

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN FRANCISCO

ELIEZER WILLIAMS, et al., ) Case No.  
 ) 312 236  
Plaintiffs, )  
 ) Volume II  
v. ) Pages 267-480  
 )

STATE OF CALIFORNIA; DELAINE )  
EASTIN, State Superintendent of )  
Public Instruction; STATE DEPARTMENT )  
OF EDUCATION; STATE BOARD OF )  
EDUCATION, )

Defendants. )

----- )  
AND RELATED CROSS-ACTION. )  
----- )

DEPOSITION OF:

BEATRIZ LIZARRAGA  
THURSDAY, JANUARY 3, 2002  
9:44 A.M.

REPORTED BY:

DENISE A. ROSS  
CSR NO. 10687

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1 Deposition of BEATRIZ LIZARRAGA, Volume II,  
2 taken on behalf of the Defendant, at 400 South Hope  
3 Street, Los Angeles, California, on THURSDAY, JANUARY 3,  
4 2002, at 9:44 A.M., before DENISE A. ROSS, CSR No. 10687.

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1 LOS ANGELES, CALIFORNIA  
2 THURSDAY, JANUARY 3, 2002; 9:44 A.M.

3  
4 BEATRIZ LIZARRAGA,  
5 having been first duly sworn,  
6 was examined and testified as follows:

7  
8 EXAMINATION  
9 BY MS. STRONG:  
10 Q. Good morning.  
11 A. Good morning.  
12 Q. Do you remember all of the admonitions or ground  
13 rules that we went over during your first day of  
14 deposition?  
15 A. Yes.  
16 Q. And I'm just going to remind you of a few of  
17 them. If you have any questions, please let me know.  
18 You understand that you're testifying under  
19 oath; so you are subject to all the penalties for perjury  
20 for giving false testimony.  
21 Do you understand that?  
22 A. Yes.  
23 Q. If at any time you do not understand any of the  
24 questions that I ask, please let me know, and I'll try to  
25 rephrase it for you or restate the question. Otherwise,

1 if you answer the question, I will assume that you've  
 2 understood the question as asked.  
 3 Do you understand that?  
 4 A. Yes.  
 5 Q. Of course we'll have to remember to give verbal  
 6 answers and avoid saying "uh-huh" and "uh-uh" to  
 7 questions whenever possible since that's not recognizable  
 8 on the transcript.  
 9 Do you understand that?  
 10 A. Yes.  
 11 Q. We also don't want you to guess here today, but  
 12 I am entitled to your best estimate when you're able to  
 13 give one.  
 14 Do you understand that?  
 15 A. Yes.  
 16 Q. If you need a break for any reason today, just  
 17 let me know and we will try to come to a stopping point  
 18 and take a break. This is not an endurance test.  
 19 Do you understand that?  
 20 A. Yes.  
 21 Q. If at any point today you remember further  
 22 information regarding a question that I had previously  
 23 asked, please feel free to stop me and let me know and  
 24 supplement your answer at that time because we're going  
 25 to assume that you've given your full and complete

1 Q. Anyplace else?  
 2 A. Not that I remember.  
 3 Q. With respect to the science building, where in  
 4 the science building did you see cockroaches?  
 5 A. I saw them in my science class.  
 6 Q. What science class is this?  
 7 A. I don't even remember. It's like 353 or  
 8 something.  
 9 Q. What year was this?  
 10 A. When I was in 11th grade.  
 11 Q. In what semester?  
 12 A. Throughout the year, both semesters.  
 13 Q. And what was the name of your science class in  
 14 11th grade?  
 15 A. It was honors chemistry or humantous chemistry  
 16 or something.  
 17 Q. Other than in that one chemistry class, did you  
 18 see any other cockroaches in the science building at any  
 19 time while you were at Jefferson?  
 20 A. In the restroom in the science building.  
 21 Q. Other than in the chemistry class that you  
 22 identified that you had during the 11th grade and in the  
 23 restroom in the science building, have you seen any other  
 24 cockroaches at any time in the science building at  
 25 Jefferson?

1 answers here today.  
 2 Do you understand that?  
 3 A. Yes.  
 4 Q. Do you understand the ground rules so far?  
 5 A. Yes.  
 6 Q. Have you had any -- is there any reason why you  
 7 may not be able to give your best testimony today?  
 8 A. No.  
 9 Q. Have you recently consumed any medication or  
 10 other substance that would cloud your mind or affect your  
 11 ability to testify today?  
 12 A. No.  
 13 Q. Then let's continue with some questions.  
 14 Have you ever seen cockroaches at Jefferson?  
 15 A. Yes.  
 16 Q. I believe you testified previously -- we touched  
 17 upon this issue previously, and I'd like to explore your  
 18 knowledge of this issue.  
 19 So can you identify for me where you have seen  
 20 cockroaches on the campus?  
 21 A. I've seen them in the science building, in  
 22 classrooms in the main building, just like outside in the  
 23 quad.  
 24 Q. Anyplace else?  
 25 A. In the restroom.

1 A. Not that I remember.  
 2 Q. So with respect to your 11th grade chemistry  
 3 class --  
 4 I believe that's what you testified to earlier;  
 5 is that correct?  
 6 A. Yes.  
 7 Q. And on how many occasions did you see  
 8 cockroaches in that class?  
 9 A. I don't remember exactly. I saw it throughout  
 10 the years a lot of times, actually.  
 11 Q. If you had to give your best estimate as to how  
 12 many times, what would that be?  
 13 A. Probably about three times a month, maybe.  
 14 Q. When you say "three times a month," that would  
 15 be, like, three days a month? On three days during a  
 16 month, approximately, you would see a cockroach in that  
 17 class; is that correct?  
 18 A. About just -- like about, yeah.  
 19 Q. Giving your best estimate?  
 20 A. Yes.  
 21 Q. And on each of those occasions, would you see  
 22 one cockroach or more?  
 23 A. One.  
 24 Q. Usually it would be one cockroach that you would  
 25 see?

1 A. Yes.  
 2 Q. And what would you do when you saw the  
 3 cockroach?  
 4 A. Usually tell the teacher and he would kill it.  
 5 Q. And who was your teacher?  
 6 A. Mr. Contreras.  
 7 Q. And how would Mr. Contreras kill it?  
 8 A. He kept a can of Raid, or he would step on it.  
 9 Q. And then that would essentially remedy the  
 10 problem for the day; is that correct?  
 11 A. Yes.  
 12 Q. Do you know if anything else was done other than  
 13 Mr. Contreras's Raid efforts or stamping out the  
 14 cockroaches to the cockroach problem in that class to the  
 15 extent that there was one?  
 16 A. He kept, like, little glue things there for the  
 17 rats and for the cockroaches.  
 18 Q. They're like glue traps.  
 19 Is that what you're referring to?  
 20 A. Yes. And other than that, I don't really know.  
 21 Q. How often would he place a glue trap down? Do  
 22 you know?  
 23 A. There was always one in the classroom.  
 24 Q. Do you know if Mr. Contreras placed the glue  
 25 traps, or do you know if the janitors did?

1 A. I don't know.  
 2 Q. Or it could have been somebody else for all you  
 3 know; is that correct?  
 4 A. Yes.  
 5 Q. How do you think the cockroaches in that  
 6 classroom affected your education in the class?  
 7 MS. SIEVERS: Objection; calls for expert  
 8 testimony.  
 9 THE WITNESS: It just bothered you because,  
 10 like, when we would be -- instead of trying to  
 11 concentrate or something, we would be looking around to  
 12 see if there was a roach climbing on a backpack.  
 13 Sometimes we would be writing and a roach would appear  
 14 all of a sudden on our desk, and it was just distracting.  
 15 BY MS. STRONG:  
 16 Q. What more do you think should have been done to  
 17 address the problem --  
 18 MS. SIEVERS: Objection; all --  
 19 BY MS. STRONG:  
 20 Q. -- if anything?  
 21 MS. SIEVERS: Objection; calls for speculation.  
 22 THE WITNESS: I think they should have, like,  
 23 fumigated the building or something because that building  
 24 was the one with the problem. That's where they, like,  
 25 appeared the most often.

1 BY MS. STRONG:  
 2 Q. Do you know whether or not that building was  
 3 fumigated or any of the classes in that building were  
 4 fumigated at any time while you were at Jefferson?  
 5 MS. SIEVERS: Objection; calls for speculation.  
 6 THE WITNESS: To my knowledge, they weren't,  
 7 because there was always students there; so they didn't  
 8 have time. There's not really a break when no students  
 9 were there except during Christmas, and I never saw them  
 10 fumigate anything.  
 11 BY MS. STRONG:  
 12 Q. Do you know if there were any other pest control  
 13 efforts made with respect to that building at any time  
 14 while you were at Jefferson?  
 15 MS. SIEVERS: Objection; calls for speculation.  
 16 THE WITNESS: No, I don't.  
 17 BY MS. STRONG:  
 18 Q. Now, with respect to the restroom in the science  
 19 building, is there only one restroom in the science  
 20 building?  
 21 A. There's one for girls and one for guys.  
 22 Q. And how many times did you use that restroom,  
 23 approximately?  
 24 A. I would usually use it every day.  
 25 Q. And how many times did you see cockroaches in

1 that restroom?  
 2 A. That I remember, maybe three or four times.  
 3 Q. And this was over the entire four years at  
 4 Jefferson?  
 5 A. Well, I was only in the science building two  
 6 years. I had classes in the science building for two  
 7 years; so those two years, I used the restroom.  
 8 Q. And over that period of two years, you saw a  
 9 cockroach in the restroom in the science building  
 10 approximately three to four times; is that correct?  
 11 A. Yes.  
 12 Q. And on those three or four occasions, how many  
 13 cockroaches would you see?  
 14 A. One.  
 15 Q. It would be one cockroach on each occasion; is  
 16 that correct?  
 17 A. Yes.  
 18 Q. And what would you do when you saw a cockroach  
 19 on each of those occasions?  
 20 A. I just wouldn't use the restroom there. I would  
 21 go somewhere else.  
 22 Q. Okay. Did you ever complain to anyone about the  
 23 cockroaches in the science building?  
 24 A. No.  
 25 Q. And why did you not complain?

1 A. I just didn't even think of it.  
 2 Q. Now, with respect to classrooms in the main  
 3 building, what classrooms in the main building did you  
 4 see cockroaches in?  
 5 A. I saw them probably most often when I was in the  
 6 ninth grade in my English class.  
 7 Q. Okay. Is there any other classroom that you can  
 8 think of in the main building where you saw a cockroach  
 9 while at Jefferson?  
 10 A. Once or twice when I was in the 11th grade in my  
 11 English class.  
 12 Q. Any other classrooms where you recall seeing a  
 13 cockroach in the main building while at Jefferson?  
 14 A. No.  
 15 Q. With respect to your ninth grade English class,  
 16 who was the teacher in that class?  
 17 A. [REDACTED]  
 18 Q. And on how many occasions do you believe you saw  
 19 a cockroach in [REDACTED] English class?  
 20 A. Probably not too often, like six times in the  
 21 entire year.  
 22 Q. And on each of those occasions, was it one  
 23 cockroach?  
 24 A. Yes.  
 25 Q. And what would happen when you'd see a cockroach

1 a cockroach in [REDACTED] classroom for 11th  
 2 grade English?  
 3 A. About four times.  
 4 Q. And again, is this over a period of a year?  
 5 A. Yes.  
 6 Q. On each of those occasions, was it just one  
 7 cockroach that you saw?  
 8 A. Yes.  
 9 Q. And again, what would happen when you saw a  
 10 cockroach in that class?  
 11 A. A student would usually kill it there, too.  
 12 Q. Did [REDACTED] ever do anything to  
 13 address the cockroaches that you saw in the class?  
 14 MS. SIEVERS: Objection; calls for speculation.  
 15 THE WITNESS: Not that I can remember.  
 16 BY MS. STRONG:  
 17 Q. And do you know if [REDACTED] had Raid in  
 18 his classroom?  
 19 MS. SIEVERS: Same objection.  
 20 THE WITNESS: Not that I remember.  
 21 BY MS. STRONG:  
 22 Q. And do you know if he had those glue traps in  
 23 his classroom?  
 24 MS. SIEVERS: Same objection.  
 25 THE WITNESS: No.

1 in [REDACTED] class?  
 2 A. Usually a student would kill it.  
 3 Q. Anything else?  
 4 A. No, not that I know.  
 5 Q. Would [REDACTED] ever do anything to combat or  
 6 address the roach in the classroom?  
 7 A. That I remember, a student always killed them.  
 8 Q. Do you know if [REDACTED] had Raid in her  
 9 classroom?  
 10 MS. SIEVERS: Objection; calls for speculation.  
 11 THE WITNESS: Not that I know of.  
 12 BY MS. STRONG:  
 13 Q. And do you know if there were glue traps in  
 14 Ms. Rogers's classroom?  
 15 MS. SIEVERS: Same objection.  
 16 THE WITNESS: Not that I know of.  
 17 BY MS. STRONG:  
 18 Q. Once the student killed the cockroach, did that  
 19 essentially remedy the problem for the day in that  
 20 classroom?  
 21 A. Yes.  
 22 Q. And with respect to your 11th grade English  
 23 class, who was the teacher in that class?  
 24 A. [REDACTED]  
 25 Q. And on how many occasions do you believe you saw

1 BY MS. STRONG:  
 2 Q. You don't know?  
 3 A. No.  
 4 Q. Did you ever make any complaints to anyone  
 5 regarding --  
 6 Well, before I ask that question, did you ever  
 7 see any cockroaches in any other location in the main  
 8 building?  
 9 A. No, I didn't.  
 10 Q. Did you ever make any complaints about the  
 11 cockroaches in the main building?  
 12 A. No, I didn't.  
 13 Q. And is that for the same reason that you  
 14 testified to earlier, that you didn't really think about  
 15 it? Is that correct?  
 16 A. Yes.  
 17 Q. You also identified seeing cockroaches in the  
 18 quad.  
 19 A. Yes.  
 20 Q. Is there one quad at the school?  
 21 A. Yes.  
 22 Q. And on how many occasions do you recall seeing a  
 23 cockroach in the quad?  
 24 A. I don't really remember. Probably -- maybe five  
 25 times.

1 Q. And this is throughout the four years you were  
2 at Jefferson?  
3 A. Yes.  
4 Q. And on each of those occasions, would you see  
5 one cockroach?  
6 A. Yes.  
7 Q. And what would happen when you would see a  
8 cockroach in the quad?  
9 A. We'd usually just ignore it.  
10 Q. Did you ever inform anyone about seeing --  
11 anyone in the administration of the school, a teacher or  
12 an administrator, about seeing a cockroach in the quad?  
13 A. No.  
14 Q. You also identified seeing cockroaches in the  
15 restroom.  
16 Did you ever see a cockroach in the restroom  
17 other than what you've already testified to with respect  
18 to the restroom in the science building?  
19 A. No.  
20 Q. So that's the only restroom where you ever saw a  
21 cockroach; is that correct?  
22 A. Yes.  
23 Q. Just to confirm, do you know whether the school  
24 takes any measures at the school level or the District  
25 level to address cockroaches on the campus other than the

1 A. Like, the students screamed, and the mouse just  
2 ran away. We didn't see where it went.  
3 Q. Do you recall where you saw the mouse in the  
4 classroom?  
5 A. In the back of the classroom by the lab  
6 stations.  
7 Q. Were there students by the mouse, or was  
8 everyone sitting in their seats by the lab stations?  
9 A. We were by the lab stations. We were doing an  
10 experiment, like, or something.  
11 Q. And where was the mouse?  
12 A. It ran from under one of them to, like, the  
13 other in the back.  
14 Q. So it was on the floor?  
15 A. On the floor.  
16 Q. And students in the classroom screamed?  
17 A. Yes.  
18 Q. And then the mouse disappeared, essentially?  
19 A. Yes.  
20 Q. Was the teacher aware of the mouse in the  
21 classroom that day?  
22 MS. SIEVERS: Objection; calls for speculation.  
23 THE WITNESS: We told him. I don't think he  
24 personally saw it. But we -- when we screamed, he asked  
25 us what was happening. We told him that we saw a mouse.

1 efforts that you've seen by your teachers?  
2 MS. SIEVERS: Objection; calls for speculation.  
3 THE WITNESS: No, I don't.  
4 BY MS. STRONG:  
5 Q. I believe you also testified earlier that you  
6 saw a mouse at school; is that correct?  
7 A. Yes.  
8 Q. Have you ever seen any rats at school?  
9 A. No.  
10 Q. And how many times have you seen a mouse at  
11 Jefferson?  
12 A. I probably saw two in the entire four years.  
13 Q. Where was the first time you saw a mouse?  
14 A. Both were in the science building in my  
15 chemistry class.  
16 Q. Was it that same chemistry class from 11th  
17 grade?  
18 A. Yes.  
19 Q. Do you remember approximately when it was that  
20 you saw a mouse for the first time in that class?  
21 A. No, I don't.  
22 Q. Was it first semester or second semester?  
23 A. I think both times were in the first semester.  
24 Q. Okay. And what happened when you saw the mouse  
25 the first time?

1 BY MS. STRONG:  
2 Q. And what was his response? Do you recall?  
3 A. No, I don't.  
4 Q. And the second time you saw a mouse in that  
5 classroom, can you describe to me what happened?  
6 A. The second time, the mouse ran on the top of the  
7 lab station. It was, like, behind some books, and it  
8 ran -- and it went -- I think it ran -- I remember it ran  
9 along the top of the lab station. I don't remember where  
10 it went.  
11 Q. And what happened when the students saw the  
12 mouse?  
13 A. Same thing, people screamed, and then it  
14 disappeared.  
15 Q. Other than those two incidents, have you ever  
16 seen a mouse at Jefferson at any other time?  
17 A. No.  
18 Q. Did you ever complain to anyone at the school  
19 about the mice that you saw at Jefferson?  
20 A. Only to our chemistry teacher.  
21 Q. And what did you say to the chemistry teacher?  
22 A. We would just tell him that it was nasty,  
23 basically, that it was scary to see the mice running  
24 around. And so I think he did bring in the traps.  
25 That's when he brought in those glue traps, afterwards

1 or -- well, the glue traps appeared after. I'm not sure  
 2 if he brought them in or if he told someone and they put  
 3 them there.  
 4 Q. Do you think that the glue traps assisted to  
 5 address the problem?  
 6 MS. SIEVERS: Objection; calls for speculation.  
 7 THE WITNESS: It made us feel more comfortable.  
 8 I'm not sure -- I never saw any mice after that.  
 9 BY MS. STRONG:  
 10 Q. So it may have been effective in eradicating the  
 11 mice. You don't know one way or the other?  
 12 A. Yes.  
 13 Q. Have you ever seen any other rodents or pests on  
 14 the campus at Jefferson other than what you've already  
 15 described to me?  
 16 A. No.  
 17 Q. You've already described to me some aspects of  
 18 the physical condition of Jefferson.  
 19 Other than what you've already testified to  
 20 during the first day of your deposition and what you've  
 21 testified to this morning, is there anything else that  
 22 you think is wrong with the physical condition of  
 23 Jefferson?  
 24 A. There's some of -- like, the walls are cracked.  
 25 Like, the paint was peeling on the outside of the

1 buildings by the stadium. Nothing else I can really  
 2 remember.  
 3 Q. Is there anything else that you can think of?  
 4 A. Not now.  
 5 Q. With respect to the walls being cracked, what  
 6 walls are you referring to?  
 7 A. There was walls inside of my film class. Most  
 8 of the walls were, like, really cracked, I guess -- I  
 9 don't know -- from, like, earthquakes and stuff. The  
 10 stadium -- like, we only have bleachers on one side. The  
 11 outside wall was full of cracks. In the auditorium, the  
 12 walls on the outside were all cracked. That's all I can  
 13 think of.  
 14 Q. Do you think that these cracks in the walls that  
 15 you've identified impacted your education that you  
 16 received at Jefferson?  
 17 MS. SIEVERS: Objection; calls for expert  
 18 testimony.  
 19 THE WITNESS: It impacted it in that -- because  
 20 the appearance wasn't as nice. It doesn't make you feel  
 21 as good to go there; so just in that sense.  
 22 BY MS. STRONG:  
 23 Q. But in terms of what your teachers taught you  
 24 and what you learned in the classrooms, do you think that  
 25 these cracks affected that aspect of your educational

1 experience in the school?  
 2 MS. SIEVERS: Objection; calls for expert  
 3 opinion.  
 4 THE WITNESS: No.  
 5 BY MS. STRONG:  
 6 Q. Did you ever complain to anyone about the cracks  
 7 at the school that you've identified for me?  
 8 A. No.  
 9 Q. And why is that?  
 10 A. Never thought of it.  
 11 Q. Okay. And with respect to paint peeling, you  
 12 said, outside by the stadium, is that the only location  
 13 where you recall seeing paint peeling at the school?  
 14 A. That I can think of, yes. Most of the other  
 15 school was constantly being painted over because of the  
 16 tagging; so --  
 17 Q. And can you describe to me --  
 18 I'm not familiar with the set up of your school;  
 19 so can you describe to me where it is you're describing?  
 20 You said "outside by the stadium."  
 21 Where is that referring to?  
 22 A. We only have bleachers on one side; so there's,  
 23 like, a big wall where the bleachers are, like, built on.  
 24 It's not like a building, but the structure around it.  
 25 It's just, like, big walls that they have because they

1 face the street; so they have, like, a big wall on the  
 2 end.  
 3 Q. Kind of behind the bleachers?  
 4 A. Behind the bleachers.  
 5 Q. And there's essentially a wall that blocks out  
 6 the street; is that correct?  
 7 A. Yes.  
 8 Q. And then the bleachers face a football field; is  
 9 that correct?  
 10 A. Uh-huh.  
 11 Q. So it's that wall that you are referring to?  
 12 A. Yes.  
 13 Q. Is that wall attached to any classrooms?  
 14 A. No.  
 15 Q. And is the football field and bleachers located  
 16 near classrooms?  
 17 A. Yes. There's bungalows to the side, and the  
 18 ROTC building is right next to it.  
 19 Q. Do you recall ever seeing that area painted at  
 20 any time while you were at Jefferson?  
 21 A. Sections of the wall are painted, like, the  
 22 bottom part because of the tagging. But the upper part  
 23 of the wall at Jefferson, I never seen being painted.  
 24 Q. And again, do you think that had any effect on  
 25 your education at Jefferson, the peeling paint on the

