.  
18 Q. And you would agree with me that looking at  
19 data that is calculated from that category is important to  
20 determining how you're serving students?  
21 A. Correct.  
22 Q. So let's talk a little bit about the  
23 Keystone exam information that you provided yesterday. And  
24 I'm going to have you just turn to Charter School  
25 Exhibit 8, which is in a different binder, sir.

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1 A. (Witness complies.)  
2 Yes.  
3 MR. STACEY: Can I ask how much longer  
4 you have? Approximately.  
5 MS. PETERSEN: Awhile.  
6 MR. STACEY: Can we take a break?  
7 MS. PETERSEN: Sure.  
8 HEARING OFFICER: We'll take a  
9 five-minute recess.  
10 (Short recess was taken.)  
11 HEARING OFFICER: We're back on the  
12 record and will continue with cross-examination.  
13 MS. PETERSEN: Thank you.  
14 BY MS. PETERSEN:  
15 Q. Dr. Bohan, I had previously asked you to  
16 turn to Charter School Exhibit 8. Do you have that open?  
17 A. Got it.  
18 Q. And you had identified this as a report that  
19 you assisted in the preparation of and dated July, 2015;  
20 correct?  
21 A. Correct.  
22 Q. And you had mentioned that this is not --  
23 that your understanding was that this was the Annual  
24 Report. Is that correct?  
25 A. Correct.

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1 Q. And you're not aware of any other document  
2 called an Annual Report for the '14/15 school year?  
3 A. Correct.  
4 Q. In terms of some of the information that's  
5 conveyed in here, if you could turn to Page 10.  
6 A. (Witness complies.)  
7 Okay.  
8 Q. Your attorney had you testify a bit  
9 yesterday regarding the Keystone information that's  
10 conveyed on this page. Do you recall that?  
11 A. Yes.  
12 Q. Now, I think I understood from your  
13 testimony that the Charter School, after you came on in  
14 December of 2014, made a decision to limit the number of  
15 students who were going to be testing in the winter  
16 Keystone exam round; correct?  
17 A. That decision was made after I came on as  
18 Principal in July. It was not made in December, that far  
19 ahead.  
20 Q. So then let me ask you some clarifying  
21 questions. So for the winter Keystone exams, how many  
22 students tested?  
23 A. Maybe 60.  
24 Q. And so we're clear, this is the winter 2014  
25 Keystone exams; correct?

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1 A. Yeah, in '14/15, yeah, but they probably  
2 call it, actually, the winter '15, but it's the '14/15  
3 school year.  
4 Q. So we're talking about the '14/15 school  
5 year as opposed to the winter Keystone exams for the '15/16  
6 school year?  
7 A. Right, which we just finished those.  
8 Q. So in terms of the data that's in Charter  
9 School Exhibit 8, we're talking about winter Keystone exams  
10 during the '14/15 school year; correct?  
11 A. Correct.  
12 Q. And your testimony is that all students who  
13 had not passed the Keystone exam prior to the winter of  
14 2014 took the exam?  
15 A. No. The only ones who took the exam -- we  
16 started with a pool of students who had taken Algebra or  
17 had -- and had not passed the Keystone, or students who had  
18 not passed the Keystone. In other words, I would  
19 characterize them as candidates for the winter testing. We  
20 then went through and did some assessment on them and, in  
21 collaboration with the teachers, identified those students  
22 that we felt were ready to take the Keystone, and those  
23 were the ones who did take the Keystone exam.  
24 Q. Is that for the winter 2014 exam or the  
25 winter 2015 exam?

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1 A. Both. We did it last year and this year.  
2 Q. So you did it both years?  
3 A. Yes.  
4 Q. How many students ultimately took the winter  
5 Keystone exam?  
6 A. As I said, I think about 60 or 70.  
7 Q. If you look at the graphs on Page 10 of  
8 Charter School Exhibit 8, do you see at the top where it  
9 says Winter Keystone Biology Results - 13 students?  
10 A. Correct.  
11 Q. What does that mean?  
12 A. That means that there was only 13 students  
13 that took it. And if you total that up, that winter would  
14 have been 13, 13 and 32, so that's 58 students took those  
15 exams.  
16 Q. But it may not be 58 separate students?  
17 A. Right.  
18 Q. So 13 students took the Biology exam;  
19 correct?  
20 A. Yes.  
21 Q. 13 students took the Literature exam?  
22 A. Correct.  
23 Q. And 32 students took the Algebra 1 exam?  
24 A. Correct.  
25 Q. And of those 13 students taking the Biology

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1 exam, it looks like 23 percent scored advanced or  
2 proficient --  
3 A. Yes.  
4 Q. -- in 2015?  
5 A. Yes.  
6 Q. And there's also data there for 2014?  
7 A. That's the spring testing in 2013/14, so  
8 the prior spring testing.  
9 Q. And in the next box it's for Literature?  
10 A. Correct.  
11 Q. And of the 13 students who took the exam, 73  
12 received advanced or proficient scores in 2015?  
13 A. Correct.  
14 Q. So this is the '14/15 school year; correct?  
15 A. Right.  
16 Q. In the winter?  
17 A. Right.  
18 Q. And then in the previous administration of  
19 the Keystone exam in the spring of the '13/14 school year,  
20 12 percent had been advanced or proficient?  
21 A. Correct.  
22 Q. If you look at the Algebra 1 results for the  
23 32 students, 56 percent of them in '14/15 in the winter  
24 exam were advanced or proficient; correct?  
25 A. Correct.

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1 Q. And in the spring exam for '13/14, 5 percent  
2 were proficient?  
3 A. Correct.  
4 Q. How many students took the Biology exam in  
5 the spring of '13/14?  
6 A. I'm not sure, but I'm guessing probably 80  
7 to a hundred.  
8 Q. So it was many more than the 13 students who  
9 took the winter exam?  
10 A. Yes, absolutely.  
11 Q. And do you know how many students took the  
12 Literature exam in the spring of '13/14?  
13 A. No, not offhand.  
14 Q. Would your answer be the same for how many  
15 students took the Algebra 1 exam at that time?  
16 A. Correct. Yes.  
17 Q. Now, the data that's on Page 10 does not  
18 reflect the scores of the students who took the Keystone  
19 exam in the spring of the '14/15 school year; correct?  
20 A. Correct.  
21 Q. And that's specifically noted at the bottom  
22 of the page?  
23 A. Yes.  
24 Q. At the time you prepared this report, did  
25 you have the data for those students?

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1 A. From spring '15?  
2 Q. Yes.  
3 A. No.  
4 Q. There's a statement at the bottom of the  
5 page, quote, At the time of this report, it is not possible  
6 to create meaningful comparisons to the results of 2014  
7 since the Commonwealth significantly increased the rigor  
8 for the spring 2015 administration, end quote. Do you see  
9 that?  
10 A. Yes.  
11 Q. Did you write those words?  
12 A. Yes.  
13 Q. Is that accurate?  
14 A. At the time I thought it was. I wouldn't  
15 say so now.  
16 Q. For the same reasons that you explained  
17 about Paragraph 15, I believe it was --  
18 A. Right.  
19 Q. -- in the Amendment Request?  
20 A. Yes.  
21 MR. STACEY: 13.  
22 MS. PETERSEN: Paragraph 13. Thank you.  
23 THE WITNESS: Yes.  
24 BY MS. PETERSEN:  
25 Q. Are you familiar with the Charter School's

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1 results for the full year of the '14/15 school year on the  
2 Keystone exams?  
3 A. The spring testing, yes.  
4 Q. And you would agree with me that they are  
5 not consistent in Literature and Algebra 1, for example,  
6 with the results from the winter exam?  
7 A. Correct.  
8 Q. If you could turn to School District  
9 Exhibit 16.  
10 A. Is that -- here we go. Number -- what was  
11 that?  
12 Q. 16, please.  
13 MR. CIANCI: You mean Charter School?  
14 You're looking at the old list.  
15 BY MS. PETERSEN:  
16 Q. It's in the Joint exhibit binder.  
17 A. Okay.  
18 Q. And it's actually Joint Exhibit 19.  
19 A. (Witness complies.)  
20 Okay.  
21 Q. And if you turn to Page 2, would you agree  
22 with me that the data in Joint Exhibit 19 is the School  
23 Performance Profile for I-LEAD Charter School?  
24 A. Yes.  
25 Q. It's for the '14/15 school year?

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1 A. Yes.  
2 Q. And on Page 2 the actual performance data  
3 for students at the Charter School in the '14/15 school  
4 year is noted; correct?  
5 A. Correct.  
6 Q. And the performance data that's under  
7 Indicators of Academic Achievement is the results from the  
8 Keystone exam?  
9 A. Correct.  
10 Q. So in the Algebra 1 category the percentage  
11 of students scoring proficient or advanced on the Keystone  
12 exam was 18.92 percent; correct?  
13 A. Correct.  
14 Q. And the percentage of students scoring  
15 proficient or advanced on the Literature exam was 32.79  
16 percent; correct?  
17 A. Correct.  
18 Q. And the percentage of students scoring  
19 proficient or advanced in the Biology exam was 10.45  
20 percent?  
21 A. Correct.  
22 Q. And that data would have included both the  
23 winter and the spring testing data?  
24 A. Correct.  
25 Q. I'm going to have you turn back to Charter

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1 School Exhibit 8, please.  
2 A. (Witness complies.)  
3 Q. Turn to Page 16. There's graduation  
4 information contained on Page 16 regarding the Charter  
5 School; correct?  
6 A. Yes.  
7 Q. It says, quote: ILCS graduated 81 learners  
8 in 2015. Of the 81 graduating seniors, 22 percent are  
9 graduating in their third year and 51 percent are  
10 graduating in their fourth year of high school, totaling  
11 75 percent of the graduating class is graduating on time,  
12 end quote. Do you see that?  
13 A. Yes.  
14 Q. When it says students are graduating in  
15 their third year, what does that mean?  
16 A. I have no idea. That information came from  
17 the registrar. And at the time I remember questioning, is  
18 that the third year at the Charter School or the third year  
19 in any high school, and I never got that clarified.  
20 Q. And you would agree with me that the data  
21 that's being reported on Page 16 in Charter School  
22 Exhibit 8 is not consistent with the graduation data that  
23 is reflected on the school's SPP report?  
24 A. I agree.  
25 Q. If you -- I apologize for turning back.

