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# Transcript of Due Process Hearing - Day 2

**Date:** February 28, 2019

**Case:** Fauquier County Public Schools adv **REDACTED**, In Re:

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COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF EDUCATION  
Office of Dispute Resolution and  
Administrative Services

IN RE: DUE PROCESS HEARING

for **REDACTED**

HEARING  
Thursday, February 28, 2019  
9:54 a.m.

Job: 232486  
Pages: 1 - 107  
Transcribed by: Sheila Martin

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Hearing held at:

WARRENTON COMMUNITY CENTER

430 East Shirley Avenue

Warrenton, Virginia 20186

Location phone number

Pursuant to Notice, before Dustin Thomason,  
Notary Public in and for the Commonwealth of  
Virginia.

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A P P E A R A N C E S

ON BEHALF OF THE PARENTS OF **REDACTED**

**REDACTED** :

ADAM VAN SCOYOC

JEFF NANNI

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

ON BEHALF OF THE FAUQUIER COUNTY PUBLIC  
SCHOOLS:

NICOLE S. CHEUK, ESQUIRE

SANDS ANDERSON, PC

1111 E. Main Street

Suite 2400

Richmond, Virginia 23219

(804) 648-1636

1           A P P E A R A N C E S (Continued)

2

3       ALSO PRESENT:

4           FRANK G. ASCHMANN, ESQUIRE - HEARING

5           OFFICER

6           ASCHMANN & ASCHMANN

7           209 South Alfred Street

8           Alexandria, Virginia 22314

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C O N T E N T S

PAGE

TESTIMONY OF FRANK FINN	7
TESTIMONY OF CHRISTINE WILLING	25
TESTIMONY OF SHANNANN LANTERMAN	67
TESTIMONY OF STEPHANIE MCCOY	76
CLOSING ARGUMENTS	99

E X H I B I T S

(Retained by Counsel)

PAGE

Exhibit 4	Brief 2 Teacher Form	81
Exhibit 11	Progress Report 10/31/17	80
Exhibit 16	IEP	9
Exhibit 24	Observation Report	29
Exhibit 28	Eligibility Meeting 7/10	69
Exhibit 29	Special Education Mtg. Notice	16
Exhibit 33		17
Exhibit 46	Discipline Referral	11

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

2 MR. ASCHMANN: We're here for the second day of  
3 this hearing. Were there any preliminary motions  
4 either party would like to make?

5 MR. VAN SCOYOC: I'm not sure it matters but a  
6 procedural question. I'm just curious. Is it  
7 possible to switch to a closed hearing on day two or  
8 do we have to keep it open?

9 MR. ASCHMANN: Is there any objection?

10 MS. CHEUK: No.

11 MR. ASCHMANN: You can switch, sure.

12 MR. VAN SCOYOC: Okay. I'd like to --

13 MR. ASCHMANN: We won't allow any guests in.

14 MR. VAN SCOYOC: Okay.

15 MR. ASCHMANN: If there's nothing further,  
16 would you like to call your first witness?

17 MR. VAN SCOYOC: Yes, Mr. Finn please.

18 MR. ASCHMANN: Please come on in, sir. Right  
19 on up front. Have a seat.

20 Do you swear to tell the truth in these  
21 proceedings?

22 EXAMINATION BY COUSEL FOR THE PARENTS OF

1 **REDACTED**

2 MR. FINN: I do.

3 MR. ASCHMANN: Thank you. This gentleman has  
4 some questions for you. Please answer them.

5 MR. FINN: Sure.

6 MR. VAN SCOYOC: Mr. Finn, can you please state  
7 your name for the record?

8 MR. FINN: Frank Finn, Assistant  
9 Superintendent.

10 MR. VAN SCOYOC: Can you please state your  
11 academic background?

12 MR. FINN: I have a Bachelor's degree in  
13 history. I have a Master's in social work from  
14 Catholic University and I have a Master's in  
15 education leadership from George Mason University.

16 MR. VAN SCOYOC: Can you please state your  
17 professional background?

18 MR. FINN: I've worked in both the social work  
19 profession and the education profession.

20 MR. VAN SCOYOC: Okay. How many years have you  
21 worked for Fauquier County Public Schools?

22 MR. FINN: This is my 11th year.



1 MR. VAN SCOYOC: Okay. Would you consider  
2 yourself an expert in the field of special education?

3 MR. FINN: Yes.

4 MR. VAN SCOYOC: Mr. Aschmann, can I move to  
5 make him -- establish him as an expert in the field  
6 of special education?

7 MR. ASCHMANN: Any objection? He will be so  
8 recognized.

9 MR. VAN SCOYOC: Okay. Mr. Finn, does Mr.  
10 Corpening report to you?

11 MR. FINN: Yes. I'm his supervisor.

12 MR. VAN SCOYOC: Okay. Through previous  
13 testimony we heard that Ms. Hoeting, **REDACTED**'s former  
14 case manager, retired yet attended the January 11th,  
15 2019 eligibility meeting post-retirement.

16 I have an email correspondence stating that she  
17 will be around Marshall Middle School for the  
18 remainder of the school year. Is she currently a  
19 Fauquier County Public School employee?

20 MR. FINN: I don't have any direct knowledge of  
21 that. I think that would be a question that would  
22 have to be directed through human resources.

1 MR. VAN SCOYOC: Do you know if she's involved  
2 with Fauquier County Public Schools in any way?

3 MR. FINN: I know she was here yesterday.

4 MR. VAN SCOYOC: Are you aware of any  
5 volunteering activities?

6 MR. FINN: I have no knowledge.

7 MR. VAN SCOYOC: Why has REDACTED had three case  
8 managers this year?

9 MR. FINN: The case managers are assigned by  
10 the building administration. That's not something  
11 that I would have insight into. You know, that's not  
12 a central office function -- not something that I  
13 would be involved in. So I can't really give you a  
14 good answer.

15 MR. VAN SCOYOC: Okay. Could you please turn  
16 to Exhibit 16 in the white binder, Volume 1?

17 So this is REDACTED's current IEP. Through  
18 previous testimony we've heard that this was a  
19 properly comprised IEP meeting. In your opinion, why  
20 would Fauquier County Public Schools agree to add  
21 social roles to an IEP if there was no intention of  
22 allowing at least one full academic year to show

1 progress in those areas?

2 MR. FINN: I can't really speculate why. I  
3 wasn't part of this process. You know, so it would  
4 be important to have the context of what happened in  
5 those meetings to understand why we would do that.  
6 You know, I did not participate in the development of  
7 the IEP. So I think it would be very difficult to  
8 give a good answer to that.

9 MR. VAN SCOYOC: In Fauquier County Public  
10 Schools is it typical for an IEP team to convene and  
11 sign an IEP and then not implement that IEP for one  
12 full academic school year?

13 MS. CHEUK: I object. I don't think any of  
14 this is relevant to REDACTED's eligibility.

15 MR. ASCHMANN: How is it relevant?

16 MR. VAN SCOYOC: It is relevant because  
17 Fauquier County Public Schools agreed to an IEP and  
18 now they're trying to take away these goals.

19 MR. ASCHMANN: What does that have to do with  
20 eligibility? That's an IEP issue. This is what I  
21 tried to direct you on yesterday that we don't need  
22 to go down the road about individual problems within

1 an IEP. They don't really reflect the issue of  
2 eligibility.

3 MR. VAN SCOYOC: Okay. That's fine. Okay, Mr.  
4 Finn, in the white binder, could you please turn to  
5 Exhibit 46?

6 MS. CHEUK: I don't have --

7 MR. ASCHMANN: Mine goes to 40.

8 MS. CHEUK: -- to 40.

9 MR. ASCHMANN: Yeah.

10 MR. VAN SCOYOC: In the white binder -- or,  
11 sorry, the black binder. I apologize. Are you  
12 familiar with this document?

13 MR. FINN: Office discipline referral, yes.

14 MR. VAN SCOYOC: Are you familiar with the  
15 details of this incident?

16 MR. FINN: Let me just take a look real quick  
17 and see which this is. Yes, I am familiar.

18 MR. VAN SCOYOC: And what are the details of  
19 this incident?

20 MR. FINN: The details of the incident is that  
21 REDACTED had violated one of the behavioral expectations  
22 in our Fauquier County Public Schools code of conduct

1 that he did stab another student -- a fellow student  
2 -- with a mechanical pencil and it did cause a  
3 superficial injury to that student. And, you know,  
4 that's essentially the fact of that. But there's  
5 some nuance details.

6 MR. VAN SCOYOC: And are you aware that the --  
7 Ms. Henson sent this to Officer Jenkins to be  
8 processed with --

9 MS. CHEUK: He's asking a leading question. I  
10 object to that form of questioning.

11 MR. ASCHMANN: On direct examination you can't  
12 lead the witness. You have to ask open-ended  
13 questions like where, what, why, how.

14 MR. VAN SCOYOC: Are you aware that Fauquier  
15 County intake officer dismissed --

16 MS. CHEUK: That's also -- objection. That's  
17 also a leading question.

18 MR. ASCHMANN: Yeah. That's -- you need to try  
19 to reformulate your questions. That's not the proper  
20 form.

21 MR. VAN SCOYOC: Are you aware of the outcome  
22 of this?

1 MS. CHEUK: Objection.

2 MR. ASCHMANN: That's not the way to start the  
3 question, sir.

4 MR. VAN SCOYOC: What was the outcome of this?

5 MR. FINN: The outcome of the discipline?

6 MR. VAN SCOYOC: Yes.

7 MR. FINN: From the school's perspective?

8 MR. VAN SCOYOC: Yes.

9 MR. FINN: The outcome of this is that REDACTED  
10 was disciplined for the behavior that he demonstrated  
11 by stabbing the other student. So there was a  
12 suspension as a result of that.

13 MR. VAN SCOYOC: What was the outcome from  
14 Fauquier County intake?

15 MR. FINN: The court process is separate from  
16 our process. We manage the discipline. In Virginia,  
17 the Virginia code requires us to report certain  
18 disciplinary infractions when they're coded. And  
19 we're mandated to do that.

20 So in this instance, this was what was done.  
21 From that point forward we have no authority or  
22 involvement in what the Fauquier County Sheriff's

1 Office does or the intake office does. So -- and we  
2 don't communicate about that.

3 MR. VAN SCOYOC: Did the intake office never  
4 get in touch with any Fauquier County School employee  
5 with the outcome?

6 MR. FINN: We heard from --

7 MR. ASCHMANN: That would be hearsay, sir.  
8 Where is this going? It's just -- I don't follow  
9 what you're trying to accomplish here.

10 MR. VAN SCOYOC: Yesterday I had objected to  
11 questions regarding referrals and behavior and you  
12 said that they were very relevant. So in that same  
13 vein --

14 MR. ASCHMANN: Well, it may be but I'm -- I'm  
15 not understanding where you're going.

16 MR. VAN SCOYOC: Okay.

17 MR. ASCHMANN: I'm not trying to stop you from  
18 questioning him about the incident. But you need to  
19 tie it in in some way or it's just not going to help  
20 me.

21 MR. VAN SCOYOC: Okay. I'll move on. Do you  
22 know of any state complaints filed by myself or Mr.

1 Nanni?

2 MR. FINN: I'm familiar that a number of state  
3 complaints have been filed, yes.

4 MR. VAN SCOYOC: Are you aware of a state  
5 complaint filed regarding this specific incident on  
6 11/28/18?

7 MR. FINN: I have a general awareness of it,  
8 yeah. Yes.

9 MR. VAN SCOYOC: Do you know when the letter of  
10 findings from that complaint from Virginia Department  
11 of Education were due?

12 MR. FINN: I do not.

13 MS. CHEUK: Again, I object to -- I don't know  
14 how this relates to the eligibility. The fact of the  
15 discipline has been testified to yesterday and today.

16 MR. ASCHMANN: Correct. And the outcomes and  
17 so forth of state complaints are not relevant at all.  
18 This is a new proceeding. I'm not going to make any  
19 decisions based on what another tribunal did. So it  
20 -- telling me the state did or so forth doesn't help  
21 unless you can tie it in to something about REDACTED's  
22 condition and the way that would apply to his



1 eligibility.

2 MR. VAN SCOYOC: What I'm getting at is whether  
3 or not the county filed due process in an attempt to  
4 prevent the Virginia Department of Education from  
5 completing their --

6 MR. ASCHMANN: That's irrelevant to his  
7 eligibility. You're way off track, sir.

8 MR. VAN SCOYOC: Okay. I'm trying.

9 MR. ASCHMANN: I understand and -- it's  
10 difficult for you.

11 MR. VAN SCOYOC: Okay. In the -- going back to  
12 the white binder volume one, can you please go to  
13 Exhibit 29? Are you familiar with this document?

14 MR. FINN: I knew what the document is. You  
15 know, it's our meeting -- special education meeting  
16 notice. I know what the document is.

17 MR. VAN SCOYOC: Do you know why Fauquier  
18 County Schools would refuse a parent request to  
19 reschedule a meeting?

20 MR. FINN: Again, I'd have to say, you know,  
21 unless I understood the context, you know, the thing  
22 to understand with my role is I'm not directly

1 involved at this level. So without understanding the  
2 context, I really can't generate -- formulate a  
3 substantive response to you because I don't have  
4 enough knowledge.

5 MR. VAN SCOYOC: Mr. Corpening doesn't share  
6 details with you involving --

7 MR. FINN: Some but --

8 MS. CHEUK: Objection. That's a leading  
9 question again.

10 MR. ASCHMANN: It's a leading question. You're  
11 also asking for hearsay. So if that's a question you  
12 want to ask of somebody else -- you need to ask the  
13 person who has direct knowledge if you can.

14 Mr. Finn obviously is in a supervisory role so  
15 he's not going to know the intimate details of what  
16 happened in things that he wasn't present for. You  
17 need to ask him about things he would have factual  
18 knowledge of. We're here to gain facts. That's what  
19 I need.

20 MR. VAN SCOYOC: Okay. This will probably be  
21 objected to as well but could you please go to  
22 Exhibit 33? Do you believe that the IDEA's lynchpin

1 is parental participation in major educational  
2 decisions?

3 MR. FINN: Can you restate the question?

4 MR. VAN SCOYOC: Do you believe that the IDEA  
5 -- the lynchpin of IDEA is parental participation in  
6 major educational decisions?

7 MR. FINN: I think it's a component in  
8 educational decisions -- something that should always  
9 be considered.

10 MS. CHEUK: I obj -- I do object to this  
11 exhibit. I have no idea why it's relevant. It's  
12 from the Ninth Circuit. It does not -- it does not  
13 apply to eligibility. It applies to IEP meetings.  
14 It has nothing to do with this case.

15 MR. ASCHMANN: It's a formal decision of a  
16 United States Court of Appeals. I think I can take  
17 it in but I agree with you. I didn't see any  
18 relevance to the case. And the Ninth Circuit is not  
19 resident. This is the Fourth Circuit.

20 MR. VAN SCOYOC: On page nine of this document  
21 it goes on -- well, I guess my question to you, Mr.  
22 Finn, would be are you aware that there's significant

1 precedent in federal case laws stating that IDEA  
2 structure relies upon parental participation to  
3 ensure the substantive success of the IDEA and  
4 providing quality education to disabled students?

5 MS. CHEUK: I object. That's a leading  
6 question.

7 MR. ASCHMANN: Well, it's a leading question,  
8 sir and I don't see any relevance to it either.  
9 We're here to talk about his eligibility; not general  
10 principles about IDEA. I mean, you need to apply the  
11 principles that go to eligibility in IDEA to this  
12 case not just everything in general. We're here on a  
13 very narrow issue, sir -- just his eligibility. Try  
14 to focus your case, please.

15 MR. VAN SCOYOC: I'm trying to focus on the  
16 procedural mishandlings.

17 MR. ASCHMANN: Well, there's no procedural  
18 issue that you raised so we're not here to discuss  
19 procedural issues. That's what I've been trying to  
20 tell you. We have a very narrow focus here which is  
21 just his eligibility and a bunch of irrelevant  
22 material isn't going to help me decide that issue.

1 MR. VAN SCOYOC: Okay. I apologize. I thought  
2 this was relevant material. So I understand.

3 MR. ASCHMANN: Yes, sir.

4 MR. VAN SCOYOC: Could you please turn to  
5 Exhibit 34? Did you and Mr. Corpening call me on  
6 December 5th, 2018?

7 MR. FINN: We did call you. I don't know at  
8 the moment the exact date but we did -- I do recall  
9 talking to you.

10 MR. VAN SCOYOC: And what was discussed on that  
11 phone call?

12 MR. FINN: We called -- we were seeking  
13 resolution to, you know, the fact that we've had  
14 ongoing disagreements that a number -- a large number  
15 of state complaints and complaints were filed to the  
16 Office of Civil Rights. We were trying to understand  
17 your perspective.

18 We were very aware that the level of disruption  
19 at Marshall Middle School and the operation of that  
20 school was significant. So we called to try to  
21 understand better your perspective and see if there  
22 were any possible ideas for resolution to the current

1 place we were at and that was our whole purpose in  
2 calling.

3 MR. VAN SCOYOC: And was one of those proposed  
4 resolutions touring the KEYS Academy in Culpeper,  
5 Virginia?

6 MR. FINN: We asked, you know, what the options  
7 were. What I recall is that we talked about the  
8 possibility of other middle schools in the county.  
9 And we talked about the possibility of visiting  
10 outplacements if that was something you were  
11 interested in considering. I don't recall whether  
12 KEYS Academy was specifically discussed in that  
13 conversation but I'm aware that you ultimately did  
14 visit KEYS Academy.

15 MR. VAN SCOYOC: Who contacted Ms. Oliver  
16 instructing her to organize a tour of the KEYS  
17 Academy?

18 MR. FINN: I can't answer that question because  
19 I didn't do it. So, again, I'm often involved in a  
20 different element in the organizational functioning  
21 and so I don't have a lot of direct involvement in  
22 the logistics of what we do out of our office. I

1 have the higher level view of what we do.

2 MR. VAN SCOYOC: Understood. Could you please  
3 go to Exhibit 36?

4 MS. CHEUK: I'm going to have to object to this  
5 exhibit, Mr. Hearing Officer.

6 MR. ASCHMANN: Yes.

7 MS. CHEUK: It's not relevant. These are  
8 details about a private placement. I understood  
9 discussions about resolving issues prior to the  
10 filing of the due process were not relevant to your  
11 decision on eligibility.

12 MR. ASCHMANN: Well, they're not. You know,  
13 what was offered as settlement negotiations are not  
14 relevant to the issue of eligibility. We covered  
15 that before and this does appear to just be documents  
16 related to potential placement at KEYS Academy. How  
17 is that relevant?

18 MR. VAN SCOYOC: It's relevant, sir, because  
19 the admissions criteria for the school which they  
20 offered us a tour of requires that students have a  
21 category of OHI, ASD, ED, et cetera. They only admit  
22 students with those eligibility criteria.

1 MR. ASCHMANN: Yeah. I mean, but the -- again,  
2 you don't seem to follow what I'm saying. Prehearing  
3 negotiations to resolve an issue, even if they're  
4 issues way back, aren't relevant to is he eligible.  
5 That's the only question we're here to answer. And I  
6 understand the way you're thinking about it, but it's  
7 just that, you know, people may offer things to try  
8 to resolve a case that don't have anything to do with  
9 whether he's qualified or not.

10 And that's why I've tried to, again, point you  
11 in the right direction on that yesterday that  
12 settlement negotiations and things don't help me  
13 decide his eligibility. So it is irrelevant. It's  
14 not something I need to hear about.

15 MR. VAN SCOYOC: Okay. I did not think it was  
16 irrelevant but that --

17 MR. ASCHMANN: I understand. I understand.  
18 You've explained how you thought it was relevant but  
19 I'm telling you it still is not because it's a  
20 prehearing negotiation to try to resolve the matter  
21 and those are never relevant.

22 MR. VAN SCOYOC: Okay. No further questions



1 for you, Mr. Finn.

2 MR. ASCHMANN: Cross?

3 CROSS-EXAMINATION BY COUNSEL FOR FAUQUIER

4 COUNTY PUBLIC SCHOOLS

5 MS. CHEUK: Yes, sir. Mr. Finn, in your  
6 capacity as assistant superintendent, you don't  
7 regularly attend IEP or eligibility meetings; do you?

8 MR. FINN: No, I do not.

9 MS. CHEUK: And you've never attended an  
10 eligibility meeting for REDACTED?

11 MR. FINN: Never.

12 MS. CHEUK: And you never attended an IEP  
13 meeting for REDACTED?

14 MR. FINN: Never.

15 MS. CHEUK: That's all I have.

16 MR. ASCHMANN: Thank you, sir.

17 MR. FINN: Thank you.

18 MR. ASCHMANN: Sorry we've taken up so much of  
19 your time.

20 MR. FINN: Not a problem. I appreciate it.

21 MR. ASCHMANN: Call your next witness, please.

22 MR. VAN SCOYOC: Is Ms. Willing here?

1 MR. NANNI: I'm not sure. I'm going to go out  
2 and take a look, I guess.

3 MR. ASCHMANN: Hello.

4 MS. WILLING: Hi.

5 MR. ASCHMANN: Please, have a seat. Swear to  
6 tell the truth in these proceedings?

7 MS. WILLING: Yes.

8 MR. ASCHMANN: You may inquire.

9 EXAMINATION BY COUNSEL FOR THE PARENTS OF

10 **REDACTED**

11 MR. VAN SCOYOC: Hi, Ms. Willing.

12 MS. WILLING: Hi.

13 MR. VAN SCOYOC: Can you please state your name  
14 for the record?

15 MS. WILLING: Christine Willing.

16 MR. VAN SCOYOC: And can you please state your  
17 academic background?

18 MS. WILLING: I am a licensed school  
19 psychologist.

20 MR. VAN SCOYOC: So which licenses do you hold?

21 MS. WILLING: Nationally certified school  
22 psychologist and in the State of Virginia.

1 MR. VAN SCOYOC: Can you state your  
2 professional background?

3 MS. WILLING: As far as my work experience?

4 MR. VAN SCOYOC: Uh-huh.

5 MS. WILLING: Okay. So I've been working in  
6 the school systems for eight years and then last year  
7 started working privately. So been a school  
8 psychologist for about ten years.

9 MR. VAN SCOYOC: Ten years, okay. Mr.  
10 Aschmann, can I move to establish Ms. Willing as an  
11 expert in the field of educational psychology?

12 MR. ASCHMANN: Any objections?

13 MS. CHEUK: No.

14 MR. ASCHMANN: So recognized.

15 MR. VAN SCOYOC: Ms. Willing, do you know Jeff?

16 MS. WILLING: We've just met in person today.

17 MR. VAN SCOYOC: Do you know myself?

18 MS. WILLING: No.

19 MR. VAN SCOYOC: Have we ever spoken on the  
20 phone, email?

21 MS. WILLING: I don't even know your name.

22 MR. VAN SCOYOC: My name's Adam Van Scoyoc.

1 MS. WILLING: Oh, okay. Nice to meet you.

2 MR. VAN SCOYOC: Do you know **REDACTED**?

3 MS. WILLING: I have observed him but I've  
4 never actually spoken with him.

5 MR. VAN SCOYOC: Okay. Has anyone been in  
6 contact with you to coach you, prepare you or in any  
7 way attempt to influence any of your questions to any  
8 -- any of your answers to any questions you will be  
9 asked --

10 MS. WILLING: No.

11 MR. VAN SCOYOC: -- during today's hearing?  
12 When and how did my family first get in contact with  
13 you to schedule an independent observation?

14 MS. WILLING: I would say it was back in  
15 October. I received an email from Jeff stating that  
16 he was looking for someone to conduct an IEE for his  
17 son and they wanted to get someone totally separate  
18 and outside of the school system to come in and just  
19 observe.

20 MR. VAN SCOYOC: Okay. Did Ms. Grady attend  
21 the observation with you that day?

22 MS. WILLING: That's the social worker?

1 MR. VAN SCOYOC: Yes, --

2 MS. WILLING: Yes.

3 MR. VAN SCOYOC: -- the social worker. How  
4 often do school employee -- school employed social  
5 workers accompany you during your observations?

6 MS. WILLING: Often. Yeah, you always have to  
7 have someone with you.

8 MR. VAN SCOYOC: Okay. From previous testimony  
9 we've heard that you rifled through teachers' desks  
10 during your observation; is that true?

11 MS. WILLING: No.

12 MR. VAN SCOYOC: From previous testimony we've  
13 heard that you looked at papers sitting on a desk at  
14 the back of a classroom; is that true?

15 MS. WILLING: No. Can you specify what  
16 classroom?

17 MR. VAN SCOYOC: I believe it was language  
18 arts.

19 MS. WILLING: Not in the back of the classroom.  
20 I looked at papers that were on REDACTED's desk.

21 MR. VAN SCOYOC: On REDACTED's desk?

22 MS. WILLING: Yeah.

1 MR. VAN SCOYOC: So they were all REDACTED's  
2 papers?

3 MS. WILLING: Yeah. And I didn't ruffle  
4 through them but I was standing over him so I could  
5 see what he was looking at.

6 MR. VAN SCOYOC: Okay.

7 MS. WILLING: Yeah.

8 MR. VAN SCOYOC: In the white binder labeled  
9 volume one, can you please open to Exhibit 24? Is  
10 this the observation that you completed?

11 MS. WILLING: Yes.

12 MR. VAN SCOYOC: Could you please just give us  
13 an overview of what you observed that day?

14 MS. WILLING: Sure. So I was called in to  
15 observe on -- it was October 19th. And I was wanting  
16 to be there for a full day of classes. I had talked  
17 to the social worker and we had specified some  
18 specific classes that I would be attending.

19 Then when I arrived they had said that it was  
20 actually going to be a shortened day because there  
21 was an assembly. I was not made aware of that and I  
22 drove an hour to the observation. So I was like

1 well, let's just see what I can get accomplished. So  
2 then we kind of scrambled and I said that I would  
3 observe PE, orchestra, math and English. And so  
4 that's what I did.

5 I -- in the beginning, I got there a little bit  
6 early so I sat with the social worker and we just  
7 kind of talked. And I asked her if I could just look  
8 through the file because I knew there had been some  
9 discipline issues. And I was wondering if I could  
10 use that for background information. She said, fine.

11 So I took a look and I noticed that the  
12 discipline file was -- it had multiple other  
13 students' information in there and there was only one  
14 incident of REDACTED's. And then when I asked the  
15 social worker further, she said that there had been  
16 some mix-up and that some of the things weren't filed  
17 because maybe the principal had been looking at them.  
18 I wasn't sure. So I -- so I just, you know, said  
19 okay and we went on to PE.

20 During PE I observed REDACTED in a large class.  
21 How detailed do you want? Do you --

22 MR. VAN SCOYOC: This --

1 MS. WILLING: Okay.

2 MR. VAN SCOYOC: You're doing great. Perfect.

3 MS. WILLING: So I observed him in a large  
4 class of students. There was -- there was four  
5 classes at the time. And then two classes left and  
6 went to another setting. [REDACTED] was observed to be  
7 one of the last students to arrive and he ran into  
8 the locker room to put his stuff down, followed  
9 directions, went to his seat.

10 During the initial few minutes, I saw that he  
11 was talking but not necessarily directed at anyone.  
12 It was, you know, everyone was talking so it wasn't a  
13 big deal. I couldn't really hear what he was saying  
14 because it was very loud. But no -- none of the  
15 other students were really directly interacting. He  
16 was just kind of talking out loud.

17 And then he did interact with two of the  
18 teachers who came over and he kind of asked, you're  
19 leaving us. He seemed kind of upset. He seemed like  
20 he got along with them. Then I saw that while the  
21 teachers were giving instruction, he was very  
22 distracted, looking at the ceiling lights, kind of



1 looking around the room. At one point, he was  
2 spinning around in circles. He was always in his  
3 seat, though. He never stood up. And as soon as the  
4 teacher prompted him, he came back to task.

5 The PE teacher was asking questions and he --  
6 he seemed to understand the answers and he was  
7 correct when he yelled out one of the answers on how  
8 many kids should be playing at one time. The teacher  
9 -- then the kids started playing kick ball and he was  
10 very engaged.

11 He seemed to be enjoying the task but there  
12 were several moments when he wasn't participating.  
13 He was kind of just running around and really excited  
14 and energetic but was not actually participating.  
15 When the ball came to him, another student would kind  
16 of jump in front of him but **REDACTED** did really good.  
17 He didn't really react to that. He just kept going.

18 When they waited in line, he was high-fiving  
19 other students. But when he was kind of waiting in  
20 line he seemed to be screaming and yelling at the  
21 other kids but in a good way kind of like just very  
22 engaged, having fun, enjoying the task.

1           He did hit the ball and he was screaming that  
2 his adrenaline is rushing right now and he seemed to  
3 really be excited that he hit the ball and he was  
4 running to first base. When it was time to pack up,  
5 I noticed that he kind of ran to the locker again and  
6 ran to the front of the line. And then pulled out  
7 his phone, I think -- yeah, he pulled out his phone  
8 to kind of play video games. And another student  
9 came over and kind of was watching over him asking  
10 him questions but, again, he wasn't really  
11 interacting. He was just kind of staring at his  
12 phone.

13           So then I went into orchestra just for a few  
14 minutes because they weren't doing a lot. They were  
15 reviewing some -- somewhere where they were going.  
16 And so I just kind of wanted to see him that  
17 environment. And when I walked in, I noticed that he  
18 was very isolated. So he kind of sat all the way to  
19 the left of the room. There were about 35 students  
20 in the class and he sat all the way to the left side.  
21 There was several chairs in between him and other  
22 students and he wasn't interacting with anyone.

1           The first few minutes of the observation all  
2           the other kids were interacting with each other and I  
3           noticed that he was kind of talking out loud to  
4           himself again so I did notice some of that. But it  
5           wasn't directed at anyone and, again, I couldn't  
6           really hear what he was saying because it was, again,  
7           very loud in the class. So that was kind of  
8           orchestra. There wasn't a lot there.

9           In math I -- this was kind of like the most  
10          shocking observation I would say that I was -- I  
11          walked in the math class and then I asked the teacher  
12          -- I didn't see him so I wanted to know where he was.  
13          The teacher said that he was in a different room down  
14          the hall.

15          So I went down the hall and I found him sitting  
16          -- he was isolated with one other teacher in the  
17          room. And on my way to the room, the teacher had  
18          said. Someone walked me to the room. It was his  
19          case manager. His case manager walked me to the room  
20          and said that 95 percent of the time he's retaking  
21          tests and then kind of laughed. And I was like okay.  
22          And then she was like, well, actually I

1 overexaggerated that. But most of the time he's  
2 taking tests. And that was shocking to me. It  
3 didn't really make a lot of sense.

4 But when I observed him taking the test, he  
5 seemed to be very on task. He didn't ask any  
6 questions. The teacher asked him at several times if  
7 he wanted to take a break. He declined the break.  
8 When he was done, he put his pencil down and he went  
9 through the checklist that I suppose is on the IEP  
10 that he has to say what accommodations he received.  
11 And he answered all those questions, took a break and  
12 then he eventually transitioned back to class.