1 wall by the bleachers?  
 2 MS. SIEVERS: Objection; calls for expert  
 3 testimony.  
 4 THE WITNESS: No.  
 5 BY MS. STRONG:  
 6 Q. Now, we're going to talk about some textbook  
 7 issues relating to Jefferson.  
 8 Are there any classes at Jefferson where you  
 9 were enrolled in where the teacher did not use a textbook  
 10 at all?  
 11 A. Not that I can think of except for the film  
 12 class. In film, we didn't have a textbook.  
 13 Q. What materials did Mr. Bachrach use to teach the  
 14 film class?  
 15 A. He gave us handouts. He would print out things  
 16 from articles or from film books that he had, I guess, or  
 17 articles off of the internet or just worksheets that he  
 18 had. We didn't have, like, a formal textbook, though.  
 19 Q. And do you remember that the materials that  
 20 Mr. Bachrach used were sufficient to teach you the film  
 21 class?  
 22 MS. SIEVERS: Objection; calls for expert  
 23 testimony.  
 24 THE WITNESS: Yes.  
 25 ////

1 BY MS. STRONG:  
 2 Q. And you think that you probably learned the most  
 3 in the film class or that was one of the classes that you  
 4 learned the most at Jefferson; is that correct?  
 5 A. Yes.  
 6 Q. Are there --  
 7 Were there any classes that you were enrolled in  
 8 at Jefferson where the teacher used a textbook but you  
 9 did not have a textbook to use in class?  
 10 A. I think in the beginning of my Spanish class,  
 11 which was 11th grade, we didn't have textbooks. He would  
 12 write everything on the board, and we would copy it down.  
 13 Later we got a set for the class, not to take home,  
 14 though.  
 15 Q. Other than your Spanish class, can you think of  
 16 any other class where the teacher used a textbook but you  
 17 didn't have enough books in class for the students to  
 18 use?  
 19 A. In Ms. Burke's English, the 12th grade AP class,  
 20 we would share the books. There wasn't enough for  
 21 everybody.  
 22 Q. Can you think of any other classes?  
 23 A. Not that I can think of.  
 24 Q. And I believe you testified a little bit about  
 25 that Spanish class during your first day of deposition,

1 but I just want to go over a couple of things to make  
 2 sure we have the details.  
 3 What materials did the teacher --  
 4 Well, first of all, who was your teacher for  
 5 Spanish in 11th grade?  
 6 A. Mr. Abea, A-B-E-A.  
 7 Q. What materials did Mr. Abea use to teach Spanish  
 8 during the first semester?  
 9 A. He would usually write everything on the board,  
 10 and we would copy it down, and he had his copy of the  
 11 book.  
 12 Q. So he was using a textbook to teach the class,  
 13 and he would write assignments out of the textbook, from  
 14 what you understood, for the class to follow; is that  
 15 correct?  
 16 A. Yes.  
 17 Q. And then you received a set of textbooks during  
 18 the second semester sufficient to allow each student in  
 19 the class to use a textbook during class; is that  
 20 correct?  
 21 A. During the first semester, we actually received  
 22 the textbooks, like an in-class set. So we had the  
 23 textbooks to use while we were in class. But any  
 24 homework we had to copy down because we couldn't take the  
 25 books home. There was just one class set for all the

1 classes.  
 2 Q. When do you recall receiving the textbooks for  
 3 in-class use during the first semester?  
 4 MS. SIEVERS: Objection; asked and answered on  
 5 the first day of the deposition.  
 6 THE WITNESS: I don't really remember how long  
 7 it took. It wasn't too long after, though.  
 8 BY MS. STRONG:  
 9 Q. It wasn't too long after the first day of  
 10 school?  
 11 A. Uh-huh. Maybe a month or so.  
 12 Q. And then is it correct that you got additional  
 13 books for the second semester sufficient for students to  
 14 take them home?  
 15 A. Yes.  
 16 Q. First of all, do you know why there weren't  
 17 sufficient textbooks for students to take them home  
 18 during the first semester?  
 19 MS. SIEVERS: Objection; calls for speculation.  
 20 THE WITNESS: I'm not sure. I think that they  
 21 ordered the textbooks, but they didn't come in, because  
 22 when we did receive the textbooks second semester, they  
 23 were new.  
 24 BY MS. STRONG:  
 25 Q. And what do you base that belief on?

1 A. Just because when we did receive them, they were  
2 new; so I'm guessing that they hadn't come before.

3 Q. But did you have any conversations with anyone  
4 regarding this issue?

5 A. No.

6 Q. You never spoke with the teacher regarding this?

7 A. No.

8 Q. With respect to Ms. Burke's English class, was  
9 that AP English in 12th grade?

10 A. Yes.

11 Q. You said in that class you would sometimes have  
12 to share the textbook; is that correct?

13 A. Yes.

14 Q. And I think we went over this the first day of  
15 deposition -- is that correct? -- that you used that  
16 textbook for approximately three assignments throughout  
17 the year.

18 A. Yes.

19 Q. And when you weren't using the textbook, what  
20 materials was Ms. Burke using to teach the class?

21 A. We had other textbooks, and we used the books  
22 that we bought that we read.

23 Q. What other textbooks did you have?

24 A. We had an AP Baron study guide or something like  
25 that. And we used -- we actually used textbooks from

1 A. That's correct.

2 Q. Because again, you were pleased with what you  
3 were taught in your AP English class by Ms. Burke; is  
4 that correct?

5 A. Yes.

6 Q. Do you have any other complaints regarding  
7 textbooks at Jefferson?

8 A. Not really, no.

9 Q. Do you have any complaints regarding any  
10 supplies provided to students at Jefferson?

11 A. We didn't really do too many projects or  
12 something. We didn't really need their supplies. It was  
13 just, like, our paper and pens and stuff.

14 Q. So supplies were not an issue to you with  
15 respect to this lawsuit?

16 A. Just like in our science class, we didn't really  
17 have too many things to work with. Like, the scales --  
18 we didn't really have too many, or, like, test tubes,  
19 things like that. We really didn't have too many. We  
20 would always have to work in large groups so that we  
21 could make the most of what we did have.

22 Q. Other than this experience in science class that  
23 you're describing, do you have any other complaints about  
24 supplies at Jefferson?

25 A. No, I don't. No.

1 other years because we would read stories out of them.  
2 So it was, like, whatever the American lit book from the  
3 11th grade -- we used those books. And then we would  
4 just, like, read the novels that we bought.

5 Q. Those other textbooks that you would use -- the  
6 textbooks for other grades and so forth -- did you use  
7 those in class?

8 A. Yes.

9 Q. Did you have an opportunity to take those books  
10 home?

11 A. We did because when we used those, we were,  
12 like, in groups. She gave out assignments, and we had to  
13 research poets and, like, analyze the poetry and stuff;  
14 so not everybody had to have a copy of every book. So  
15 whatever poets you were assigned, like, if their work was  
16 in that certain textbook, then you could take the  
17 textbook home and you could research it.

18 Q. So each student would have a textbook to take  
19 home, and that textbook may have varied depending on who  
20 the author was they were researching or the poet,  
21 whatever the case was; is that correct?

22 A. Yes.

23 Q. And you have no complaints about your ability to  
24 learn in that class based on the materials that you were  
25 using; is that correct?

1 Q. What science class are you talking about where  
2 you felt that there weren't enough scales or test tubes  
3 in the class?

4 A. In my chemistry class.

5 Q. And that's 11th grade?

6 A. Yes.

7 Q. Did you take any other science classes at the  
8 school where you used test tubes or scales or materials  
9 of that nature?

10 A. No.

11 Q. And can you think of any other materials that  
12 you felt you did not have enough of other than scales and  
13 test tubes?

14 A. No.

15 Q. How often did you use a scale in reference to a  
16 project in the class?

17 A. Most of our labs had to do with stuff like that  
18 just because chemistry was all about, like, the numbers  
19 and stuff like that. So we would always be measuring how  
20 many grams this and that had. So almost all the time,  
21 every time we had a lab. And we had a lab once a week.

22 Q. And so how many scales would you say were in the  
23 classroom?

24 A. Maybe, like, eight.

25 Q. For how many students?

1 A. There's probably -- there's, like, maybe  
 2 25 students in the class, but there was only, like --  
 3 maybe, like, 15 of us would show up.  
 4 Q. So usually it would be approximately 15 students  
 5 sharing the eight scales; is that correct?  
 6 A. Yes. But we never used all the scales. We  
 7 always worked in, like, groups of five. So I don't  
 8 remember if there was something wrong with the scales or  
 9 why we never used all the scales.  
 10 Q. Because there was one scale per group?  
 11 A. Yes.  
 12 Q. And you don't have any reason to believe that he  
 13 put you in groups of five because there weren't enough  
 14 scales; is that correct?  
 15 A. I don't really know why. I don't know if it was  
 16 just so that the other materials -- so that we had enough  
 17 of the other materials or what it was because we were  
 18 always in big groups.  
 19 Q. But you --  
 20 There appeared to be more than enough scales to  
 21 accommodate each of the groups in the class; is that  
 22 correct?  
 23 A. Yes.  
 24 Q. And with respect to test tubes, how often would  
 25 you use a test tube in reference to a project in your

1 chemistry class?  
 2 A. About half of the labs, so, like, maybe two out  
 3 of the four that we did a month.  
 4 Q. And can you explain to me why it is that you  
 5 think that there weren't very many test tubes?  
 6 A. Well, when we did groups, I remember we always  
 7 had to be in groups of five because there wasn't enough  
 8 materials for us to be in smaller groups. So I'm  
 9 guessing that there wasn't enough. There wasn't enough  
 10 test tubes. There wasn't enough anything. Each group  
 11 would have, like, two test tubes and then one of the  
 12 large cylinder beaker things and one of the smaller ones  
 13 and then we would have a scale. And then to distribute  
 14 whatever it was we were measuring or whatever, we always  
 15 had to be in large groups -- in groups of five. We would  
 16 basically get into groups of five.  
 17 Q. And why do you believe you were placed in groups  
 18 of five because there wasn't enough materials to be in  
 19 smaller groups?  
 20 MS. SIEVERS: Objection; calls for speculation.  
 21 THE WITNESS: He used to tell us that we had to  
 22 get in groups of five so we would have enough materials  
 23 for each group.  
 24 BY MS. STRONG:  
 25 Q. And that's --

1 A. Mr. Contreras.  
 2 Q. -- Mr. Contreras? Okay.  
 3 Do you know if he wanted you to work in groups  
 4 of five for any other reason, for example, to learn from  
 5 one another in a group?  
 6 MS. SIEVERS: Objection; calls for speculation.  
 7 THE WITNESS: No, I don't.  
 8 BY MS. STRONG:  
 9 Q. Did you ever discuss with Mr. Contreras the idea  
 10 that maybe there weren't enough supplies to work in  
 11 smaller groups?  
 12 A. No, I didn't.  
 13 Q. And did you ever hear Mr. Contreras say that he  
 14 would like the students to work in smaller groups?  
 15 A. No.  
 16 Q. And so when was it --  
 17 When you said he would tell us to get in groups  
 18 of five so that there would be enough materials, how  
 19 often did he say that to you?  
 20 A. I think in the beginning, because we would  
 21 complain, because we would -- he would put us in groups,  
 22 and sometimes we wouldn't finish a lab in one day. And  
 23 the students in that class never show up; so, like, he  
 24 would put -- like, for example, I always got stuck with  
 25 the worst people, and they would never show up the next

1 day. And so I would complain that I didn't like being in  
 2 the groups -- in the bigger groups because somebody would  
 3 always be absent the next day. And they would have part  
 4 of the assignment, or they wouldn't do their part or  
 5 something. So he would say we need to be in bigger  
 6 groups so that we have enough materials.  
 7 Q. On how many occasions did he say that to you?  
 8 Do you recall?  
 9 A. Just a couple of times in the beginning, because  
 10 after a while, I just gave up. I was, like, "Okay."  
 11 Q. So is there anything else that you base your  
 12 belief --  
 13 Is there anything else on which you base your  
 14 belief that you were placed in groups of five because  
 15 there were not sufficient materials to be placed in  
 16 smaller groups?  
 17 A. No.  
 18 Q. What do you think makes a good teacher?  
 19 MS. SIEVERS: Objection; vague as to "good."  
 20 THE WITNESS: In my opinion, they need to be  
 21 able to motivate the student. They need to interact with  
 22 the students. They need to be commanding, like, know how  
 23 to earn the respect and know how to respect the students  
 24 and to know what they're talking about, have knowledge on  
 25 the subject. They need to be sociable. They need to be

1 able to interact with the students. That's about it.  
 2 BY MS. STRONG:  
 3 Q. Do you know of any teachers at your school who  
 4 were credential -- fully credentialed teachers who you  
 5 believed were not good teachers?  
 6 A. That were my teachers?  
 7 Q. Why don't we start with your teachers first.  
 8 A. I probably had, like, maybe three teachers that  
 9 were fully credentialed that I didn't think did a good  
 10 job.  
 11 Q. Who were those teachers?  
 12 A. [REDACTED] in the 9th grade, [REDACTED]  
 13 in the [REDACTED] 11th, and [REDACTED] the 11th.  
 14 Q. [REDACTED] taught --  
 15 A. English.  
 16 Q. English.  
 17 And [REDACTED] taught?  
 18 A. English.  
 19 Q. In the 11th?  
 20 A. Uh-huh.  
 21 Q. And [REDACTED] taught --  
 22 A. History in the 11th.  
 23 Q. And why was it that --  
 24 Why is it that you believe that [REDACTED] was  
 25 not a good teacher?

1 MS. SIEVERS: Objection; vague as to "good."  
 2 THE WITNESS: She didn't know how to interact  
 3 with the students. She was really, like -- she always  
 4 seemed depressed. It was like she wasn't all there. And  
 5 she was always out sick. She was just never there. She  
 6 was always -- even if she was there physically, it was  
 7 like she wasn't there mentally. She was somewhere else.  
 8 She was really distracted. We never did much. We never  
 9 learned anything with her. Like, we would read books and  
 10 discuss them, but it was -- it was like she wasn't really  
 11 there, just really distracted.  
 12 BY MS. STRONG:  
 13 Q. How about [REDACTED]? Why is it that you  
 14 think he was not a good teacher?  
 15 MS. SIEVERS: Objection; vague as to "good."  
 16 THE WITNESS: [REDACTED] never graded our  
 17 work. He would pretend to grade our work. He wouldn't  
 18 really read what we wrote. He would look at how much we  
 19 wrote and give us a grade. He would give us essays, and  
 20 we would just copy paragraphs out of a book and turn it  
 21 in. And he wouldn't notice. We would still get an "A"  
 22 as long as it was long. Even though we did a lot of  
 23 reading, he would always read to us. We read a lot.  
 24 That's all we did, read stories, read novels; but we  
 25 never really discussed them and things like that. He

1 would just tell us "Answer the questions in the book."  
 2 It didn't really matter what we would answer because he  
 3 didn't read it anyway.  
 4 BY MS. STRONG:  
 5 Q. How do you know he didn't read it?  
 6 A. Because we would do things like copy the  
 7 question without the question mark and turn it in, and he  
 8 wouldn't notice. Like, you would still get all the  
 9 answers right. Every day we had to write a journal, and  
 10 we would write things like "Oh, you're not going to read  
 11 it anyway," and he wouldn't notice; so it was obvious he  
 12 didn't read our work.  
 13 Q. And [REDACTED] -- why is it that you believe  
 14 that he was not a good teacher?  
 15 A. [REDACTED] was, like, a really nice person; so  
 16 he never made us do it. He was, like, a new teacher,  
 17 just the second year there. And he was, like, a really  
 18 good -- like, a really cool friend, but he wasn't a good  
 19 teacher. He didn't know how to get us to do the work.  
 20 Nobody would listen to him and respect him. So he would  
 21 try to give us assignments, and nobody would do it. And  
 22 he would just give up. He didn't know what to do. He  
 23 would get, like -- he wasn't firm enough with us; so we  
 24 wouldn't do our work, basically. So we never did  
 25 anything.

1 Q. So is it your belief that having a credential  
 2 does not necessarily indicate that you're a good teacher?  
 3 MS. SIEVERS: Objection; misstates testimony.  
 4 THE WITNESS: I think that having a credential  
 5 is important, but it's not going to automatically make  
 6 you a good teacher.  
 7 BY MS. STRONG:  
 8 Q. And I think you testified during your first day  
 9 of your deposition that you know of several  
 10 emergency-credentialed teachers who you found to be very  
 11 good teachers; is that correct?  
 12 A. Yes.  
 13 Q. And you gave some explanation as to that. We  
 14 won't go over that again.  
 15 With respect to your comment that you think it's  
 16 important for teachers or you think a good teacher is one  
 17 that can know how to earn respect from the students, how  
 18 is it that a teacher earns respect from students?  
 19 A. They have to be, like, commanding, be firm with  
 20 students, because if you don't put your foot down,  
 21 they're not going to respect you and listen to you. It's  
 22 good to be nice to them; but, like, you have to make sure  
 23 that they know that when you're in the classroom, you're  
 24 their teacher. And outside of the classroom, you might  
 25 be their friend, but they need to listen to you when

1 they're in the classroom. So you have to be firm with  
2 them or else they're just going to think that you're all  
3 fun and games all the time.

4 Q. How do you know that these three individuals  
5 that you mentioned -- [REDACTED] and  
6 [REDACTED] -- are all fully-credentialed teachers?

7 A. From conversations that I've heard them have or  
8 just, like, [REDACTED] know because he told me he was.  
9 [REDACTED] has just taught there forever, and I'm  
10 sure he is. And --

11 Q. [REDACTED]?

12 A. [REDACTED] -- I think Ms. Burke told me.  
13 [REDACTED] and Ms. Burke were, like, best friends, and  
14 they actually got their credentials at the same time.

15 Q. And you know that from what Ms. Burke told you?

16 A. Ms. Burke.

17 MS. STRONG: Why don't we take a quick break,  
18 and then we'll continue.

19 (Recess taken.)

20 MS. STRONG: Back on the record.

21 Q. Other than what you've already testified to  
22 during the first and second day of your deposition, is  
23 there anything that stands out in your mind as something  
24 that bothers you about Jefferson, or have you already  
25 covered those issues?

1 A. I'm not sure I already said -- I'm pretty sure I  
2 already said this; but, like, just the administration,  
3 how it doesn't work. People don't get along in the  
4 administration. They don't work together, and nobody  
5 goes to supervise them. Nobody is there to make sure  
6 that they're doing their job. Or, like, when people do  
7 go and see how the school is functioning, they tell them  
8 ahead of schedule, "Oh, I'm coming over this day" or  
9 whatever; so they have time to prepare. And nobody  
10 actually goes and walks around and sees what it's really  
11 like. That's what bothers me the most. They get away  
12 with everything because nobody is really watching them.

13 Q. When you're talking about the administration,  
14 you're talking about the administration at Jefferson High  
15 School?

16 A. Yes.

17 Q. And you said a --

18 Well, first of all, is there anything else that  
19 stands out in your mind as something that really bothers  
20 you about Jefferson but you've not yet had an opportunity  
21 to tell me about?

22 A. Not that I can think of.

23 Q. Now, with respect to the administration, you  
24 said a couple of things. You said first that they don't  
25 get along very well.

1 What do you mean by that?

2 A. Nobody in the -- none of the administrators  
3 really like each other. They're always like -- they're  
4 always arguing. They can never agree on anything. You  
5 always hear them talking about each other. They never,  
6 like -- they can never have, like, a civilized  
7 conversation. They're always arguing about something.  
8 Like, the positions are always turning over. We always  
9 have new administrators, like, in the attendance office,  
10 because nobody gets along; so they just leave. It was  
11 mostly nobody got along with the principal, but the  
12 principal is new now; so I don't know how things work  
13 this year.

14 Q. You said they were arguing.

15 Can you identify for me what you recall as to  
16 issues that the administration argued about?

17 A. They would argue about -- like, when we were  
18 discussing the different types of programs to improve the  
19 reading, they would always argue about the different  
20 methods, how one wouldn't work and how the other would,  
21 like that. But, like, they couldn't agree on one method.  
22 Like, somebody would always find a problem with  
23 something.

24 Q. Did they event --

25 They eventually did agree on a method; right?

1 You explained that to us.

2 A. Yes.

3 Q. And how did that come to be? How did the  
4 administration come to an agreement as to that one  
5 reading program?

6 A. I'm not really sure how.

7 Q. And how did you know that they were arguing  
8 about the different reading programs?

9 A. I was there at the meeting.

10 Q. How many meetings did they have regarding that?

11 A. They would have a meeting. I think it was once  
12 a week every Wednesday.

13 Q. For how long?

14 A. The entire -- when I first -- I don't remember  
15 if it was the entire second semester or the entire first  
16 semester of the 12th grade.

17 Q. So approximately one semester, there was a group  
18 that met approximately once a week to discuss the reading  
19 program that would be implemented for your school?

20 A. To discuss different programs.

21 Q. Which one would be selected for your school; is  
22 that correct?

23 A. Yes.

24 Q. And during those meetings, you heard the  
25 arguing; isn't that correct?

1 A. Yes.

2 Q. Do you believe that they argued about the  
3 reading program based on anything you heard other than at  
4 those meetings?

5 MS. SIEVERS: Objection; calls for speculation.

6 THE WITNESS: No.

7 BY MS. STRONG:

8 Q. Do you think it was a good idea that people met  
9 to give their different perspectives as to how they felt  
10 about the reading program that would be adopted?

