

Rhee Explains Teacher Sex Charge: Loose Lips Daily

Posted by [Mike DeBonis](#) on Feb. 22, 2010, at 11:31 am

As much local politics as humanly possible. Send your tips, releases, stories, events, etc. to lips@washingtoncitypaper.com. And get LL Daily sent straight to your inbox every morning!

IN CASE YOU MISSED IT---'[Annals of Unfortunate Press Releases](#)'; '[Not Shoveling Your Sidewalk Can Kill](#)'; '[City Sues Developer Over Hotel Holdup](#)'; and [tweets galore!](#)

Morning all. Answers at last: When Chancellor **Michelle A. Rhee** referred in Fast Company magazine to 'teachers who had hit children, who had had sex with children, who had missed 78 days of school,' she referred in part to a teacher who 'allegedly had sex with an 18-year-old special-needs student, resulting in her pregnancy,' **Bill Turque** reported Saturday in WaPo. That revelation came in a Feb. 12 letter to Council Chairman **Vincent C. Gray**, which gave few details on the incident. Paternity of the child in question has yet to be established, and police declined to investigate (because the student was of consenting age), but Rhee says DCPS did its own probe, which 'was pending last fall when decisions about layoffs were made.' WTU President **George Parker** challenged that assertion, saying 'it was his understanding that the probe had been finished before the layoffs and that the allegations were not substantiated.' DCPS begs to differ, and this debate remains open.

AFTER THE JUMP---[No tax hikes in FY2011 budget, says CA](#); [Metro in crisis](#); [NTSB hearings on Red Line crash get started](#); [poll shows high disapproval of Fenty snow response](#); [Machen sworn in at U.S. attorney](#); [can Barry be impeached?](#)

MORE---'Speaking Friday on WAMU's "Kojo Nnamdi Show," about the Fast Company controversy, Rhee said her statements to the magazine were not meant to impugn D.C. teachers as a group. But she said changes are needed in the "progressive discipline" system used to address serious teacher misconduct....But Parker, citing Article Seven of the union's labor contract -- which expired in late 2007 but remains in force until a new one is negotiated -- said the District is not bound by progressive discipline in cases of sexual harassment and physical or sexual abuse of a student. "Those people can be immediately removed from the classroom," Parker said. School officials said late Friday that Parker's reading of the contract language was not correct.' [NC8](#), [WTTG-TV](#) have reaction.

The FY2011 budget's going to be a wrenching document, City Administrator **Neil Albert** testified at Friday's council budget hearing. But read his lips: No new tax hikes! **Michael Neibauer** reports in [Examiner](#) that Albert committed before the dais to keeping his boss's no-hike 2006 campaign pledge in this election year: 'We have said over and over again we will not raise taxes...We've been consistent in the three years and two months we've been here in not sending any proposal to the council that includes tax increases.' Please remember: 'The District has raised taxes under Fenty's leadership -- sales, gas and tobacco among them -- but those increases were suggested by the council. Fenty's budget proposals, however, have been heavy with fee and fine increases.' As to the cuts necessary to keep the pledge: "'Those choices will be across the spectrum," Albert said. "They will affect some projects that are near and dear to all of us in this room. Nothing is off the table at this time."

METRO IN CRISIS---Lede of [WaPo A1 feature](#), by **Ann Scott Tyson**: 'Washington's Metro system, once a national model for urban transit systems, has deteriorated so badly that the National Transportation Safety Board plans to use a hearing this week into the June 22 crash that killed nine people and injured 80 as a case study for the adequacy of state and federal oversight at subways across the country....Metro, which opened in 1976, has earned an embarrassing distinction. "No

one can recall another time when the NTSB has had four open investigations involving a single transit system," NTSB spokesman **Peter Knudson** said.'

WHAT'S HAPPENING---'Metro is reeling from a safety crisis, a lack of money and the loss of talent. The lack of funding, however, pervades everything'---money to buy new cars, repair old tracks, and keep up with growing demand. 'Although much of the discussion of Metro's woes revolves around immediate problems with safety, breakdowns and budgets, veterans of the system say the main culprit is a bureaucratic culture that has failed to shift from the focus on building the system to perpetually repairing a rail network to keep it running safely and efficiently....**Mortimer Downey**, who has been involved with Metro since it opened, says that while the nation's older transit systems in New York, Chicago and elsewhere began making gradual transitions long ago, Metro has had "all of that fall on their shoulders at once." Metro "needs to get focused on the real challenge of an aging system that needs continual renewal. I am not sure everyone grasps that," said Downey...."It's like painting a bridge. Once you get done, it's time to start painting again."