13 But before that, I had called the teacher out  
14 to kind of like see what was going on and see if I  
15 could get any additional information. Because  
16 whenever I do an observation, I want to know what  
17 tests they're taking, when -- what he's supposed to  
18 be doing in the class just so I understand what is  
19 going on or else I would've just said that he was  
20 taking a test and I wouldn't have had any additional  
21 information.

22 She said that it was a test that he had to make

1 up that -- the class was actually taking a different  
2 test so they had moved on to another topic. And so  
3 then she also stated that, you know, that [REDACTED] has  
4 to make up a lot of tests and that the IEP doesn't  
5 really have a plan for that. So while she said, you  
6 know, that she just follows the IEP for making up  
7 tests, she also said that it doesn't really have a  
8 plan for that. And he was actually making up a test  
9 that he had received a 37 percent on. So a very low  
10 grade.

11 So then after he was done with the test which  
12 took the majority of the period -- but again, this  
13 was a shortened period so this was not a 50-minute  
14 period; this was a 30-minute period. So we walked --  
15 I followed him back to class and he walked in and  
16 there was about four minutes left. And the teacher  
17 had asked for his homework which he didn't have.

18 So the case manager walked with him to his  
19 locker. At this point he was really frantic -- I  
20 can't find it. I know I did it. And the case  
21 manager agreed that he had completed the homework but  
22 somehow he lost it. So the teacher didn't make a big

1 deal out of it and just said, okay. And then all the  
2 students were packing up to leave. So he actually  
3 didn't get to attend any of the math class that day.

4 So then we went to the next period. So then  
5 English he sat in the back of the room and there was  
6 about 19 students and one teacher. And he was in the  
7 back row towards the middle so there was no one to  
8 the left. But there was a student to the right. And  
9 I was -- I was standing right behind him.

10 And the whole time he never acknowledged me.  
11 He never noticed I was there. Sometimes when I'm  
12 doing observations, I have kids -- why are you here,  
13 why are you in the classroom? He didn't even seem to  
14 notice that I was there or else I kind of would've  
15 stood back a little bit. But it didn't seem to  
16 affect it.

17 So I -- you know, I saw that all the kids were  
18 talking about taking a quiz that day and he was  
19 starting to get kind of frantic about it and was  
20 standing up and walking around to the other students  
21 that he knew and asking about the quiz. And he  
22 looked very confused. And then I saw him take two

1 fingers and put them up to his forehead symbolizing a  
2 gun and said, this is me right now -- very clear.  
3 And another student heard him but didn't say  
4 anything. And so I was, you know, taken aback by  
5 that. The teacher did not see it as she was in the  
6 front of the room.

7 Then he sat back down and the teacher gave  
8 directions about the class and the quiz and he was  
9 kind of zoning out at this point. It looked like,  
10 you know, he was fidgeting. He was very nervous.  
11 You could tell that he didn't really know what was  
12 going on.

13 And the teacher came over and kind of told him  
14 that he wouldn't have to take the quiz because he had  
15 missed the previous day. I had asked the teacher  
16 later why he had missed the previous day and she said  
17 that it's because he was in the bathroom for most of  
18 the class the previous day. But I don't exactly know  
19 why he was in the bathroom.

20 Then the teacher gave REDACTED a copy of her  
21 notes. So they were working on The Raven -- and  
22 asked REDACTED to copy them. So she explained to him

1 that he could take the quiz on Monday and he seemed  
2 okay with that. So he began copying the teacher  
3 notes. The teacher then came over with a bag of  
4 highlighters and colored pencils and I believe that's  
5 'cause that's something in a combination that's in  
6 his IEP along with a visual checklist. But he denied  
7 the use of the pencils and just continued working.

8 Around 1:16, the students got up and turned in  
9 their quizzes. He still had not completed his task  
10 and you could tell that he started to become  
11 stressed. He was shaking his legs, rubbing his face.  
12 He was working really quickly, very focused, very on  
13 task except for when the teacher came right next to  
14 him and was helping another student. He became  
15 extremely distracted and just kind of stared at them  
16 while they were talking but eventually got back to  
17 task.

18 REDACTED was then given the poem, The Raven. So  
19 after he was done copying the notes, he was given a  
20 poem and he was asked to read it because he had  
21 missed hearing it out loud the day before. And the  
22 teacher came over to check on him like five minutes



1 later and he was still reading. He had just finished  
2 the poem. He looked very tired at that time. So he  
3 was yawning, rubbing his eyes and the teacher noticed  
4 and the teacher commented that he looked very tired.  
5 And he said he had not had a good night of sleep that  
6 night.

7 So the teacher gave him step by step  
8 instructions. She spent a few minutes just  
9 specifically with him talking about the textual  
10 evidence and that she wanted him to circle items from  
11 the poem. He was supposed to circle several words.  
12 And the class had already done that task. So now he  
13 was back on the task that the class had already  
14 completed and he continued to circle the words.

15 He did not finish the task so he was focused  
16 and there were six times in a five minute period that  
17 he became off task but brought himself back to work  
18 during the circling. And I think that's just because  
19 I saw him looking around at other people who were  
20 getting up and handing things in and the teacher --  
21 it was just something totally different from what he  
22 was working on.

1           The teacher came back to check in on him and  
2           spent a few minutes. He had some questions that he  
3           had to ask so he understood the task. And then the  
4           teacher came back over and he had -- he was not able  
5           to begin working on the assignment that the students  
6           were working on because he had not finished the  
7           previous one and then the teacher said it was time to  
8           clean up and he again got kind of anxious. You know,  
9           when am I going to get to do this. And the teacher  
10          just said, clean it up, put it in your folder and  
11          we'll work on it next time because there was an  
12          assembly -- a PBIS activity that he was going to be  
13          doing.

14          So when the teacher said it was time to clean  
15          up, that's when I saw a lot of agitation. He began  
16          repeatedly hitting the desk and just kind of bouncing  
17          in his seat and just did not know, you know, that --  
18          when he was going to finish his assignment. There  
19          was no clear directions. I think for him he really  
20          needed to know what the plan was and his whole day,  
21          you know, the last two class periods that I had  
22          observed, he was completely doing something separate

1 from the rest of his peers. So that was very  
2 concerning. But then he was able to go to the PBIS  
3 activity and then that was the end of my observation.

4 MR. VAN SCOYOC: Thank you. That's very  
5 helpful. Did he seem worried about time throughout  
6 most of the day?

7 MS. WILLING: Uh-huh.

8 MR. VAN SCOYOC: Would you say very worried?

9 MS. WILLING: Yeah, I mean, he didn't -- he  
10 wasn't able to finish the assignment particularly in  
11 English and I think that worried him. It was  
12 obviously that he was agitated.

13 MR. VAN SCOYOC: Thank you. In your  
14 experience, is it typical for a student to spend the  
15 majority of their time missing classroom instruction  
16 because of retesting?

17 MS. WILLING: No. I mean, I -- so that's  
18 something I commented in my recommendations because  
19 for a student like REDACTED, we know that he's highly  
20 capable. But for some reason, he's getting 37s on  
21 his tests. So it doesn't appear that the instruction  
22 is working. So for a kid like that, typically I

1 would be recommending that he do test corrections.

2 You know, so he either takes the work home or  
3 meet with the teacher at a different time in order to  
4 fully understand the test rather than just retake it.  
5 Now I don't know if there was additional instruction  
6 in between his first test and second test. There  
7 could've been but I wasn't aware of that. But again,  
8 you know, we don't want him to then miss the next  
9 instruction because he's still catching up on older  
10 concepts.

11 MR. VAN SCOYOC: Okay. Is there any reason why  
12 you wouldn't include parent input in observation --  
13 evaluation?

14 MS. WILLING: Oh, I was like, I would never do  
15 that. Parent input in evaluation; is that the  
16 question? Can you specify? Because I didn't do an  
17 evaluation.

18 MR. VAN SCOYOC: I'm sorry. One second. I'm  
19 sorry about that.

20 On page seven of your report, could you go in a  
21 little bit more detail on why you recommend  
22 decreasing isolation for REDACTED?

1 MS. WILLING: In the middle of the  
2 recommendations that he should receive push-in  
3 support?

4 MR. VAN SCOYOC: Sorry. Page seven -- I  
5 thought it was page seven. Oh, on social and  
6 emotional recommendations, number one, you talk about  
7 --

8 MS. WILLING: Oh, yeah. Because of the fact  
9 that he placed two fingers on his head. I mean,  
10 clearly a student that does that is extremely  
11 stressed and, you know, part of what I saw that day  
12 is a lot of isolation -- a lot of not working with  
13 his peers, not being on the same task as his peers.

14 And that can cause a lot of anxiety. It can  
15 cause a lot of depression. So there's a lot of  
16 social/emotional components that go into a student  
17 being isolated especially when they're, you know,  
18 intellectually capable of being with the other  
19 students.

20 So, yeah, I would -- I would want him to be  
21 more in the classroom with push-in support -- maybe  
22 someone explaining to him the concepts that he's not

1 understanding. You know, clearly, he's getting a 37.  
2 He's making up -- he's making up 95 percent of his  
3 tests. Clearly he's not understanding the  
4 instruction. So, you know, we need to support that  
5 and that should be in the classroom. He's not a  
6 student that, you know, needs a special class. He  
7 doesn't require that significant support.

8 MR. VAN SCOYOC: Thank you. Number two under  
9 -- on page seven, you talk about signs of autism.  
10 What signs of autism did you witness and why do you  
11 think Autism Spectrum Disorder would be a category  
12 that would be appropriate for REDACTED?

13 MS. WILLING: So, again, this is just an  
14 observation. I would never want to base a diagnosis  
15 on just an observation. So I'm not diagnosing him.  
16 I just know that previously his psychological  
17 evaluation had said autism. So, you know, clearly I  
18 wanted to know if I was seeing any of those  
19 characteristics when I did the observation.

20 And just based on the time that I saw him, he  
21 did not have any close friendships. There was no one  
22 where he was directly connecting with age-

1 appropriately. Okay. So it was very atypical in how  
2 he spoke out loud and not -- and he didn't direct his  
3 conversation at anyone. I did see some hand flapping  
4 during the PE which is another characteristic. I did  
5 see that he isolated himself which is another  
6 characteristic of autism. And, you know, the  
7 distraction can be ADHD or autism.

8 MR. VAN SCOYOC: Thank you. That's your  
9 observation of his peer interactions. Did you have  
10 any observations on his interactions with adult  
11 figures?

12 MS. WILLING: Uh-huh. I would say that he was  
13 -- he was better with interacting with adults.  
14 Clearly in the PE room he -- he chose to interact  
15 with those two teachers who he seemed to have good  
16 rapport with. And then the English teacher, he  
17 seemed to have good rapport with. So it seemed like,  
18 you know, he was more apt to interact with adults  
19 which is also a characteristic of autism.

20 MR. VAN SCOYOC: On page eight of your report,  
21 recommendation number three, can you please elaborate  
22 on what signs of avoidance -- whether in the

1 classroom with teachers and peers, et cetera -- that  
2 you witnessed and how you believe they are  
3 significantly impacting his education?

4 MS. WILLING: So, you know, just the fact that  
5 the teacher had said that he was in the bathroom the  
6 previous class seems significant to me in terms of  
7 anxiety. I -- a student who's hiding in the bathroom  
8 for an entire class is obviously under high stress  
9 and trying to avoid. That's their stress response.  
10 They're avoiding a situation that is stressful.

11 So, you know, the consequences of that were  
12 that he was then behind in the English class. So  
13 when he's avoiding class he's then behind and has to  
14 make up work. And that creates more anxiety because  
15 when you're adding in all this additional work that  
16 maybe he's supposed to take home or maybe he's  
17 supposed to do during that class, that creates  
18 additional anxiety.

19 So then he's again going to want to avoid.  
20 Although, I saw him do a fabulous job of trying to  
21 catch up and really -- you could see that it was  
22 agitating to him but he was really trying to please



1 the teacher and do as much as he could.

2 MR. VAN SCOYOC: Okay. And lastly, number four  
3 of your recommendations, can you please elaborate on  
4 your recommendation for an emotional disability  
5 category?

6 MS. WILLING: Yeah. So he already has a  
7 diagnosis. I know it was unspecified anxiety but  
8 there's clearly an emotional component to his success  
9 in school. And what I saw was physical symptoms, you  
10 know, that he -- I didn't observe that but, you know,  
11 that he went to the bathroom, that he avoided -- I  
12 know that when I was reviewing his file, it said that  
13 he consistently complains of stomach aches and I  
14 think that was in the evaluation. So he does have a  
15 lot of physiological components of anxiety.

16 And then the tendency -- you know, he has a  
17 long discipline file which, unfortunately, I wasn't  
18 able to see but I know that I did, you know, talk to  
19 Jeff about it. And he's had multiple incidents where  
20 he's gotten in trouble for things and I do think  
21 there's a strong emotional component. I don't think  
22 you can rule out that the student has autism and the

1 student has anxiety and ADHD. And you can't really  
2 rule all those things out when a student is behaving  
3 like he is. So I think you have to take that into  
4 consideration.

5 MR. VAN SCOYOC: So did you see during you  
6 observation anything that impacted his education?

7 MS. WILLING: Yes. Do you want me to specify?

8 MR. VAN SCOYOC: Any examples would be great.

9 MS. WILLING: So just starting with the math  
10 class, I thought that was the most significant --  
11 that the teachers -- the case manager in particular  
12 seemed frustrated that she was having to pull him out  
13 and take tests.

14 And it didn't seem like she agreed with it at  
15 all and I agreed with her. I was like I don't think  
16 this is a great way of handling it. We're actually  
17 doing him a disservice by doing this. And so we kind  
18 of had a conversation about that. But clearly, his  
19 math is -- he's not achieving to the -- to the level  
20 that cognitively he should be. So that's very clear.

21 Also, the avoidance, the bathroom, the issues  
22 leaving class because he's stressed. That's

1 obviously impacting his educational performance. And  
2 then just being isolated from his other peers, not  
3 being able to be on the same assignment that they are  
4 is extremely isolating. And, you know, for someone  
5 who, I believe, now he's not eligible but I'm not  
6 sure. But, you know, clearly those are signs of  
7 someone who requires additional support, special  
8 education support, in the classroom and I don't know  
9 how you could deny that even just based on an  
10 observation that was, you know, a few hours.

11 MR. VAN SCOYOC: Okay. Thank you, Ms. Willing.

12 MR. ASCHMANN: Cross-exam.

13 CROSS-EXAMINATION BY COUNSEL FOR FAUQUIER

14 COUNTY PUBLIC SCHOOLS

15 MS. CHEUK: Okay. Ms. Willing, I just want to  
16 put some clear -- some -- get -- get some clear items  
17 off the table fir -- first and foremost. Just to be  
18 clear, you testified you've only seen REDACTED on one  
19 occasion?

20 MS. WILLING: Yes, that day.

21 MS. CHEUK: And you've never spoken with him?

22 MS. WILLING: Never.

1 MS. CHEUK: And you would agree that REDACTED is  
2 not receiving special ed instruction right now based  
3 on your file review?

4 MS. WILLING: Based on -- not my file review --  
5 base don what I've heard from Jeff that he did not  
6 qualify.

7 MS. CHEUK: And in fact, do you realize that  
8 his IEP only includes accommodations, goals,  
9 counseling?

10 MS. WILLING: Yes.

11 MS. CHEUK: Okay.

12 MS. WILLING: I did see that.

13 MS. CHEUK: So you included a lot of  
14 information in the background of your report that was  
15 given to you by the caregiver; is that correct?

16 MS. WILLING: No, by the file review.

17 MS. CHEUK: You just testified you got  
18 information from --

19 MS. WILLING: Well, yeah --

20 MS. CHEUK: -- Mr. Nanni.

21 MS. WILLING: -- I did get attachments. Yes, I  
22 did get attachments from Jeff.

1 MR. NANNI: I sent you the Keller report.

2 MS. WILLING: Yes, the Keller report.

3 MS. CHEUK: And that was prior to your  
4 observation; is that correct?

5 MS. WILLING: Yes. I received it prior but I  
6 didn't write all this until after the observation.

7 MS. CHEUK: Did you read the Keller report --

8 MS. WILLING: I did --

9 MS. CHEUK: -- before your observation?

10 MS. WILLING: -- look over it, yes. Yes.

11 MS. CHEUK: Okay. So you had an idea in mind  
12 of what you were looking for; is that correct?

13 MS. WILLING: Yes.

14 MS. CHEUK: So on October 19th, you attended  
15 four of REDACTED's classes, --

16 MS. WILLING: Yes.

17 MS. CHEUK: -- correct? And for gym class you  
18 noted that overall REDACTED appeared engaged in the  
19 activity?

20 MS. WILLING: Uh-huh.

21 MS. CHEUK: Put forth a good effort?

22 MS. WILLING: Uh-huh.

1 MS. CHEUK: Friendly, initiated conversation,  
2 only required one teacher prompt and followed  
3 directions?

4 MS. WILLING: Yes. He did very well in PE.

5 MS. CHEUK: And responded quickly to  
6 redirection although that just happened on one  
7 occasion; is that right?

8 MS. WILLING: Uh-huh.

9 MS. CHEUK: And then with orchestra, you used  
10 the word isolation several times in your testimony.  
11 Did you know that [REDACTED] was sitting in an assigned  
12 seat or -- do you know whether he was sitting --

13 MS. WILLING: I did not know.

14 MS. CHEUK: -- in an assigned seat? Do you  
15 know if students were absent that day?

16 MS. WILLING: I did ask and I think they said  
17 that a -- there were three or four students absent.  
18 But --

19 MS. CHEUK: So those three or four students  
20 could've been assigned --

21 MS. WILLING: No.

22 MS. CHEUK: -- seats next to [REDACTED]?

1 MS. WILLING: No, because --

2 MR. VAN SCOYOC: Object. That's conjecture,  
3 hearsay.

4 MS. WILLING: Well, there were --

5 MR. ASCHMANN: She's just asking questions.

6 MS. CHEUK: I'm asking --

7 MS. WILLING: I can just --

8 MR. ASCHMANN: Yeah, everybody stop for a  
9 minute. Please state the question one more time.

10 MS. CHEUK: Okay. Could those students who are  
11 absent have been seating in those seats that were  
12 empty next to REDACTED?

13 MS. WILLING: That would be rare because the  
14 way that the class was structured, it was four rows.  
15 The first two rows, there were students to the right  
16 and none to the left. And then the third row, there  
17 were students to the right and none to the left  
18 except for REDACTED. And then in the back row there  
19 were more students across. So I find it difficult to  
20 imagine that the four seats that were between REDACTED  
21 and the third row of students would have been those  
22 three or four students.

1 MS. CHEUK: But you'd never been in the  
2 classroom before.

3 MS. WILLING: It's possible.

4 MS. CHEUK: Okay. Thanks. And then moving on  
5 to math, you had a lot to say about math. You note  
6 that REDACTED took a math retest alone. And you  
7 characterized that as isolation.

8 MS. WILLING: Well, just based on what the case  
9 manager had told me that he take -- he retakes tests  
10 often. And the fact that he was taking a test that  
11 was a previous test and the other students were  
12 already onto another test that same day shows me  
13 that, okay, this must be happening a lot.

14 MS. CHEUK: But do you know the accommodation  
15 requires that he be offered --

16 MS. WILLING: Yes.

17 MS. CHEUK: -- individualized testing?

18 MS. WILLING: Yes.

19 MS. CHEUK: In math?

20 MS. WILLING: Individualized testing in math  
21 which to me means that when the whole class is taking  
22 a test, he's offered a separate space to take that



1 test.

2 MS. CHEUK: Right. Do you also know that he  
3 has an accommodation to retake tests if he scores  
4 below an 80 percent?

5 MS. WILLING: Yeah, I did see that.

6 MS. CHEUK: Okay. Do you know that the -- and  
7 you mentioned that the rest of the class was also  
8 taking a test that day. So how could he have been  
9 missing instruction?

10 MS. WILLING: So he was taking a different  
11 test. And the test -- so -- okay, fine. So maybe he  
12 wasn't missing a ton of instruction, but I don't  
13 think the te -- I don't know. I wasn't in the other  
14 class, but I don't think the students were taking a  
15 test the whole time.

16 MS. CHEUK: But you don't know that for sure.

17 MS. WILLING: I don't know that.

18 MS. CHEUK: And you used the word isolation  
19 several times and indicated -- and concluded that his  
20 IEP was not being implemented and he was missing  
21 instruction.

22 MS. WILLING: I was mi -- I was talking about

1 him missing instruction specifically in English.

2 Math he had to retake several tests --

3 MS. CHEUK: Actually, could you look at page  
4 six of your report?

5 MS. WILLING: And if he's missing instruction  
6 in ma -- I mean if he's retaking that many tests,  
7 then clearly he is missing instruction. That is  
8 something I came to a conclusion about.

9 MS. CHEUK: But do you know that he -- that was  
10 the only day he's ever taken a retake -- a retake  
11 during math class?

12 MS. WILLING: Okay. The case manager did not  
13 make that clear. She made it seem that she was doing  
14 that all the time -- pulling him out to take tests.  
15 And if he's being pull -- when else is he taking the  
16 test?

17 MS. CHEUK: You're asking me?

18 MS. WILLING: Oh, sorry. I won't ask you.

19 MS. CHEUK: Are you aware that he takes them  
20 during a specific period of time during his day with  
21 his case manager during academic refocus which is a  
22 class where he is able to catch up on work that he's

1 missed, go over test corrections, exactly what you  
2 say he needs to be doing?

3 MS. WILLING: That's good -- that's good to  
4 hear.

5 MS. CHEUK: Okay. But on page six specifically  
6 -- your report assumes that he misses instruction and  
7 then therefore the IEP isn't being implemented.

8 MS. WILLING: Well, out of the small  
9 observation I did, he missed all of the instruction  
10 in his English class.

11 MS. CHEUK: I'll get to English in just a  
12 second. So English was the last instructional period  
13 of the day for REDACTED; --

14 MS. WILLING: Yes.

15 MS. CHEUK: -- is that correct?

16 MS. WILLING: For that particular day.

17 MS. CHEUK: After lunch?

18 MS. WILLING: Uh-huh.

19 MS. CHEUK: And at the end of the school day,  
20 would you agree it would be normal for anyone to zone  
21 out or yawn as you put in your report?

22 MS. WILLING: Uh-huh. And again, it wasn't the

1 end of the school day. It was the end of the  
2 shortened day. But, yes.

3 MS. CHEUK: But you specifically note that he  
4 brought himself back to attention; --

5 MS. WILLING: Uh-huh.

6 MS. CHEUK: -- is that correct? With no  
7 teacher prompt?

8 MS. WILLING: Yes, multiple times.

9 MR. ASCHMANN: Try to answer with words. It's  
10 hard for the court reporter to take down uh-huh  
11 sometimes.

12 MS. WILLING: Oh, okay.

13 MR. ASCHMANN: Thank you.

14 MS. CHEUK: And I want to draw your attention  
15 specifically to the language you used on page six  
16 again. In the second full paragraph you state, when  
17 the teacher said it was time to clean up, REDACTED began  
18 hitting the test repetitively and bouncing in his  
19 seat. He was significantly more agitated as he knew  
20 he did not even get to start the assignment.

21 How do you know what he knew?

22 MS. WILLING: I don't know what he knew.

1 MS. CHEUK: And going onto your  
2 recommendations, you note a significant discrepancy  
3 between REDACTED's overall ability versus his  
4 achievement in the area of math and state that he  
5 should be able to perform at grade level in the area  
6 of math. But you know that he isn't in a grade level  
7 math class?

8 MS. WILLING: Uh-huh.

9 MS. CHEUK: He's in a grade level above.

10 MS. WILLING: Yes.

11 MS. CHEUK: Okay. So you don't know whether he  
12 could perform at grade level or not.

13 MS. WILLING: Well, I assume he's in that class  
14 because he can.

15 MS. CHEUK: Right. So he's -- but your  
16 statement then doesn't make any sense. He's not in a  
17 grade level math class.

18 MS. WILLING: Well, therefore, he should be  
19 able to achieve at grade level. That's all I'm  
20 saying.

21 MS. CHEUK: You also note that REDACTED should  
22 have the opportunity to work with the teacher or case

1 manager to do test corrections. I already stated  
2 this. I'm sorry.

3 In English you state that REDACTED is consistently  
4 working -- consistently working on a different  
5 assignment than the rest of the class. You were only  
6 there the one day; is that right?

7 MS. WILLING: Uh-huh.

8 MS. CHEUK: Okay. And the reason he had to  
9 miss that assignment from the day before is because  
10 he missed part of the class the day before?

11 MS. WILLING: Uh-huh.

12 MS. CHEUK: But the teacher didn't specify how  
13 long he was in the bathroom?

14 MS. WILLING: The teacher did specify that he  
15 had spent the entire class in the bathroom.

16 MS. CHEUK: Okay. And you also unequivocally  
17 state in that discussion that the school again failed  
18 to implement his IEP without inquiring what the  
19 teacher did to implement his accommodations into that  
20 assignment; isn't that correct?

21 MS. WILLING: So the IEP I believe says that he  
22 is allowed shortened assignments. He was given the

1 whole task. And then he was just asked to copy  
2 notes. So there was no additional instruction until  
3 the end when he asked several questions.

4 MS. CHEUK: Are you aware that the guardian and  
5 the caregiver filed a state complaint due to your  
6 observation citing your observation on that  
7 particular issue and the math retest issue?

8 MR. VAN SCOYOC: Object. We're not talking  
9 about complaints.

10 MR. ASCHMANN: Relevance?

11 MS. CHEUK: I think it's relevant because it's  
12 impeaching her report. There's a decision on whether  
13 her statements were correct.

14 MR. ASCHMANN: Okay. I'll allow it.

15 MS. WILLING: I did not know that it was based  
16 on my report. But I did hear that you are filing a  
17 complaint. I did not know that it was based on my  
18 report.

19 MS. CHEUK: So then you're not aware of the  
20 outcome of -- on those issues --

21 MS. WILLING: Huh-uh.

22 MS. CHEUK: -- those two issues?

1 MS. WILLING: Huh-uh.

2 MS. CHEUK: So you go on to make social and  
3 emotional recommendations, but you didn't observe  
4 anywhere other than class; is that correct?

5 MS. WILLING: I observed him in the hallway  
6 walking to and from class and that's it, yeah.

7 MS. CHEUK: Okay. You didn't see him during  
8 lunch or recess for instance?

9 MS. WILLING: Huh-uh.

10 MS. CHEUK: Or during an extracurricular  
11 activity?

12 MS. WILLING: No.

13 MS. CHEUK: And you make no mention regarding  
14 REDACTED's parti -- participation in extracurricular  
15 activities in your report; do you?

16 MS. WILLING: Huh-uh.

17 MS. CHEUK: You also state that REDACTED needs a  
18 different environment to access the curriculum but  
19 you also don't in -- anywhere in your report note his  
20 actual grades other than that one --

21 MS. WILLING: Huh-uh.

22 MS. CHEUK: -- rete -- retake; is that correct?



1 MS. WILLING: Yes.

2 MS. CHEUK: You state his avoidance of certain  
3 classes significantly impacts his ability to learn  
4 specifically in English; don't you?

5 MS. WILLING: Yes.

6 MS. CHEUK: But you're -- are you aware he had  
7 a semester grade of an A in English class?

8 MS. WILLING: I don't recall.

9 MS. CHEUK: You also state -- but you didn't --  
10 and you also didn't witness REDACTED leaving any class  
11 that day; is that right?

12 MS. WILLING: No. He did not leave any class.

13 MS. CHEUK: You stated in your testimony a few  
14 moments ago that you couldn't di -- make a diagnosis  
15 based on an observation?

16 MS. WILLING: Yes, correct.

17 MS. CHEUK: Should an eligibility team make a  
18 determination based on one observation?

19 MS. WILLING: No.

20 MS. CHEUK: And as a school psychologist would  
21 you agree that an eligibility team's charge is to  
22 review all relevant data --

1 MS. WILLING: Yes.

2 MS. CHEUK: -- as a whole in making its  
3 determinations?

4 MS. WILLING: Yes.

5 MS. CHEUK: With input from the teachers  
6 specifically that see him every day?

7 MS. WILLING: Yes.

8 MS. CHEUK: And that consideration of actual  
9 classroom performance is important?

10 MS. WILLING: Yes.

11 MS. CHEUK: And that focusing on isolated  
12 incidents of certain behaviors isn't necessarily  
13 productive?

14 MS. WILLING: Yes. If this doesn't relate to  
15 what is typically seen, then yes.

16 MS. CHEUK: I have no further questions.

17 MR. ASCHMANN: Any redirect, sir?

18 MR. VAN SCOYOC: I don't have anything else.

19 Thank you, Ms. Willing.

20 MS. WILLING: Okay.

21 MR. ASCHMANN: All right. Thank you very much  
22 for coming.

1 MS. WILLING: Thank you.

2 MR. ASCHMANN: You're free to leave. Do you  
3 have another witness, sir?

4 MR. VAN SCOYOC: Yes. Next is Lanterman. Ms.  
5 Lanterman?

6 MR. ASCHMANN: Are we in the situation where  
7 everybody's in Building B again?

8 MS. CHEUK: All three should be over there,  
9 yes. Do you want them to all come over?

10 MR. ASCHMANN: Oh, no, no, no. I'm just trying  
11 to --

12 MS. CHEUK: Yeah, they're all three over there  
13 now.

14 MR. ASCHMANN: -- figure the logistics of it.

15 MS. CHEUK: The last three.

16 MR. ASCHMANN: Is that all we're going to have  
17 -- just three more?

18 MS. CHEUK: Yes, they sent an email last night  
19 that said they were only calling five witnesses  
20 today.

21 MR. ASCHMANN: Oh, okay. Well, that's good to  
22 know.

1 MR. VAN SCOYOC: It's going to be a quick one I  
2 think.

3 MR. NANNI: Yeah, I thought we were being a  
4 little bit repetitive. So we don't want repetitive  
5 testimony.

6 MR. ASCHMANN: Oh, no. We don't. I need  
7 cumulative testimony.

8 MS. CHEUK: It doesn't seem as hot.

9 MR. ASCHMANN: No, it doesn't. I don't know  
10 what it was yesterday. It just felt like an inferno  
11 in here to me.

12 MS. CHEUK: Stifling. Is it okay if I use the  
13 restroom before she comes?

14 MR. ASCHMANN: Oh, sure.

15 (Off the record briefly.)

16 MR. ASCHMANN: Do you swear to tell the truth  
17 in these proceedings?

18 MS. LANTERMAN: Yes.

19 MR. ASCHMANN: All right. You may inquire.

20 EXAMINATION BY COUNSEL FOR THE PARENTS OF

21 **REDACTED**

22

1 MR. VAN SCOYOC: Hi, Ms. Lanterman.

2 MS. LANTERMAN: Hi.

3 MR. VAN SCOYOC: Can you please state your name  
4 for the record?

5 MS. LANTERMAN: Shannan Bloomquist Lanterman.

6 MR. VAN SCOYOC: Can you please state your  
7 academic background?

8 MS. LANTERMAN: I have a Master's degree in  
9 special education and I'm also general ed teacher K  
10 through -- no, six through 12 in mathematics.