11 A. I think it was a good idea, but they would just  
12 argue. They weren't even discussing it. They would just  
13 start arguing, "Oh, that's not going to work. Your ideas  
14 never work." They would just, like, argue, not discuss  
15 it, like, in a civilized manner or something.

16 Q. And you agreed with the decision that was made  
17 in terms of which program was eventually adopted for the  
18 reading program; is that correct?

19 A. Yes.

20 Q. And you explained that in your prior testimony;  
21 correct?

22 A. Yes.

23 Q. Can you think of any other issues that you felt  
24 that the administration argued about while you were at  
25 Jefferson?

1 complained?

2 A. Yes.

3 Q. And why is it that you believe none of the  
4 students complained?

5 MS. SIEVERS: Objection; calls for speculation.

6 THE WITNESS: I never saw anything. I was  
7 always in the main office, and I never saw any students  
8 going in to complain. Like, we would just basically --  
9 the administrators were really -- like, they were there,  
10 but you could never get in contact with them. And so  
11 students would -- just didn't know any better. We would  
12 just accept what was there, basically.

13 BY MS. STRONG:

14 Q. But you did have a different situation in that  
15 you did have access to the administrators of the school.

16 You testified to that already; is that correct?

17 A. Yes.

18 Q. And did you ever complain about any of these  
19 issues to anyone at the administration of the school?

20 A. Only the times -- like, about the restrooms,  
21 stuff like that that I would tell the principal, but I  
22 never -- I spoke to the principal. I actually sat down  
23 and had a meeting with the principal about -- it was  
24 mostly about the documentary, but I had gone to see Mike  
25 Lansing, the board member, a couple of days before. And

1 A. I can't think of anything specific right now.

2 Q. And with respect to the other complaint you had  
3 with respect to the administration, that they're not, I  
4 guess --

5 Did you say they're not watched over or  
6 something?

7 A. Yes.

8 Q. How would you describe that? I don't want to  
9 put words in your mouth.

10 A. They're like -- they each have a job to do, but  
11 nobody really makes sure that they're doing it. Like,  
12 from what I would see, they never did anything. I mean,  
13 I'm sure they did stuff because they have to. But, like,  
14 they would just always be in their office or, like, not  
15 really doing much. It never seemed like they were doing  
16 anything, and nothing ever really changed at school. So  
17 then the reason nothing ever changes is because nobody  
18 would complain. And if we did, then --

19 I mean, it's, like, our opinion didn't really  
20 count unless we brought our parents in, and our parents  
21 didn't really have time to come in. And so, like, they  
22 would basically get away with doing something because  
23 nobody was there making sure they were doing their job.

24 Q. Okay. You said that nobody complained.

25 Are you referring to none of the students

1 so I sat down and talked to her about some of the issues  
2 that I discussed with him. But besides that, I never  
3 talked to any of the other administrators about anything.

4 Q. So when you say that you sat down and talked to  
5 her, that was during the interview you did of her for  
6 your documentary?

7 A. No, I never got to interview her. It was --  
8 basically, we were begging her to let us do the  
9 documentary; so we were talking about the issues that we  
10 were going to discuss and stuff. So it was during that  
11 meeting.

12 Q. Can you just identify for me those issues that  
13 you wanted to discuss.

14 A. We were talking about the restroom problems, the  
15 tagging, the noise pollution, the safety issues, the  
16 whole -- the year-round system. I don't remember  
17 anything else.

18 Q. And have you already told me your views with  
19 respect to these items to the extent they relate to this  
20 lawsuit during the first day and second day of your  
21 deposition?

22 A. Yes.

23 Q. There's nothing more that you'd like to add to  
24 your testimony on those issues?

25 A. Not that I can think of.

1 Q. And so when you said you felt that the students'  
2 opinions didn't matter, what is it that you base that on?  
3 A. Well, like, whenever we wanted something, we  
4 would -- if we would tell someone, it didn't matter  
5 unless you brought your parents in. Like, we would --  
6 even to see a counselor, we would try to get an  
7 appointment to see a counselor, and they would, like,  
8 tell us "We're not seeing students right now." Like, in  
9 the beginning of the semester, they would always screw up  
10 people's schedules, and we would try to see a counselor  
11 to get it fixed. And they would tell us "We're not  
12 seeing students right now unless you have a blank  
13 schedule." And you couldn't get anyone to help you  
14 unless you brought your parent in there and your parent  
15 said "I want my child's program changed" or whatever.  
16 Q. What do you base this on, because you've  
17 testified that you have been able to talk to counselors  
18 and administrators when you wanted to?  
19 A. Yes.  
20 Q. So what is it that you're basing this testimony  
21 on?  
22 A. Friends of mine that that's happened to.  
23 Q. And is that based on what your friends have told  
24 you?  
25 A. Yes.

1 Q. Is it based on anything other than what your  
2 friends have told you?  
3 A. No.  
4 Q. And now, getting to the point -- you have a  
5 concern that no one is making sure that the  
6 administration is doing their job. I believe that's your  
7 testimony.  
8 Who do you think should make sure that the  
9 administration is doing their job at your school?  
10 A. I think that the State should send people to  
11 check up on them.  
12 Q. You think the State should send people to every  
13 school or just to Jefferson?  
14 A. To every school. I think that they really need  
15 to send people to every school, but, like, unannounced,  
16 not like the accreditation thing, because you know, like,  
17 a year in advance. They need to send people unannounced  
18 to really sit down in classrooms and see what's going on  
19 or just walk around and, like, to really experience what  
20 goes on in those schools, because you get a whole  
21 different perspective if you go and people already know  
22 that you're coming, because whenever we were going to  
23 have visitors, our teachers would clearly tell us "We're  
24 going to have visitors today. You guys better behave.  
25 This is what we're going to do today." They had, like,

1 everything planned out, and things don't usually run that  
2 way.  
3 Q. How long do you think that someone who would  
4 visit your school would need to stay on the campus to get  
5 an idea of what it's like to go to Jefferson?  
6 MS. SIEVERS: Objection; calls for expert  
7 testimony.  
8 THE WITNESS: I think it would take a couple of  
9 days to really know. I think that they'd be most  
10 impacted on the first day just because nobody would know  
11 who they are. And a couple of days after that, you kind  
12 of are like, "Who are those people walking around?" So  
13 you kind of -- like, the teachers would get an idea of  
14 someone being there, and they would be able to tell us,  
15 "Oh, behave."  
16 BY MS. STRONG:  
17 Q. I'm just wondering, to the extent that you  
18 believe that the State should send people to your school,  
19 how long should those people stay at your school on this  
20 unannounced visit that you would like to see happen?  
21 MS. SIEVERS: Objection; calls for expert  
22 testimony.  
23 THE WITNESS: I think they need to stay, like --  
24 well, as long as it takes them to sit in every classroom  
25 and see what really goes on.

1 BY MS. STRONG:  
2 Q. So they should be able to sit in every class at  
3 the school?  
4 A. I think so.  
5 Q. Do you know how many classes are at your school?  
6 A. No, I don't.  
7 Q. Could you give us your best estimate?  
8 A. I have no idea. I really don't know.  
9 Q. Okay. But I mean, to do that would take  
10 probably more than a week if not a few weeks; is that  
11 correct?  
12 A. Probably.  
13 MS. SIEVERS: Objection; calls for speculation.  
14 BY MS. STRONG:  
15 Q. Is that right?  
16 A. Probably.  
17 Q. And you believe that that should happen at every  
18 school in California?  
19 A. Yes.  
20 Q. And how many times a year should that happen?  
21 MS. SIEVERS: Objection; calls for expert  
22 testimony.  
23 THE WITNESS: I really don't know. I think they  
24 need to do that at least once so that they could see  
25 and -- so they could start finding solutions to the

1 problems.

2 BY MS. STRONG:

3 Q. And is that at least once a year or how often?

4 A. Yeah, at least once a year.

5 Q. Do you think that someone at the District should  
6 have any responsibility in this regard?

7 MS. SIEVERS: Objection; calls for expert  
8 testimony.

9 THE WITNESS: Well, someone from the District  
10 should go along with them, I think, because, well, the  
11 District is the next level up; so they need to be aware  
12 of the problems, too. But it's --

13 BY MS. STRONG:

14 Q. Why is it that you think the State -- someone  
15 from Sacramento would be better in assessing the  
16 conditions at your school than someone from the  
17 Los Angeles Unified School District, if that's what you  
18 believe?

19 MS. SIEVERS: Objection; calls for expert  
20 testimony.

21 THE WITNESS: I just think that it should be  
22 someone from the State because it's the State's job to  
23 make sure that we're learning what we're supposed to be  
24 learning. So if something is going wrong, then they  
25 should be the first ones to try to help us.

1 MS. SIEVERS: Objection; calls for expert  
2 testimony and incomplete hypothetical.

3 THE WITNESS: You're asking if I think that the  
4 State should send people because the people in  
5 Los Angeles would have a better understanding?

6 BY MS. STRONG:

7 Q. Well, I just want to know. It seems that you've  
8 thought about these issues a lot. And I'm curious to see  
9 what it is that you think would be better, whether you  
10 think someone coming from Sacramento, who really doesn't  
11 know anything about Los Angeles and schools in  
12 Los Angeles in terms of a daily interaction with how the  
13 city functions -- I'm wondering if you think that it's  
14 better to have people coming from Sacramento as opposed  
15 to people coming from someplace in Los Angeles who might  
16 have a better understanding of what it is to be in  
17 Los Angeles on a day-to-day basis.

18 MS. SIEVERS: Objection; argumentative and calls  
19 for expert testimony.

20 THE WITNESS: I think that anybody who knows the  
21 educational system would be able to do it, and the  
22 experts are supposed to be the people who work in  
23 Sacramento; so they would be the best ones for the job,  
24 because it shouldn't really matter where the school is  
25 at. All schools should function in the same matter.

1 BY MS. STRONG:

2 Q. And what is it that you base your belief on that  
3 it's the State's job in that regard?

4 A. Just it's a known fact that the State is  
5 responsible for the education of the students in the  
6 state.

7 Q. But what do you base that on?

8 A. Just common knowledge, I guess. I don't know.

9 Q. And so after someone from the State comes to  
10 visit, I'm trying to follow what you would like to see  
11 happen.

12 What do you think should then be done?

13 MS. SIEVERS: Objection; calls for expert  
14 testimony.

15 THE WITNESS: I think they need to go into each  
16 classroom and assess the teaching job or whatever -- what  
17 the students are learning and really -- like, really  
18 evaluate the school and let the people know what they're  
19 doing wrong. Just help them somehow. They need -- like,  
20 they need guidance. They don't know what they're doing.

21 BY MS. STRONG:

22 Q. Do you think it's better to put some of this  
23 type of control into the State -- people in Sacramento as  
24 opposed to people in Los Angeles that are aware of the  
25 issues in Los Angeles?

1 Students should be learning the same materials; so I  
2 don't think it would make a difference where the person  
3 came from. And if the experts are in Sacramento, that's  
4 where the experts should come from.

5 BY MS. STRONG:

6 Q. Do you think that safety issues could vary from  
7 school to school?

8 MS. SIEVERS: Objection; calls for speculation.

9 THE WITNESS: Safety issues in general because  
10 of the environment?

11 BY MS. STRONG:

12 Q. You mentioned, I believe, earlier in your  
13 testimony about some safety issues relating to the  
14 bathrooms on your campus.

15 A. Yes.

16 Q. Do you think that's an issue that maybe will  
17 vary depending on the particular school?

18 A. Yes.

19 MS. SIEVERS: Objection; calls for speculation.

20 BY MS. STRONG:

21 Q. And so in terms of --

22 I want to move along in your idea of how you'd  
23 like to see the State come in to correct the problems at  
24 Jefferson.

25 After someone from the State comes to visit the

1 school, how is it that those people from the State are to  
2 fix the problems at your school?

3 MS. SIEVERS: Objection; calls for expert  
4 testimony.

5 THE WITNESS: I don't really know how they  
6 should do it; but I mean, it's their job to do it. So I  
7 think that they should be able to go in, pinpoint the  
8 problems and find solutions for them. I don't really  
9 know what the solutions are.

10 BY MS. STRONG:

11 Q. So with respect to, for example, those three  
12 teachers you identified that are credentialed teachers  
13 that you don't think are really good teachers, how do you  
14 think someone from the State should try to correct that?

15 MS. SIEVERS: Objection; calls for expert  
16 testimony and calls for speculation.

17 THE WITNESS: If they were to go in and watch  
18 how the classroom functions, then they'd be able to give  
19 the teacher advice, you know, let them know. I don't  
20 know if the teachers aren't aware that they're not good  
21 teachers. Somebody needs to let them know. And if it's  
22 somebody in a position where they feel they're at a risk  
23 of losing their job, then I think that they'll change.  
24 They'll listen.

25 ////

1 should, like, give the suggestions and then that the  
2 actual administration should handle it, basically should  
3 do the -- should use that as their guidance and implement  
4 it, but with the State's assistance.

5 Q. And does that hold true for essentially all of  
6 the issues that you've raised with respect to Jefferson?

7 A. Yes.

8 MS. STRONG: I'd like to mark as Exhibit 2 what  
9 appears to be a declaration of Beatriz Lizarraga dated  
10 April 21, 2001.

11 (Whereupon, Defendants' Exhibit 2  
12 was marked for identification.)

13 BY MS. STRONG:

14 Q. Is this your declaration?

15 A. Yes.

16 Q. When was the last time you reviewed this  
17 declaration?

18 A. About two nights ago.

19 Q. And do you believe that everything stated in the  
20 declaration is accurate -- still accurate today?

21 A. Yes.

22 Q. Would you like to make any changes to your  
23 declaration at this time?

24 A. The only thing I'd change is, like, the  
25 bathrooms -- where I said that we have two bathrooms, now

1 BY MS. STRONG:

2 Q. So do you think that the State representatives  
3 that come out to see those classes should have the  
4 ability to fire the teachers on your campus if they're  
5 not doing a good job?

6 MS. SIEVERS: Objection; calls for expert  
7 testimony.

8 THE WITNESS: I think they should be able to  
9 suggest it. Like, let the administration know this  
10 teacher isn't doing their job and you should do something  
11 to fix it.

12 BY MS. STRONG:

13 Q. And then it would be the administration's  
14 ultimate responsibility to fire the teacher if that's  
15 what they want to do?

16 A. Yes.

17 Q. So you still think there should be an interplay  
18 with your local administration having responsibility in  
19 implementing whatever is suggested; is that correct?

20 MS. SIEVERS: Objection; misstates the  
21 testimony.

22 MS. FLOYD: I agree.

23 BY MS. STRONG:

24 Q. Go ahead.

25 A. I think that the State -- yeah, that the State

1 there's three because they opened another one by -- like,  
2 at the far end of the school for the classrooms that are  
3 in the bungalows.

4 Q. What paragraph is that?

5 A. That's 7.

6 Q. So at line 20 of page 2 of Exhibit 2 where it  
7 says:

8 "We have two bathrooms that are open for  
9 girls most of the time, and a third bathroom  
10 is open for girls at lunchtime" --

11 Is that where you'd like to make the edit?

12 A. Yes.

13 Q. And you'd like to change that to say, "We have  
14 three bathrooms that are open for girls most of the  
15 time"?

16 A. Yes.

17 Q. And then "We have a fourth bathroom that's open  
18 for girls at lunchtime"; is that correct?

19 A. Uh-huh.

20 Q. Are there any other changes that you'd like to  
21 make to your declaration at this time?

22 A. No.

23 Q. "No"?

24 A. No.

25 MS. SIEVERS: She's obviously not a senior at

1 Jefferson High School anymore.  
 2 BY MS. STRONG:  
 3 Q. But as of April 21, 2001, you were a senior;  
 4 correct?  
 5 A. Yes.  
 6 Q. I'd like you to direct your attention to  
 7 paragraph 3 of your declaration at lines 11 through 14.  
 8 Do you see the sentence that says, "We have to  
 9 give our books back every time we go off track so other  
 10 kids that are going on track can use the books"?  
 11 A. Yes.  
 12 Q. "That means that when we're off track, we don't  
 13 have books to study from; so we can't keep up or study  
 14 more."  
 15 Now, is it true that in every class, when you go  
 16 off track, you return your books?  
 17 A. Yes.  
 18 Q. There are no classes where you are able to keep  
 19 any books while off track?  
 20 A. No. Not books issued by the school, no.  
 21 Q. But have there been occasions where you've had  
 22 books off track that had not been issued by the school?  
 23 A. Yes. In my two AP classes, I got to use the  
 24 books that the teachers owned.  
 25 Q. And that was AP English in 12th grade?

1 A. Yeah, And AP government in 12th grade.  
 2 Q. And for AP English, it was a Baron's book; is  
 3 that correct?  
 4 A. Yes.  
 5 Q. And for AP government, what was the book?  
 6 A. It was called "The People's History," by Howard  
 7 Zinn or something like that.  
 8 Q. Now, you've attended school on a traditional  
 9 calendar at some point or no?  
 10 A. When I lived in Arizona.  
 11 Q. And do you recall whether students on a  
 12 traditional calendar would return their books when they  
 13 would go off -- out of school, for example, for summer  
 14 vacation?  
 15 A. You do return your books, but you're entering a  
 16 new grade; so you don't really have a vacation between.  
 17 So you have your books all the time. The only vacation  
 18 that you have is, like, spring break, and you keep your  
 19 books, or the Christmas vacation and you keep your books.  
 20 Q. And so are you --  
 21 The track that you were on at Jefferson -- did  
 22 you have a winter break on that track?  
 23 A. Yes.  
 24 Q. And how long were you off for winter break?  
 25 A. It was, like, ten weeks -- like two months and

1 two weeks, something like that.  
 2 Q. Did you also have a spring break on that track?  
 3 A. No.  
 4 Q. There was no time off during the April period  
 5 for spring or Easter vacation or anything like that?  
 6 A. No.  
 7 Q. And so what -- was there one break that you had  
 8 where you were continuing in the same grade before and  
 9 after that grade?  
 10 A. Yes.  
 11 Q. And that was the winter break?  
 12 A. Yes.  
 13 Q. Do you know if you could check out any books  
 14 during your winter-break periods?  
 15 MS. SIEVERS: Objection; asked and answered on  
 16 the first day.  
 17 BY MS. STRONG:  
 18 Q. Go ahead.  
 19 A. Not that I know of. It's really hard. Like,  
 20 you wouldn't be able to just go to the textbook room and  
 21 ask because your teacher has to check it out for you.  
 22 That I know of, I don't think you would be able to unless  
 23 you got a teacher to do it for you.  
 24 Q. Did you ever ask a teacher to see if you could  
 25 check out any book at Jefferson during the winter break?

1 A. No.  
 2 Q. And why is it that you never asked a teacher if  
 3 you could check out a book?  
 4 A. I never thought to.  
 5 Q. Was there ever a time during winter break when  
 6 you wanted to have your books, that you thought about it  
 7 and said "I want to have my books right now"?  
 8 A. Not that I can think of.  
 9 Q. Was there ever a time during winter break when  
 10 you wanted to study but you were unable to study because  
 11 you didn't have books?  
 12 A. Not that I can think of.  
 13 Q. Did you ever study during winter breaks?  
 14 A. Our teachers would usually give us homework.  
 15 Like, my English teacher, she would give us homework, but  
 16 we'd buy our book; so we could read the book and do the  
 17 homework. Or she'd give us handouts, and we would write  
 18 out the essays. But I did homework, but nothing that  
 19 I -- it would have been nice to have a textbook, but I  
 20 could do it without the textbook. They would give us  
 21 handouts or something so we would have something to be  
 22 able to do our homework.  
 23 Q. And was that sufficient to allow you to complete  
 24 the assignments that the teachers gave you during the  
 25 winter break?

1 MS. SIEVERS: Objection; vague as to  
2 "sufficient."

3 THE WITNESS: It was enough for us to do the  
4 assignments, yeah.

5 BY MS. STRONG:

6 Q. I'd like to direct your attention to paragraph 3  
7 of your declaration at lines 14 and 15 where it states:

8 "Our school can never go through  
9 maintenance when students are gone because  
10 we're on multitrack year-round schedule.  
11 There are constantly students there; so if  
12 the school is going to get maintenance and  
13 paint work done, then it has to be done  
14 while the students are there."

15 A. Okay.

16 Q. Do you know whether maintenance is ever done  
17 after the school day is over?

18 MS. SIEVERS: Objection; calls for speculation.

19 THE WITNESS: When our bleachers were being  
20 renovated or whatever, they did work in the afternoon  
21 hours. They worked, like, throughout the whole day; so  
22 they were there when we were there. And then after  
23 school, they were still working on them. And sometimes  
24 when I pass by now, I see people working on them in the  
25 afternoon.

1 have been on a traditional calendar. You also attended a  
2 school on a traditional calendar in Arizona.

3 Do you ever recall maintenance taking place  
4 during school hours either when you were in school at  
5 Arizona or upon visiting any other school that's on a  
6 traditional calendar?

7 A. I didn't see any. I didn't see anything being  
8 done at those schools.

9 Q. Are you aware, for example, of maintenance crews  
10 ever painting a school during school hours where the  
11 school is on a traditional schedule?

12 MS. SIEVERS: Objection; calls for speculation.

13 THE WITNESS: Not that I know of.

14 BY MS. STRONG:

15 Q. I'd like to direct your attention to paragraph 5  
16 of your declaration. The first sentence of paragraph 5  
17 states:

18 "Jefferson is so overcrowded that not all  
19 the teachers have their own classrooms."

20 You testified earlier about an English teacher  
21 that you had that did not have her own classroom;  
22 correct?

23 A. Yes.

24 Q. What was the name of that teacher?

25 A. Ms. Burke.

1 Q. After school hours?

2 A. Yes.

3 Q. So is it correct to say that you are now  
4 testifying that there are times when maintenance work can  
5 be done at your school when students are not there, which  
6 would be after school hours? Is that correct?