NTSB PREVIEW---Tyson previews this week's hearings on the Red Line crash, at which 'Metro's top managers and engineers...and the members of the committee responsible for overseeing safety at the agency will deliver sworn testimony about the accident and Metro's operations' and '[o]fficials from other transportation agencies will testify about their operations, and the NTSB will release a mountain of documents.' Colleague **Lena Sun** also [previewed the hearings](#) in Saturday's paper, noting a 'focus on the subway's automated crash-avoidance system and on holes in safety oversight at the local, regional and national levels.' Also [WUSA-TV](#), [WTTG-TV](#).

THE TAKEAWAY---'Officials say the fundamental message for customers is: Get used to fare increases, service cuts and perpetual repairs -- and the inevitable delays and inconveniences they will cause. "We need to ask customers to understand we are not that new system anymore," **Peter Benjamin** said.'

The WaPo editorial board looks for '[Lessons in the snow](#)' on Sunday. 'Government snow-removal crews, aided by private contractors, did a credible and, in some cases, a heroic job. The trick to snow removal is to get equipment out early and work steadily, and that seemed to be the norm across the region. Moreover, we tend to agree with those who say that it doesn't make fiscal sense for governments to buy equipment that will be needed once or twice a century. None of that means, though, that improvement is impossible.' For one, Metro needs to figure out how to run trains throughout a storm, they write, and then there's communications: 'Some officials told us there is not enough use of technology to solve problems, and clearly some officials (Maryland Gov. **Martin O'Malley**) did a better job of managing the public's expectations than others (Mr. Fenty).'

WaPo city editor and Ward 4 resident **Vanessa Williams** is [even more critical of Hizzoner](#) in the Sunday Outlook section, finding a disconnect between Fenty the councilmember, he of 'legendary constituent service,' and Fenty the mayor: 'Unkempt alleys, unresponsive police captains and red tape at the DMV were not tolerated by Council member Fenty, who gave out his cellphone number and e-mail address to residents in his ward and who personally listened and responded to their complaints...He certainly wouldn't have laughed the way Mayor Fenty did when he was asked last week in an interview with WRC (Channel 4) when the last of the snow would be cleared.'

AMAZING FIND---'Fenty the Council member wouldn't have been cowed by a couple of feet of snow. If he didn't commandeer a plow and run it himself, I would have at least expected him to call a news conference, climb atop one of those grimy, gray snow mounds and give voice to the frustrations of his constituents. That's essentially

what he did in February 2003, when residents criticized Mayor Williams for not clearing roughly a foot and a half of snow quickly enough....Council member Fenty certainly didn't cut him any slack, lobbing this snowball, as reported in The Washington Post: "The [mayor] for some reason thinks it's helpful to come on television and announce they've done a good job. That doesn't make residents feel any better when their individual streets haven't been plowed, and it doesn't leave me the impression they are measuring this objectively."

NEW POLL---Clarus Research Group, in [Sunday poll of 441 voters](#), 'finds that 64 percent of Washington, D.C. voters think Mayor Adrian Fenty did "only a fair" or "poor" job handling the recent snow emergency in the nation's capital, while 33 percent think he did an "excellent" or "good" job.' His approve/disapprove numbers hold at 43/49---only a 1-point negative shift from a November Clarus poll; **Eleanor Holmes Norton** comes in 84/7 (!), at and the D.C. Council at 57/22. Also [NC8](#).

SHEESH---Vendors at the Saturday RFK farmer's market spent \$1K to have their parking lot plowed, [WRC-TV reports](#), but then city snowtrucks ended up dumping hundreds of tons of snow onto the cleared lot. Also, yes, the city is [writing tickets for unfed meters](#)---even if the meters are buried. DCist notes that Metro [issues press release](#) disassociating itself from **Peter LaPorte's** comments critical of Fenty. **Gary Imhoff** in [themail](#) on Hizzoner's WRC-TV interview: 'He was sharp and sarcastic with the show's hosts, and he came out with a line that will define his handling of the situation forever: "The snow has fallen, and it's not going to be gone until the temperature gets warm enough so that it can melt." That was **Marion Barry's** snow removal plan when he was mayor; Fenty has now claimed it as his own.'