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1 A. That's all right.  
2 Q. If you still have Joint Exhibit 19, what was  
3 the cohort graduation reported for the Charter School for  
4 the '14/15 school year?  
5 A. Cohort graduation rate was 27.44.  
6 Q. Does the Charter School have a National  
7 Honor Society?  
8 A. We have it set up, but I don't think it's  
9 active.  
10 Q. If you could turn to Page 24 of Charter  
11 School Exhibit 8.  
12 A. (Witness complies.)  
13 Okay.  
14 Q. Did you have any role in preparing this  
15 section of the report?  
16 A. No.  
17 Q. At the bottom of the page, do you see the  
18 reference to National Honor Society?  
19 A. Yes.  
20 Q. You would agree with me that the report  
21 indicates that 11 Charter School learners were invited to  
22 join the National Honor Society, and that eight of those  
23 learners were actually inducted into the National Honor  
24 Society. Do you see that?  
25 A. Yes.

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1 Q. Do you know what the qualifications were for  
2 a student to be inducted into the National Honor Society?  
3 A. I know what they are in general, but not  
4 specific and not recent. When I was back in Manheim  
5 Township, I sat on the National Honor Society Selection  
6 Committee, but that was quite a few years ago.  
7 Q. Am I correct that there are certain  
8 standardized qualifications that are established by the  
9 National Honor Society entity --  
10 A. Yes.  
11 Q. -- for a student to qualify for induction  
12 into the Society?  
13 A. Yes.  
14 Q. And one of those qualifications would be  
15 high academic performance?  
16 A. Correct.  
17 Q. So I assume that the Charter School was  
18 inducting students into the National Honor Society that  
19 they were meeting the standards set by the National Honor  
20 Society Board?  
21 A. I should -- yeah, I would think so.  
22 Q. If you could turn to Page 18 of Charter  
23 School 8.  
24 A. (Witness complies.)  
25 Q. Under the heading Attendance and Retention,

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1 do you see that?  
2 A. Yes.  
3 Q. Did you prepare this section of the report?  
4 A. No.  
5 Q. Do you have any knowledge about the  
6 attendance of the Charter School in the '13/14 year?  
7 A. None.  
8 Q. Do you see there where it says, quote:  
9 During the 2013/2014 school year, the average daily  
10 attendance rate was 84 percent, which represented an  
11 improvement over the 2012/2013 rate by 2 percent, end  
12 quote?  
13 A. Yes.  
14 Q. Do you have any reason to disagree with that  
15 information?  
16 A. No.  
17 Q. And if you turn to Page 16.  
18 A. (Witness complies.)  
19 Okay.  
20 Q. Towards the bottom of the page in the  
21 paragraph above Post-Secondary Plans, do you see that?  
22 A. Yes.  
23 Q. Can you read the first sentence, please?  
24 A. The above pie chart?  
25 Q. I'm sorry. Let's do it this way. Do you

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1 see where it says, quote: The graduating class also  
2 included 15 learners who have previously dropped out of  
3 high school, end quote?  
4 A. On Page 17?  
5 Q. I'm sorry, Page 16.  
6 A. I'm sorry. You said 16. Yes. Okay.  
7 Q. Did you have any role in preparing that  
8 section?  
9 A. No.  
10 Q. So if it's saying there were 15 learners who  
11 had previously dropped out and the top of the page  
12 indicates that there were 81 learners who graduated, would  
13 you agree with my math that that means 66 kids who  
14 graduated had not previously dropped out?  
15 A. Yes.  
16 Q. In terms of the Academic Goals, you had  
17 indicated before that you're going to use baseline data  
18 from the current school year, '15/16, to establish the  
19 goals; correct?  
20 A. Correct.  
21 Q. So you're not suggesting that these goals  
22 should be applied retroactively?  
23 A. No.  
24 Q. You would agree with me that the data for  
25 the '15/16 school year won't actually be released publicly,

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1 at least for Keystone exams, until sometime in the '16/17  
2 school year?  
3 A. Probably -- well, publicly, no, it'd be --  
4 you're correct -- September, October of '16/17.  
5 Q. So the goals that you're suggesting wouldn't  
6 have any applicability to what has happened at the Charter  
7 School in the last five years?  
8 A. It would primarily be applicable to this  
9 year in terms of establishing those baselines and then  
10 going forward. Yes.  
11 Q. You had referenced an orientation process  
12 yesterday, and I'm not sure I totally followed that. Is  
13 that a student orientation process?  
14 A. It is student and parent.  
15 Q. Is this before a child is enrolled at the  
16 Charter School?  
17 A. It is basically the last step in the  
18 enrollment process. Basically our recruitment office  
19 contacts the parents -- the family, there's paperwork, they  
20 have an appointment to discuss what this means to be coming  
21 to our school and what we stand for and so forth.  
22 Assuming that all the paperwork, which  
23 would involve immunizations, all the types of things that  
24 schools are required to have, assuming that's in order, we  
25 would then invite or basically accept the student and

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<p>1 invite them to an orientation where both their parents and</p> <p>2 they have to attend.</p> <p>3 Originally, it was a little over a half day</p> <p>4 for both. What we've done now is expanded that to three</p> <p>5 days. The first day the parents must attend, and then the</p> <p>6 other two days the learner attends as well.</p> <p>7 Q. And so making sure I understood you, the</p> <p>8 child is accepted into the school, and then they attend the</p> <p>9 orientation?</p> <p>10 A. Correct.</p> <p>11 Q. And it's a three-day process. Is it</p> <p>12 mandatory?</p> <p>13 A. Yes.</p> <p>14 Q. So the child and the parent must attend for</p> <p>15 the days that you just referenced?</p> <p>16 A. Yes.</p> <p>17 Q. What happens if a child and/or their parent</p> <p>18 does not attend?</p> <p>19 A. They have to come to another one.</p> <p>20 Q. So before they can actually step foot into a</p> <p>21 class at I-LEAD, they must attend the orientation process?</p> <p>22 A. Yes. That's the design we have. Yes.</p> <p>23 Q. And have students who have not participated</p> <p>24 in that process or if their parents had not participated in</p> <p>25 that process been denied admission into the Charter School?</p> <p>359</p>	<p>1 Q. Let me rephrase my question. The State</p> <p>2 maintains data for students, historical data, as they</p> <p>3 progress through schools in Pennsylvania; correct?</p> <p>4 A. Correct.</p> <p>5 Q. And they do that using the PA Secure ID</p> <p>6 identification number for each student; correct?</p> <p>7 A. Correct.</p> <p>8 Q. And that data is maintained in a database no</p> <p>9 matter where a child enrolls; correct?</p> <p>10 A. Correct.</p> <p>11 Q. So the State has data on each student for</p> <p>12 every grade that they have been tested in Pennsylvania</p> <p>13 using the PSSA or the Keystone; correct?</p> <p>14 A. Correct.</p> <p>15 Q. And the State provides access to schools, as</p> <p>16 we've talked about before, regarding that data; correct?</p> <p>17 A. Right.</p> <p>18 Q. So in terms of measuring growth, the State</p> <p>19 uses PVAAS to measure growth as a student progresses</p> <p>20 through the different grade levels; correct?</p> <p>21 A. Correct.</p> <p>22 Q. So PVAAS is measured from where a child</p> <p>23 starts in the previous testing administration, correct, and</p> <p>24 then measured it against where they've got to once they</p> <p>25 take the next grade level tested?</p> <p>361</p>
<p>1 A. Yes.</p> <p>2 Q. And have students and/or their parents after</p> <p>3 participating in the orientation process decided then not</p> <p>4 to enroll in the Charter School?</p> <p>5 A. I believe so.</p> <p>6 Q. Do you know how many students that latter</p> <p>7 question applies to?</p> <p>8 A. No, I wouldn't.</p> <p>9 Q. Do you know how many students have been</p> <p>10 denied admission for not participating in the orientation</p> <p>11 process?</p> <p>12 A. No, I don't know.</p> <p>13 Q. Bear with me, please.</p> <p>14 A. Sure.</p> <p>15 Q. In terms of the PVAAS data that is reflected</p> <p>16 on Joint Exhibit 19 --</p> <p>17 A. Yes.</p> <p>18 Q. -- you had testified earlier about the</p> <p>19 concept of growth. And you would agree with me that PVAAS</p> <p>20 is measuring growth of students; correct?</p> <p>21 A. Absolutely, yes.</p> <p>22 Q. And it's measuring it longitudinally;</p> <p>23 correct?</p> <p>24 A. Well, it depends what you mean by</p> <p>25 longitudinally.</p> <p>360</p>	<p>1 A. That is how it's done in grades 4 through</p> <p>2 8, but it's not the way it's done on keystones.</p> <p>3 Q. How is it done on keystones?</p> <p>4 A. On keystones they do take a look at the</p> <p>5 historical record. That is my concern about the term</p> <p>6 longitudinal. They take all of the available data that</p> <p>7 they have on students, and there must be a minimum of at</p> <p>8 least three data points from the PSSA testing.</p> <p>9 Once they take all of this, they then go</p> <p>10 and look in the database to find students with similar</p> <p>11 testing histories who have already taken the particular</p> <p>12 Keystone of interest. Using that data, they then create a</p> <p>13 model that predicts what that -- an individual student</p> <p>14 should do on the Keystone if they are typical of all</p> <p>15 students with the same histories.</p> <p>16 So it's basically saying that their history</p> <p>17 sets them on sort of a pathway. PVAAS calculates what the</p> <p>18 end of that pathway is if they have the average school</p> <p>19 experience, so on and so forth. The way they then measure</p> <p>20 growth is they compare the predicted score based on the</p> <p>21 student's history to what they actually performed. So the</p> <p>22 -- in the case of Keystone growth, which you described</p> <p>23 perfectly as what we call the growth standard, and it</p> <p>24 basically says where is this student at the end of the 4th</p> <p>25 grade based on where they came into 4th grade. That's</p> <p>362</p>

1 exactly how it works.

2 In the case of Keystone exams, the growth

3 responds to did the student do as expected based on their

4 history. So did they exceed the expectation of their

5 history, did they fall below it, or did they perform above

6 the expectation.

7 We actually call it -- one's the growth

8 standard methodology and the other one's a predictive

9 methodology, which is used on all exams where they're not

10 administered consecutively. So it's all of the keystones

11 and the science PSSA's.

12 Q. So from what you just said, I understand

13 there's two different concepts represented within the PVAAS

14 terminology; correct?

15 A. Correct.

16 Q. There's the predictive component and then

17 there's the growth component.

18 A. Right.

19 Q. So the term AGI, Average Growth Index?

20 A. Yes.

21 Q. Can you explain to us what that is?

22 A. The Average Growth Index is the growth

23 value that is calculated either using the growth standard

24 or the predictive model divided by the standard error of

25 the estimate.

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1 So the index basically puts the growth

2 measure back in terms of the number of standard errors it

3 is away from zero. Similar to a Z score for most

4 statistical types of things.

5 Q. And the AGI is the component used with

6 respect to the growth component of PVAAS; correct?

7 A. Well, that's one way of reporting it. We

8 report both the growth value itself, the standard error,

9 and the AGI.