7 A. It can be done, but it usually runs throughout  
8 the whole day while students are there, because in the  
9 afternoon, since it gets dark early and stuff, they can't  
10 really work on it too much. And we don't have like  
11 lights, like, in the field or anything. We don't have  
12 any lights; so they usually do it during the day.

13 Q. There's also indoor maintenance that can take  
14 place at night; correct?

15 MS. SIEVERS: Objection; calls for speculation.

16 THE WITNESS: I wouldn't know. I've never seen  
17 any indoor maintenance being done.

18 BY MS. STRONG:

19 Q. But you know that there is --

20 Based on what you've seen at the school, you  
21 know that there have been some efforts to at least work  
22 after school hours while students are not on campus as  
23 much; is that correct?

24 A. Yes.

25 Q. You've also -- you've visited some schools that

1 Q. Do you know of any other -- let me start with  
2 this.

3 First, did you have any other teacher at  
4 Jefferson who did not have his or her own classroom other  
5 than Ms. Burke?

6 A. No. I had teachers who shared classrooms, but  
7 not that just, like, didn't have a classroom like her.

8 Q. So she's the only one that you know of that  
9 didn't actually have her own classroom; is that correct?

10 A. Yes.

11 Q. Do you know of any other teachers who didn't  
12 have their own classroom as opposed to actually having  
13 been enrolled in one of their classes?

14 A. No. Like, summer school teachers -- there's  
15 always intersession going on because of the different  
16 tracks; so while we're in school, there's still students  
17 from every track there. People from intersession and  
18 intersession teachers have to travel to whatever  
19 classroom there's not a teacher in.

20 Q. But other than that, is that all?

21 A. That I know of, yes.

22 Q. And so then you said that some teachers share a  
23 classroom?

24 A. Yes.

25 Q. What do you mean by that?

1 A. Most teachers share classrooms. They, like --  
 2 like one period -- they have to share with other  
 3 teachers. I don't know if it was mostly intersession  
 4 teachers that they always shared their classrooms with.  
 5 But most of the teachers that I had during a conference  
 6 period, there'd be another teacher in that classroom.  
 7 So, like, every teacher teaches -- most teachers teach  
 8 five periods, and then they have one hour free, like, for  
 9 parent conferences or to make their copies or whatever.

10 And if you try to look for them during their  
 11 conference period in their classroom, there would almost  
 12 always be another teacher in there. So I don't know if  
 13 those teachers didn't have classrooms and they traveled  
 14 like Ms. Burke or if they were intersession teachers.

15 Q. But you don't know of any teacher that  
 16 throughout the year on a daily basis would pair up with  
 17 another teacher and share their classroom on a daily  
 18 basis?

19 A. Well --

20 MS. SIEVERS: Objection; vague.

21 THE WITNESS: Well, I know, for example,  
 22 [REDACTED] -- during his conference period, there was  
 23 another teacher there. But I don't know if he was an  
 24 intersession teacher, but that's, like, an everyday  
 25 thing. Like, every day, there would be, like, another

1 art ones, like the wood shop, the auto shop -- their  
 2 teachers -- their classroom always stays the same. But  
 3 besides that, no teacher got to keep their classroom.  
 4 Everybody would always change. Every four months, you'd  
 5 change.

6 Q. Do you know why it is that teachers like  
 7 Mr. Bachrach and the auto shop and things like that get  
 8 to keep their classrooms as opposed to other teachers  
 9 that don't when the tracks change?

10 A. Like, the wood shop and the metal shop and all  
 11 those things, like, the machinery can't change; so they  
 12 have to have their class in that classroom all the time.  
 13 Mr. Bachrach was just spoiled. I have no idea. He got  
 14 to keep his classroom all the time. I guess it was  
 15 because he had, like, a special storage room where only  
 16 he has the key. There was, like, two separate rooms, and  
 17 in one he kept all the cameras and stuff, and in the  
 18 other one he had all the computers and the big screen TV  
 19 and everything locked away in there. So there's no other  
 20 place to keep it safe; so he got to keep his class all  
 21 the time.

22 Q. And the other remaining teachers don't have  
 23 those same issues; is that correct?

24 MS. SIEVERS: Objection; calls for speculation.

25 THE WITNESS: Yes.

1 teacher in that classroom.

2 BY MS. STRONG:

3 Q. But [REDACTED] would be able to have the  
 4 classroom for his five periods during the day; correct?

5 A. Yes.

6 Q. And other than Ms. Burke, you don't know of any  
 7 other teacher that couldn't have their classroom for five  
 8 periods a day; is that correct?

9 A. Yes.

10 Q. So when you wrote the sentence "Jefferson is so  
 11 overcrowded that not all the teachers have their own  
 12 classrooms," you're referring to your experience with  
 13 Ms. Burke only; is that correct?

14 MS. SIEVERS: Objection; misstates testimony.

15 THE WITNESS: Well, I was talking about teachers  
 16 sharing their classrooms like [REDACTED], like, where  
 17 somebody is there during their conference period and  
 18 Ms. Burke that travels.

19 BY MS. STRONG:

20 Q. Okay.

21 A. And, like, it's their classroom to keep for the  
 22 four months that they're there. But every time you come  
 23 on track, your teachers are in a different class. The  
 24 only teacher that ever stayed in the same classroom was  
 25 Mr. Bachrach. And, like, I guess, like, the industrial

1 BY MS. STRONG:

2 Q. And I'd like to direct your attention to  
 3 paragraph 5 of your declaration at lines 7 through 9. It  
 4 says:

5 "Also, if we need help with something, we  
 6 don't know where to find the teacher because  
 7 she doesn't have a permanent classroom she  
 8 works in. She usually uses the principal's  
 9 conference room to work, but the whole class  
 10 can't fit into the principal's conference  
 11 room, and we would fit into a classroom if  
 12 she had one."

13 That is in reference to Ms. Burke; correct?

14 A. Yes.

15 Q. And I believe you testified earlier that she  
 16 gives out her cell phone number to her students for her  
 17 students to reach her; is that correct?

18 A. Yes.

19 Q. Do all of your teachers give out their cell  
 20 phone numbers?

21 A. No.

22 Q. Do any of the teachers give out their cell phone  
 23 numbers other than Ms. Burke?

24 A. Mr. Bachrach did.

25 Q. Any others?

1 A. Mr. Contreras gave us his pager number. I think  
2 that's it. Only them three ever gave us phone numbers.

3 Q. I'd like to direct your attention to paragraph 6  
4 of your declaration, which is describing -- well, I'll  
5 read paragraph 6 of your declaration:

6 "For almost the whole first semester of  
7 this school year, there was a science class  
8 on my track with substitutes every day  
9 because the teacher left the school. The  
10 class had a lot of different substitutes, so  
11 they weren't learning in the class. My  
12 friend's sister in 10th grade was in that  
13 class, and she told me they didn't learn  
14 anything."

15 What science class is that that you're referring  
16 to in paragraph 6 of your declaration?

17 A. It was a biology class, and the teacher left,  
18 like, in the beginning of the semester. He went back to  
19 medical school or something.

20 Q. And do you know --

21 Well, do you know how long the teacher was in  
22 that class for?

23 A. I'm not even sure if he showed up. He was,  
24 like, a new teacher. He had only taught there for, like,  
25 a year. And then the next semester, I don't think he

1 Q. Janet [REDACTED] the student in that class?

2 A. Yes.

3 Q. So do you know -- let me rephrase.

4 Is everything you know about that biology class  
5 based on what Janet [REDACTED] told you?

6 A. No. I had other friends who were in the class.  
7 And [REDACTED] was -- the teacher that left -- it was,  
8 like, one of his best friends; so he -- actually, he was  
9 the one that told me that he stopped coming because he  
10 went back to medical school. So I heard it from  
11 [REDACTED] and from other students that were in the  
12 class.

13 Q. So is everything that you know about that  
14 biology class based on what either Janet [REDACTED] other  
15 friends or [REDACTED] told you?

16 A. Yes.

17 Q. And it's not based on anything else; is that  
18 correct?

19 A. That's correct.

20 Q. I'd like to direct your attention to paragraph 7  
21 of your declaration.

22 When you say at the first sentence "The  
23 bathrooms at Jefferson usually look pretty bad," what do  
24 you mean by that?

25 A. They're just always dirty. The floor is almost

1 ever showed up. They just had substitutes the whole  
2 time.

3 Q. So he was there for one semester for the class?

4 A. No. He was there the school year before, and  
5 then he was supposed to come back, but I don't think he  
6 ever came back. Like, he just stopped working there. He  
7 quit, and then so they had substitutes all the time.

8 They had like -- they didn't get a long-term substitute.  
9 They would just have different substitutes.

10 Q. Do you know how many substitutes were in that  
11 classroom?

12 A. No. I think they had a different sub every day  
13 because they didn't have a long-term substitute.

14 Q. And for how long do you believe this took place?

15 A. I think until like -- I think they -- she told  
16 me, like, the last month of the first semester they got a  
17 long-term substitute, so three months.

18 Q. Approximately three months?

19 A. Uh-huh.

20 Q. And in your declaration you state that:

21 "My friend's sister in 10th grade was in  
22 that class, and she told me they didn't  
23 learn anything."

24 Who was your friend's sister?

25 A. Her name is Janet [REDACTED]

1 always wet. There was always, like, toilet paper all  
2 over the floor. There's tagging all over the restroom.  
3 They just look like they weren't cleaned.

4 Q. Do you know if the bathrooms are ever cleaned at  
5 Jefferson?

6 A. They should be. I imagine they are.

7 Q. Well, do you know if they are or not?

8 MS. SIEVERS: Objection; calls for speculation.

9 THE WITNESS: Yes.

10 BY MS. STRONG:

11 Q. How do you know that they're cleaned?

12 A. They would just be -- the papers would just pile  
13 up if they weren't.

14 Q. So the papers aren't piled up in the bathroom?

15 A. Not to an extreme to where you'd say "Oh, they  
16 never clean the restroom."

17 Q. Do you ever notice the floors ever looking clean  
18 at least for a moment?

19 A. There has been times that I used the restroom  
20 where the restroom is clean.

21 Q. And where there's been no toilet paper on the  
22 floor?

23 A. Yes.

24 Q. There have been times when you've used the  
25 restroom without any toilet paper on the floor?

1 A. Yes.  
 2 Q. And times when the floors have not been wet?  
 3 A. Yes.  
 4 Q. Do you know who it is that cleans the restrooms  
 5 at the school?  
 6 MS. SIEVERS: Objection; calls for speculation.  
 7 THE WITNESS: I would think the custodians clean  
 8 them.  
 9 BY MS. STRONG:  
 10 Q. So in your mind, someone at that school has the  
 11 ability to clean the restrooms because you've seen them  
 12 clean; is that correct?  
 13 MS. SIEVERS: Objection; misstates testimony,  
 14 calls for speculation.  
 15 THE WITNESS: I assume somebody cleans the  
 16 restroom, and I would guess that the custodians are the  
 17 ones who do it because there has been times when I go in  
 18 and the restroom is clean -- the floor is clean.  
 19 BY MS. STRONG:  
 20 Q. And with respect to tagging, I think you already  
 21 testified --  
 22 Do you think that the restrooms get painted  
 23 periodically to try to get rid of the tagging? Is that  
 24 correct?  
 25 MS. SIEVERS: Objection; calls for speculation.

1 THE WITNESS: The restrooms get painted maybe  
 2 once in a year.  
 3 BY MS. STRONG:  
 4 Q. I think you might have testified earlier that  
 5 the restrooms are painted maybe once a semester, to your  
 6 best estimate.  
 7 Does that seem to be correct?  
 8 A. Something like that, like, once a semester or  
 9 once a year or something. They get painted at least once  
 10 a year, maybe twice.  
 11 Q. Okay. And the edit that you made to your  
 12 declaration when we first marked this as an exhibit here  
 13 for your deposition today is with respect to lines 20 and  
 14 21 at page 2 of Exhibit 2 where you now stated that it  
 15 should read that:  
 16 "We have three bathrooms that are open  
 17 for the girls most of the time and a fourth  
 18 bathroom is open for girls during  
 19 lunchtime."  
 20 Do you think that now that there are three  
 21 bathrooms open for girls most of the time, that there are  
 22 sufficient restrooms available to girls on the campus?  
 23 A. Not really because nobody uses the third  
 24 restroom unless you have a class in the bungalows.  
 25 There's only four classes over there. It's like at the

1 other end of the school, like, past the football fields  
 2 and everything. The only thing that's there is the two  
 3 ROTC classrooms and four, like, Spanish rooms that are in  
 4 the bungalows. So most students don't go over there at  
 5 all. So there's really two restrooms that people usually  
 6 use. The third one is there; but, like, you don't use it  
 7 unless you have a class over there. And it's only, like,  
 8 people that have a Spanish class or are in ROTC; so it's  
 9 not really used by many students.  
 10 Q. Do you believe that the administration should  
 11 open another bathroom on campus?  
 12 MS. SIEVERS: Objection; calls for speculation.  
 13 THE WITNESS: Yes. I think they need a  
 14 restroom, like, over by the industrial art buildings.  
 15 There's no girls' restrooms over there. There's one for  
 16 the guys, but not for the girls.  
 17 BY MS. STRONG:  
 18 Q. Is there one located there that's closed? Do  
 19 you know?  
 20 A. Not that I know of. I've never seen a girls'  
 21 restroom around there.  
 22 Q. So in your opinion, the school should build  
 23 another restroom near the industrial arts building; is  
 24 that correct?  
 25 A. Yes.

1 Q. Is there any other restroom on campus that  
 2 exists that's currently closed that if they opened would  
 3 be sufficient to accommodate your wishes?  
 4 A. No, there's no restrooms around there that are  
 5 closed.  
 6 Q. So even if they would open all the restrooms  
 7 that existed on campus, including the ones that you  
 8 mentioned are closed for storage, you still would like  
 9 the school to build another restroom for the industrial  
 10 arts building; is that correct?  
 11 A. Yes.  
 12 Q. Can you identify any restroom that you believe  
 13 has storage in it now or is used for storage that should  
 14 be open for the students?  
 15 MS. SIEVERS: Objection; asked and answered on  
 16 the first day.  
 17 THE WITNESS: There's a restroom in the main  
 18 building upstairs that's used for storage, and it's a  
 19 guys' restroom, and there are no restrooms around there  
 20 for the guys. They have to either go to the one at the  
 21 industrial arts building or to the one that's in the --  
 22 by the girls' gym or the one in the science building.  
 23 But there's no restroom in that building for them. And  
 24 they should open that one up for them because there's no  
 25 restroom.

1 BY MS. STRONG:

2 Q. Is there any other bathroom on campus that's  
3 currently closed for storage that you feel should be  
4 opened up and made available for students other than that  
5 one in the main building?

6 A. No.

7 Q. Are there other bathrooms that you know of on  
8 campus that are currently used as storage and not open to  
9 students other than the one in the main building that  
10 you've described?

11 A. Yes. There's another one in the main building,  
12 but it's a faculty restroom.

13 Q. Are there any other restrooms on campus that you  
14 know of that are used for storage other than the two that  
15 you've mentioned, the one in the main building and the  
16 faculty restroom?

17 A. Not that I remember.

18 Q. So when you stated here in your declaration at  
19 lines 21 and 22 on page 2 "but there are other bathrooms  
20 on campus that the school just uses for storage. I never  
21 even knew those bathrooms existed until this year when  
22 someone told me they were used for storage," you're  
23 referring to those two bathrooms that you just described?

24 A. Yes.

25 Q. And one is a faculty restroom which doesn't

1 for safety reasons that you described during the first  
2 day of your deposition testimony; correct?

3 A. Yes.

4 Q. And you understood that the bathroom was  
5 appropriately closed for those safety reasons; is that  
6 correct?

7 A. Yes.

8 Q. I want to go back to -- or continue with  
9 paragraph 7 at lines 17 and 18. It says:

10 "Lately we've been having enough toilet  
11 paper finally, but usually we don't have  
12 paper towels to use to dry our hands."

13 What do you mean when you say "Lately we have  
14 enough toilet paper, finally"?

15 A. Before, there was never enough toilet paper in  
16 the restrooms. Like, towards the end of the 12th grade,  
17 they were getting pretty good. Like, when we would go to  
18 the restroom, there was usually toilet paper.

19 Q. So when you say "before," you mean before your  
20 12th grade year?

21 A. Yes. Nine through 11 and most of 12.

22 Q. When did you notice it changing?

23 A. After the lawsuit was filed.

24 Q. And when was that --

25 A. So --

1 relate to your concerns in this lawsuit; is that correct?

2 A. Yes.

3 Q. So there's really only one restroom that you're  
4 referring to here when you say "There are other bathrooms  
5 on campus"; is that correct?

6 A. Yes.

7 Q. And do you know why that one boys' bathroom in  
8 the main building is currently closed and used for  
9 storage?

10 A. No, I don't.

11 Q. Have you ever complained about that bathroom  
12 being closed and that maybe it should be open for student  
13 use?

14 A. No, I haven't.

15 Q. Do you know if anyone has complained about that?

16 A. Not that I know of.

17 Q. And why did you never complain about that?

18 A. I just never thought to.

19 Q. Do you know if safety is a concern with respect  
20 to that restroom?

21 MS. SIEVERS: Objection; calls for speculation.

22 THE WITNESS: I wouldn't see why. It's  
23 surrounded by classrooms. It's pretty safe.

24 BY MS. STRONG:

25 Q. And I think at one point a restroom was closed

1 Q. -- do you believe?

2 A. When was the lawsuit filed?

3 Q. When is it that you believe it changed? You  
4 said "After the lawsuit was filed."

5 Do you have an idea as to when that was?

6 A. Things started to change probably sometime,  
7 like, in September.

8 Q. September of 2000?

9 A. Yeah, of 2000.

10 Q. And so one thing you noticed changing was toilet  
11 paper in the restrooms?

12 A. Yes.

13 Q. And so you no longer had problems with  
14 insufficient toilet paper in the restrooms for your  
15 12th grade year after September of 2000; is that correct?

16 MS. SIEVERS: Objection; misstates testimony.

17 THE WITNESS: It wasn't -- there usually was  
18 paper. I did have issues with it because it was -- that  
19 was, like, when I had to complain about no toilet paper  
20 being there. But for the most part, there usually was  
21 toilet paper for us to use.

22 BY MS. STRONG:

23 Q. If you had to try to assess the situation, would  
24 you consider toilet paper as a problem in your school  
25 after September 2000?

1 A. No.

2 Q. And you said when you had to complain about it,  
3 did you testify about that during your first day of  
4 deposition --

5 A. Yes.

6 Q. -- where there was one occasion where you  
7 complained about toilet paper missing; is that correct?  
8 And I don't recall the testimony; so please correct me if  
9 I'm wrong.

10 A. Yes.

11 Q. There was one occasion?

12 A. Yes.

13 Q. And you complained; and as far as you know, the  
14 toilet paper was placed in the bathroom in response to  
15 your complaint?

16 A. Yes.

17 Q. Did you notice any other things changing at your  
18 school in September of 2000?

19 A. The bleachers were finally worked on and  
20 finished.

21 Q. And what do you mean by that?

22 A. Well, for the entire year before, we didn't have  
23 any home games -- any home football games because they  
24 were working on the bleachers. And in the beginning,  
25 they would actually work on them. They tore them all

1 BY MS. STRONG:

2 Q. But you don't know one way or the other whether  
3 it was from your conversation with Mike Lansing or some  
4 other reason as to why some of these things changed; is  
5 that correct?

6 A. Yes.

7 Q. You stated that you believed that the lawsuit  
8 scared your principal.

9 A. Yes.

10 Q. Why do you believe that?

11 A. Because she wouldn't let us do our documentary  
12 on it. She was, like, really paranoid that we were going  
13 to try to get her fired and that we were going to -- that  
14 we were making it for the lawyers, basically. She  
15 thought that we were -- that we were going to create a  
16 documentary and then hand it over to the ACLU.

17 Q. For use in this lawsuit?

18 A. Yes.

19 Q. Is there another reason why you believe that  
20 your principal was scared of the lawsuit?

21 A. No.

22 Q. And do you have any reason to believe that your  
23 principal did anything in response to the lawsuit or made  
24 any changes to the school in response to the lawsuit?

25 MS. SIEVERS: Objection; calls for speculation.

1 out. They just left them like that the entire year.  
2 Nobody worked on them. They would have, like, maybe  
3 three people come in and work on them. And then after  
4 the school year started, after we talked to Mike Lansing,  
5 they -- like, they finished them in -- like, maybe two  
6 months later or something. And I think they were ready  
7 by September.

8 Q. Was that an issue that you raised with Mike  
9 Lansing, the bleachers?

10 A. Yes.

11 Q. And anything else that you noticed changing  
12 after September 2000?

13 A. Not that I can think of.

14 Q. Had you also raised the bathroom issues with  
15 Mike Lansing as well?

16 A. Yes.

17 Q. And why is it that you believe that the bathroom  
18 was -- or toilet paper was appearing in the bathrooms and  
19 things started to change because of the lawsuit?

20 MS. SIEVERS: Objection; calls for speculation.

21 THE WITNESS: The lawsuit, like, really scared  
22 our principal for some reason. I guess she thought that  
23 she was going to get fired. And so I'm guessing that  
24 that's why things like that changed.

25 ////

1 THE WITNESS: I really don't know.

2 BY MS. STRONG:

3 Q. Continuing on at line 18 of page 2 of your  
4 declaration, it says:

5 "But usually we don't have paper towels  
6 to use to dry our hands."

7 That was something that was not corrected along  
8 with the toilet paper in September of 2000?

9 A. No, it wasn't.

10 Q. And in how many bathrooms would you say you  
11 would have concerns about insufficient paper towels in  
12 the bathrooms?

13 A. Girls' restrooms, only one, because the other  
14 two had the electric blowers.

15 Q. And which one was that?

16 A. The one in the main building. I never went to  
17 the restroom in the bungalows; so I wouldn't know.

18 Q. So the fourth bathroom that's open, you don't  
19 know whether there were paper towels there or not?

20 A. No.

21 Q. And the second and third bathrooms have electric  
22 dryers; so there's one bathroom that had paper towels in  
23 the main building?

