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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
EMPLOYEE,)	
Employee)	OEA Matter No. 1601-0070-22
)	
v.)	Date of Issuance: March 18, 2024
)	
DISTRICT OF COLUMBIA)	
PUBLIC SCHOOLS,)	
Agency)	ERIC T. ROBINSON, ESQ.
)	SENIOR ADMINISTRATIVE JUDGE
_____)	
David Branch, Esq., Employee Representative		
Lynette A. Collins, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On August 1, 2022, Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or the “Office”) contesting the District of Columbia Public Schools’ action of removing him from service from his position as Teacher at Jackson Reed High School because Employee received an Ineffective rating on his 2021/2022 school year IMPACT evaluation. DCPS’ IMPACT policy outlined that any employee who received a final IMPACT rating of “Ineffective” is subject to separation. The Notice of Separation outlined that Employee’s termination would become effective July 30, 2022. OEA issued a Request for Agency Answer to Petition for Appeal on August 1, 2022. Agency timely submitted its Answer to Employee’s Petition for Appeal on August 29, 2022. This matter was initially assigned to the Undersigned on September 2, 2022. On September 2, 2022, the Undersigned issued an Order Convening a Prehearing Conference set for October 19, 2022. Thereafter, the Undersigned issued a Post Prehearing Conference Ordering an Evidentiary Hearing. The Evidentiary Hearing was held on May 3, 2022. The parties were required to submit written closing arguments by August 4, 2023. Both parties timely submitted their respective briefs. Upon review of the record, I have determined that no further proceedings are warranted. The record is now closed.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

BURDEN OF PROOF

OEA Rule 631.1, 6-B DCMR Ch. 600 (December 27, 2021) states:

The burden of proof for material issues of fact shall be by a preponderance of the evidence. “Preponderance of the evidence” shall mean:

That degree of relevant evidence which a reasonable mind, considering the record as a whole, would accept as sufficient to find a contested fact more probably true than untrue.

OEA Rule 631.2 id. States:

For appeals filed under §604.1, the employee shall have the burden of proof as to issues of jurisdiction, including timeliness of filing. The agency shall have the burden of proof as to all other issues.

ISSUES

Whether Agency's action of separating Employee from service pursuant to an IMPACT rating of ‘Ineffective’ during the 2021-2022 school year was done in accordance with all applicable laws, rules, or regulations.

Summary of Relevant Testimony

Qi Gou (“Guo”) Tr. pp 19 – 54.

Guo testified in relevant part that she is currently employed by DCPS at Jackson-Reed High School as a Teacher Leadership Innovation (“TLI”), teacher leader in Math. Guo noted that her main job duty is teaching. However, she has the additional responsibility of providing weekly professional development and coaching support for some teachers in the Math department. Guo recalled working alongside Employee at Jackson-Reed in its Math department. Guo reviewed Agency Exhibit No. 20, an IMPACT evaluation of Employee during school year (“SY”) 2020 – 2021, wherein it was noted that he would benefit from coaching. According to this exhibit, Employee was provided a coaching plan by the Assistant Principal Goodman that had Guo observing Employee approximately twice a week in an effort to improve his performance to an acceptable level. Guo observed approximately six weeks during this period and noted some areas that he could improve.¹ Guo noted that she was not in Employee’s chain of command. Regarding

¹ Tr. pp. 24 – 30.

her TLI duties, she explained that she was tasked with observing/coaching newly assigned teachers and seasoned teachers where a coaching plan is indicated by an IMPACT evaluation.

Tiffany Goodman (“Goodman”) Tr. pp. 54 – 174.

Goodman was the Assistant Principal at Jackson Reed High School. She invited Employee to interview for a math teacher position at Jackson Reed He was hired as a Math Teacher during the 2021-2022 school year² and taught Pre-Calculus and Algebra.³ Some of her on the job responsibilities include overseeing the Math, Health and Physical Education departments as well collaborating with the Principal to manage the entire school. Goodman noted that she was very familiar with IMPACT and briefly described it as follows:

Q And what is IMPACT?

A IMPACT is the DCPS teacher evaluation system which is utilized to support teachers with teaching and learning. Teachers have a total of two cycles, Cycle 1 and Cycle 2, which also contains the component of CSC, CP, and EP observations, along with TAS.⁴

Q And how does IMPACT operate? What was the criteria for the 21- 21 school year? ...