10 Q. So in terms of that growth component, you

11 indicated that growth is responding to whether a student

12 performed as expected based on their history?

13 A. Correct.

14 Q. So it's taking the data that they have on

15 file from 8th grade?

16 A. From 3rd grade, all PSSA, prior PSSA data

17 that they can get.

18 Q. So if a student comes into a high school,

19 they have -- if they've been in Pennsylvania for their

20 whole lives, they have PSSA data from Grades 3 through 8

21 that follows them; correct?

22 A. Correct.

23 Q. And then they're not tested again until they

24 take the Keystone exam; correct?

25 A. Correct.

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1 Q. Now, they could take the Keystone exam

2 before 11th grade; correct?

3 A. Sure. Yes.

4 Q. They could take it at whatever end of course

5 that triggers the Keystone exam?

6 A. Correct.

7 Q. So they could be taking it as early as 9th

8 grade?

9 A. It could be as early as 8th grade, some

10 even 7th grade.

11 Q. And there are some 9th graders at the I-LEAD

12 Charter School who have taken the Keystone exam; correct?

13 A. Not yet.

14 Q. You're saying not this year?

15 A. Not yet this year.

16 Q. What about in the past?

17 A. Yes.

18 Q. There have been 9th graders who took the

19 Keystone exam?

20 A. Yes.

21 Q. So it may be a consecutive annual

22 administration of a summative assessment, correct, if a

23 student is taking it in 9th grade, for example?

24 A. But it's not comparable, basically. The

25 minute you go to saying that the -- the issue is because

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1 it's flexible when you can take it, you can't put it in the

2 growth standard which mandates that it is in a consecutive

3 year.

4 So, for instance, if all 9th graders had to

5 take the Keystone Algebra 1, then we could calculate growth

6 the way it's done for PSSA where all 8th graders have to

7 take the PSSA Math test. The fact that it's only a few,

8 that growth standard doesn't work.

9 Q. You would agree with me that PDE or its

10 contractors calculate a PVAAS score, a growth score for

11 high schools?

12 A. Correct.

13 Q. And they've determined that there is a need

14 to do that; correct?

15 A. Correct.

16 Q. So are you suggesting that it's

17 inappropriate for the Department to be calculating a high

18 school PVAAS score?

19 A. No.

20 Q. So what is it about a high school score that

21 you have a concern with?

22 A. The concern I have is it doesn't represent

23 all the activities that go on in a high school. In other

24 words, by only focusing on the performance of the students

25 that take the Keystone test instead of looking at your

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<p>1 whole population and how they have grown, you're looking</p> <p>2 primarily at a subset of that which can vary anywhere</p> <p>3 from -- as I said, last year we had 61 students in the</p> <p>4 Algebra 1 test for which there wasn't enough data. Even if</p> <p>5 you test all of your students, it all depends on the</p> <p>6 database that sits behind them.</p> <p>7 What I'm saying is PVAAS, as excellent a</p> <p>8 tool as it is -- and I really do believe it is -- it is not</p> <p>9 as representative of the entire population and all the</p> <p>10 activities that go on in a school. And understand, we used</p> <p>11 to have 11th grade Math and Reading was it. Now we have</p> <p>12 three different subjects.</p> <p>13 The original design for Keystones was to</p> <p>14 actually have about nine Keystone exams. If so, then the</p> <p>15 high school evaluation would be based on nine different</p> <p>16 tests over multiple years and so forth, and I think that</p> <p>17 would be a much better device to evaluate all the things</p> <p>18 that go on in a high school.</p> <p>19 Q. And that's your personal opinion; correct?</p> <p>20 A. Yes.</p> <p>21 Q. And you would agree with me that all of the</p> <p>22 comments you just made about PVAAS at the high school level</p> <p>23 would apply to any high school?</p> <p>24 A. Absolutely.</p> <p>25 Q. Not just I-LEAD Charter School?</p> <p style="text-align: right;">367</p>	<p>1 the search returned only one school.</p> <p>2 This is an availability on the PVAAS public</p> <p>3 site where you can basically search all of the schools that</p> <p>4 fit in the grade band of interest. So this is an accurate</p> <p>5 representation of the 2015 growth values, but it's not the</p> <p>6 Growth Report, which would have included three-year history</p> <p>7 of what the Keystones were and that type of thing, and the</p> <p>8 number of students and so forth.</p> <p>9 Q. Does anyone other than folks who work at</p> <p>10 I-LEAD Charter School have access to the three-year report</p> <p>11 you just referenced?</p> <p>12 A. No.</p> <p>13 Q. So that's not publicly available?</p> <p>14 A. Correct.</p> <p>15 Q. It wouldn't be available to Reading School</p> <p>16 District folks; correct?</p> <p>17 A. Correct.</p> <p>18 Q. So that would be something you'd have to</p> <p>19 supply to us?</p> <p>20 A. Yes.</p> <p>21 Q. But what is represented in Joint Exhibit 21</p> <p>22 is what is publicly available for I-LEAD Charter School;</p> <p>23 correct?</p> <p>24 A. Correct.</p> <p>25 Q. So you would agree with me there's three</p> <p style="text-align: right;">369</p>
<p>1 A. No. Absolutely.</p> <p>2 Q. Are you familiar with I-LEAD Charter</p> <p>3 School's PVAAS data?</p> <p>4 A. Yes.</p> <p>5 Q. I'm going to have you turn to Joint</p> <p>6 Exhibit 21.</p> <p>7 A. (Witness complies.)</p> <p>8 Q. Have you seen this document before?</p> <p>9 A. Yes.</p> <p>10 Q. And this is the PVAAS Growth Report for</p> <p>11 I-LEAD Charter School for the '14/15 school year?</p> <p>12 A. It is one of the reports that PVAAS</p> <p>13 supplies. This is a school search of -- I take it back.</p> <p>14 This is a School Report, yes.</p> <p>15 Q. It says I-LEAD Charter School at the top on</p> <p>16 the left-hand side?</p> <p>17 A. Correct.</p> <p>18 Q. If you flip through the document, you would</p> <p>19 agree with me that there's three different reports here?</p> <p>20 A. (Witness reviewed document.)</p> <p>21 I want to correct what I just said. This</p> <p>22 is, if you want, a snippet of the school's Search Report</p> <p>23 from PVAAS. It is not the official Growth Reports. The</p> <p>24 reason I say that is that this is the only one that</p> <p>25 produces the demographics at the top. And as you can see,</p> <p style="text-align: right;">368</p>	<p>1 different reports within Joint Exhibit 21 for the three</p> <p>2 different tested Keystone exams?</p> <p>3 A. Correct.</p> <p>4 Q. And I apologize, realizing that these are in</p> <p>5 black and white -- and we will endeavor to get color</p> <p>6 versions for the official record -- but, sir, I'm assuming</p> <p>7 you're very familiar with the color coding system; correct?</p> <p>8 A. Yes.</p> <p>9 Q. If you look towards the bottom of the page,</p> <p>10 can you explain to us what is represented at the bottom of</p> <p>11 the page and onto the next page?</p> <p>12 A. Yes. Those are the color codes that are</p> <p>13 involved with attempting to supply an interpretation of the</p> <p>14 numbers, is the intent. Basically what it's saying is that</p> <p>15 -- and the actual rubric that's used is if the Average</p> <p>16 Growth Index is greater than two, then we have significant</p> <p>17 evidence that the school entity has exceeded the PA</p> <p>18 standard for growth, which is that they meet the</p> <p>19 expectations of their history. That standard was set by</p> <p>20 the State.</p> <p>21 Q. Let me just stop you there. And this PA</p> <p>22 Academic Growth Standard is measured at zero; correct?</p> <p>23 A. Correct.</p> <p>24 Q. So zero is actually a good thing?</p> <p>25 A. Zero says they met the expectation of their</p> <p style="text-align: right;">370</p>

1 history. And as I've said countless times to different  
2 clients, it all depends what those expectations were. If  
3 they were high expectations and you get a zero, that's  
4 great. And if it was low expectations, that's an agenda to  
5 improve what you're doing.

6 Q. So then if you could go down each category  
7 and what color would be referenced by it.

8 A. You would have dark blue for the  
9 significant evidence, light blue for the moderate. That  
10 would be if your AGI is between one and two, and that's one  
11 and two standard errors. Evidence that they met the  
12 standard is a green. That goes from negative one to  
13 positive one. So it's a wide band around zero.

14 Yellow for moderate evidence that you did  
15 not meet that, that would be from negative one to negative  
16 two for the AGI. And significant evidence that it does not  
17 meet is below negative two for the Average Growth Index,  
18 and that's a red.

19 Q. And that's the lowest category that's  
20 reflected?

21 A. Correct.

22 Q. And so in terms of the green category, which  
23 is evidence that they met the standard, because of the  
24 standard of error it is actually a negative one it goes  
25 down to; correct?

371

1 A. Correct.

2 Q. So you could be below zero and still meet  
3 the standard?

4 A. Correct.

5 Q. So in terms of I-LEAD's actual growth  
6 information that's reported on these reports, what was  
7 their AGI score for Biology?

8 A. Negative 6.84.

9 Q. Which category would that be in?

10 A. Red.

11 Q. And flipping to the third page, what was the  
12 I-LEAD Charter School's AGI score in Algebra 1?

13 A. Negative 4.95.

14 Q. Which category is that?

15 A. Red.

16 Q. I'm hoping you can read this. Flipping to  
17 the fifth page, what was the AGI score for the Charter  
18 School in Literature?

19 A. I can't read it, but if you -- negative 4.6  
20 divided by 3.1 will tell you what it is.

21 MS. PETERSEN: Bear with me one minute,  
22 please. May I approach the witness?

23 HEARING OFFICER: Sure.

24 MS. PETERSEN: Thank you.

25 BY MS. PETERSEN:

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1 Q. Dr. Bohan, I apologize. I'm going to give  
2 you a better copy of the Literature.

3 A. Gotcha.

4 Q. What's the score reference there?

5 A. Negative 1.48, which would be a yellow.

6 Q. Thank you.

7 A. Um-hum.

8 MS. PETERSEN: That's all I have.

9 HEARING OFFICER: Redirect.

10 BY MR. STACEY:

11 Q. Dr. Bohan, is PVAAS only based on the  
12 standardized testing history of a given student?

13 A. Yes, State Testing, PSSA only.

14 Q. So it doesn't control for any other factors?

15 A. No.

16 Q. It doesn't control for any other student  
17 characteristics?

18 A. No.

19 Q. It doesn't control for whether you've  
20 dropped out of school?

21 A. No.

22 Q. Or whether you've been in the National Honor  
23 Society?

24 A. No.

25 Q. Does Reading Senior High School have a 9th  
373

1 grade?

