



Christopher R. Mazzella
Inspector General
Office of the Inspector General for Miami-Dade County Public Schools



19 West Flagler Street ♦ Suite 220 ♦ Miami, FL 33130 ♦ Phone: (305) 375-1946 ♦ Fax: (305) 579-2593

To: Hon. Chairwoman Perla Tabares Hantman and Members
Miami-Dade County School Board

Alberto Carvalho, Superintendent
Miami-Dade County Public Schools (M-DCPS)

From: Christopher Mazzella, Inspector General

Date: October 4, 2011

Subject: *OIG Final Report of Investigation Re: Improper Grade Changes Made at Miami Northwestern Senior High School, Ref. IG10-49SB*

Attached please find the Office of the Inspector General's (OIG) final report in the above-captioned matter. This report stems from an investigation into improper grade changes at Miami Northwestern Senior High School. In particular, the investigation focused on changes made to the grades of a student athlete that would have qualified the student eligible to play Division I college athletics.

This report, as a draft, was provided to M-DCPS employees Mr. Richard Louis, Ms. Sheri Bearman, and Principal Charles Hankerson on August 18, 2011 for their review and comment. Written responses were received from Mr. Louis, Ms. Bearman, and from Principal Hankerson through his attorney. Their responses are summarized in the final report and are attached in full as Appendices 1 - 3.

Our report on this matter contains our investigative findings and conclusions, and is being provided for whatever action is deemed appropriate.

Attachment

cc: Walter J. Harvey, School Board Attorney
Jose Montes-de-Oca, Chief Auditor, Office of Management and Compliance Audits
Principal Charles Hankerson
Mr. Richard Louis
Ms. Sheri Bearman
Ms. Sylvia Carro
Dr. Vivian Stephenson
Vice-Principal John Walker
Ms. Carmen Jackson
Ms. Catherine A. Sciolis

IG10-49SB

TABLE OF CONTENTS

	Page
INTRODUCTION & SYNOPSIS	1
OIG JURISDICTIONAL AUTHORITY	2
BACKGROUND: INDIVIDUALS & ENTITIES COVERED IN THIS REPORT	2
RELEVANT GOVERNING AUTHORITIES	3
▪ <i>NCAA Division I Freshman Eligibility Standards</i>	3
▪ <i>United Teachers of Dade (UTD) Contract Provision for Grade Changes by School Principals</i>	3
▪ <i>Miami-Dade County Public Schools Board Rules</i>	4
INVESTIGATION	4
▪ <i>Case Initiation</i>	4
▪ <i>Investigative Methodology</i>	4
▪ <i>Events up to the end of the School Year</i>	5
▪ <i>Grade Changes in American Government and Economics</i>	6
▪ <i>Grade Changes in English IV and Chemistry</i>	6
▪ <i>Additional Grade Change Records Requested by the NCAA</i>	9
▪ <i>Interview of Principal Charles Hankerson</i>	11
RESPONSES TO THE DRAFT REPORT & OIG COMMENTS	12
1. Mr. Louis' Response	13
2. Ms. Sheri Bearman's Response	14
3. Response from Principal Hankerson's Attorney	14
CONCLUSIONS	17

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

INTRODUCTION & SYNOPSIS

In late September 2010, the Miami-Dade County Public Schools Office of the Inspector General (OIG) opened an investigation based on a complaint that the grades of several student athletes at Miami Northwestern Senior High School (Northwestern) had been improperly changed during the summer prior to the 2010-2011 academic year. The OIG investigation uncovered that during the specified timeframe there were a number of academic grade changes at Northwestern for athletes. The investigation found instances where athletes' grades had been elevated. These transactions included elevations of final exam grades, mid-term exam grades, and final end-of-year grades that raised the students' grade point averages (GPAs).

The investigation revealed that internal controls, including documentation requirements, were lacking. More troubling, however, was that the investigation revealed four grade changes for one student athlete—a potential National Collegiate Athletic Association (NCAA) college scholarship recipient—after the Student¹ had graduated. Two of the grade changes came from the same teacher, who admits to one change but denies the other. The other two grade changes were made based on the forged signatures of two teachers' names to Grade Change Justification Forms.

The investigation was presented to the State Attorney's Office (SAO) for consideration. During the course of the SAO investigation, numerous witnesses provided sworn statements. The statements document that Northwestern Principal Charles Hankerson instructed a Northwestern employee to sign the names of two teachers to two separate grade change forms. On August 5, 2011, the SAO closed its criminal inquiry, having concluded that the high burden of proof necessary for criminal proceedings could not be met.

The investigation, however, did clearly determine that between June 28 and June 29, 2010, four grade changes were made for one student athlete at Northwestern. The Student's final grades for two courses taught by one teacher were raised, yet documentation is lacking and inexplicably missing. Moreover, the investigation uncovered that Northwestern Principal, Charles Hankerson, directed the Northwestern Test Chair and Compliance Officer to forge the signatures of two teachers on grade change forms for the same student athlete. The Northwestern Principal and Vice Principal also wrote letters that attempted to explain the grade changes to the NCAA. The NCAA was, at the time, reviewing the student athlete's

¹ To protect the student's privacy this report refers to the student as "the Student." All identifying information, including references to the Student's gender, has been redacted from the report, exhibits, and responses submitted to the Draft Report (see appendices). The Student's recruiting University is referred to as "the University" or the "Division I University."

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

academic eligibility to play collegiate sports during the upcoming fall term at a well-known university. The grade changes would have elevated the Student's cumulative GPA just enough to qualify the Student to play Division I athletics.

OIG JURISDICTIONAL AUTHORITY

The OIG provides inspector general services to Miami-Dade County Public Schools (M-DCPS) pursuant to the Interlocal Agreement (ILA) between Miami-Dade County and the Miami-Dade County School Board. The ILA for inspector general services is expressly authorized by M-DCPS School Board Rule 6GX13-8A-1.08. The scope and jurisdiction of the OIG's activities is dictated by the ILA. Among the authority, jurisdiction, responsibilities and functions conferred upon the OIG through the ILA is the authority and jurisdiction to make investigations of M-DCPS affairs, including the power to review past, present and proposed programs, accounts, records, contracts and transactions. The OIG shall have the power to require reports and the production of records from the M-DCPS Superintendent, School Board members, School District departments and allied organizations, and School District officers and employees, regarding any matter within the jurisdiction of the OIG.

BACKGROUND: INDIVIDUALS & ENTITIES COVERED IN THIS REPORT

Charles Hankerson – Principal of Northwestern for the past three years, which includes all relevant times covered during this investigation. He has been an M-DCPS employee since 1986. He has held the following positions at different locations throughout his career: Physical Education Teacher, Counselor, Assistant Principal, and Principal. As Principal of Northwestern, he was responsible for approving grade changes.

John Walker – Vice Principal of Northwestern from 2009 until the end of the 2010-2011 school year, and an M-DCPS employee since 1986.

Sheri Bearman – Test Chair and Compliance Officer at Northwestern for the past four years and an M-DCPS employee since 1973. Ms. Bearman's responsibilities include sending student transcripts to the NCAA.

Richard Louis – American Government and Economics teacher at Northwestern since 2001 and an M-DCPS employee since 1998. Mr. Louis is also the boys' track coach at Northwestern.

Sylvia Carro – Ms. Carro has been employed by M-DCPS since 1999. She was an English Teacher at Northwestern for 10 years until she transferred to Miami Beach Senior High School at the end of the 2009-2010 school year.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Dr. Vivian Stephenson – Dr. Stephenson has been employed by M-DCPS since 1981. He was a Chemistry Teacher at Northwestern for two years until he transferred to North Dade Middle School at the end of the 2009-2010 school year.

National Collegiate Athletic Association (NCAA) – The National Collegiate Athletic Association (NCAA) is the governing body of most college athletic programs. The NCAA is a membership organization composed of higher education institutions. There are three membership classifications, Division I, Division II, and Division III. The requirements for participation in each Division vary for both the institution and the student athlete. A high school student wishing to participate in a NCAA member University's athletics program must register and be certified by the NCAA Initial Eligibility Center, (formerly known as the NCAA Clearinghouse).²

RELEVANT GOVERNING AUTHORITIES

NCAA Division I Freshman Eligibility Standards

The NCAA has specific standards that must be met by high school seniors in order for them to qualify to play collegiate athletics at a Division I college or university. The student athlete must have completed 16 core courses (as defined by the NCAA) and have taken the SAT or ACT test. Division I eligibility is based upon a sliding scale that combines both the student athlete's cumulative GPA (as calculated by the NCAA – not, the high school or prospective university) and his/her highest SAT or ACT test score. The sliding scale allows a student athlete with a higher cumulative GPA and a lower test score to be a Division I qualifier and vice versa. For example, under the sliding scale, a student athlete with a 3.550 GPA and a 37 ACT test score will qualify, and another student athlete with a 2.000 GPA and an 86 ACT test score will also qualify.

United Teachers of Dade (UTD) Contract Provision for Grade Changes by School Principals

Article XX, Section 8 - Grade Changes, in the UTD contract states: "If the principal of a school feels it is necessary to change a pupil's grade in any subject at the end of the grading period, the principal shall consult with the teacher who issued the original grade and give his/her reasons for the necessary change to the teacher in writing. If a change in grade is made, it shall be recorded as the principal's grade and not the teacher's grade."

² Information regarding the NCAA and the NCAA Eligibility Center taken from www.NCAA.org and www.Collegesportsscholarships.com.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Miami-Dade County Public Schools Board Rules

Rule 6Gx13-4A-1.21 Responsibilities and Duties/Employee Conduct, states in part:

All persons employed by The School Board of Miami-Dade County, Florida are representatives of the Miami-Dade County Public Schools. As such, they are expected to conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system.

Rule 6Gx13-4A-1.212 Conflict of Interest/Misuse of Public Position, states in part:

No School Board employee shall corruptly use or attempt to use his or her official position or perform his or her official duties to secure a special privilege, benefit, or exemption for himself, herself, or others. Section 112.313(6), F.S.

INVESTIGATION

Case Initiation

In September 2010, the Miami-Dade County Public Schools Office of the Inspector General (OIG) opened an investigation into improper grade changes at Northwestern. A Northwestern employee alleged that academic grades had been improperly changed for some Northwestern student athletes after the 2009-2010 school year ended.

An initial inquiry into M-DCPS documentation revealed that grades were changed for student athletes between the end of the 2009-2010 school year and the start of the 2010-2011 school year. Further investigation was then conducted to determine the propriety of the changes as it related to student athletes due to the complaint's specific allegations.

Investigative Methodology

During the course of the investigation, documentation was obtained from M-DCPS, the NCAA, and the Student's recruiting university. The M-DCPS documentation reviewed includes Grade Change Justification Forms, Transaction Change Reports, Gradebook computer entries, and Integrated Student Information Systems (ISIS) reports.³

³ ISIS generates the official grades and official transcripts. It calculates and enters a final academic letter grade for any course based upon a weighted average of all the grades received

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Interviews were conducted with teachers, the Principal, the Vice Principal, the Registrar, the Athletic Director, and others at Northwestern, as well as other M-DCPS personnel familiar with academic grades and the grade change process. Representatives of the NCAA and the University were also interviewed. Additionally, sworn statements were taken from numerous witnesses during the course of the criminal investigation. This investigation covers the 2009-2010 school year, which ended on June 9, 2010, and the summer of 2010 when the subject grade changes were submitted.

This investigation was conducted in accordance with the *Principles and Standards for Offices of Inspector General, Quality Standards for Investigations*, as promulgated by the Association of Inspectors General.

Events up to the End of the School Year

During the 2009-2010 school year, the Student was a senior at Northwestern. In February 2010, the Student was recruited by a Division I University and was expected to play on its athletic team in the fall of 2010. The Student signed a letter of intent to enroll at the University and received a full athletic scholarship contingent upon his/her final grades, test scores, and approval by the NCAA. The University had been monitoring the Student's grades and test scores prior to making its scholarship offer since at least January 2010.

In March 2010, the University conducted a Preliminary Core Course Review of the Student's grades and calculated his/her core course GPA. Calculated in conjunction with the Student's highest ACT score, the Student's GPA was just short of the GPA needed in order to qualify for Division I eligibility.

In May 2010, just prior to the end of the school year, a University coach met with the Student's mother and Northwestern staff to discuss the need for the Student to improve his/her grades. The University's coach recalled discussing the need for the Student to improve grades in two courses (he believed one such course was Chemistry and that the Student needed to improve this grade to a B).

When the school year ended on June 9, 2010 and his/her final academic grades were calculated, the Student had a B in American Government, a B in Economics, a C in Chemistry, and a B in English IV. American Government and Economics were

during the school year. During the academic year, teachers use Gradebook, a computerized grading system, to enter mid-term exam, final exam and other assignment grades for each student. Once all the academic letter grades for each grading period and each exam are entered in Gradebook, the grades are then uploaded to the ISIS system to calculate the final grades and GPAs for each student.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

both taught by Mr. Richard Louis. The Chemistry course was taught by Dr. Vivian Stephenson and the English IV course was taught by Ms. Sylvia Carro.

Grade Changes in American Government and Economics

On or about June 28, 2010, Mr. Louis submitted a hand-written Grade Change Justification Form to elevate the Student's final exam grade and final grade in American Government from a B to an A. The reason for the grade change cited on this form by Mr. Louis was that the Student had completed all of his/her make-up work. Mr. Louis was unable to produce any documents to support the final grade change or final exam grade change documented on the Grade Change Justification Form for the American Government class. **(Exhibit A)**

Mr. Louis, when asked by OIG Special Agents to explain the grade changes in his courses, could not accurately remember the circumstances regarding the grade change in American Government. Mr. Louis' various explanations were that the Student had done make-up work at the end of the year, and that the Student had done work earlier during the year that had not been previously counted. Regarding the final exam grade change reflected on the Grade Change Justification Form, Mr. Louis stated that he might have absent-mindedly changed the final exam grade when he meant only to change the final class grade.

On June 29, 2010, the Student's final grade in Economics, also taught by Mr. Louis, was also changed from a B to an A. Although the grade change is clearly recorded in the computer, no Grade Change Justification Form initiating this change could be found. Both the M-DCPS ISIS system and a Transaction Change Report reviewed by the OIG reflect a grade change entered by the Registrar in the Student's Economics class. Ms. Lawarnia Gray, the Northwestern Registrar, could produce no forms or documents related to the grade change in Economics. She had no clear memory of the Economics grade change when questioned by OIG Special Agents. Mr. Louis had no knowledge or explanation for the Economics grade change. In fact, while he admitted changing the Student's American Government grade, Mr. Louis denied making the Economics grade change. Ultimately, Mr. Louis acknowledged that no work was done by the Student after the school year ended to justify the grade changes in both courses.

Grade Changes in English IV and Chemistry

On June 29, 2010, Ms. Gray entered into the M-DCPS ISIS computer system four grade changes to the Student's student record. These included the two A's in Mr. Louis' Economics and American Government classes and two more grade elevations in English IV and Chemistry. English IV was changed from a B to an A and Chemistry was changed from a C to a B.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Ms. Carro and Dr. Stephenson were not present on the Northwestern campus during the summer months of 2010 when the Student's grades in English IV and Chemistry were changed. Moreover, both teachers had left their teaching posts at Northwestern. Ms. Carro would start the new academic year at Miami Beach High School after obtaining a voluntary transfer closer to her home. Dr. Stephenson was involuntarily transferred along with four other teachers to other schools within the District.⁴

OIG Special Agents obtained the Grade Change Forms for both the English IV and Chemistry courses and reviewed those forms with both Ms. Carro and Dr. Stephenson. **(Exhibit B)** Ms. Carro stated that she did not sign her name to the form, she did not give anyone permission to sign her name on the form, and she was never consulted by anyone about changing the Student's grade prior to the grade actually being changed. Moreover, Ms. Carro stated, in a sworn statement, that she would not have agreed to a change of grade, as no additional work had been done by the Student to justify receiving an A.

Similarly, Dr. Vivian Stephenson, in his sworn testimony, stated that the Student had not done any additional work to justify a grade change in Chemistry. He also stated that he did not submit the Grade Change Justification Form, that it was not his signature on that form, and that he had not authorized anyone to sign for him or change the Student's grade. Dr. Stephenson did state that while he was teaching a summer course at a local university, he received a phone call from Principal Hankerson who asked if anything could be done about the Student's grade. Dr. Stephenson advised Principal Hankerson that he would not be willing to change the Student's grade without any additional work by the Student.

The OIG also reviewed the Gradebook entries for English IV and Chemistry with Ms. Carro and Dr. Stephenson, respectively. The Gradebook contains the entries made by both Ms. Carro and Dr. Stephenson during the academic year for each assignment and exam given to the Student. Both Ms. Carro and Dr. Stephenson confirmed that the entries appeared to be the same as they had input them into the Gradebook, i.e., they were the Student's original and correct grades as entered into the system during the course of the year. Thus, the only documentation to support the grade change were the phony Grade Change Justification Forms.

The Student was interviewed by OIG Special Agents and provided a sworn statement. The Student acknowledged that he/she did no make-up work after the

⁴ Dr. Stephenson did not learn of his involuntary transfer until August, near the start of the new school year. He received a letter dated August 10th, 2010 to report to the M-DCPS District office on August 16, 2010 regarding his involuntary transfer.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

school year had ended for any class.⁵ The Student stated that he/she had no communication with anyone at Northwestern about his/her grades after school ended and knew nothing about the grade changes entered on his/her behalf. The Student first learned there was a problem when he/she was pulled off the field at the University and told he/she could not practice.