24 A. Yes.

25 Q. How often would you use the restroom in the main

1 building?  
 2 A. Daily.  
 3 Q. Did you ever complain about insufficient paper  
 4 towels in the restroom in the main building?  
 5 A. No.  
 6 Q. And why didn't you complain about that?  
 7 A. Just never thought to.  
 8 Q. Do you think someone would have responded had  
 9 you complained about the paper towels -- or a lack of  
 10 paper towels in that bathroom?  
 11 MS. SIEVERS: Objection; calls for speculation.  
 12 THE WITNESS: Most likely.  
 13 BY MS. STRONG:  
 14 Q. And why do you think that someone would have  
 15 responded to your complaint most likely?  
 16 A. Because when I did complain about the toilet  
 17 paper, she did call the custodian to bring the toilet  
 18 paper to the restroom.  
 19 Q. So based on that experience, you think that if  
 20 you complained about insufficient paper towels, they  
 21 would probably have put more paper towels in the  
 22 bathroom; is that correct?  
 23 A. Yes.  
 24 MS. STRONG: Why don't we take our lunch break  
 25 right now. Off the record.

1 (Whereupon at 11:53 p.m. a lunch  
 2 recess was taken, and the proceedings  
 3 reconvened at 1:04 p.m.)  
 4 BY MS. STRONG:  
 5 Q. Good afternoon.  
 6 A. Good afternoon.  
 7 MS. STRONG: I'd just like to note for the  
 8 record that I just received from plaintiffs' counsel a  
 9 file folder of documents -- I don't know -- approximately  
 10 50 pages or so. And I have told plaintiffs' counsel that  
 11 we'll try to take a break at some point this afternoon so  
 12 we can have a chance to review some of these documents to  
 13 see if we can ask some questions. Of course, there may  
 14 be some questions relating to these documents after  
 15 today, given that we've just been given these documents  
 16 today.  
 17 Q. Did have you a nice lunch?  
 18 A. Yes. Thank you.  
 19 Q. Good.  
 20 Do you remember all of the admonitions that we  
 21 went over at the beginning of your first day of your  
 22 deposition and again this morning?  
 23 A. Yes.  
 24 Q. Do you have any questions regarding any of them?  
 25 A. No.

1 Q. And did you have any medication or other  
 2 substance that would cloud your mind or affect your  
 3 ability to testify today during the lunch break?  
 4 A. No.  
 5 Q. During the first day of your deposition, you  
 6 were asked if you've ever reviewed any academic studies  
 7 or surveys that relate to any of the issues in this  
 8 lawsuit. And I believe you testified that you looked at  
 9 some statistics on overcrowding and on multitrack systems  
 10 and that you looked at statistics with or relating to the  
 11 amount of emergency credentialed teachers compared to the  
 12 amount of minorities at a school.  
 13 Can you identify for me what statistics you  
 14 looked at?  
 15 A. I received statistics -- like, charts that were  
 16 made by -- or I don't know who made them. It was like an  
 17 organization at the -- at that conference that I  
 18 attended.  
 19 Q. The UCLA conference?  
 20 A. Yes.  
 21 And I used the API.  
 22 Q. With respect to the charts, you only received  
 23 charts from someone at the UCLA conference. Did you  
 24 receive them from any other source?  
 25 A. I received a few statistics from Catherine.

1 Q. Okay. Anyone else?  
 2 A. I got a couple from Ms. Burke.  
 3 Q. Anyone else?  
 4 A. Not that I can think of.  
 5 Q. Starting with the conference, can you recall  
 6 what it was that you received at the UCLA conference?  
 7 A. It's included in these things. It was just like  
 8 charts comparing the number of emergency credentialed  
 9 teachers to --  
 10 Q. And you said it's included in these documents  
 11 that are before us that were just produced by your  
 12 attorney?  
 13 A. Yes.  
 14 Q. Do you want to find that document, and we can  
 15 just mark it now for the record?  
 16 A. These are the ones that I received at that  
 17 meeting.  
 18 Q. Okay. What meeting?  
 19 A. At the UCLA conference.  
 20 Q. Okay. And is it more than this one document  
 21 or -- that you received at the conference?  
 22 A. It's the whole package.  
 23 Q. This package is the only set of documents that  
 24 you received at the UCLA conference?  
 25 A. No. I received other documents, but these are

1 the statistics.

2 Q. Do you have any other documents in this manila  
3 file folder that you received at that UCLA conference?

4 A. No.

5 MS. STRONG: So we'll mark this document as  
6 Exhibit 3.

7 (Whereupon, Defendants' Exhibit 3  
8 was marked for identification.)

9 BY MS. STRONG:

10 Q. Can you tell me what this is, Exhibit 3?

11 A. It's a chart comparing low performing schools  
12 and the percent of credentialed teachers.

13 Q. Okay. And the document appears to be entitled,  
14 "California Teachers Association, Low Performing Schools  
15 Equals High Priority Schools and Analysis of 2000  
16 Academic Performance Index."

17 Did you learn anything by reviewing this chart  
18 or these charts that are contained in Exhibit 3?

19 A. Yes, I learned a couple of things.

20 Q. What did you learn?

21 A. That in schools where the number of minorities  
22 are the majority, they -- the schools perform lower.  
23 There's a higher number of emergency-credentialed  
24 teachers. I don't really remember anymore.

25 Q. And those items you learned from these charts

1 Q. This document that you pulled out is demands of  
2 Locke Student Union?

3 A. Uh-huh.

4 MS. STRONG: I'd like to mark that as Exhibit 4.  
5 (Whereupon, Defendants' Exhibit 4  
6 was marked for identification.)

7 BY MS. STRONG:

8 Q. Do you know --

9 I'd like to point out for the record that this  
10 is a single-page document, but it's double sided.

11 Do you know who gave this to you?

12 A. I got it from a teacher at Locke. I don't  
13 remember his name, and there was, like, four or five  
14 Locke students at the meeting also.

15 Q. Do you remember any of their names?

16 A. Just a girl by the name of Nina.

17 Q. Nina?

18 A. I don't know her last name. Yeah.

19 Q. Do you think that these demands listed on  
20 Exhibit 4 would apply equally to items that you would  
21 like to see happen at Jefferson?

22 A. I don't remember what the paper says.

23 Q. Why don't you go ahead and review that.

24 A. Except for No. 1, yes.

25 Q. You think that except for the first demand on

1 and only these charts, or did you learn that information  
2 from other sources?

3 That wasn't a very good question.

4 Did you learn that information from any other  
5 sources?

6 A. I looked at a lot of statistics, a lot of  
7 different things; so yes.

8 Q. So this was part --

9 This is where you gained part of your  
10 understanding regarding those issues; is that correct?

11 A. Yes.

12 Q. Did you receive any other statistical  
13 information from the UCLA conference?

14 A. No.

15 Q. You said that you received some other documents.  
16 What other documents did you receive at the UCLA  
17 conference that were not statistical?

18 A. I received just like -- actually, I do have,  
19 like, a list of demands from students from Locke High  
20 School.

21 Q. Do you have that there with you?

22 A. Yes. I got, like, a copy of, like, a law that  
23 they were trying to pass, I think. I got just general  
24 information about what the different organizations were  
25 about. I don't remember what else. I think that's it.

1 this Exhibit 4, you think that the demands could be  
2 equally applied to Jefferson?

3 A. Yes.

4 Q. Do you know of any teachers that fall asleep in  
5 class at Jefferson?

6 A. [REDACTED] used to.

7 Q. Is that with you in class?

8 A. Yes, in the ninth grade.

9 Q. How many times do you think that [REDACTED] fell  
10 asleep in class?

11 A. Maybe two or three times. It wasn't like a  
12 daily thing or anything.

13 Q. What happened when she fell asleep in class?

14 A. We'd just let her sleep, and we'd just talk.

15 Q. Did you ever complain to anyone about that?

16 A. No. We'd tell other teachers, like, joking  
17 around, but we wouldn't complain about it, no. And  
18 [REDACTED] used to fall asleep, too.

19 Q. How many times did he fall asleep in class?

20 A. Like once a week.

21 Q. And what would you do when he fell asleep?

22 A. Like, he wouldn't completely fall asleep. He  
23 would be falling asleep. He would just wake up on his  
24 own.

25 Q. So he wouldn't actually be asleep. He would be

1 falling asleep.  
 2 There's a distinction in your mind?  
 3 A. Yes.  
 4 Q. Like, he wouldn't actually be asleep at any time  
 5 in class?  
 6 A. Sometimes he would completely fall asleep, but  
 7 he would wake up, like, a couple of minutes later. Like,  
 8 he would just fall asleep and then realize he was asleep  
 9 and just wake up.  
 10 Q. And you said that happened maybe a couple of  
 11 times --  
 12 A. Yes.  
 13 Q. -- during the year?  
 14 A. Yes.  
 15 Q. Did you ever complain to anyone about that?  
 16 A. No.  
 17 Q. Why not?  
 18 A. Because we were still getting our work done.  
 19 Q. Okay. Did you have any other documents with you  
 20 that you received at that UCLA conference?  
 21 A. I have -- we put together, like, a student bill  
 22 of rights, and I have that with me. And I have a couple  
 23 of notes that I took from people that were speaking at  
 24 the conference.  
 25 Q. The student bill of rights -- was that something

1 off into smaller groups. So my group -- I remember the  
 2 Locke teacher was in my group and different -- there were  
 3 no other students in my group. I was the only student.  
 4 It was just, like, different parents and, like, the  
 5 leaders of community organizations.  
 6 Q. And so did each group come up with a student  
 7 bill of rights?  
 8 A. Yes.  
 9 Q. So it would be different for every group; is  
 10 that correct?  
 11 A. Yes.  
 12 Q. And what was the idea behind this project?  
 13 MS. SIEVERS: Objection; calls for speculation.  
 14 THE WITNESS: We were -- at the end, we all  
 15 shared our -- what we came up with; and they put  
 16 together, like, one bill of rights, like, with issues  
 17 that concerned everybody. But I didn't write that down.  
 18 BY MS. STRONG:  
 19 Q. Did people have different ideas as to what  
 20 should be on the bill of rights?  
 21 A. It was pretty much the same things.  
 22 Q. And I'm just seeing this for the first time; so  
 23 in briefly skimming it, I noticed the first item listed  
 24 on the student bill of rights is a qualified teacher.  
 25 And I just want to make sure I understand your views on

1 that was put together at that conference?  
 2 A. Yes.  
 3 Q. Why don't you go ahead and show that to me.  
 4 A. Here's the student bill of rights, and the  
 5 bottom sheet is just, like, notes that I took.  
 6 Q. So the first three pages that you're showing me  
 7 are what you've identified as the student bill of rights  
 8 that was put together at that UCLA conference?  
 9 A. Yes.  
 10 MS. STRONG: I'll mark these three pages as  
 11 Exhibit 5.  
 12 (Whereupon, Defendants' Exhibit 5  
 13 was marked for identification.)  
 14 BY MS. STRONG:  
 15 Q. When you say we put Exhibit 5 together, the  
 16 student bill of rights, who are you referring to? Who is  
 17 the "we"?  
 18 A. It was -- we broke off into, like, four groups,  
 19 I think. And there was just a lot of different community  
 20 organizations. There was teachers from Fremont, from  
 21 Locke. There was, like, one teacher from Locke, two from  
 22 Fremont and one from another -- I don't remember what  
 23 other -- another high school. And there was the Locke  
 24 students, like a couple of parents that led parent  
 25 organizations and Catherine was there. And we just broke

1 this.  
 2 You don't believe that that necessarily means a  
 3 credentialed teacher; is that correct?  
 4 A. No. I think that -- I don't think you need a  
 5 credential to be qualified, but I think it's important to  
 6 have a credential.  
 7 Q. Why is it important to have a credential?  
 8 A. Because that's -- how can I say it?  
 9 Q. I know you testified earlier that you think it's  
 10 important to have experience teaching.  
 11 A. Yes.  
 12 Q. But that's not --  
 13 Is that what you're referring to? You think  
 14 it's important to have experience; and, therefore,  
 15 credentialed teachers have experience? Or is there  
 16 something else you're looking for?  
 17 MS. SIEVERS: Objection; misstates testimony.  
 18 THE WITNESS: That's part of it. But just  
 19 it's -- like, I don't know how to say it. It's a  
 20 thing -- you're supposed to have a credential, you know,  
 21 to be -- not like a real teacher, because they're still  
 22 real teachers, but it's always better to have it, I  
 23 think.  
 24 BY MS. STRONG:  
 25 Q. Why do you think it's better to have a

1 credential?  
 2 A. I don't know how to explain it.  
 3 Q. Well, let me try to help you. I'll rephrase my  
 4 question.  
 5 Is there anything that you can identify as a  
 6 quality in a teacher that you think is important that  
 7 comes with having a credential?  
 8 MS. SIEVERS: Objection; calls for speculation.  
 9 THE WITNESS: I just think that having a  
 10 credential is, like, your proof that you know what you're  
 11 doing.  
 12 BY MS. STRONG:  
 13 Q. Do you believe that?  
 14 A. I think it is, even though there are teachers  
 15 that have a credential that don't know what they're  
 16 doing. But it's just sort of -- like, just sort of  
 17 proves that -- it's supposed to prove that they know what  
 18 they're talking about.  
 19 Q. But you understand that it doesn't always prove  
 20 that it means teachers know what they're talking about;  
 21 correct?  
 22 A. Yes.  
 23 Q. This fourth page that you just handed me --  
 24 Why don't we mark this as Exhibit 6.  
 25 ////

1 A. I think I actually have a copy of the -- I think  
 2 I wrote on the back of it -- on the back of it -- I don't  
 3 think I have the entire agenda, because I think I just  
 4 used, like, the back part of it to write.  
 5 Q. That would be great.  
 6 A. It was -- yeah, it is the entire agenda,  
 7 actually.  
 8 So Ernest Morrell spoke, and then every group  
 9 kind of introduced themselves. And then Thorn  
 10 something -- I can't even pronounce his name. I don't  
 11 know if it was a guy. I don't remember -- talked about  
 12 the bill. And then Catherine talked about the Williams  
 13 case. Then we ate, and then we had, like -- that's when  
 14 we got into groups and made the bill of rights for the  
 15 students. And that was John Rogers was, like, heading  
 16 the group. He wrote down the one on the board or  
 17 whatever.  
 18 Q. Who is John Rogers?  
 19 A. He's another person from the IDEA organization.  
 20 Q. What is IDEA?  
 21 A. I'm not really sure. I don't remember. It's  
 22 the Institute for Democracy Education and Access.  
 23 Q. Can I see what you're holding? You've got this  
 24 attached with some other papers here.  
 25 A. Yes.

1 (Whereupon, Defendants' Exhibit 6  
 2 was marked for identification.)  
 3 BY MS. STRONG:  
 4 Q. Can you tell me what this is?  
 5 A. It's just some notes that I scribbled during the  
 6 meeting. It has a couple of notes on Ernest Morrell.  
 7 He's like one of the -- he has an organization called  
 8 IDEA, and he's a teacher in Oakland. So I wrote down a  
 9 couple of things from him because I was going to ask him  
 10 for an interview since I used Oakland schools. I never  
 11 did, but I was going to. And I wrote down a couple of  
 12 things that they talked about concerning special ed and  
 13 about the bill that they're trying to pass. I think it's  
 14 called the SB 508. And it has a couple of notes on that.  
 15 Q. Who was speaking at this time? Was Ernest  
 16 Morrell speaking?  
 17 A. Yes. I'm not sure if he was speaking the entire  
 18 time, actually. I just -- throughout the conference, I  
 19 just wrote these things down.  
 20 Q. So Ernest Morrell was one of the speakers at the  
 21 conference.  
 22 Do you know any of the other speakers at the  
 23 conference?  
 24 A. Catherine Lhamon.  
 25 Q. Anyone else?

1 Q. So the agenda is attached with several pages of  
 2 your notes.  
 3 What are these pages of notes that are here?  
 4 A. Those were just, like, the notes, like, the  
 5 format for my documentary. And I actually used the paper  
 6 to write on the back, and that's why it's included there.  
 7 MS. STRONG: Why don't we mark this as  
 8 Exhibit 7.  
 9 Q. So I've marked this whole collection of your  
 10 notes as Exhibit 7. And the fifth page of this  
 11 collection is the agenda for the UCLA conference; is that  
 12 correct?  
 13 A. Yes.  
 14 (Whereupon, Defendants' Exhibit 7  
 15 was marked for identification.)  
 16 MS. STRONG: And just to note for the record,  
 17 some of the pages of notes are double sided, and I'll  
 18 identify exactly which ones. The second and fifth page  
 19 of this packet have writing on both sides of the page.  
 20 Q. The bill that you were just referring to,  
 21 SB 508 -- do you know what that was about?  
 22 A. Basically what we were talking about, about  
 23 bettering the conditions in schools and giving everybody  
 24 an equal opportunity and stuff.  
 25 Q. Was it mentioned on this agenda that you're

1 referring to for the UCLA conference?  
 2 A. Yes.  
 3 Q. Where does it mention it? What on page 5 of  
 4 Exhibit 7?  
 5 A. Where it says the person who I can't pronounce,  
 6 Thorn something, "Public advocates, will discuss current  
 7 legislature proposals impacting public education."  
 8 Q. Thorn Meweh, M-E-W-E-H?  
 9 A. Yes.  
 10 Q. Is that the individual who spoke about it?  
 11 A. Yes.  
 12 Q. Do you know what's happened with that piece of  
 13 legislation?  
 14 A. No, I don't.  
 15 Q. Do you have any other documents you received at  
 16 the UCLA conference?  
 17 A. I don't think so.  
 18 Q. You've also said that you received some  
 19 statistics from Ms. Burke.  
 20 What did you receive from Ms. Burke?  
 21 A. Ms. Burke just gave me statistics on Jefferson.  
 22 I think it's actually the proposal for the AIAA grant,  
 23 but I didn't bring that with me.  
 24 Q. Do you have that at home?  
 25 A. I'm not sure if I still have it. I should still

1 have it at home.  
 2 Q. Did you look for it?  
 3 A. It wasn't with the rest of my paperwork, but I  
 4 might have it somewhere.  
 5 Q. Okay. I'd ask that you look for that document.  
 6 It relates to the conditions at Jefferson, you  
 7 said; correct?  
 8 A. Yes.  
 9 Q. I'd ask that you look for that document and then  
 10 hand that over to Jenny or one of your attorneys when you  
 11 have a chance so that it can be produced in this  
 12 litigation.  
 13 Okay?  
 14 A. Okay.  
 15 MS. STRONG: And do you agree that that will be  
 16 produced?  
 17 MS. SIEVERS: If she has it.  
 18 MS. STRONG: Thank you.  
 19 Q. And do you recall any of the statistical  
 20 information that you saw on that AIAA proposal that  
 21 Ms. Burke handed you?  
 22 A. It just gave like the demographic breakdown of  
 23 the school. It talked about -- I haven't looked at it in  
 24 a long time. I don't remember.  
 25 Q. Any other documents that you received from

1 Ms. Burke?  
 2 A. No.  
 3 Q. And I think you mentioned you received documents  
 4 from one other person; is that correct?  
 5 A. From Catherine.  
 6 Q. Anyone else other than Catherine?  
 7 A. No, just the stuff that I got off of the API.  
 8 Q. Did you bring the items that Catherine gave to  
 9 you with you today?  
 10 A. Yes.  
 11 Q. Can you identify those items for me?  
 12 A. I brought -- they were, like, the pictures that  
 13 were on the website.  
 14 Q. What website?  
 15 A. Pictures from the ACLU website, the press  
 16 photos. And it's a picture of Jefferson High School, two  
 17 of Burbank middle school and one of Mark Keppel High  
 18 School.  
 19 Q. Is there anything else that you received?  
 20 MS. SIEVERS: I'm going to object on the  
 21 attorney-client privilege. You can produce what you  
 22 brought today, but only with regards to the documentary  
 23 she was doing. That's what she received those for.  
 24 BY MS. STRONG:  
 25 Q. Did you receive any other documents for your

1 documentary from Ms. Lhamon?  
 2 A. No, just these.  
 3 MS. STRONG: Why don't we go ahead and mark this  
 4 as Exhibit 8.  
 5 (Whereupon, Defendants' Exhibit 8  
 6 was marked for identification.)  
 7 BY MS. STRONG:  
 8 Q. And you said the first two pages were pictures  
 9 from Jefferson High School; is that correct?  
 10 A. The first picture is a picture of the bathroom  
 11 at Jefferson. The second and I think fourth picture or  
 12 third, however you want to look at it, are from Burbank  
 13 Middle School and the last one is Keppel High.  
 14 Q. And they're marked as such on the exhibit;  
 15 correct?  
 16 A. Yes.  
 17 Q. And this -- the first picture, which is the only  
 18 picture of Jefferson --  
 19 A. Yes.  
 20 Q. Do you know what bathroom that is?  
 21 A. Yes.  
 22 Q. What bathroom is that?  
 23 A. It's the girls' restroom in the main building.  
 24 Q. How often do you use that restroom?  
 25 MS. SIEVERS: Objection; asked and answered.