2 A. No.

3 Q. And the State publishes PVAAS score for  
4 Reading Senior High School?

5 A. Correct.

6 Q. And students entering that school who have  
7 taken Algebra 1 and taken the Keystone --

8 A. Correct.

9 Q. -- their scores are attributed to Reading  
10 Senior High School?

11 A. No. They would be -- well, they're  
12 attributed to the student in terms of the graduation  
13 requirement, but it's attributed to the school where they  
14 took the test.

15 Q. What about in terms of a growth score for  
16 that same school that's serving Grades 10, 11 and 12?

17 A. The growth score is based on the people who  
18 had taken the Keystone, either setting, and I think it's  
19 this coming year they're changing it and it's including  
20 everybody who has taken it, but not passed it type of  
21 thing.

22 Prior to -- I believe last year was the  
23 last year where it represented the exact students in your  
24 school who took that Keystone exam for which they had  
25 enough data to actually do the prediction.

374

1 Q. So part of the PVAAS growth score is based  
2 on the student's history of taking the PSSA in Grades 3  
3 through 8?  
4 A. Correct.  
5 Q. And that's factored into, for example,  
6 I-LEAD's growth score?  
7 A. Yes.  
8 Q. So PVAAS can attribute a growth score to  
9 I-LEAD even when I-LEAD didn't provide the instruction --  
10 A. Absolutely.  
11 Q. -- in Grades 3 through 8?  
12 A. Correct.  
13 Q. Can you turn to Page 24 of Charter School  
14 Exhibit 8?  
15 A. Page 24?  
16 Q. Yes.  
17 A. (Witness complies.)  
18 Yep.  
19 Q. You were asked some questions about the  
20 National Honor Society.  
21 A. Yes.  
22 Q. And you read the part of this page that said  
23 eight I-LEAD students were inducted into the National Honor  
24 Society?  
25 A. Yes.

375

1 Q. And you had previously estimated that I-LEAD  
2 served about 520 students?  
3 A. Yes.  
4 Q. What percentage -- what is eight into 520?  
5 A. Eight divided by 520, it's a very small --  
6 it's under 2 percent.  
7 Q. The same document, can you go back to  
8 Page 10?  
9 A. Um-hum.  
10 (Witness complies.)  
11 Okay.  
12 Q. You had testified about these charts that  
13 you had put together?  
14 A. Yes.  
15 Q. When you created this report, what did you  
16 intend to show through these charts?  
17 A. I intended to show more for the I-LEAD  
18 community itself that my recommendations in terms of using  
19 more data to both qualify students and to adjust the  
20 programming, the instruction, and, you know, experience  
21 that the students had by incorporating these  
22 recommendations that I had made that you actually will  
23 produce much better results.  
24 It's the type of thing that -- you know,  
25 data informed decision-making has been around for a long

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1 time in a lot of schools. It was my understanding and my  
2 perception when I first came on as a consultant, that it  
3 was not being implemented to the level that I thought it  
4 should and could be.  
5 And I found the staff Administration and  
6 the School Board were very receptive to these  
7 recommendations to pursue a more data informed process.  
8 And I just felt that when the winter keystones came up,  
9 which was the first group that really had any sort of  
10 involvement with a more data informed process, that, you  
11 know, it was a remarkable shift.  
12 Recognizing, first of all -- and this is  
13 why we call this preliminary evidence -- it was a  
14 relatively small cohort of students that were included in  
15 those charts, but still portraying, you know, an incentive  
16 to let's broaden this for the entire school, let's talk  
17 about Readiness courses, all those types of things, which,  
18 you know, we saw this kind of confirmed because these data  
19 were released in the spring of 2015.  
20 So, you know, it really was kind of an  
21 incentive that, yeah, we're going on the right track here,  
22 and we need to pursue this.  
23 Q. Thank you. Can you turn to Joint Exhibit 19  
24 in the other binder?  
25 A. Yep.

377

1 (Witness complies.)  
2 Okay.  
3 Q. These are Fast Facts for I-LEAD Charter  
4 School?  
5 A. Yes.  
6 Q. That's part of the School Performance  
7 Profile Report?  
8 A. Yes.  
9 Q. And you had read that the percentage of  
10 gifted students at I-LEAD Charter School was .58 percent?  
11 A. Yes.  
12 Q. And right above that it says School  
13 Enrollment, 516 students?  
14 A. Yes.  
15 Q. So about how many kids at I-LEAD Charter  
16 School are considered gifted?  
17 A. Well, 1 [sic] percent would be about 500,  
18 so .58 would be maybe two, three.  
19 Q. Two or three?  
20 A. Yeah.  
21 Q. Can you turn to Joint Exhibit 17, please?  
22 A. (Witness complies.)  
23 Okay.  
24 Q. Scratch that. This is 13. I'm looking for  
25 14. Joint Exhibit 20. Sorry.

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1 A. (Witness complies.)  
2 Okay.  
3 Q. You had read that the percentage of gifted  
4 students at Reading Senior High School was 5.95 percent?  
5 A. Correct.  
6 Q. So about 6 percent?  
7 A. Correct.  
8 Q. And the enrollment at Reading High School is  
9 3,044 students?  
10 A. Correct.  
11 Q. If I-LEAD is 520 students and Reading Senior  
12 High School is 3,000, about how many times bigger is  
13 Reading Senior High School than I-LEAD?  
14 A. About six times.  
15 Q. About six times. And what's 6 percent of  
16 3,000? How many gifted students are there approximately at  
17 Reading Senior High School?  
18 A. I hate to admit it as a life-long mathie, I  
19 always have trouble with zeros. It's either going to be 18  
20 or 180. I'm thinking 180 is more reasonable. Zeros drive  
21 me crazy.  
22 MS. PETERSEN: Would you like a  
23 calculator?  
24 THE WITNESS: I was almost reaching for  
25 this.

379

1 HEARING OFFICER: We would have no  
2 objection if you'd like to.  
3 THE WITNESS: I'll give it to you.  
4 HEARING OFFICER: My math shows roughly  
5 240 students, but I'll let the witness.  
6 BY MR. STACEY:  
7 Q. Show your work, please.  
8 A. And do remember the process is more  
9 important than the answer. Sorry. We have 3,044 -- or  
10 3,000, yeah, 44. 181.118, so 180 is not a bad guess. 181.  
11 Q. So Reading Senior High School is about six  
12 times bigger than I-LEAD Charter School?  
13 A. Correct.  
14 Q. But it has about 60 times more gifted  
15 students?  
16 A. Correct.  
17 Q. Can I have you turn to Joint Exhibit 1?  
18 A. (Witness complies.)  
19 Okay.  
20 Q. I apologize. Let's go back to Joint  
21 Exhibit 20.  
22 A. Okay.  
23 Q. I'll finish up there first. Turn to the  
24 next page. This is the SPP Report for Reading Senior High  
25 School?

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1 A. Yes.  
2 Q. Do you see at the bottom there where it  
3 says, Extra Credit For Advanced Achievement?  
4 A. Yes.  
5 Q. It's the fifth line in that section, percent  
6 3 or higher on any AP exam?  
7 A. Yes.  
8 Q. Does AP refer to Advanced Placement?  
9 A. Yes.  
10 Q. And you testified that I-LEAD Charter School  
11 does not offer Advanced Placement courses; correct?  
12 A. Correct.  
13 Q. So am I correct that Reading Senior High  
14 School is receiving extra credit for advanced achievement,  
15 which has to do with participation in Advanced Placement  
16 exam?  
17 A. Yeah, or International Baccalaureate.  
18 Q. Does I-LEAD Charter School offer any  
19 International Baccalaureate courses?  
20 A. No.  
21 Q. I want to go back to 19, Page 2. This is  
22 the SPP Report for I-LEAD Charter School for the '14/15  
23 year.  
24 A. Yes.  
25 Q. And under Extra Credit for Advanced

381

1 Achievement, percent 3 or higher on any AP exam for I-LEAD  
2 it says 0.00?  
3 A. Correct.  
4 Q. That's because there's no AP courses?  
5 A. Correct.  
6 Q. There's no IB courses?  
7 A. Correct.  
8 Q. So no one took those exams?  
9 A. Correct.  
10 Q. So I-LEAD couldn't get extra credit for that  
11 factor on the SPP?  
12 A. Correct.  
13 Q. Now, go back to Joint Exhibit 1.  
14 A. (Witness complies.)  
15 Q. Page 5, please.  
16 A. (Witness complies.)  
17 Okay.  
18 Q. Let's start with Paragraph 17(c)(i). Do you  
19 see that?  
20 A. Yes.  
21 Q. I believe you gave the example of if in the  
22 baseline year, 40 percent of students scored proficient or  
23 better that were in the Full Keystone course category --  
24 A. Yes.  
25 Q. -- that the request contained herein is in

382

1 the next year you'd be at 45 percent?

2 A. Correct.

3 Q. That's the goal?

4 A. Correct.

5 Q. And the following year you'd be at

6 50 percent?

7 A. Correct.

8 Q. If you go back to (a)(i) in that same

9 paragraph, are you suggesting that that would be the -- we

10 were talking about the same method of measuring goals?

11 A. Correct.

12 Q. So students in Readiness courses, if you're

13 comparing their pre-course and post-course assessments, and

14 in the baseline year 50 percent had shown improvement, then

15 the following year the goal would be 55 percent would show

16 improvement?

17 A. Correct. And I think I misrepresented or

18 my answer was inaccurate on cross-examination because I

19 responded in the affirmative that if 5 percent showed

20 improvement, that would be the goal. That is not the

21 intention that it was and, actually, I thought better of it

22 later but didn't have a chance to offer that.

23 Now, it's applying basically the same

24 metric saying whatever the baseline is, then we would set

25 as a goal that there would be 5 percent more students

383

1 meeting, you know, that particular standard.

2 Q. So for the standards that are in (a)(i),

3 (b)(i) and (c)(i), what you're suggesting is that wherever

4 you start, you're going to add 5 percentage points per

5 year?

6 A. Per year.

7 Q. In whatever standard is being measured?

8 A. Right. And see, we really -- yes, that's

9 exactly what we mean. And we really can't say what the

10 starting percentage is yet because we haven't given the

11 post tests in two of the levels at this point.

12 Q. I believe you gave some testimony about

13 whether that was rigorous. Do you think that is rigorous

14 to have that sort of measurement for these three standards?

15 A. With the correct interpretation, I would

16 say yes. And I also would point out, since I can, based on

17 what I said yesterday with that one example, that having

18 the entire method of evaluation be based on that type of a

19 4 percent, 5 percent or 7 percent type of metric, it

20 inherently has some significant problems with it. This

21 proposed amendment used it to have a measurable target that

22 would be recognizable and so forth, but differentiating it

23 between the different types of learners, plus, of course,

24 incorporating PVAAS for the type of thing, understand that

25 it's really a matter of -- in the first case, what we're

384

1 looking for is any level of improvement between pre-test

2 and post-test.