Ms. Sheri Bearman, the Test Chair and Compliance Officer at Northwestern, provided sworn testimony and admitted to signing the names of Ms. Carro and Dr. Stephenson on the Grade Change Justification Forms. As Test Chair, Ms. Bearman is responsible for the standardized testing done at Northwestern. Additionally, as Compliance Officer, she ensures that student athletes complete the paperwork required by the NCAA Clearinghouse.

Ms. Bearman admitted to signing Ms. Carro's name and Dr. Stephenson's name on the grade change forms. She admitted she did not have either Ms. Carro's or Dr. Stephenson's permission to sign their names or submit grade change forms on their behalf. She stated that she did so at the request of her Principal, Mr. Charles Hankerson, who she would not question because of his position as Principal. Further, she stated that Mr. Hankerson had informed her that "he spoke to both teachers, both teachers agreed to sign it, to change the grades, they are not in the building right now, I just got off the phone with them, could you please sign this for them, and process it. I did, like a fool." (**EXHIBIT C** – Transcript of Ms. Bearman's Sworn Testimony [Bearman Transcript] p. 17.)

In addition to forging the signatures of Ms. Carro and Dr. Stephenson, Ms. Bearman admitted to partially filling in the forms – namely, the student identification numbers on both forms and the justification statement on the Chemistry grade change form.⁶ The forms were signed by Principal Hankerson and entered into the computer by the Registrar.

Around the same time, Ms. Bearman presented a list of student athletes awaiting eligibility by the NCAA Clearinghouse to Ms. Yanette Hunter. Ms. Hunter is a Secretary and the Gradebook Manager at Northwestern; her duties include copying and certifying the official school transcripts. Ms. Bearman admitted, and Ms. Hunter corroborated, that Ms. Bearman requested the transcripts of all the NCAA eligible

⁵ In fact, the Student spent most of the summer at the University in preparation for the start of school. According to the Student, and his/her mother, he/she left Miami for the University around July 1, 2010 and remained there until September 2010.

⁶ Catherine Sciolis, the Northwestern English Department Chair, filled in the student name, subject and school term parts of the English IV and Chemistry grade change forms at the request of Sheri Bearman. Ms. Sciolis did not ask Ms. Bearman to explain the reason for filling out the forms.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

athletes, but specifically asked that the Student's transcript be held and not sent to the NCAA.⁷ According to Ms. Bearman, the transcript was to be held "until a new transcript was made with the correct grades." (**Exhibit C** – Bearman Transcript p. 26.) Further, referring to the Student's transcript, Ms. Bearman stated, "This transcript was not supposed to be sent out. That transcript was not supposed to be sent out." (**Exhibit C** - Bearman Transcript p. 26) Ms. Hunter was not told the reason for holding the Student's transcript, nor was she told about the grade changes made to the Student's record.

The Student's mother, however, had requested the Student's transcript and did in fact obtain a copy of the original transcript around this same time.⁸ The Student's mother stated that she sent the copy of the transcript she obtained directly to the NCAA. The OIG learned from interviews of NCAA personnel and a review of the records received by the NCAA that on July 30, 2010, the NCAA received the Student's original transcript containing the original grades in English IV, Chemistry, American Government, and Economics. On August 2, 2010, according to an *NCAA Prospective Student-Athlete Details Report*, the NCAA determined that the Student did not qualify for Division I eligibility based on the original grades as reflected on the original transcript.

It is unclear how or who communicated the information to Northwestern, but what is clear is that Northwestern Principal Hankerson and his staff made a concerted effort to reverse the NCAA decision using M-DCPS documents that were falsely created and contained fraudulent information.

Additional Grade Change Records Requested by the NCAA

Ms. Bearman states she was asked to fax several documents to the NCAA Clearinghouse. The first of the documents faxed to the NCAA Clearinghouse consisted of a letter from Principal Hankerson dated August 5, 2010 and the Student's transcript, dated August 6, 2010, containing the four revised grades.

⁷ Ms. Bearman was unable to recall who asked her to request that the Student's transcript be held. She initially stated Ms. Carro possibly requested the hold and later stated Ms. Carmen Jackson possibly requested the hold. Ms. Jackson is a coach at Northwestern and was, by her own admission, concerned about the Student.

⁸ As explained to the OIG by Ms. Hunter, transcripts are automatically generated by ISIS at the end of the year. Once she receives those transcripts at the end of the year, she secures them and keeps a working copy in another secure location. She certifies copies of transcripts from her working copy batch as they are requested. If a change were made to a student's record, then a revised transcript would have to be re-ordered and printed through ISIS. It appears that the Student's mother received a copy of the original before a transcript with the false grades had been generated.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

The letter from Mr. Hankerson (**Exhibit D**) stated that the Student's mother had received the "wrong" transcript with "incorrect" grades for ... English and Chemistry courses and that a new transcript with corrected grades had been ordered. The letter does not refer to the changed grades in American Government and Economics, although the "corrected" transcript clearly showed four grade changes.⁹ Ms. Bearman stated that Principal Hankerson asked her to send this letter and "corrected" transcript to the NCAA. Ms. Hunter stated that both Ms. Jackson and Principal Hankerson had asked her to re-order a second transcript for the Student.

The NCAA advised the University that they were waiting for additional documentation in order to reevaluate the Student's eligibility based on the revised transcript. On August 13, 2010, Ms. Bearman faxed another letter, the revised transcript containing the phony grades, and the falsified Grade Change Justification Forms to the NCAA. (**Exhibit E**) The second letter dated August 13, 2010, was signed by Vice Principal John Walker, and represented the forged Grade Change Justification Forms as the official explanation of the grade changes. Ms. Bearman stated she was requested to send these documents by Vice Principal Walker. When interviewed by OIG Special Agents, Vice Principal Walker did not recall who requested the letter. He thought possibly the University requested the transcript and grade change forms, but he acknowledged writing the letter.

On August 17, 2010, the NCAA requested Northwestern send the teachers' actual grade books for their reevaluation. On August 18, 2010, Ms. Bearman faxed copies of the Gradebook entries made by Ms. Carro for the English IV course and by Dr. Stephenson for the Chemistry course to the NCAA. She did not recall who asked her to send these documents to the NCAA, nor could she state who gave her the copies. (**Exhibit F**¹⁰)

On August 20, 2010, the NCAA completed its reevaluation of the Student's eligibility and stood by its previous decision. According to Scott Johnson, the NCAA Associate Director of Academic Compliance, the NCAA reviewed the additional documents, the second transcript containing the changed grades, grade change forms, Gradebook entries, and letters from Northwestern administrators. The NCAA concluded that these additional documents did not support the English IV and Chemistry grade changes. According to Mr. Johnson, the NCAA relied on the original grades to calculate the Student's core GPA, which was short of the GPA that the Student needed together with his/her highest ACT test score to qualify for

⁹ The Student's academic transcripts have not been made a part of any exhibit for privacy/confidentiality reasons.

¹⁰ This Exhibit contains only the facsimile transmission sheet sent by Ms. Bearman. The Gradebook sheets contain private information about the Student and are, therefore, being omitted.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Division I. According to Mr. Johnson, had the NCAA accepted the English IV and Chemistry grade changes, then the Student's core GPA, together with the ACT score, would have qualified the Student for a Division I athletic scholarship.

On September 7, 2010, Ms. Bearman faxed all the documentation that she had previously sent to the NCAA to the University. She did not recall who asked her to send these documents to the University. According to the University records and to the University's Associate Director of Compliance, the Student attended two summer courses at the University and an athletic camp at the University in anticipation of enrolling for the fall 2010 term. However, once the University was informed by the NCAA, around early September 2010, that the second transcript was invalidated and that the Student was a non-qualifier for Division I, the Student was sent home and not enrolled for the fall term.

Interview of Principal Charles Hankerson

Principal Hankerson was interviewed by an OIG Special Agent on December 10, 2010. Principal Hankerson acknowledged his signature on all three Grade Change Justification Forms. Beyond acknowledging his signature, Principal Hankerson made several inconsistent statements regarding his knowledge of the grade changes and his involvement.

Principal Hankerson first stated that Dr. Stephenson had submitted a form after the school year ended and that he verified the change with Dr. Stephenson due to the lateness of the request. He denied any knowledge of the English IV form purportedly submitted by Ms. Carro. Principal Hankerson then advised the OIG that Dr. Stephenson had been transferred because his AP students were not performing and that Ms. Carro was on his list to be transferred because her students were not performing.¹¹

Next, Principal Hankerson was shown the letters and documents submitted to the NCAA for its reconsideration of the Student's eligibility. He denied writing or signing the letter bearing his name. He could not provide an explanation for the letter other than to say that his staff was "not that good." He had no knowledge of any other documents or efforts made on behalf of the Student.

Finally, the OIG agent told Principal Hankerson that a witness had stated that he [Hankerson] requested that the Grade Change Justification Forms be forged. Principal Hankerson then stated that Ms. Jackson might have signed the teacher's names.

¹¹ Dr. Stephenson did not have an AP class in 2009-2010 and Ms. Carro was voluntarily transferred to Miami Beach High based on her request, in order to be closer to her home.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL
OIG Final Report of Investigation
Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Approximately an hour after the interview was concluded, Principal Hankerson called the OIG with new information that he wanted to provide. Principal Hankerson stated that in early June, Ms. Jackson had brought him the Grade Change Justification Forms for Ms. Carro's English class and Dr. Stephenson's Chemistry class. He declined to sign them at that time. According to Principal Hankerson, later that same month (June 2010) Ms. Jackson again presented grade change forms for the Student.¹² Principal Hankerson acknowledged that he asked Ms. Bearman to sign the forms, but only after he received telephone calls from both Ms. Carro and Dr. Stephenson around this time. He stated that both teachers authorized the grade changes and informed him that the Student had done make-up work to justify the grade changes.

None of the Northwestern staff interviewed by the OIG had personal knowledge of such telephone calls. Ms. Carro and Dr. Stephenson both deny making calls to Principal Hankerson. In fact, Dr. Stephenson stated that Principal Hankerson called him around this time and asked him if anything could be done with the Student's grade, to which Dr. Stephenson responded that he would not approve a grade change because no make-up work had been done. Dr. Stephenson recalls that Principal Hankerson called him sometime in June 2010. He is certain of the month, although not the date, because he was teaching a course at a local university at the time of the call. Ms. Carro testified that she received a call in October after the OIG's investigation had commenced. Ms. Carro recalls the call was in October because it was at night during a class she was taking. Ms. Carro stated that Ms. Sciolis, her Department Chair at Northwestern, asked her to call Ms. Bearman. Ms. Carro related that Ms. Bearman advised her there was an investigation into grade changes on behalf of the Student at Northwestern. Ms. Carro told her she had nothing to do with that and Ms. Bearman replied, "That is not what you are going to say." At that point, Ms. Carro ended the conversation with Ms. Bearman. Ms. Carro and Dr. Stephenson both deny authorizing any grade changes and stated that no additional or make-up work was done by the Student to justify any grade change.

RESPONSES TO THE DRAFT REPORT & OIG COMMENTS

This report, as a draft, was provided to Mr. Richard Louis, Ms. Sheri Bearman, and Principal Hankerson, for their discretionary written responses. The OIG received responses from Mr. Louis and Ms. Bearman, and a response on behalf of Principal Hankerson from his attorney. The three responses are attached and incorporated herein as Appendix 1 – 3, respectively. We appreciate receiving the responses.

¹² Ms. Jackson was also interviewed by OIG Special Agents and stated she may have, at some point, provided Principal Hankerson with blank grade change forms, but denied any involvement in the changes to the Student's grades.

1. Mr. Louis' Response

In his three-page response, Mr. Louis does not dispute that he changed the final grade in American Government. He states that the Student had turned in make-up work by the end of the year and not after the end of the school year, but he also acknowledges that he is unable to produce documents reflecting the Student's make-up work. He explains that his papers had been removed over the summer from the storage room. As it relates to the grade change in the Student's Economics class, Mr. Louis states that he was not the Student's Economics teacher and that he did not or could not change another teacher's grades in the Gradebook.

Mr. Louis' explanation of the grade change in American Government is consistent with his previous statements; however, his response only addresses the final class grade and does not address the grade change made to the Student's final exam for that class. The OIG reiterates that the grade change form submitted by Mr. Louis not only changed the final course grade, but also changed the final exam grade.

Additionally, the OIG disagrees with Mr. Louis' contention that he was not the Student's Economics teacher. Mr. Louis admitted in his sworn statement that he was the Student's Economics teacher for the final nine weeks of that course. The OIG has verified that Mr. Louis was the Student's Economics teacher. Gradebook entries confirm that during the first nine weeks the Student was taught Economics by Mr. Miguel Roque and that Mr. Louis was the Student's teacher for the final nine weeks of the course. Mr. Roque also confirmed that he taught the Student Economics during the first nine weeks of the course at which point the Student transferred to Mr. Louis' class for the final nine weeks of the course. Therefore, Mr. Louis was the teacher that gave the Student the final grade in Economics.

There has been no allegation that the individual grades earned during the Economics course, i.e., the Gradebook entries, made either by the Student's initial teacher or by Mr. Louis, were changed. However, the final grade was changed after the school year had ended. Therefore, the question remains, if Mr. Louis, as he has repeatedly stated, did not change the final Economics grade, then clearly someone at Northwestern changed the grade without the consent of the teacher, Mr. Louis. Furthermore, the documentation, i.e., the Grade Change Justification form and supporting documentation, for the Economics grade change is missing from Northwestern's records.

2. Ms. Sheri Bearman's Response

Ms. Bearman submitted a one-page response in which she acknowledges signing the teacher's names at the request of Principal Hankerson. Throughout her response, Ms. Bearman states that Principal Hankerson did not initiate the grade changes, but rather it was Ms. Carmen Jackson's idea to change the grades.

Ms. Bearman's response does not dispute that she signed the forms, that she did not have authorization from the teachers, and that it was Principal Hankerson who asked her to sign the forms. Ms. Bearman also asserts that Principal Hankerson informed her he had "confirmed these grade changes with both teachers via a phone conversation."

As an initial observation, the OIG notes that Ms. Bearman's response attempts to simulate an affidavit or sworn statement. Ms. Bearman's official response, and her nearly identical statement appended to Principal Hankerson's response,¹³ both contain notary seals and an additional signature. Both, however, are not in effect sworn affidavits or notarized statements as they lack, most notably, an oath or affirmation as to the veracity of the statements and the proper certification by a notary.

Substantively, Ms. Bearman's response is replete with statements diffusing the characterization of Principal Hankerson as the "mastermind" of the grade changes. In her response, for the first time in the various opportunities given to Ms. Bearman to discuss the grade changes, she now points to Ms. Carmen Jackson as originating the idea of the grade changes. However, it must be clearly stressed that this report does not focus on the development of the grade change idea, but rather on the actions of those involved in actually changing the grades based on phony justifications.

3. Response from Principal Hankerson's Attorney

On behalf of Principal Hankerson, Attorney Michelle Delancy submitted a 22-page response with four attachments. In sum, the response states that Principal Hankerson's actions were appropriate. Through counsel, Principal Hankerson reiterates that he was approached by Ms. Carmen Jackson twice to change the Student's grades. Counsel's response states that Principal

¹³ Ms. Bearman's statement attached to Mr. Hankerson's response is a near duplicate of her response to the OIG draft. Missing from the version attached to Principal Hankerson's response are a few sentences that relate to Ms. Bearman faxing information to the NCAA and a conversation between Ms. Bearman and Ms. Carro after the investigation commenced.

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

Hankerson's involvement was to request that the forms be filled out correctly. Once filled out, counsel asserts that Principal Hankerson called the teachers to verify their intent to change the grades. The response points out that there is "no actual or apparent mandate that Hankerson ask any additional questions regarding the grade changes." (Principal Hankerson's Response p. 17) Counsel also states that Principal Hankerson signed the letter to the NCAA "assuming it was justified and credible and authored for a legitimate purpose - the same way and for the same reasons he executed the Forms." Attached to the response are the statements of various MDCPS employees, including, as noted above, a modified version of Ms. Bearman's response. The attachments state that Principal Hankerson did not initiate the grade changes, did not request a second transcript be issued, and that Ms. Carro, during the summer, had an in person conversation with Principal Hankerson. Finally, Principal Hankerson's counsel asserts that he should have been able to ". . . rely, to a great degree on the honesty and integrity of his subordinates. Unfortunately, in this case, such qualities in Hankerson's subordinates were lacking." (Principal Hankerson's response p. 17)

The OIG notes that Principal Hankerson's response, as submitted by counsel, not unlike Ms. Bearman's response, concentrates on the genesis of the grade changes. Both responses point to Ms. Carmen Jackson as initiating the grade change requests. Ms. Jackson, who was interviewed by the OIG and the SAO, states that the Student's mother discussed with her the possibility that make-up work done during the year had not properly been accounted for in the final grade. Ms. Jackson admits that she spoke about this with Ms. Bearman and Principal Hankerson. She also admits giving Principal Hankerson blank grade change forms; further, she stated that she was under the impression that Principal Hankerson would speak to the teachers about the work, but that she was not present for any such conversations.

Beyond the origination of the grade changes, counsel's response, on behalf of Principal Hankerson, conflicts and contradicts Ms. Bearman's in both minor and significant details. As an example, the responses do not agree as to how the forms were presented for the Principal's signature. Counsel's response states that Ms. Jackson and Ms. Bearman brought him the completed forms. Ms. Bearman's response states she alone presented the partially completed forms to Hankerson, who instructed her to further complete the forms and sign them for the teachers.

The forms themselves present unanswered questions as to the propriety of the changes by the staff. Both the English IV and the Chemistry forms are marked "NO" under the question: "Has there been any intervention by

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

anyone on the behalf of this student to cause you to consider a change of grade in this instance?" Yet clearly, from all accounts, the teachers did not initiate these grade changes, but staff, whether it was Ms. Jackson, Ms. Bearman, Ms. Sciolis, Principal Hankerson, or all of them, intervened to change the grades.