1 THE WITNESS: I use it daily.  
 2 BY MS. STRONG:  
 3 Q. And how many stalls are in that restroom?  
 4 A. Four.  
 5 Q. Is this one of the four?  
 6 A. Yes.  
 7 Q. And is that what it looked like while you were  
 8 at Jefferson?  
 9 A. Yes.  
 10 Q. As it is in the picture?  
 11 A. Yes.  
 12 Q. Did it ever look different than as it is in the  
 13 picture?  
 14 A. There are a couple of occasions where it was  
 15 clean. But for the most part, it looked like that.  
 16 Q. And there's some graffiti on the wall in the  
 17 bathroom.  
 18 Do you know if that graffiti was there when you  
 19 left the high school?  
 20 A. I don't know if that particular piece was, but  
 21 there was always graffiti in the restroom.  
 22 Q. And then it would get painted over periodically,  
 23 and graffiti -- someone would tag the restrooms again?  
 24 A. Yes.  
 25 Q. The pictures of Luther Burbank and Mark

1 Keppel -- have you ever been to those schools?  
 2 A. No.  
 3 Q. During the first day of your deposition, we  
 4 discussed the content standards or content based  
 5 standards that you had to learn in reference to the  
 6 W.A.S.C. visit; is that correct?  
 7 A. Yes.  
 8 Q. I asked you if you noticed a change in any of  
 9 your teachers' teaching habits from the years prior now  
 10 that the teachers had access to these standards, and you  
 11 said only Ms. Burke.  
 12 Do you recall that testimony?  
 13 A. Yes.  
 14 Q. How did Ms. Burke's teaching habits change once  
 15 she had access to the state content-based standards?  
 16 MS. SIEVERS: Objection; asked and answered.  
 17 THE WITNESS: She would -- the only thing she  
 18 would really do is just whenever we were doing something,  
 19 she'd say "Oh, and this is district content standard  
 20 number this, or this is ESWLR" -- we called the other  
 21 ones "ESWLR." "This is ESWLR No. 2 or No. 6." Or she  
 22 would ask us "What ESWLR are we using?" or "What content  
 23 standard are we using?" That's the only thing. She  
 24 still taught the same material in the same manner.  
 25 ////

1 BY MS. STRONG:  
 2 Q. She would correlate it with the content-based  
 3 standards?  
 4 A. Yes.  
 5 Q. And what year was it that the W.A.S.C. committee  
 6 or that you were doing the W.A.S.C. prep operation?  
 7 I don't recall.  
 8 MS. SIEVERS: Asked and answered.  
 9 THE WITNESS: 12th grade.  
 10 MS. STRONG: Off the record.  
 11 (Discussion held off the record.)  
 12 MS. STRONG: Back on the record.  
 13 Q. I'm going to show you a copy of the First  
 14 Amended Complaint in this action, and we're not going to  
 15 mark it as an exhibit.  
 16 And counsel, will you stipulate that this is a  
 17 copy of the First Amended Complaint in this action?  
 18 MS. SIEVERS: Yes.  
 19 BY MS. STRONG:  
 20 Q. Do you believe that you've seen this before,  
 21 this document?  
 22 A. I haven't seen the entire thing, no.  
 23 Q. I think you testified earlier that you believe  
 24 that you saw some paragraphs of the Complaint that relate  
 25 to Jefferson High School; is that correct?

1 A. Yes.  
 2 Q. Can you turn to paragraph 227, which is at  
 3 page 49, of the First Amended Complaint. In reference to  
 4 paragraph 227, it states in part that the:  
 5 "Jefferson students do not have desks at  
 6 which to sit in some classes. Instead,  
 7 students sit at counters or stand in the  
 8 back of the room where they have difficulty  
 9 seeing their teachers and the blackboard."  
 10 Have you now told me everything you now know in  
 11 reference to that allegation?  
 12 A. Yes.  
 13 Q. And there's nothing different that you know of  
 14 in between?  
 15 A. That's correct.  
 16 Q. Have you ever had an experience where you've had  
 17 a difficult time seeing a teacher or the blackboard in a  
 18 classroom?  
 19 A. No, not personally.  
 20 Q. Do you believe that anyone at your school has a  
 21 difficult time seeing a teacher and a blackboard in  
 22 classroom --  
 23 MS. SIEVERS: Objection; calls for speculation.  
 24 BY MS. STRONG:  
 25 Q. -- based on where they are sitting in the class

1 or standing in the class?  
 2 MS. SIEVERS: Same objection.  
 3 THE WITNESS: I'm sure they could if they were  
 4 standing behind something that would block them. I  
 5 really wouldn't know.  
 6 BY MS. STRONG:  
 7 Q. So you have no personal knowledge about anyone  
 8 having difficulty seeing their teachers and the  
 9 blackboard in their classrooms; is that correct?  
 10 A. I've never seen -- I've never seen anyone  
 11 complain about it.  
 12 Q. You've never seen anyone complain about that or  
 13 heard anybody complain about that?  
 14 A. No.  
 15 Q. Is that correct?  
 16 A. That's correct.  
 17 Q. So based on your experience at Jefferson, do you  
 18 believe that that has been a problem at Jefferson?  
 19 MS. SIEVERS: Objection; calls for speculation.  
 20 THE WITNESS: I don't know about the  
 21 difficulties seeing part, but I know that they do have to  
 22 stand or sit on counters in back of the room.  
 23 BY MS. STRONG:  
 24 Q. You're aware of some students having to have  
 25 stood in class and having to have sat on counters in the

1 it's a substitute teacher or a regular class or someone  
 2 in the class?  
 3 A. Yes. There has been occasions where we've spent  
 4 almost the entire period out in the hallway because they  
 5 forget to get a substitute for us. Basically, they just  
 6 forget to get another teacher to cover the class; so we  
 7 have to stand in the hallway or sit in the hallway. Or,  
 8 like, we're out there, like, half the period. I don't  
 9 think I've ever been the entire period. But there has  
 10 been times where they don't have a substitute.  
 11 Q. And that has happened to you personally?  
 12 A. Yes.  
 13 Q. How many times has that happened to you in your  
 14 four years at Jefferson?  
 15 A. Maybe, like, 10, 15 times.  
 16 Q. Over the four years?  
 17 A. Yes.  
 18 Q. And if you could, give me your best estimate as  
 19 to how long you would usually on those 10 to 15 times  
 20 wait until a substitute came to the classroom.  
 21 Could you do that for me?  
 22 A. Maybe about 20 minutes.  
 23 Q. That would be average? Sometimes less;  
 24 sometimes more?  
 25 A. Yes.

1 back of the classroom; is that correct?  
 2 A. Yes, that's correct.  
 3 Q. But nothing more than what you've already  
 4 testified to?  
 5 A. That's correct.  
 6 Q. With respect to paragraph 228 of the First  
 7 Amended Complaint, it says:  
 8 "Some classes at the school have no  
 9 teacher at all."  
 10 Have you ever had a class at Jefferson that had  
 11 no teacher at all?  
 12 A. No, not personally.  
 13 Q. Do you know of any student at Jefferson who was  
 14 attending a class where there was no teacher at all?  
 15 MS. SIEVERS: Objection; calls for speculation.  
 16 THE WITNESS: My friend Janet, where they had a  
 17 substitute every day.  
 18 BY MS. STRONG:  
 19 Q. Do you think that's not having a teacher at all  
 20 if you have a substitute in the classroom?  
 21 A. Well, I think it's impossible to not have a  
 22 teacher at all. There has to be somebody taking care of  
 23 them.  
 24 Q. So as far as you're concerned, you would think  
 25 that there would always be someone in the class whether

1 Q. But you've never had a class where you went an  
 2 entire period without a teacher; is that correct?  
 3 A. That is correct.  
 4 Q. So to the extent that this first sentence, "Some  
 5 classes at school have no teacher at all," means that  
 6 there's simply no adult in the class for an entire period  
 7 or more, do you believe that that's inaccurate based on  
 8 your experience at Jefferson?  
 9 MS. SIEVERS: Objection; calls for speculation.  
 10 THE WITNESS: That personally has never happened  
 11 to me. But there was -- I'm not sure if they didn't have  
 12 any teacher at all. The yearbook class -- when I was in  
 13 my senior year, the yearbook teacher is a "B" track  
 14 teacher; so when he was off track, they would end up  
 15 going to the journalism class. So, like, the journalism  
 16 teacher would take the other half the yearbook class.  
 17 And for a while, the students would just wander around  
 18 campus, but I'm not sure if it's because they didn't have  
 19 a teacher or they just wouldn't go to the journalism  
 20 class.  
 21 BY MS. STRONG:  
 22 Q. Because as far as you understood, those students  
 23 were supposed to be with the journalism class at that  
 24 period of time?  
 25 MS. SIEVERS: Objection; misstates testimony.

1 THE WITNESS: I know that the journalism teacher  
2 became their teacher after a while. But for a while,  
3 they would wander around.

4 BY MS. STRONG:

5 Q. But I believe you testified that they would be  
6 taken to the journalism class; is that correct?

7 A. When "B" track went off track, those students  
8 wandered around for a while. And then they ended up  
9 being in the journalism class; so I don't know if they  
10 were supposed to be there in the beginning and they just  
11 wouldn't go or then -- or if they didn't have anywhere to  
12 go and they told them "You're supposed to be with the  
13 journalism teacher." I'm not sure which.

14 Q. How do you know about the yearbook class?

15 A. I used to be in the yearbook class; so I knew  
16 people in that class. And one of my best friends was in  
17 the class, and she told me that they didn't have a class.  
18 And then later on, I saw them in the journalism class.

19 Q. And what's your friend's name?

20 A. Sandra [REDACTED]

21 Q. Can you spell the last name?

22 A. [REDACTED]

23 Q. And so is everything that you know about the  
24 yearbook class who eventually became a part of the  
25 journalism class from your friend Sandra [REDACTED]

1 a teacher called in sick for five or six consecutive  
2 weeks during the 1999 to 2000 school year and students  
3 wandered around the campus during that period?

4 A. I think I know who the teacher was, but I never  
5 heard anything about the students.

6 Q. So you don't know anything about that set of  
7 circumstances as described at lines 3 to 6 of  
8 paragraph 228 of the First Amended Complaint on page 50;  
9 is that correct?

10 A. That's correct.

11 Q. And with respect to lines 6 and 7 of page 50 of  
12 the First Amended Complaint where it says:

13 "Many students take classes taught by a  
14 series of substitutes rather than by a  
15 permanent teacher hired for the class" --

16 Have you already told me everything you know  
17 with respect to that allegation during the first and  
18 second days of your deposition?

19 A. Yes.

20 Q. With respect to paragraph 229, which states:

21 "The school does not offer enough courses  
22 for all the students, so many students spend  
23 one or two periods each day in service  
24 classes because neither academic classes nor  
25 study halls are available to the

1 A. Yes.

2 Q. And you don't know anything about the class from  
3 any other source; is that correct?

4 A. That's correct.

5 Q. So with respect to paragraph 228 of the First  
6 Amended Complaint where it says:

7 "In one class, the teacher called in sick  
8 for five or six consecutive weeks during the  
9 1999/2000 school year, and students in the  
10 class wandered around the school that period  
11 because they had no formal class while the  
12 teacher was absent" --

13 Do you know what that sentence is referring to?

14 A. No, I don't.

15 Q. Do you think that that relates to what you've  
16 explained to me regarding the yearbook class?

17 MS. SIEVERS: Objection; calls for speculation.

18 THE WITNESS: No, I don't think so.

19 BY MS. STRONG:

20 Q. And why is it that you think it doesn't  
21 correlate from what you understand from the yearbook  
22 class?

23 A. He didn't call in sick. He was just -- he went  
24 off track; so it wasn't --

25 Q. So do you know anything about an incident where

1 students" --

2 Are you familiar with that allegation?

3 A. Yes.

4 Q. Do you believe that to be true?

5 A. Yes.

6 Q. And why is that?

7 A. I had I think every -- I'm not sure if I did in  
8 the 10th grade, but I know in the 11th and 12th grade, I  
9 had service classes every semester because there wasn't  
10 any classes for me to take. There wasn't any classes  
11 that I hadn't taken that I could take.

12 Q. Were there classes that you wanted to take that  
13 weren't offered?

14 A. Yes.

15 Q. Like what?

16 A. Different types of foreign languages. The only  
17 thing offered was Spanish, and it depended what track you  
18 were on. Like, the other tracks had French. I always  
19 wanted to take French, and they didn't have it on my  
20 track.

21 Q. French wasn't offered on your track at all?

22 A. No. It was only on "A" or "B" track. I don't  
23 remember. And, like, the other class was -- like, I  
24 wanted to be in the student government, and we couldn't  
25 do it because student government for "C" track was during

1 fifth period, and that was our AP government class.  
 2 Q. When you first got to --  
 3 Well, did you have a language class in junior  
 4 high school?  
 5 A. No.  
 6 Q. And when you first got to Jefferson in ninth  
 7 grade, did you want to -- which language did you want to  
 8 enroll in?  
 9 A. I wanted to take a French class.  
 10 Q. And did you look into that when you first  
 11 enrolled at Jefferson?  
 12 A. We generally don't take languages in the ninth  
 13 grade because we have -- since we have to do the health  
 14 and the two hours of English and the other -- so we don't  
 15 have room to do it during the ninth grade unless you  
 16 don't take PE. So I didn't take a language until I was  
 17 in the 11th, after I did my two years of PE.  
 18 Q. Is two years of PE required?  
 19 A. Yes. And they didn't offer any French.  
 20 Q. Could you have taken your two years of PE in  
 21 your 11th and 12th grade years?  
 22 A. Yes.  
 23 Q. And then you could have taken a language in your  
 24 ninth, tenth grade years if you wanted to?  
 25 A. Yes.

1 Q. Do you know if it was offered during your ninth  
 2 grade year French?  
 3 A. I'm not sure I know. During the ninth, it  
 4 wasn't, but I'm not sure of the ninth.  
 5 Q. Did you ask anybody about French being offered  
 6 during the ninth grade year?  
 7 A. No.  
 8 Q. And why not?  
 9 A. Because when they give you your schedules, it's  
 10 sort of like "Here's like -- "Okay. You take your PE in  
 11 your ninth and tenth, and then you do your language in  
 12 the 11th and 12th." It's just the way they tell you that  
 13 your schedule should be; so I never really questioned it.  
 14 Q. But you at one point thought you wanted to take  
 15 French?  
 16 A. Yes.  
 17 Q. When did you have that thought?  
 18 A. When I was in the 11th grade, when I had to take  
 19 a foreign language.  
 20 Q. So you didn't think about it during your ninth  
 21 and tenth grade years?  
 22 A. No.  
 23 Q. And you said that it wasn't offered during your  
 24 11th grade year --  
 25 A. No.

1 Q. -- on your track?  
 2 A. I don't think it was offered at all during my  
 3 11th grade year.  
 4 Q. Do you know if any other language was offered  
 5 other than Spanish?  
 6 A. No.  
 7 Q. Do you know one way or the other or there  
 8 wasn't?  
 9 A. I don't think any other languages were offered.  
 10 Q. Did you ask anybody about taking French during  
 11 your 11th grade year?  
 12 A. Yes.  
 13 Q. Who did you ask?  
 14 A. My counselor.  
 15 Q. What's his name again?  
 16 A. Her name was Ms. Dickens.  
 17 Q. And what did Ms. Dickens say to you when you  
 18 asked her about French?  
 19 A. That French wasn't offered at Jefferson.  
 20 Q. Ever?  
 21 A. It wasn't during the 11th grade, no.  
 22 Q. Did she --  
 23 Did you ask her why it wasn't offered?  
 24 A. I don't remember if I did.  
 25 Q. Do you know if she gave you any explanation as

1 to why it wasn't offered?  
 2 A. I think she told me that they didn't have a  
 3 French teacher. They didn't have anybody to teach the  
 4 class.  
 5 Q. You also said something about student  
 6 government.  
 7 When can you take student government at  
 8 Jefferson, what grades?  
 9 A. I'm not sure. I know to be -- I think you have  
 10 to be a senior to take it.  
 11 Q. So only during your senior year you can  
 12 participate in student government at Jefferson from your  
 13 understanding?  
 14 A. Yes.  
 15 Q. And you said that you were interested in  
 16 participating in student government?  
 17 A. Yes.  
 18 Q. When did you have an interest in participating  
 19 in student government?  
 20 A. It was at the end of the 11th grade, I think,  
 21 that -- after the incident with my friend happened with  
 22 the restroom, after that because --  
 23 Q. And what did you do about that interest?  
 24 A. Well, we -- like, all of my friends -- the  
 25 students in the AP class -- we wanted to be in the

1 student government because the government class from the  
2 year before -- when we had the meeting with the  
3 administrators, they were kind of throwing it in our face  
4 that we were never interested in anything that had to do  
5 with governing the school; so how could we even complain  
6 is basically what the students were telling us.

7 So it made us want to be in the student  
8 government so that we could help out the school and try  
9 to make the changes. And when we tried to get the class,  
10 it turned out that it was during the same time as our AP  
11 class; so we couldn't take it.

12 Q. Which AP class?

13 A. The AP government class -- AP government and  
14 politics or whatever.

15 Q. Do you know if AP government and politics was  
16 offered at any other time during the school day?

17 A. No, there wasn't.

18 Q. How do you know that?

19 A. There's only one AP class on each track. So it  
20 was the only time that it was offered during your track.

21 Q. Did you explain the conflict in student  
22 government and AP government to your counselor?

23 A. I never did.

24 Q. Did you discuss that issue with any  
25 administrator or teacher at the school?

1 A. I took -- I had service with an ROTC teacher  
2 when I was in the first half of the 11th grade, and then  
3 I took service with Mr. Bachrach the second half. And  
4 during my 12th grade, I had service the entire year with  
5 Ms. Burke.

6 Q. Did you have to take these service classes?

7 A. There was really no other class that I could  
8 take; so I kind of had to.

9 Q. Did you need the credits?

10 A. No. I needed -- there was no way I could go  
11 home early. Like, during my senior year, I was already  
12 out the two hours that I was allowed to; so I had to take  
13 the service class because there was no other class they  
14 could take. And so during the 11th grade, they don't let  
15 you leave early unless you're a senior so --

16 Q. But you had enough credits to graduate without  
17 the service classes; is that correct?

18 A. Yes.

19 Q. And why is that?

20 A. Because I took work experience classes; so I  
21 earned, like, 20 extra credits from work experience  
22 class.

23 Q. I see. So if you needed additional credits to  
24 graduate, you wouldn't have taken service classes --  
25 correct? -- because they don't give you the credits that

1 A. We discussed it with Mr. Bachrach.

2 Q. Your film teacher?

3 A. Yes.

4 Q. Anyone else at the school?

5 A. Not that I could think of.

6 Q. Why didn't you raise that issue with your  
7 counselor?

8 A. There was really nothing that could be done  
9 about it; so we never said anything.

10 Q. How do you know that there was nothing that  
11 could be done about it?

12 A. Because they would have to switch the whole  
13 master schedule and they weren't going to do that for us.

14 Q. How do you know that?

15 A. It would just cause too much trouble to change  
16 everything around.

17 Q. But you never asked; correct?

18 A. Correct.

19 Q. Were there any other classes that you wanted to  
20 take in high school but they weren't offered at Jefferson  
21 that you can think of?

22 A. No, not that I can think of.

23 Q. And you said you took some service classes?

24 A. Yes.

25 Q. Which service classes did you take?

1 you need to graduate; is that correct?

2 MS. SIEVERS: Objection; misstates testimony.

3 THE WITNESS: You do get credit for the classes.

4 It's like if you're in a regular class, you get five  
5 credits for it.

6 BY MS. STRONG:

7 Q. You just didn't need it?

8 A. But I didn't really need them.

9 Q. Because you had extra credits. Okay.

10 Do you know if there were any other classes that  
11 you could have taken instead of the service classes that  
12 you chose to take?

13 MS. SIEVERS: Objection; asked and answered.

14 THE WITNESS: I don't think there were any other  
15 classes. I think that's why I was taking service classes  
16 because everything else was just, like -- everything else  
17 on my track I had either already taken, it was too full  
18 or it just wasn't available.

19 BY MS. STRONG:

20 Q. Do you know if there was any class that was  
21 available that you just didn't want to take? It didn't  
22 match up with your interests, for example?

23 A. I don't remember. Not that I know of. I don't  
24 remember.

25 Q. Do you remember talking about what classes were

1 available instead of a service class during your 11th and  
2 12th grade years with any counselor at the school or  
3 anyone at the school?

4 A. During my 12th grade year, I know I did discuss  
5 it. During the 11th, I don't remember.

6 Q. And during the 12th grade year, who did you  
7 discuss that with?

8 A. With my counselor and with the head counselor.

9 Q. And what was the sum and substance of those  
10 conversations?

11 A. I was basically telling them -- I was trying to  
12 convince them to let me stay home three hours because I  
13 had already taken all the classes. And so they needed to  
14 change, like, the whole thing. It was supposed to be --  
15 they said I wasn't allowed to stay home the first hour,  
16 and so they had to change that for me because I had  
17 already taken all the classes that were offered during  
18 that hour.

19 And then since I had to be there for four hours,  
20 there was no other classes that I could take. I didn't  
21 need any credits, and I had already taken everything; so  
22 they just gave me the service class, but they changed it  
23 to tutoring because I think they -- you're only allowed  
24 to have 10 credits of service.

25 Q. But first period is the period that you said you

1 A. No. It's just counselors run out of options.  
2 There's not that many electives out there. So you have,  
3 like, your core subjects; and then you take an elective.  
4 So it's, like, what do you do the other hour? So they  
5 just stick you in a service class.

6 Q. And service class, you can -- what does that  
7 mean in general? Is it a different thing for every  
8 person?

9 A. Yes. It just means, like, there's, like --  
10 you're a service worker. Basically, you run errands for  
11 the teacher. You're, like, the TA for an hour. So,  
12 like, for example, I would make copies for the teachers  
13 or run around, leave notes, put things in people's  
14 boxes -- I'd do, like, stuff like that -- type stuff up  
15 for a teacher.

16 Q. Do some people study during their service  
17 periods?

18 A. You probably can study if you ask your teacher.  
19 If she didn't need you to do anything for her, you can  
20 ask her to study. I would study sometimes for, like, a  
21 test or something.

22 Q. With respect to paragraph 230 of the complaint  
23 regarding textbooks, it says:

24 "Students have no books to take home for  
25 homework in most of their classes, and in

1 had taken everything that was offered; is that correct?