11 MR. VAN SCOYOC: And your professional  
12 background, please?

13 MS. LANTERMAN: That is my professional  
14 background. Is that what you asked?

15 MR. VAN SCOYOC: Your academic background and  
16 your professional background?

17 MS. LANTERMAN: The same thing. Okay. I'll  
18 say it again.

19 MR. VAN SCOYOC: Sorry.

20 MS. LANTERMAN: It's okay. Special education K  
21 through 12 and general ed mathematics six through 12.

22 MR. VAN SCOYOC: Is your professional

1 background?

2 MS. LANTERMAN: Yeah.

3 MR. VAN SCOYOC: Okay. Are you aware that  
4 teacher input and concerns are a crucial part of the  
5 eligibility process as defined by IDEA?

6 MS. LANTERMAN: Yes, sir.

7 MR. VAN SCOYOC: All right. Could you please  
8 -- in the white binder labeled volume one turn to  
9 Exhibit 28?

10 This was an eligibility meeting. Do you  
11 remember attending this meeting?

12 MS. LANTERMAN: If it was in July, yes.

13 MS. CHEUK: Exhibit 28?

14 MS. LANTERMAN: That says 12/14. It's December  
15 14th.

16 MR. VAN SCOYOC: Yes.

17 MS. LANTERMAN: I was at the July.

18 MR. VAN SCOYOC: Sorry, do I have the wrong one  
19 here? Oh, you know what? I'm so sorry. I actually  
20 think it's -- wrong book, I believe.

21 MS. CHEUK: Yeah, 28 in my book is for July.

22 MR. VAN SCOYOC: I'm sorry. Could you -- it's

1 --

2 MS. CHEUK: It's in the black binder.

3 MR. VAN SCOYOC: -- Exhibit 28 in the black  
4 binder. Yeah. Okay. So you do remember attending  
5 this eligibility meeting?

6 MS. LANTERMAN: Yes, I do.

7 MR. VAN SCOYOC: Have you ever had REDACTED as a  
8 student?

9 MS. LANTERMAN: No.

10 MR. VAN SCOYOC: Have you ever met REDACTED or  
11 spent any time with him before the eligibility  
12 meeting on July 10?

13 MS. LANTERMAN: No, sir.

14 MR. VAN SCOYOC: Besides Dr. Cameron, are you  
15 aware of any Fauquier County Public School employees  
16 that have ever met REDACTED before coming to this  
17 meeting?

18 MS. LANTERMAN: I knew people who met him but  
19 they didn't -- I don't know how they met him or  
20 anything if that's what you're asking.

21 MR. VAN SCOYOC: Who attended the meeting?

22 MS. LANTERMAN: Yeah, the assistant principal.

1 I think she had -- I don't know if she met -- I don't  
2 know if any of them had met him before.

3 MR. VAN SCOYOC: Okay. At this meeting is it  
4 correct that -- is it correct that at this meeting  
5 you informed the parents that you were the cross-  
6 country coach and invited [REDACTED] to participate --

7 MS. LANTERMAN: Yes.

8 MR. VAN SCOYOC: -- in cross-country? Did you  
9 report to the physical education instructor, Mr.  
10 Crowell, that [REDACTED] was a safety concern during  
11 practice?

12 MS. LANTERMAN: Yes.

13 MR. VAN SCOYOC: Did you observe [REDACTED] becoming  
14 overwhelmed and emotional yelling, stop, stop when  
15 teammates cheered on --

16 MS. LANTERMAN: Yes.

17 MR. VAN SCOYOC: -- cheered him on? Did you  
18 state at an IEP meeting that your concerns that with  
19 such a large number of students on the team you are  
20 not able to address [REDACTED]'s challenges?

21 MS. LANTERMAN: I don't saying -- I don't  
22 remember saying that specifically but I know I have a



1 large -- I had a large group. I know I had a lot of  
2 kids but I didn't -- I don't remember saying any of  
3 that specifically.

4 MR. VAN SCOYOC: Okay. Are you aware that Mr.  
5 Crowell asked that I remove [REDACTED] from the cross-  
6 country team?

7 MS. LANTERMAN: I was not aware. I was not in  
8 that conversation.

9 MR. VAN SCOYOC: At an IEP meeting you were  
10 asked by me if an aide could be provided to assist  
11 [REDACTED] so that he may remain on the cross-country  
12 team. Do you remember stating that you did not have  
13 the authority to hire aides?

14 MS. LANTERMAN: That's true.

15 MR. VAN SCOYOC: Did [REDACTED] have a history of  
16 eloping during cross-country practice?

17 MS. LANTERMAN: What do you mean by eloping?

18 MR. VAN SCOYOC: Disappearing, going away.

19 MS. LANTERMAN: He was slow but I always --  
20 people knew where he was. I always knew where he  
21 was.

22 MR. VAN SCOYOC: There were never any incidents

1 of him going out off of the trail into the trees?

2 MS. LANTERMAN: I don't remember --

3 MS. CHEUK: This is --

4 MS. LANTERMAN: I don't --

5 MS. CHEUK: Objection. These are leading  
6 questions again.

7 MR. ASCHMANN: It is. You have to ask the  
8 open-ended question like we discussed before.

9 MR. VAN SCOYOC: Sure. Was REDACTED part of the  
10 team photo?

11 MS. LANTERMAN: No, he was not.

12 MR. VAN SCOYOC: Why not?

13 MS. LANTERMAN: Because the photographer asked  
14 her -- asked him to kneel down and he said he didn't  
15 want to do it. And I told him he had to do it  
16 because she was requiring him to do that. And he got  
17 up and left --

18 MR. VAN SCOYOC: And what was his --

19 MS. LANTERMAN: -- out of the room.

20 MR. VAN SCOYOC: -- reaction?

21 MS. LANTERMAN: He threw a fit and stormed out  
22 and said he didn't want his photo done.

1 MR. VAN SCOYOC: Did Mr. Corpening provide you  
2 with assistance so that REDACTED could remain on the  
3 team?

4 MS. LANTERMAN: Mr. Corwell? The county did.

5 MR. VAN SCOYOC: So the county did?

6 MS. LANTERMAN: Yeah.

7 MR. VAN SCOYOC: You're not sure who but --

8 MS. LANTERMAN: I don't know who -- yeah.

9 MR. VAN SCOYOC: Okay. Okay. Thank you.

10 Those are all the questions I have.

11 MS. LANTERMAN: Okay.

12 MR. VAN SCOYOC: Cross?

13 CROSS-EXAMINATION BY COUNSEL FOR THE FAUQUIER COUNTY

14 PUBLIC SCHOOLS

15 MS. CHEUK: When you were at the eligibility  
16 meeting in July 2018, didn't the team discuss the  
17 Keller report -- the in -- the independent  
18 educational evaluation?

19 MS. LANTERMAN: Yes.

20 MS. CHEUK: And it also discussed its own  
21 evaluations?

22 MS. LANTERMAN: Right.

1 MS. CHEUK: And all those evaluations included  
2 input from REDACTED's teachers; --

3 MS. LANTERMAN: Yes.

4 MS. CHEUK: -- is that correct?

5 MS. LANTERMAN: Yes.

6 MS. CHEUK: And with the cross-country  
7 incidents just mentioned, were those isolated  
8 incidents that occurred during the cross-country  
9 season?

10 MS. LANTERMAN: I believe.

11 MS. CHEUK: And the incident with not wanting  
12 people to cheer for him, did that persist the entire  
13 season?

14 MS. LANTERMAN: No.

15 MS. CHEUK: That's all I have.

16 MR. ASCHMANN: You redirect?

17 MR. VAN SCOYOC: No. Thank you.

18 MR. ASCHMANN: All right. Well, thank you very  
19 much --

20 MS. LANTERMAN: Okay. Thank you.

21 MR. ASCHMANN: -- for coming. You're free to  
22 leave. Would you like to call another witness, sir?

1 MR. VAN SCOYOC: Yes, Ms. McCoy please.

2 MR. ASCHMANN: Hello.

3 MS. MCCOY: Hi.

4 MR. ASCHMANN: Thanks for coming. Do you swear  
5 to tell the truth in these proceedings?

6 MS. MCCOY: Yes, sir.

7 MR. ASCHMANN: You may inquire.

8 EXAMINATION BY COUNSEL FOR THE PARENTS OF

9 **REDACTED**

10 MR. VAN SCOYOC: Hi, Ms. McCoy.

11 MS. MCCOY: Hi.

12 MR. VAN SCOYOC: Can you please state your name  
13 for the record?

14 MS. MCCOY: Stephanie Ann McCoy.

15 MR. VAN SCOYOC: Can you state your academic  
16 background?

17 MS. MCCOY: What do you mean by that?

18 MR. VAN SCOYOC: Where -- do you have a college  
19 degree?

20 MS. MCCOY: Yes.

21 MR. VAN SCOYOC: What in and from where?

22 MS. MCCOY: Bachelor of Science from Ohio

1 University. I've taken numerous courses at other  
2 colleges. I am part -- I got my teaching certificate  
3 through the Career Switcher Program at Old Dominion  
4 University.

5 MR. VAN SCOYOC: Thank you. And what is your  
6 professional background?

7 MS. MCCOY: Dietitian and I transferred into  
8 teaching.

9 MR. VAN SCOYOC: And how long have you been  
10 teaching with Fauquier County?

11 MS. MCCOY: This is my second year.

12 MR. VAN SCOYOC: Are you aware that teacher  
13 input and concerns are a crucial part of the  
14 eligibility process as defined by IDEA?

15 MS. MCCOY: Yes.

16 MR. VAN SCOYOC: Was REDACTED a student in your  
17 fourth grade class?

18 MS. MCCOY: Not fourth grade.

19 MR. VAN SCOYOC: Fifth grade class?

20 MS. MCCOY: Yes.

21 MR. VAN SCOYOC: Did you attend multiple IEP  
22 and eligibility meetings?

1 MS. MCCOY: Yes.

2 MR. VAN SCOYOC: Could you please in the white  
3 binder labeled volume one open to Exhibit 9? Is this  
4 a log that you had compiled from REDACTED?

5 MS. MCCOY: I did not type this.

6 MS. CHEUK: I object to this exhibit. It was  
7 created -- there's lack of authentication here. She  
8 didn't create it. There's no author in fact.

9 MR. ASCHMANN: Yeah.

10 MR. VAN SCOYOC: Are these --

11 MR. ASCHMANN: Barely identify itself.

12 MR. NANNI: It's her teacher's log.

13 MR. ASCHMANN: And this witness doesn't --  
14 didn't author it. There's an authentication issue  
15 here.

16 MR. NANNI: This is part of REDACTED's cumulative  
17 file. It is a log kept by Mrs. McCoy. It has just  
18 been typed so that it's legible because it was all  
19 handwritten.

20 MS. MCCOY: This is what was taken from what I  
21 told a special education teacher.

22 MR. NANNI: So you were familiar with it?

1 MS. MCCOY: Yes, but I did not type this.

2 MR. ASCHMANN: Everybody stop for a minute.

3 The objection is there's a lack of authentication and  
4 basically foundation to enter this document. You  
5 need to lay the foundation and authenticate if you  
6 want it admitted into evidence. And so far this  
7 witness has said it's not her work so I don't think  
8 --

9 MR. NANNI: She just did say it was.

10 MR. ASCHMANN: -- she can do that. Huh?

11 MR. NANNI: I think she just did say it was her  
12 work. It's just not in the form that she did it.

13 MR. ASCHMANN: No, she very specifically said  
14 she did not write this up.

15 MR. NANNI: She did not type this up. It is  
16 directly from REDACTED's --

17 MR. ASCHMANN: Well, then --

18 MR. NANNI: -- file.

19 MR. ASCHMANN: -- it's not her work.

20 MR. NANNI: Okay.

21 MR. ASCHMANN: I mean, you would have to  
22 authenticate it as her work in some way.



1 MR. NANNI: I have the original copy.

2 MR. VAN SCOYOC: Well, if this -- it's okay.  
3 If this is inadmissible then everything else is.

4 MR. NANNI: No, of course not. Where's the  
5 other book?

6 MR. VAN SCOYOC: I'm sorry. One second.

7 MR. ASCHMANN: Sure. Take your time. I'm  
8 sorry, ma'am. We need to be patient.

9 MR. VAN SCOYOC: Okay. Then we will disregard  
10 that. If you could in the black binder open Exhibit  
11 11 please. Page four of Exhibit 11. It's overall  
12 document 145 -- is the page number. Is this a  
13 document you authored?

14 MS. MCCOY: Yes.

15 MR. ASCHMANN: Which -- what document are you  
16 looking at again?

17 MR. VAN SCOYOC: In exhibit -- the school's  
18 Exhibit 11, page four. It's called progress report.

19 MR. ASCHMANN: Thank you, sir.

20 MR. VAN SCOYOC: Ms. McCoy, under behavior --  
21 social skills, would you mind reading your notes  
22 you've written about REDACTED there?

1 MS. MCCOY: [REDACTED] has struggled with building  
2 peer relationships. His unusual noises and actions  
3 have caused others not to want to associate with him  
4 at times. [REDACTED] can be disrespectful to homeroom  
5 teacher at times when he is told to verbally stop  
6 behavior.

7 MR. VAN SCOYOC: Thank you. Could you read the  
8 next one too please?

9 MS. MCCOY: [REDACTED] does not always work  
10 positively with other students in science. [REDACTED]  
11 will yell at group members at times when things do  
12 not go his way. He also will get into other  
13 students' faces to annoy them. [REDACTED] works more  
14 positively in language arts.

15 MR. VAN SCOYOC: Thank you. Could you please  
16 go back to binder -- the white binder labeled volume  
17 one, Exhibit 4, page number nine?

18 MS. MCCOY: You mean nine pages into the  
19 exhibit?

20 MR. VAN SCOYOC: Right. Nine pages into  
21 Exhibit 4, yes. It's a blue document. It's called  
22 Brief 2 Teacher form. Does it look like this Ms.

1 McCoy?

2 MS. MCCOY: No. I'm four pages in.

3 MR. VAN SCOYOC: Nine pages in. Exhibit 4,  
4 nine pages in.

5 MR. ASCHMANN: Are we looking at Brief 2  
6 Teacher Form?

7 MR. VAN SCOYOC: Yes.

8 MR. ASCHMANN: Thank you.

9 MR. VAN SCOYOC: Are you there? Ms. McCoy, is  
10 this a --

11 MS. MCCOY: Mine says Paul Walkovich (ph) at  
12 the top. Obviously, you want me to find mine.

13 MR. VAN SCOYOC: Yeah, it should be page nine.  
14 I wonder if it's out of order for some reason.

15 MS. MCCOY: There it is.

16 MR. ASCHMANN: I don't know because I had it on  
17 nine.

18 MR. VAN SCOYOC: It says Ms. McCoy?

19 MR. ASCHMANN: Yeah.

20 MR. VAN SCOYOC: Okay.

21 MR. ASCHMANN: Brief 2 Teacher Form for

REDACTED

22 --

1 MS. CHEUK: You have it?

2 MS. MCCOY: I do.

3 MR. ASCHMANN: -- by Stephanie McCoy.

4 MR. VAN SCOYOC: Okay. Is this a document that  
5 you completed?

6 MS. MCCOY: Yes.

7 MR. VAN SCOYOC: Okay. You had just read from  
8 the progress report that **REDACTED** can get in children's  
9 faces and yell. But number six you say that he never  
10 has explosive angry outbursts. Can you help  
11 reconcile the fact that you said never based off the  
12 progress report?

13 MS. MCCOY: When I interpreted this -- you  
14 know, it's really hard to recall. I don't know if  
15 the date --

16 MS. CHEUK: She answered. She answered the  
17 question.

18 MR. VAN SCOYOC: The date on the progress  
19 report was October 31st, 2017. The date this was  
20 completed was January 25th, 2018. So you said he  
21 never has outbursts after you had reported that he  
22 does; is that correct?

1 MS. MCCOY: Maybe my interpretation -- I don't  
2 know. It says explosive. I mean, getting upset  
3 versus explosive are different.

4 MR. VAN SCOYOC: What about number 14 where you  
5 say that he never has outbursts for little reasons?

6 MS. CHEUK: Mr. Hearing Officer, I have to  
7 object to this line of questioning. Going into the  
8 detail of a questionnaire she filled out as part of  
9 broader test that was then summarized and considered  
10 in an eligibility meeting, how can she possibly  
11 recall --

12 MR. ASCHMANN: Well, she may not be able to and  
13 if she can't, she'll say so and you'll get a chance  
14 to cross-examine. I'm going to allow it.

15 MR. VAN SCOYOC: Thank you.

16 MR. ASCHMANN: Is there a question pending,  
17 sir?

18 MR. VAN SCOYOC: Yes. So I asked Ms. McCoy --  
19 so if you said explosive maybe you didn't interpret  
20 it that way but number 14 says has outbursts for a  
21 little reason and you said never.

22 MS. MCCOY: That was --

1 MR. VAN SCOYOC: Which is inconsistent with the  
2 progress report. Would you say that this document,  
3 the evaluation that you did, reflects -- you did it  
4 in a way that would reflect how you view [REDACTED]?

5 MS. MCCOY: He different times would -- like  
6 the one paper said from eligibility -- not work well  
7 in groups. But as time went on, things got better in  
8 the classroom.

9 MR. VAN SCOYOC: But Ms. McCoy, that's not the  
10 question. The question is do you believe that you  
11 completed this accurately by saying never to many of  
12 these questions where previous documents you --

13 MR. ASCHMANN: Well, I think you need to go one  
14 by one if you're going to paint that question.  
15 That's a compound question.

16 MR. VAN SCOYOC: Ms. McCoy, do you believe you  
17 completed this to the best of your ability?

18 MS. MCCOY: At the time, yes.

19 MR. VAN SCOYOC: So did you forget about  
20 instances where [REDACTED] had outbursts and therefore  
21 said never?

22 MS. MCCOY: Excuse me. I can't take this kind

1 of grilling. Like this is unbelievable.

2 MR. ASCHMANN: Well, that's true, ma'am. I  
3 understand that being in a witness chair is an  
4 unpleasant experience. But we need to have you be  
5 cooperative and just do your best to answer the  
6 questions truthfully and accurately. Nobody's asking  
7 you to say anything you don't know or make anything  
8 up. Just answer as best you can.

9 MS. MCCOY: Okay. They should've been probably  
10 a sometimes.

11 MR. VAN SCOYOC: Okay. Thank you. I think  
12 that's enough.

13 MR. NANNI: Yeah, thank you Ms. McCoy. We  
14 appreciate it.

15 MR. ASCHMANN: Cross?

16 CROSS-EXAMINATION BY COUNSEL FOR FAUQUIER COUNTY

17 PUBLIC SCHOOLS

18 MS. CHEUK: So the date on the document of the  
19 notes that you created was October; is that right?

20 MS. MCCOY: Uh-huh.

21 MS. CHEUK: And was that document excluded from  
22 consideration at eligibility in any way? First, did

1 you attend the eligibility in January?

2 MS. MCCOY: Yes.

3 MS. CHEUK: Was the document that you wrote,  
4 was that part of REDACTED's file?

5 MS. MCCOY: Yes.

6 MS. CHEUK: So it could've been considered at  
7 -- in eligibility?

8 MS. MCCOY: Yes.

9 MS. CHEUK: And your comments could've been  
10 considered?

11 MS. MCCOY: Yes.

12 MS. CHEUK: And then with this document, when  
13 you filled it out, you answered it how you would  
14 answer it on January 25th; is that correct?

15 MS. MCCOY: Yes.

16 MS. CHEUK: So at the time, you were never  
17 seeing those things; is that right? When you said  
18 never or sometimes or often, that's how you would  
19 view REDACTED on that date of January 25th; not ever in  
20 his life has he ever done those things?

21 MS. MCCOY: I -- I really feel that at the  
22 time, trying to remember everything -- when you look



1 at a kid and you're like, you don't remember  
2 everything from the past because it's like, we're  
3 talking about right now, improvements have been made.

4 MS. CHEUK: Thank you.

5 MS. MCCOY: So why dwell on the past?

6 MS. CHEUK: Thank you very much. I have no  
7 further questions.

8 MR. ASCHMANN: Any redirect?

9 MR. VAN SCOYOC: No.

10 MR. ASCHMANN: Thank you very much, ma'am.

11 MS. MCCOY: Okay.

12 MS. CHEUK: Thank you.

13 MR. ASCHMANN: I'm sorry it was difficult for  
14 you. We appreciate your time. Do you have any more  
15 witnesses, sir?

16 MR. VAN SCOYOC: I do not.

17 MR. ASCHMANN: Okay.

18 MS. CHEUK: I have a quick procedural issue.

19 What is the determination with regard to their  
20 exhibits because a number have been not entered --  
21 but I don't know that any have been entered to be  
22 honest.

1 MR. ASCHMANN: Well, I don't think any were  
2 moved into evidence yet.

3 MS. CHEUK: Okay.

4 MR. ASCHMANN: I sustained one objection, I  
5 believe, to a document which was just this recent  
6 one.

7 MS. CHEUK: And there was one yesterday.

8 MR. ASCHMANN: The parents' Exhibit 9.

9 MR. VAN SCOYOC: Can we move them all into  
10 evidence now and then have the school object to them  
11 one by one if they would like to do so?

12 MR. ASCHMANN: I will accept your motion and  
13 that's what we will do now is we're going through her  
14 objections.

15 MS. CHEUK: I've already -- I mean, I've  
16 already provided by objections --

17 MR. ASCHMANN: Right.

18 MS. CHEUK: -- one by one.

19 MR. ASCHMANN: And in the -- I guess the ones  
20 that we didn't cover, I'll have to go look at or --

21 MS. CHEUK: Okay.

22 MR. ASCHMANN: -- something like that. The

1 ones we've actually covered that I -- the one I  
2 excluded was parents' Exhibit 9.

3 MS. CHEUK: Today. I believe one was excluded  
4 yesterday as well.

5 MR. ASCHMANN: Do you recall which one it was?

6 MS. CHEUK: Exhibit 38.

7 MR. ASCHMANN: Yeah, that was one we said was  
8 not relevant if I recall. So 38 -- parents' 38 and  
9 nine have been excluded. You also exhibited --  
10 object to seven and ten. On seven, this appeared as  
11 a weekly chart. Why is it relevant?

12 MR. VAN SCOYOC: You know, we never covered it  
13 with Ms. McCoy's testimony so I guess now it has  
14 become irrelevant.

15 MR. ASCHMANN: All right. I will exclude  
16 number seven. Number ten is a page of notes.

17 MR. VAN SCOYOC: This was not covered during  
18 Ms. Appechella's (ph) testimony so it is no longer  
19 relevant.

20 MR. ASCHMANN: So, number ten is excluded.  
21 Fifteen? And how is this relevant -- a letter to the  
22 lawyer?

1 MR. VAN SCOYOC: Well, it does have from our  
2 attorney writing to Ms. Cheuk with Ms. Massey in  
3 quotes stating that this is the most important part  
4 with regards to the social goals which is the crux of  
5 our eligibility.

6 MR. ASCHMANN: Could you point me to what  
7 you're looking at, sir?

8 MR. VAN SCOYOC: Sure. On Exhibit 15, it's  
9 paragraph two -- one, two, three, four, five, six  
10 lines down. Says two teachers last year -- from last  
11 year emphatically endorse the need for a social  
12 skills goal. Ms. Aney Massie stating this is the  
13 most important part.

14 MR. ASCHMANN: Okay. I believe you did cover  
15 that with her; didn't you?

16 MR. VAN SCOYOC: Yes.

17 MR. ASCHMANN: I'm going to allow 15.

18 MR. NANNI: Mr. Aschmann, do you mind if I  
19 leave? Adam is going to stay.

20 MR. ASCHMANN: Not at all.

21 MR. NANNI: Thank you. Thank you very much.

22 MR. ASCHMANN: All right. We've got number

1 eight.

2 MS. CHEUK: Well, I would request that he stay  
3 just for this part because I think he created some of  
4 these documents --

5 MR. NANNI: No.

6 MS. CHEUK: -- that I'm objecting to.

7 MR. NANNI: I did not.

8 MS. CHEUK: Particularly -- well, one of you  
9 did.

10 MR. NANNI: He's here.

11 MR. ASCHMANN: I'm going to let him leave --

12 MS. CHEUK: Okay.

13 MR. ASCHMANN: -- if he wants to go. We'll  
14 sort out these exhibits.

15 MS. CHEUK: Okay.

16 MR. ASCHMANN: It's -- I know it's an unusual  
17 procedure but it's an unusual case. Exhibit 8, sir,  
18 it says teacher notes but they don't look like  
19 teacher notes to me. What is this?

20 MR. VAN SCOYOC: These are -- am I able to  
21 provide the real notes? We did this to try to make  
22 it easier on everybody's life. So we condensed it as

1 opposed to separate emails.

2 MR. ASCHMANN: Well, see that creates an  
3 authenticity problem.

4 MR. VAN SCOYOC: But I'm saying these are all  
5 --

6 MR. NANNI: I actually have her notebook. I  
7 have her -- can I send you the notebook? Can I --  
8 I'm asking.

9 MR. ASCHMANN: I'm worried about what's here,  
10 what's been given to me.

11 MR. VAN SCOYOC: What's been submitted?

12 MR. ASCHMANN: Yes.

13 MR. VAN SCOYOC: Then authenticity issues are  
14 understood.

15 MR. ASCHMANN: I'll exclude number eight.  
16 Number nine is objected to on the same basis?

17 MR. VAN SCOYOC: Uh-huh.

18 MR. ASCHMANN: Okay. We'll exclude number  
19 nine. Seventeen, same objection?

20 MR. VAN SCOYOC: Seventeen?

21 MR. ASCHMANN: Any response?

22 MR. VAN SCOYOC: No, 17, same -- yeah, that's

1 fine.

2 MR. ASCHMANN: Being excluded. Twenty?

3 MS. CHEUK: Sorry, 19 was the next one.

4 MR. ASCHMANN: Did I miss one? Nineteen?

5 MR. VAN SCOYOC: Oh, yeah. We discussed that  
6 yesterday. I have the audio file. Thought I was  
7 doing a favor by transcribing it but apparently, I  
8 did not, so we can get rid of that one.

9 MR. ASCHMANN: All right, sir. Twenty, same  
10 thing?

11 MR. VAN SCOYOC: Oh, wait. I'm sorry --

12 MS. CHEUK: Nineteen we did discuss yesterday.

13 MR. VAN SCOYOC: Yeah, 19 we can exclude --

14 MS. CHEUK: But it's the same issue.

15 MR. VAN SCOYOC: -- for the same reason. Yeah.

16 MR. ASCHMANN: Well, it's already been --

17 MR. VAN SCOYOC: Twenty was discussed yesterday  
18 and you said it could not be admitted because I  
19 transcribed it.

20 MS. CHEUK: Right.

21 MR. ASCHMANN: Well, it's an authenticity  
22 thing.

1 MR. VAN SCOYOC: Right.

2 MR. ASCHMANN: We need the originals. Thirty-  
3 four? Looks like it's the same thing, sir. Do you  
4 have any response?

5 MR. VAN SCOYOC: Yeah, I mean with Mr. Finn's  
6 testimony this morning, you made it very clear that  
7 anything with KEYS Academy would be irrelevant so I  
8 guess we have to exclude it.

9 MR. ASCHMANN: I think so. All right.  
10 Eighteen? Objects to authentication and relevance.  
11 Any response, sir?

12 MR. VAN SCOYOC: This was submitted as an  
13 attachment. I do have the original email from the  
14 sender and she said please see attached. She was  
15 organizing the social skills group and she said  
16 attached --

17 MR. ASCHMANN: But this is clearly not an  
18 original email. It's not a photocopy or anything.

19 MR. VAN SCOYOC: The email has not been  
20 attached to it but there's an email that is  
21 accompanying it -- that does accompany it. And this  
22 is an attachment from an email from the school



1 employee.

2 MR. ASCHMANN: Well, under what basis are you  
3 seeking its admission?

4 MR. VAN SCOYOC: It lists REDACTED as being  
5 autistic.

6 MR. ASCHMANN: But as far as -- it doesn't even  
7 seem to state an author or anything.

8 MR. VAN SCOYOC: That would be -- had I  
9 included the email that she sent this with -- this  
10 was an attachment to an email from a school  
11 counselor. Would I be able to provide the email that  
12 is --

13 MR. ASCHMANN: No, like I said, I'm dealing  
14 with what's here; --

15 MR. VAN SCOYOC: Okay.

16 MR. ASCHMANN: -- not other things.

17 MR. VAN SCOYOC: Then that can go.

18 MR. ASCHMANN: Yeah. I don't see it being  
19 authenticated either. Eighteen is excluded. Twenty-  
20 two? Relevance, objection. How is this relevant?

21 MR. VAN SCOYOC: That was his case manager  
22 sending a face palm emoji to his teachers. So we can

1 exclude that. It was just rude of her to do but I  
2 guess not pertinent to eligibility.

3 MR. ASCHMANN: All right. Twenty-three?

4 MS. CHEUK: Twenty-two was not what you just  
5 said --

6 MR. VAN SCOYOC: Twenty-three --

7 MS. CHEUK: -- it was.

8 MR. VAN SCOYOC: -- was the face palm. Twenty-  
9 two was her asking about the [inaudible] which was  
10 also inappropriate but I guess in the context of  
11 this, not appropriate.

12 MR. ASCHMANN: All right. Twenty-six then.  
13 Same objection.

14 MR. VAN SCOYOC: Yeah, 26 can go.

15 MR. ASCHMANN: All right. Well, 22, 23, 26  
16 will all be excluded. Thirty-two? I will accept 32.  
17 Thirty-three? I will accept 33. Thirty-five? What  
18 is the relevance of 35? It looks like more of the  
19 KEYS tour stuff.

20 MR. VAN SCOYOC: Yeah. You touched on that  
21 one. Given the fact that with Mr. Finn's testimony  
22 and you saying not to discuss the KEYS academy, this

1 one can go per your direction.

2 MR. ASCHMANN: All right. And she put 36,  
3 seven, eight and nine with that too. Are these all  
4 about KEYS and the offers made to you?

5 MR. VAN SCOYOC: Thirty-six is about KEYS so  
6 that can go. Thirty-seven was just the principal  
7 showing happiness about filing assault charges. So I  
8 guess that's not relevant in the context of  
9 eligibility.

10 MS. CHEUK: Also didn't -- he's not  
11 characterizing -- he's testifying about what these  
12 are without the person being there and that's going  
13 on the record and I object to that.