A Yes. So, for IMPACT I ensure that I follow all of the guidelines, the policies and procedures with all sections. So, teachers are evaluated two times out of the school year, Cycle 1 and Cycle 2. For Cycle 1, before an actual 2 observation is conducted there needs to be an informal observation. And formal observations are only 15 minutes in length. EP observations are 30 minutes. Informal observations can be announced. Formal observations are always unannounced, and they are 30 minutes in length.⁵

Goodman notified every teacher within her departments of the IMPACT process as it was to undertaken at Jackson Reed and conducted the IPACT evaluation of Employee for the school year in question. As part of the process of implementing IMPACT, Goodman provided staff with multiple email notifications that outlined the IMPACT process including the time frames so that her staff could be well informed about this undertaking.⁶ Goodman further elaborated that she personally conducted the informal observations of Employee.⁷ Goodman further noted that she counseled Employee to shadow other seasoned employees in order to glean best practices for his own professional benefit. Goodman noted that as part of Employee’s IMPACT evaluation he was

² Tr. Pg. 60

³ Tr. Pg. 61

⁴ CSC is Commitment to the School Community; CP is Core Professionalism; EP is Essential Practices; and TAS is Teacher Assessment Standards.

⁵ Tr. pp. 56 – 57.

⁶ See Agency Exhibits nos. 13 and 14.

⁷ Tr. pp. 70 - 73.

observed teaching both formally and informally. She explained that some of Employee's observations were scheduled in advance while others were unannounced.⁸ Her recollection generally noted that Employee's performance was lackluster during the unannounced observations. This contributed to Employee's low IMPACT scores. Another contribution to his low IMPACT scores was attendance. Seemingly, Employee was late or was a no-show a number of times during the school year in question.⁹ Regarding IMPACT's CSC component assessment of Employee, Goodman testified as follows:

Q We talked about this a little earlier. How does the CSC component work?

A The CSC is required for all teachers. And it's based on indicators and a rubric for Jackson-Reed High School for all teachers. The rubric has to be approved by DCPS before being provided to teachers. Teachers receive the rubric as well as expectations prior to me conducting and completing the report. It is only worth 10 percent of the actual teacher's overall evaluation.

Q And are teachers required -- how do you score this? How? How is this section scored?

A So, teachers are required to submit evidence for each particular indicator. [Employee] did not submit any evidence for the indicator. I also provided [Employee] with an extension and [Employee] still did not submit evidence. So, therefore, based on the rubric, the rubric requires that teachers are on a Level 1 if evidence is not provided to support the actual indicator.¹⁰

Employee's poor CP score was due to Employee harassing and disrespecting Goodman. She opined that Employee reacted this way due to the low overall IMPACT score he received in Cycle 1.¹¹ Goodman further noted that Employee's behavior turned negative and that she feared for her safety when interacting with Employee. Overall, she cited Employee's inability to provide feedback as a major contributor to Employee's low IMPACT scores. Goodman provided Employee with several opportunities to rehabilitate his low score including giving him a coaching plan that outlined resources and information that was intended to help him improve his performance. Regrettably, he did not adhere to the plan which contributed to his low IMPACT scores.¹² She elaborated on Employee's IMPACT inadequacy as follows:

So, for example, in the coaching plan he was required to send me takeaways from observing one of his colleagues, a peer observation. I never received that information from [Employee] [and he] was required to collaborate with this PLC, professional learning community, because, again, lesson planning was a great area of concern. [Employee] did not collaborate with a colleague

⁸ See Agency Exhibits Nos. 8 – 12.

⁹ Tr. pp. 78 – 81.

¹⁰ Tr. pp. 81 – 82.

¹¹ Tr. pp. 82 – 85.