Additionally, contrary to the assertions in Principal Hankerson's submitted response, the language used on the forms further indicates that the teachers were not involved in the grade changes. The Chemistry grade change form includes the following justification "[the Student] has completed all of ... required make-up work". Curiously, these are the exact same words that Mr. Louis used—only a day earlier—to change the Student's American Government grade. But, while Mr. Louis has explained that he elevated the Student's grade due to the submission of make-up work that was turned in by the end of the school year, Dr. Stephenson is clear that the Student completed no additional work in Chemistry after he entered the Student's grades. More importantly, the Student states that he/she did not complete any additional work after the school year ended.

Further, the English IV grade change form contains the following justification: "My error – Bubbled in incorrect grade." The OIG has learned that a bubble-in grading system has not been in place at Northwestern for a number of years. Clearly, the justifications on the grade change forms do not appear to be those of the teachers.

Also in conflict are the events surrounding the authorization from the teachers. Principal Hankerson, through counsel, states that he called both teachers in the presence of Ms. Bearman. Ms. Bearman has never stated she was present. Instead, she has always maintained (to the OIG and in her sworn statement to the SAO) that Principal Hankerson informed her of the call after the fact. Moreover, teachers Stephenson and Carro have sworn that they never authorized the grade changes.

Principal Hankerson's response pieces together disparate statements in an attempt to present the teachers as acquiescing to the grade changes. By quoting certain sections of Ms. Bearman's sworn statement and omitting others parts, Hankerson's attorney attempts to give the impression that Ms. Carro was aware of the grade change request. Additionally, counsel's response includes a letter from Principal Hankerson's secretary in an attempt to buttress the argument that Ms. Carro was complicit. Ms. Shawn Singleton states that during the summer, Ms. Carro visited the school and had an in person conversation with Principal Hankerson. Notably, Ms. Singleton does not attest to the substance of the conversation because she admits to not

MIAMI-DADE COUNTY PUBLIC SCHOOLS OFFICE OF THE INSPECTOR GENERAL

OIG Final Report of Investigation

Re: Improper Grade Changes Made at Miami Northwestern Senior High School

being present. The focus of Principal Hankerson's response is an attempt to misdirect from the crucial issue of the propriety of the grade changes and the lack of adequate documentation.

CONCLUSIONS

The OIG found that the Student's grades in several courses were changed resulting in a higher GPA that would have qualified the Student to play Division I athletics. Considering the conflicts in the responses of Mr. Louis, Ms. Bearman and Principal Hankerson's counsel, the propriety of the grade changes in this case is still questionable. It is clear that the grade changes were made by the staff of Northwestern with the approval of the Principal.

In addition to the conflicts and contradictions among the various responses, both Principal Hankerson and Ms. Bearman have, at various times, provided different versions of the events. The response submitted by counsel, on behalf of Principal Hankerson, is the third version of events. Notably, Principal Hankerson, through counsel, now states that he signed the letter to the NCAA and states that he made the calls to both teachers. Similarly, Ms. Bearman now provides an explanation that had not been previously provided to the OIG or in her sworn statement to the SAO.

The assertions of teachers Carro and Stephenson are clear and consistent. They did not authorize or request that the final grades in English IV or Chemistry be changed. Mr. Louis' has also consistently denied that he authorized a change of grade in Economics. The Student has also consistently denied turning in make-up work or doing additional work after the school year ended. It seems implausible that the Student would deny completing such work if he/she had indeed completed the work and stood to gain from such work. After considering all the responses and the statements taken during the course of the investigation, it is clear there is a lack of documentation supporting the propriety of the grade changes.

This report is being provided to the M-DCPS administration and the School Board for whatever action is deemed appropriate.

Miami-Dade County Public Schools Office of the Inspector General

Exhibit A

Grade Change Justification Form – American Government
(1 page)

Final Report
IG10-49SB

Grade Change Justification Form

Must Be Approved By The Principal

Student I.D. Number

Student Name

Grade Sect

Date Submitted

Grade Showing On Report Card

Subject: American Government
Be Specific

Scholarship Effort Conduct Exam Ab.

B 1 A B

SCHOOL TERM: 20 09 - TO 20 10

(Check ONLY the items for which the change is being made.)

1st Grading Period: _____
2nd Grading Period: _____
Midterm Exam: _____

3rd Grading Period: _____
4th Grading Period: _____
Final Exam: _____

Final Grade: A
Summer: _____

PROPOSED NEW GRADE:

Scholarship Effort Conduct Exam Ab

A 1 A A

Has there been any intervention by anyone on the behalf of this student to cause you to consider a change of grade in this instance? YES _____ NO If so, by whom? _____

Briefly state your reason(s) for a change of grade for this student.

Teacher's Comments:

_____ has completed all of _____ Required Make-up Work

Registrar's Comments:

Teacher's Request

Teacher's Signature

Registrar's Signature

Assistant Principal's Comments:

Assistant Principal's Signature

- APPROVED
- DENIED

Principal's Comments:

Principal's Signature

- APPROVED
- DENIED

Miami-Dade County Public Schools Office of the Inspector General

Exhibit B

**Grade Change Justification Forms – Chemistry & English IV
(2 pages)**

**Final Report
IG10-49SB**

Grade Change Justification Form

Must Be Approved By The Principal

[Redacted]
Student I.D. Number

[Redacted]
Student Name

12
Grade Sect

6/29/10
Date/Submitted

Grade Showing On Report Card

Subject: Chemistry
Be Specific

Scholarship _____ Effort _____ Conduct _____ Exam _____ Ab. _____

SCHOOL TERM: 2009 - TO 2010
(Check ONLY the items for which the change is being made.)

1st Grading Period: _____
2nd Grading Period: _____
Midterm Exam: _____

3rd Grading Period: _____
4th Grading Period: _____
Final Exam: _____

Final Grade: B
Summer: _____

PROPOSED NEW GRADE:

Scholarship A Effort 2 Conduct B Exam A Ab. _____

Has there been any intervention by anyone on the behalf of this student to cause you to consider a change of grade in this instance? YES _____ NO X If so, by whom? _____

Briefly state your reason(s) for a change of grade for this student.

Teacher's Comments: [Redacted] has completed all of required make up work

Registrar's Comments: Teacher's Request

[Signature]
Teacher's Signature

Assistant Principal's Comments: _____

[Signature]
Registrar's Signature

Assistant Principal's Signature
 APPROVED
 DENIED

Principal's Comments: _____

[Signature]
Principal's Signature
 APPROVED
 DENIED

Grade Change Justification Form

Must Be Approved By The Principal

[Redacted]

[Redacted]

12 6/29/10
Grade Sect Date Submitted

Grade Showing On Report Card

Subject: English IV
Be Specific

Scholarship Effort Conduct Exam Ab.

SCHOOL TERM: 20 09 - TO 20 10
(Check ONLY the items for which the change is being made.)

1st Grading Period: _____ 3rd Grading Period: _____ Final Grade: A
2nd Grading Period: _____ 4th Grading Period: _____ Summer: _____
Midterm Exam: _____ Final Exam: _____

PROPOSED NEW GRADE:

Scholarship Effort Conduct Exam Ab
A 1 A A _____

Has there been any intervention by anyone on the behalf of this student to cause you to consider a change of grade in this instance? YES _____ NO X If so, by whom? _____

Briefly state your reason(s) for a change of grade for this student.

Teacher's Comments: MY ERROR - BUBBLED IN INCORRECT gra

Registrar's Comments: Teacher's Request

Sylvia Carro
Teacher's Signature

L. King
Registrar's Signature

Assistant Principal's Comments: _____

Assistant Principal's Signature

- APPROVED
- DENIED

Principal's Comments: _____

[Signature]
Principal's Signature

- APPROVED
- DENIED

White copy to Registrar

Yellow copy to Teacher

Pink copy to Counselor

**Miami-Dade County Public Schools
Office of the Inspector General**

Exhibit C

Sworn Statement of Sheri Bearman
(54 pages)

Final Report
IG10-49SB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



IN RE: 64-10-75

SWORN STATEMENT OF SHERRI BEARMAN

Taken before Betty S. Astrin, Notary Public
for the State of Florida at Large, on the 22nd day of
December, 2010, at the Office of the State Attorney,
Room 509, 1350 Northwest 12th Avenue, Miami, Florida,
at 1:00 p.m.

1 APPEARANCES:

2 Carol Jordan, and Marie Perikles,
 3 Assistant State Attorneys,
 4 1350 Northwest 12th Avenue,
 Miami, Florida
 On behalf of the State of Florida.

5

6 John Kennedy, Special Agent,
 7 Office of the Inspector General,
 Miami-Dade County, Florida.

8

9

10

11

12

I N D E X

13

By Ms. Jordan By Ms. Perikles

14

15 Witness	Page	Page
16 Sherri Bearman	3, 29, 36	26, 28, 35

16

17

18

19

20

21

22

23

24

25

1 Thereupon:

2 SHERRI BEARMAN

3 was called as a witness and after having been first duly
4 sworn was examined and testified as follows:

5 EXAMINATION

6 BY MS. JORDAN:

7 Q Good afternoon, Ms. Bearman. My name is
8 Carol Jordan. And this is Marie Perikles. We are
9 prosecutors here at the State Attorneys' Office. Our
10 job is to investigate crimes that occur in and around
11 Miami-Dade County, Florida. And we are currently
12 looking into whether or not any official misconduct
13 was committed by employees at Miami Northwestern
14 related to grade changes.

15 Your name has been given to us as
16 someone who might have information important to our
17 investigation. That is why you are here today.

18 You have received a subpoena to be
19 here today; correct.

20 A Correct.

21 Q As you probably already know, a subpoena is
22 an order from the court that orders you to be here
23 today, and orders you to answer our questions. The
24 court gives you no choice in the matter. Because you
25 are given no choice in the matter, the law says that

1 anything you say in the statement cannot be used
2 against you criminally.

3 A Can, or cannot?

4 Q Cannot.

5 A Okay. Anything I say.

6 Let me interrupt. I am undergoing
7 therapy, and I am having difficulty seeing, and it's
8 affecting my hearing. So, that is why these glasses
9 are so weird.

10 Q Not a problem. As I said, anything you say
11 in this statement cannot be used against you
12 criminally. One big exception to that rule that I
13 explain to all witnesses, and not just you, is that
14 should you say something in this statement that is a
15 lie, the statement can be used against you in a
16 prosecution for perjury in an official proceeding,
17 but that would only be because the statement itself
18 would be the crime. Other than that, it cannot be
19 used against you criminally.

20 Do you understand?

21 A Yes.

22 Q Please state your name for the record.

23 A Sherri Bearman.

24 Q Ms. Bearman, where do you live?

25 A Pembroke Pines. Do you want the address?

1 Q Yes, please.

2 A 201 Northwest 9th Drive, Pembroke Pines.

3 Q Approximately how long have you lived
4 there?

5 A Nineteen years.

6 Q With whom are you employed?

7 A Miami-Dade County Public Schools.

8 Q For approximately how long?

9 A 34 years.

10 Q Thirty-four years, I think you said?

11 A Uh-huh.

12 Q And where do you currently work?

13 A Miami Northwestern Senior.

14 Q How long have you worked for Miami
15 Northwestern?

16 A Four years.

17 Q And what is your role there?

18 A Test Chair.

19 Q Have you been the Test Chair for all four
20 years?

21 A Yes.

22 Q And if you could explain to me what a Test
23 Chair does?

24 A I am in charge of all the standardized
25 testing for all the schools run by the County. I

1 have the information: SATs, before they changed
2 them; FCAT, PSAC.

3 Q And what do you do in doing that?

4 A I make sure the children have the right
5 exams; that the right exams are given to the right
6 kids; their exams are there the morning that they
7 take the test; I put them in a classroom, see that
8 they are assembled; we get the right teachers, and I
9 train the teachers.

10 Q If there is follow up with FCAT, are you
11 involved in that as well?

12 A Yes.

13 Q Do you have anything to do with maintaining
14 high school eligibility for compliance?

15 A Yes. I am the Acting Compliance Officer.

16 Q As the Acting Compliance Officer, what do
17 you do? What is your role?

18 A I make sure that the kids file through the
19 NCAA Clearing House; I make sure they get their
20 paperwork in before they go on trips to visit. I
21 check on the kids, whether they are attending school,
22 periodically. I check and see if they passed the
23 FCAT; if they are going to tutoring. And I make sure
24 the final transcript goes out to the NCAA Clearing
25 House.

1 MR. KENNEDY: When you say cleared by
2 the NCAA, what does that mean?

3 THE WITNESS: They can't go on a trip
4 until they do their paperwork through the
5 clearance house.

6 MR. KENNEDY: Before they go to
7 colleges?

8 THE WITNESS: Correct.

9 BY MS. JORDAN:

10 Q Do you also have anything to do with,
11 because I understand there is eligibility
12 requirements to play in college, but there is also
13 eligibility requirements to play for high school?

14 A I have nothing to do with that.

15 MS. JORDAN: Okay.

16 MR. KENNEDY: Are you familiar with the
17 NCAA eligibility requirements?

18 THE WITNESS: I have them in my office,
19 yes.

20 MR. KENNEDY: So, you are familiar with
21 the scale of it?

22 THE WITNESS: I don't know. I know
23 there is a sliding scale. I don't know the
24 sliding scale. I don't check the sliding
25 scale. I am aware there is one, but I don't

1 deal with it.

2 BY MS. JORDAN:

3 Q So, how do you know if someone is eligible,
4 or not?

5 A It's up to the Clearing House to clear
6 them. I just make sure that the kids get on line;
7 and make sure that they fill out their paperwork
8 online; they come to me if they need the fee waiver
9 signed off on it before -- and they get their number
10 before they get any listings. And that is all I do.
11 And, at the end, I send the final transcript out.

12 Q So, you are not going around saying, with a
13 list of football players, saying okay you, you, and
14 you, you are not qualified, You need to get your
15 grades up, or anything like that?

16 A Absolutely, positively, no.

17 The only thing I do do, if they are
18 not taking tutoring for the FCAT, I make sure -- the
19 coach is not in school for tutoring for the FCAT --
20 we only offer it on Saturday tutoring, for the ones
21 that are tutored.

22 Q Does the -- I am going to -- I am going to
23 switch course just slightly, a little bit, here.
24 Regarding tutoring for the FCAT, you said that you
25 just require them to go to the Saturday School?

1 Because it's my understanding there
2 are three types of tutoring: There is Saturday
3 School, SES Tutoring after school --

4 A Yes.

5 Q -- and something called pullout tutoring,
6 where they are tutored during the school day, and
7 pulled out of their regular classes.

8 What do you have anything to do with
9 at Northwestern?

10 A I do check to see if they are attending
11 Saturday School tutoring.

12 Q How do you do that?

13 A I check with the coaches.

14 Q Uh-huh.

15 A That is all I do. And I will let them know
16 if Tommy needs -- if Tommy failed the FCAT, he needs
17 to be attending school, I will let the coaches know.

18 Q How do the coaches know whether or not the
19 student is in --

20 A I don't know.

21 Q -- Saturday School?

22 A I don't know.

23 Q Do the coaches teach Saturday School?

24 A Not that I know of. I don't know who
25 teaches Saturday School.

1 (Thereupon, there was an interruption for a cell
2 phone call.)

3 MR. KENNEDY: Can we get your cell
4 phone number so we can reach you?

5 THE WITNESS: (954)-431-4581 is at
6 home. And (954) 648-6967 is my cell.

7 MR. KENNEDY: Who is your provider?

8 THE WITNESS: AT&T.

9 MR. KENNEDY: Is for both?

10 THE WITNESS: Uh-huh.

11 MR. KENNEDY: Thank you.

12 BY MS. JORDAN:

13 Q I am sorry. I got off track. You said you
14 had nothing to do with the SES tutoring; correct?

15 A Right. I have nothing to do with it.

16 Q Do you know a student, or did you know a
17 student by the name of

18 A Yes.

19 Q How did you know

20 A was one of our athletes. was signed
21 up with the NCAA Clearing House.

22 Q And what do you recall about signing up
23 for the NC double A Clearing House?

24 A did it with mother, I believe. The
25 kids have to do it on the computer. They do not do

1 it through the school.

2 Q Did you ever have any conversations with

3

4 A I am sure I did.

5 Q What do you recall talking about with ?

6 A The waiver had received from the SAT and
7 the ACT.

8 Q Is that based on financial need?

9 A Yes, receiving the free lunch. If a child
10 has received the free lunch, they are entitled to a
11 waiver to take the SAT, or the ACT. They don't have
12 to pay for it.

13 MR. KENNEDY: Oh, normally you have to
14 pay for that?

15 THE WITNESS: Yes, forty-something
16 dollars.

17 BY MS. JORDAN:

18 Q After signing off, and approaching the end
19 of the year, do you recall any issues related to
20 transcripts?

21 A I was asked to hold 's
22 transcript.

23 Q By whom?

24 A I thought -- I believe it was English
25 teacher. At this point, ah, Ms. Carro, English

1 teacher.

2 Q Are you sure it was Ms. Carro?

3 A I am not a hundred percent sure. That is
4 who I thought asked me to hold it back.

5 Q Why did you think that?

6 A Because she was English teacher, and
7 she always wanted to rank -- to give the student the
8 benefit of the doubt. So, if grade detail
9 wasn't up to the subject, she said she would help

10

11 I don't remember if it was her, or
12 not. But she and I, I always felt we had the same
13 philosophy, if the kid is always trying at the end of
14 the year; right, when you teach, and the child is
15 trying, ah, showing is doing the right thing, and
16 if it's between two grades, I would always give the
17 higher grade.