14 MR. ASCHMANN: Yes, ma'am. Your objection is  
15 noted. Thirty-eight?

16 MS. CHEUK: We already --

17 MR. ASCHMANN: Did you have any response on 38?  
18 She still -- it's all this -- she's objected to it,  
19 right?

20 MR. VAN SCOYOC: You already --

21 MS. CHEUK: You already excluded that one.

22 MR. ASCHMANN: Okay. Thirty-eight, 39. How

1 about 39, sir?

2 MR. VAN SCOYOC: That can go.

3 MR. ASCHMANN: All right. That covers the  
4 exhibits. Those that have not been excluded will be  
5 admitted.

6 (Exhibits 4, 11, 16, 24, 28, 29, 33, and 46  
7 were marked for identification and were retained by  
8 counsel.)

9 MR. VAN SCOYOC: Thank you.

10 MS. CHEUK: May we have a brief break before  
11 closing argument, please?

12 MR. ASCHMANN: Yes. Indeed we shall. We'll  
13 take a -- 20 minutes good enough or do you need --

14 MS. CHEUK: Ten would be fine.

15 MR. ASCHMANN: Okay. So then we'll take a ten-  
16 minute break and return for closing arguments. Thank  
17 you.

18 (Off the record briefly.)

19 MR. ASCHMANN: Would you like to make a closing  
20 argument?

21 MS. CHEUK: Yes, sir. Mr. Aschmann, on the  
22 issue of REDACTED's eligibility for special education

1 services, the weight of the evidence you have heard  
2 throughout this hearing and entered into the record  
3 favors a confirmation of the eligibility team's  
4 decision that [REDACTED] is no longer eligible for special  
5 education services.

6 The eligibility team has properly convened four  
7 times over the last year in accordance with special  
8 education regulations and documented and carefully  
9 considered information from a variety of sources  
10 including aptitude and achievement tests from FCPS  
11 and outside FCPS, parent input and teacher  
12 recommendations as well as information about the  
13 child's physical condition, social or cultural  
14 background.

15 You heard testimony from the director of  
16 special education, the school psychologist, the  
17 social worker, two assistant principals and three of  
18 [REDACTED]'s teachers. None believe [REDACTED] to be eligible  
19 for special education and related services.

20 Specifically you heard from Brooke Settle and  
21 Aney Massie that [REDACTED] can be successful and access  
22 education without accommodations and without

1 scaffolding in advanced classes. You heard from Ms.  
2 Henson that [REDACTED] is no different than any other  
3 sixth grade boy. You heard from Ms. Hoeting about  
4 [REDACTED]'s growing independence.

5 You also heard of how many [REDACTED] -- of how many  
6 of [REDACTED]'s accommodations are refused and even seem  
7 to be causing some anxiety. Collectively you heard  
8 that none of the behaviors Mr. Van Scoyoc and Mr.  
9 Nanni have been reporting being seen at home are  
10 being seen at school. The [REDACTED] that the school sees  
11 is vastly different than the [REDACTED] described by his  
12 guardian and caregiver.

13 Therefore, it has truly been one-sided except  
14 from the school psychologist you heard from today who  
15 you might remember only ever observed [REDACTED] one time  
16 in the school setting and agreed that an eligibility  
17 team shouldn't base its decision on one observation.

18 Her observation was thoroughly discussed and  
19 considered as required by law at an eligibility  
20 meeting in December 2018 and again in January 2019.  
21 And based on that discussion with input from the  
22 school social worker who observed right alongside her

1 and found inconsistencies with her description of  
2 events and conclusions weighted it accordingly.

3 You also heard testimony about the IEE report  
4 from the Keller Center. That testimony demonstrates  
5 that the report was thoroughly discussed and  
6 considered as required by law at three different  
7 eligibility meetings. Dr. Cameron noted in his  
8 testimony about that report and during discussions at  
9 eligibility team meetings he also shared this -- how  
10 often Dr. Giroux made conclusions and recommendations  
11 not based on direct testing or observation of REDACTED  
12 or on teacher rating scales but due to the reporting  
13 from home. Therefore, the eligibility team weighted  
14 that report accordingly.

15 The bottom line is this: if REDACTED's weaknesses  
16 are not impacting his education to the point of  
17 requiring specialized instruction, he does not meet  
18 the criteria and is simply not eligible. In addition  
19 to all of the other data, his classroom performance  
20 during the first semester of this school year and his  
21 appearance at an eligibility meeting in December,  
22 where he all but confirmed he is doing just fine, are

1 evidence that he does not require specialized  
2 instruction.

3 With the complete record now before you, Mr.  
4 Aschmann, FCPS again requests that the relief it  
5 included in its -- again requests the relief it  
6 included in its request for this hearing that you  
7 sustain the eligibility team's decision and refer  
8 REDACTED to the Section 504 committee to determine  
9 eligibility and, if necessary, to develop an  
10 appropriate 504 plan. Thank you.

11 MR. ASCHMANN: Sir?

12 MR. VAN SCOYOC: Mr. Aschmann, I will start by  
13 saying that I'm aware that I have made several  
14 procedural errors during this due process hearing  
15 which I apologize for and I appreciate your  
16 flexibility with.

17 I'll continue to say that the school absolutely  
18 should've accepted my request to reschedule the  
19 January 11th eligibility meeting. And in not doing  
20 so, they committed a major procedural error. The  
21 school is very obviously looking at this issue with a  
22 very narrow lens by ignoring important iss --



1 important diagnoses by a highly esteemed medical  
2 institution ignoring independent observations  
3 conducted by unbiased third-parties and by averaging  
4 test scores on their own evaluations so as to  
5 diminish elevated ratings by individuals.

6 But what's most important is **REDACTED**'s education  
7 and I can only hope that the facts prevail so that  
8 his eligibility status remains the same. If some  
9 accommodations aren't being used or are no longer  
10 needed, I'm happy to convene an IEP meeting or a  
11 mediation session to discuss those. However, the  
12 evidence presented in this hearing overwhelmingly  
13 shows that his IEP must remain intact. Thank you.

14 MR. ASCHMANN: Thank you very much. I  
15 appreciate the time and effort that both of you have  
16 put into presenting this case today. I know it's  
17 very difficult to do something outside of your normal  
18 spectrum of work. But I think I've got the  
19 information that you both meant to present to me on  
20 this particular issue. And I will render a decision  
21 in writing. I will try to get it out as soon as I  
22 can. Thank you, both very much.

1 MR. VAN SCOYOC: Thank you.

2 MS. CHEUK: Thank you.

3 MR. ASCHMANN: That concludes this hearing.

4 (Off the record at 11:57 a.m.)

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CERTIFICATE OF NOTARY PUBLIC

I, Dustin Thomason, the officer before whom the foregoing proceedings were taken, do hereby certify that said proceedings were electronically recorded by me; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



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Dustin Thomason, Court Reporter

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CERTIFICATE OF TRANSCRIBER

I, Sheila Martin, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that said proceedings were transcribed to the best of my ability from the audio recording and supporting information; and that I am neither counsel for, related to, nor employed by and of the parties to this case and have no interest, financial or otherwise, in its outcome.

*Sheila Martin*

\_\_\_\_\_

Sheila Martin

March 8, 2019

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

A			
<b>aback</b>	10:12, 25:17,	<b>activities</b>	<b>adults</b>
38:4	57:21, 68:7,	9:5, 63:15	46:13, 46:18
<b>ability</b>	68:15, 76:15	<b>activity</b>	<b>advanced</b>
60:3, 64:3,	<b>academy</b>	41:12, 42:3,	101:1
85:17, 107:5	21:4, 21:12,	52:19, 63:11	<b>affect</b>
<b>able</b>	21:14, 21:17,	<b>actual</b>	37:16
41:4, 42:2,	22:16, 95:7,	63:20, 65:8	<b>after</b>
42:10, 48:18,	97:22	<b>actually</b>	36:11, 39:19,
50:3, 57:22,	<b>accept</b>	27:4, 29:20,	52:6, 58:17,
60:5, 60:19,	89:12, 97:16,	32:14, 34:22,	83:21
71:20, 84:12,	97:17	36:1, 36:8,	<b>again</b>
92:20, 96:11	<b>accepted</b>	37:2, 49:16,	15:13, 16:20,
<b>about</b>	103:18	57:3, 69:19,	17:9, 21:19,
10:22, 14:2,	<b>access</b>	90:1, 93:6	23:1, 23:10,
14:18, 15:21,	63:18, 100:21	<b>adam</b>	33:5, 33:10,
17:17, 19:9,	<b>accommodation</b>	3:4, 26:22,	34:4, 34:5,
19:10, 21:7,	55:14, 56:3	91:19	34:6, 36:12,
21:9, 22:8,	<b>accommodations</b>	<b>add</b>	41:8, 43:7,
22:9, 23:6,	35:10, 51:8,	9:20	45:13, 47:19,
23:14, 26:8,	61:19, 100:22,	<b>adding</b>	58:22, 59:16,
33:19, 36:16,	101:6, 104:9	47:15	61:17, 66:7,
37:6, 37:18,	<b>accompany</b>	<b>addition</b>	68:18, 73:6,
37:19, 37:21,	28:5, 95:21	102:18	80:16, 101:20,
38:8, 40:9,	<b>accompanying</b>	<b>additional</b>	103:4, 103:5
42:5, 43:19,	95:21	35:15, 35:20,	<b>age</b>
44:6, 45:9,	<b>accomplish</b>	43:5, 47:15,	45:22
48:19, 49:18,	14:9	47:18, 50:7,	<b>agitated</b>
55:5, 56:22,	<b>accomplished</b>	62:2	42:12, 59:19
57:8, 62:9,	30:1	<b>address</b>	<b>agitating</b>
80:22, 84:4,	<b>accordance</b>	71:20	47:22
85:19, 88:3,	100:7	<b>adhd</b>	<b>agitation</b>
93:9, 97:9,	<b>accordingly</b>	46:7, 49:1	41:15
98:4, 98:5,	102:2, 102:14	<b>administration</b>	<b>ago</b>
98:7, 98:11,	<b>accurately</b>	9:10	64:14
99:1, 100:12,	85:11, 86:6	<b>administrative</b>	<b>agree</b>
101:3, 102:3,	<b>aches</b>	1:4	9:20, 18:17,
102:8	48:13	<b>admission</b>	51:1, 58:20,
<b>above</b>	<b>achieve</b>	96:3	64:21
60:9	60:19	<b>admissions</b>	<b>agreed</b>
<b>absent</b>	<b>achievement</b>	22:19	10:17, 36:21,
53:15, 53:17,	60:4, 100:10	<b>admit</b>	49:14, 49:15,
54:11	<b>achieving</b>	22:21	101:16
<b>absolutely</b>	49:19	<b>admitted</b>	<b>aide</b>
103:17	<b>acknowledged</b>	79:6, 94:18,	72:10
<b>academic</b>	37:10	99:5	<b>aides</b>
7:11, 9:22,	<b>across</b>	<b>adrenaline</b>	72:13
	54:19	33:2	<b>alexandria</b>
	<b>actions</b>	<b>adult</b>	4:8
	81:2	46:10	

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p><b>alfred</b> 4:7</p> <p><b>all</b> 15:17, 24:15, 29:1, 33:18, 33:20, 34:1, 35:11, 37:1, 37:17, 47:15, 49:2, 49:15, 52:6, 57:14, 58:9, 60:19, 64:22, 65:21, 66:8, 66:9, 66:12, 66:16, 67:19, 69:7, 74:10, 75:1, 75:15, 75:18, 78:18, 89:9, 90:15, 91:20, 91:22, 93:4, 94:9, 95:9, 97:3, 97:12, 97:15, 97:16, 98:2, 98:3, 98:18, 99:3, 102:19, 102:22</p> <p><b>allow</b> 6:13, 62:14, 84:14, 91:17</p> <p><b>allowed</b> 61:22</p> <p><b>allowing</b> 9:22</p> <p><b>alone</b> 55:6</p> <p><b>along</b> 31:20, 39:6</p> <p><b>alongside</b> 101:22</p> <p><b>already</b> 40:12, 40:13, 48:6, 55:12, 61:1, 89:15, 89:16, 94:16, 98:16, 98:20, 98:21</p> <p><b>also</b> 4:3, 12:16,</p>	<p>12:17, 17:11, 36:3, 36:7, 46:19, 49:21, 56:2, 56:7, 60:21, 61:16, 63:17, 63:19, 64:9, 64:10, 68:9, 74:20, 81:12, 90:9, 97:10, 98:10, 101:5, 102:3, 102:9</p> <p><b>although</b> 47:20, 53:6</p> <p><b>always</b> 18:8, 28:6, 32:2, 72:19, 72:20, 81:9</p> <p><b>america</b> 3:7</p> <p><b>anderson</b> 3:14</p> <p><b>aney</b> 91:12, 100:21</p> <p><b>angry</b> 83:10</p> <p><b>ann</b> 76:14</p> <p><b>annoy</b> 81:13</p> <p><b>another</b> 12:1, 15:19, 31:6, 32:15, 33:8, 36:2, 38:3, 39:14, 46:4, 46:5, 55:12, 66:3, 75:22</p> <p><b>answer</b> 7:4, 9:14, 10:8, 21:18, 23:5, 59:9, 86:5, 86:8, 87:14</p> <p><b>answered</b> 35:11, 83:16, 87:13</p> <p><b>answers</b> 27:8, 32:6,</p>	<p>32:7</p> <p><b>anxiety</b> 44:14, 47:7, 47:14, 47:18, 48:7, 48:15, 49:1, 101:7</p> <p><b>anxious</b> 41:8</p> <p><b>any</b> 6:3, 6:9, 6:13, 8:7, 8:20, 9:2, 9:4, 10:13, 14:4, 14:22, 15:18, 18:17, 19:8, 20:22, 26:12, 27:6, 27:7, 27:8, 35:5, 35:15, 35:20, 37:3, 43:11, 45:18, 45:21, 46:10, 49:8, 60:16, 64:10, 64:12, 65:17, 70:11, 70:15, 71:2, 72:2, 72:22, 86:22, 88:8, 88:14, 88:21, 89:1, 93:21, 95:4, 95:11, 98:17, 101:2, 106:6</p> <p><b>anyone</b> 27:5, 31:11, 33:22, 34:5, 46:3, 58:20</p> <p><b>anything</b> 23:8, 38:4, 49:6, 65:18, 70:20, 86:7, 95:7, 95:18, 96:7</p> <p><b>anywhere</b> 63:4, 63:19</p> <p><b>apologize</b> 11:11, 20:1, 103:15</p> <p><b>apparently</b> 94:7</p>	<p><b>appeals</b> 18:16</p> <p><b>appear</b> 22:15, 42:21</p> <p><b>appearance</b> 102:21</p> <p><b>appeared</b> 52:18, 90:10</p> <p><b>appechella's</b> 90:18</p> <p><b>applies</b> 18:13</p> <p><b>apply</b> 15:22, 18:13, 19:10</p> <p><b>appreciate</b> 24:20, 86:14, 88:14, 103:15, 104:15</p> <p><b>appropriate</b> 45:12, 97:11, 103:10</p> <p><b>appropriately</b> 46:1</p> <p><b>apt</b> 46:18</p> <p><b>aptitude</b> 100:10</p> <p><b>area</b> 60:4, 60:5</p> <p><b>areas</b> 10:1</p> <p><b>aren't</b> 23:4, 104:9</p> <p><b>argument</b> 99:11, 99:20</p> <p><b>arguments</b> 5:7, 99:16</p> <p><b>around</b> 8:17, 32:1, 32:2, 32:13, 37:20, 39:8, 40:19</p> <p><b>arrive</b> 31:7</p> <p><b>arrived</b> 29:19</p> <p><b>arts</b> 28:18, 81:14</p>
--	---	--	---

<p><b>asd</b> 22:21</p> <p><b>ask</b> 12:12, 17:12, 17:17, 35:5, 41:3, 53:16, 57:18, 73:7</p> <p><b>asked</b> 21:6, 27:9, 30:7, 30:14, 31:18, 34:11, 35:6, 36:17, 38:15, 38:22, 39:20, 62:1, 62:3, 68:14, 72:5, 72:10, 73:13, 73:14, 84:18</p> <p><b>asking</b> 12:9, 17:11, 32:5, 33:9, 37:21, 54:5, 54:6, 57:17, 70:20, 86:6, 93:8, 97:9</p> <p><b>assault</b> 98:7</p> <p><b>assembly</b> 29:21, 41:12</p> <p><b>assigned</b> 9:9, 53:11, 53:14, 53:20</p> <p><b>assignment</b> 41:5, 41:18, 42:10, 50:3, 59:20, 61:5, 61:9, 61:20</p> <p><b>assignments</b> 61:22</p> <p><b>assist</b> 72:10</p> <p><b>assistance</b> 74:2</p> <p><b>assistant</b> 7:8, 24:6, 70:22, 100:17</p> <p><b>associate</b> 81:3</p>	<p><b>assume</b> 60:13</p> <p><b>assumes</b> 58:6</p> <p><b>attached</b> 95:14, 95:16, 95:20</p> <p><b>attachment</b> 95:13, 95:22, 96:10</p> <p><b>attachments</b> 51:21, 51:22</p> <p><b>attempt</b> 16:3, 27:7</p> <p><b>attend</b> 24:7, 27:20, 37:3, 77:21, 87:1</p> <p><b>attended</b> 8:14, 24:9, 24:12, 52:14, 70:21</p> <p><b>attending</b> 29:18, 69:11, 70:4</p> <p><b>attention</b> 59:4, 59:14</p> <p><b>attorney</b> 91:2</p> <p><b>atypical</b> 46:1</p> <p><b>audio</b> 94:6, 107:5</p> <p><b>authenticate</b> 79:5, 79:22</p> <p><b>authenticated</b> 96:19</p> <p><b>authentication</b> 78:7, 78:14, 79:3, 95:10</p> <p><b>authenticity</b> 93:3, 93:13, 94:21</p> <p><b>author</b> 78:8, 78:14, 96:7</p> <p><b>authored</b> 80:13</p>	<p><b>authority</b> 13:21, 72:13</p> <p><b>autism</b> 45:9, 45:10, 45:11, 45:17, 46:6, 46:7, 46:19, 48:22</p> <p><b>autistic</b> 96:5</p> <p><b>avenue</b> 2:5</p> <p><b>averaging</b> 104:3</p> <p><b>avoid</b> 47:9, 47:19</p> <p><b>avoidance</b> 46:22, 49:21, 64:2</p> <p><b>avoided</b> 48:11</p> <p><b>avoiding</b> 47:10, 47:13</p> <p><b>aware</b> 9:4, 12:6, 12:14, 12:21, 15:4, 18:22, 20:18, 21:13, 29:21, 43:7, 57:19, 62:4, 62:19, 64:6, 69:3, 70:15, 72:4, 72:7, 77:12, 103:13</p> <p><b>awareness</b> 15:7</p> <p><b>away</b> 10:18, 72:18</p> <hr/> <p style="text-align: center;"><b>B</b></p> <hr/> <p><b>bachelor</b> 76:22</p> <p><b>bachelor's</b> 7:12</p> <p><b>back</b> 16:11, 23:4, 27:14, 28:14, 28:19, 32:4, 35:12, 36:15,</p>	<p>37:5, 37:7, 37:15, 38:7, 39:16, 40:13, 40:17, 41:1, 41:4, 54:18, 59:4, 81:16</p> <p><b>background</b> 7:11, 7:17, 25:17, 26:2, 30:10, 51:14, 68:7, 68:12, 68:14, 68:15, 68:16, 69:1, 76:16, 77:6, 100:14</p> <p><b>bag</b> 39:3</p> <p><b>ball</b> 32:9, 32:15, 33:1, 33:3</p> <p><b>barely</b> 78:11</p> <p><b>base</b> 33:4, 45:14, 51:5, 101:17</p> <p><b>based</b> 15:19, 45:20, 50:9, 51:2, 51:4, 55:8, 62:15, 62:17, 64:15, 64:18, 83:11, 101:21, 102:11</p> <p><b>basically</b> 79:4</p> <p><b>basis</b> 93:16, 96:2</p> <p><b>bathroom</b> 38:17, 38:19, 47:5, 47:7, 48:11, 49:21, 61:13, 61:15</p> <p><b>became</b> 39:14, 40:17</p> <p><b>because</b> 10:16, 17:3, 21:18, 22:18, 23:19, 29:20,</p>
--	--	--	---





<p><b>brought</b> 40:17, 59:4</p> <p><b>building</b> 9:10, 66:7, 81:1</p> <p><b>bunch</b> 19:21</p> <hr/> <p style="text-align: center;"><b>C</b></p> <hr/> <p><b>call</b> 6:16, 20:5, 20:7, 20:11, 24:21, 75:22</p> <p><b>called</b> 20:12, 20:20, 29:14, 35:13, 80:18, 81:21</p> <p><b>calling</b> 21:2, 66:19</p> <p><b>came</b> 31:18, 32:4, 32:15, 33:9, 38:13, 39:3, 39:13, 39:22, 41:1, 41:4, 57:8</p> <p><b>cameron</b> 70:14, 102:7</p> <p><b>can</b> 6:11, 7:6, 7:10, 7:16, 8:4, 15:21, 16:12, 17:13, 18:3, 18:16, 25:13, 25:16, 26:1, 26:10, 28:15, 29:9, 30:1, 43:16, 44:14, 46:7, 46:21, 48:3, 48:22, 54:7, 60:14, 68:3, 68:6, 76:12, 76:15, 79:10, 81:4, 83:8, 83:10, 84:10, 86:8, 89:9, 93:7, 94:8, 94:13, 96:17, 96:22,</p>	<p>97:14, 98:1, 98:6, 99:2, 100:21, 104:7, 104:22</p> <p><b>can't</b> 9:13, 10:2, 12:11, 17:2, 21:18, 36:20, 49:1, 84:13, 85:22</p> <p><b>capable</b> 42:20, 44:18</p> <p><b>capacity</b> 24:6</p> <p><b>career</b> 77:3</p> <p><b>carefully</b> 100:8</p> <p><b>caregiver</b> 51:15, 62:5, 101:12</p> <p><b>case</b> 8:14, 9:7, 9:9, 18:14, 18:18, 19:1, 19:12, 19:14, 23:8, 34:19, 36:18, 36:20, 49:11, 55:8, 57:12, 57:21, 60:22, 92:17, 96:21, 104:16, 106:6, 107:8</p> <p><b>catch</b> 47:21, 57:22</p> <p><b>catching</b> 43:9</p> <p><b>category</b> 22:21, 45:11, 48:5</p> <p><b>catholic</b> 7:14</p> <p><b>cause</b> 12:2, 44:14, 44:15</p> <p><b>caused</b> 81:3</p> <p><b>causing</b> 101:7</p>	<p><b>ceiling</b> 31:22</p> <p><b>center</b> 2:4, 102:4</p> <p><b>central</b> 9:12</p> <p><b>certain</b> 13:17, 64:2, 65:12</p> <p><b>certificate</b> 77:2, 106:1, 107:1</p> <p><b>certified</b> 25:21</p> <p><b>certify</b> 106:3, 107:2</p> <p><b>cetera</b> 22:21, 47:1</p> <p><b>chair</b> 86:3</p> <p><b>chairs</b> 33:21</p> <p><b>challenges</b> 71:20</p> <p><b>chance</b> 84:13</p> <p><b>characteristic</b> 46:4, 46:6, 46:19</p> <p><b>characteristics</b> 45:19</p> <p><b>characterized</b> 55:7</p> <p><b>characterizing</b> 98:11</p> <p><b>charge</b> 64:21</p> <p><b>charges</b> 98:7</p> <p><b>chart</b> 90:11</p> <p><b>check</b> 39:22, 41:1</p> <p><b>checklist</b> 35:9, 39:6</p> <p><b>cheer</b> 75:12</p> <p><b>cheered</b> 71:15, 71:17</p>	<p><b>children's</b> 83:8</p> <p><b>child's</b> 100:13</p> <p><b>chose</b> 46:14</p> <p><b>christine</b> 5:4, 25:15</p> <p><b>circle</b> 40:10, 40:11, 40:14</p> <p><b>circles</b> 32:2</p> <p><b>circling</b> 40:18</p> <p><b>circuit</b> 18:12, 18:18, 18:19</p> <p><b>citing</b> 62:6</p> <p><b>civil</b> 20:16</p> <p><b>class</b> 30:20, 31:4, 33:20, 34:7, 34:11, 35:12, 35:18, 36:1, 36:15, 37:3, 38:8, 38:18, 40:12, 40:13, 41:21, 45:6, 47:6, 47:8, 47:12, 47:13, 47:17, 49:10, 49:22, 52:17, 54:14, 55:21, 56:7, 56:14, 57:11, 57:22, 58:10, 60:7, 60:13, 60:17, 61:5, 61:10, 61:15, 63:4, 63:6, 64:7, 64:10, 64:12, 77:17, 77:19</p> <p><b>classes</b> 29:16, 29:18, 31:5, 52:15,</p>
---	---	---	--

<p>64:3, 101:1  <b>classroom</b>                  28:14, 28:16,                  28:19, 37:13,                  42:15, 44:21,                  45:5, 47:1,                  50:8, 55:2,                  65:9, 85:8,                  102:19  <b>clean</b>                  41:8, 41:10,                  41:14, 59:17  <b>clear</b>                  38:2, 41:19,                  49:20, 50:16,                  50:18, 57:13,                  95:6  <b>clearly</b>                  44:10, 45:1,                  45:17, 46:14,                  48:8, 49:18,                  50:6, 57:7,                  95:17  <b>cleary</b>                  45:3  <b>close</b>                  45:21  <b>closed</b>                  6:7  <b>closing</b>                  5:7, 99:11,                  99:16, 99:19  <b>coach</b>                  27:6, 71:6  <b>code</b>                  11:22, 13:17  <b>coded</b>                  13:18  <b>cognitively</b>                  49:20  <b>collectively</b>                  101:7  <b>college</b>                  76:18  <b>colleges</b>                  77:2  <b>colored</b>                  39:4</p>	<p><b>combination</b>                  39:5  <b>come</b>                  6:18, 27:18,                  66:9  <b>comes</b>                  67:13  <b>coming</b>                  65:22, 70:16,                  75:21, 76:4  <b>commented</b>                  40:4, 42:18  <b>comments</b>                  87:9  <b>committed</b>                  103:20  <b>committee</b>                  103:8  <b>commonwealth</b>                  1:1, 2:11  <b>communicate</b>                  14:2  <b>community</b>                  2:4  <b>compiled</b>                  78:4  <b>complains</b>                  48:13  <b>complaint</b>                  15:5, 15:10,                  62:5, 62:17  <b>complaints</b>                  14:22, 15:3,                  15:17, 20:15,                  62:9  <b>complete</b>                  103:3  <b>completed</b>                  29:10, 36:21,                  39:9, 40:14,                  83:5, 83:20,                  85:11, 85:17  <b>completely</b>                  41:22  <b>completing</b>                  16:5  <b>component</b>                  18:7, 48:8,</p>	<p>48:21  <b>components</b>                  44:16, 48:15  <b>compound</b>                  85:15  <b>comprised</b>                  9:19  <b>concepts</b>                  43:10, 44:22  <b>concern</b>                  71:10  <b>concerning</b>                  42:2  <b>concerns</b>                  69:4, 71:18,                  77:13  <b>concluded</b>                  56:19  <b>concludes</b>                  105:3  <b>conclusion</b>                  57:8  <b>conclusions</b>                  102:2, 102:10  <b>condensed</b>                  92:22  <b>condition</b>                  15:22, 100:13  <b>conduct</b>                  11:22, 27:16  <b>conducted</b>                  104:3  <b>confirmation</b>                  100:3  <b>confirmed</b>                  102:22  <b>confused</b>                  37:22  <b>conjecture</b>                  54:2  <b>connecting</b>                  45:22  <b>consequences</b>                  47:11  <b>consider</b>                  8:1  <b>consideration</b>                  49:4, 65:8,</p>	<p>86:22  <b>considered</b>                  18:9, 84:9,                  87:6, 87:10,                  100:9, 101:19,                  102:6  <b>considering</b>                  21:11  <b>consistently</b>                  48:13, 61:3,                  61:4  <b>contact</b>                  27:6, 27:12  <b>contacted</b>                  21:15  <b>context</b>                  10:4, 16:21,                  17:2, 97:10,                  98:8  <b>continue</b>                  103:17  <b>continued</b>                  4:1, 39:7,                  40:14  <b>convene</b>                  10:10, 104:10  <b>convened</b>                  100:6  <b>conversation</b>                  21:13, 46:3,                  49:18, 53:1,                  72:8  <b>cooperative</b>                  86:5  <b>copy</b>                  38:20, 38:22,                  62:1, 80:1  <b>copying</b>                  39:2, 39:19  <b>corpening</b>                  8:10, 17:5,                  20:5, 74:1  <b>correct</b>                  15:16, 32:7,                  51:15, 52:4,                  52:12, 52:17,                  58:15, 59:6,                  61:20, 62:13,</p>
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Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>63:4, 63:22, 64:16, 71:4, 75:4, 83:22, 87:14, 107:3 <b>corrections</b> 43:1, 58:1, 61:1 <b>correspondence</b> 8:16 <b>corwell</b> 74:4 <b>could</b> 9:15, 11:4, 17:21, 20:4, 22:2, 29:4, 29:12, 30:7, 30:9, 35:15, 38:11, 39:1, 39:10, 43:20, 47:21, 48:1, 50:9, 54:10, 56:8, 57:3, 60:12, 69:7, 69:22, 72:10, 74:2, 78:2, 80:10, 81:7, 81:15, 91:6, 94:18 <b>couldn't</b> 31:13, 34:5, 64:14 <b>could've</b> 43:7, 53:20, 87:6, 87:9 <b>counsel</b> 5:10, 24:3, 25:9, 50:13, 67:20, 74:13, 76:8, 86:16, 99:8, 106:5, 107:7 <b>counseling</b> 51:9 <b>counselor</b> 96:11 <b>country</b> 71:6, 72:6 <b>county</b> 3:11, 7:21,</p>	<p>8:19, 9:2, 9:20, 10:9, 10:17, 11:22, 12:15, 13:14, 13:22, 14:4, 16:3, 16:18, 21:8, 24:4, 50:14, 70:15, 74:4, 74:5, 74:13, 77:10, 86:16 <b>course</b> 80:4 <b>courses</b> 77:1 <b>court</b> 13:15, 18:16, 59:10, 106:12 <b>counsel</b> 6:22 <b>cover</b> 89:20, 91:14 <b>covered</b> 22:14, 90:1, 90:12, 90:17 <b>covers</b> 99:3 <b>create</b> 78:8 <b>created</b> 78:7, 86:19, 92:3 <b>creates</b> 47:14, 47:17, 93:2 <b>criteria</b> 22:19, 22:22, 102:18 <b>cross</b> 24:2, 71:5, 72:5, 74:12, 86:15 <b>cross-country</b> 71:8, 72:11, 72:16, 75:6, 75:8 <b>cross-exam</b> 50:12 <b>cross-examination</b> 24:3, 50:13,</p>	<p>74:13, 86:16 <b>cross-examine</b> 84:14 <b>crowell</b> 71:10, 72:5 <b>crucial</b> 69:4, 77:13 <b>crux</b> 91:4 <b>culpeper</b> 21:4 <b>cultural</b> 100:13 <b>cumulative</b> 67:7, 78:16 <b>curious</b> 6:6 <b>current</b> 9:17, 20:22 <b>currently</b> 8:18 <b>curriculum</b> 63:18</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>data</b> 64:22, 102:19 <b>date</b> 20:8, 83:15, 83:18, 83:19, 86:18, 87:19 <b>day</b> 6:2, 6:7, 27:21, 29:13, 29:16, 29:20, 37:3, 37:18, 38:15, 38:16, 38:18, 39:21, 41:20, 42:6, 44:11, 50:20, 53:15, 55:12, 56:8, 57:10, 57:20, 58:13, 58:16, 58:19, 59:1, 59:2, 61:6, 61:9, 61:10, 64:11, 65:6</p>	<p><b>deal</b> 31:13, 37:1 <b>dealing</b> 96:13 <b>december</b> 20:6, 69:14, 101:20, 102:21 <b>decide</b> 19:22, 23:13 <b>decision</b> 18:15, 22:11, 62:12, 100:4, 101:17, 103:7, 104:20 <b>decisions</b> 15:19, 18:2, 18:6, 18:8 <b>declined</b> 35:7 <b>decreasing</b> 43:22 <b>defined</b> 69:5, 77:14 <b>degree</b> 7:12, 68:8, 76:19 <b>demonstrated</b> 13:10 <b>demonstrates</b> 102:4 <b>denied</b> 39:6 <b>deny</b> 50:9 <b>department</b> 1:2, 15:10, 16:4 <b>depression</b> 44:15 <b>described</b> 101:11 <b>description</b> 102:1 <b>desk</b> 28:13, 28:20, 28:21, 41:16 <b>desks</b> 28:9</p>
--	--	---	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