¹² Tr. pp. 101 – 103.

to complete lesson plans. He did not attend all the PLC meetings or participate in the collaboration that was done weekly every Tuesday and Wednesday here at Jackson-Reed. So, those things were not done. In addition, [Employee] was supposed to send me a copy of his lesson plan every morning by a certain time in order to receive timely feedback. [Employee] did not send lesson plans every single day. He sent a few lesson plans, and the lesson plans that he would send would often be the same exact lesson plans from the day before that he sent me. So, therefore, the feedback that was provided to [Employee] was not implemented with fidelity.¹³

Goodman also noted that many students and parents of students had issues with how the material was taught by Employee and other questionable classroom practices including failing to take attendance and marking students absent when they were in fact in class. This led to DCPS student safety protocols being implemented due to Employee's error.¹⁴ Employee's conduct in this regard contributed to his low IMPACT score.

Nicole E. Bellerice ("Bellerice") Tr. pp. 175 – 199.

Bellerice testified in relevant part that she is a Math Teacher at Jackson Reed. She worked alongside Employee in the same Professional Learning Community ("PLC") since they both taught Algebra 2. Being in the same PLC, the members would generally collaborate on best practices and other items, including sharing lesson plans. Bellerice was unaware of any student complaints of Employee.

David Thompson ("Thompson") Tr. pp. 200 – 222.

Thompson testified in relevant part that he has been with DCPS for approximately 30 years and the last 20 years have been at Jackson Reed (formerly Wilson). In 2021 he was an Instructional Coach – Technology. Thompson was never tasked with being the assigned Instructional Coach – Math for Employee.

Alain Cantave ("Cantave") Tr. pp. 222 – 243.

Cantave testified in relevant part that he is DCPS' Director of IMPACT Operations. He has held this position since 2018. He has had varying positions within DCPS' IMPACT Operations since 2013. He testified as follows regarding IMPACT:

Q And as director, just briefly, what are some of your responsibilities?

A My responsibilities are to ensure that the evaluation system happens. It's to communicate either the policies, the procedures or both school leaders, and staff members. It's to maintain the database to ensure individuals have access to their evaluations, to calculate final scores, and ratings for all staff

¹³ Tr. pp. 104 – 105.

¹⁴ See Tr. pp. 119 – 129. See also Agency Exhibit Nos. 24, 25, 26 & 27.

members, and process any of the consequences, or effects of the evaluations that they receive.

Q And what about appeals?

A Yes, we also manage -- so, there's a chancellor's appeals process that's defined by the D.C. municipal regulations. Our team manages the appeals process in that we collate the appeals, we bring them to the impartial review board, and then we bring the impartial review board's recommendations to the chancellor for final decisions.¹⁵

Cantave also explained that DCPS' authority to implement the IMPACT evaluation tool was granted by the United States Congress. Of note, Cantave explained the scoring of CP as follows:

The next component teachers in this group would have received would have been core professionalism. Core professionalism ("CP") is scored on the same cycle system as CSC, so it is holistic in nature. But unlike all the other standards, it's not scored on a four-point scale. It's scored as essentially an individual can either meet standards, or be slightly below, or significantly below standards. Those standards, there are four CP standards which are on time arrival, attendance, policies, and procedures, and respect. And CP is meant to evaluate whether or not the I individual is meeting those core responsibilities, or core expectations in order to be an effective staff member. If they aren't meeting those expectations by the school leader's standards, they can receive deductions of either 10 points, or 20 points per cycle. Or ultimately 20 points, or up to 40 points for the entire school year.¹⁶

Cantave explained that Agency Exhibit No. 29 was the IMPACT guidebook used to guide and inform the DCPS staff regarding IMPACT process and procedures. Cantave noted that Jackson Reed was granted an extension in which to complete its IMPACT assessment during the school year in question. He further noted that according to Agency Exhibit No. 3, Employee received an overall IMPACT score of 111 during the 2020/2021 school year which correlated to an Ineffective rating.

Employee Tr. pp. 242 – 326.

Employee testified in relevant part that during the 2021/2022 school year he was a Math Teacher (Pre-Calculus and Algebra 2) at Jackson Reed. Prior to his stint at Jackson Reed, he was a Math Teacher at Dunbar High School. He further notes that he has a bachelor's degree in chemistry and a master's degree in analytical chemistry from Howard University. He was recruited by Goodman to apply for a position at Jackson Reed. He noted that his tenure at Jackson Reed started later than other staff, a few days into the school year. Employee recalled that early on in his

¹⁵ Tr. pp. 224 – 225.

¹⁶ Tr. pp. 227 -228.