18 If did that at the beginning of the
19 year, and gave up, I wouldn't help the child out.

20 So, if the child was trying, and
21 showed improvement, and they are between, they are in
22 the bubble, I would always give them the higher
23 grade.

24 Q Okay. And so that would be reflected in the
25 final transcript; correct?

1 A Correct.

2 Q What would cause you to go back and change
3 their grade yet again if they did that?

4 A Change the grade yet again?

5 I don't know.

6 Q In terms of speaking with Ms. Carro about
7 helping out, was it specifically about helping out

8

9 A She asked me to hold back the trans -- I
10 believe it was her who asked me to hold back the
11 transcript, not to send it. I could be mistaken. I
12 am not a hundred percent sure on that now.

13 MR. KENNEDY: So, when you say give
14 the benefit of the -- give a student the
15 benefit of the doubt between giving a higher
16 grade versus a lower grade, would that be
17 the final end of the year grade for the
18 course?

19 Is that the grade you are talking
20 about, or are you talking about grades that
21 are given throughout the course?

22 A I don't know what she meant by it.

23 Q You said that was your philosophy.

24 A I know that was my philosophy, between two
25 grades, when I used to teach in middle school, if the

1 child was trying. And we had similar philosophies.

2 Q That would apply to grades given during the
3 year, or at the end of the year, not necessarily
4 grades changed during the summer, or --

5 A Okay, at the end of the year, as a math
6 teacher, I used to average my grades, and I would
7 figure it out. Fifteen points could be a C; fifteen
8 points could be a B, if the child was working. A lot
9 of the teachers don't do that because the computer
10 automatically does it. And the computer will give
11 the child a lower grade at the end of the year. I, as
12 a math teacher, would work it out.

13 BY MS. JORDAN:

14 Q Have you ever seen grade change forms that
15 were submitted on behalf of after
16 graduation?

17 A Yes. Yes. Mr. Kennedy showed me the forms;
18 yes.

19 Q I am going to show you, first, these two
20 forms that are dated June 29th, 2010, signed,
21 supposedly, by Silvia Carro, and supposedly by Dr.
22 Vivian Stephenson. Do you recognize these two forms?

23 A Yes, I do.

24 Q Are these official public forms of the
25 Miami-Dade County school system?

1 A I don't know if they are official public
2 forms. Usually the official public forms have the
3 emblem on it.

4 Q Are these the official public forms used by
5 Northwestern High School at that time when doing
6 grade change?

7 A These are the forms that are used by
8 Northwestern; correct.

9 Q Do you know if others schools use the same
10 form?

11 A I have no idea.

12 Q Did you sign these?

13 A Yes, I did. I signed both signatures.

14 Q And by both signatures, for the record?

15 A Ms. Carro, and Dr. Stephenson.

16 Q What were the circumstance of your signing
17 these two forms?

18 A My principal asked me to.

19 Q How did that come about?

20 A I happened to be in the building that day,
21 and he goes into both teachers, and they agreed to
22 change the forms, change the grades.

23 Q According to whom?

24 A Mr. Hankerson.

25 Q You happened to be in the building that

1 day, you said?

2 A Yes.

3 Q What building?

4 A Miami Northwestern.

5 Q Where did you encounter Mr. Hankerson?

6 A In his office.

7 Q So, you happened to be in his office, not
8 the building.

9 A My office is in the building, in the same
10 office where he is, in the same location.

11 MR. KENNEDY: Your office is actually
12 down the hallway?

13 THE WITNESS: Yes.

14 MR. KENNEDY: In the main office area;
15 correct?

16 THE WITNESS: Correct.

17 MR. KENNEDY: But a distance away from
18 his actual office.

19 THE WITNESS: Correct.

20 BY MS. JORDAN:

21 Q What conversation did you have with Mr.
22 Hankerson leading up to his asking you to sign these?

23 A None whatsoever. He asked me to sign them,
24 and I signed them.

25 Q So, you are telling me that your principal,

1 out of the blue, comes up to you and says, Ms.
2 Bearman, please sign Silvia Carro's signature right
3 there, and Dr. Stephenson right there?

4 A Mr. Hankerson said he spoke to both
5 teachers, both teachers agreed to sign it, to change
6 the grades, they are not in the building right now, I
7 just got off the phone with them, could you please
8 sign this for them, and process it. I did, like a
9 fool.

10 Q Did you ask him why?

11 A I don't question him. He is my principal.
12 I don't question things like that.

13 Q Has he ever asked you to sign one before?

14 A No.

15 Q But he stated to you that he had spoken to
16 both teachers?

17 A Yes.

18 Q And they both agreed?

19 A Yes.

20 Q Do you know, for example, on Silvia Carro's
21 grade change form it says, My error, bubbled in
22 incorrect grade. Do you know who did that?

23 A No.

24 Q Do you know what that means?

25 A No.

1 Q At the time of this grade change form, were
2 you using the system still that required bubbling in
3 of anything?

4 A I don't know because I don't do grades. I
5 do not do grades, so I do not know.

6 Q You don't know?

7 A No. I really don't know.

8 Q In this one he says has completed
9 all of his required make up work. When I say this
10 one, for the record I am referring to Dr. Vivian
11 Stephenson's grade change form.

12 Do you know who wrote that in?

13 A I think that is my handwriting. That could
14 be my handwriting. That is my handwriting.

15 Q Okay, who told you to write that?

16 A Mr. Hankerson.

17 Q And how did that come about?

18 I mean did he say, Write this in, or
19 did you say, Well, you know --

20 A What is the reason for the grade change?

21 Q You asked what was the reason?

22 A Uh-huh.

23 Q And he said that?

24 A Yes, ma'am.

25 Q Was anyone else present -- well, first,

1 what room were you in?

2 A Mr. Hankerson's office.

3 Q Was anyone else present in the room when he
4 was requesting this?

5 A I don't remember anybody being there.

6 Q After you signed this, what happened?

7 A I believe I faxed it.

8 Q To whom?

9 A No, after I signed it, I left it there. It
10 may have been faxed to the school.

11 No, it had to be given to Ms. Gray,
12 the Registrar.

13 MR. KENNEDY: So, you left both of the
14 forms?

15 THE WITNESS: With the Principal.

16 MR. KENNEDY: When you refer to the
17 Principal, Mr. Hankerson?

18 THE WITNESS: Yes.

19 BY MS. JORDAN:

20 Q At any time after that, did you ever have
21 any contact with Dr. Vivian Stephenson?

22 A No.

23 Q After signing Ms. Carro's name, did you
24 ever have any further contact with Ms. Carro?

25 A Ms. Carro and I have spoken in the past

1 about my health because I have been going through a
2 rough time. Ms. Carro called to see how I am doing,
3 but that is basically it.

4 Q Other than that, in speaking with her, did
5 you ever say to her, um, Silvia, Mr. Hankerson had me
6 sign your name to something?

7 A No.

8 Q Why not?

9 A It wasn't my place. If he discussed it
10 with her?

11 Q But you are signing somebody else's name.

12 A I realize that now.

13 MR. KENNEDY: Did you ever attempt to
14 call her the early part of the summer, when
15 she left the school, to leave messages for
16 her?

17 THE WITNESS: I didn't know she was not
18 in the school.

19 MR. KENNEDY: So, since this last
20 school year ended, other than to talk to her
21 about common health issues, or your health
22 issue, or her health issue, did you speak to
23 her about anything else, or leave her any
24 messages about this matter of grade changes?

25 THE WITNESS: I, I believe I spoke to

1 her once when she called me, and I said they
2 are investigating about 's grades.
3 But I didn't say anything about the grade
4 changes.

5 MR. KENNEDY: How many calls in the
6 timeframe when the forms were done?

7 THE WITNESS: No, I have not spoken to
8 her regarding that.

9 MR. KENNEDY: You didn't leave her
10 any --

11 BY MS. JORDAN:

12 Q Did you try to is what we are --

13 A No, not whatsoever.

14 MR. KENNEDY: So, no phone messages?

15 THE WITNESS: When you spoke to me at
16 the school you said don't discuss this with
17 anybody. I am a good girl.

18 BY MS. JORDAN:

19 Q We are not talking about after. We are
20 talking about before.

21 A No.

22 Q We are trying to find out if, for example,
23 there may have been an issue around the school that
24 needed grade changes to qualify for the
25 NCAA, and you needed to find these teachers. Did

1 somebody reach out and try and find them?

2 A No, not me.

3 Q You did not?

4 A I absolutely did not.

5 Q And Mr. Hankerson never asked you to?

6 A No.

7 Q So, if he came in and said he had told you
8 to go and try to do this he would be lying.

9 A Yes, he would.

10 Q You did not do that?

11 A No, I did not.

12 Q Do you ever recall him asking, or
13 overhearing him ask anyone else to reach out to
14 either of these teachers?

15 A No.

16 Q So, when he told you he had spoken to them,
17 in your mind, you understood that to believe he had
18 called them and gotten their permission?

19 A Correct.

20 Q And one would assume gotten the reason for
21 the grade change as well, to at least one of them,
22 and he gave you those words?

23 A Correct.

24 Q Is any other writing on the Silvia Carro
25 form your handwriting?

1 A Yes. The numbers here. (Indicating.)

2 Q The number at the top. The Student I.D.
3 number?

4 A Correct.

5 Q What about the date?

6 A No, this is not mine.

7 Q And what about on the other?

8 A No, it's not mine.

9 Q So, the dates are not yours.

10 What about any of the letters?

11 A No.

12 Q On either one; correct?

13 A No, I didn't fill out anything.

14 MS. JORDAN: Okay.

15 MR. KENNEDY: The student's I.D.

16 Numbers on both of the forms is your

17 writing?

18 THE WITNESS: Yes, it is.

19 BY MS. JORDAN:

20 Q It's my understanding that sometime towards
21 the end of the year a list is compiled and given to
22 the transfer lady.

23 A Ms. Hunter.

24 Q Ms. Hunter. A list, I think there were
25 twenty-four athletes on the list that she was to get

1 those transcripts, to get them ready to send, but
2 there was an X on 's name.

3 A Wait, wait. The list, there was an X on
4 three names. And I said do not submit them. Do not
5 send them out. I will take care of sending them out
6 because I wanted to make sure that they got to the
7 right place because I have the information as to
8 where to mail them. Hold those transcripts. There
9 were three Xs, and two from Miami FIU.

10 Q Can you show me the three Xs?

11 A The two from FIU, I had to notify them.
12 Maybe it was (phonetic), and
13 (phonetic), to hold those transcripts.

14 Q Well, there may not be an X next to their
15 name, it does say, for the record, next to both their
16 names of Number 14, and also
17 it says, and I quote, Need two official seals
18 for student.

19 Is that your handwriting?

20 A Yes, it is.

21 Q So, for those two you needed two official
22 seals for student. And what was the issue with

23 ?

24 A I was asked to hold transcript.

25 Q By whom?

1 A I thought it was Ms. Carro. But I think it
2 might have been Coach Jackson. I thought it was
3 Carro all along. Either Ms. Carro, or Ms. Jackson,
4 Coach Jackson.

5 MS. PERIKLES: Why do you think it
6 might be Ms. Jackson.

7 THE WITNESS: Because she was very much
8 involved with , and athletics.

9 MS. PERIKLES: How?

10 THE WITNESS: She was always on
11 case about taking the FCAT, and being at the
12 right place at the right time. And she
13 followed the athletes very closely. She is
14 one of the coaches.

15 BY MS. JORDAN:

16 Q Just or all of them in general?

17 A All of them in general, but
18 especially.

19 Q Okay. And what reason was given to hold
20 's transcripts?

21 A To make sure the right grades were there.
22 To check grades.

23 Q Have you had any conversations, other
24 conversations, with Ms. Jackson related to

25

1 A No, I haven't. Since this started, no, I
2 haven't.

3 Q Around the time of the grade change form,
4 did you have any conversations with Ms. Jackson
5 related to ?

6 A No.

7 Q Have you ever spoken to her whether before,
8 or after, at all, regarding grade changes for
9 and qualifications?

10 A She might have mentioned it to me, that
11 may not qualify. But she knows more about the
12 NCAA than I do.

13 EXAMINATION BY MS. PERIKLES

14 BY MS. PERIKLES:

15 Q How long were you supposed to hold the
16 transcript for?

17 A Until a new transcript was made with the
18 correct grades.

19 Q Okay.

20 A This transcript was not supposed to be sent
21 out. That transcript was not supposed to be sent
22 out.

23 Q Until the new transcript with the new
24 grades that were corrected how was going to --

25 A I don't know. I was just asked to hold the

1 transcript.

2 Q Did she give you a timeframe?

3 Did she tell you that she would
4 contact you regarding when the transcript was to go
5 out?

6 I mean, what was the arrangement?

7 Just asking to hold something
8 indefinitely seems rather odd.

9 A I was told not to send that transcript out.

10 Q How would you know that the transcript was
11 made?

12 A Ms. Hunter would have notified me if the
13 new transcript came in.

14 Q Did you tell Ms. Hunter to notify you
15 when --

16 A I asked Ms. Hunter not to mail that
17 transcript out until it was marked.

18 Q Then, how would she know to notify you if a
19 new transcript was made?

20 A I, later on, when I heard, when I knew
21 about this I asked her to wait until there was a new
22 transcript.

23 This has always been the same time
24 frame.

25 MR. KENNEDY: That would be like late

1 June?

2 THE WITNESS: Uh-huh.

3 MR. KENNEDY: Late June, 2010?

4 THE WITNESS: Correct.

5 BY MS. PERIKLES:

6 Q Did you contact Ms. Jackson and ask about
7 the form, and say, Hey, these grades?

8 A No. Ms. Jackson was in another building.
9 Mr. Hankerson's office, but in a different building.

10 Q I don't get that. The fact she is in the
11 building, how would she know about the grade change?

12 A I don't know. Unless she was in Mr.
13 Hankerson's office at the time. I don't know if she
14 talked to Mr. Hankerson. I really don't know.

15 Q When you were there, was she in Mr.
16 Hankerson's office, or not?

17 A At the time I signed this, no, she was not
18 in his office.

19 Q At any other point in that day did you see
20 her? Did you have a conversation with her?

21 A I don't remember having a conversation with
22 her, no.

23 Q Did you see her that day?

24 A I saw her in the building during the time I
25 was there those days. I don't know the exact days.

1 Q Did you see her going into Mr. Hankerson's
2 office?

3 A My office, and Mr. Hankerson's office are
4 in the same location, but I don't watch his office;
5 no.

6 BY MS. JORDAN:

7 Q So, does that mean that you did not see her
8 go into his office.

9 A She might have; she may not have. I don't
10 know.

11 Q Did you see her?

12 A No.

13 Q Okay. The date on the list, the graduation
14 list is dated, it says printed, at the bottom, it
15 says 6/24/10, and printed by Sherri Bearman. Are
16 print dates generally accurate?

17 A Yes.

18 Q So, you would have printed this out on the
19 24th?

20 A Uh-huh.

21 Q Correct?

22 A Uh-huh.

23 Q And then did you take it that day, do you
24 recall, after it was printed, to Ms. Hunter, or maybe
25 you waited a day or two?

1 A I have to check the date on the calendar
2 because I know we were out of town for my son's
3 graduation, which is Father's Day. The 24th?

4 We were back. I may have printed it
5 that day, and held onto it to check the transcripts.

6 Q Up at the top there is handwritten --

7 A That is my handwriting.

8 Q Called 6-28-10 to remind transcripts are
9 here.

10 A Right. I called FIU to tell him the
11 transcripts were here.

12 Q So, by 6-28 you had the transcripts?

13 A Correct.

14 Q Did that include s?

15 A transcript was there, yes.

16 Q But, then, on 6/28, the date of the first
17 grade change, and then, on the 29th, is the grade
18 change.

19 A Uh-huh.

20 Q So, was this first official transcript?

21 A Yes.

22 Q That was it?

23 A Yes.

24 Q The one that needed to be held --

25 A Yes.

1 Q -- so that this could be accomplished?

2 A Yes.

3 Q Um, and then after the grade changes went
4 in, what happened?

5 A I was asked -- I asked them to contact me
6 when the new transcript came in, and I would send it
7 to the clearing house.

8 Q And were you contacted?

9 A Yes, I was.

10 Q By whom?

11 A By Ms. Hunter.

12 Q And tell me what happened?

13 A I sent it to the clearing house.

14 Q That same day?

15 A Uh-huh.

16 Q So, if the clearing house shows it coming
17 in on a certain date, you can pretty much be sure
18 that was the date that you --

19 A I sent it out by FED EX to take care of it.

20 Q Okay. Did you have any further contact
21 with the NCAA related to .?

22 A Yes, I have.

23 Q And what is that?

24 A They asked me to get the two transcripts
25 back there. They asked me to send an explanation of

1 why the two transcripts were there, two different
2 transcripts. And one of the Administrators sent a
3 letter explaining the two different transcripts, and
4 sent the grade changes, the grade sheets.

5 MR. KENNEDY: The NCAA asked you?

6 THE WITNESS: I didn't mean -- I mean

7 I think it was

8 Yes, I think I think it was

9 I haven't talked to NCAA.

10 MR. KENNEDY: The University of

11 ?

12 THE WITNESS: Uh-huh. I think her name

13 was Robin.

14 BY MS. JORDAN:

15 Q And when they contacted you about asking
16 for an explanation for the two transcripts --

17 A They contacted me through Ms. Jackson.

18 Q Through Ms. Jackson?

19 A Yes.

20 Q What do you mean by that?

21 A Ms. Jackson told me this is what

22 wants. She was the contact for them.