115

<p><b>detail</b> 43:21, 84:8</p> <p><b>detailed</b> 30:21</p> <p><b>details</b> 11:15, 11:18, 11:20, 12:5, 17:6, 17:15, 22:8</p> <p><b>determination</b> 64:18, 88:19</p> <p><b>determinations</b> 65:3</p> <p><b>determine</b> 103:8</p> <p><b>develop</b> 103:9</p> <p><b>development</b> 10:6</p> <p><b>di</b> 64:14</p> <p><b>diagnoses</b> 104:1</p> <p><b>diagnosing</b> 45:15</p> <p><b>diagnosis</b> 45:14, 48:7, 64:14</p> <p><b>did</b> 10:6, 12:1, 12:2, 14:3, 15:19, 15:20, 20:5, 20:7, 20:8, 21:13, 23:15, 27:12, 27:20, 30:4, 31:17, 32:16, 33:1, 34:4, 36:20, 38:5, 40:15, 41:17, 42:5, 45:10, 45:19, 45:21, 46:3, 46:4, 46:9, 48:18, 49:5, 51:5, 51:12, 51:21, 51:22, 52:7, 52:8, 53:4,</p>	<p>53:11, 53:13, 53:16, 56:5, 57:12, 58:9, 59:20, 61:14, 61:19, 62:15, 62:16, 62:17, 64:12, 71:8, 71:13, 71:17, 72:12, 72:15, 74:1, 74:4, 74:5, 75:12, 77:21, 78:5, 79:1, 79:9, 79:11, 79:12, 79:14, 79:15, 85:3, 85:19, 86:22, 91:14, 92:7, 92:9, 92:21, 94:4, 94:8, 94:12, 98:17</p> <p><b>didn't</b> 18:17, 21:19, 29:3, 32:17, 34:12, 35:3, 35:5, 36:17, 36:22, 37:3, 37:13, 37:15, 38:3, 38:11, 42:9, 43:16, 46:2, 48:10, 49:14, 52:6, 61:12, 63:3, 63:7, 64:9, 64:10, 70:19, 72:2, 73:14, 73:22, 74:16, 78:8, 78:14, 84:19, 89:20, 91:15, 98:10</p> <p><b>dietitian</b> 77:7</p> <p><b>different</b> 21:20, 34:13, 36:1, 40:21, 43:3, 56:10, 61:4, 63:18, 84:3, 85:5,</p>	<p>101:2, 101:11, 102:6</p> <p><b>difficult</b> 10:7, 16:10, 54:19, 88:13, 104:17</p> <p><b>diminish</b> 104:5</p> <p><b>direct</b> 8:20, 10:21, 12:11, 17:13, 21:21, 46:2, 102:11</p> <p><b>directed</b> 8:22, 31:11, 34:5</p> <p><b>direction</b> 23:11, 98:1</p> <p><b>directions</b> 31:9, 38:8, 41:19, 53:3</p> <p><b>directly</b> 16:22, 31:15, 45:22, 79:16</p> <p><b>director</b> 100:15</p> <p><b>disability</b> 48:4</p> <p><b>disabled</b> 19:4</p> <p><b>disagreements</b> 20:14</p> <p><b>disappearing</b> 72:18</p> <p><b>disciplinary</b> 13:18</p> <p><b>discipline</b> 5:19, 11:13, 13:5, 13:16, 15:15, 30:9, 30:12, 48:17</p> <p><b>disciplined</b> 13:10</p> <p><b>discrepancy</b> 60:2</p> <p><b>discuss</b> 19:18, 74:16, 94:12, 97:22,</p>	<p>104:11</p> <p><b>discussed</b> 20:10, 21:12, 73:8, 74:20, 94:5, 94:17, 101:18, 102:5</p> <p><b>discussion</b> 61:17, 101:21</p> <p><b>discussions</b> 22:9, 102:8</p> <p><b>dismissed</b> 12:15</p> <p><b>disorder</b> 45:11</p> <p><b>dispute</b> 1:3</p> <p><b>disregard</b> 80:9</p> <p><b>disrespectful</b> 81:4</p> <p><b>disruption</b> 20:18</p> <p><b>disservice</b> 49:17</p> <p><b>distracted</b> 31:22, 39:15</p> <p><b>distraction</b> 46:7</p> <p><b>document</b> 11:12, 16:13, 16:14, 16:16, 18:20, 79:4, 80:12, 80:13, 80:15, 81:21, 83:4, 85:2, 86:18, 86:21, 87:3, 87:12, 89:5</p> <p><b>documented</b> 100:8</p> <p><b>documents</b> 22:15, 85:12, 92:4</p> <p><b>does</b> 8:9, 10:19, 14:1, 18:12, 22:15, 44:10, 48:14, 81:9,</p>
---	---	--	---

<p>81:22, 83:22, 91:1, 95:21, 102:17, 103:1 <b>doesn't</b> 15:20, 17:5, 36:4, 36:7, 42:21, 45:7, 60:16, 65:14, 67:8, 67:9, 78:13, 96:6 <b>doing</b> 31:2, 33:14, 35:18, 37:12, 41:13, 41:22, 49:17, 57:13, 58:2, 94:7, 102:22, 103:19 <b>dominion</b> 77:3 <b>don</b> 51:5 <b>done</b> 13:20, 35:8, 36:11, 39:19, 40:12, 73:22, 87:20 <b>don't</b> 8:20, 10:13, 10:21, 11:1, 11:6, 14:2, 14:8, 15:13, 17:3, 19:8, 20:7, 21:11, 21:21, 23:2, 23:8, 23:12, 24:6, 26:21, 38:18, 43:5, 43:8, 48:21, 49:15, 50:8, 56:12, 56:13, 56:14, 56:16, 56:17, 59:22, 60:11, 63:19, 64:4, 64:8, 65:18, 67:4, 67:6, 67:9, 70:19, 71:1, 71:21, 72:2,</p>	<p>73:2, 73:4, 74:8, 79:7, 82:16, 83:14, 84:1, 86:7, 88:1, 88:21, 89:1, 92:18, 96:18 <b>down</b> 10:22, 31:8, 34:13, 34:15, 35:8, 38:7, 59:10, 73:14, 91:10 <b>dr</b> 70:14, 102:7, 102:10 <b>draw</b> 59:14 <b>drive</b> 3:7 <b>drove</b> 29:22 <b>due</b> 1:6, 15:11, 16:3, 22:10, 62:5, 102:12, 103:14 <b>during</b> 27:11, 28:5, 28:10, 30:20, 31:10, 40:18, 46:4, 47:17, 49:5, 57:11, 57:20, 57:21, 63:7, 63:10, 71:10, 72:16, 75:8, 90:17, 102:8, 102:20, 103:14 <b>dustin</b> 2:10, 106:2, 106:12 <b>dwel</b> 88:5</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>each</b> 34:2</p>	<p><b>early</b> 30:6 <b>easier</b> 92:22 <b>east</b> 2:5 <b>ed</b> 22:21, 51:2, 68:9, 68:21 <b>education</b> 1:2, 5:17, 7:15, 7:19, 8:2, 8:6, 15:11, 16:4, 16:15, 19:4, 47:3, 49:6, 50:8, 68:9, 68:20, 71:9, 78:21, 99:22, 100:5, 100:8, 100:16, 100:19, 100:22, 102:16, 104:6 <b>educational</b> 18:1, 18:6, 18:8, 26:11, 50:1, 74:18 <b>effort</b> 52:21, 104:15 <b>eight</b> 26:6, 46:20, 92:1, 93:15, 98:3 <b>eighteen</b> 95:10, 96:19 <b>either</b> 6:4, 19:8, 43:2, 96:19 <b>elaborate</b> 46:21, 48:3 <b>electronically</b> 106:4 <b>element</b> 21:20 <b>elevated</b> 104:5 <b>eligibility</b> 5:16, 8:15, 10:14, 10:20,</p>	<p>11:2, 15:14, 16:1, 16:7, 18:13, 19:9, 19:11, 19:13, 19:21, 22:11, 22:14, 22:22, 23:13, 24:7, 24:10, 64:17, 64:21, 69:5, 69:10, 70:5, 70:11, 74:15, 77:14, 77:22, 84:10, 85:6, 86:22, 87:1, 87:7, 91:5, 97:2, 98:9, 99:22, 100:3, 100:6, 101:16, 101:19, 102:7, 102:9, 102:13, 102:21, 103:7, 103:9, 103:19, 104:8 <b>eligible</b> 23:4, 50:5, 100:4, 100:18, 102:18 <b>eloping</b> 72:16, 72:17 <b>else</b> 17:12, 35:19, 37:14, 57:15, 65:18, 80:3 <b>email</b> 8:16, 26:20, 27:15, 66:18, 95:13, 95:18, 95:19, 95:20, 95:22, 96:9, 96:10, 96:11 <b>emails</b> 93:1 <b>emoji</b> 96:22 <b>emotional</b> 44:6, 44:16, 48:4, 48:8, 48:21, 63:3,</p>
---	---	---	---

<p>71:14  <b>emphatically</b>  91:11  <b>employed</b>  28:4, 106:6,  107:7  <b>employee</b>  8:19, 14:4,  28:4, 96:1  <b>employees</b>  70:15  <b>empty</b>  54:12  <b>end</b>  42:3, 58:19,  59:1, 62:3  <b>endorse</b>  91:11  <b>energetic</b>  32:14  <b>engaged</b>  32:10, 32:22,  52:18  <b>english</b>  30:3, 37:5,  42:11, 46:16,  47:12, 57:1,  58:10, 58:11,  58:12, 61:3,  64:4, 64:7  <b>enjoying</b>  32:11, 32:22  <b>enough</b>  17:4, 86:12,  99:13  <b>ensure</b>  19:3  <b>enter</b>  79:4  <b>entered</b>  88:20, 88:21,  100:2  <b>entire</b>  47:8, 61:15,  75:12  <b>environment</b>  33:17, 63:18  <b>error</b>  103:20</p>	<p><b>errors</b>  103:14  <b>especially</b>  44:17  <b>esquire</b>  3:13, 4:4  <b>essentially</b>  12:4  <b>establish</b>  8:5, 26:10  <b>esteemed</b>  104:1  <b>et</b>  22:21, 47:1  <b>evaluation</b>  43:13, 43:15,  43:17, 45:17,  48:14, 74:18,  85:3  <b>evaluations</b>  74:21, 75:1,  104:4  <b>even</b>  23:3, 26:21,  37:13, 50:9,  59:20, 96:6,  101:6  <b>events</b>  102:2  <b>eventually</b>  35:12, 39:16  <b>ever</b>  26:19, 57:10,  70:7, 70:10,  70:16, 87:19,  87:20, 101:15  <b>every</b>  65:6  <b>everybody</b>  54:8, 79:2  <b>everybody's</b>  66:7, 92:22  <b>everyone</b>  31:12  <b>everything</b>  19:12, 80:3,  87:22, 88:2  <b>evidence</b>  40:10, 79:6,</p>	<p>89:2, 89:10,  100:1, 103:1,  104:12  <b>exact</b>  20:8  <b>exactly</b>  38:18, 58:1  <b>examination</b>  6:22, 12:11,  25:9, 67:20,  76:8  <b>examples</b>  49:8  <b>except</b>  39:13, 54:18,  101:13  <b>excited</b>  32:13, 33:3  <b>exclude</b>  90:15, 93:15,  93:18, 94:13,  95:8, 97:1  <b>excluded</b>  86:21, 90:2,  90:3, 90:9,  90:20, 94:2,  96:19, 97:16,  98:21, 99:4  <b>excuse</b>  85:22  <b>exhibit</b>  5:12, 5:13,  5:14, 5:15,  5:16, 5:17,  5:18, 5:19,  9:16, 11:5,  16:13, 17:22,  18:11, 20:5,  22:3, 22:5,  29:9, 69:9,  69:13, 70:3,  78:3, 78:6,  80:10, 80:11,  80:17, 80:18,  81:17, 81:19,  81:21, 82:3,  89:8, 90:2,  90:6, 91:8,</p>	<p>92:17  <b>exhibited</b>  90:9  <b>exhibits</b>  88:20, 92:14,  99:4, 99:6  <b>expectations</b>  11:21  <b>experience</b>  26:3, 42:14,  86:4  <b>expert</b>  8:2, 8:5, 26:11  <b>explained</b>  23:18, 38:22  <b>explaining</b>  44:22  <b>explosive</b>  83:10, 84:2,  84:3, 84:19  <b>extracurricular</b>  63:10, 63:14  <b>extremely</b>  39:15, 44:10,  50:4  <b>eyes</b>  40:3</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>fabulous</b>  47:20  <b>face</b>  39:11, 96:22,  97:8  <b>faces</b>  81:13, 83:9  <b>fact</b>  12:4, 15:14,  20:13, 44:8,  47:4, 51:7,  55:10, 78:8,  83:11, 97:21  <b>facts</b>  17:18, 104:7  <b>factual</b>  17:17  <b>failed</b>  61:17</p>
---	---	---	--

<p><b>familiar</b> 11:12, 11:14, 11:17, 15:2, 16:13, 78:22</p> <p><b>family</b> 27:12</p> <p><b>far</b> 26:3, 79:6, 96:6</p> <p><b>fauquier</b> 3:11, 7:21, 8:19, 9:2, 9:20, 10:9, 10:17, 11:22, 12:14, 13:14, 13:22, 14:4, 16:17, 24:3, 50:13, 70:15, 74:13, 77:10, 86:16</p> <p><b>favor</b> 94:7</p> <p><b>favours</b> 100:3</p> <p><b>fcps</b> 100:10, 100:11, 103:4</p> <p><b>february</b> 1:14</p> <p><b>federal</b> 19:1</p> <p><b>feel</b> 87:21</p> <p><b>fellow</b> 12:1</p> <p><b>felt</b> 67:10</p> <p><b>few</b> 31:10, 33:13, 34:1, 40:8, 41:2, 50:10, 64:13</p> <p><b>fidgeting</b> 38:10</p> <p><b>field</b> 8:2, 8:5, 26:11</p> <p><b>fifteen</b> 90:21</p> <p><b>fifth</b> 77:19</p>	<p><b>figure</b> 66:14</p> <p><b>figures</b> 46:11</p> <p><b>file</b> 30:8, 30:12, 48:12, 48:17, 51:3, 51:4, 51:16, 78:17, 79:18, 87:4, 94:6</p> <p><b>filed</b> 14:22, 15:3, 15:5, 16:3, 20:15, 30:16, 62:5</p> <p><b>filing</b> 22:10, 62:16, 98:7</p> <p><b>filled</b> 84:8, 87:13</p> <p><b>financial</b> 106:7, 107:9</p> <p><b>find</b> 36:20, 54:19, 82:12</p> <p><b>findings</b> 15:10</p> <p><b>fine</b> 11:3, 30:10, 56:11, 94:1, 99:14, 102:22</p> <p><b>fingers</b> 38:1, 44:9</p> <p><b>finish</b> 40:15, 41:18, 42:10</p> <p><b>finished</b> 40:1, 41:6</p> <p><b>finn</b> 5:3, 6:17, 7:2, 7:5, 7:6, 7:8, 7:12, 7:18, 7:22, 8:3, 8:9, 8:11, 8:20, 9:3, 9:6, 9:9, 10:2, 11:4, 11:13, 11:16, 11:20,</p>	<p>13:5, 13:7, 13:9, 13:15, 14:6, 15:2, 15:7, 15:12, 16:14, 16:20, 17:7, 17:14, 18:3, 18:7, 18:22, 20:7, 20:12, 21:6, 21:18, 24:1, 24:5, 24:8, 24:11, 24:14, 24:17, 24:20</p> <p><b>finn's</b> 95:5, 97:21</p> <p><b>fir</b> 50:17</p> <p><b>first</b> 6:16, 27:12, 33:4, 34:1, 43:6, 50:17, 54:15, 86:22, 102:20</p> <p><b>fit</b> 73:21</p> <p><b>five</b> 39:22, 40:16, 66:19, 91:9</p> <p><b>flapping</b> 46:3</p> <p><b>flexibility</b> 103:16</p> <p><b>focus</b> 19:14, 19:15, 19:20</p> <p><b>focused</b> 39:12, 40:15</p> <p><b>focusing</b> 65:11</p> <p><b>folder</b> 41:10</p> <p><b>follow</b> 14:8, 23:2</p> <p><b>followed</b> 31:8, 36:15, 53:2</p> <p><b>follows</b> 36:6</p>	<p><b>foregoing</b> 106:3, 107:3</p> <p><b>forehead</b> 38:1</p> <p><b>foremost</b> 50:17</p> <p><b>forget</b> 85:19</p> <p><b>form</b> 5:12, 12:10, 12:20, 79:12, 81:22, 82:6, 82:21</p> <p><b>formal</b> 18:15</p> <p><b>former</b> 8:13</p> <p><b>formulate</b> 17:2</p> <p><b>forth</b> 15:17, 15:20, 52:21</p> <p><b>forward</b> 13:21</p> <p><b>found</b> 34:15, 102:1</p> <p><b>foundation</b> 79:4, 79:5</p> <p><b>four</b> 31:4, 36:16, 48:2, 52:15, 53:17, 53:19, 54:14, 54:20, 54:22, 80:11, 80:18, 82:2, 91:9, 95:3, 100:6</p> <p><b>fourth</b> 18:19, 77:17, 77:18</p> <p><b>frank</b> 4:4, 5:3, 7:8</p> <p><b>frantic</b> 36:19, 37:19</p> <p><b>free</b> 66:2, 75:21</p> <p><b>friendly</b> 53:1</p>
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Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p><b>friendships</b> 45:21 <b>from</b> 7:13, 7:15, 13:7, 13:13, 13:15, 13:21, 14:6, 14:17, 15:10, 16:4, 18:12, 27:15, 28:8, 28:12, 40:10, 40:21, 42:1, 50:2, 51:5, 51:18, 51:22, 61:9, 63:6, 65:5, 72:5, 75:2, 76:21, 76:22, 78:4, 78:20, 79:16, 83:7, 85:6, 86:21, 88:2, 91:1, 91:10, 95:13, 95:22, 96:10, 100:9, 100:10, 100:15, 100:20, 101:1, 101:3, 101:14, 101:21, 102:4, 102:13, 107:5 <b>front</b> 6:19, 32:16, 33:6, 38:6 <b>frustrated</b> 49:12 <b>full</b> 9:22, 10:12, 29:16, 59:16 <b>fully</b> 43:4 <b>fun</b> 32:22 <b>function</b> 9:12 <b>functioning</b> 21:20 <b>further</b> 6:15, 23:22, 30:15, 65:16,</p>	<p>88:7 <hr/><b>G</b><hr/><b>gain</b> 17:18 <b>games</b> 33:8 <b>gave</b> 38:7, 38:20, 40:7 <b>general</b> 15:7, 19:9, 19:12, 68:9, 68:21 <b>generate</b> 17:2 <b>gentleman</b> 7:3 <b>george</b> 7:15 <b>get</b> 14:4, 27:12, 27:17, 30:1, 35:15, 37:3, 37:19, 41:9, 50:16, 51:21, 51:22, 58:11, 59:20, 81:12, 83:8, 84:13, 94:8, 104:21 <b>getting</b> 16:2, 40:20, 42:20, 45:1, 84:2 <b>giroux</b> 102:10 <b>give</b> 9:13, 10:8, 29:12 <b>given</b> 39:18, 39:19, 51:15, 61:22, 93:10, 97:21 <b>giving</b> 31:21 <b>go</b> 10:22, 16:12, 17:21, 19:11,</p>	<p>22:3, 25:1, 42:2, 43:20, 44:16, 58:1, 63:2, 81:12, 81:16, 85:13, 89:20, 92:13, 96:17, 97:14, 98:1, 98:6, 99:2 <b>goal</b> 91:12 <b>goals</b> 10:18, 51:8, 91:4 <b>goes</b> 11:7, 18:21 <b>going</b> 14:8, 14:15, 14:19, 15:18, 16:11, 17:15, 19:22, 22:4, 25:1, 29:20, 32:17, 33:15, 35:14, 35:19, 38:12, 41:9, 41:12, 41:18, 47:19, 60:1, 66:16, 67:1, 72:18, 73:1, 84:7, 84:14, 85:14, 89:13, 91:17, 91:19, 92:11, 98:12 <b>good</b> 9:14, 10:8, 32:16, 32:21, 40:5, 46:15, 46:17, 52:21, 58:3, 66:21, 99:13 <b>got</b> 30:5, 31:20, 39:8, 39:16, 41:8, 51:17, 73:16, 77:2, 85:7, 91:22, 104:18 <b>gotten</b> 48:20</p>	<p><b>grade</b> 36:10, 60:5, 60:6, 60:9, 60:12, 60:17, 60:19, 64:7, 77:17, 77:18, 77:19, 101:3 <b>grades</b> 63:20 <b>grady</b> 27:20 <b>great</b> 31:2, 49:8, <b>REDACTED</b> <b>grilling</b> 86:1 <b>group</b> 72:1, 81:11, 95:15 <b>groups</b> 85:7 <b>growing</b> 101:4 <b>guardian</b> 62:4, 101:12 <b>guess</b> 18:21, 25:2, 89:19, 90:13, 95:8, 97:2, 97:10, 98:8 <b>guests</b> 6:13 <b>gun</b> 38:2 <b>gym</b> 52:17  <b>H</b> <b>had</b> 9:7, 11:21, 14:10, 20:13, 29:16, 29:17, 29:19, 30:8, 30:12, 30:15,</p>
--	--	--	--



Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>30:17, 34:17, 35:13, 35:20, 35:22, 36:2, 36:9, 36:17, 36:21, 38:14, 38:15, 38:16, 39:9, 39:20, 40:1, 40:5, 40:12, 40:13, 41:2, 41:3, 41:4, 41:6, 41:21, 45:17, 47:5, 48:19, 49:18, 52:11, 55:5, 55:9, 57:2, 61:8, 61:15, 64:6, 70:7, 71:1, 71:2, 72:1, 73:15, 78:4, 82:16, 83:7, 83:21, 85:20, 96:8 <b>hall</b> 34:14, 34:15 <b>hallway</b> 63:5 <b>hand</b> 46:3 <b>handing</b> 40:20 <b>handling</b> 49:16 <b>handwritten</b> 78:19 <b>happened</b> 10:4, 17:16, 53:6 <b>happening</b> 55:13 <b>happiness</b> 98:7 <b>happy</b> 104:10 <b>hard</b> 59:10, 83:14 <b>has</b> 7:3, 9:7,</p>	<p>15:15, 17:13, 18:14, 27:5, 35:10, 36:3, 47:13, 48:6, 48:16, 48:22, 49:1, 56:3, 78:17, 79:7, 81:1, 83:10, 83:21, 84:5, 84:20, 87:20, 90:13, 95:19, 100:6, 101:13 <b>have</b> 6:8, 6:19, 7:12, 7:13, 7:14, 7:20, 8:16, 8:20, 8:22, 9:6, 9:11, 10:4, 10:19, 11:6, 12:12, 13:21, 15:3, 15:7, 16:20, 17:3, 17:17, 18:11, 19:20, 21:21, 22:1, 22:4, 22:20, 23:8, 24:15, 25:5, 26:19, 27:3, 28:6, 28:7, 35:20, 36:5, 36:7, 36:17, 37:12, 38:14, 45:21, 46:9, 46:15, 46:17, 48:14, 49:3, 54:11, 54:21, 56:8, 60:22, 65:16, 65:18, 66:3, 66:16, 68:8, 69:18, 70:7, 70:10, 70:16, 71:22, 72:12, 72:15, 73:7, 74:10, 75:15, 76:18, 77:9, 79:21, 80:1, 81:3, 83:1,</p>	<p>84:6, 86:4, 88:3, 88:6, 88:14, 88:18, 88:20, 88:21, 89:10, 89:20, 90:9, 91:1, 93:6, 93:7, 94:6, 95:4, 95:8, 95:13, 98:17, 99:4, 99:10, 100:1, 101:9, 103:13, 104:15, 106:7, 107:8 <b>having</b> 32:22, 49:12 <b>head</b> 44:9 <b>hear</b> 23:14, 31:13, 34:6, 58:4, 62:16 <b>heard</b> 8:13, 9:18, 14:6, 28:9, 28:13, 38:3, 51:5, 100:1, 100:15, 100:20, 101:1, 101:3, 101:5, 101:7, 101:14, 102:3 <b>hearing</b> 1:6, 1:13, 2:1, 4:4, 6:3, 6:7, 22:5, 27:11, 39:21, 84:6, 100:2, 103:6, 103:14, 104:12, 105:3 <b>hearsay</b> 14:7, 17:11, 54:3 <b>held</b> 2:1 <b>hello</b> 25:3, 76:2 <b>help</b> 14:19, 15:20,</p>	<p>19:22, 23:12, 83:10 <b>helpful</b> 42:5 <b>helping</b> 39:14 <b>henson</b> 12:7, 101:2 <b>her</b> 21:16, 30:7, 38:20, 49:15, 62:12, 62:13, 73:14, 78:12, 79:7, 79:11, 79:19, 79:22, 89:13, 91:15, 93:6, 93:7, 97:1, 97:9, 101:18, 101:22, 102:1 <b>here</b> 6:2, 9:3, 14:9, 17:18, 19:9, 19:12, 19:18, 19:20, 23:5, 24:22, 37:12, 67:11, 69:19, 78:7, 78:15, 92:10, 93:9, 96:14 <b>hereby</b> 106:3, 107:2 <b>he's</b> 12:9, 17:15, 23:9, 34:20, 35:1, 35:17, 42:19, 42:20, 43:9, 44:22, 45:1, 45:2, 45:3, 45:5, 47:13, 47:16, 47:19, 48:19, 48:20, 49:19, 49:22, 50:5, 55:22, 57:5, 57:6, 57:10, 57:15, 57:22, 60:9, 60:13,</p>
---	---	--	---

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

121

<p>60:15, 60:16, 92:10, 98:10, 98:11 <b>hi</b> 25:4, 25:11, 25:12, 68:1, 68:2, 76:3, 76:10, 76:11 <b>hiding</b> 47:7 <b>high</b> 47:8 <b>high-fiving</b> 32:18 <b>higher</b> 22:1 <b>highlighters</b> 39:4 <b>highly</b> 42:19, 104:1 <b>him</b> 8:5, 14:18, 17:17, 27:3, 27:4, 29:4, 31:3, 32:4, 32:15, 32:16, 33:9, 33:10, 33:16, 33:21, 34:12, 34:15, 35:4, 35:6, 36:15, 36:18, 37:9, 37:22, 38:3, 38:13, 38:22, 39:14, 39:22, 40:7, 40:9, 40:10, 40:19, 41:1, 41:19, 42:11, 43:8, 44:20, 44:22, 45:15, 45:20, 47:20, 47:22, 49:12, 49:17, 50:21, 57:1, 57:14, 63:5, 63:7, 65:6, 70:11, 70:18, 70:19, 71:2, 71:17,</p>	<p>73:1, 73:14, 73:15, 73:16, 75:12, 81:3, 92:11 <b>himself</b> 34:4, 40:17, 46:5, 59:4 <b>hire</b> 72:13 <b>his</b> 8:11, 15:22, 16:6, 19:9, 19:13, 19:21, 23:13, 27:16, 31:8, 31:9, 32:2, 33:2, 33:7, 33:11, 34:18, 34:19, 35:8, 36:17, 36:18, 38:1, 39:6, 39:9, 39:11, 40:3, 41:17, 41:18, 41:20, 42:1, 42:21, 43:6, 44:9, 44:13, 45:2, 45:16, 46:2, 46:9, 46:10, 47:3, 48:8, 48:12, 49:6, 49:18, 50:1, 50:2, 51:8, 56:19, 57:20, 57:21, 58:10, 59:18, 60:3, 61:18, 61:19, 63:19, 64:2, 64:3, 73:18, 73:22, 81:2, 81:12, 87:20, 96:21, 96:22, 101:11, 102:7, 102:16, 102:19, 102:20, 104:8, 104:13 <b>history</b> 7:13, 72:15 <b>hit</b> 33:1, 33:3</p>	<p><b>hitting</b> 41:16, 59:18 <b>hoeting</b> 8:13, 101:3 <b>hold</b> 25:20 <b>home</b> 43:2, 47:16, 101:9, 102:13 <b>homeroom</b> 81:4 <b>homework</b> 36:17, 36:21 <b>honest</b> 88:22 <b>hope</b> 104:7 <b>hot</b> 67:8 <b>hour</b> 29:22 <b>hours</b> 50:10 <b>how</b> 7:20, 10:15, 12:13, 15:14, 22:16, 23:18, 27:12, 28:3, 30:21, 32:7, 46:1, 47:2, 50:9, 56:8, 59:21, 61:12, 70:19, 77:9, 84:10, 85:4, 87:13, 87:18, 90:21, 96:20, 98:22, 101:5, 102:9 <b>however</b> 104:11 <b>huh</b> 79:10 <b>huh-uh</b> 62:21, 63:1, 63:9, 63:16, 63:21 <b>human</b> 8:22</p>	<p style="text-align: center;"><b>I</b></p> <hr/> <p><b>idea</b> 18:4, 18:5, 18:11, 19:1, 19:3, 19:10, 19:11, 52:11, 69:5, 77:14 <b>ideas</b> 20:22 <b>idea's</b> 17:22 <b>identification</b> 99:7 <b>identify</b> 78:11 <b>iee</b> 27:16, 102:3 <b>iep</b> 5:14, 9:17, 9:19, 9:21, 10:7, 10:10, 10:11, 10:17, 10:20, 11:1, 18:13, 24:7, 24:12, 35:9, 36:4, 36:6, 39:6, 51:8, 56:20, 58:7, 61:18, 61:21, 71:18, 72:9, 77:21, 104:10, 104:13 <b>ignoring</b> 103:22, 104:2 <b>imagine</b> 54:20 <b>impacted</b> 49:6 <b>impacting</b> 47:3, 50:1, 102:16 <b>impacts</b> 64:3 <b>impeaching</b> 62:12 <b>implement</b> 10:11, 61:18,</p>
---	--	--	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