Jackson Reed tenure, Goodman would sporadically communicate positive messages complimenting his on-the-job performance either through email or text message. Employee noted that he was provided no prior notice that he was performing poorly. Employee denied ever being disrespectful towards Goodman. Employee asserted that the IMPACT process was flawed and that no coaching was provided after the Cycle 1 evaluation.¹⁷ During cross examination, Employee admitted that he had the formal and informal observations as indicated in his IMPACT evaluation. He also admitted that his coaching plan had several suggestions for improvement.

FINDINGS OF FACT, ANALYSIS, AND CONCLUSIONS OF LAW

The following findings of fact, analysis, and conclusions of law are based on the testimonial and documentary evidence presented by the parties during the course of Employee's appeal process with OEA.

Governing Authority

District of Columbia Municipal Regulation ("DCMR") 5-E DCMR §§1306.1, and 1306.4-5 gives the Superintendent authority to set procedures for evaluating Agency's employees.¹⁸ The above-referenced DCMR sections provide that each employee shall be evaluated each semester by an appropriate supervisor and rated annually prior to the end of the year, based on procedures established by the Superintendent. 5-E DCMR 1401 provides in pertinent part as follows:

1401.1: Adverse action shall be taken for grounds that will promote the efficiency and discipline of the service and shall not be arbitrary or capricious.

1401.2: For purposes of this section, "just cause for adverse action" may include, but is not necessarily limited to, one (1) or more of the following grounds:

(c) Incompetence, including either inability or failure to perform satisfactorily the duties of the position of employment.

Furthermore, the D.C. Code § 1-616.52(d) states, in pertinent part:

Any system of grievance resolution or review of adverse actions negotiated between the District and a labor organization shall take precedence over the procedures of this subchapter for employees in a bargaining unit represented by a labor organization.

¹⁷ Tr. pp. 299 – 305.

¹⁸ DCMR § 1306 provides in pertinent parts as follows:

1306.1 - Official performance evaluation ratings for all employees of the Board of Education shall be inclusive of work performed through June 30th, unless otherwise specified in this section.

1306.4 - Employees in grades ET 6-15 shall be evaluated each semester by the appropriate supervisor and rated annually, prior to the end of the school year, under procedures established by the Superintendent.

1306.5 – The Superintendent shall develop procedures for the evaluation of employees in the B schedule, EG schedule, and ET 2 through 5, except as provided in § 1306.3.

The 109th Congress of the United States enacted the 2005 District of Columbia Omnibus Authorization Act, PL 109-356, which states in part:

Notwithstanding any other provision of law, rule, or regulation, during fiscal year 2006 and each succeeding fiscal year, the evaluation process and instruments for evaluation of District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes. D.C. Code § 1-617.18.

Thus, Agency was granted the authority to develop its own evaluation process and tool for evaluating Agency employees and exercised this management prerogative when it created the IMPACT evaluation system.

Accordingly, in reviewing this matter, I will address whether Agency followed the procedures it developed in evaluating its employee; and whether Agency's termination of Employee pursuant to his IMPACT rating was supported by just cause. As referenced above, 'just cause' for adverse actions includes incompetence – an employee's inability or failure to perform satisfactorily the duties of their position of employment.

IMPACT Process and Procedure

IMPACT was the performance evaluation system utilized by DCPS to evaluate its employees during 2021-2022 school year. According to the record, Agency conducts annual performance evaluations for all its employees. Agency utilized IMPACT as its evaluation system for all school-based employees. The IMPACT process requires that all school-based employees receive written feedback regarding their evaluations in addition to having a post-evaluation conference with their evaluators. IMPACT evaluations and ratings for each assessment cycle were available online for employees to review by 12:01 am the day after the end of each cycle. If an employee had any issues or concerns about their IMPACT rating, they were encouraged to contact DCPS' IMPACT team. Employees also received an email indicating that their final scores were available online.