3 So we're not specifying how much

4 improvement they have to make. So that will give us a

5 baseline. So say, for instance, in the example that you

6 gave me, 40 percent of this year's Readiness classes show

7 some level of improvement. Then next year's Readiness

8 classes our goal is that they would show -- 45 percent of

9 them would show some improvement. It doesn't say they have

10 to be proficient or advanced or any of those sort of

11 arbitrary borders. It's really focused and, it's true, on

12 the B level as well. It's really based on are they

13 improving from where they started in that course to where

14 they entered measured in these three different ways.

15 Q. So for that first group the idea is they're

16 going to take a test before they have the class, then

17 they're going to take the test after they have the class?

18 A. Correct.

19 Q. Over the course of one school year?

20 A. Correct.

21 Q. And it's going to be the same test?

22 A. Correct.

23 Q. If they get one more answer right, is I-LEAD

24 Charter School going to consider that showing improvement?

25 A. Yes.

385

1 Q. You were asked some questions about your

2 status as a contractor with the school.

3 A. Yes.

4 Q. Is it your testimony that you are doing

5 different work now than when you were in the PSERS

6 retirement system?

7 A. I still am in the PSERS retirement system.

8 I still draw a pension from them, but my activities at

9 I-LEAD are completely different than anything I have ever

10 done.

11 Q. So you're paid under a 1099?

12 A. Correct.

13 Q. And you have a separate written contract

14 with the school?

15 A. Yes.

16 Q. And you receive no fringe benefits from the

17 school?

18 A. None.

19 Q. Do you have an office outside the school?

20 A. Yes.

21 Q. And I think you testified that you're doing

22 some work for other places, too?

23 A. Correct.

24 Q. So you still have the ability to provide

25 services to other schools?

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1 A. Yes.

2 Q. Other entities. That's all I have.

3 A. Okay.

4 HEARING OFFICER: Recross.

5 MS. PETERSEN: Just a little.

6 BY MS. PETERSEN:

7 Q. Dr. Bohan, in terms of the Joint Exhibit 20,

8 you were asked about the student scoring a three or above

9 on the AP exam. Do you recall that?

10 A. Yes.

11 Q. And the data that was reported for both the

12 Charter School and the high school --

13 A. Yes.

14 Q. -- for those line items. Do you remember

15 that?

16 A. Yes.

17 Q. And I think you had previously testified

18 that 10 percent of the SPP score relates to other items,

19 including graduation rate, attendance, and other items;

20 correct?

21 A. Yes, that's correct.

22 Q. And the extra credit, as I believe it was

23 referenced, for the AP scores is included within that 10

24 percent?

25 A. Correct.

387

1 Q. What percentage of the 10 percent is the AP

2 score?

3 A. Unfortunately, I couldn't tell you right

4 off the top of my head. However, if you notice directly

5 below the rating of 65.2 there's a search window and it

6 says View Calculations. If you hit that, it will give you

7 an exact breakdown of exactly what the scores were, what

8 the weighting was and so forth, and what percent each of

9 the line items have.

10 Obviously, even if it were -- if you took

11 other academic indicators that are listed down there, we're

12 talking, what, maybe five of them, and it totals 10

13 percent.

14 Q. And so any member of the public could go to

15 this website, the SPP website, go to Reading Senior High

16 School's profile page and click on that View Calculation

17 button; correct?

18 A. Um-hum.

19 Q. And it would bring up the statistical

20 calculations?

21 A. Yes.

22 Q. Would it surprise you that the percentage

23 associated with the AP data is less than 1 percent of that

24 10 percent?

25 A. No. I have no idea. It wouldn't. Nothing

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1 surprises me these days.

2 Q. Does that sound as though it's incorrect, if

3 I suggested that it was less than 1 percent?

4 A. I couldn't even judge. I personally would

5 hope it's more because I think AP is a very good target for

6 good students, but I have no idea whether it is.

7 Q. We could go to that website and find out for

8 ourselves?

9 A. Absolutely.

10 Q. Do you think the high school should be

11 faulted for choosing to offer Advanced Placement courses to

12 its students?

13 A. No, quite the contrary.

14 Q. And the Charter School could choose to offer

15 those courses to its students as well?

16 A. If we had students who it was appropriate

17 for, yes.

18 Q. And you've already testified about that

19 earlier; correct?

20 A. Correct.

21 Q. I want to make sure I understood your

22 testimony regarding the PVAAS information and scores that

23 are attributable to students. If students take the

24 Keystone exam prior to 11th grade, are their scores banked?

25 A. Yes.

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1 Q. What do you understand the word banked to

2 mean?

3 A. It basically is in the individual student

4 record. So that when an institution is determining whether

5 or not the student has met graduation requirements, since

6 the State currently imposes a graduation requirement on

7 passing all three keystones, there's no time specific thing

8 on that. They didn't have to do it in a particular grade.

9 So if a student took it, say, for instance,

10 in 8th grade, it's banked in their student record because

11 of the PA Secure ID, and any high school could bring that

12 up and find out that they had passed it in 8th grade.

13 Q. If a student takes the Keystone exam in 9th

14 grade, for example, when is the score attributed to the

15 school in which they're enrolled?

16 A. It was -- prior to this, it was only the

17 students who took the test in the given year. And as I

18 said, it's transitioning over now to basically students

19 that have taken it that are in the school that have taken

20 it at any time. So it would be -- the 9th grade would be

21 attributed.

22 Q. At the time they're in 9th grade?

23 A. Yes.

24 Q. As opposed to banking it and then

25 attributing it to them when they get to 11th grade?

390



1 A. My understanding is the banking is only for  
2 the student record in terms of graduation requirements. It  
3 is not in terms of the calculation for growth.  
4 Q. Or in terms of the SPP scores?  
5 A. Right.  
6 Q. From where did you get that understanding?  
7 A. From basically dealing with the SPP in a  
8 number of locations, asking the Administrators who were  
9 involved with that and some of the people that actually  
10 worked on creating the SPP.  
11 Q. Is that stated in writing anywhere on  
12 documents issued by PDE, to your knowledge?  
13 A. I'm not sure. I should have looked, but I  
14 haven't.  
15 Q. National Honor Society, are there specific  
16 grades in which students can be -- I don't know if  
17 nominated is the right word, but nominated for National  
18 Honor Society?  
19 A. I believe they should be in 11th or 12th  
20 grade, but I'm not a hundred percent sure about that.  
21 Q. So students in 9th and 10th grade would not  
22 be eligible for National Honor Society?  
23 A. I don't think so.  
24 Q. You had testified a bit about the goals that  
25 are in Joint Exhibit 1. I don't want to belabor this too

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1 much. I think I now understand how you've adjusted your  
2 testimony with respect to, I believe, the first two goals.  
3 A. Right. Yes.  
4 Q. So if '15/16 is the baseline year, you don't  
5 have that data yet; correct?  
6 A. Correct.  
7 Q. So the data might come in, you're going to  
8 get that data either at the end of the '15/16 school year  
9 or during the '16/17 school year; correct?  
10 A. Right.  
11 Q. The data might come in and it might show  
12 that none of the kids in the Readiness course, for example,  
13 improved --  
14 A. Correct.  
15 Q. -- their performance by answering one more  
16 question in a more positive way than the prior year;  
17 correct?  
18 A. Correct.  
19 Q. So then your baseline would be zero?  
20 A. Correct.  
21 Q. So then the suggestion is that the following  
22 year for '16/17 for the goal, 5 percent would be  
23 acceptable --  
24 A. Yes.  
25 Q. -- to show any improvement?

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1 A. Yes.  
2 Q. And then it would build off that number?  
3 A. Correct.  
4 Q. So it could be as low as zero?  
5 A. It could be.  
6 Q. You don't know sitting here today?  
7 A. Correct.  
8 Q. And that, you think, is sufficient?  
9 A. I think it's reasonable. If, indeed, you  
10 believe in a growth or a metric that's based on growth,  
11 growth first has to have a baseline to begin the  
12 measurement. So I think it's reasonable. It's certainly  
13 not acceptable that we would see no one making growth after  
14 spending a year with us, but that's, again, more of a  
15 curricular issue.  
16 MS. PETERSEN: That's all I have.  
17 HEARING OFFICER: Redirect.  
18 BY MR. STACEY:  
19 Q. Would it also be possible that for students  
20 in Readiness courses a hundred percent of the kids showed  
21 improvement over the course of the year?  
22 A. Correct, it could.  
23 Q. Then what would you do? How would you have  
24 105 percent show improvement the next year?  
25 A. Well, assuming that that would be an issue,

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1 I'd probably contact the School District to ask them to  
2 come celebrate with us and strike some sort of  
3 understanding.  
4 MR. STACEY: Thanks. That's all.  
5 THE WITNESS: I really do think either  
6 eventuality is very unlikely.  
7 MS. PETERSEN: It would be a problem that  
8 everybody would love to have.  
9 THE WITNESS: That's exactly right.  
10 HEARING OFFICER: Any other questions for  
11 this witness?  
12 MS. PETERSEN: No.  
13 HEARING OFFICER: Is there any reason why  
14 this gentleman can't be excused at this time?  
15 MS. PETERSEN: No.  
16 HEARING OFFICER: Thank you, sir.  
17 THE WITNESS: Thank you.  
18 HEARING OFFICER: It's 12:15. Do you  
19 want to take a lunch break now?  
20 MR. STACEY: I have one more witness.  
21 HEARING OFFICER: Why don't we go off the  
22 record for a second.  
23 (Lunch recess was taken.)  
24 HEARING OFFICER: It's 12:55. We're back  
25 from our recess. We'll reconvene the hearing. The next

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1 witness can be called.  
2 MR. STACEY: The Charter School calls  
3 Karen McCree.  
4 KAREN McCREE  
5 was called as a witness and, having been first duly sworn  
6 by the Reporter-Notary Public, was examined and testified  
7 as follows:  
8 BY MR. STACEY:  
9 Q. Good afternoon, Ms. McCree.  
10 A. Good afternoon.  
11 Q. Could you please state and spell your name  
12 for the record?  
13 A. Karen H. McCree, M-C-C-R-E-E.  
14 Q. Ms. McCree, have you ever been a member of  
15 the Board of School Directors for Reading School District?  
16 A. Yes, I have.  
17 Q. In what years did you serve in that  
18 capacity?  
19 A. From December of 1999 until January of  
20 2014.  
21 Q. So you were a member of the Board during the  
22 period November, 2009, through November, 2010?  
23 A. Yes.  
24 Q. Did the School District receive an  
25 application to open a Charter School from I-LEAD, Inc.