23 Q So, she comes to you and says,
24 called me. They got two transcripts, they need an
25 explanation.

1 A Right.

2 Q And then what did you do?

3 A I gave it to my administrator. Mr. Walker
4 wrote a letter and somehow someone printed out the
5 grade sheets because they wanted to see the grade
6 sheets, the teachers' grade books. And I faxed it
7 all to

8 Q Were you able to go in and print out the
9 grade books?

10 A No.

11 Q Who did that?

12 A I have no idea. I have no access to it.

13 Q But you received it somehow to fax it.

14 A I received it from one of the secretaries
15 to fax it.

16 Q Which secretary?

17 A It might have been Mrs. Gray.

18 Q And who is she secretary to?

19 A She is the Registrar. It might have been
20 her. I don't know. I don't remember who gave it to
21 me, but I faxed everything. Maybe it was given to
22 Ms. Jackson, and she gave it to me. All I know is I
23 faxed it all with the letter.

24 Q What do you recall the letter explaining?

25 A Something about teachers have the right to

1 change grades.

2 Q Are you aware that Mr. Stephenson has
3 testified he never changed the grade, and never had
4 an intent to change the grade?

5 A Mr. Kennedy told me.

6 Q Are you aware Ms. Carro states the same
7 thing?

8 A Mr. Kennedy told me.

9 Q And that they never gave permission to
10 anyone to --

11 A I did not know that.

12 Q But are you aware of that?

13 A Yes. Mr. Kennedy told me.

14 Q Did you have any contact with Mr. Louis
15 related to American Government?

16 A No.

17 Q It's our understanding that an Economics
18 grade was changed as well. Nobody can really show us
19 the paperwork, thou now an allegation is coming
20 forward that the paperwork actually exists, though
21 they couldn't find it before.

22 Are you aware of anything related to a
23 change of grade related to Economics?

24 A No, ma'am.

25 Q Are you aware of any grade changes related

1 to a student by the name of --

2 MR. KENNEDY:

3 BY MS. JORDAN:

4 Q --

5 A No, ma'am.

6 Q Have you ever been involved in -- Mr.
7 grade changes were to make eligible to
8 play in senior year because grades,
9 from the 10th grade, were changed, supposedly, by the
10 12th grade student making up 10th grade work.

11 Are you aware of anything --

12 A No, ma'am.

13 Q Are you aware of any others?

14 Have you ever been involved in
15 anything such as this before?

16 A No, ma'am.

17 Q Have you ever been asked by coaches for
18 other athletes to hold transcripts?

19 A No, ma'am.

20 Q This is the first time?

21 A First and, as far as I can say, the last.

22 MS. JORDAN: Um, anything else?

23 BY MS. PERIKLES:

24 Q When you signed Ms. Carro's name, did you
25 have her permission to sign her name?

1 A I had Mr. Hankerson's permission to sign
2 her name.

3 Q And not Ms. Carro?

4 A Correct.

5 Q And when you signed Dr. Stephenson's name,
6 did you have his permission to sign his name?

7 A No. I had Mr. Hankerson's permission,
8 again; no, not Dr. Stephenson's.

9 BY MS. JORDAN:

10 Q Have you had any discussions with Mr.
11 Hankerson about all this?

12 A No.

13 Q You have never gone in and said, Why in the
14 world did you ask me to sign two other teachers'
15 names?

16 A I haven't. Well, first of all, I have been
17 out sick. I have been out sick. And the day I came
18 back is when Mr. Kennedy found me. I am undergoing
19 wound care. And I have to do hyperbaric oxygen. I
20 had surgery in November. And I have to do hyperbaric
21 oxygen. So, I have not really been at school. I
22 have my bracelet on. And my vision is affected. So,
23 I have not been at school other than a few hours in
24 the day.

25 Q Is that a conversation that you feel you

1 could even have with Mr. Hankerson?

2 A I feel comfortable that I could talk to him
3 about it. I could.

4 Q Do you intend to?

5 A Right now, I just came in to get this over
6 with today. Eventually, I probably will. This is
7 between my health, and this, this has been bothering
8 me.

9 MS. JORDAN: Anything else?

10 MR. KENNEDY: I want to ask about this.
11 I want to show her something.

12 I want to show you what is a fax
13 transmission form. It is dated August 18th,
14 2010, it says from you, regarding two
15 transcripts, from the fax number area 317.
16 And it says --

17 MS. JORDAN: Let me identify it for the
18 record.

19 Okay, we are showing the witness a fax
20 transmission sheet with some attachments
21 dated August 18th, 2010, from Sherri
22 Bearman, academic compliance, to, and it
23 says revised transcript review with a 317
24 area code for the number, and it says at the
25 bottom Re: re: book sheets per

1 request for Carro. And under it, it says
2 English 4, and Stephenson, underneath it
3 says Chemistry classes. It appears to be
4 received, stamped by NCAA Eligibility
5 Center, August 18th of 2010.

6 THE WITNESS: I guess they did have to
7 send it to me. This is the grade change.
8 But somebody printed out their name. The
9 name is not on it. I wrote name on it.

10 MS. JORDAN: Can you tell me -- if you
11 don't mind, I am going to stand by you.

12 THE WITNESS: That is fine.

13 BY MS. JORDAN:

14 Q These were faxed to the NCAA; correct?

15 A Correct.

16 Q And then, I guess, they put it in some sort
17 of a computer program because down here it appears
18 like the printout received from NCAA.

19 A Okay. They received it. It was sent to
20 them.

21 Q And you believe that these are the items
22 that you sent; is that correct?

23 A I believe so.

24 Q Can you tell, from the information
25 contained at the bottom of the grade book sheet that

1 says HTTPS\collaboration portal. Dade School.net, can
2 you tell from that who pulled it?

3 A No.

4 Q Okay.

5 A I have no idea who pulled it.

6 MR. KENNEDY: You said in your earlier
7 testimony that you thought it could have
8 been any of a number of people who actually
9 pulled them and gave the grade book --

10 THE WITNESS: Anybody who has
11 authorization can pull it.

12 MR. KENNEDY: Who is Ms. Jackson;
13 right?

14 THE WITNESS: I don't believe Ms.
15 Jackson has authorization to go into other
16 peoples' grade books.

17 MR. KENNEDY: She could have received
18 the copies from someone else, and just
19 brought them to you.

20 THE WITNESS: Correct. It's whoever
21 has authorization to go into grade books.

22 MS. JORDAN: And who, usually, is the
23 type of person with authorization?

24 THE WITNESS: The grade book manager,
25 the administrator, um --

1 MS. JORDAN: A department head?

2 THE WITNESS: I don't know if
3 department heads have that. I think they
4 only have eligibility to go into their grade
5 books. I don't believe so. It's got to be
6 somebody that has got that piece from the
7 administration.

8 MS. JORDAN: And who is the grade book
9 manager?

10 THE WITNESS: At our school, this year,
11 it is Ms. Walden.

12 MS. JORDAN: Ms. Walden.

13 THE WITNESS: Ms. Hunter might have.
14 She is also with grade books. She might have
15 had access to it. Ms. Gray may have access
16 to it.

17 MS. JORDAN: And the Assistant
18 Principal, and Principal, I assume.

19 THE WITNESS: Correct.

20 BY MR. KENNEDY:

21 Q There is another fax sheet with a different
22 date on it, August 13th, several days earlier, 2010,
23 and that one says from Sherri Bearman. It also says
24 two of our transcripts review. And it has the same
25 317 fax cell phone number, Re: and all

1 documentation requested. And this is a total of
2 twelve pages that appears to have been faxed that
3 date.

4 I want you to take a look at that.
5 It's from John Walker. And it includes a transcript
6 with the prepare date August 6, 2010. And it
7 includes a copy of the August 13th, 2010, grades from
8 ISIS, and two grade change forms that we referred to
9 earlier from 's English and Chemistry
10 classes.

11 Take a look at that, and see if you
12 remember.

13 A I believe you showed this to me once. I
14 think I told you, yes, that I was asked to fax
15 because I have the number, and, yes, I faxed it.

16 Q Who asked you to fax those?

17 A I don't remember. Probably, Mr. Walker, if
18 it's his letter.

19 Q Do you remember who brought those documents
20 to you?

21 A No. I just -- I do everything I am asked
22 to do.

23 MS. PERIKLES: You were asked, I think
24 in sequence, and correct me if I am wrong,
25 the first thing that happens is that Ms.

1 Jackson requested you hold
2 transcript.

3 THE WITNESS: Correct.

4 MS. PERIKLES: And then, shortly after
5 that, within a matter of days, you were
6 asked by Mr. Hankerson to sign teachers'
7 names on grade change forms for

8 THE WITNESS: Correct.

9 MS. PERIKLES: And then
10 began the practice of challenging
11 transcript; correct?

12 THE WITNESS: Yes.

13 MS. PERIKLES: They are requesting back
14 up?

15 THE WITNESS: I believe so.

16 MS. PERIKLES: They are requesting to
17 see why grades were changed. Why there
18 were two different transcripts?

19 THE WITNESS: Correct.

20 MS. PERIKLES: And you are asked the
21 fax those to ; correct?

22 THE WITNESS: Correct.

23 MS. PERIKLES: Does that not raise any
24 alarms with you?

25 THE WITNESS: If it does, it's not my

1 place to question it. I am not the principal
2 of the building, if that is what they decide
3 to do.

4 MS. PERIKLES: You don't question it to
5 anybody?

6 THE WITNESS: No.

7 MS. PERIKLES: To Ms. Jackson?

8 THE WITNESS: No. It's not my business
9 what they are doing.

10 MS. PERIKLES: But they are involving
11 you in it.

12 THE WITNESS: I realize that only
13 because I am the contact that
14 has.

15 MS. PERIKLES: No, not because you are
16 faxing paperwork, because you put somebody's
17 signature on a paper, so it becomes
18 personal.

19 I would think if you had been asked to
20 do something of that nature, and now there
21 is a problem related to that action, you do
22 not question anybody about this?

23 THE WITNESS: I didn't.

24 BY MS. JORDAN:

25 Q I asked you if you realize that you didn't

1 get permission. But I will ask it again.

2 Do you realize that you were asked to
3 forge two peoples' signatures?

4 A Yes, I do, I do. After I did it, I realized
5 it, and I realized how wrong I was; yes.

6 Q That is why I, I am, you know, somewhat
7 shocked that you don't seem to care that Hankerson
8 asked you to do it. You don't question him?

9 A I wouldn't question him. He is our
10 principal. I think the world of the man. If he
11 asked me to do it, he has reason for me to do it. He
12 has the permission of the two teachers. That is what
13 he told me. And they were not in the building at the
14 time.

15 MR. KENNEDY: In terms of the forms
16 here you are saying, under the teachers'
17 comment, the reason for the grade change
18 form was --

19 MS. JORDAN: Only one of them. For Dr.
20 Stephenson.

21 MR. KENNEDY: Dr. Stephenson's; right.
22 Only on one of them.

23 All the rest of the questions, has
24 there been any intervention by anyone on
25 behalf of the student that caused you to

1 consider a change in grade in the system.

2 And then all of them except X by no for no.

3 And that was already on the form?

4 THE WITNESS: I don't know if it was on
5 the form, or it was done afterwards.

6 MR. KENNEDY: You don't remember
7 exactly what was on the form?

8 THE WITNESS: No.

9 MS. JORDAN: Could it have been blank?

10 THE WITNESS: No.

11 BY MS. JORDAN:

12 Q So, would the names have been on them?

13 A The names are on them.

14 Q Were the grades on them?

15 A I believe the grades were on them.

16 MS. PERIKLES: Did you recognize the
17 handwriting?

18 THE WITNESS: No.

19 MR. KENNEDY: You said before that you
20 have no knowledge of the grade change of
21 American Government Class of Mr. Louis?

22 THE WITNESS: I didn't even know about
23 that.

24 MR. KENNEDY: Was there ever a
25 discussion in the area of Mr. Walker, and

1 Ms. Gray's office, that office area where
2 they have a desk, I believe, in the front of
3 the office, and directly behind him is
4 Ms. Gray's desk; are you familiar with that
5 office?

6 A Uh-huh. I know.

7 Q Were you ever in that office, at any time,
8 when there was possibly a discussion with you
9 present, Carmen Jackson present, Mr. Walker present,
10 and the Assistant Principal was also present when
11 there was a discussion about the transcript for
12 being sent.

13 Do you recall being present?

14 THE WITNESS: I might have been
15 present. I don't remember. But I might have
16 been there if there was a discussion that
17 the wrong transcript went out.

18 MR. KENNEDY: Did that happen?

19 THE WITNESS: Well, the wrong
20 transcript did go out.

21 MR. KENNEDY: Well, did that discussion
22 happen among those people?

23 BY MS. JORDAN:

24 Q What do you mean, the wrong transcript went
25 out?

1 A The first transcript went out.

2 Q But it wasn't wrong.

3 A No, it wasn't wrong, but that is what they
4 are calling the wrong transcript went out.

5 MR. KENNEDY: Well, regarding this
6 discussion, do you remember overhearing, or
7 being involved in that discussion?

8 THE WITNESS: Yes.

9 MR. KENNEDY: So, it did happen.

10 THE WITNESS: There was a discussion
11 about the transcript.

12 MR. KENNEDY: Among all of those
13 people?

14 THE WITNESS: I don't know if
15 Ms. Thompson was there at the time.

16 MR. KENNEDY: You don't recall her
17 being there?

18 THE WITNESS: I don't remember her
19 being there.

20 MR. KENNEDY: Do you recall Walker
21 being there?

22 THE WITNESS: Well, Mr. Walker is in
23 charge of athletics; he would be there.

24 MR. KENNEDY: Where did the
25 conversation take place?

1 THE WITNESS: It was a conversation
2 taking place in that room because Mr. Walker
3 was there.

4 MR. KENNEDY: Do you remember him
5 saying I don't want any part of this, and
6 walking out of the room at some point during
7 that discussion?

8 THE WITNESS: No.

9 MR. KENNEDY: No?

10 BY MS. JORDAN:

11 Q What was discussed?

12 A I notified them that the wrong transcripts
13 went out, and the transcript was sent out.

14 Q And what was said?

15 All these people are in the room, you
16 come in, the wrong transcripts went out.

17 A I have to wait for the corrected
18 transcripts to go in. That was all. Please let me
19 know when the new transcripts come in.

20 Q Did they say how did it go out?

21 A Oh, I know how it went out. It was given
22 to 's mother, and she sent it to the school.

23 's mother came to pick up the
24 transcript, and that was the one that was given to
25 her.

1 Q I guess one of my concerns is why everyone,
2 at that point, is calling it, quote, the wrong
3 transcript --

4 A It was the correct transcript.

5 Q -- when two teachers, who supposedly
6 changed grades for the, quote, right transcript,
7 never had any intention, ever, of changing anyone's
8 grade?

9 So, somebody at Northwestern is
10 sitting around saying doesn't qualify. We
11 have got to make qualify. We have to make sure
12 grades are changed. And they look around for
13 teachers to attempt to change their grades. And I am
14 sure some of them probably said no, and some of them
15 said yes. And, then, they are still short. So, they
16 need two teachers.

17 Whose grades can be changed?

18 Well, look, two teachers have left the
19 school. They will never be back. They will probably
20 never know. And their grades are changed.

21 And I find it very difficult to
22 believe that all these discussions were going around
23 with high level teachers, and administration, at
24 Northwestern Senior High, related to something that
25 is directly related to your job, and you have no

1 knowledge of it. And no one talked about it because
2 who would I talk to about it?

3 A I understand where you are coming from.
4 And I see where you are coming from. But I was asked
5 to do it. I was asked to sign those names. I signed
6 the names. I was asked to fax it; I faxed it. I
7 don't know what to say. I know there is a sliding
8 scale. I don't know how did, or did not
9 qualify; what grades were, what they were,
10 because I don't check that part. That is NCAA to
11 check. I don't know what ACT scores were. Yes,
12 I get them. Do I memorize all the kids ATC scores?

13 No. Do I check their ACT scores versus
14 their grades?

15 No, I don't do any of that.

16 Q Who does?

17 A I believe it's the athletic department that
18 would have to do that; I don't. My job is to send
19 out the transcript. Now, if I am not doing my job
20 right, because I never got on-the-job training for
21 what I am supposed to be doing, then I am wrong for
22 doing it that way. This is what I assumed I was
23 supposed to do. This is my second year doing it.
24 From what I understand, I am to make sure the
25 transcripts go to the NCAA Clearing House, and the

1 kids' clear the Clearing house before they go on to
2 school.

3 MR. KENNEDY: Nothing was said about
4 that conversation I asked you about earlier
5 about how can we fix this, you know?

6 THE WITNESS: Not by my part, Mr.
7 Kennedy.

8 MR. KENNEDY: Not by your part, but you
9 might have heard in some other discussions
10 what can we do to fix the fact that the
11 original transcript was sent out by
12 mother?

13 Any kind of conversation among anybody
14 who said, Well, how can we fix this, or
15 anything to that effect?

16 THE WITNESS: Not that I -- if I heard
17 something like that I would walk away from
18 it. I don't want to be involved with that.

19 I know I was involved with that much
20 already. I wouldn't want to be involved.

21 MR. KENNEDY: I am talking about back
22 then in late June, or August.

23 THE WITNESS: It's not my place to say
24 something.

25 MR. KENNEDY: I know it's not your

1 place. I am just asking if you might have
2 heard something like that.

3 THE WITNESS: No.

4 MR. KENNEDY: There was also a
5 letter -- you referred to a letter written
6 by Mr. Walker; right?

7 THE WITNESS: One of the faxes you gave
8 me.

9 MR. KENNEDY: Right. Also, a letter
10 under Mr. Hankerson's name dated August 5th,
11 2010, makes reference to 's mother
12 receiving the wrong transcript on July 30th,
13 2010. And then that two of teachers
14 with incorrect grades, and after correcting
15 the final grades. After correcting the
16 grades, a new transcript was ordered.