2 A. Yes. And second -- also second was my tutoring.  
3 So first and second, I had already taken everything.

4 Q. So there was no class out there that you hadn't  
5 already taken?

6 MS. SIEVERS: Objection; asked and answered.

7 BY MS. STRONG:

8 Q. Is that correct?

9 A. That I had either already taken or it was too  
10 full.

11 Q. Can you identify for me any classes that were  
12 too full during that time?

13 A. I don't really remember the specific classes.

14 Q. And do you know of anyone else that took service  
15 classes while they were at Jefferson?

16 MS. SIEVERS: Objection; calls for speculation.

17 THE WITNESS: Most students do.

18 BY MS. STRONG:

19 Q. Most students take service classes?

20 A. Yes.

21 Q. And when you say "most students," can you give  
22 me your best estimate, like a percentage of students that  
23 you believe take service classes at Jefferson?

24 A. Probably, like, 90 percent.

25 Q. Is it encouraged to take service classes?

1 many of their classes, students either lack  
2 books altogether or have to share books with  
3 other students."

4 That statement isn't true for your personal  
5 experience at Jefferson; correct?

6 A. That's correct.

7 Q. Do you believe that that's true for anyone at  
8 Jefferson?

9 MS. SIEVERS: Objection; calls for speculation.

10 THE WITNESS: Well, there was always classes  
11 that didn't have enough textbooks and that didn't have  
12 textbooks for people to take home and do homework; so it  
13 is true.

14 BY MS. STRONG:

15 Q. How do you know that?

16 A. Because it happened to me. Like, I did have  
17 classes where I didn't have a book to take home to do my  
18 homework.

19 Q. Would that be your Spanish class?

20 A. Yeah.

21 Q. Anything other than your Spanish class?

22 MS. SIEVERS: Objection; asked and answered.

23 BY MS. STRONG:

24 Q. And I believe your answer was "no," and we can  
25 skip the question if that's correct. I don't mean to

1 have you repeat testimony.  
 2 A. Yeah, I think so.  
 3 Q. So Spanish is the only class where you had that  
 4 as an issue; correct?  
 5 A. Yes.  
 6 MS. SIEVERS: I think she testified to her  
 7 English class as well.  
 8 THE WITNESS: Well, we couldn't take home -- I  
 9 don't remember what it was called. It was like a big  
 10 white book. We couldn't take that one home because we  
 11 had to share it in class.  
 12 BY MS. STRONG:  
 13 Q. But that you used three weeks during the class  
 14 over the year; is that correct?  
 15 A. Yes.  
 16 Q. And usually you took home novels in the class;  
 17 is that correct?  
 18 A. Yes.  
 19 Q. Where it says in paragraph 230 that:  
 20 "In one math class, students waited a  
 21 whole semester before they had books to use  
 22 in class" --  
 23 Do you know anything about that allegation?  
 24 A. No.  
 25 Q. And in paragraph 230 at line 16, it also states:

1 Q. And when it says "Students in five different  
 2 classes must share one set," do you believe that that was  
 3 your teacher's five classes? Is that correct?  
 4 A. Yes.  
 5 Q. So do you know if the students in each of his  
 6 four other classes also received sufficient textbooks for  
 7 each of them to take home during the second semester of  
 8 their class as well?  
 9 MS. SIEVERS: Objection; calls for speculation.  
 10 THE WITNESS: I don't know.  
 11 BY MS. STRONG:  
 12 Q. With respect to paragraph 231 of the First  
 13 Amended Complaint, it says:  
 14 "The copy machine at school is often  
 15 broken, so teachers have to shift lesson  
 16 plans or forgo assigning homework because  
 17 teachers cannot have text material copied  
 18 for the students."  
 19 Are you familiar with that allegation?  
 20 A. Yes.  
 21 Q. Do you know what copy machine is available to  
 22 teachers at school?  
 23 A. Yes. They have a copy machine in the teachers'  
 24 lounge. There's actually two.  
 25 Q. Two in the teachers' lounge?

1 "In one graphic arts class, three or  
 2 four students share one book in class."  
 3 Do you know anything about that allegation?  
 4 A. No.  
 5 Q. Then with respect to students in five -- I'm  
 6 sorry.  
 7 With respect to lines 16 and 17 of  
 8 paragraph 230, it states:  
 9 "Students in five different classes must  
 10 share one set of approximately 30 Spanish  
 11 textbooks" --  
 12 Does that relate to your Spanish class?  
 13 A. Yes.  
 14 Q. Do you know of any other Spanish class other  
 15 than your Spanish class that had that experience?  
 16 MS. SIEVERS: Objection; calls for speculation.  
 17 THE WITNESS: I don't know.  
 18 BY MS. STRONG:  
 19 Q. And is it correct that -- just, I want to make  
 20 sure I have this accurate -- that that situation was  
 21 corrected during the second semester -- let me rephrase.  
 22 Is it correct that there was only one semester  
 23 of Spanish where you only had books in class as opposed  
 24 to books sufficient to take home; is that correct?  
 25 A. Yes.

1 A. Yes.  
 2 Q. Are there any other copy machines available to  
 3 teachers that you know of?  
 4 A. Mr. Bachrach had his own copy machine.  
 5 Q. In his classroom?  
 6 A. Yes.  
 7 Q. Was that provided by the school? Do you know?  
 8 MS. SIEVERS: Objection; calls for speculation.  
 9 THE WITNESS: It was donated by someone to him.  
 10 By -- I don't remember who it was that donated it to him,  
 11 but not by the school.  
 12 BY MS. STRONG:  
 13 Q. Do you know if it was property of the school?  
 14 A. No, it wasn't.  
 15 Q. So when Mr. Bachrach left the school, did he  
 16 take the copy machine with him?  
 17 A. I think he actually left it there for the new  
 18 teacher.  
 19 Q. So there was one in Mr. Bachrach's class, and  
 20 there were two in the teachers' lounge.  
 21 Do you know of any other photocopy machines on  
 22 the campus?  
 23 A. There was one in the principal's conference  
 24 room, but teachers weren't really allowed to use it.  
 25 Ms. Burke used it all the time. But it's specifically

1 for, like, the administrators. And like, the offices --  
2 different offices -- like the counseling office had their  
3 own copy machine, and the attendance had their copy  
4 machine.

5 Q. Any others you can think of?

6 A. I think the math department had a copy machine,  
7 and that's all that I know of.

8 Q. Do you ever remember a time or know about a time  
9 when any of these machines did not work?

10 A. Yes.

11 Q. Can you tell me about that?

12 A. The copy machines in the teachers' lounge were  
13 always breaking down. And like, Ms. Burke or Ms. Yule --  
14 that's my history and my English teacher. They would  
15 always have us run down to Mr. Bachrach's class to make  
16 copies for them because they could never get their copies  
17 done there. It was really hard. Like, Ms. Yule  
18 constantly had to change her lesson plans, because she  
19 didn't have copies for us. Or she would end up writing  
20 all the questions on the board, and we had to copy it  
21 down.

22 Q. I want to get some specifics on this.

23 With respect to the two photocopiers in the  
24 teachers' lounge, can you recall a specific instance when  
25 the machine was broken that you know of?

1 because the copy machines were broken.

2 Q. And that's based on what he told you?

3 A. Yes.

4 Q. Is it your understanding that the copy machines  
5 in the teachers' lounge would break down solely based on  
6 comments made by Ms. Burke, Ms. Yule and Mr. Goodwin?

7 A. Yes.

8 Q. Is it based on any other source of information?

9 A. No.

10 Q. It's only what they've told you; is that  
11 correct?

12 A. Yes.

13 Q. And is it your understanding that whenever  
14 Ms. Burke and Ms. Yule wanted to have something copied,  
15 they could have it copied by Mr. Bachrach's copier -- is  
16 that correct? -- or the copier in Mr. Bachrach's room?

17 A. For the most part. Sometimes his copy machine  
18 didn't work, either. But for the most part, they could  
19 get it copied there.

20 Q. And do you recall a specific instance when the  
21 copy machine in Mr. Bachrach's classroom didn't work?

22 A. Yes.

23 Q. When was that?

24 A. It happened a couple of times during the  
25 semester. Like, the copy machine would just not work.

1 A. The machines were almost always broken.

2 Q. Did you ever go into the teachers' lounge --

3 A. Yes.

4 Q. -- to photocopy anything?

5 A. Yes.

6 Q. Was there ever a time that you went in and a  
7 machine was broken?

8 A. No.

9 Q. So every time you went in to copy, they were  
10 working?

11 A. Yes.

12 Q. How is it that you know that either one or both  
13 of the machines ever broke down in the teachers' lounge?

14 A. Our teachers were always complaining that the  
15 copy machines weren't working; so they would make us go  
16 to Mr. Bachrach's class to copy it, Ms. Yule and  
17 Ms. Burke, because they were Mr. Bachrach's friends.

18 Q. So your understanding that the copy machines in  
19 the teachers' lounge would break down is based solely on  
20 what Ms. Burke and what Ms. Yule told you; is that  
21 correct?

22 A. And Mr. Goodwin, my garment teacher -- he would  
23 also let us know. Sometimes he would be, like, "Oh" --  
24 like, he would write things down on the board or  
25 something, or he would give us something else to do

1 There would be, like -- I'm not sure what really was  
2 wrong with it. But we would try to make copies, and it  
3 just wouldn't work.

4 Q. And do you know if during the times when the  
5 copy machines in the teachers' lounge were broken, if  
6 ever -- do you know if teachers could use any other copy  
7 machines on campus?

8 A. I'm not sure if every teacher could do it, but  
9 Ms. Burke used to ask the secretaries in the main office  
10 to use the copying machine in the counseling office.  
11 Like, the counseling office and the main office share a  
12 copying machine. And she would send me down and ask one  
13 of the secretaries to do it. But I'm not sure if, like,  
14 every teacher could do that or if it was just Ms. Burke.

15 Q. So you don't know one way or the other whether  
16 the school made arrangements for teachers to use another  
17 copy machine on campus if and when the copy machines in  
18 the teachers' lounge were ever broken; is that correct?

19 MS. SIEVERS: Objection; misstates testimony.

20 BY MS. STRONG:

21 Q. Does that misstate your testimony? Correct me  
22 if it does, because I don't intend to do that at all.

23 A. I know that Ms. Burke could. I don't know if  
24 the other teachers could.

25 Q. And my question is: You don't know one way or

1 the other whether the school made any arrangements for  
2 teachers to use another copy machine when either of the  
3 copy machines in the teachers' lounge were broken; is  
4 that correct?

5 A. Yes, that's correct.

6 Q. And do you know if -- was there -- do you  
7 know -- let me rephrase. Sorry.

8 Do you know if there are any limitations ever  
9 put on the number of copies a teacher could make?

10 A. There were, but I don't remember what the number  
11 was.

12 Q. How do you know of limitations?

13 A. They're posted in the teachers' lounge. It  
14 says, like, how many copies you're allowed to make.

15 Q. Is that per time at the copy machine, or do you  
16 remember anything about the nature of the limitation?

17 A. Well, teachers had to fill out a request form,  
18 and it said on the request form whatever number of copies  
19 allowed. I don't remember the number, but it was -- I  
20 don't remember how much it was. And --

21 Q. Do you know what period of time teachers were  
22 given to use that number of copies, whatever the number  
23 was?

24 A. No, I don't. I think it was just, like, a given  
25 assignment.

1 Q. And how many times did that happen?

2 A. I don't remember, really.

3 Q. If you had to give your best estimate --

4 A. This was in 10th grade.

5 Q. It was your 10th grade class?

6 A. Yeah.

7 Maybe like seven times a semester or something.

8 Q. And on each of those occasions, do you know if

9 Ms. Yule tried to copy her materials on some other  
10 machine available on campus?

11 MS. SIEVERS: Objection; calls for speculation.

12 THE WITNESS: Me, I don't know.

13 BY MS. STRONG:

14 Q. And you said that Ms. Burke also changed her  
15 lesson plans because there was no copy machine or she was  
16 unable to copy her work.

17 A. Uh-huh.

18 Q. How do you know that?

19 A. Well, because she would -- she would ask me to  
20 go down and try to get the copies done for her. And  
21 sometimes, like, they would say "No. Tell her we're not  
22 going to make any copies for her." Like, the copier  
23 wasn't made for her; so they would say "No." So I would  
24 go back, and she'd say, "Oh, we're not going to be able  
25 to do it today" or something; so she would have to change

1 Q. Only so many copies could be made of a given  
2 assignment?

3 A. I think so or per, like, request or something.  
4 I'm not really sure.

5 Q. Okay. Do you know if teachers could ever ask to  
6 be an exception to the limitation if they needed to make  
7 more copies than was allowed by that limitation?

8 MS. SIEVERS: Objection; calls for speculation.

9 THE WITNESS: No, I don't know.

10 BY MS. STRONG:

11 Q. Do you know if a teacher ever couldn't make  
12 enough copies because of that limitation?

13 A. No, not that I know of.

14 Q. So I believe you said that Ms. Yule changed her  
15 lesson plans because she couldn't make copies on certain  
16 occasions; is that correct?

17 A. Yes.

18 Q. Is there any other teacher that you know of that  
19 made changes to their lesson plans or homework assignment  
20 plans because they were unable to make copies?

21 A. At times, Ms. Burke did and Mr. Goodwin.

22 Q. How do you know that Ms. Yule changed lesson  
23 plans because she was unable to make copies?

24 A. She would tell us "We're going to do this  
25 instead because the copy machine was broken."

1 her lesson plan.

2 When we were doing our poetry assignments,  
3 everybody's group had to present, and we had to make  
4 copies for the entire class. And a lot of times we had  
5 to switch around groups because copies couldn't get made.

6 Q. With respect to the first scenario you said, do  
7 you know if she tried to copy the materials in the  
8 teachers' lounge?

9 A. It was usually because the machine was broken in  
10 the teachers' lounge that she would send me to the main  
11 office.

12 Q. Did she tell you that each and every time?

13 A. Every time she would send me, she would say "The  
14 copy machine is broken in the teachers' lounge. Can you  
15 ask them to copy it for me?"

16 They would either say, "Tell Ms. Burke we're too  
17 busy. We can't do it," or "Tell her this isn't for  
18 teachers." It just depended what mood they were in.

19 Q. And did you tell me -- how many times did that  
20 happen with respect to Ms. Burke, if you could give your  
21 best estimate?

22 A. About the same, like seven times a semester.

23 Q. And how about with respect to Mr. Goodwin?

24 A. That only happened a couple times. Maybe, like,  
25 four times a semester.

1 Q. And all of what you know with respect to your  
2 understanding that these three teachers changed their  
3 assignments because they were unable to make copies is  
4 based solely on what those teachers told you; is that  
5 correct?

6 A. Yes.

7 MS. SIEVERS: Can we take a quick break?

8 MS. STRONG: Sure.

9 (Recess taken.)

10 BY MS. STRONG:

11 Q. So with respect to paragraph 232 of the First  
12 Amended Complaint, it states:

13 "Even if the copy machine were not  
14 broken, teachers are allowed to only make a  
15 limited number of copies, so the teachers  
16 cannot copy enough pages to assign homework  
17 every night to all of their students."

18 As far as you're aware, you don't know of any  
19 teacher who was unable to make sufficient copies due to  
20 the limitation of pages they were allowed to copy; is  
21 that correct?

22 MS. SIEVERS: Objection; calls for speculation.

23 THE WITNESS: I never heard a teacher say  
24 anything about it, no.

25 ////

1 materials by themselves? Do you know one way or the  
2 other?

3 A. I don't know.

4 Q. So with respect to -- well, let's read.

5 Paragraph 233 of the First Amended Complaint  
6 states:

7 "Students at the school must pay for  
8 their own educational materials. In one  
9 advanced-placement English class, students  
10 had to buy their own test primer. In an  
11 advertising design class, students paid for  
12 notebooks and special paint they were  
13 required to have in class."

14 So do you know anything about this allegation  
15 other than what you've already just testified to here  
16 today?

17 A. No.

18 Q. And so you don't know of students having to pay  
19 for educational materials other than the novels in your  
20 AP English class and other than what you heard with  
21 respect to an art class; is that correct?

22 A. That's correct.

23 Q. With respect to paragraph 234 of the  
24 Complaint -- can you review that to yourself, please?

25 A. Okay.

1 BY MS. STRONG:

2 Q. You don't know that from any other source; is  
3 that correct?

4 A. That's correct.

5 Q. Have you ever had to pay for your own materials  
6 in school other than the novels that you purchased for  
7 your AP English class?

8 A. No.

9 Q. Do you know of any other students who have had  
10 to pay for any other materials in the school?

11 A. I think art students pay for their own  
12 materials.

13 Q. And those are materials that they can take home  
14 with them when their art project is done; is that  
15 correct?

16 A. I'm assuming. I don't really know how it works.

17 Q. And why is it that you believe that some art  
18 students pay for their own materials?

19 A. My friend's brother was in the art class, and he  
20 used to buy his own paint and, like, all that stuff.

21 Q. Do you know if he was required to do that?

22 A. It was part of the class. Yeah, they had to.

23 Q. But do you know if the teacher offered to  
24 provide some of the supplies for some of the students if  
25 they couldn't afford or weren't willing to buy the

1 Q. Have you already told me everything that you  
2 know with respect to that allegation --

3 A. Yes.

4 Q. -- which relates to multitrack schools? Is that  
5 correct?

6 A. Yes.

7 Q. You explained to me earlier that you felt that  
8 you were unable to participate in student government  
9 during your senior year because you chose to take  
10 AP government.

11 A. Yes.

12 Q. Is that correct?

13 A. Yes.

14 Q. Did you participate in sports at Jefferson?

15 A. No.

16 Q. Did you ever want to participate in sports at  
17 Jefferson?

18 A. No.

19 Q. So you never had an experience where any of your  
20 classes interfered with your ability to take sports at  
21 the school; is that correct?

22 A. That's correct.

23 Q. With respect to paragraph 235 of the First  
24 Amended Complaint, the first sentence says:

25 "Course offerings at the school are so

1 limited that students either are foreclosed  
2 from taking certain courses or must choose  
3 between academic rigor and extracurricular  
4 involvement."  
5 Do you believe that that statement is true?  
6 A. Yes.  
7 Q. Why is that?  
8 A. Because anybody who was taking an AP class  
9 during sixth period wouldn't be able to be in a sport.  
10 And AP classes are only offered one time during the day.  
11 Q. With respect to that first sentence of the  
12 paragraph, do you have any experience -- do you have any  
13 experience personal to you that corresponds with that  
14 statement?  
15 A. No.  
16 Q. So you never had to choose between academic  
17 rigor or extracurricular involvement; is that correct?  
18 A. That's correct.  
19 Q. And you were never foreclosed from taking  
20 certain courses; is that correct?  
21 MS. SIEVERS: Objection; misstates testimony.  
22 THE WITNESS: Well, for example, the classes  
23 that were too full; so I ended up taking a service class.  
24 BY MS. STRONG:  
25 Q. What class was too full that you wanted to

1 take -- let me rephrase.  
2 What class was there that was too full that you  
3 wanted to take but couldn't take because of the size of  
4 the class?  
5 A. Like, the honors chemistry -- I ended up in  
6 regular. It was called humantous chemistry.  
7 Q. What?  
8 A. Humantous -- it was like an academy that existed  
9 at one time. So I wasn't able to get into the honors  
10 course because it was too full.  
11 Q. Any other time that you felt you were foreclosed  
12 from a class?  
13 A. That's the only time I can think of.  
14 Q. Did you find the chemistry class that you were  
15 in challenging?  
16 A. No, it wasn't challenging. I learned a lot, but  
17 it wasn't challenging.  
18 Q. That's how you felt about most of your classes;  
19 correct?  
20 A. Yes.  
21 Q. That you learned a lot, but you didn't find them  
22 necessarily challenging?  
23 A. Yes.  
24 Q. Would you say that about your AP English class  
25 as well in your senior year?

1 A. The AP English class was a bit challenging,  
2 but -- I learned a lot. It wasn't too challenging, but I  
3 mean, it was enough.  
4 Q. So is it fair to say that you don't think a  
5 course needs to be challenging necessarily to learn a lot  
6 in the course? Is that correct?  
7 A. That's correct.  
8 Q. With respect to the second sentence of  
9 paragraph 235 of the First Amended Complaint, it says:  
10 "Some students who took French during  
11 their ninth grade year were not able to  
12 continue with French instruction during the  
13 following year because Jefferson did not  
14 offer second-year French."  
15 Are you familiar with that allegation?  
16 A. No.  
17 Q. Based on that allegation, does it appear that  
18 Jefferson offers first-year French?  
19 A. On certain tracks, it does.  
20 Q. Do you know that to be true --  
21 A. Yes.  
22 Q. -- from your experience, outside of reading it  
23 here in the First Amended Complaint?  
24 A. Yes.  
25 Q. And do you know if first-year French was ever

1 offered on your track during your four years at  
2 Jefferson?  
3 MS. SIEVERS: Objection; asked and answered.  
4 THE WITNESS: Not that I know of.  
5 BY MS. STRONG:  
6 Q. Do you know one way or the other?  
7 A. I don't think it was.  
8 Q. Do you know of any students who are in  
9 AP classes and who participate either in student  
10 government or in any sport at this school?  
11 A. Not on "C" track.  
12 Q. You don't know of any students?  
13 A. Uh-uh. Well, actually, some of the AP students  
14 were, like, volleyball players and, I think, basketball.  
15 They would just do it after school instead of taking it  
16 as a sport during sixth period like they normally do.  
17 Q. So from your understanding, accommodations can  
18 be made to have students participate in a sport, but  
19 maybe not participate during their sixth period; is that  
20 correct?  
21 A. Yes.  
22 Q. So is it --  
23 Do you agree, then, it's slightly inaccurate to  
24 state that "Students who take advanced-placement courses  
25 cannot become involved in extracurricular school

1 activities such as student government or athletics"?

2 MS. SIEVERS: Objection; vague.

3 THE WITNESS: There are ways that they could

4 participate in the athletics; but, like, for example, the

5 government -- no "C" track AP student could take the

6 student government if they were in the AP government

7 class.

8 BY MS. STRONG:

9 Q. There are other AP classes offered sixth

10 period -- correct? -- or other periods throughout the day

11 other than fifth period; correct?