During the 2021-2022 school year, there were twenty (20) IMPACT groups. In this case Employee's position, Teacher, was within Group 2. Group 2 members were entitled to three observations – one informal and two formal. In addition, according to the IMPACT process, Group 2 employees were evaluated on the following:

1. Essential Practices (EP): This is a measure of the instructional expertise and made up 65% of the total IMPACT score;
2. Teacher-Assessed Student Achievement Data (TAS): This is a measure of your students' learning over the course of the year, as evidenced by rigorous assessments other than the PARCC and made up 15% of the total IMPACT score;
3. Student Surveys of Practice (SSP): This is a measure of the students' evaluation of their teacher. Students in grades 3 and up take a survey once a year and rank

the extent to which they agree with certain statements about their teacher's performance. This component makes up 10% of the total IMPACT score;

4. Commitment to the School Community (CSC): This is a measure of the extent to which school-based personnel support and collaborate with their colleagues and their school's community and made up 10% of a Group 2 teacher's IMPACT score; and,
5. Core Professionalism: This measured four basic professional requirements: attendance, on-time arrival, compliance with policies and procedures and respect. This component was scored differently from the others, which is why it is not represented on the pie chart on the Final IMPACT Reports. If an employee's rating for this component was "meets standard," then there was no change in the employee's final IMPACT score. If an employee received a rating of "slightly below standard" on any part of the Core professionalism rubric during a cycle, and no ratings of "significantly below standard," the employee received an overall rating of "slightly below standard" for that cycle and 10 points were subtracted from the employee's final IMPACT score. An additional 10 points were deducted if an employee earned an overall rating of "slightly below standard" again the next cycle. If an employee received a rating of "significantly below standard" on any part of the Core Professionalism rubric during a cycle, the employee received an overall rating of "significantly below standard" for that cycle, and 20 points were deducted from the employee's final IMPACT score. An additional 20 points were deducted if the employee earned an overall rating of "significantly below standard" again the next cycle.

Upon the conclusion of each assessment, within 15 days of the observation, IMPACT requires that the employee meet with the evaluator for a post observation conference. Thereafter, school-based personnel assessed through IMPACT, ultimately receive a final IMPACT score at the end of the year based on the following scores:

Highly Effective=	350-400 points
Effective=	301-349 points
Developing=	250-300 points
Minimally Effective=	200-249 points
Ineffective=	100-199 points

Employee's informal observation occurred on December 15, 2021. Thereafter, as it relates to the Cycle 1 Essential Practice (EP) observations, Jackson-Reed was given an extension until at least March 15, 2021, to complete all Cycle 1 EP observations. The Employee's Cycle 1 EP observation occurred on March 14, 2022. His post observation conference occurred within the 15-day timeline, March 28, 2022. IMPACT guidelines require that for all Essential Practice Observations, DCPS is obligated to include at least one piece of evidence and at least one suggestion for improvement. Goodman provided evidence of Employee's performance issues and thereafter provided next steps and suggestions. In addition, after completing the Cycle 1 EP assessment, Goodman placed Employee on a coaching plan. IMPACT does not require a coaching

plan. However, Goodman testified that the purpose of the coaching plan was to address the issues that were present during her Cycle 1 EP observations. Despite being placed on a coaching plan, Employee's performance did not improve.

The Cycle 2 EP evaluation occurred on May 18, 2022, and a post observation conference was held on June 1, 2022. Again, Ms. Goodman provided evidence of the deficiencies as well as next steps and suggestions for improvement. Goodman also completed the Commitment to School Community and Core Professionalism. As it relates to the Commitment to School Community (Cycle 1), Employee received an overall score of 1.00. Employee was responsible for submitting evidence to support the score. Goodman credibly testified that Employee continually failed to submit evidence despite being provided an extension to do so.

For the Commitment to School Community (Cycle 2) portion of the IMPACT evaluation Employee received an overall rating of 1.60. As it relates to the Core Professionalism (Cycle 2) component Employee received a 20-point deduction because he received a "Significantly Below Standard" rating for CP 2 – on time arrival. Goodman discussed how Employee struggled to arrive to work on time. Employee also received a "Slightly Below Standard" rating for CP 4 -Respect. Goodman testified that Employee would amongst other things send her text messages at odd hours. Fearing for her safety, she blocked his telephone number. Goodman further testified regarding the inappropriate comments and conduct of Employee that led to the rating.