THE BIG MELT---Temps [reached the 50s](#) over the weekend, and rain is expected later today. Notes WaPo: 'Without human effort or the use of chemicals, artificial heaters or mechanical devices, the 32 inches of snow that fell at Reagan National Airport this month have dwindled to a mere 4, National Weather Service figures show. Almost 90 percent of the record-setting snow is gone, yielding to nature and the sun.'

In [Saturday WaPo column](#), **Colby King** juxtaposes 'empowerment' as defined by **Barack Obama** and Marion Barry. Where POTUS 'referred to African American trailblazers who overcame racial prejudice to become skilled workers, professionals and entrepreneurs, the Mayor-for-Life 'seems to hold himself up as a source of empowerment in Ward 8.' At least for his romantic partner and close political allies, that is. 'Barry's use of "empower," King writes, 'turns the word on its head....Barry, through his repeated personal misconduct over the years, has only marginalized Ward 8. If the D.C. Council votes to censure him for corruption, as is quite likely, and takes the next step of stripping him of his committee chairmanship, as is possible, Ward 8 representation will be relegated to an even more powerless position....In a quiet moment, I can't help but reflect: This city has gone from such giants as **Frederick Douglass, Charles Hamilton Houston** and **Walter E. Washington** to . . . my goodness . . . Marion Barry.'

ALSO---King [shares his remarks](#) on the same topic to the Ward 8 Democrats on Saturday: 'Ward 8 must have a positive self-image, clear of the stigma political corruption and self-dealing. Residents are so much better than the face of Ward 8 on display in the John Wilson Building. You can confirm that statement. In a few days, Councilmember Barry is expected to respond to the devastating special counsel report on his conduct in office. I understand that Ward 8 Dems will consider his response and take a position shortly thereafter. Marion Barry may be the agenda item. But at stake is whether you will make a difference politically in this ward. At issue is whether you are strong and courageous enough to hold your leaders accountable -- whether Ward 8 Dems are politically empowered or a

marginalized group at someone else's beck and call. The whole city will be watching.'

Jonetta Rose Barras ups the stakes for the post-Bennett Report D.C. Council, calling on members to [establish an impeachment process](#), then put Barry through it: 'For decades, he has tricked the city, particularly African-Americans and the poor. He has repeatedly asserted everything he's done has been for "the people," not for any personal gain. The record offers a different narrative....Watching his abuse of those residents and their misplaced trust in him is like observing a beloved aunt repeatedly subjected to domestic violence only to return to the arms of her abuser. But, the entire city also is his victim. It's time to stop the travesty....If Gray intends to give more than lip service to establishing strong ethics standards for the council, he and his colleagues must act forcefully. The Bennett-Sabrin report has given them no escape. It underscored what many of us knew all along: Barry thinks he is above the law. Impeaching him will prove he isn't.'

Baltimore Sun editorialist [weighs in](#): 'Whatever good [Barry] has done for his city in the past, he is now an embarrassment to the council and to the voters who elected him. Absent some unexpected new development, it appears quite possible Mr. Barry's proverbial nine lives as a politician may finally have run out.'

It's official: **Ron Machen** was sworn in as U.S. Attorney for the District of Columbia Thursday evening, **Joe Palazzolo** [reports at Main Justice](#). Chief Judge **Royce Lamberth**, also a former Assistant U.S. Attorney in D.C., administered the oath in his courtroom. A group of judges, supervisors in the U.S. Attorney's office and Machen's friends and family were on hand. A second, larger swearing-in ceremony is in the works, though a date has not been announced. One likely guest of honor: Attorney General **Eric Holder**. The commute is a breeze, and Holder is a former U.S. Attorney in the District.'