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1 during that time?  
2 A. Yes, they did -- yes, we did.  
3 Q. Do you recall anything about an application  
4 that was submitted in November of 2009?  
5 A. I recall the application. The original  
6 application was for 11th and 12th graders, I believe,  
7 specifically for kids who had dropped out of high school, I  
8 believe.  
9 Q. And do you know whether a public hearing was  
10 held on that application?  
11 A. Yes, it was.  
12 Q. And were you at that public hearing?  
13 A. Yes.  
14 Q. When you were at that public hearing, did  
15 you voice any concerns about the Charter School as it was  
16 proposed?  
17 A. I did voice concerns because that  
18 application was only dealing with dropouts. And my concern  
19 was how was I-LEAD going to recruit students who were no  
20 longer attending school.  
21 Q. What was the issue with recruitment?  
22 A. These kids were no longer on the rolls of  
23 Reading School District, and how would they find who these  
24 students were.  
25 Q. So you were concerned that the proposed

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1 school wouldn't be able to find students?  
2 A. I was concerned that the proposed Charter  
3 School would not be able to find students.  
4 Q. After that first public hearing, what  
5 happened?  
6 A. I voiced those concerns, and we discussed  
7 that in more depth, I think, and at that time I was  
8 concerned about the age or the grade level that I-LEAD was  
9 applying for. And we discussed that in, I'm thinking, that  
10 first hearing.  
11 Q. Who was we, the Board?  
12 A. The Board. With I-LEAD.  
13 Q. And I'm correct that that first application  
14 wasn't granted; right?  
15 A. We did not deny the first application, if  
16 my memory serves me correctly, because we continued the  
17 discussions. It was not to deny -- we at no point wanted  
18 to deny the application. These were discussions in the  
19 application process.  
20 Q. So it was never granted, but it was never  
21 denied?  
22 A. No.  
23 Q. Do you agree with that statement?  
24 A. I agree with that statement.  
25 Q. During those discussions, was the

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1 application revised and resubmitted to the District?  
2 A. I believe so, yes.  
3 Q. Can you turn to Joint Exhibit 5, please?  
4 This is the --  
5 HEARING OFFICER: There are several binders.  
6 THE WITNESS: You guys have lots of binders.  
7 Joint Exhibit?  
8 BY MR. STACEY:  
9 Q. 5, please.  
10 A. (Witness complies.)  
11 Yes.  
12 Q. Are you there?  
13 A. I'm there.  
14 Q. Do you recognize what this document is?  
15 A. (Witness reviewed document.)  
16 I can read this document. I have never  
17 seen this document.  
18 Q. So you've never seen Joint Exhibit 5?  
19 A. I've never seen Joint Exhibit 5.  
20 Q. So you don't recall ever reading this  
21 document at or around the time of June 4th, 2010, which is  
22 the date on there?  
23 A. No. Our discussions with any -- with  
24 relation to any changes in their revised application  
25 happened during all of our hearings.

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<p>1 Q. But you didn't actually read it?</p> <p>2 A. No. Sorry. I can read it now and attest</p> <p>3 to what's in it.</p> <p>4 Q. I'm simply asking if you did read it at that</p> <p>5 time it was submitted.</p> <p>6 MS. PETERSEN: I think that question has</p> <p>7 been asked and answered.</p> <p>8 HEARING OFFICER: I believe so. If this</p> <p>9 witness hasn't seen the document before today, she hasn't</p> <p>10 seen the document before today.</p> <p>11 BY MR. STACEY:</p> <p>12 Q. Do you recall whether another public hearing</p> <p>13 was held with respect to a revised application?</p> <p>14 A. Yes.</p> <p>15 Q. Can you explain the public hearing process</p> <p>16 that the Board went through with respect to this</p> <p>17 application?</p> <p>18 A. The Board -- we had the initial hearing,</p> <p>19 which I think the dates -- I'm not clear what the dates</p> <p>20 were. We had the first hearing. From those discussions we</p> <p>21 asked them to revise part of that application because of</p> <p>22 them only focusing on the 11th and 12th grade. Those were</p> <p>23 the concerns that I brought to the table.</p> <p>24 We came back to the table again for another</p> <p>25 meeting later in that year. At that time we focused on the</p> <p style="text-align: right;">399</p>	<p>1 School Directors to hold a deliberation meeting?</p> <p>2 MS. PETERSEN: You mean while she was on the</p> <p>3 Board?</p> <p>4 BY MR. STACEY:</p> <p>5 Q. Yes, while you were on the Board.</p> <p>6 A. We held -- all of our meetings were held in</p> <p>7 the public. We -- I'm not sure if I understand.</p> <p>8 Q. If we go back to Page 1 of Joint Exhibit 6,</p> <p>9 is there a date on the top?</p> <p>10 A. Yes.</p> <p>11 Q. What's that date?</p> <p>12 A. October 27th, 2010.</p> <p>13 Q. And that's the date of this Resolution. Is</p> <p>14 that correct?</p> <p>15 A. Yes. I would have to assume that was the</p> <p>16 date of the -- from the Board agenda.</p> <p>17 Q. In another binder, Charter School Exhibit</p> <p>18 Binder 1 of 2, if you can go to Tab 13.</p> <p>19 A. (Witness complies.)</p> <p>20 Yes.</p> <p>21 Q. Do you recognize what this is?</p> <p>22 A. Yes. It's an article from the Reading</p> <p>23 Eagle.</p> <p>24 Q. Do you see the date that it says originally</p> <p>25 published?</p> <p style="text-align: right;">401</p>
<p>1 revisions that we wanted I-LEAD to address so that we could</p> <p>2 approve the Charter.</p> <p>3 And that is when we addressed the concerns</p> <p>4 that I raised, which were how were they going to do the</p> <p>5 recruiting, and that when you are recruiting 11th graders</p> <p>6 or looking at dropouts, many of those students would not</p> <p>7 have credits of 11th graders. They would only have credits</p> <p>8 as a 9th grade student, and that was part of what we wanted</p> <p>9 them to include.</p> <p>10 Q. If you could turn to Joint Exhibit 6, Page 2</p> <p>11 of that, do you see at the top where it says Gen 55?</p> <p>12 A. (Witness complies.)</p> <p>13 Yes.</p> <p>14 Q. Does that paragraph state that the revised</p> <p>15 application of Institute Leadership Education, Inc., for</p> <p>16 Reading Leadership Institute Charter School filed on</p> <p>17 June 9th, 2010, and after hearing on August 25th, 2010, is</p> <p>18 hereby granted?</p> <p>19 A. Yes.</p> <p>20 Q. So when you're talking about a public</p> <p>21 hearing, you mean on August 25th, 2010?</p> <p>22 A. Yes.</p> <p>23 Q. And that's where you voiced these concerns?</p> <p>24 A. Yes.</p> <p>25 Q. Was it also the practice of the Board of</p> <p style="text-align: right;">400</p>	<p>1 A. Yes. October 26th, 2010.</p> <p>2 Q. And that's before October 27, 2010?</p> <p>3 A. Yes.</p> <p>4 Q. The Reading Eagle is a newspaper. Is that</p> <p>5 right?</p> <p>6 A. Yes.</p> <p>7 Q. Do you see that first paragraph? Can you</p> <p>8 read that into the record, please?</p> <p>9 A. The fate of a proposed Charter School</p> <p>10 remains unclear as some Reading School Board members are</p> <p>11 still on the fence about approving it.</p> <p>12 Q. If you go down to the fifth paragraph</p> <p>13 starting with, The two major concerns?</p> <p>14 MS. PETERSEN: I'm going to object to her</p> <p>15 reading from a newspaper article that does not contain</p> <p>16 her words. It's hearsay, and there's no foundation for</p> <p>17 the information that she's being asked to read into the</p> <p>18 record.</p> <p>19 HEARING OFFICER: Well, let's --</p> <p>20 MR. STACEY: It's a newspaper --</p> <p>21 HEARING OFFICER: Hold up. I do see</p> <p>22 further down in the article Ms. McCree is referenced. If</p> <p>23 she wants to review the article to see if it refreshes</p> <p>24 her recollection about meetings that took place in her</p> <p>25 presence back in late October of 2010, I'm fine with</p> <p style="text-align: right;">402</p>

1 that.  
2 I'm not necessarily a fan, now that  
3 someone is bringing it up for the first time, of any  
4 witnesses simply reading documents into the record, which  
5 we've had from both Counsel through the proceedings,  
6 because the documents are what they are, and I can read.  
7 So what I'd prefer, and we can entertain  
8 questions then, if you'd like to have the witness refer  
9 to this article to refresh her recollection then answer  
10 questions, that would be fine.  
11 So, Ms. McCree, why don't you take a  
12 minute or two to take a look at the article, and then  
13 Counsel may have some questions for you.  
14 (Witness reviewed document.)  
15 BY MR. STACEY:  
16 Q. Have you finished?  
17 A. Yes, I have finished.  
18 Q. In this article, is there a statement that's  
19 attributed to Karen H. McCree?  
20 A. Yes.  
21 Q. And Karen H. McCree is identified as a Board  
22 member?  
23 A. Yes.  
24 Q. And you are Karen H. McCree and a Board  
25 member?

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1 A. I am.  
2 Q. Can you read the statement that's attributed  
3 to you?  
4 A. It states that I said, The District would  
5 be funding the Charter School for older students who have  
6 chosen to leave at the expense of current students.  
7 Q. I'm sorry, I'm referring to something  
8 different.  
9 A. For me, I am going to see -- if I'm going  
10 to see our resources go out the door, I'd rather see it  
11 done with younger kids, I said. I just have reservations  
12 when they're already out of school, and we're going to take  
13 money from the ones that are coming every day.  
14 Q. Thank you.  
15 A. You're welcome.  
16 Q. So you said if I'm going to see our  
17 resources go out the door?  
18 A. Yes.  
19 Q. To pay for students to attend the Charter  
20 School. Is that what you meant by that?  
21 MS. PETERSEN: Objection. Leading.  
22 HEARING OFFICER: Why don't we just ask  
23 you this. The quoted statement you just read, tell us  
24 what you meant by that.  
25 THE WITNESS: I meant that because the

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1 original application was addressing only the 11th and  
2 12th graders, that I felt that the application needed to  
3 be revised to include the younger kids.  
4 We had, as Board members, information  
5 that our dropouts were occurring earlier than 11th grade.  
6 And in an effort to help I-LEAD in their quest to get a  
7 Charter, I felt that they needed to look at the kids who  
8 were actually dropping out at the 9th grade. And that's  
9 what Mrs. Wertz and I were trying to help I-LEAD  
10 understand at the beginning of their Charter.  
11 HEARING OFFICER: Thank you. Mr. Stacey,  
12 I didn't mean to take over your questioning.  
13 BY MR. STACEY:  
14 Q. When you say Mrs. Wertz, you're referring to  
15 Jamie Wertz?  
16 A. I'm referring to Jamie Wertz.  
17 Q. And Jamie Wertz was also a Board member at  
18 that time?  
19 A. Yes.  
20 Q. She's also quoted in this article?  
21 A. Yes.  
22 Q. Do you recall participating in a public  
23 meeting prior to a meeting at which you voted on the  
24 Resolution?  
25 A. Yes, that would have been the Committee of

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1 the Whole.  
2 Q. So is this article referring to that  
3 meeting, do you think?  
4 A. This article is more than likely referring  
5 to the Committee of the Whole.  
6 Q. Thank you. Further down in that article, do  
7 you see the paragraph starting with Board members will  
8 submit conditions?  
9 A. Yes.  
10 Q. Do you recall whether any Board members  
11 submitted conditions for inclusion in the Resolution?  
12 A. All of our concerns were spoken publicly  
13 and openly so that our Counsel knew what those were in the  
14 committee meeting, in that meeting, and were given to  
15 Counsel.  
16 It was at that point we felt that all those  
17 conditions would have been given to I-LEAD to include in  
18 whatever amendment or changes needed to be made in their  
19 application process. It would have been on that condition  
20 that we would have voted on the approval of the Charter,  
21 which you see in Exhibit JE-6.  
22 Q. Going back to JE-6, that second page, do you  
23 see that Paragraph 10, I-LEAD student body will reflect  
24 Grades 9 through 12?  
25 A. In 6?