17 Take a look at this and see if that
18 looks like that was sent out along with a
19 corrected transcript to the NCAA, a second
20 transcript.

21 Do you know anything about that?

22 THE WITNESS: Yes. I faxed it.

23 MR. KENNEDY: You did?

24 THE WITNESS: Yes, I faxed it.

25 MR. KENNEDY: Who asked you to fax that

1 one?

2 THE WITNESS: Mr. Hankerson.

3 MR. KENNEDY: Oh, he did. So, you
4 recall him asking you to fax it?

5 THE WITNESS: Because I have the fax
6 number for the NCAA Clearing House.

7 MR. KENNEDY: And what, if anything,
8 did he say to you about faxing that letter,
9 and the new transcript?

10 THE WITNESS: He just asked me if I
11 would fax it.

12 MR. KENNEDY: Nothing else?

13 THE WITNESS: No.

14 MR. KENNEDY: Because this was
15 considerably after, you know, after the
16 grade change forms were submitted, and at
17 least a month later. And he asked you to do
18 it, so you just did it?

19 THE WITNESS: Correct.

20 MS. JORDAN: Has everything you said in
21 this statement been the truth?

22 THE WITNESS: Absolutely.

23 MS. JORDAN: Okay, thank you for your
24 assistance.

25 (Thereupon, the sworn statement was concluded.)

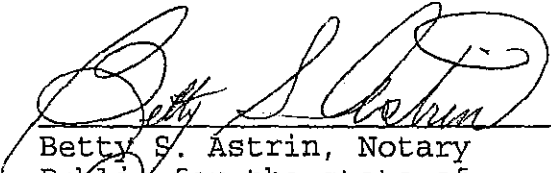
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF NOTARY

STATE OF FLORIDA :
SS
COUNTY OF DADE :

I, Betty S. Astrin, Shorthand Reporter and Notary Public for the State of Florida at Large, hereby certify that I was authorized to report the Sworn Statement of Sherri Bearman, a witness herein; that said witness was duly sworn, and that the foregoing pages numbered one through 53 constitute a true record of the statement given by said witness.

Dated at Miami, Dade County, Florida, this 8th day of February 2011.


Betty S. Astrin, Notary Public for the state of Florida at Large.

My commission expires:

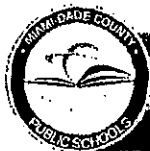


Miami-Dade County Public Schools Office of the Inspector General

Exhibit D

**Letter dated August 5, 2011 signed by Charles Hankerson
(1 page)**

**Final Report
IG10-49SB**



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
 Alberto M. Carvalho

Miami-Dade County School Board
 Dr. Solomon C. Stinson, Chair
 Perla Tabares Huntman, Vice Chair
 Agustin J. Barrera
 Renier Diaz de la Portilla
 Dr. Lawrence S. Feldman
 Dr. Wilbert "Toe" Holloway
 Dr. Marlin S. Karp
 Ana Rivas Logan
 Dr. Maria Perez

August 5, 2010

To whom this may concern,

Miami Northwestern's will take full responsibility for [REDACTED]'s mother receiving the wrong transcript on July 30, 2010. The procedure at Northwestern for the our graduating students is to receive a preliminary transcript and if the transcript is correct we will issue it to our students. Unfortunately, in [REDACTED]'s case two of teachers entered the incorrect grade in the final grade sheet (English and Chemistry) and both of those grades needed to be correct by the teachers. After correcting the grades a new transcript was ordered however the person in the building in charge gave the incorrect transcript to the mother.

We apologize for any confusion and discrepancies this may have caused but we all want what is fair for the child in question and wish much success in future endeavors.

Any questions or concerns, feel free to contact me at 305-836-0991.

Sincerely,

Charles E. Hankerson, Principal

Miami-Dade County Public Schools Office of the Inspector General

Exhibit E

**Facsimile Cover sheet dated 8/13/10, Letter dated August 13, 2011 signed by John Walker, and Grade Change Justification Forms (Student transcript omitted).
(4 pages)**

**Final Report
IG10-49SB**

a
facsimile transmission from

Fax (305) 681-4955 Phone (305) 635-0991

Miami Northwestern Senior High School
Charles E. Hankerson
Principal
1100 N.W. 71st Street, Miami FL 33160

Date 8/12/10 # of pages (incl. cover) 12

From Shari Bearman Title Academic Compliance

Dept. Student Services Ext. 2287

To Revised Transcript Review Title _____


Company _____ Dept. _____

Fax # 317-968-5100 Telephone# _____

MESSAGE:

Re: [REDACTED]

All documentation Requested


Miami Dade County Public Schools
giving our students the world.

08/13/2010 1:25PM (GMT-04:00)



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Alberto M. Carvalho

Miami-Dade County School Board
Dr. Solomon O. Binson, Chair
Pérola Tabares Hardman, Vice Chair
Agustín J. Barrera
Renier Díaz de la Portilla
Dr. Lawrence S. Feldman
Dr. Wilbert "Tee" Holloway
Dr. Merlin S. Karp
Ana Rivas Lopez
Dr. Idania Pérez

August 13, 2010

To Whom this May Concern,

I am writing this note to inform you that Miami Northwestern Senior High does not have a separate policy instructing our teachers regarding official grade changes. Final teachers evaluation of students enrolled in their classes is their professional responsibility. The attached form is their explanation of their grade change.

Please contact us if you need any further documentation regarding [REDACTED]

Sincerely yours,

John Walker
Vice Principal, Miami Northwestern Senior High

Miami Northwestern • 1100 NW 71st Street • Miami, FL 33150 • Charles E. Hankerson, Principal
305-836-0991 • 305-691-4953 (FAX) • northwe 08/13/2010 1:25PM (GMT-04:00)

Grade Change Justification Form Must Be Approved By The Principal

[REDACTED] [REDACTED] 12 6/22/10
 Student I.D. Number Student Name Grade - Sect Date Submitted

Grade Showing On Report Card Subject: English IV
Be Specific

Scholarship Effort Conduct Exam Ab.

 SCHOOL TERM: 2009 - TO 2010
(Check ONLY the items for which the change is being made.)

1st Grading Period: _____ 3rd Grading Period: _____ Final Grade: A
 2nd Grading Period: _____ 4th Grading Period: _____ Summer: _____
 Midterm Exam: _____ Final Exam: _____

PROPOSED NEW GRADE: Scholarship Effort Conduct Exam Ab

A 1 A + _____
 Has there been any intervention by anyone on the behalf of this student to cause you to consider a change of grade in this instance? YES _____ NO X If so, by whom? _____

Briefly state your reason(s) for a change of grade for this student.
 Teacher's Comments: MY ERROR - BUBBLED IN INCORRECT grade.

Registrar's Comments: Teacher's Request [Signature]
Teacher's Signature

Assistant Principal's Comments: _____
[Signature]
Registrar's Signature

Assistant Principal's Signature
 APPROVED
 DENIED
 Principal's Comments: _____

[Signature]
Principal's Signature
 APPROVED
 DENIED

White copy to Registrar Yellow copy to Teacher Pink copy to Counselor

Grade Change Justification Form
Must Be Approved By The Principal

Student I.D. Number

Student Name

Grade Sect. 12

Date Submitted 6/20/10

Grade Showing On Report Card

Subject: Chemistry
Be Specific

Scholarship Effort Conduct Exam Ab.

SCHOOL TERM: 2009 - TO 2010
(Check ONLY the items for which the change is being made.)

1st Grading Period: _____ 3rd Grading Period: _____ Final Grade: B
2nd Grading Period: _____ 4th Grading Period: _____ Summer: _____
Midterm Exam: _____ Final Exam: _____

PROPOSED NEW GRADE: Scholarship A Effort 2 Conduct B Exam A Ab. _____

Has there been any intervention by anyone on the behalf of this student to cause you to consider a change of grade in this instance? YES _____ NO X If so, by whom? _____

Briefly state your reason(s) for a change of grade for this student.
Teacher's Comments: has completed all of required make up work

Registrar's Comments: Teacher's Request Teacher's Signature: J. V. Stephenson

Assistant Principal's Comments: _____ Registrar's Signature: J. Davis

Principal's Comments: _____

Assistant Principal's Signature
 APPROVED
 DENIED

Principal's Signature
 APPROVED
 DENIED

White copy to Registrar Yellow copy to Teacher Pink copy to Counselor

**Miami-Dade County Public Schools
Office of the Inspector General**

Exhibit F

**Facsimile Cover sheet dated 8/18/10 (Gradebook entries - omitted).
(1 page)**

**Final Report
IG10-49SB**

a
facsimile transmission from

Fax (305) 691-4955 Phone (305) 836-0991
 Miami Northwestern Senior High School
 Charles E. Hankerson
 Principal
 1100 N.W. 71st Street, Miami FL 33150


Date 8/18/10 # of pages (incl. cover) 8
 From Sheri Bearman Title Academic Counselor
 Dept. _____ ExL 2237

To Revised Transcript Review Title _____
 Company _____ Dept. _____

Fax # 317-968-5100 Telephone# _____
 AUG 18 2010

MESSAGE: _____
 NCAA ELIGIBILITY CENTER

Re: [REDACTED]
Graduation sheet per request for
Carro and Stephenson's classes
(Eng 4) (Chemistry)


 Miami Dade County Public Schools
 giving our students the world

08/18/2010 2:32PM (GMT-04:00)

Miami-Dade County Public Schools Office of the Inspector General

Appendix 1

**Response to draft report received from Mr. Richard Louis
(3 page response)**

**Final Report
IG10-49SB**

To: Christopher R. Mazzella, Inspector General for M-DCPS

From: Richard Louis, Teacher

Subject: OIG Draft Report, IG10-49SB

Date: August 25, 2011

Dear Mr. Mazella:

I, Richard M. Louis submit this rebuttal in response to the OIG Draft Report. Pursuant to the documented findings as outlined by the investigator, there are various instances in which my responses were not accurately conveyed, more specifically in the following areas:

- 1. On or about June 28, 2010, Mr. Louis submitted a hand-written Grade Change Justification Form to elevate the Student's final exam grade change in American Government B to A. The reason for the grade change cited on this form by Mr. Louis was that the Student had completed all of make-up work. Mr. Louis was unable to produce any documents to support the final grade change or final exam change documented on the Grade Change Justification Form for the American class. (Exhibit A)"**

As previously stated in my sworn deposition, at the closing of the school year it is customary for me to store all students' work for a one year period in the book storage room. However, upon returning the following school year, the folders were not where I left them and they had been removed over summer recess.

- 2. Mr. Louis, when asked by OIG Special Agents to explain the grade changes in his courses, could not accurately remember the circumstances regarding the grade change in American Government. Mr. Louis' various explanations were that the Student had done make-up work at the end of the year, and the Student had done work earlier during the year and it had not been previously counted. Regarding the final exam grade change reflected on the Grade Change Justification Form, Mr. Louis stated he had absent-mindedly changed the final exam grade when he meant only to change the final class grade.**

I maintain the Student earned his grade in American Government. As I explained to the OIG Special Agent previously, classes for seniors end about 10 days prior to the official closing of the school year. Although grades for seniors are generally entered during this time period, seniors enrolled in my course are afforded an opportunity to submit any outstanding assignment(s) by the end of the official school year. During that time, I was unable to submit the appropriate grade for the Student because I was scheduled for surgery on May 28, 2010, which coincided with the senior sign-out period.

I want to make clear, the Student turned in his assignments during the senior sign out period prior to the end of the official school year. At no point in time did the Student submit any assignments after the 2009-2010 school year. As a result of my post-surgical complications, due to my premature return to work, I was unable to grade all of the assignments turned in by the Student prior to the final day of school. After all the make-up work was graded, the Student's borderline grade of a 3.34 "B" improved to a 3.5 "A".

- 3. On June 29, 2010, the Student's final grade in Economics, also taught by Mr. Louis, was also changed from B to A. Although the grade change is clearly recorded in the computer, no Grade Change Justification Form was provided, although requested, to document this change. Both the M-DCPS ISIS system and a Transaction Change Report reviewed by the OIG reflect a grade change entered by the Registrar in the Student's Economic class. Ms. Lawarnia Gray, the Northwestern Registrar, could produce no forms or documents related to the grade change in Economics. She had no clear memory of the Economics grade change when questioned by OIG Special Agents. Mr. Louis denied making the Economics grade change. Ultimately, Mr. Louis acknowledged that no work was done by the Student after the school year ended to justify the grade changes in both courses.**

I was not the Student's Economics teacher. During the deposition, I clearly stated I had no authority to change the Student's grades in Pinnacle Gradebook, nor did I have an administrative log-in or have that level of access to the Pinnacle program to make such alterations to another teacher's grades.

Miami-Dade County Public Schools Board Rules

Rule 6Gx13-4A-1.21 Responsibilities and Duties/Employee Conduct, states in part:

All persons employed by The School Board of Miami-Dade County, Florida are representatives of Miami-Dade County Public Schools. As such, they are expected to conduct themselves, both in their employment and the community, in a manner that will reflect credit upon themselves and the school system.

For the record, my conduct as a teacher and coach did not violate School Board Rule 6Gx13-4A-1.21. In changing the student's grade, I followed protocol. The Student's academic performance resulted in his academic success while enrolled in my American Government Class. My actions reflect cooperation and the standard at which my students are held by to be successful in my courses.

Rule 6Gx13-4A-1.212 Conflict of Interest /Misuse of Public Position, state in part:

No School Board employee shall corruptly use or attempt to use his or her official position or perform his or her official duties to secure a special privilege, benefit, or exemption for himself, herself, or others. Section 112.313(6), F.S.

In regards to School Board Rule 6Gx13-4A-1.21, I did not at any point in time receive a special privilege, benefit or exemption as a result of me following school protocol.

To further discuss you make contact me at your convenience.

Best Regards,

Richard M. Louis

Richard M. Louis,
M-DCPS Teacher

Miami-Dade County Public Schools Office of the Inspector General

Appendix 2

**Response to draft report received from Ms. Sheri Bearman
(1 page response)**

**Final Report
IG10-49SB**

August 18, 2011

My name is Sheri Bearman and I am a 35 year employee of Miami Dade County Public Schools. I am submitting this statement in response to a report that was delivered to me on Thursday, August 18, 2011. The report was a draft report of the investigation regarding improper grade changes at Miami Northwestern Senior High.

The report submitted to me on Thursday, August 18, 2011 erroneously indicts Mr. Charles E. Hankerson of changing grades for a student athlete at Miami Northwestern Senior High. Mr. Hankerson did not direct, conspire or coerce anyone to change a grade. Mr. Hankerson had no knowledge of the student's academic standing nor did he ever inquire about said student's academic standing. As stated in the report, Mr. Hankerson denied the first request for a grade change as requested by Carmen Jackson.

The origin of the grade change came about in a conversation with me, Carmen Jackson and Catherine Sciolis (Language Arts Chairperson). Carmen Jackson approached Ms. Sciolis and me with concerns about a student's grades and eligibility to play college. Carmen Jackson had specific knowledge of the grades that needed to be changed and what those grades needed to be changed to. Ms. Jackson informed us that she was close friends with the student's family and was in constant communication with this family. Catherine Sciolis suggested that Carmen Jackson contact the teachers indicated by Carmen Jackson to see if there was anything that could be done with regards to the student's grades. At that point, Carmen Jackson went and retrieved grade change forms and I instructed Catherine Sciolis to fill out the top portion of the grade change forms for Chemistry and English IV. I brought the forms to Mr. Hankerson's attention. He later instructed me to fill out the remainder of the forms and sign them for the Chemistry and English IV courses as he had confirmed these grade changes with both teachers via a phone conversation. Carmen Jackson is the person who gave me the phone number, 317-968-5100, and instructed me to send the transcripts and grade book sheets (which I do not recall who gave them to me since I do not have grade book access) to ROBIN at the NCAA.(see OIG exhibit E).

Furthermore, I did speak with Ms. Carro and told her that there was an investigation into the grade changes but I NEVER told Ms Carro to say, "That is not what you are going to say".

Mr. Hankerson did not initiate this grade change, nor did he ask me to initiate these grade changes. Listening to Carmen Jackson and following along with these grade changes was an error in judgment that I deeply regret. I especially regret the pain this has caused Mr. Hankerson as well as the blemish it has made on his reputation. Mr. Hankerson was not the mastermind behind this grade change. Carmen Jackson was in fact the initiator of these grade changes. Mr. Hankerson was an unfortunate victim in this situation because he innocently trusted those around him.


Sheri Bearman



 8/29/11

Miami-Dade County Public Schools Office of the Inspector General

Appendix 3

**Response to draft report received from Ms. Michelle A. Delancy, Esq., attorney for
Mr. Charles Hankerson**
(22 page response with 8 pages of attachments)

**Final Report
IG10-49SB**



delancyhill

a professional association
attorneys-at-law

August 30, 2011

VIA U.S. MAIL, E-MAIL & FACSIMILE

Mr. Christopher R. Mazzella
Inspector General for MDCPS
Office of the Inspector General
19 W. Flagler Street
Suite 220
Miami, FL 33130

**RE: Mr. Charles Hankerson
OIG Draft Report, IG10-49SB**

Dear Mr. Mazzella:

Please be advised that the undersigned firm represents Mr. Charles Hankerson in the above-referenced matter. Please direct all future correspondence accordingly.

Mr. Hankerson has forwarded your office's Draft Report to my attention. Attached, is Mr. Hankerson's written response thereto. I urge you to carefully review the response with an eye towards amending your Draft Report to more accurately reflect the true events surrounding the changed grades. In any case, please attach Mr. Hankerson's response to your office's final report.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

DELANCYHILL, P.A.

Michelle A. Delancy

Encl.