Another gun lawsuit against the District is forthcoming---this one demanding the right to carry weapons in public. The plaintiff is **Tom G. Palmer**, 53, a Cato Institute fellow who was party to the Heller suit as well. WaPo's **Christian Davenport** [profiles his quest](#): 'The Second Amendment guarantees Americans the right to "keep and bear arms," and "bear," he says, "means to carry." On the street in his Kalorama neighborhood. To the grocery store, the mall, the movies. But not everywhere: "There are all kinds of reasonable restrictions that can be established," he says. "But a blanket ban on carrying them does not seem to sit well with the Constitution itself.'" He cites a 1982 gay-bashing incident in San Jose, Calif., where he says a gun saved his life. 'He offers this as evidence that guns save lives and make society safer. But to **Peter Nickles**, the District's attorney general, allowing handguns to be kept in homes in one of the most dangerous cities in the country was bad enough. Permitting people to pack heat while they walk around -- amid presidential motorcades, foreign dignitaries, public protests -- is downright crazy, he says.' As in Heller, Palmer's attorney is **Alan Gura**.

MORE ON PALMER---'Palmer is about as far from [the gun-nut] stereotype as possible. He's a city dweller, gay, drives a Smart car, one of those little golf-cart-size numbers. "Can't you see it with a gun rack?" he jokes.'

Another lawsuit to force gay marriage onto the ballot, another 'no way' from a Superior Court judge. On Friday, it was Judge **Brian Holeman** [weighing in](#), joining colleagues **Judith Retchin** and **Judith Macaluso** in declining to overturn BOEE decisions on the issue. Initiative proponents plan to petition the D.C. Court of Appeals today. The decision, **Tim Craig** notes in WaPo, 'means same-sex couples may be able to start getting married in the District in about two weeks.' Also [DC Agenda](#), [Metro Weekly](#).

ALSO---Bishop **Harry Jackson**, a leader in the effort to block the

council bill, and other same-sex marriage opponents plan to hold a rally on Wednesday at the Capitol Visitors Center to try to step up the pressure on Congress to intervene.'

Examiner's **Kytja Weir** examines what [Metro budget-gap-closing measures](#) will look like come July 1. Put simply: 'Metro riders could end up paying significantly more for significantly less service within months....[T]he agency is proposing to permanently charge up to 60 cents more for rail during the busiest times, raise bus fares by 25 cents and nearly triple the fee for bike locker rentals starting in July. Metro also is eyeing major service cuts totaling nearly \$44 million on its rail, bus and disability access services.'

How important is Metro to the region? WaPo reporter **Steve Hendrix** [spent 20 straight hours riding the system](#) on a recent day. 'The 34-year-old rail system these days feels older than its age, as almost 750,000 people a day ebb and flow through increasingly creaky infrastructure, riding with emotions that swing from tranquillity to jaw-clenching tension. Anxiety is up, but so is ridership. Even as people nervously register the signs of deferred maintenance and questionable management, they stream in, a massive daily intermingling of humanity and machinery.' ALSO: Via Dr. Gridlock, some [reader-suggested fixes](#) for Metro. LL's faves: Return to automatic train control, place 'stand right' signs on escalators, upgrade the PIDS signage system, and 'Communicate better.'

The old DCPS per-student funding hobbyhorse rears its head once again, this time prompted by [a mention](#) from Fox Business News' **John Stossel**, who 'said that Washington DC gives voucher schools \$7,500 per student, but DC's public schools cost twice that much: \$15,000.' Cato Institute's **Andrew Coulson** [begged to differ](#), that it's actually over \$28,000. 'I'm happy to go over the calculation with any DC or DCPS official — or journalist — who would care to dispute it. (It's only been challenged once before, and the official in question fell silent after seeing the spreadsheet.)' What say you, **Mary Levy**?

Ta-Nehisi Coates, Atlantic blogger and WCP alum, listened to Rhee give a speech at a conference Saturday and [was not pleased](#): 'I wanted to know what she'd say to make me willing to send my child to a DC public school. Sadly, she prefaced her answer with "I know you aren't going to like this answer." Once she said that, I was nervous. Nothing good comes when people say that. And Rhee's answer fit that category. "People, people, people."...The call for better teachers always rubs me the wrong way. I believe the profession would change completely if teachers made 65 grand a year coming out of graduate schools, but that doesn't seem realistic. It seems realistic to find a way to create a system where kids knew how to shut up.'