122

<p>61:19  <b>implemented</b>                      56:20, 58:7  <b>important</b>                      10:4, 65:9,                      91:3, 91:13,                      103:22, 104:1,                      104:6  <b>improvements</b>                      88:3  <b>inadmissible</b>                      80:3  <b>inappropriate</b>                      97:10  <b>inc</b>                      3:6  <b>incident</b>                      11:15, 11:19,                      11:20, 14:18,                      15:5, 30:14,                      75:11  <b>incidents</b>                      48:19, 65:12,                      72:22, 75:7,                      75:8  <b>include</b>                      43:12  <b>included</b>                      51:13, 75:1,                      96:9, 103:5,                      103:6  <b>includes</b>                      51:8  <b>including</b>                      100:10  <b>inconsistencies</b>                      102:1  <b>inconsistent</b>                      85:1  <b>indeed</b>                      99:12  <b>independence</b>                      101:4  <b>independent</b>                      27:13, 74:17,                      104:2  <b>indicated</b>                      56:19</p>	<p><b>individual</b>                      10:22  <b>individualized</b>                      55:17, 55:20  <b>individuals</b>                      104:5  <b>inferno</b>                      67:10  <b>influence</b>                      27:7  <b>information</b>                      30:10, 30:13,                      35:15, 35:21,                      51:14, 51:18,                      100:9, 100:12,                      104:19, 107:6  <b>informed</b>                      71:5  <b>infractions</b>                      13:18  <b>initial</b>                      31:10  <b>initiated</b>                      53:1  <b>injury</b>                      12:3  <b>input</b>                      43:12, 43:15,                      65:5, 69:4,                      75:2, 77:13,                      100:11, 101:21  <b>inquire</b>                      25:8, 67:19,                      76:7  <b>inquiring</b>                      61:18  <b>insight</b>                      9:11  <b>instance</b>                      13:20, 63:8  <b>instances</b>                      85:20  <b>institution</b>                      104:2  <b>instructing</b>                      21:16  <b>instruction</b>                      31:21, 42:15,</p>	<p>42:21, 43:5,                      43:9, 45:4,                      51:2, 56:9,                      56:12, 56:21,                      57:1, 57:5,                      57:7, 58:6,                      58:9, 62:2,                      102:17, 103:2  <b>instructional</b>                      58:12  <b>instructions</b>                      40:8  <b>instructor</b>                      71:9  <b>intact</b>                      104:13  <b>intake</b>                      12:15, 13:14,                      14:1, 14:3  <b>intellectually</b>                      44:18  <b>intention</b>                      9:21  <b>interact</b>                      31:17, 46:14,                      46:18  <b>interacting</b>                      31:15, 33:11,                      33:22, 34:2,                      46:13  <b>interactions</b>                      46:9, 46:10  <b>interest</b>                      106:7, 107:8  <b>interested</b>                      21:11  <b>interpret</b>                      84:19  <b>interpretation</b>                      84:1  <b>interpreted</b>                      83:13  <b>intimate</b>                      17:15  <b>into</b>                      9:11, 31:7,                      33:13, 44:16,                      49:3, 61:19,</p>	<p>73:1, 77:7,                      79:6, 81:12,                      81:18, 81:20,                      84:7, 89:2,                      89:9, 100:2,                      104:16  <b>invited</b>                      71:6  <b>involved</b>                      9:1, 9:13,                      17:1, 21:19  <b>involvement</b>                      13:22, 21:21  <b>involving</b>                      17:6  <b>irrelevant</b>                      16:6, 19:21,                      23:13, 23:16,                      90:14, 95:7  <b>isn't</b>                      19:22, 58:7,                      60:6, 61:20,                      65:12  <b>isolated</b>                      33:18, 34:16,                      44:17, 46:5,                      50:2, 65:11,                      75:7  <b>isolating</b>                      50:4  <b>isolation</b>                      43:22, 44:12,                      53:10, 55:7,                      56:18  <b>iss</b>                      103:22  <b>issue</b>                      10:20, 11:1,                      19:13, 19:18,                      19:22, 22:14,                      23:3, 62:7,                      78:14, 88:18,                      94:14, 99:22,                      103:21, 104:20  <b>issues</b>                      19:19, 22:9,                      23:4, 30:9,                      49:21, 62:20,</p>
---	---	--	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>62:22, 93:13  <b>items</b>  40:10, 50:16  <b>its</b>  65:2, 74:20,  96:3, 101:17,  103:5, 103:6,  106:7, 107:9  <b>itself</b>  78:11  <b>it's</b>  14:8, 14:19,  16:9, 16:15,  17:10, 18:7,  18:11, 18:15,  19:7, 22:7,  22:18, 23:6,  23:13, 23:19,  38:17, 55:3,  59:9, 62:11,  67:1, 68:20,  69:14, 69:20,  69:22, 70:2,  78:12, 78:18,  79:7, 79:12,  79:19, 80:2,  80:11, 80:18,  81:21, 82:14,  83:14, 88:2,  91:8, 92:16,  92:17, 94:14,  94:16, 94:21,  95:3, 95:18,  98:18, 104:16  <b>i'd</b>  6:12, 16:20  <b>i'll</b>  14:21, 58:11,  62:14, 68:17,  89:20, 93:15,  103:17  <b>i'm</b>  6:5, 6:6, 8:11,  14:14, 14:17,  15:2, 15:18,  16:2, 16:8,  16:22, 19:15,  21:13, 21:19,</p>	<p>22:4, 23:2,  23:19, 25:1,  37:11, 43:18,  45:15, 50:5,  54:6, 60:19,  61:2, 66:10,  68:9, 69:19,  69:22, 80:6,  80:7, 82:2,  84:14, 88:13,  91:17, 92:6,  92:11, 93:4,  93:8, 93:9,  94:11, 96:13,  103:13, 104:10  <b>i've</b>  7:18, 19:19,  23:10, 26:5,  27:3, 51:5,  77:1, 89:15,  104:18</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>january</b>  8:14, 83:20,  87:1, 87:14,  87:19, 101:20,  103:19  <b>jeff</b>  3:5, 26:15,  27:15, 48:19,  51:5, 51:22  <b>jenkins</b>  12:7  <b>job</b>  1:20, 47:20  <b>july</b>  69:12, 69:17,  69:21, 70:12,  74:16  <b>jump</b>  32:16  <b>just</b>  6:6, 11:16,  14:8, 14:19,  19:12, 19:13,  19:21, 22:15,  23:7, 26:16,</p>	<p>27:18, 29:12,  30:1, 30:6,  30:7, 30:18,  31:16, 32:13,  32:17, 32:21,  33:11, 33:13,  33:16, 35:18,  35:19, 36:6,  37:1, 39:7,  39:15, 40:1,  40:8, 40:18,  40:21, 41:10,  41:16, 41:17,  43:4, 45:13,  45:15, 45:16,  45:20, 47:4,  49:9, 50:2,  50:9, 50:15,  50:17, 51:17,  53:6, 54:5,  54:7, 55:8,  58:11, 62:1,  66:10, 66:17,  67:10, 75:7,  78:17, 79:9,  79:11, 79:12,  83:7, 86:5,  86:8, 89:5,  92:3, 97:1,  97:4, 98:6,  102:22</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>keep</b>  6:8  <b>keller</b>  52:1, 52:2,  52:7, 74:17,  102:4  <b>kept</b>  32:17, 78:17  <b>keys</b>  21:4, 21:12,  21:14, 21:16,  22:16, 95:7,  97:19, 97:22,  98:4, 98:5  <b>kick</b>  32:9</p>	<p><b>kid</b>  42:22, 88:1  <b>kids</b>  32:8, 32:9,  32:21, 34:2,  37:12, 37:17,  72:2  <b>kind</b>  30:2, 30:7,  31:16, 31:18,  31:19, 31:22,  32:13, 32:15,  32:19, 32:21,  33:5, 33:8,  33:9, 33:11,  33:16, 33:18,  34:3, 34:7,  34:9, 34:21,  35:14, 37:14,  37:19, 38:9,  38:13, 39:15,  41:8, 41:16,  49:17, 85:22  <b>kneel</b>  73:14  <b>knew</b>  16:14, 30:8,  37:21, 59:19,  59:21, 59:22,  70:18, 72:20  <b>know</b>  9:1, 9:3, 9:11,  10:3, 10:6,  12:3, 14:22,  15:9, 15:13,  16:15, 16:16,  16:17, 16:20,  16:21, 17:15,  20:7, 20:13,  21:6, 22:12,  23:7, 26:15,  26:17, 26:21,  27:2, 30:18,  31:12, 34:12,  35:16, 36:3,  36:6, 36:20,  37:17, 38:4,  38:10, 38:11,</p>
--	--	---	---

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>38:18, 41:8, 41:17, 41:20, 41:21, 42:19, 43:2, 43:5, 43:8, 44:11, 44:17, 45:1, 45:4, 45:6, 45:16, 45:17, 45:18, 46:6, 46:18, 47:4, 47:11, 48:7, 48:10, 48:12, 48:16, 48:18, 50:4, 50:6, 50:8, 50:10, 53:11, 53:12, 53:13, 53:15, 55:14, 56:2, 56:6, 56:13, 56:16, 56:17, 57:9, 59:21, 59:22, 60:6, 60:11, 62:15, 62:17, 66:22, 67:9, 69:19, 70:19, 71:1, 71:2, 71:22, 72:1, 74:8, 82:16, 83:14, 84:2, 86:7, 88:21, 90:12, 92:16, 104:16</p> <p><b>knowledge</b> 8:20, 9:6, 17:4, 17:13, 17:18</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>labeled</b> 29:8, 69:8, 78:3, 81:16</p> <p><b>lack</b> 78:7, 79:3</p> <p><b>language</b> 28:17, 59:15, 81:14</p> <p><b>lanterman</b> 5:5, 66:4,</p>	<p>66:5, 67:18, 68:1, 68:2, 68:5, 68:8, 68:13, 68:17, 68:20, 69:2, 69:6, 69:12, 69:14, 69:17, 70:6, 70:9, 70:13, 70:18, 70:22, 71:7, 71:12, 71:16, 71:21, 72:7, 72:14, 72:17, 72:19, 73:2, 73:4, 73:11, 73:13, 73:19, 73:21, 74:4, 74:6, 74:8, 74:11, 74:19, 74:22, 75:3, 75:5, 75:10, 75:14, 75:20</p> <p><b>large</b> 20:14, 30:20, 31:3, 71:19, 72:1</p> <p><b>last</b> 26:6, 31:7, 41:21, 58:12, 66:15, 66:18, 91:10, 100:7</p> <p><b>lastly</b> 48:2</p> <p><b>later</b> 38:16, 40:1</p> <p><b>laughed</b> 34:21</p> <p><b>law</b> 101:19, 102:6</p> <p><b>laws</b> 19:1</p> <p><b>lawyer</b> 90:22</p> <p><b>lay</b> 79:5</p> <p><b>lead</b> 12:12</p> <p><b>leadership</b> 7:15</p>	<p><b>leading</b> 12:9, 12:17, 17:8, 17:10, 19:5, 19:7, 73:5</p> <p><b>learn</b> 64:3</p> <p><b>least</b> 9:22</p> <p><b>leave</b> 37:2, 64:12, 66:2, 75:22, 91:19, 92:11</p> <p><b>leaving</b> 31:19, 49:22, 64:10</p> <p><b>left</b> 31:5, 33:19, 33:20, 36:16, 37:8, 54:16, 54:17, 73:17</p> <p><b>legible</b> 78:18</p> <p><b>legs</b> 39:11</p> <p><b>lens</b> 103:22</p> <p><b>let</b> 11:16, 92:11</p> <p><b>letter</b> 15:9, 90:21</p> <p><b>let's</b> 30:1</p> <p><b>level</b> 17:1, 20:18, 22:1, 49:19, 60:5, 60:6, 60:9, 60:12, 60:17, 60:19</p> <p><b>licensed</b> 25:18</p> <p><b>licenses</b> 25:20</p> <p><b>life</b> 87:20, 92:22</p> <p><b>lights</b> 31:22</p> <p><b>like</b> 6:4, 6:12,</p>	<p>6:16, 12:13, 29:22, 31:19, 32:21, 34:9, 34:21, 34:22, 35:14, 38:9, 39:22, 42:19, 42:22, 43:14, 46:17, 49:3, 49:14, 49:15, 67:10, 73:8, 75:22, 81:22, 85:5, 86:1, 88:1, 88:2, 89:11, 89:22, 92:18, 95:3, 96:13, 97:18, 99:19</p> <p><b>line</b> 32:18, 32:20, 33:6, 84:7, 102:15</p> <p><b>lines</b> 91:10</p> <p><b>lists</b> 96:4</p> <p><b>little</b> 30:5, 37:15, 43:21, 67:4, 84:5, 84:21</p> <p><b>location</b> 2:7</p> <p><b>locker</b> 31:8, 33:5, 36:19</p> <p><b>log</b> 78:4, 78:12, 78:17</p> <p><b>logistics</b> 21:22, 66:14</p> <p><b>long</b> 48:17, 61:13, 77:9</p> <p><b>longer</b> 90:18, 100:4, 104:9</p> <p><b>look</b> 11:16, 25:2, 30:7, 30:11,</p>
--	--	--	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

125

<p>52:10, 57:3, 81:22, 87:22, 89:20, 92:18 <b>looked</b> 28:13, 28:20, 37:22, 38:9, 40:2, 40:4 <b>looking</b> 27:16, 29:5, 30:17, 31:22, 32:1, 40:19, 52:12, 80:16, 82:5, 91:7, 103:21 <b>looks</b> 95:3, 97:18 <b>lost</b> 36:22 <b>lot</b> 21:21, 33:14, 34:8, 35:3, 36:4, 41:15, 44:12, 44:14, 44:15, 48:15, 51:13, 55:5, 55:13, 72:1 <b>loud</b> 31:14, 31:16, 34:3, 34:7, 39:21, 46:2 <b>low</b> 36:9 <b>lunch</b> 58:17, 63:8 <b>lynchpin</b> 17:22, 18:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>ma</b> 57:6 <b>made</b> 29:21, 57:13, 88:3, 95:6, 98:4, 102:10, 103:13 <b>main</b> 3:15 <b>major</b> 18:1, 18:6,</p>	<p>103:20 <b>majority</b> 36:12, 42:15 <b>make</b> 6:4, 8:5, 15:18, 35:3, 35:22, 36:4, 36:22, 47:14, 57:13, 60:16, 63:2, 63:13, 64:14, 64:17, 86:7, 92:21, 99:19 <b>making</b> 36:6, 36:8, 45:2, 65:2 <b>manage</b> 13:16 <b>manager</b> 8:14, 34:19, 36:18, 36:21, 49:11, 55:9, 57:12, 57:21, 61:1, 96:21 <b>managers</b> 9:8, 9:9 <b>mandated</b> 13:19 <b>many</b> 7:20, 32:8, 57:6, 85:11, 101:5 <b>march</b> 107:16 <b>marked</b> 99:7 <b>marshall</b> 8:17, 20:19 <b>martin</b> 1:22, 107:2, 107:15 <b>mason</b> 7:15 <b>massey</b> 91:2 <b>massie</b> 91:12, 100:21 <b>master's</b> 7:13, 7:14,</p>	<p>68:8 <b>material</b> 19:22, 20:2 <b>math</b> 30:3, 34:9, 34:11, 37:3, 49:9, 49:19, 55:5, 55:6, 55:19, 55:20, 57:2, 57:11, 60:4, 60:6, 60:7, 60:17, 62:7 <b>mathematics</b> 68:10, 68:21 <b>matter</b> 23:20 <b>matters</b> 6:5 <b>may</b> 14:14, 23:7, 25:8, 67:19, 72:11, 76:7, 84:12, 99:10 <b>maybe</b> 30:17, 44:21, 47:16, 56:11, 84:1, 84:19 <b>ma'am</b> 80:8, 86:2, 88:10, 98:14 <b>mccoy</b> 5:6, 76:1, 76:3, 76:6, 76:10, 76:11, 76:14, 76:17, 76:20, 76:22, 77:7, 77:11, 77:15, 77:18, 77:20, 78:1, 78:5, 78:17, 78:20, 79:1, 80:14, 80:20, 81:1, 81:9, 81:18, 82:1, 82:2, 82:9, 82:11, 82:15, 82:18, 83:2,</p>	<p>83:3, 83:6, 83:13, 84:1, 84:18, 84:22, 85:5, 85:9, 85:16, 85:18, 85:22, 86:9, 86:13, 86:20, 87:2, 87:5, 87:8, 87:11, 87:15, 87:21, 88:5, 88:11 <b>mccoy's</b> 90:13 <b>mean</b> 19:10, 23:1, 42:9, 42:17, 44:9, 57:6, 72:17, 76:17, 79:21, 81:18, 84:2, 89:15, 95:5 <b>means</b> 55:21 <b>meant</b> 104:19 <b>mechanical</b> 12:2 <b>mediation</b> 104:11 <b>medical</b> 104:1 <b>meet</b> 27:1, 43:3, 102:17 <b>meeting</b> 5:16, 8:15, 9:19, 16:15, 16:19, 24:10, 24:13, 69:10, 69:11, 70:5, 70:12, 70:17, 70:21, 71:3, 71:4, 71:18, 72:9, 74:16, 84:10, 101:20, 102:21, 103:19, 104:10 <b>meetings</b> 10:5, 18:13,</p>
--	--	---	---

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>24:7, 77:22, 102:7, 102:9 <b>members</b> 81:11 <b>mention</b> 63:13 <b>mentioned</b> 56:7, 75:7 <b>met</b> 26:16, 70:10, 70:16, 70:18, 70:19, 71:1, 71:2 <b>mi</b> 56:22 <b>middle</b> 8:17, 20:19, 21:8, 37:7, 44:1 <b>might</b> 101:15 <b>mind</b> 52:11, 80:21, 91:18 <b>mine</b> 11:7, 82:11, 82:12 <b>minute</b> 36:13, 36:14, 40:16, 54:9, 79:2, 99:16 <b>minutes</b> 31:10, 33:14, 34:1, 36:16, 39:22, 40:8, 41:2, 99:13 <b>mishandlings</b> 19:16 <b>miss</b> 43:8, 61:9, 94:4 <b>missed</b> 38:15, 38:16, 39:21, 58:1, 58:9, 61:10 <b>misses</b> 58:6 <b>missing</b> 42:15, 56:9,</p>	<p>56:12, 56:20, 57:1, 57:5, 57:7 <b>mix-up</b> 30:16 <b>moment</b> 20:8 <b>moments</b> 32:12, 64:14 <b>monday</b>  <b>REDACTED</b> <b>REDACTED</b> <b>REDACTED</b> <b>more</b> 43:21, 44:21, 46:18, 47:14, 54:9, 54:19, 59:19, 66:17, 81:13, 88:14, 97:18 <b>morning</b> 95:6 <b>most</b> 34:9, 35:1, 38:17, 42:6, 49:10, 91:3, 91:13, 104:6 <b>motion</b> 89:12 <b>motions</b> 6:3 <b>move</b> 8:4, 14:21, 26:10, 89:9 <b>moved</b> 36:2, 89:2 <b>moving</b> 55:4 <b>mrs</b> 78:17 <b>mtg</b> 5:17 <b>much</b> 24:18, 48:1, 65:21, 75:19, 88:6, 88:10, 91:21, 104:14,</p>	<p>104:22 <b>multiple</b> 30:12, 48:19, 59:8, 77:21 <b>must</b> 55:13, 104:13 <b>myself</b> 14:22, 26:17 <hr/><b>N</b><hr/> <b>name</b> 7:7, 25:13, 26:21, 68:3, 76:12 <b>name's</b> 26:22 <b>nanni</b> 3:5, 15:1, 25:1, 51:20, 52:1, 67:3, 78:12, 78:16, 78:22, 79:9, 79:11, 79:15, 79:18, 79:20, 80:1, 80:4, 86:13, 91:18, 91:21, 92:5, 92:7, 92:10, 93:6, 101:9 <b>narrow</b> 19:13, 19:20, 103:22 <b>nationally</b> 25:21 <b>necessarily</b> 31:11, 65:12 <b>necessary</b> 103:9 <b>need</b> 10:21, 12:18, 14:18, 17:12, 17:17, 17:19, 19:10, 23:14, 45:4, 67:6, 79:5, 80:8, 85:13, 86:4, 91:11, 95:2, 99:13</p>	<p><b>needed</b> 41:20, 104:10 <b>needs</b> 45:6, 58:2, 63:17 <b>negotiation</b> 23:20 <b>negotiations</b> 22:13, 23:3, 23:12 <b>neither</b> 106:5, 107:7 <b>nervous</b> 38:10 <b>never</b> 14:3, 23:21, 24:9, 24:11, 24:12, 24:14, 27:4, 32:3, 37:10, 37:11, 43:14, 45:14, 50:21, 50:22, 55:1, 72:22, 83:9, 83:11, 83:21, 84:5, 84:21, 85:11, 85:21, 87:16, 87:18, 90:12 <b>new</b> 15:18 <b>next</b> 24:21, 37:4, 39:13, 41:11, 43:8, 53:22, 54:12, 66:4, 81:8, 94:3 <b>nice</b> 27:1 <b>nicole</b> 3:13 <b>night</b> 40:5, 40:6, 66:18 <b>nine</b> 18:20, 81:17, 81:18, 81:20, 82:3, 82:4, 82:13, 82:17,</p>
---	---	--	---

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

127

<p>90:9, 93:16, 93:19, 98:3 <b>nineteen</b> 94:4, 94:12 <b>ninth</b> 18:12, 18:18 <b>nobody's</b> 86:6 <b>noises</b> 81:2 <b>none</b> 31:14, 54:16, 54:17, 100:18, 101:8 <b>nor</b> 106:6, 107:7 <b>normal</b> 58:20, 104:17 <b>notary</b> 2:11, 106:1 <b>note</b> 55:5, 59:3, 60:2, 60:21, 63:19 <b>notebook</b> 93:6, 93:7 <b>noted</b> 52:18, 98:15, 102:7 <b>notes</b> 38:21, 39:3, 39:19, 62:2, 80:21, 86:19, 90:16, 92:18, 92:19, 92:21 <b>nothing</b> 6:15, 18:14 <b>notice</b> 2:10, 5:17, 16:16, 34:4, 37:14 <b>noticed</b> 30:11, 33:5, 33:17, 34:3, 37:11, 40:3 <b>now</b> 10:18, 33:2, 38:2, 40:12,</p>	<p>43:5, 50:5, 51:2, 66:13, 88:3, 89:10, 89:13, 90:13, 103:3 <b>nuance</b> 12:5 <b>number</b> 2:7, 15:2, 20:14, 44:6, 45:8, 46:21, 48:2, 71:19, 80:12, 81:17, 83:9, 84:4, 84:20, 88:20, 90:16, 90:20, 91:22, 93:15, 93:16, 93:18 <b>numerous</b> 77:1 <b>nvr</b> 3:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>obj</b> 18:10 <b>object</b> 10:13, 12:10, 15:13, 18:10, 19:5, 22:4, 54:2, 62:8, 78:6, 84:7, 89:10, 90:10, 98:13 <b>objected</b> 14:10, 17:21, 93:16, 98:18 <b>objecting</b> 92:6 <b>objection</b> 6:9, 8:7, 12:16, 13:1, 17:8, 73:5, 79:3, 89:4, 93:19, 96:20, 97:13, 98:14 <b>objections</b> 26:12, 89:14,</p>	<p>89:16 <b>objects</b> 95:10 <b>observation</b> 5:15, 27:13, 27:21, 28:10, 29:10, 29:22, 34:1, 34:10, 35:16, 42:3, 43:12, 45:14, 45:15, 45:19, 46:9, 49:6, 50:10, 52:4, 52:6, 52:9, 58:9, 62:6, 64:15, 64:18, 101:17, 101:18, 102:11 <b>observations</b> 28:5, 37:12, 46:10, 104:2 <b>observe</b> 27:19, 29:15, 30:3, 48:10, 63:3, 71:13 <b>observed</b> 27:3, 29:13, 30:20, 31:3, 31:6, 35:4, 41:22, 63:5, 101:15, 101:22 <b>obviously</b> 17:14, 42:12, 47:8, 50:1, 82:12, 103:21 <b>occasion</b> 50:19, 53:7 <b>occurred</b> 75:8 <b>october</b> 27:15, 29:15, 52:14, 83:19, 86:19 <b>off</b> 16:7, 40:17, 50:17, 67:15, 73:1, 83:11, 99:18, 105:4</p>	<p><b>offer</b> 23:7 <b>offered</b> 22:13, 22:20, 55:15, 55:22 <b>offers</b> 98:4 <b>office</b> 1:3, 9:12, 11:13, 14:1, 14:3, 20:16, 21:22 <b>officer</b> 4:5, 12:7, 12:15, 22:5, 84:6, 106:2 <b>often</b> 21:19, 28:4, 28:6, 55:10, 87:18, 102:10 <b>oh</b> 27:1, 43:14, 44:5, 44:8, 57:18, 59:12, 66:10, 66:21, 67:6, 67:14, 69:19, 94:5, 94:11 <b>ohi</b> 22:21 <b>ohio</b> 76:22 <b>okay</b> 6:12, 6:14, 7:20, 8:1, 8:9, 8:12, 9:15, 11:3, 14:16, 14:21, 16:8, 16:11, 17:20, 20:1, 23:15, 23:22, 26:5, 26:9, 27:1, 27:5, 27:20, 28:8, 29:6, 30:19, 31:1, 34:21, 37:1, 39:2, 43:11, 46:1, 48:2,</p>
---	--	--	--



Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

128

<p>50:11, 50:15, 51:11, 52:11, 54:10, 55:4, 55:13, 56:6, 56:11, 57:12, 58:5, 59:12, 60:11, 61:8, 61:16, 62:14, 63:7, 65:20, 66:21, 67:12, 68:17, 68:20, 69:3, 70:4, 71:3, 72:4, 74:9, 74:11, 75:20, 79:20, 80:2, 80:9, 82:20, 83:4, 83:7, 86:9, 86:11, 88:11, 88:17, 89:3, 89:21, 91:14, 92:12, 92:15, 93:18, 96:15, 98:22, 99:15</p> <p><b>old</b> 77:3</p> <p><b>older</b> 43:9</p> <p><b>oliver</b> 21:15</p> <p><b>one</b> 9:22, 10:11, 11:21, 16:12, 21:3, 29:9, 30:13, 31:7, 32:1, 32:7, 32:8, 34:16, 37:6, 37:7, 41:7, 43:18, 44:6, 45:21, 50:18, 53:2, 53:6, 54:9, 61:6, 63:20, 64:18, 67:1, 69:8, 69:18, 78:3, 80:6, 81:8, 81:17, 85:6, 85:13,</p>	<p>85:14, 89:4, 89:6, 89:7, 89:11, 89:18, 90:1, 90:3, 90:5, 90:7, 91:9, 92:8, 94:3, 94:4, 94:8, 97:21, 98:1, 98:21, 101:15, 101:17</p> <p><b>one-sided</b> 101:13</p> <p><b>ones</b> 89:19, 90:1</p> <p><b>ongoing</b> 20:14</p> <p><b>only</b> 22:21, 23:5, 30:13, 50:18, 51:8, 53:2, 57:10, 61:5, 66:19, 101:15, 104:7</p> <p><b>onto</b> 55:12, 60:1</p> <p><b>open</b> 6:8, 29:9, 78:3, 80:10</p> <p><b>open-ended</b> 12:12, 73:8</p> <p><b>operation</b> 20:19</p> <p><b>opinion</b> 9:19</p> <p><b>opportunity</b> 60:22</p> <p><b>opposed</b> 93:1</p> <p><b>options</b> 21:6</p> <p><b>orchestra</b> 30:3, 33:13, 34:8, 53:9</p> <p><b>order</b> 43:3, 82:14</p> <p><b>organizational</b> 21:20</p> <p><b>organize</b> 21:16</p>	<p><b>organizing</b> 95:15</p> <p><b>original</b> 80:1, 95:13, 95:18</p> <p><b>originals</b> 95:2</p> <p><b>other</b> 13:11, 21:8, 30:12, 31:15, 32:19, 32:21, 33:21, 34:2, 34:16, 37:20, 40:19, 44:18, 50:2, 55:11, 56:13, 63:4, 63:20, 77:1, 80:5, 81:10, 81:12, 96:16, 101:2, 102:19</p> <p><b>others</b> 81:3</p> <p><b>otherwise</b> 106:7, 107:9</p> <p><b>our</b> 11:22, 13:16, 16:15, 21:1, 21:22, 91:1, 91:5</p> <p><b>out</b> 21:22, 25:1, 31:16, 32:7, 33:6, 33:7, 34:3, 35:13, 37:1, 38:9, 39:21, 46:2, 48:22, 49:2, 49:12, 57:14, 58:8, 58:21, 73:1, 73:19, 73:21, 82:14, 84:8, 87:13, 92:14, 104:21</p> <p><b>outbursts</b> 83:10, 83:21, 84:5, 84:20, 85:20</p> <p><b>outcome</b> 12:21, 13:4,</p>	<p>13:5, 13:9, 13:13, 14:5, 62:20, 106:8, 107:9</p> <p><b>outcomes</b> 15:16</p> <p><b>outplacements</b> 21:10</p> <p><b>outside</b> 27:18, 100:11, 104:17</p> <p><b>over</b> 29:4, 31:18, 33:9, 38:13, 39:3, 39:22, 41:4, 52:10, 58:1, 66:8, 66:9, 66:12, 100:7</p> <p><b>overall</b> 52:18, 60:3, 80:11</p> <p><b>overexaggerated</b> 35:1</p> <p><b>overview</b> 29:13</p> <p><b>overwhelmed</b> 71:14</p> <p><b>overwhelmingly</b> 104:12</p> <p><b>own</b> 74:20, 104:4</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>pack</b> 33:4</p> <p><b>packing</b> 37:2</p> <p><b>page</b> 5:2, 5:11, 18:20, 43:20, 44:4, 44:5, 45:9, 46:20, 57:3, 58:5, 59:15, 80:11, 80:12, 80:18, 81:17, 82:13, 90:16</p>
---	---	---	--