Charles Hankerson's Response to the OIG's Draft Report

I. Charles Hankerson's involvement in the relevant events surrounding the changing of the Student's grades is limited and appropriate.

Charles Hankerson's ("Hankerson") total involvement in the changing of students' grades during the Summer of 2010 was as follows:

One day in the early part of the Summer of 2010, Carmen Jackson ("Jackson") approached Hankerson while Hankerson was seated in his office and requested that he sign two (2) Grade Change Justification Forms that were blank (collectively, the "Forms"). Hankerson specifically told Jackson that he was not going to sign blank forms and that she not only needed to fill them in but that she further needed to get the teachers' consent. Although Hankerson did not know it at the time, the teachers in question were Dr. Vivian Stephenson ("Stephenson") and Sylvia Carro ("Carro"). Sometime the next day, Jackson returned to Hankerson's office with partially completed Forms. This time, however, Sheri Bearman ("Bearman") accompanied her. The Forms were only missing the required teachers' signatures. Hankerson noted that the Forms still had not been executed by the teachers and proceeded to first call Stephenson. While Hankerson conversed with Stephenson, Jackson stepped out of the office, leaving only Bearman. After briefly speaking with Stephenson and obtaining his consent to change the grade, Hankerson called Carro for her approval. Bearman was the only other person present for that call, as Jackson did not return. Hankerson respectively asked both teachers if it was okay that he approved a grade change for their respective classes for the Student. Both teachers, as if they expected the call and/or already knew of the grade change, did not ask Hankerson any questions, but simply informed Hankerson that it was okay. Hankerson then executed the Forms and

handed them back to Bearman, acknowledging to her that it was okay for her to sign on their behalf.

Sometime thereafter, Bearman approached Hankerson with an already-prepared letter dated August 5, 2010 (and attached to the OIG Draft Report as "Exhibit D") pertaining to this same Student. Jackson approached Hankerson and asked that he execute the letter, explaining that the wrong transcript was sent to the Student's mother. Hankerson signed the letter, trusting that an error was actually made and that the letter would help to correct it. This was the total extent of Hankerson's involvement in this matter.

Clearly, Hankerson appropriately approved the respective grade changes based on Jackson and Bearman's presentation and the teachers' approval and executed a relevant letter, based upon Jackson's explanation as to its necessity. As such, Hankerson has violated no law or rule and should not be subject to any disciplinary action.

II. Bearman failed to relay the whole truth in her sworn statement to the State Attorney's Office, but has appropriately recanted and is now telling the truth.

On December 22, 2010, the State Attorney's Office ("SAO") took Bearman's sworn statement (the "First Statement") and the OIG attached her Statement to its report as "Exhibit C." During the course of Bearman's submission of that statement, the SAO explained to Bearman the importance of being truthful when it stated,

As I said, anything you say in this statement cannot be used against you criminally. One big exception to that rule that I explain to all witnesses, and not just you, is that **should you say something in this statement that is a lie, the statement CAN BE used against you in a prosecution for perjury in an official proceeding**, but that would only be because the statement itself would be the crime. Other than that, it cannot be used against you criminally. Do you understand?

Bearman Statement, p. 4, l. 10 (emphasis added). Notably, in response, Bearman replied, "Yes." *Bearman Statement*, p. 4, l. 21.

As a result of the foregoing, it is quite telling that Bearman has now submitted a new statement wherein she recants and/or significantly amends the answers she gave in her First Statement. A copy of Bearman's amended statement (the "Amended Statement") is attached hereto as "**TAB ONE**".

In her First Statement, Bearman alleged that she signed Carro's and Stephenson's respective signatures because Hankerson told her to do so:

Q I am going to show you, first, these two forms that are dated June 29th, 2010, signed, supposedly, by Silvia Carro, and supposedly by Dr. Vivian Stephenson. Do you recognize these two forms?

A Yes, I do.

...

Q Did you sign these?

A Yes, I did. I signed both signatures.

Q And by both signatures, for the record? [sic]

A Ms. Carro, and Dr. Stephenson.

Q What were the circumstance [sic] of your signing these two forms?

A. My principal asked me to.

Q How did that come about?

A I happened to be in the building that day, and he goes into [sic] both teachers, and they agreed to change the forms, change the grades.

Q According to whom?

A Mr. Hankerson.

...

Q So, you are telling me that your principal, out of the blue, comes up to you and says, Ms. Bearman, please sign Silvia Carro's signature right there, and Dr. Stephenson right there?

A Mr. Hankerson said he spoke to both teachers, both teachers agreed to sign it, to change the grades, they are not in the building right now, I just go off the phone with them, could you please sign this for them and process it. I did, like a fool.

Q Did you ask him why?

A I don't question him. He is my principal. I don't question things like that.

Bearman Statement, pp. 14-17.

In her Amended Statement, Bearman explained what really occurred:

The origin of the grade change came about in a conversation with me, Carmen Jackson and Catherine Sciolis (Language Arts Chairperson). Carmen Jackson approached Ms. Sciolis and me with concerns about a student's grades and eligibility to play college. Carmen Jackson had specific knowledge of the grades that needed to be changed and what those grades needed to be changed to. Ms. Jackson informed us that she was close friends with the student's family and was in constant communication with this family. Catherine Sciolis suggested that Carmen Jackson contact the teachers indicated by Carmen Jackson to see if there was anything that could be done with regards to the student's grades. At that point, Carmen Jackson went and retrieved grade change forms and I instructed Catherine Sciolis to fill out the top portion of the grade change forms for Chemistry and English IV. **I brought the forms to Mr. Hankerson's attention.** He later instructed me to fill out the remainder of the forms and sign them for the Chemistry and English IV courses as he had confirmed these grade changes with both teachers via a phone conversation.

Bearman's Amended Statement, ¶ 3 (emphasis added).

Bearman's Amended Statement makes clear that **Hankerson had no involvement in seeking to change the Student's grade.** Jackson first approached Hankerson with the blank Forms and then Jackson and Bearman approached Hankerson with the mostly-completed forms. This was the first and second time, respectively, that Hankerson had anything to do with this Student and/or grade changes for this Student. Hankerson at no time initiated a grade

change and was never in any meeting or conference involving a grade change for this Student prior to the day Jackson brought him the blank Forms.

Further, Bearman's Amended Statement confirms Hankerson's insistence on following policy – to wit, making sure that the Forms are completed with the Student's information and further obtaining the teachers' authority for the grade changes. Notably, although Bearman's Amended Statement does not address this fact, now that she has agreed to be truthful, she should admit that she was present when Hankerson called both teachers and obtained their approval and that Jackson was present for part of Hankerson's conversation with Stephenson. As such, Hankerson did not just tell Bearman that he had the teachers' approval. She witnessed it and heard it for herself.

III. Catherine A. Sciolis' written statement substantiates Bearman's amended explanation of the events surrounding the initiation of the changing of the Student's grades.

Catherine A. Sciolis ("Sciolis"), the teacher who was also present in Bearman's meeting with Jackson, has submitted a notarized statement of the events as they appeared to have occurred. ("Sciolis' Statement"). Sciolis' Statement is attached hereto as "**TAB TWO**". Notably, Sciolis' account of what took place mirrors Bearman's account as established in her Amended Statement. Sciolis contends that she

... was present for a conversation involving Sheri Bearman and Carmen Jackson that took place sometime during the month of June, 2010. I was in Sheri Bearman's office when Carmen Jackson entered and began discussing a situation involving a student who had recently graduated. According to Ms. Jackson, this student did not have a high enough GPA to qualify to play for a division I college _____ team. Ms. Jackson informed Ms. Bearman and me that the student would lose _____ scholarship and that _____ family was extremely upset about the situation. Ms. Jackson told us that she was in contact with the student's family.

Ms. Jackson told Ms. Bearman and me that the student needed to earn higher grades in Chemistry and English IV classes. Ms. Jackson expressed her disappointment in the student and the situation. I made the suggestion to Ms. Jackson that perhaps she could contact those teachers to see if there was any possibility of the student completing any assignments to raise grade. Ms. Jackson then left and returned with grade change forms. Mrs. Bearman asked me to fill out the top of two of the grade change forms for the student's Chemistry and English IV classes. After that time I did not see these grade change forms again.

At no point did Mr. Hankerson ask me to fill out a grade change form. Mr. Hankerson never asked me to change a student's grade. Mr. Hankerson never had a discussion with me about the said student's grades being changed. Mr. Hankerson did not initiate the changing of said student's grades. Carmen Jackson is the individual who initiated the grade changes (in my presence) for said student.

Sciolis Statement, ¶¶ 2-4.

Sciolis' Statement clearly explains the advent of, and motives behind, the changing of the Student's grades. In fact, it is clear from her explanation that, as a friend of the Student's family, Jackson had the motive and desire to see to it that the Student's grades were changed and that she made it happen. In her Amended Statement, Bearman also concludes this fact when she states:

Mr. Hankerson did not initiate this grade change, nor did he ask me to initiate these grade changes. ... Carmen Jackson was in fact the initiator of these grade changes. Mr. Hankerson was an unfortunate victim in this situation because he innocently trusted those around him.

Bearman Statement, ¶ 4. By stating that "Mr. Hankerson ... innocently trusted those around him," Bearman means that Hankerson had no reason to believe that the Student's grade changes were not as appropriate as any other student grade change requests for approval Hankerson received and executed. As far as Hankerson was concerned, as long as the proper documentation was completed and a student's respective teacher(s) initiated and/or agreed to (thereby agreeing with) the desired grades change(s), they should be approved. As far as Hankerson knew, that was the

case with this Student. He had no reason to believe otherwise – especially since both teachers gave him their approval, without question.

IV. Contrary to their assertions, Dr. Stephenson and Ms. Carro gave Mr. Henderson the authority to approve the Student's grade change.

It appears that the OIG's Draft Report accepts Carro's and Stephenson's respective statements that neither of them changed, and/or gave anyone the permission to change, the Student's grade. It is apparent, however, that both Carro and Stephenson are simply being disingenuous. Unfortunately, since these teachers' approval was received via the telephone, the OIG can only, for the most part, rely on competing versions of the truth. Nevertheless, in considering the testimony of all persons involved, it circumstantially becomes clear that Hankerson spoke with both Carro and Stephenson and received both of their approvals for the grade changes.

A. Carro approved the Student's grade change.

First, Carro claims that she "...did not sign her name to the form, she did not give anyone permission to sign her name on the form and she was never consulted by anyone about changing the Student's grade prior to the grade actually being changed." Carro further claimed that "...she would not have agreed to a change of grade as no additional work had been done by the Student to justify receiving an 'A'." *OIG Draft Report*, p. 7, ¶ 3. As such, Carro is completely denying having any knowledge whatsoever about anyone seeking to change the Student's grade in her class. Carro's position is completely unsupported for the following reasons:

First, notwithstanding the fact that Bearman admits in her Amended Statement that she did not honestly relay the facts pertaining to Hankerson in her First Statement,

she consistently maintained through both statements that Hankerson spoke with both teachers.

A I happened to be in the building that day, and [Hankerson] goes into both teachers, and they agreed to change the forms, change the grades.

Q According to whom?

A Mr. Hankerson.

...

Q Where did you encounter Mr. Hankerson?

A In his office.

...

A Mr. Hankerson said he spoke to both teachers, both teachers agreed to sign it, to change the grades, they are not in the building right now, I just got off the phone with them, could you please sign this for them and process it. ...

...

Q But he stated to you that he had spoken to both teachers?

A Yes.

Q And they both agreed?

A Yes.

Bearman's First Statement, pp. 15-17.

In her Amended Statement, Bearman further admits that she "...brought the [F]orms to [Hankerson's] attention ... and [he] later instructed her to fill out the remainder of the [F]orms and sign them for the Chemistry and English IV courses as he had confirmed these grade changes with both teachers via a phone conversation."

Bearman's Amended Statement, ¶3.

Bearman knew that Hankerson spoke with the teachers and obtained their approval, not because he told her he did so, but because she was actually present when he spoke with the teachers and obtained their permission. Further, Jackson was present when Hankerson got Stephenson on the phone. She should therefore be able

to attest to the fact that Hankerson was seeking their approval and was in the process of getting it when she walked out, though she will not be able to attest to the fact that he obtained their respective approvals.

Second, in her First Statement, Bearman, although half-heartedly, fingers Carro as the person who asked her to “hold” the Student’s transcript:

Q After signing off, and approaching the end of the year, do you recall any issues related to [the Student’s] transcripts?

A I was asked to hold [the Student’s] transcripts.

Q By whom?

Ms. Carro, A I thought – I believe it was English teacher. At this point, ah, English teacher.

Q Are you sure it was Carro?

A I am not a hundred percent sure. That is who I thought asked me to hold it back.

Q Why did you think that?

A Because she was English teacher, and she always wanted to rank – to give the student the benefit of the doubt. So, if grade detail wasn’t up to the subject, she said she would help

I don’t remember if it was her, or not. But she and I, I always felt we had the same philosophy, if the kid is always trying at the end of the year; right, when you teach, and the child is trying, ah, showing is doing the right thing, and if it’s between two grades, I would always give the higher grade.

Bearman’s First Statement, pp. 11-13.

Carro’s asking to have the Student’s transcript withheld demonstrates that she had some knowledge of the pending grade change(s).

Finally, a day or two after Hankerson obtained her approval for the grade change, Carro met with Hankerson and spoke with him about the grade change. Carro, without an appointment (which was not required), approached Shawn Singleton

("Singleton"), Hankerson's assistant, requesting to speak with Hankerson. Singleton informed Carro that there was someone in Hankerson's office, but that she would let her know when he was available. Carro told Singleton that she would wait to see Hankerson. In the meantime, Carro walked down to Bearman's office and had a conversation with her. When Hankerson finished his meeting, Singleton walked down to Bearman's office and informed Carro that Hankerson would see her. Singleton has submitted a statement detailing these facts ("Singleton's Statement"). That statement is attached hereto as "**TAB THREE**". Upon entering Hankerson's office, Carro immediately greeted Hankerson and told him that she's been helping kids for years and that she "has no problem helping [the Student]." This statement is indicative of the fact that Hankerson did not mix words when he called Carro to obtain her consent to the grade change. Carro will undoubtedly deny making this statement to Hankerson, as she has completely denied knowing about anything relating to a grade change for this Student, but the details and coincidences surrounding this issue and her clear participation are too great to ignore.

B. Stephenson approved the Student's grade change.

Unlike Carro, Stephenson admits that he received a call from Hankerson, but claims that Hankerson "...asked if anything could be done about the [S]tudent's grade" ... and that he advised Hankerson that he "... would **not be willing to change the Student's grade without any additional work by the Student.**" In some respects, and for the following reasons, Stephenson's position is even more untenable than Carro's:

First, unlike Carro, Stephenson admits that Hankerson called him and that Hankerson had a purpose – to wit, to get an approval for a grade change. In claiming,

however, that he refused to grant his approval, Stephenson is proposing that Hankerson agreed to the grade change anyway. This position is counter-intuitive, since, if Hankerson were going to sign off on the grade change, irrespective of Stephenson's approval, Hankerson would have been foolish to seek Stephenson's approval in the first place. Clearly, Stephenson is simply seeking to shirk all responsibility and/or blame for approving the Student's grade change, as he evidently had no back-up documentation warranting such a change.

Second, if Hankerson really asked "...if anything could be done about the [S]tudent's grade..." it would imply that Hankerson had some stake, motive and/or desire (outside of simply following procedure) to effectuate this Student's grade change. In reality, however, outside of the desire to follow basic protocol in obtaining teachers' consent prior to approving a grade change, it is clear that Hankerson had no reason, motive or incentive to independently change the Student's grade, without Stephenson's consent. Stephenson's position is simply not credible.

Notably, at least Stephenson admits that Hankerson called him. Such an admission adds credence to Hankerson's position that he called both Stephenson and Carro and further demonstrates that Carro is being disingenuous in stating that she did not receive any call from anyone regarding her approval for the grade change.

V. Hankerson signed the August 5, 2010 letter but never authored it and never knew its context or reasons for its execution.

As is frequently the case, the August 5, 2010 letter, attached to the OIG Draft Report as "Exhibit D," was given to Hankerson for his execution. After a cursory review of the correspondence, Hankerson executed the letter. The letter reads,

To whom it may concern, Miami Northwestern's [sic] will take full responsibility for [the Student's] mother receiving the wrong transcript on

July 30, 2010. The procedure at Northwestern for the our [sic] graduating students is to receive a preliminarily [sic] transcript and if the transcript is correct we will issue it to our students. Unfortunately, in [the Student's] case two of teachers entered the incorrect grade in the final grade sheet (English and Chemistry) and both of those grades needed to be correct by the teachers. After correcting the grades [sic] a new transcript was ordered however [sic] the person in the building in charge gave the incorrect transcript to the mother...

August 5, 2010 Letter, ¶ 1.

There is some implication that Hankerson authored this letter in some attempt to deceive the NCAA and/or justify the Student's grade changes and the erroneous sending of the transcript with the previous (non-changed) grades. There is nothing in the record which would have the OIG or any other entity believe that Hankerson had any knowledge about the NCAA's requirements in general, and/or as they related to the Student. As such, there is no reason that Hankerson would (or should) know that the wrong transcript was submitted and/or should not have been submitted. Instead, it is clear by other persons' admissions that Jackson and Bearman (and even Carro) dealt with the family, the NCAA and held meetings pertaining to the Student, while working with the registrar to send out (and hold back) transcripts relating to the Student. Hankerson's involvement amounted only to his signature. Unfortunately, as principal, Hankerson must assume, to some extent, that his subordinates are knowledgeable and possess integrity, as he cannot question every document he signs. He signed this document, assuming it was justified and credible and was authored for a legitimate purpose – the same way and for the same reasons he executed the Forms. Evidently, his assumptions regarding the integrity of his subordinates were incorrect.