Analysis

During the 2021-2022 school year, Employee's Cycle One conference was held March 28, 2022, and his Cycle Two conference was held on June 1, 2022. It is uncontroverted that Employee subsequently received an 'Ineffective' rating at the end of the 2021-2022 school year. I find that Goodman's testimony was consistent and credible. As evidenced by his submissions to this Office, Employee starkly disagreed with his IMPACT scores on his IMPACT evaluations.

The D.C. Superior Court in *Shaibu v. District of Columbia Public Schools*¹⁹ explained that "[d]ifferent supervisors may disagree about an employee's performance and each of their opinions may be supported by substantial evidence." Similar to the facts in *Shaibu*, I find that it is within the Administrator's discretion to reach a different conclusion about Employee's performance, as long as the Administrator's opinion is supported by substantial evidence. Further, substantial evidence for a positive evaluation does not establish a lack of substantial evidence for a negative evaluation. This court noted that, "it would not be enough for [Employee] to proffer to OEA evidence that did not conflict with the factual basis of the [Principal's] evaluation but that would support a better overall evaluation."²⁰ The court further opined that if the factual basis of the "Principal's evaluation was true, the evaluation was supported by substantial evidence." Additionally, it highlighted that "principals enjoy near total discretion in ranking their teachers"²¹ when implementing performance evaluations. The court concluded that since the "factual statements were far more specific than [the employee's] characterization suggests, and none of the

¹⁹ Case No. 2012 CA 003606 P (January 29, 2013).

²⁰ *Id.* at 6.

²¹ *Id.* Citing *Washington Teachers' Union, Local # 6 v. Board of Education*, 109 F.3d 774, 780 (D.C. Cir. 1997).

evidence proffered to OEA by [the employee] directly controverted [the principal's] specific factual bases for his evaluation of [the employee] ..." the employee's petition was denied. This Office has consistently held that the primary responsibility for managing and disciplining Agency's work force is a matter entrusted to the Agency, not to the OEA.²² As performance evaluations are "subjective and individualized in nature,"²³ this Office will not substitute its judgment for that of an agency; rather, this Office limits its review to determining if "managerial discretion has been legitimately invoked and properly exercised."²⁴ Despite Employee's protestations to the contrary, I find no credible evidence that his former principal and assistant principal abused their discretion when he was evaluated per the aforementioned IMPACT guidelines. I further find that DCPS had sufficient 'just cause' to terminate Employee, following his Ineffective rating during the 2021-2022 school year.²⁵

ORDER

Based on the foregoing, it is hereby **ORDERED** that Agency's action of removing Employee is **UPHELD**.

FOR THE OFFICE:

/s/ Eric T. Robinson

ERIC T. ROBINSON, ESQ.

SENIOR ADMINISTRATIVE JUDGE

²² See *Mavins v. District Department of Transportation*, OEA Matter No. 1601-0202-09, *Opinion and Order on Petition for Review* (March 19, 2013); *Mills v. District Department of Public Works*, OEA Matter No. 1601-0009-09, *Opinion and Order on Petition for Review* (December 12, 2011); *Washington Teachers' Union Local No. 6, American Federation of Teachers, AFL-CIO v. Board of Education of the District of Columbia*, 109 F.3d 774 (D.C. Cir. 1997); see also *Huntley v. Metropolitan Police Department*, OEA Matter No. 1601-0111-91, *Opinion and Order on Petition for Review* (March 18, 1994); and *Hutchinson v. District of Columbia Fire Department*, OEA Matter No. 1601-0119-90, *Opinion and Order on Petition for Review* (July 2, 1994).

²³ See also *American Federation of Government Employees, AFL-CIO v. Office of Personnel Management*, 821 F.2d 761, 765 (D.C. Cir. 1987) (noting that the federal government has long employed the use of subjective performance evaluations to help make RIF decisions).

²⁴ See *Stokes v. District of Columbia*, 502 A.2d 1006, 1009 (D.C. 1985).

²⁵ Although I may not discuss every aspect of the evidence in the analysis of this case, I have carefully considered the entire record. See *Antelope Coal Co./Rio Tino Energy America v. Goodin*, 743 F.3d 1331, 1350 (10th Cir. 2014) (citing *Clifton v. Chater*, 79 F.3d 1007, 1009-10 (10th Cir. 1996)) ("The record must demonstrate that the ALJ considered all of the evidence, but an ALJ is not required to discuss every piece of evidence").