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1 Q. **Page 2, No. 10.**  
2 A. **I'm sorry. Page 2, No. 10? Yes.**  
3 Q. **Was that put in the Resolution because of**  
4 **the concerns that you had?**  
5 A. **Yes.**  
6 Q. **Go to Joint Exhibit 7, the next exhibit.**  
7 A. **(Witness complies.)**  
8 Q. **Do you recognize this document?**  
9 A. **Yes.**  
10 Q. **Is this the Charter Agreement?**  
11 A. **This is the Charter Agreement.**  
12 Q. **Paragraph 10, The Charter School will**  
13 **provide education for Grades 9 through 12 but will give**  
14 **preference in enrollment to dropout students consistent**  
15 **with its application. Do you see that?**  
16 A. **Yes, I do.**  
17 Q. **At the time this was executed in December of**  
18 **2010, do you recall what your understanding of that**  
19 **provision would be?**  
20 A. **What the provision would be?**  
21 Q. **What do you think was meant by No. 10 there?**  
22 MS. PETERSEN: Objection. Calls for  
23 speculation.  
24 HEARING OFFICER: I'll let her speculate,  
25 understanding she's speaking for herself.

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1 THE WITNESS: That the Charter School  
2 will be providing education for kids in Grades 9 through  
3 12 given that any student coming from the Reading School  
4 District would have credits that would only be a kid who  
5 would be in the 9th grade or the 10th grade and would  
6 have been considered a dropout or otherwise from the  
7 Reading School District, and that was the provision that  
8 is stated as allowed. I, at this time, was the Board  
9 President -- Vice-President. That's our understanding as  
10 it is written.  
11 BY MR. STACEY:  
12 Q. **Were you also a Board member at the time the**  
13 **Charter School was seeking to renew its Charter?**  
14 A. **Yes.**  
15 Q. **Do you recall when that was?**  
16 A. **Excuse me, you know I'm getting old.**  
17 Q. **If you don't, that's okay.**  
18 A. **That would have been --**  
19 MS. PETERSEN: I'll stipulate as to when  
20 it was.  
21 THE WITNESS: Thank you.  
22 MR. CIANCHI: It doesn't matter.  
23 MS. PETERSEN: I believe it was  
24 October 30th of 2011 -- 2013.  
25 THE WITNESS: 2013. You didn't get it

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1 right.  
2 MS. PETERSEN: Second time is a charm.  
3 THE WITNESS: I was doing better than  
4 you.  
5 BY MR. STACEY:  
6 Q. **So you were a Board member on October 30th,**  
7 **2013?**  
8 A. **Yes.**  
9 Q. **Did you vote to renew the Charter?**  
10 A. **Yes, I did.**  
11 Q. **How many years had the Charter School been**  
12 **in operation at that time?**  
13 A. **Well, I'm no good at math, so somebody --**  
14 **the Charter was original -- the original Charter was 2010,**  
15 **so they were in their third year, fourth school year.**  
16 HEARING OFFICER: All you have to do is  
17 testify to your recollection, ma'am.  
18 THE WITNESS: Four years, third.  
19 BY MR. STACEY:  
20 Q. **Let's refresh that recollection. Would you**  
21 **go to Page 3 of Joint Exhibit 7?**  
22 A. **Page 3?**  
23 Q. **Yes.**  
24 A. **(Witness complies.)**  
25 **Okay.**

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1 Q. **Do you see at the top it says Addendum?**  
2 A. **Yes.**  
3 Q. **And do you see in the middle of that page is**  
4 **the No. 2?**  
5 A. **Yes.**  
6 Q. **It says, The beginning of the first school**  
7 **year at I-LEAD is September 6, 2011?**  
8 A. **Yes.**  
9 Q. **So would the first school year have been the**  
10 **2011/2012 school year?**  
11 A. **Yes, so that would have been their third**  
12 **year or their --**  
13 Q. **Meaning during -- on October 30th, 2013,**  
14 **they would have been in their third year of operation. Is**  
15 **that correct?**  
16 A. **That would have been two years.**  
17 Q. **So they would have had operated for two**  
18 **years at that point?**  
19 A. **Yes.**  
20 MR. STACEY: May I approach?  
21 HEARING OFFICER: Sure.  
22 THE WITNESS: Thank you.  
23 BY MR. STACEY:  
24 Q. **This is a printout of Section 1728-A of the**  
25 **Charter School Law. The first part says, The local Board**

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1 of School Directors shall annually assess whether each  
2 Charter School is meeting the goals of its Charter.  
3 Do you recall whether after year one or year  
4 two of operation of I-LEAD Charter School whether the local  
5 Board of School Directors had conducted an annual  
6 assessment of the Charter School?  
7 A. They had not.  
8 Q. How do you know that?  
9 A. The Superintendent of record, I believe,  
10 after the first year was an Interim Superintendent, if my  
11 recollection recalls, and the Administration -- the Board  
12 had not received any interim -- had not -- the  
13 Administration had not done any review of the Charter and  
14 reported it to the Board.  
15 Q. What information in the first two years of  
16 operation of the Charter School did you, as a Board member,  
17 get from the School District Administration about I-LEAD  
18 Charter School, if anything?  
19 A. The only information that we got would have  
20 been records that were privy to the public in terms of its  
21 PSSA scores or of their State assessments.  
22 Q. The second part of that first sentence says,  
23 The Board of School Directors shall conduct a comprehensive  
24 review prior to granting a five-year renewal of the  
25 Charter.

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1 Now, the renewal that you voted on, that was  
2 for a five-year period?  
3 A. Yes.  
4 Q. Do you recall the Board of School Directors  
5 or the Administration of Reading School District ever  
6 conducting a comprehensive review of I-LEAD Charter School?  
7 A. No, I do not.  
8 Q. Do you recall the Administration or the  
9 Board conducting any sort of review?  
10 A. No.  
11 Q. Can you go to Joint Exhibit 8? Turn the tab  
12 there.  
13 A. (Witness complies.)  
14 Q. Go to Page 2.  
15 A. (Witness complies.)  
16 Q. Is this the Resolution renewing the Charter?  
17 A. Yes, it is.  
18 Q. Are there any conditions placed on the  
19 renewal of the Charter?  
20 A. No, there weren't.  
21 Q. The renewal was for a period of five years?  
22 A. Yes.  
23 MR. STACEY: I have no further questions.  
24 HEARING OFFICER: Cross-examine?  
25 MS. PETERSEN: Yes.

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1 BY MS. PETERSEN:  
2 Q. Good afternoon, Ms. McCree.  
3 A. Good afternoon, Allison.  
4 Q. You are here today testifying on behalf of  
5 yourself; correct?  
6 A. Yes.  
7 Q. You're not representing the Reading School  
8 District Board of School Directors?  
9 A. No.  
10 Q. And you no longer sit on that Board;  
11 correct?  
12 A. I do not.  
13 Q. And you have not sat on that Board since  
14 early January, 2014; correct?  
15 A. Correct.  
16 Q. And you have not had any further involvement  
17 with I-LEAD Charter School as a School Board member for the  
18 Reading School District since January of 2014; correct?  
19 A. Correct.  
20 Q. You haven't had any discussions with the  
21 Administration regarding the performance of I-LEAD Charter  
22 School during that time period?  
23 A. Since January of 2014?  
24 Q. Correct.  
25 A. No.

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1 Q. And you had testified about your knowledge  
2 of annual reviews, and Mr. Stacey showed you a provision in  
3 Section 1728 of the Charter School Law. Do you see that?  
4 A. Yes, I had.  
5 Q. Had you ever read that provision of the  
6 Charter School Law before he showed that to you today?  
7 A. I had not read this provision. We knew of  
8 this provision because it was part of the information that  
9 was given to us by Counsel when we first started getting  
10 Charter applications.  
11 Q. I don't want you to disclose any  
12 conversations you had with Counsel. So you were aware at  
13 the time you were on the Board that the School District was  
14 to be performing an annual review of the Charter School?  
15 A. Yes.  
16 Q. Do you know what annual review means?  
17 A. An annual review means that the District  
18 should be provided or should get from the Charter School  
19 various reports and information regarding the performance  
20 and various reports from the Charter School.  
21 Q. Is that your definition of annual review?  
22 A. That's how I interpreted what the annual  
23 review process would be.  
24 Q. Your personal interpretation?  
25 A. Yes, I'm speaking on behalf of me.

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1 Q. You weren't given that definition of annual  
2 review by anyone else?  
3 A. No, because the Administration never  
4 provided the information.  
5 Q. Did you ever ask them --  
6 A. Yes, we did.  
7 Q. -- to provide that information?  
8 A. We asked all three Superintendents who were  
9 seated at the time.  
10 Q. And you're saying that never occurred?  
11 A. The Board never was provided the  
12 information.  
13 Q. So you didn't have any information about  
14 I-LEAD Charter School at the time of the renewal?  
15 A. We did not. Dr. Purcell did not provide us  
16 the information. She was not in favor of the renewal of  
17 the Charter School. She prepared some documents, but the  
18 Administration had not -- she prepared the information  
19 herself, but the District had not been to the Charter  
20 School, they had not received reports.  
21 We had many discussions about this as a  
22 Board, and the Board was actually split in that decision  
23 process. We felt, as a Board, we could not -- I could not,  
24 speaking on behalf of myself --  
25 Q. Sure.