<p><b>pages</b> 1:21, 81:18, 81:20, 82:2, 82:3, 82:4</p> <p><b>paint</b> 85:14</p> <p><b>palm</b> 96:22, 97:8</p> <p><b>paper</b> 85:6</p> <p><b>papers</b> 28:13, 28:20, 29:2</p> <p><b>paragraph</b> 59:16, 91:9</p> <p><b>parent</b> 16:18, 43:12, 43:15, 100:11</p> <p><b>parental</b> 18:1, 18:5, 19:2</p> <p><b>parents</b> 3:2, 6:22, 25:9, 67:20, 71:5, 76:8</p> <p><b>parents'</b> 89:8, 90:2, 90:8</p> <p><b>part</b> 10:3, 44:11, 61:10, 69:4, 73:9, 77:2, 77:13, 78:16, 84:8, 87:4, 91:3, 91:13, 92:3</p> <p><b>parti</b> 63:14</p> <p><b>participate</b> 10:6, 71:6</p> <p><b>participating</b> 32:12, 32:14</p> <p><b>participation</b> 18:1, 18:5, 19:2, 63:14</p> <p><b>particular</b> 49:11, 58:16, 62:7, 104:20</p>	<p><b>particularly</b> 42:10, 92:8</p> <p><b>parties</b> 106:6, 107:8</p> <p><b>party</b> 6:4</p> <p><b>past</b> 88:2, 88:5</p> <p><b>patient</b> 80:8</p> <p><b>paul</b> 82:11</p> <p><b>pbis</b> 41:12, 42:2</p> <p><b>pc</b> 3:14</p> <p><b>pe</b> 30:3, 30:19, 30:20, 32:5, 46:4, 46:14, 53:4</p> <p><b>peer</b> 46:9, 81:2</p> <p><b>peers</b> 42:1, 44:13, 47:1, 50:2</p> <p><b>pencil</b> 12:2, 35:8</p> <p><b>pencils</b> 39:4, 39:7</p> <p><b>pending</b> 84:16</p> <p><b>people</b> 23:7, 40:19, 70:18, 72:20, 75:12</p> <p><b>per</b> 98:1</p> <p><b>percent</b> 34:20, 36:9, 45:2, 56:4</p> <p><b>perfect</b> 31:2</p> <p><b>perform</b> 60:5, 60:12</p> <p><b>performance</b> 50:1, 65:9, 102:19</p>	<p><b>period</b> 36:12, 36:13, 36:14, 37:4, 40:16, 57:20, 58:12</p> <p><b>periods</b> 41:21</p> <p><b>persist</b> 75:12</p> <p><b>person</b> 17:13, 26:16, 98:12</p> <p><b>perspective</b> 13:7, 20:17, 20:21</p> <p><b>pertinent</b> 97:2</p> <p><b>ph</b> 82:11, 90:18</p> <p><b>phone</b> 2:7, 20:11, 26:20, 33:7, 33:12</p> <p><b>photo</b> 73:10, 73:22</p> <p><b>photocopy</b> 95:18</p> <p><b>photographer</b> 73:13</p> <p><b>physical</b> 48:9, 71:9, 100:13</p> <p><b>physiological</b> 48:15</p> <p><b>place</b> 21:1</p> <p><b>placed</b> 44:9</p> <p><b>placement</b> 22:8, 22:16</p> <p><b>plan</b> 36:5, 36:8, 41:20, 103:10</p> <p><b>play</b> 33:8</p> <p><b>playing</b> 32:8, 32:9</p> <p><b>plaza</b> 3:7</p>	<p><b>please</b> 6:17, 6:18, 7:4, 7:6, 7:10, 7:16, 9:15, 11:4, 16:12, 17:21, 19:14, 20:4, 22:2, 24:21, 25:5, 25:13, 25:16, 29:9, 29:12, 46:21, 47:22, 48:3, 54:9, 68:3, 68:6, 68:12, 69:7, 76:1, 76:12, 78:2, 80:11, 81:8, 81:15, 95:14, 99:11</p> <p><b>poem</b> 39:18, 39:20, 40:2, 40:11</p> <p><b>point</b> 13:21, 23:10, 32:1, 36:19, 38:9, 91:6, 102:16</p> <p><b>positively</b> 81:10, 81:14</p> <p><b>possibility</b> 21:8, 21:9</p> <p><b>possible</b> 6:7, 20:22, 55:3</p> <p><b>possibly</b> 84:10</p> <p><b>post-retirement</b> 8:15</p> <p><b>potential</b> 22:16</p> <p><b>practice</b> 71:11, 72:16</p> <p><b>precedent</b> 19:1</p> <p><b>prehearing</b> 23:2, 23:20</p> <p><b>preliminary</b> 6:3</p> <p><b>prepare</b> 27:6</p>
---	---	--	---

<p><b>present</b> 4:3, 17:16, 104:19 <b>presented</b> 104:12 <b>presenting</b> 104:16 <b>prevail</b> 104:7 <b>prevent</b> 16:4 <b>previous</b> 8:12, 9:18, 28:8, 28:12, 38:15, 38:16, 38:18, 41:7, 47:6, 55:11, 85:12 <b>previously</b> 45:16 <b>principal</b> 30:17, 70:22, 98:6 <b>principals</b> 100:17 <b>principles</b> 19:10, 19:11 <b>prior</b> 22:9, 52:3, 52:5 <b>private</b> 22:8 <b>privately</b> 26:7 <b>probably</b> 17:20, 86:9 <b>problem</b> 24:20, 93:3 <b>problems</b> 10:22 <b>procedural</b> 6:6, 19:16, 19:17, 19:19, 88:18, 103:14, 103:20 <b>procedure</b> 92:17 <b>proceeding</b> 15:18</p>	<p><b>proceedings</b> 6:21, 25:6, 67:17, 76:5, 106:3, 106:4, 107:4 <b>process</b> 1:6, 10:3, 13:15, 13:16, 16:3, 22:10, 69:5, 77:14, 103:14 <b>processed</b> 12:8 <b>productive</b> 65:13 <b>profession</b> 7:19 <b>professional</b> 7:17, 26:2, 68:11, 68:13, 68:16, 68:22, 77:6 <b>program</b> 77:3 <b>progress</b> 5:13, 10:1, 80:18, 83:8, 83:12, 83:18, 85:2 <b>prompt</b> 53:2, 59:7 <b>prompted</b> 32:4 <b>proper</b> 12:19 <b>properly</b> 9:19, 100:6 <b>proposed</b> 21:3 <b>provide</b> 74:1, 92:21, 96:11 <b>provided</b> 72:10, 89:16 <b>providing</b> 19:4 <b>psychological</b> 45:16</p>	<p><b>psychologist</b> 25:19, 25:22, 26:8, 64:20, 100:16, 101:14 <b>psychology</b> 26:11 <b>public</b> 2:11, 3:11, 7:21, 8:19, 9:2, 9:20, 10:9, 10:17, 11:22, 24:4, 50:14, 70:15, 74:14, 86:17, 106:1 <b>pull</b> 49:12, 57:15 <b>pulled</b> 33:6, 33:7 <b>pulling</b> 57:14 <b>purpose</b> 21:1 <b>pursuant</b> 2:10 <b>push-in</b> 44:2, 44:21 <b>put</b> 31:8, 35:8, 38:1, 41:10, 50:16, 52:21, 58:21, 98:2, 104:16</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>qualified</b> 23:9 <b>qualify</b> 51:6 <b>quality</b> 19:4 <b>question</b> 6:6, 8:21, 12:9, 12:17, 13:3, 17:9, 17:10, 17:11, 18:3, 18:21, 19:6, 19:7, 21:18, 23:5,</p>	<p>43:16, 54:9, 73:8, 83:17, 84:16, 85:10, 85:14, 85:15 <b>questioning</b> 12:10, 14:18, 84:7 <b>questionnaire</b> 84:8 <b>questions</b> 7:4, 12:13, 12:19, 14:11, 23:22, 27:7, 27:8, 32:5, 33:10, 35:6, 35:11, 41:2, 54:5, 62:3, 65:16, 73:6, 74:10, 85:12, 86:6, 88:7 <b>quick</b> 11:16, 67:1, 88:18 <b>quickly</b> 39:12, 53:5 <b>quiz</b> 37:18, 37:21, 38:8, 38:14, 39:1 <b>quizzes</b> 39:9 <b>quotes</b> 91:3</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>raised</b> 19:18 <b>ran</b> 31:7, 33:5, 33:6 <b>rapport</b> 46:16, 46:17 <b>rare</b> 54:13 <b>rather</b> 43:4 <b>rating</b> 102:12</p>
---	--	---	--

<p><b>ratings</b> 104:5</p> <p><b>raven</b> 38:21, 39:18</p> <p><b>react</b> 32:17</p> <p><b>reaction</b> 73:20</p> <p><b>read</b> 39:20, 52:7, 81:7, 83:7</p> <p><b>reading</b> 40:1, 80:21</p> <p><b>real</b> 11:16, 92:21</p> <p><b>realize</b> 51:7</p> <p><b>really</b> 9:13, 10:2, 11:1, 17:2, 31:13, 31:15, 32:13, 32:16, 32:17, 33:3, 33:10, 34:6, 35:3, 36:5, 36:7, 36:19, 38:11, 39:12, 41:19, 47:21, 47:22, 49:1, 83:14, 87:21</p> <p><b>reason</b> 42:20, 43:11, 61:8, 82:14, 84:21, 94:15</p> <p><b>reasons</b> 84:5</p> <p><b>recall</b> 20:8, 21:7, 21:11, 64:8, 83:14, 84:11, 90:5, 90:8</p> <p><b>receive</b> 44:2</p> <p><b>received</b> 27:15, 35:10, 36:9, 52:5</p> <p><b>receiving</b> 51:2</p>	<p><b>recent</b> 89:5</p> <p><b>recess</b> 63:8</p> <p><b>recognized</b> 8:8, 26:14</p> <p><b>recommend</b> 43:21</p> <p><b>recommendation</b> 46:21, 48:4</p> <p><b>recommendations</b> 42:18, 44:2, 44:6, 48:3, 60:2, 63:3, 100:12, 102:10</p> <p><b>recommending</b> 43:1</p> <p><b>reconcile</b> 83:11</p> <p><b>record</b> 7:7, 25:14, 67:15, 68:4, 76:13, 98:13, 99:18, 100:2, 103:3, 105:4, 107:3</p> <p><b>recorded</b> 106:4, 107:4</p> <p><b>recording</b> 107:6</p> <p><b>redirect</b> 65:17, 75:16, 88:8</p> <p><b>redirection</b> 53:6</p> <p><b>refer</b> 103:7</p> <p><b>referral</b> 5:19, 11:13</p> <p><b>referrals</b> 14:11</p> <p><b>reflect</b> 11:1, 85:4</p> <p><b>reflects</b> 85:3</p> <p><b>refocus</b> 57:21</p> <p><b>reformulate</b> 12:19</p>	<p><b>refuse</b> 16:18</p> <p><b>refused</b> 101:6</p> <p><b>regard</b> 88:19</p> <p><b>regarding</b> 14:11, 15:5, 63:13</p> <p><b>regards</b> 91:4</p> <p><b>regularly</b> 24:7</p> <p><b>regulations</b> 100:8</p> <p><b>relate</b> 65:14</p> <p><b>related</b> 22:16, 100:19, 106:5, 107:7</p> <p><b>relates</b> 15:14</p> <p><b>relationships</b> 81:2</p> <p><b>relevance</b> 18:18, 19:8, 62:10, 95:10, 96:20, 97:18</p> <p><b>relevant</b> 10:14, 10:15, 10:16, 14:12, 15:17, 18:11, 20:2, 22:7, 22:10, 22:14, 22:17, 22:18, 23:4, 23:18, 23:21, 62:11, 64:22, 90:8, 90:11, 90:19, 90:21, 96:20, 98:8</p> <p><b>relief</b> 103:4, 103:5</p> <p><b>relies</b> 19:2</p> <p><b>remain</b> 72:11, 74:2, 104:13</p>	<p><b>remainder</b> 8:18</p> <p><b>remains</b> 104:8</p> <p><b>remember</b> 69:11, 70:4, 71:22, 72:2, 72:12, 73:2, 87:22, 88:1, 101:15</p> <p><b>remove</b> 72:5</p> <p><b>render</b> 104:20</p> <p><b>repeatedly</b> 41:16</p> <p><b>repetitive</b> 67:4</p> <p><b>repetitively</b> 59:18</p> <p><b>report</b> 5:13, 5:15, 8:10, 13:17, 43:20, 46:20, 51:14, 52:1, 52:2, 52:7, 57:4, 58:6, 58:21, 62:12, 62:16, 62:18, 63:15, 63:19, 71:9, 74:17, 80:18, 83:8, 83:12, 83:19, 85:2, 102:3, 102:5, 102:8, 102:14</p> <p><b>reported</b> 83:21</p> <p><b>reporter</b> 59:10, 106:12</p> <p><b>reporting</b> 101:9, 102:12</p> <p><b>request</b> 16:18, 92:2, 103:6, 103:18</p> <p><b>requests</b> 103:4, 103:5</p> <p><b>require</b> 45:7, 103:1</p>
--	---	---	--

<p><b>required</b> 53:2, 101:19, 102:6 <b>requires</b> 13:17, 22:20, 50:7, 55:15 <b>requiring</b> 73:16, 102:17 <b>reschedule</b> 16:19, 103:18 <b>resident</b> 18:19 <b>resolution</b> 1:3, 20:13, 20:22 <b>resolutions</b> 21:4 <b>resolve</b> 23:3, 23:8, 23:20 <b>resolving</b> 22:9 <b>resources</b> 8:22 <b>responded</b> 53:5 <b>response</b> 17:3, 47:9, 93:21, 95:4, 95:11, 98:17 <b>rest</b> 42:1, 56:7, 61:5 <b>restate</b> 18:3 <b>reston</b> 3:8 <b>restroom</b> 67:13 <b>result</b> 13:12 <b>retained</b> 5:10, 99:7 <b>retake</b> 43:4, 56:3, 57:2, 57:10, 63:22 <b>retakes</b> 55:9</p>	<p><b>retaking</b> 34:20, 57:6 <b>rete</b> 63:22 <b>retest</b> 55:6, 62:7 <b>retesting</b> 42:16 <b>retired</b> 8:14 <b>return</b> 99:16 <b>review</b> 51:3, 51:4, 51:16, 64:22 <b>reviewing</b> 33:15, 48:12 <b>richmond</b> 3:17 <b>rid</b> 94:8 <b>rifled</b> 28:9 <b>right</b> 6:18, 23:11, 33:2, 37:8, 37:9, 38:2, 39:13, 51:2, 53:7, 54:15, 54:17, 56:2, 60:15, 61:6, 64:11, 65:21, 67:19, 69:7, 74:22, 75:18, 81:20, 86:19, 87:17, 88:3, 89:17, 90:15, 91:22, 94:9, 94:20, 95:1, 95:9, 97:3, 97:12, 97:15, 98:2, 98:19, 99:3, 101:22 <b>rights</b> 20:16 <b>road</b> 10:22 <b>role</b> 16:22, 17:14</p>	<p><b>roles</b> 9:21 <b>room</b> 31:8, 32:1, 33:19, 34:13, 34:17, 34:18, 34:19, 37:5, 38:6, 46:14, 73:19 <b>row</b> 37:7, 54:16, 54:18, 54:21 <b>rows</b> 54:14, 54:15 <b>rubbing</b> 39:11, 40:3 <b>rude</b> 97:1 <b>ruffle</b> 29:3 <b>rule</b> 48:22, 49:2 <b>running</b> 32:13, 33:4 <b>rushing</b> 33:2</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>safety</b> 71:10 <b>said</b> 14:12, 29:19, 30:2, 30:10, 30:15, 30:18, 34:13, 34:18, 34:20, 35:19, 35:22, 36:5, 36:7, 37:1, 38:2, 38:16, 40:5, 41:7, 41:10, 41:14, 45:17, 47:5, 48:12, 53:16, 59:17, 66:19, 73:14, 73:22, 79:7, 79:13, 83:11, 83:20, 84:19, 84:21,</p>	<p>85:6, 85:21, 87:17, 90:7, 94:18, 95:14, 95:15, 96:13, 97:5, 106:4, 107:4 <b>same</b> 14:12, 44:13, 50:3, 55:12, 68:17, 93:16, 93:19, 93:22, 94:9, 94:14, 94:15, 95:3, 97:13, 104:8 <b>sands</b> 3:14 <b>sat</b> 30:6, 33:18, 33:20, 37:5, 38:7 <b>saw</b> 31:10, 31:20, 37:17, 37:22, 40:19, 41:15, 44:11, 45:20, 47:20, 48:9 <b>say</b> 16:20, 27:14, 34:10, 35:10, 38:3, 42:8, 46:12, 55:5, 58:2, 68:18, 79:9, 79:11, 83:9, 84:5, 84:13, 85:2, 86:7, 103:17 <b>saying</b> 23:2, 31:13, 34:6, 60:20, 71:21, 71:22, 72:2, 85:11, 93:4, 97:22, 103:13 <b>says</b> 61:21, 69:14, 82:11, 82:18, 84:2, 84:20, 91:10, 92:18</p>
---	--	--	---

<p><b>scaffolding</b> 101:1</p> <p><b>scales</b> 102:12</p> <p><b>schedule</b> 27:13</p> <p><b>school</b> 8:17, 8:18, 8:19, 10:12, 14:4, 20:19, 20:20, 22:19, 25:18, 25:21, 26:6, 26:7, 27:18, 28:4, 48:9, 58:19, 59:1, 61:17, 64:20, 70:15, 89:10, 95:22, 96:10, 100:16, 101:10, 101:14, 101:16, 101:22, 102:20, 103:17, 103:21</p> <p><b>schools</b> 3:12, 7:21, 9:2, 9:20, 10:10, 10:17, 11:22, 16:18, 21:8, 24:4, 50:14, 74:14, 86:17</p> <p><b>school's</b> 13:7, 80:17</p> <p><b>science</b> 76:22, 81:10</p> <p><b>scores</b> 56:3, 104:4</p> <p><b>scrambled</b> 30:2</p> <p><b>screaming</b> 32:20, 33:1</p> <p><b>season</b> 75:9, 75:13</p> <p><b>seat</b> 6:19, 25:5, 31:9, 32:3, 41:17, 53:12, 53:14, 59:19</p>	<p><b>seating</b> 54:11</p> <p><b>seats</b> 53:22, 54:11, 54:20</p> <p><b>second</b> 6:2, 43:6, 43:18, 58:12, 59:16, 77:11, 80:6</p> <p><b>section</b> 103:8</p> <p><b>see</b> 11:17, 18:17, 19:8, 20:21, 29:5, 30:1, 33:16, 34:12, 35:14, 38:5, 46:3, 46:5, 47:21, 48:18, 49:5, 51:12, 56:5, 63:7, 65:6, 93:2, 95:14, 96:18</p> <p><b>seeing</b> 45:18, 87:17</p> <p><b>seeking</b> 20:12, 96:3</p> <p><b>seem</b> 23:2, 37:13, 37:15, 42:5, 49:14, 57:13, 67:8, 96:7, 101:6</p> <p><b>seemed</b> 31:19, 32:6, 32:11, 32:20, 33:2, 35:5, 39:1, 46:15, 46:17, 49:12</p> <p><b>seems</b> 47:6</p> <p><b>seen</b> 50:18, 65:15, 101:9, 101:10</p> <p><b>sees</b> 101:10</p> <p><b>semester</b> 64:7, 102:20</p>	<p><b>send</b> 93:7</p> <p><b>sender</b> 95:14</p> <p><b>sending</b> 96:22</p> <p><b>sense</b> 35:3, 60:16</p> <p><b>sent</b> 12:7, 52:1, 66:18, 96:9</p> <p><b>separate</b> 13:15, 27:17, 41:22, 55:22, 93:1</p> <p><b>services</b> 1:4, 100:1, 100:5, 100:19</p> <p><b>session</b> 104:11</p> <p><b>setting</b> 31:6, 101:16</p> <p><b>settle</b> 100:20</p> <p><b>settlement</b> 22:13, 23:12</p> <p><b>seven</b> 43:20, 44:4, 44:5, 45:9, 90:10, 90:16, 98:3</p> <p><b>seventeen</b> 93:19, 93:20</p> <p><b>several</b> 32:12, 33:21, 35:6, 40:11, 53:10, 56:19, 57:2, 62:3, 103:13</p> <p><b>shaking</b> 39:11</p> <p><b>shall</b> 99:12</p> <p><b>shannan</b> 68:5</p> <p><b>shannann</b> 5:5</p> <p><b>share</b> 17:5</p>	<p><b>shared</b> 102:9</p> <p><b>she</b> 8:16, 8:18, 9:3, 30:10, 30:15, 34:22, 35:22, 36:3, 36:5, 36:6, 36:7, 38:5, 38:16, 38:22, 40:8, 40:10, 49:12, 49:14, 57:13, 67:13, 71:1, 73:16, 78:7, 79:9, 79:10, 79:11, 79:12, 79:13, 79:14, 79:15, 83:16, 84:8, 84:10, 84:12, 84:13, 95:14, 95:15, 96:9, 98:2, 98:18</p> <p><b>sheila</b> 1:22, 107:2, 107:15</p> <p><b>sheriff's</b> 13:22</p> <p><b>she'll</b> 84:13</p> <p><b>she's</b> 9:1, 54:5, 98:18</p> <p><b>shirley</b> 2:5</p> <p><b>shocking</b> 34:10, 35:2</p> <p><b>shortened</b> 29:20, 36:13, 59:2, 61:22</p> <p><b>should</b> 18:8, 32:8, 44:2, 45:5, 49:20, 60:5, 60:18, 60:21, 64:17, 66:8, 82:13</p> <p><b>shouldn't</b> 101:17</p>
--	---	--	---

<p><b>should've</b> 86:9, 103:18</p> <p><b>show</b> 9:22</p> <p><b>showing</b> 98:7</p> <p><b>shows</b> 55:12, 104:13</p> <p><b>side</b> 33:20</p> <p><b>sign</b> 10:11</p> <p><b>signature-lqbi6</b> 106:9</p> <p><b>signature-c</b> 107:11</p> <p><b>significant</b> 18:22, 20:20, 45:7, 47:6, 49:10, 60:2</p> <p><b>significantly</b> 47:3, 59:19, 64:3</p> <p><b>signs</b> 45:9, 45:10, 46:22, 50:6</p> <p><b>simply</b> 102:18</p> <p><b>sir</b> 6:18, 13:3, 14:7, 16:7, 19:8, 19:13, 20:3, 22:18, 24:5, 24:16, 65:17, 66:3, 69:6, 70:13, 75:22, 76:6, 80:19, 84:17, 88:15, 91:7, 92:17, 94:9, 95:3, 95:11, 99:1, 99:21, 103:11</p> <p><b>sitting</b> 28:13, 34:15, 53:11, 53:12</p> <p><b>situation</b> 47:10, 66:6</p>	<p><b>six</b> 40:16, 57:4, 58:5, 59:15, 68:10, 68:21, 83:9, 91:9</p> <p><b>sixth</b> 101:3</p> <p><b>skills</b> 80:21, 91:12, 95:15</p> <p><b>sleep</b> 40:5</p> <p><b>slow</b> 72:19</p> <p><b>small</b> 58:8</p> <p><b>social</b> 7:13, 7:18, 9:21, 27:22, 28:3, 28:4, 29:17, 30:6, 30:15, 44:5, 44:16, 63:2, 80:21, 91:4, 91:11, 95:15, 100:13, 100:17, 101:22</p> <p><b>some</b> 7:4, 12:5, 14:19, 17:7, 29:17, 30:8, 30:16, 33:15, 34:4, 41:2, 42:20, 46:3, 50:16, 79:22, 82:14, 92:3, 101:7, 104:8</p> <p><b>somebody</b> 17:12</p> <p><b>somehow</b> 36:22</p> <p><b>someone</b> 27:16, 27:17, 28:7, 34:18, 44:22, 50:4, 50:7</p> <p><b>something</b> 9:10, 9:12,</p>	<p>15:21, 18:8, 21:10, 23:14, 39:5, 40:21, 41:22, 42:18, 57:8, 89:22, 104:17</p> <p><b>sometimes</b> 37:11, 59:11, 86:10, 87:18</p> <p><b>somewhere</b> 33:15</p> <p><b>son</b> 27:17</p> <p><b>soon</b> 32:3, 104:21</p> <p><b>sorry</b> 11:11, 24:18, 43:18, 43:19, 44:4, 57:18, 61:2, 68:19, 69:18, 69:19, 69:22, 80:6, 80:8, 88:13, 94:3, 94:11</p> <p><b>sort</b> 92:14</p> <p><b>sources</b> 100:9</p> <p><b>south</b> 4:7</p> <p><b>space</b> 55:22</p> <p><b>special</b> 5:17, 8:2, 8:6, 16:15, 45:6, 50:7, 51:2, 68:9, 68:20, 78:21, 99:22, 100:4, 100:7, 100:16, 100:19</p> <p><b>specialized</b> 102:17, 103:1</p> <p><b>specific</b> 15:5, 29:18, 57:20</p> <p><b>specifically</b> 21:12, 40:9, 57:1, 58:5,</p>	<p>59:3, 59:15, 64:4, 65:6, 71:22, 72:3, 79:13, 100:20</p> <p><b>specified</b> 29:17</p> <p><b>specify</b> 28:15, 43:16, 49:7, 61:12, 61:14</p> <p><b>spectrum</b> 45:11, 104:18</p> <p><b>speculate</b> 10:2</p> <p><b>spend</b> 42:14</p> <p><b>spent</b> 40:8, 41:2, 61:15, 70:11</p> <p><b>spinning</b> 32:2</p> <p><b>spoke</b> 46:2</p> <p><b>spoken</b> 26:19, 27:4, 50:21</p> <p><b>st</b> 83:19</p> <p><b>stab</b> 12:1</p> <p><b>stabbing</b> 13:11</p> <p><b>standing</b> 29:4, 37:9, 37:20</p> <p><b>stared</b> 39:15</p> <p><b>staring</b> 33:11</p> <p><b>start</b> 13:2, 59:20, 103:12</p> <p><b>started</b> 26:7, 32:9, 39:10</p> <p><b>starting</b> 37:19, 49:9</p> <p><b>state</b> 7:6, 7:10,</p>
---	--	---	---

<p>7:16, 14:22, 15:2, 15:4, 15:17, 15:20, 20:15, 25:13, 25:16, 25:22, 26:1, 54:9, 59:16, 60:4, 61:3, 61:17, 62:5, 63:17, 64:2, 64:9, 68:3, 68:6, 71:18, 76:12, 76:15, 96:7 <b>stated</b> 36:3, 61:1, 64:13 <b>statement</b> 60:16 <b>statements</b> 62:13 <b>states</b> 18:16 <b>stating</b> 8:16, 19:1, 27:15, 72:12, 91:3, 91:12 <b>status</b> 104:8 <b>stay</b> 91:19, 92:2 <b>step</b> 40:7 <b>stephanie</b> 5:6, 76:14, 83:3 <b>stifling</b> 67:12 <b>still</b> 23:19, 39:9, 40:1, 43:9, 98:18 <b>stomach</b> 48:13 <b>stood</b> 32:3, 37:15 <b>stop</b> 14:17, 54:8, 71:14, 79:2,</p>	<p>81:5 <b>stormed</b> 73:21 <b>street</b> 3:15, 4:7 <b>stress</b> 47:8, 47:9 <b>stressed</b> 39:11, 44:11, 49:22 <b>stressful</b> 47:10 <b>strong</b> 48:21 <b>structure</b> 19:2 <b>structured</b> 54:14 <b>struggled</b> 81:1 <b>student</b> 12:1, 12:3, 13:11, 32:15, 33:8, 37:8, 38:3, 39:14, 42:14, 42:19, 44:10, 44:16, 45:6, 47:7, 48:22, 49:1, 49:2, 70:8, 77:16 <b>students</b> 19:4, 22:20, 22:22, 31:4, 31:7, 31:15, 32:19, 33:19, 33:22, 37:2, 37:6, 37:20, 39:8, 41:5, 44:19, 53:15, 53:17, 53:19, 54:10, 54:15, 54:17, 54:19, 54:21, 54:22, 55:11, 56:14, 71:19, 81:10 <b>students'</b> 30:13, 81:13</p>	<p><b>stuff</b> 31:8, 97:19 <b>submitted</b> 93:11, 95:12 <b>substantive</b> 17:3, 19:3 <b>success</b> 19:3, 48:8 <b>successful</b> 100:21 <b>such</b> 71:19 <b>suite</b> 3:7, 3:16 <b>summarized</b> 84:9 <b>superficial</b> 12:3 <b>superintendent</b> 7:9, 24:6 <b>supervisor</b> 8:11 <b>supervisory</b> 17:14 <b>support</b> 44:3, 44:21, 45:4, 45:7, 50:7, 50:8 <b>supporting</b> 107:6 <b>suppose</b> 35:9 <b>supposed</b> 35:17, 40:11, 47:16, 47:17 <b>sure</b> 6:5, 6:11, 7:5, 25:1, 29:14, 30:18, 50:6, 56:16, 67:14, 73:9, 74:7, 80:7, 91:8 <b>suspension</b> 13:12 <b>sustain</b> 103:7 <b>sustained</b> 89:4</p>	<p><b>swear</b> 6:20, 25:5, 67:16, 76:4 <b>switch</b> 6:7, 6:11 <b>switcher</b> 77:3 <b>symbolizing</b> 38:1 <b>symptoms</b> 48:9 <b>system</b> 27:18 <b>systems</b> 26:6</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>table</b> 50:17 <b>take</b> 10:18, 11:16, 18:16, 25:2, 35:7, 37:22, 38:14, 39:1, 47:16, 49:3, 49:13, 55:9, 55:22, 57:14, 59:10, 80:7, 85:22, 99:13, 99:15 <b>taken</b> 24:18, 38:4, 57:10, 77:1, 78:20, 106:3 <b>takes</b> 43:2, 57:19 <b>taking</b> 35:2, 35:4, 35:17, 35:20, 36:1, 37:18, 55:10, 55:21, 56:8, 56:10, 56:14, 57:15 <b>talk</b> 19:9, 44:6, 45:9, 48:18 <b>talked</b> 21:7, 21:9,</p>
---	---	--	---



Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

136

<p>29:16, 30:7  <b>talking</b>                  20:9, 31:11,                  31:12, 31:16,                  34:3, 37:18,                  39:16, 40:9,                  56:22, 62:8,                  88:3  <b>task</b>                  32:4, 32:11,                  32:22, 35:5,                  39:9, 39:13,                  39:17, 40:12,                  40:13, 40:15,                  40:17, 41:3,                  44:13, 62:1  <b>te</b>                  56:13  <b>teacher</b>                  5:12, 32:4,                  32:5, 32:8,                  34:11, 34:13,                  34:16, 34:17,                  35:6, 35:13,                  36:16, 36:22,                  37:6, 38:5,                  38:7, 38:13,                  38:15, 38:20,                  39:2, 39:3,                  39:13, 39:22,                  40:3, 40:4,                  40:7, 40:20,                  41:1, 41:4,                  41:7, 41:9,                  41:14, 43:3,                  46:16, 47:5,                  48:1, 53:2,                  59:7, 59:17,                  60:22, 61:12,                  61:14, 61:19,                  68:9, 69:4,                  77:12, 78:21,                  81:5, 81:22,                  82:6, 82:21,                  92:18, 92:19,                  100:11, 102:12  <b>teachers</b>                  31:18, 31:21,</p>	<p>46:15, 47:1,                  49:11, 65:5,                  75:2, 91:10,                  96:22, 100:18  <b>teachers'</b>                  28:9  <b>teacher's</b>                  78:12  <b>teaching</b>                  77:2, 77:8,                  77:10  <b>team</b>                  10:10, 64:17,                  71:19, 72:6,                  72:12, 73:10,                  74:3, 74:16,                  100:6, 101:17,                  102:9, 102:13  <b>teammates</b>                  71:15  <b>team's</b>                  64:21, 100:3,                  103:7  <b>tell</b>                  6:20, 19:20,                  25:6, 38:11,                  39:10, 67:16,                  76:5  <b>telling</b>                  15:20, 23:19  <b>ten</b>                  26:8, 26:9,                  90:10, 90:16,                  90:20, 99:14,                  99:15  <b>tendency</b>                  48:16  <b>terms</b>                  47:6  <b>test</b>                  35:4, 35:20,                  35:22, 36:2,                  36:8, 36:11,                  43:1, 43:4,                  43:6, 55:10,                  55:11, 55:12,                  55:22, 56:1,                  56:8, 56:11,</p>	<p>56:15, 57:16,                  58:1, 59:18,                  61:1, 84:9,                  104:4  <b>testified</b>                  15:15, 50:18,                  51:17  <b>testifying</b>                  98:11  <b>testimony</b>                  5:3, 5:4, 5:5,                  5:6, 8:13, 9:18,                  28:8, 28:12,                  53:10, 64:13,                  67:5, 67:7,                  90:13, 90:18,                  95:6, 97:21,                  100:15, 102:3,                  102:4, 102:8  <b>testing</b>                  55:17, 55:20,                  102:11  <b>tests</b>                  34:21, 35:2,                  35:17, 36:4,                  36:7, 42:21,                  45:3, 49:13,                  55:9, 56:3,                  57:2, 57:6,                  57:14, 100:10  <b>textual</b>                  40:9  <b>th</b>                  7:22, 8:14,                  29:15, 52:14,                  69:15, 83:20,                  87:14, 87:19,                  103:19  <b>than</b>                  43:4, 61:5,                  63:4, 63:20,                  101:2, 101:11  <b>thank</b>                  7:3, 24:16,                  24:17, 42:4,                  42:13, 45:8,                  46:8, 50:11,                  59:13, 65:19,</p>	<p>65:21, 66:1,                  74:9, 75:17,                  75:18, 75:20,                  77:5, 80:19,                  81:7, 81:15,                  82:8, 84:15,                  86:11, 86:13,                  88:4, 88:6,                  88:10, 88:12,                  91:21, 99:9,                  99:16, 103:10,                  104:13, 104:14,                  104:22, 105:1,                  105:2  <b>thanks</b>                  55:4, 76:4  <b>that's</b>                  9:10, 9:11,                  10:20, 11:3,                  12:4, 12:16,                  12:18, 12:19,                  13:2, 16:6,                  17:8, 17:11,                  17:18, 19:5,                  19:19, 23:5,                  23:10, 24:15,                  27:22, 30:4,                  39:4, 39:5,                  40:18, 41:15,                  42:4, 42:17,                  46:8, 47:9,                  49:20, 49:22,                  54:2, 58:3,                  60:19, 63:6,                  66:21, 70:20,                  72:14, 75:15,                  85:9, 85:15,                  86:2, 86:12,                  87:18, 89:13,                  93:22, 98:8,                  98:12  <b>their</b>                  16:5, 39:9,                  42:15, 47:9,                  88:19, 104:4  <b>them</b>                  7:4, 29:4,                  30:17, 31:20,</p>
---	---	---	---

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

137

<p>38:1, 38:22, 39:15, 57:19, 66:9, 71:2, 81:13, 89:9, 89:10 <b>then</b> 10:11, 26:6, 29:19, 30:2, 30:14, 31:5, 31:17, 31:20, 32:9, 33:6, 33:13, 34:11, 34:21, 34:22, 35:12, 36:3, 36:11, 37:1, 37:4, 37:22, 38:7, 38:20, 39:3, 39:18, 41:3, 41:7, 42:2, 42:3, 43:8, 46:16, 47:12, 47:13, 47:19, 48:16, 50:2, 53:9, 54:16, 54:18, 55:4, 57:7, 58:7, 60:16, 62:1, 62:19, 65:15, 79:17, 80:3, 80:9, 84:9, 87:12, 89:10, 93:13, 96:17, 97:12, 99:15 <b>there</b> 6:3, 6:9, 9:21, 13:11, 20:21, 29:16, 29:20, 30:5, 30:8, 30:13, 30:15, 31:4, 32:11, 33:19, 33:21, 34:8, 36:16, 37:5, 37:7, 37:8, 37:11, 37:14, 40:16, 41:11, 41:18, 43:5, 43:6,</p>	<p>43:11, 45:21, 53:17, 54:4, 54:15, 54:16, 54:18, 61:6, 62:2, 66:8, 66:12, 72:22, 80:22, 82:9, 82:15, 84:16, 89:7, 98:12 <b>therefore</b> 58:7, 60:18, 85:20, 101:13, 102:13 <b>there's</b> 6:15, 12:4, 18:22, 19:17, 44:15, 48:8, 48:21, 62:12, 78:7, 78:8, 78:14, 79:3, 95:20 <b>these</b> 6:20, 10:18, 22:7, 25:6, 67:17, 73:5, 76:5, 78:10, 85:12, 92:4, 92:14, 92:20, 93:4, 98:3, 98:11 <b>they</b> 11:1, 14:12, 22:19, 22:21, 27:17, 29:1, 29:19, 32:18, 33:14, 33:15, 36:2, 38:21, 39:16, 47:2, 50:3, 53:16, 66:18, 66:19, 70:19, 86:9, 89:11, 92:18, 103:20 <b>they're</b> 10:18, 13:18, 22:12, 23:3, 35:17, 44:17, 47:10, 66:12</p>	<p><b>thing</b> 16:21, 68:17, 94:10, 94:22, 95:3 <b>things</b> 17:16, 17:17, 23:7, 23:12, 30:16, 40:20, 48:20, 49:2, 81:11, 85:7, 87:17, 87:20, 96:16 <b>think</b> 8:21, 10:7, 10:13, 18:7, 18:16, 23:15, 33:7, 40:18, 41:19, 42:11, 45:11, 48:14, 48:20, 48:21, 49:3, 49:15, 53:16, 56:13, 56:14, 62:11, 67:2, 69:20, 71:1, 79:7, 79:11, 85:13, 86:11, 89:1, 92:3, 95:9, 104:18 <b>thinking</b> 23:6 <b>third</b> 54:16, 54:21 <b>third-parties</b> 104:3 <b>thirty</b> 95:2 <b>thirty-eight</b> 98:15, 98:22 <b>thirty-five</b> 97:17 <b>thirty-seven</b> 98:6 <b>thirty-six</b> 98:5 <b>thirty-three</b> 97:17 <b>thirty-two</b> 97:16</p>	<p><b>thomason</b> 2:10, 106:2, 106:12 <b>thoroughly</b> 101:18, 102:5 <b>those</b> 10:1, 10:5, 21:3, 22:22, 23:21, 35:11, 45:18, 46:15, 49:2, 50:6, 53:19, 54:10, 54:11, 54:21, 62:20, 62:22, 74:10, 75:1, 75:7, 87:17, 87:20, 99:4, 104:11 <b>though</b> 32:3 <b>thought</b> 20:1, 23:18, 44:5, 49:10, 67:3, 94:6 <b>three</b> 9:7, 46:21, 53:17, 53:19, 54:22, 66:8, 66:12, 66:15, 66:17, 91:9, 100:17, 102:6 <b>threw</b> 73:21 <b>through</b> 8:12, 8:22, 9:17, 28:9, 29:4, 30:8, 35:9, 68:10, 68:21, 77:3, 89:13 <b>throughout</b> 42:5, 100:2 <b>thursday</b> 1:14 <b>tie</b> 14:19, 15:21 <b>time</b> 24:19, 31:5,</p>
--	---	---	--

<p>32:8, 33:4, 34:20, 35:1, 37:10, 40:2, 41:7, 41:11, 41:14, 42:5, 42:15, 43:3, 45:20, 54:9, 56:15, 57:14, 57:20, 59:17, 70:11, 80:7, 85:7, 85:18, 87:16, 87:22, 88:14, 101:15, 104:15 <b>times</b> 35:6, 40:16, 53:10, 56:19, 59:8, 81:4, 81:5, 81:11, 85:5, 100:7 <b>tired</b> 40:2, 40:4 <b>today</b> 15:15, 26:16, 66:20, 90:3, 101:14, 104:16 <b>today's</b> 27:11 <b>told</b> 38:13, 55:9, 73:15, 78:21, 81:5 <b>ton</b> 56:12 <b>too</b> 81:8, 98:3 <b>took</b> 30:11, 35:11, 36:12, 55:6 <b>top</b> 82:12 <b>topic</b> 36:2 <b>totally</b> 27:17, 40:21 <b>touch</b> 14:4 <b>touched</b> 97:20</p>	<p><b>tour</b> 21:16, 22:20, 97:19 <b>touring</b> 21:4 <b>towards</b> 37:7 <b>track</b> 16:7 <b>trail</b> 73:1 <b>transcribed</b> 1:22, 94:19, 107:5 <b>transcriber</b> 107:1 <b>transcribing</b> 94:7 <b>transcript</b> 107:3 <b>transferred</b> 77:7 <b>transitioned</b> 35:12 <b>trees</b> 73:1 <b>tribunal</b> 15:19 <b>tried</b> 10:21, 23:10 <b>trouble</b> 48:20 <b>true</b> 28:10, 28:14, 72:14, 86:2, 107:3 <b>truly</b> 101:13 <b>truth</b> 6:20, 25:6, 67:16, 76:5 <b>truthfully</b> 86:6 <b>try</b> 12:18, 19:13, 20:20, 23:7, 23:20, 59:9, 92:21, 104:21</p>	<p><b>trying</b> 10:18, 14:9, 14:17, 16:8, 19:15, 19:19, 20:16, 47:9, 47:20, 47:22, 66:10, 87:22 <b>turn</b> 9:15, 11:4, 20:4, 69:8 <b>turned</b> 39:8 <b>twenty</b> 94:2, 94:9, 94:17, 96:19, 97:8 <b>twenty-six</b> 97:12 <b>twenty-three</b> 97:3, 97:6 <b>twenty-two</b> 97:4 <b>two</b> 6:7, 31:5, 31:17, 37:22, 41:21, 44:9, 45:8, 46:15, 54:15, 62:22, 91:9, 91:10, 96:20, 97:9, 100:17 <b>type</b> 78:5, 79:1, 79:15 <b>typed</b> 78:18 <b>typical</b> 10:10, 42:14 <b>typically</b> 42:22, 65:15</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>uh-huh</b> 26:4, 42:7, 46:12, 52:20, 52:22, 53:8, 58:18, 58:22, 59:5, 59:10,</p>	<p>60:8, 61:7, 61:11, 86:20, 93:17 <b>ultimately</b> 21:13 <b>unbelievable</b> 86:1 <b>unbiased</b> 104:3 <b>under</b> 45:8, 47:8, 80:20, 96:2 <b>understand</b> 10:5, 16:9, 16:22, 20:2, 20:16, 20:21, 23:6, 23:17, 32:6, 35:18, 43:4, 86:3 <b>understanding</b> 14:15, 17:1, 45:1, 45:3 <b>understood</b> 16:21, 22:2, 22:8, 41:3, 93:14 <b>unequivocally</b> 61:16 <b>unfortunately</b> 48:17 <b>united</b> 18:16 <b>university</b> 7:14, 7:15, 77:1, 77:4 <b>unless</b> 15:21, 16:21 <b>unpleasant</b> 86:4 <b>unspecified</b> 48:7 <b>until</b> 52:6, 62:2 <b>unusual</b> 81:2, 92:16, 92:17 <b>upon</b> 19:2</p>
--	---	--	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

139

<p><b>upset</b> 31:19, 84:2</p> <p><b>use</b> 30:10, 39:7, 67:12</p> <p><b>used</b> 53:9, 56:18, 59:15, 104:9</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>variety</b> 100:9</p> <p><b>vastly</b> 101:11</p> <p><b>vein</b> 14:13</p> <p><b>verbally</b> 81:5</p> <p><b>versus</b> 60:3, 84:3</p> <p><b>very</b> 10:7, 14:12, 19:13, 19:20, 20:18, 31:14, 31:21, 32:10, 32:21, 33:18, 34:7, 35:5, 36:9, 37:22, 38:2, 38:10, 39:12, 40:2, 40:4, 42:1, 42:4, 42:8, 46:1, 49:20, 53:4, 65:21, 75:18, 79:13, 88:6, 88:10, 91:21, 95:6, 103:21, 103:22, 104:14, 104:17, 104:22</p> <p><b>video</b> 33:8</p> <p><b>view</b> 22:1, 85:4, 87:19</p> <p><b>violated</b> 11:21</p> <p><b>virginia</b> 1:1, 2:6, 2:12,</p>	<p>3:8, 3:17, 4:8, 13:16, 13:17, 15:10, 16:4, 21:5, 25:22</p> <p><b>visit</b> 21:14</p> <p><b>visiting</b> 21:9</p> <p><b>visual</b> 39:6</p> <p><b>volume</b> 9:16, 16:12, 29:9, 69:8, 78:3, 81:16</p> <p><b>volunteering</b> 9:5</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>wait</b> 94:11</p> <p><b>waited</b> 32:18</p> <p><b>waiting</b> 32:19</p> <p><b>walked</b> 33:17, 34:11, 34:18, 34:19, 36:14, 36:15, 36:18</p> <p><b>walking</b> 37:20, 63:6</p> <p><b>walkovich</b> 82:11</p> <p><b>want</b> 17:12, 30:21, 35:16, 43:8, 44:20, 45:14, 47:19, 49:7, 50:15, 59:14, 66:9, 67:4, 73:15, 73:22, 79:6, 81:3, 82:12</p> <p><b>wanted</b> 27:17, 33:16, 34:12, 35:7, 40:10, 45:18</p> <p><b>wanting</b> 29:15, 75:11</p>	<p><b>wants</b> 92:13</p> <p><b>warrenton</b> 2:4, 2:6</p> <p><b>wasn't</b> 10:3, 17:16, 30:18, 31:12, 32:12, 33:10, 33:22, 34:5, 34:8, 42:10, 43:7, 48:17, 56:12, 56:13, 58:22</p> <p><b>watching</b> 33:9</p> <p><b>way</b> 9:2, 13:2, 14:19, 15:22, 16:7, 23:4, 23:6, 27:7, 32:21, 33:18, 33:20, 34:17, 49:16, 54:14, 79:22, 81:12, 84:20, 85:4, 86:22</p> <p><b>weaknesses</b> 102:15</p> <p><b>weekly</b> 90:11</p> <p><b>weight</b> 100:1</p> <p><b>weighted</b> 102:2, 102:13</p> <p><b>well</b> 14:14, 17:21, 18:21, 19:7, 19:17, 22:12, 30:1, 34:22, 51:19, 53:4, 54:4, 55:8, 58:8, 60:13, 60:18, 66:21, 75:18, 79:17, 80:2, 84:12, 85:6, 85:13, 86:2, 89:1, 90:4, 91:1,</p>	<p>92:2, 92:8, 93:2, 94:16, 94:21, 96:2, 97:15, 100:12</p> <p><b>went</b> 30:19, 31:6, 31:9, 33:13, 34:15, 35:8, 37:4, 48:11, 85:7</p> <p><b>were</b> 6:3, 14:12, 15:11, 20:12, 20:15, 20:16, 20:18, 20:22, 21:1, 21:7, 21:10, 22:10, 28:20, 29:1, 31:15, 31:21, 32:12, 33:14, 33:15, 33:19, 34:2, 37:2, 37:17, 38:21, 39:16, 40:16, 40:19, 41:6, 47:11, 52:12, 53:15, 53:17, 54:4, 54:11, 54:15, 54:17, 54:19, 54:20, 55:11, 56:14, 61:5, 62:13, 66:19, 67:3, 71:5, 72:9, 72:22, 74:15, 75:7, 78:22, 87:16, 89:1, 99:7, 106:3, 106:4, 107:4</p> <p><b>weren't</b> 30:16, 33:14</p> <p><b>we'll</b> 41:11, 92:13, 93:18, 99:12, 99:15</p> <p><b>we're</b> 6:2, 13:19, 17:18, 19:9,</p>
--	--	---	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

<p>19:12, 19:18, 23:5, 49:16, 62:8, 66:16, 88:2, 89:13 <b>we' ve</b> 9:18, 20:13, 24:18, 26:16, 28:9, 28:12, 90:1, 91:22 <b>what</b> 10:4, 10:19, 10:20, 11:18, 12:13, 13:4, 13:13, 13:20, 13:22, 14:9, 15:19, 16:2, 16:14, 16:16, 17:15, 17:18, 19:19, 20:10, 21:6, 21:7, 21:22, 22:1, 22:13, 23:2, 28:15, 29:5, 29:13, 30:1, 30:4, 31:13, 34:6, 35:10, 35:14, 35:16, 35:17, 35:18, 38:11, 40:21, 41:20, 44:11, 45:10, 46:22, 48:9, 51:5, 52:12, 55:8, 58:1, 59:21, 59:22, 61:18, 65:15, 67:10, 68:14, 69:19, 70:20, 72:17, 73:18, 76:17, 76:21, 77:5, 78:20, 80:15, 84:4, 88:19, 89:13, 91:6, 92:19, 96:2, 97:4, 97:17, 98:11 <b>what' s</b> 93:9, 93:10,</p>	<p>93:11, 96:14, 104:6 <b>when</b> 13:18, 15:9, 27:12, 29:19, 30:14, 32:7, 32:12, 32:15, 32:18, 32:19, 33:4, 33:17, 35:4, 35:8, 35:17, 37:11, 39:13, 41:9, 41:14, 41:15, 41:18, 44:17, 45:19, 47:13, 47:15, 48:12, 49:2, 55:21, 57:15, 59:16, 62:3, 71:14, 74:15, 81:5, 81:11, 83:13, 87:12, 87:17, 87:22 <b>whenever</b> 35:16 <b>where</b> 12:13, 14:8, 14:15, 33:15, 34:12, 45:22, 48:19, 57:22, 66:6, 72:20, 76:18, 76:21, 84:4, 85:12, 85:20, 102:22 <b>where' s</b> 80:4 <b>whether</b> 16:2, 21:11, 23:9, 46:22, 53:12, 60:11, 62:12 <b>which</b> 11:17, 19:20, 22:19, 25:20, 36:11, 36:17, 46:4, 46:5, 46:19, 48:17, 55:21, 57:21,</p>	<p>80:15, 85:1, 89:5, 90:5, 91:4, 97:9, 103:15 <b>while</b> 31:20, 36:5, 39:16 <b>white</b> 9:16, 11:4, 11:10, 16:12, 29:8, 69:8, 78:2, 81:16 <b>who</b> 17:13, 21:15, 31:18, 40:19, 46:15, 50:5, 50:7, 54:10, 70:18, 70:21, 74:7, 74:8, 101:14, 101:22 <b>whole</b> 21:1, 37:10, 41:20, 55:21, 56:15, 62:1, 65:2 <b>whom</b> 106:2 <b>who' s</b> 47:7 <b>why</b> 9:7, 9:19, 10:2, 10:5, 12:13, 16:17, 18:11, 23:10, 37:12, 37:13, 38:16, 38:19, 43:11, 43:21, 45:10, 73:12, 88:5, 90:11 <b>will</b> 8:7, 8:17, 17:20, 27:8, 80:9, 81:11, 81:12, 89:12, 89:13, 90:15, 97:16, 97:17, 99:4, 103:12, 104:20, 104:21</p>	<p><b>with</b> 9:2, 10:19, 11:12, 11:14, 12:2, 12:8, 14:4, 14:5, 16:13, 16:22, 17:6, 18:14, 18:17, 22:22, 23:8, 27:4, 27:6, 27:12, 27:21, 28:7, 30:6, 31:17, 31:20, 33:22, 34:2, 34:16, 36:11, 36:18, 39:2, 39:3, 39:6, 40:9, 43:3, 44:12, 44:18, 44:21, 45:22, 46:10, 46:13, 46:15, 46:16, 46:17, 46:18, 47:1, 49:9, 49:14, 49:15, 50:21, 53:9, 57:20, 59:6, 59:9, 60:22, 65:5, 70:11, 71:18, 74:2, 75:6, 75:11, 77:10, 78:22, 81:1, 81:3, 81:10, 85:1, 87:12, 88:19, 90:13, 91:2, 91:4, 91:15, 95:5, 95:7, 96:9, 96:14, 97:21, 98:3, 100:7, 101:21, 102:1, 103:3, 103:16, 103:21 <b>within</b> 10:22 <b>without</b> 17:1, 61:18, 98:12, 100:22</p>
---	--	--	--

Transcript of Due Process Hearing - Day 2

Conducted on February 28, 2019

141

<p><b>witness</b> 6:16, 12:12, 24:21, 45:10, 64:10, 66:3, 75:22, 78:13, 79:7, 86:3 <b>witnessed</b> 47:2 <b>witnesses</b> 66:19, 88:15 <b>wonder</b> 82:14 <b>wondering</b> 30:9 <b>won' t</b> 6:13, 57:18 <b>word</b> 53:10, 56:18 <b>words</b> 40:11, 40:14, 59:9 <b>work</b> 7:13, 7:18, 26:3, 40:17, 41:11, 43:2, 47:14, 47:15, 57:22, 60:22, 79:7, 79:12, 79:19, 79:22, 81:9, 85:6, 104:18 <b>worked</b> 7:18, 7:21 <b>worker</b> 27:22, 28:3, 29:17, 30:6, 30:15, 100:17, 101:22 <b>workers</b> 28:5 <b>working</b> 26:5, 26:7, 38:21, 39:7, 39:12, 40:22, 41:5, 41:6, 42:22, 44:12, 61:4 <b>works</b> 81:13</p>	<p><b>worried</b> 42:5, 42:8, 42:11, 93:9 <b>would</b> 6:4, 6:16, 8:1, 8:21, 9:11, 9:13, 9:20, 10:3, 10:5, 10:7, 14:7, 15:22, 16:18, 17:17, 18:22, 27:14, 29:18, 30:2, 32:15, 34:10, 42:8, 43:1, 43:14, 44:20, 45:11, 45:12, 45:14, 46:12, 49:8, 51:1, 54:13, 54:21, 58:20, 64:20, 75:22, 79:21, 80:21, 85:2, 85:4, 85:5, 87:13, 87:18, 89:11, 92:2, 95:7, 96:8, 96:11, 99:14, 99:19 <b>wouldn' t</b> 35:20, 38:14, 43:12 <b>would' ve</b> 35:19, 37:14 <b>write</b> 52:6, 79:14 <b>writing</b> 91:2, 104:21 <b>written</b> 80:22 <b>wrong</b> 69:18, 69:20 <b>wrote</b> 87:3</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>yawn</b> 58:21 <b>yawning</b> 40:3</p>	<p><b>yeah</b> 11:9, 12:18, 15:8, 23:1, 28:6, 28:22, 29:3, 29:7, 33:7, 42:9, 44:8, 44:20, 48:6, 51:19, 54:8, 56:5, 63:6, 66:12, 67:3, 69:2, 69:21, 70:4, 70:22, 74:6, 74:8, 78:9, 82:13, 82:19, 86:13, 90:7, 93:22, 94:5, 94:13, 94:15, 95:5, 96:18, 97:14, 97:20 <b>year</b> 7:22, 8:18, 9:8, 9:22, 10:12, 26:6, 77:11, 91:10, 91:11, 100:7, 102:20 <b>years</b> 7:20, 26:6, 26:8, 26:9 <b>yell</b> 81:11, 83:9 <b>yelled</b> 32:7 <b>yelling</b> 32:20, 71:14 <b>yes</b> 6:17, 8:3, 8:11, 11:13, 11:17, 13:6, 13:8, 15:3, 15:8, 20:3, 22:6, 24:5, 25:7, 28:1, 28:2, 29:11, 49:7, 50:20, 51:10, 51:21, 52:2, 52:5,</p>	<p>52:10, 52:13, 52:16, 53:4, 55:16, 55:18, 58:14, 59:2, 59:8, 60:10, 64:1, 64:5, 64:16, 65:1, 65:4, 65:7, 65:10, 65:14, 65:15, 66:4, 66:9, 66:18, 67:18, 69:6, 69:12, 69:16, 70:6, 71:7, 71:12, 71:16, 74:19, 75:3, 75:5, 76:1, 76:6, 76:20, 77:15, 77:20, 78:1, 79:1, 80:14, 81:21, 82:7, 83:6, 84:18, 85:18, 87:2, 87:5, 87:8, 87:11, 87:15, 91:16, 93:12, 98:14, 99:12, 99:21 <b>yesterday</b> 9:3, 10:21, 14:10, 15:15, 23:11, 67:10, 89:7, 90:4, 94:6, 94:12, 94:17 <b>yet</b> 8:14, 89:2 <b>your</b> 6:16, 7:7, 7:10, 7:16, 9:19, 12:19, 19:14, 20:17, 20:21, 22:10, 24:5, 24:19, 24:21, 25:13, 25:16, 26:1, 26:21, 27:7, 27:8, 28:5,</p>
--	--	---	--

Transcript of Due Process Hearing - Day 2  
 Conducted on February 28, 2019

<p>28:10, 41:10,                  42:13, 43:20,                  46:8, 46:20,                  48:3, 48:4,                  51:3, 51:14,                  52:3, 52:9,                  53:10, 57:4,                  58:6, 58:21,                  59:14, 60:1,                  60:15, 62:5,                  62:6, 63:15,                  63:19, 64:13,                  68:3, 68:6,                  68:11, 68:15,                  68:16, 68:22,                  71:18, 76:12,                  76:15, 77:5,                  77:16, 80:7,                  80:21, 85:17,                  86:5, 87:9,                  88:14, 89:12,                  98:1, 98:14,                  103:15, 104:17  <b>yourself</b>                  8:2  <b>you' d</b>                  55:1  <b>you' ll</b>                  84:13  <b>you' re</b>                  14:9, 14:15,                  16:7, 17:10,                  23:6, 31:2,                  31:18, 47:15,                  57:17, 62:19,                  64:6, 66:2,                  70:20, 74:7,                  75:21, 85:14,                  88:1, 91:7  <b>you' ve</b>                  23:18, 24:9,                  50:18, 50:21,                  80:22</p>	<p style="text-align: center;"><b>1</b></p> <p><b>1</b>                  39:8  <b>10</b>                  5:13, 5:16,                  70:12  <b>107</b>                  1:21  <b>11</b>                  5:13, 5:19,                  7:22, 8:14,                  15:6, 80:11,                  80:18, 99:6,                  103:19, 105:4  <b>1111</b>                  3:15  <b>11700</b>                  3:7  <b>12</b>                  68:10, 68:21,                  69:14  <b>14</b>                  69:14, 69:15,                  84:4, 84:20  <b>145</b>                  80:12  <b>15</b>                  91:8, 91:17  <b>16</b>                  5:14, 5:17,                  9:16, 39:8, 99:6  <b>1636</b>                  3:18  <b>17</b>                  5:13, 5:18,                  93:22  <b>18</b>                  15:6  <b>19</b>                  29:15, 37:6,                  52:14, 94:3,                  94:13</p>	<p><b>2018</b>                  20:6, 74:16,                  83:20, 101:20  <b>20186</b>                  2:6  <b>2019</b>                  1:14, 8:15,                  101:20, 107:16  <b>20190</b>                  3:8  <b>209</b>                  4:7  <b>22</b>                  97:15  <b>22314</b>                  4:8  <b>23</b>                  97:15  <b>23219</b>                  3:17  <b>232486</b>                  1:20  <b>24</b>                  5:15, 29:9,                  99:6  <b>2400</b>                  3:16  <b>25</b>                  5:4, 83:20,                  87:14, 87:19  <b>26</b>                  97:14, 97:15  <b>28</b>                  1:14, 5:16,                  15:6, 69:9,                  69:13, 69:21,                  70:3, 99:6  <b>29</b>                  5:15, 5:17,                  16:13, 99:6</p>	<p><b>33</b>                  5:18, 17:22,                  97:17, 99:6  <b>34</b>                  20:5  <b>35</b>                  33:19, 97:18  <b>36</b>                  22:3, 98:2  <b>37</b>                  36:9, 42:20,                  45:1  <b>38</b>                  90:6, 90:8,                  98:17  <b>39</b>                  98:22, 99:1</p> <p style="text-align: center;"><b>4</b></p> <p><b>40</b>                  11:7, 11:8  <b>4147</b>                  3:9  <b>430</b>                  2:5  <b>46</b>                  5:19, 11:5,                  99:6</p> <p style="text-align: center;"><b>5</b></p> <p><b>50</b>                  36:13  <b>500</b>                  3:7  <b>504</b>                  103:8, 103:10  <b>54</b>                  1:15  <b>57</b>                  105:4  <b>5th</b>                  20:6</p> <p style="text-align: center;"><b>6</b></p> <p><b>648</b>                  3:18  <b>67</b>                  5:5</p>
<p style="text-align: center;"><b>Z</b></p> <p><b>zone</b>                  58:20  <b>zoning</b>                  38:9</p>	<p style="text-align: center;"><b>2</b></p> <p><b>20</b>                  99:13  <b>2017</b>                  83:19</p>	<p style="text-align: center;"><b>3</b></p> <p><b>30</b>                  36:14  <b>31</b>                  5:13, 83:19,                  107:11  <b>32</b>                  97:16</p>	

<b>69</b> 5:16 <hr/> <b>7</b> <hr/> <b>703</b> 3:9 <b>76</b> 5:6 <hr/> <b>8</b> <hr/> <b>80</b> 5:13, 56:4 <b>804</b> 3:18 <b>81</b> 5:12 <hr/> <b>9</b> <hr/> <b>9</b> 1:15 <b>92</b> 107:11 <b>95</b> 34:20, 45:2 <b>956</b> 3:9 <b>99</b> 5:7 <hr/> <b>\</b> <hr/> <b>\cause</b> 39:5	
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