VI. Hankerson never asked Hunter to re-order a second transcript for the Student.

In the OIG's Draft Report, it alleges that,

[] Bearman stated that [] Hankerson asked her to send [the August 5, 2010] letter and "corrected" transcript to the NCAA. Ms. Hunter stated that both [] Jackson and [] Hankerson had asked her to re-order a second transcript for the Student.

OIG Draft Report, p. 10, ¶ 1.

As detailed previously, Hankerson had no reason to request that any transcript and/or any correspondence be sent to the NCAA on behalf of this Student or any other. Hankerson had no dealings whatsoever with the NCAA or this Student beyond what has already been detailed. Further, in her Amended Statement, Bearman made it clear that she was being less-than-truthful about Hankerson's involvement or lack thereof. This allegation was one of her concocted statements. Hankerson never asked Bearman to send any transcript – corrected or otherwise – to the NCAA.

Secondly, and most importantly, Hankerson never asked YaNette Hunter ("Hunter") to re-order any transcript for the Student. Hunter makes this fact clear in her statement dated August 24, 2011 ("Hunter's Statement") and attached hereto as "**TAB FOUR**". In her Statement, Hunter states:

This letter is written to clarify false information given. I Yanette Hunter [sic] did not receive any transcripts tasks [sic] from Mr. Hankerson, however; [sic] I received orders from Ms. Carmen Jackson and Ms. Sherrie [sic] Bearman requesting transcripts on numerous occasions. This statement justifies and clears and [sic] false accusations against me.

Hunter's Statement, ¶ 1.

VII. Hankerson has violated no UTD Contract Provision and no MDCPS Board Rule.

The Draft Report suggests that Hankerson violated Article XX, Section 8 of the United Teachers of Dade (UTD) Contract and Rules 6Gx13-4A-1.21 and 1.212 of the MDCPS Board Rules, respectively. In considering the attached documents and amended statements, it is clear that Hankerson violated no rule or provision under which he is governed.

First, Article XX, Section 8, provides that, "If the principal of a school feels it is necessary to change a pupil's grade in any subject at the end of the grading period, the principal shall consult with the teacher who issued the original grade and give his/her reasons for the necessary change to the teacher in writing. If a change in grade is made, it shall be recorded as the principal's grade and not the teacher's grade."

In the instant case, (1) Hankerson did not "feel it necessary to change the Student's grade" and in fact, did not initiate the change. It is clear that Hankerson did not know the student and certainly did not know of the Student's need to have grade changed. The evidence suggests that the only people, other than family, who knew of the Student's need(s) to have grades changed, were Jackson, Bearman and Sciolis. There is absolutely no evidence to suggest that Hankerson had any knowledge whatsoever about the Student's dilemma. In reality, Hankerson neither knew the Student, nor knew of predicament. In fact, even during and after the process of executing the Forms, Hankerson did not know of the circumstances warranting the grade changes. (2) Hankerson properly consulted with Stephenson and Carro, who were the teachers who issued the original grades. However, (3) since Hankerson was not the initiator of the grade change, but was the person who simply sought to ensure

that the proper documentation was submitted, he did not seek nor submit the "reasons for the necessary change to the teacher in writing." As a result, (4) the changed grade was not "recorded as the principal's grade and not the teacher's grade." The change in the grade was never Hankerson's. Although it has become clear that Jackson initiated the grade change, it appears that both Stephenson and Carro knew that the grade changes would occur. This is clear since neither teacher enquired as to the reason for the proposed grade change when Hankerson contacted them for their approval and neither teacher appeared surprised by the request.

Notably, Section 8 is inapplicable to Hankerson, at best. It is clearly a provision which seeks to hold the principal accountable when he is seeking the grade change. In this case, it is clear that that was not the case. As such, Hankerson should not be found to have violated its charge.

Second, Rule 6Gx13-14A-1.21 provides, "All persons employed by the School Board of Miami-Dade County, Florida are representatives of the Miami-Dade County Public Schools. As such, they are expected to conduct themselves, both in their employment and in the community, in a manner that will reflect credit upon themselves and the school system" and Rule 6Gx13-4A-1.212 provides that, "No School Board employee shall corruptly use or attempt to use his or her official position or perform his or her official duties to secure a special privilege, benefit, or exemption for himself, herself, or others."

Hankerson's responsibility in the instant case was, respectfully, simple. Under the circumstances, where he was initially approached by Jackson with a pair of blank grade change request forms, Hankerson appropriately mandated that the Forms be completed. When he was approached the second time with mostly-completed Forms,

he personally called the respective teachers for their approvals. Once granted, he executed the Forms. There was no actual nor apparent mandate that Hankerson ask any additional questions regarding the grade changes. As principal, Hankerson should be able to rely upon the honesty and integrity of his teachers, counselors and other subordinates in executing documentation. Certainly, Notwithstanding the reasons stated on the form, Hankerson might have cross-examined Jackson, Bearman, Stephenson and Carro in an effort to determine the validity of **why** they were seeking a grade change form and why Stephenson and Carro were approving the changes, but the rules governing the completion of the Forms and/or the rules under which Hankerson has been charged do not require such an inquisition. In truth, if the principal of a school had to engage in such an inquiry with every document he signs, inquiring would be the only task he could complete on a daily basis. The principal, similar to CEOs, heads of companies and other administrators, rely, to a great degree on the honesty and integrity of his subordinates. Unfortunately, in this case, such qualities in Hankerson's subordinates were lacking.

VIII. Hankerson was never deceptive during his interview with the OIG.

The OIG's Draft Report claims that Hankerson "...made several inconsistent statements regarding his knowledge of the grade changes and his involvement." *OIG Draft Report*, p. 11, ¶ 3. In reality, when the OIG investigator approached Hankerson, Hankerson had no opportunity to think about or reflect upon the circumstances surrounding the Forms and the execution of the Forms. This fact is crucial since Hankerson's involvement in the whole matter - one whole year before he was approached about it by the OIG investigator - was simply to insist that the Forms be filled out and then signing them after the two teachers gave their approval. During the

course of that year, Hankerson had signed many forms, letters and documents regarding Miami Northwestern students. There was absolutely no extenuating reason why this particular Student should have stood out in his mind.

As such, when the OIG investigator, without warning and without context, walked into Hankerson's office and began asking him questions about the Forms and the facts surrounding their execution, Hankerson answered as best he could with what he thought he remembered. Without question, however, it was never Hankerson's intention to deceive the investigator. This is precisely why Hankerson called the investigator back after truly thinking about his questions and what actually occurred regarding the execution of the Forms.

It would help to analyze Hankerson's statements to the OIG to demonstrate that he never intended to be deceptive. First, the OIG investigator alleges that, "Hankerson first stated that [] Stephenson had submitted a form after the school year ended and that he verified the change with [] Stephenson due to the lateness of the request." Clearly, Hankerson's initial recollection was incorrect. Of course, Stephenson did not submit the form. Jackson and Bearman submitted the form. Additionally, the form was submitted more than just as a result of the "lateness of the request", which is the obvious reason why a grade change justification form is submitted. It was submitted because (at the very least) Jackson desired the grade change.

Notably, when Hankerson spoke with the OIG investigator, the only thing he would have known at the time – even had he remembered those set of events, separate and apart from all the other documents he signed for students and administrators – was that he was asked to sign blank forms and did not, but insisted that they be completed. Then, when they were completed, he contacted the two teachers to verify their consent.

Of course, Hankerson was not privy to the Student's plight and/or family's desires and he certainly was not in the meeting(s) between Jackson, Bearman and Sciolis and/or the meeting(s) with "...a University coach...[and] the Student's mother and Northwestern staff..." as asserted by the OIG investigator in the OIG's Draft Report. See the *OIG Draft Report*, p. 5, ¶ 5.

Second, the OIG Draft Report claims that Hankerson "...denied any knowledge of the English 4 form purportedly submitted by [] Carro." For the reasons stated previously, Hankerson's initial out-of-context recollection of the one form was erroneous. Certainly, Hankerson had no reason to be deceptive. Since he had no context within which to recall having seen the form, it is no wonder that he denied having seen it.

Third, the OIG investigator states that Hankerson advised that Stephenson "...had been transferred because his AP students were not performing and that [] Carro also was on his list to be transferred because her students were not performing." *OIG Draft Report*, p. 11, ¶ 4. The OIG investigator further notes that "...Stephenson did not have an AP class in 2009-2010 and [] Carro was voluntarily transferred to Miami Beach High based on her request, in order to be closer to her home." *OIG Draft Report*, p. 11, fn 12.

Unfortunately, the OIG investigator was given erroneous facts. Stephenson, in fact, did teach an AP Chemistry class during the 2009-2010 school year and the AP Administrators – to wit, Aristide, Walker and Thompson – were adamant about moving Stephenson, since his students had done poorly on the AP exam. Stephenson was transferred as a result. Carro was similarly on Hankerson's list for an involuntary transfer. Carro, however, simultaneously put in for a transfer to a school which was

closer to her home and obtained the transfer. Consequently, Hankerson did not have to exercise his transfer. Notwithstanding the foregoing, the rationale behind Stephenson's and Carro's leaving the school has no relevance and/or consequence to the issues in this matter.

Next, in his initial meeting with the OIG investigator, Hankerson "...denied writing or signing the letter bearing his name. He could not provide an explanation for the letter other than to say that his staff were 'not that good'. He had no knowledge of any other documents or efforts made on behalf of the Student." *OIG Draft Report*, p. 11, ¶ 5. Further, the OIG investigator "...told [] Hankerson that a witness had stated that Hankerson requested that the Grade Change Justification Forms be forged. [] Hankerson then stated that [] Jackson may have signed the teacher's names. *OIG Draft Report*, p. 12, ¶ 1.

The foregoing statements only demonstrate that Hankerson was simply attempting to put the OIG investigator's questions and Hankerson's responses in context. Since there was no delineating event surrounding the execution of the Forms and/or the signing of the letter (which was handed to Hankerson to sign and which he did not author himself), there is no reason why Hankerson would have a vivid and/or completely accurate independent recollection of the letter and why it was authored and/or any other documents or efforts made on this Student's (as compared to any other student's) behalf.

Interestingly, when Hankerson was given the opportunity to reflect on the OIG investigator's questions and piece together the events, based upon those questions, the OIG investigator noted that Hankerson called him back (an hour after the interview) and relayed what he was able to recall as follows:

...[I]n early June, [] Jackson had brought [Hankerson] the Grade Change Justification Forms for [] Carro's English class and [] Stephenson's Chemistry class. [Hankerson] declined to sign them at that time. ...[L]ater that same month (June 2010) [] Jackson again presented grade change forms for the Student. [] Hankerson acknowledged that he asked [] Bearman to sign the forms, but only after he received telephone calls from [] Carro and [] Stephenson around this time. Hankerson stated [that] both teachers authorized the grade changes and informed him that the Student had done make-up work to justify the grade changes.

OIG Draft Report, p. 12, ¶ 13. Although Hankerson did not tell the investigator that he "received" telephone calls from Carro and Stephenson, but that **he called** Stephenson and Carro, the remaining statement was correct. The fact that Hankerson called back immediately demonstrates that Hankerson actively attempted to recall the situation and the context surrounding the execution of the Forms he was shown and that, with a little amount of time and reflection, he was able to do so.

CONCLUSION

Charles Hankerson has a thirty (30) plus year untarnished record as an educator and an administrator. He was placed at Miami Northwestern as part of MDCPS' attempt to bring order to a disorderly institution and has served at Miami Northwestern for the past four (4) years – which was three (3) years and ten (10) months longer than he was supposed to serve as principal there. In light of the foregoing, it is imperative that the OIG's investigation be thorough and comprehensive and truly consider the motivations of key persons – to wit, Jackson, Stephenson and Carro – to lie and to further compare all witnesses' statements with one another in order to glean the truth. Once all involved persons have been thoroughly examined, it should be ever-more clear that Hankerson violated no rule, regulation and/or MDCPS contractual provision. In an effort to further assist in his defense and a determination of the comprehensive truth, Hankerson is

requesting, to the extent permitted by law, a full copy of the OIG's investigative report and all statements taken and/or in its possession (and/or which it considered or reviewed) relating to the instant claim and investigation.

TAB ONE

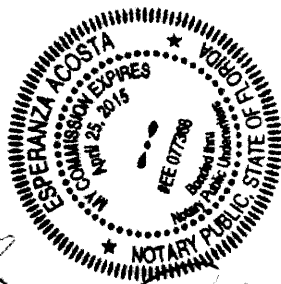
My name is Sheri Bearman and I am a 35 year employee of Miami Dade County Public Schools. I am submitting this statement in response to a report that was delivered to me on Thursday, August 18, 2011. The report was a draft report of the investigation regarding improper grade changes at Miami Northwestern Senior High. Please note that this statement is not my official response to said report which will be forth coming.

The report submitted to me on Thursday, August 18, 2011 erroneously indicts Mr. Charles E. Hankerson of changing grades for a student athlete at Miami Northwestern Senior High. Mr. Hankerson did not direct, conspire or coerce anyone to change a grade. Mr. Hankerson had no knowledge of the student's academic standing nor did he ever inquire about said student's academic standing. As stated in the report, Mr. Hankerson denied the first request for a grade change as requested by Carmen Jackson.

The origin of the grade change came about in a conversation with me, Carmen Jackson and Catherine Sciolis (Language Arts Chairperson). Carmen Jackson approached Ms. Sciolis and me with concerns about a student's grades and eligibility to play college. Carmen Jackson had specific knowledge of the grades that needed to be changed and what those grades needed to be changed to. Ms. Jackson informed us that she was close friends with the student's family and was in constant communication with this family. Catherine Sciolis suggested that Carmen Jackson contact the teachers indicated by Carmen Jackson to see if there was anything that could be done with regards to the student's grades. At that point, Carmen Jackson went and retrieved grade change forms and I instructed Catherine Sciolis to fill out the top portion of the grade change forms for Chemistry and English IV. I brought the forms to Mr. Hankerson's attention. He later instructed me to fill out the remainder of the forms and sign them for the Chemistry and English IV courses as he had confirmed these grade changes with both teachers via a phone conversation.

Mr. Hankerson did not initiate this grade change, nor did he ask me to initiate these grade changes. Listening to Carmen Jackson and following along with these grade changes was an error in judgment that I deeply regret. I especially regret the pain this has caused Mr. Hankerson as well as the blemish it has made on his reputation. Mr. Hankerson was not the mastermind behind this grade change. Carmen Jackson was in fact the initiator of these grade changes. Mr. Hankerson was an unfortunate victim in this situation because he innocently trusted those around him.


Sheri Bearman





8/19/11

TAB TWO

To Whom It May Concern:

My name is Catherine A. Sciolis and I am a teacher currently employed by Miami Dade Public Schools. I was a faculty member at Miami Northwestern from August 2007-July 2011. I am writing this letter in regards to the allegations made against Charles E. Hankerson. I have personal knowledge of the situation involving grade changes at Miami Northwestern Senior High School.

I was present for a conversation involving Sheri Bearman and Carmen Jackson that took place sometime during the month of June, 2010. I was in Sheri Bearman's office when Carmen Jackson entered and began discussing a situation involving a student who had recently graduated. According to Ms. Jackson, this student did not have a high enough GPA to qualify to play for a division I college team. Ms. Jackson informed Ms. Bearman and me that the student would lose scholarship and that family was extremely upset about the situation. Ms. Jackson told us that she was in contact with the student's family.


Ms. Jackson told Ms. Bearman and me that the student needed to earn higher grades in Chemistry and English IV classes. Ms. Jackson expressed her disappointment in the student and the situation. I made the suggestion to Ms. Jackson that perhaps she could contact those teachers to see if there was any possibility of the student completing any assignments to raise grade. Ms. Jackson then left and returned with grade change forms. Mrs. Bearman asked me to fill out the top of two of the grade change forms for the student's Chemistry and English IV classes. After that time I did not see these grade change forms again.

At no point did Mr. Hankerson ask me to fill out a grade change form. Mr. Hankerson never asked me to change a student's grade. Mr. Hankerson never had a discussion with me about the said student's grades being changed. Mr. Hankerson did not initiate the changing of said student's grades. Carmen Jackson is the individual who initiated the grade changes (in my presence) for said student.

Respectfully,

Catherine A. Sciolis



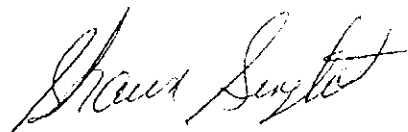
 8/19/11

TAB THREE

To Whom It May Concern:

My name is Shawn Singleton and I am writing this letter with a concern and to clarify that in the summer of June 2010 Ms. Sylvia Carro entered the main office requesting to speak to Mr. Charles Hankerson, Principal of Miami Northwestern Senior High School. I informed Ms. Carro that there was someone in his office and will let her know when he was available. Ms. Carro stated she would wait to see him. At that time I observed Ms. Carro walk down to Ms. Bearmans office and had a conversation with her. I then proceeded to inform Ms. Carro that Mr. Hankerson would see her. Ms. Carro entered Mr. Hankerson office and had a conversation with him.

Thank You,

A handwritten signature in black ink that reads "Shawn Singleton". The signature is written in a cursive style with a large initial 'S' and a long, sweeping tail.

Shawn Singleton

TAB FOUR

August 24, 2011

Personal Statement:

This letter is written to clarify false information given. I Yanette Hunter did not receive any transcripts tasks from Mr. Hankerson, however; I received orders from Ms. Carmen Jackson and Ms. Sherrie Bearman requesting transcripts on numerous occasions. This statement justifies and clears and false accusations against me.

YaNette Hunter

A handwritten signature in black ink, appearing to read 'Yanette Hunter', written in a cursive style.