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1 A. -- I could not in good faith not renew the  
2 contract, given that I did not have pertinent information  
3 in which to do so.  
4 Q. So you felt the Charter School's Charter had  
5 to be renewed because you didn't have enough information --  
6 A. To not --  
7 Q. -- to deny the renewal?  
8 A. Exactly.  
9 Q. Are you aware that Dr. Purcell had prepared  
10 a Resolution supporting the non-renewal of the Charter?  
11 A. We were aware. Yes.  
12 Q. And that had been presented to the Board  
13 prior to the renewal decision; correct?  
14 A. We had the -- we did have that.  
15 Q. But the Board did not vote on that  
16 Resolution?  
17 A. Dr. Purcell at the time was not in the  
18 city. Dr. Purcell, if you recall, Allison, was not even in  
19 Reading. She was in South Carolina.  
20 Q. I did not represent the School District at  
21 that time.  
22 A. You represented us, I think, right after  
23 that; correct?  
24 Q. I did not represent the School District  
25 relative --

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1 A. That's true.  
2 Q. -- to the renewal of I-LEAD Charter School;  
3 correct?  
4 A. Correct.  
5 Q. And you had indicated earlier that the  
6 District did have some information, public records  
7 regarding I-LEAD's Charter School assessment data?  
8 A. Yes. We had assessment data. We had  
9 assessment data because assessment data is -- you know,  
10 when PSSA scores come out, everyone -- the newspaper  
11 published assessment data. So I could read assessment data  
12 because I picked up the newspaper. That's how I knew what  
13 the assessment data was.  
14 Q. So the Board did renew I-LEAD's Charter by,  
15 I believe, a vote of eight to one. Is that correct?  
16 A. No. It was seven, one, one.  
17 Q. So seven for, one against, and one absent?  
18 A. Yes.  
19 MR. STACEY: Did you say absent?  
20 THE WITNESS: Abstained.  
21 BY MS. PETERSEN:  
22 Q. I'm sorry. Thank you for clarifying. Two  
23 differ concepts.  
24 A. Yes, one abstention.  
25 Q. And in terms of the revised application that

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1 I-LEAD had submitted, you voted to approve that?  
2 A. Yes.  
3 Q. But you testified today that you hadn't  
4 actually read the revised application?  
5 A. I don't recall testifying that I did not  
6 read the revised application. Was that one of the  
7 exhibits?  
8 Q. Yes. Your Counsel asked you to look at  
9 Joint Exhibit 5.  
10 A. Let's go back then.  
11 Q. I'm sorry.  
12 A. I thought that was the original  
13 application.  
14 Q. I'm sorry. Let me just -- I may have  
15 misunderstood you. So Joint Exhibit 5, do you see that?  
16 A. Yes, that's the original ap -- that was the  
17 original --  
18 Q. You had not read that before today?  
19 A. Yes, but that's not the renewal  
20 application.  
21 Q. I had said --  
22 A. That's a letter.  
23 Q. Right. What's contained within Joint  
24 Exhibit 5, the entirety of it, had you read it before  
25 today?

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<p>1 A. (Witness reviewed document.)</p> <p>2 Then let me clarify because this -- I did</p> <p>3 not look past -- he asked me about this first letter, which</p> <p>4 is the only thing that I thought he was referring to. If I</p> <p>5 go past that, I did read the School Design because this was</p> <p>6 a part of the original application. So thank you for the</p> <p>7 clarity. I did see this, because this was their</p> <p>8 philosophy, their curriculum. My copy is actually, which I</p> <p>9 still have, is pretty marked up. Yes (indicating).</p> <p>10 Q. So did you read the entirety of it?</p> <p>11 A. I read the entirety of it, which is why I</p> <p>12 could speak to the grade levels and their curriculum which</p> <p>13 we discussed in the Act 34 hearing in the first hearing</p> <p>14 that they had.</p> <p>15 Q. And your testimony was that there was</p> <p>16 discussion at the hearing on the revised application about</p> <p>17 the concerns that you noted with the focus on only 11th and</p> <p>18 12th graders?</p> <p>19 A. There was discussion even at the June</p> <p>20 meeting because this exhibit refers to the June 4th when</p> <p>21 they first presented. And so when it came time for the</p> <p>22 Board to question, I had gone through this application and</p> <p>23 there were several -- I wrote all the questions that I</p> <p>24 wanted to ask of I-LEAD and of -- I can't recall who their</p> <p>25 expert witness was for the curriculum, but I had curriculum</p> <p style="text-align: right;">419</p>	<p>1 that's -- so that was my concern, yes. Thank you for</p> <p>2 clarity. I didn't go past that.</p> <p>3 Q. There was the article that you were asked to</p> <p>4 look at. I believe there was a statement in there about</p> <p>5 conditions.</p> <p>6 A. Can we go back?</p> <p>7 Q. Sure.</p> <p>8 A. Do you know what the number is?</p> <p>9 Q. Joint Exhibit --</p> <p>10 A. 16?</p> <p>11 HEARING OFFICER: Charter School 13.</p> <p>12 THE WITNESS: I have it. Go ahead.</p> <p>13 BY MS. PETERSEN:</p> <p>14 Q. The paragraph that was noted at the bottom</p> <p>15 with Board members submitting conditions.</p> <p>16 A. Yes.</p> <p>17 Q. Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. So you're not aware of any Board members</p> <p>20 submitting anything in writing to Mr. Stott?</p> <p>21 A. All the information was discussed in the</p> <p>22 meeting, and Mr. Stott was taking those notes.</p> <p>23 Q. That's the Committee of the Whole meeting</p> <p>24 you're referencing?</p> <p>25 A. I'm not really sure which meeting. I mean,</p> <p style="text-align: right;">421</p>
<p>1 questions, and so I had marked this particular document,</p> <p>2 and so I was able to ask all of my questions.</p> <p>3 My background is education, so I wrote</p> <p>4 quite a few things in my report -- in my document.</p> <p>5 Q. And some of the concerns you were noting</p> <p>6 were the result of your concern that the dropout issue</p> <p>7 started much earlier than 11th grade?</p> <p>8 A. Exactly, based on information that we, as</p> <p>9 Board members, had been given by Mr. Turman, the other</p> <p>10 Administrators in the District reporting to the Board where</p> <p>11 our concerns were as a District.</p> <p>12 Q. And those concerns were that students were</p> <p>13 dropping out of school earlier than 11th grade?</p> <p>14 A. Yes.</p> <p>15 Q. They were dropping out in 9th grade?</p> <p>16 A. In 9th grade. Our dilemma in the Reading</p> <p>17 School District at that time was happening right at the 8th</p> <p>18 grade because 8th grade at that time, I believe, was still</p> <p>19 in our middle schools, if my recollection -- if I remember</p> <p>20 correctly.</p> <p>21 Q. So the District was aware that there was a</p> <p>22 dropout issue?</p> <p>23 A. Yes.</p> <p>24 Q. And it was starting before 11th grade?</p> <p>25 A. Yes. We weren't good at addressing it, but</p> <p style="text-align: right;">420</p>	<p>1 we had the Charter School -- we had the first Act 34</p> <p>2 hearing, and if my memory serves me, most of these</p> <p>3 conditions were discussed there.</p> <p>4 And it was our -- if I remember correctly,</p> <p>5 when we expressed what those conditions were, it was our</p> <p>6 assumption that Mr. Stott was writing those down because</p> <p>7 that was the direction, so that he could make sure that</p> <p>8 they got to I-LEAD and their Counsel.</p> <p>9 MS. PETERSEN: That's all I have.</p> <p>10 HEARING OFFICER: Any redirect?</p> <p>11 MR. STACEY: Nothing further, no.</p> <p>12 HEARING OFFICER: Ma'am, thank you so</p> <p>13 much.</p> <p>14 THE WITNESS: You're very welcome.</p> <p>15 MR. STACEY: At this point, we don't have</p> <p>16 any more witnesses.</p> <p>17 HEARING OFFICER: Why don't we go off the</p> <p>18 record for a second.</p> <p>19 (Discussion was held off the record.)</p> <p>20 HEARING OFFICER: We're back on the</p> <p>21 record. Pursuant to the agreement with Counsel, and I'm</p> <p>22 going to ask Mr. Stacey and Ms. Petersen to correct me if</p> <p>23 I'm wrong, Mr. Stacey has concluded his presentation of</p> <p>24 testimony with regards to his case on the Charter</p> <p>25 Application Amendment. Is that correct?</p> <p style="text-align: right;">422</p>



1 MR. STACEY: That is correct.  
2 HEARING OFFICER: We had agreed at this  
3 point that the School District Administration would be  
4 presenting its witnesses with regards to the Charter  
5 Amendment issue and their revocation case when we  
6 reconvene the hearing. Is that correct, Ms. Petersen?  
7 MS. PETERSEN: That is correct.  
8 HEARING OFFICER: And in trying to plan  
9 for this thing, both Counsel had contemplated that we  
10 would be starting that probably on February 2nd. Is that  
11 correct?  
12 MS. PETERSEN: That is correct.  
13 MR. STACEY: Correct.  
14 HEARING OFFICER: Since we are pretty  
15 much done with the witnesses, probably a little faster  
16 pace than we anticipated, this is what we're going to do.  
17 We are not going to hold the hearing on January 26th, as  
18 currently scheduled. And I would ask the District  
19 Administration just to post something here so people are  
20 aware that we're not meeting on the 26th, and would ask  
21 both Counsel, and since Reading Eagle is here, to let  
22 people know that we will not be meeting on January 26th  
23 as originally planned.  
24 We are going to reconvene on February 2nd  
25 at 9:30 a.m. in this room to begin that. Is there any

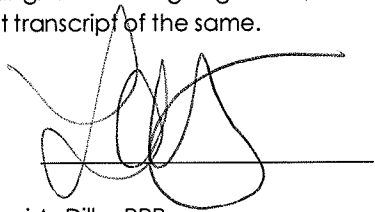
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1 questions or comments from Counsel?  
2 MS. PETERSEN: No.  
3 HEARING OFFICER: If not, we are in  
4 recess until February 2nd at 9:30 a.m. Thank you.  
5 MS. PETERSEN: Thank you.  
6 (Whereupon, the hearing adjourned at 1:45  
7 o'clock p.m.)  
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**CERTIFICATE**

1  
2  
3 I hereby certify that the proceedings and  
4 evidence are contained fully and accurately in the notes  
5 taken by me, to the best of my ability, in the  
6 proceedings of the foregoing cause, and that this copy is  
7 a correct transcript of the same.  
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Lori A. Dilks, RPR  
  
Notary Public in and for  
the Commonwealth of Pennsylvania  
  
BERKS COURT REPORTING SERVICE

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