12 A. Not government, no; other AP courses, yes.

13 Q. So some AP students could have an AP class in

14 some subject and also take student government; is that

15 correct?

16 A. Yes.

17 Q. So do you agree that it's inaccurate to state

18 that "Students who take AP courses cannot become involved

19 in extracurricular activities such as student government

20 or athletics"?

21 A. Yes.

22 Q. With respect to the restrooms, you testified

23 already regarding availability of paper towels and toilet

24 paper in the restrooms.

25 Do you know whether there was soap in the

1 restrooms at your school?

2 MS. SIEVERS: Objection; asked and answered.

3 THE WITNESS: That I know of, there was never

4 any soap.

5 BY MS. STRONG:

6 Q. In any of the restrooms?

7 A. In any of the restrooms. I mean, there was --

8 it was a rarity. But maybe twice a year was there ever

9 any soap that I know of.

10 Q. How was the soap either dispensed or placed in

11 the restroom? What was the nature of the soap used in

12 the restroom?

13 A. They have like little -- like metal containers

14 and you pump it.

15 Q. And is that true for each of the four girls'

16 restrooms that are open on the campus?

17 A. That I could remember, yes.

18 Q. And you said that there were a few occasions

19 where you do recall there being soap?

20 A. Yes.

21 Q. Did you always check to see if there was soap in

22 any of the containers in the restroom every time you were

23 in the restroom?

24 A. Yes.

25 Q. And you know that at times, there was soap in

1 some of the restrooms?

2 A. Yes.

3 Q. At the times that there weren't -- there wasn't

4 any soap, did you ever complain to anyone about that?

5 A. No.

6 Q. And why not?

7 A. I just didn't think about it.

8 Q. Do you think if you had complained, somebody

9 might have responded to that complaint?

10 A. Most likely.

11 Q. And why do you think that they would have most

12 likely responded to a complaint regarding not having soap

13 in a bathroom?

14 A. It just goes back to they actually did bring

15 toilet paper the time I asked them to.

16 Q. So as far as you're aware, you think that the

17 school did have the capacity to respond to a complaint of

18 that nature if you had made the complaint; is that

19 correct?

20 MS. SIEVERS: Objection; calls for speculation.

21 THE WITNESS: I think that when it came to

22 bathroom supplies, if we would have complained, then yes,

23 they would have replaced them.

24 BY MS. STRONG:

25 Q. And who would you have needed to complain to?

1 A. Someone in the administration.

2 Q. Can you give me some examples?

3 A. Just anybody. Like, I think we could have told

4 anybody with a walkie-talkie, anyone who could have

5 contacted the custodian.

6 Q. How many people had walkie-talkies on the

7 campus?

8 A. All the administrators, anyone in the main

9 office and the security guards.

10 Q. So how many people would that be if you had to

11 give your best estimate?

12 A. Like, 25 or something.

13 Q. Can you review or read to yourself paragraph 236

14 of the First Amended Complaint?

15 MS. SIEVERS: You mean 237?

16 MS. STRONG: No, 236.

17 THE WITNESS: Okay.

18 BY MS. STRONG:

19 Q. Have you now told me everything that you know

20 about that allegation?

21 A. Yeah.

22 Q. And I don't remember you testifying about stall

23 doors being broken at Jefferson.

24 Did you testify to that at all that you

25 remember?

1 A. Yes.  
 2 Q. Did you recall stall doors ever being broken?  
 3 MS. SIEVERS: Objection; asked and answered.  
 4 THE WITNESS: Yes.  
 5 BY MS. STRONG:  
 6 Q. But whatever you know with respect to that  
 7 allegation, you've already testified to; is that correct?  
 8 A. Yes.  
 9 Q. Have you ever had to have a student hold a door  
 10 closed for you when you used the restroom?  
 11 MS. SIEVERS: Objection; asked and answered.  
 12 THE WITNESS: Yes.  
 13 BY MS. STRONG:  
 14 Q. And do you think that there's anything  
 15 inaccurate about paragraph 236 of the First Amended  
 16 Complaint?  
 17 A. Just the number of bathrooms, but it was -- it's  
 18 accurate when they wrote it, because those bathrooms were  
 19 put in after.  
 20 Q. So tell me how it would be accurate now? What  
 21 would you change to make that accurate?  
 22 A. There's three boys' bathrooms and three girls'  
 23 bathrooms open now because they opened a boys' and a  
 24 girls' over by the bungalows.  
 25 Q. Three girls' and three boys', you said?

1 A. Uh-huh.  
 2 Q. And so --  
 3 A. So there would be five.  
 4 Q. So there's -- I'm sorry. Let's start with the  
 5 second sentence of paragraph 236. Can you read it for me  
 6 as -- with your changes?  
 7 A. Where it says "These are just girls' and boys'  
 8 bathrooms in general," all of them that are on campus --  
 9 Q. I'll read that sentence so it's clear for the  
 10 record. The sentence at issue is:  
 11 "It has" -- "it" referring to  
 12 Jefferson -- "approximately four bathrooms  
 13 for girls and three bathrooms for boys, but  
 14 only two girls' and two boys' bathrooms are  
 15 regularly unlocked and open."  
 16 I believe you've indicated that you would change  
 17 that statement based on the condition of the school  
 18 currently; is that correct?  
 19 A. Yes.  
 20 Q. And how would you change that? Could you just  
 21 read it for me with the changes?  
 22 A. I actually don't think that there was four and  
 23 three. There's more bathrooms, but they probably didn't  
 24 count the ones that were used for storage or the ones in  
 25 the bleachers because nobody really knows about them, I

1 guess.  
 2 Q. But there are more bathrooms on campus than  
 3 what's indicated there?  
 4 A. Yes. There's six girls' bathrooms.  
 5 Q. Okay.  
 6 A. And -- there's actually seven. Yeah, there's  
 7 seven girls' bathrooms and six -- I think there's seven  
 8 and seven.  
 9 Q. Okay. There's seven bathrooms for girls and  
 10 seven bathrooms for boys on the campus?  
 11 A. Yes.  
 12 Q. And --  
 13 A. But only three and three are open.  
 14 Q. On a regular basis?  
 15 A. On a regular basis.  
 16 Q. And does that mean throughout the entire school  
 17 day?  
 18 A. Yes.  
 19 Q. So there are three girls' and three boys'  
 20 bathrooms open on -- throughout an entire school day?  
 21 A. Yes.  
 22 Q. There are some other bathrooms that are opened  
 23 in addition to those during periods of the day, but  
 24 they're not kept open for the entire school day; is that  
 25 correct?

1 A. Only the girls' restroom that's open during  
 2 nutrition and lunch.  
 3 Q. There's not also an additional boys' restroom  
 4 open during nutrition and lunch?  
 5 A. No.  
 6 Q. And with those changes, would you consider that  
 7 allegation to be accurate?  
 8 A. Yes.  
 9 Q. With respect to paragraph 237 of the First  
 10 Amended Complaint, it states:  
 11 "The school only has one college  
 12 counselor to serve the entire school of  
 13 approximately 3,500 students. Students do  
 14 not have sufficient access to the  
 15 counselor's time to plan their future  
 16 education and goals."  
 17 Are you familiar with that allegation?  
 18 A. Yes.  
 19 Q. Do you believe it to be true?  
 20 A. Yes.  
 21 Q. And why is that?  
 22 A. Our college counselor [REDACTED] is always busy.  
 23 First of all, she's always on vacation. She's an older  
 24 woman; so she has vacation time stored up. She takes at  
 25 least a week off a month. I remember her always being on

1 vacation. So when you would try to get in contact with  
 2 her, you could -- like, if you go during class time, she  
 3 would either be doing presentations to classes or she  
 4 would be busy and she would tell you to come back during  
 5 nutrition and lunch. All the students have to talk to  
 6 her. She's the only college counselor. So a lot of  
 7 times you would try to get a question in and there would  
 8 be a lot of students there; so you wouldn't get to ask  
 9 your question.

10 Q. Was there ever a time when you wanted to get in  
 11 touch with her and you were unable to at some point?

12 A. Yes.

13 Q. How many times did that occur?

14 A. During the four years, maybe, like -- a lot of  
 15 times. Like, 20 times maybe.

16 Q. But on each of those occasions, you were not  
 17 able to have your question addressed or answered at any  
 18 time by her?

19 A. No. She would -- plus she wouldn't really  
 20 answer your questions. Like, you would ask her, and she  
 21 would say "Go look for it here or there," or "Go ask  
 22 somebody else." She basically would tell you that your  
 23 question was stupid and go look it up or something. Like  
 24 not in that way. She would tell you we shouldn't be  
 25 asking questions like that.

1 to the students and things like that. When you try to  
 2 approach her, it's kind of like she doesn't want to  
 3 listen to you. It's kind of like, "I'm busy. I'm busy."  
 4 So it's easier to get things done when she's not there.  
 5 She has a lot of peer counselors, and they will generally  
 6 help you out.

7 Q. And are peer counselors there when she is there  
 8 as well?

9 A. Yes.

10 Q. So you can go to the peer counselor to ask?

11 A. You can, but they won't do it because she's  
 12 there. They'll help you with certain things, like, for  
 13 example, switching over the test -- they wouldn't do it  
 14 while she's there because she would ask them "What are  
 15 you doing?"

16 Q. Did you ever ask one of them to assist you with  
 17 switching your test while she was there?

18 A. No. I waited until she was on vacation.

19 Q. So is it accurate to say that you don't know one  
 20 way or the other whether they would have switched your  
 21 class while she was there?

22 A. Yes.

23 Q. Did anyone give a presentation to any of your  
 24 classes regarding counsel -- college counseling issues?

25 A. She would have people come and speak to us,

1 Q. Can you think of a particular time where you had  
 2 an issue that you wanted to discuss with her and you were  
 3 unable to discuss it with her ever?

4 A. Specific -- like a specific thing?

5 Q. Uh-huh.

6 A. Yeah. I wanted to know about the AP exams, like  
 7 when -- I wanted to switch what test I was going to take.  
 8 I was never able to talk to her about it. I waited until  
 9 she went on vacation to ask one of her student workers to  
 10 switch it for me.

11 Q. To change from what to what?

12 A. From the AP Spanish to the AP government.

13 Q. And why did you wait until she was on vacation?

14 A. Because she was always -- like, when you would  
 15 try to talk to her, she wouldn't listen to you. So I  
 16 waited until she wasn't there so that somebody else could  
 17 help me.

18 Q. But did you specifically wait until she was on  
 19 vacation to ask to have it changed?

20 A. Yes.

21 Q. Did you ask her to change it?

22 A. When I would try to talk to her about it, she  
 23 wouldn't listen. Since she's the only person there,  
 24 she's always busy doing things like setting up meetings  
 25 and trying to get people from different schools to talk

1 yeah.

2 Q. So individuals --

3 A. -- from different colleges would go and speak  
 4 to the class.

5 Q. And that would have all been remarks arranged by  
 6 the college counselor?

7 A. Yes.

8 Q. And how many times did someone come to one of  
 9 your classes to speak to you regarding college counseling  
 10 issues?

11 A. Like, twice a year.

12 Q. And could you ask questions at those times when  
 13 the individuals came to your classes?

14 A. Yes.

15 Q. Do you know if all the students received  
 16 present -- or all seniors received present -- let me  
 17 rephrase that question.

18 Do you know if all the students received  
 19 presentations from the college counselor at some point in  
 20 time or by individuals sent by the college counselor?

21 MS. SIEVERS: Objection; calls for speculation.

22 THE WITNESS: When you enter the school in  
 23 ninth grade, every English class goes down and she gives  
 24 a presentation and introduces them to the college  
 25 counselor. And she says, "If you have any questions, I'm

1 here, or you can ask one of the peer counselors." So  
 2 everybody is supposed to have a presentation done by her  
 3 to kind of introduce the college center to them.

4 BY MS. STRONG:

5 Q. Do you know if any other college presentations  
 6 are made to the students on a regular basis other than  
 7 the ninth grade presentation?

8 A. Not that I know of. I just know that the  
 9 AP class would always get people to come to talk to the  
 10 class.

11 Q. So did you personally get sufficient assistance  
 12 from individuals at school to help you apply to college?

13 A. Well, I was lucky enough to have -- like, three  
 14 of the peer counselors were in my class; so we actually  
 15 took time. And I'm not sure if it was in Mr. Bachrach's  
 16 class or in Ms. Burke's class to have them, like, explain  
 17 to us the whole process. I think it was Ms. Burke's  
 18 class. Like, every two weeks, she would have one of the  
 19 peer counselors come up and kind of update us, like, "The  
 20 deadline for this is coming up," to make sure that we had  
 21 all our stuff together.

22 Q. And that's every two weeks during your senior  
 23 year?

24 A. Yeah.

25 Q. People from the peer counselors would come to

1 going on. They also make sure to deliver it to the AP  
 2 class. Everybody else just kind of has to go and get one  
 3 in the college center if they wanted one. But we would  
 4 always get it mailed to us if we were off track or get it  
 5 hand delivered to us.

6 Like I said, there was always people coming to  
 7 present to our classes. Our teachers pushed us a lot.  
 8 All the AP teachers -- basically, we had the same  
 9 teachers over the four years. They always pushed us a  
 10 lot. They always told you, "You guys have to make it."  
 11 It was sort of like the AP class was the only class that  
 12 got pushed. It was like "These are the ones that are  
 13 going to succeed, and these are the only ones we are  
 14 concerned about."

15 Nobody really guided the other students. We  
 16 would get the counselors to come to our classroom and fix  
 17 our schedules for the next semester. It still wouldn't  
 18 show up right at the beginning of the next semester, but  
 19 they would at least try to go to our class and say "What  
 20 classes do you want to take next semester?" and try their  
 21 best to get us in the classes that we wanted. So they  
 22 did a lot to push us into getting into college.

23 Q. Any other characteristics of Jefferson that you  
 24 would identify as good characteristics of the school?

25 A. Students try to make the most of what they have.

1 your class?

2 A. The peer counselors were in my class.

3 Q. Okay. And they would give presentations?

4 A. They would just get up and say "This week is the  
 5 deadline for this" or "The deadline for this is coming  
 6 up; so make sure you do it."

7 Q. So you had sufficient enough assistance to  
 8 properly apply for college; is that correct?

9 MS. SIEVERS: Objection; misstates testimony.

10 THE WITNESS: I feel that I got a lot of help  
 11 from the people in my class.

12 BY MS. STRONG:

13 Q. So was that accurate, what I just said?

14 A. Basically.

15 Q. Is it inaccurate in any way?

16 A. No.

17 Q. Do you think there was anything that you would  
 18 identify as being a good characteristic of Jefferson High  
 19 School?

20 A. I think that they do a lot to get the AP  
 21 students into college.

22 Q. Can you describe for me what types of things  
 23 that they do to get AP students into college?

24 A. Like, the college center puts out a monthly  
 25 newsletter to inform students of all the things that are

1 Like, we try to stay united. I mean, there's fights on  
 2 campus, but there's never -- there's not like big racial  
 3 problems or anything like that. Everybody tries to get  
 4 along. And the teachers try to make everybody get along,  
 5 basically. And there is, like, a feeling of unity on  
 6 campus. Like, everybody is really into the whole school  
 7 spirit thing. And I mean, there are a lot of students  
 8 that they -- oh, they're embarrassed to go there or  
 9 something, but you'll still see them at football games  
 10 and stuff, you know.

11 And the teachers that do care that actually do  
 12 try their best, really give their all. They, like, are  
 13 completely dedicated to the students, and they also --  
 14 they try to implement a lot of programs to help the  
 15 students, like tutoring programs. Like, we used to have  
 16 our academies, and now they have these things, like,  
 17 career interest paths to try to help the students -- kind  
 18 of like direct the students towards college. So those  
 19 are all good things.

20 Q. You said that the teachers try to make everybody  
 21 get along.

22 What do you mean by that?

23 A. They never try to like -- they treat us all on  
 24 the same level. They teach us how to respect each other.  
 25 Like, they make everybody work in groups, make sure that

1 we know how to work with each other. It's not very  
2 culturally diverse, my school; so they try to teach us  
3 about different cultures and stuff and try to make us  
4 understand that we're all coming from the same place; so  
5 we should all get along.

6 Q. Can you think of any particular incident or  
7 lessons regarding teaching about other cultures?

8 A. I know in Mr. Bachrach's class, we would watch a  
9 lot of films from different parts of the country or  
10 different countries altogether to try to get us to  
11 understand. Like, for example, we've never been  
12 anywhere, but, like, most of us to Mexico; so he would  
13 show us films about Europe and about different parts of  
14 the world so we could get an idea of what things are.

15 Q. You said that you used to have academies.

16 Did you testify about that previously?

17 A. I don't think so.

18 Q. What were the academies?

19 A. There were two academies, or there was three.  
20 One was called the Perkins Academy. That was, like,  
21 mainly, like, the cosmetology department, and I really  
22 don't know what else was in that.

23 Q. The second one?

24 A. We had -- it was called the Early College  
25 Academy. That's the academy that I was in. It was

1 called. It was called, like, The Urban Culture or  
2 something. I wasn't even like part of it really, that  
3 was just the title I was assigned. I was supposed to be  
4 in those classes, but I wasn't in them. I was more like  
5 in the film and theater arts class because I was in the  
6 film class. So on "C" track, there was a film and  
7 theater arts academy called, like, Urban Culture and  
8 Environmental Engineering. And it's supposed to steer  
9 you into an area that you would like to study in college,  
10 but they sort of hadn't learned how to implement them  
11 yet.

12 Q. But that's a program that applies to the entire  
13 school that the administration is trying to implement  
14 with respect to all the students?

15 A. Yes. And every track has different ones.

16 MS. STRONG: I haven't had an opportunity to  
17 review all of the documents that have been produced  
18 today, but at this point I have no further questions.  
19 And I'd like to reserve my right to continue questioning  
20 after I review the documents that were produced today.

21 Q. And also I believe you will be producing  
22 additional documents.

23 A. Yes.

24 MS. FLOYD: I too would like an opportunity to  
25 review the documents and would like an opportunity to ask

1 basically the honor classes -- honor students. We would  
2 plan, like, group activities to raise money; and we had,  
3 like, fund-raisers. And we would go on all kinds of  
4 field trips together and stuff.

5 And then there was the Humantous Academy, and  
6 that one is the same thing, just, like, that was the  
7 nonhonors students.

8 Q. Were they essentially like magnet programs?

9 A. No. They were just like different academies.  
10 You had to apply to get into one of the academies. It  
11 was sort of like -- they were like clusters that we had,  
12 but not all the students were in them; so that's why they  
13 took them out. It was, like, a lot of competition. We  
14 were always kind of competing against each other. So  
15 they took them off because not everybody was in it. It  
16 was, like, the academy students and the nonacademy  
17 students. So they just took them off to make it all  
18 fair. And they started the career interest path, and  
19 they made sure that every student was in an interest  
20 path.

21 Q. Did you agree with that decision?

22 A. I liked the academies better just because the  
23 academies were more united. When we changed to the  
24 career interest path -- like, for example, I was in  
25 one -- I was in -- I don't even remember what it was

1 questions today on the record with respect to the  
2 documents, if we can take a brief break just to allow  
3 time.

4 MS. SIEVERS: I'd rather get it done today.

5 MS. STRONG: Even though we're going to take a  
6 break, I still would like to reserve my right. It seems  
7 like there's a significant amount of documents here. To  
8 actually review them thoroughly, I don't know if that's  
9 really possible today. I'll do my best. But I'd like to  
10 retain my right to questions her regarding these  
11 documents after today as well.

12 (Recess taken.)

13 MS. STRONG: Off the record we've taken a few  
14 minutes to go through some of the documents that were  
15 produced after the lunch break today at this deposition,  
16 and I've not had an opportunity to go through all the  
17 documents, but I have a caught a couple things that I  
18 would like to ask about. And if counsel for Los Angeles  
19 Unified School District has any questions, she can  
20 proceed with those questions as well.

21 MS. FLOYD: Okay.

22 MS. STRONG: I'd like to mark as Exhibit 9 a  
23 document that was produced today which appears to be a  
24 two-page document titled "Autobiography."

25 ////

1 (Whereupon, Defendants' Exhibit 9  
2 was marked for identification.)

3 BY MS. STRONG:

4 Q. Can you explain what this document is?

5 A. It's an autobiography that I wrote for a thing  
6 called a "senior portfolio" that we turn in before we  
7 graduate. Every senior has to have one in order to  
8 graduate, and you have to produce -- I think you produce  
9 a resume and autobiography. And I remember, like -- I  
10 don't remember what else goes into it.

11 Q. And in it you said on the first page:

12 "When I was in the ninth grade, I feel I  
13 was a much better student. I can honestly  
14 say that my middle school teachers did a  
15 great job preparing me for high school."

16 Are you referring to your teachers at Carver  
17 Middle School?

18 A. Yes, I am.

19 Q. And that's a middle school in the Los Angeles  
20 Unified School District; is that correct?

21 A. Yes.

22 Q. Do you believe that that is still an accurate  
23 statement?

24 A. Yes.

25 Q. Now, when you said "When I was in ninth grade, I

1 Q. Was that the case for your honors teachers and  
2 your AP teachers?

3 A. Those teachers did push us, but just watching  
4 everybody else getting away with doing nothing, kind of  
5 unmotivates you.

6 Q. Do you think that a teacher should force a  
7 student to study and be motivated, or do you think that  
8 should come from a student, him or herself?

9 MS. SIEVERS: Objection; incomplete  
10 hypothetical.

11 THE WITNESS: I don't think that the teacher  
12 forces you. I think that they encourage you. And I  
13 think that they should be encouraging. And part of it is  
14 the student, but you have to work as a team. Basically,  
15 they encourage you, and you accept the encouragement.

16 BY MS. STRONG:

17 Q. So you would acknowledge that you think to the  
18 extent that you felt that you became more lazy as you  
19 proceeded through Jefferson, you would blame yourself in  
20 part for that?

21 A. Yes.

22 Q. And you said, "I've become much more dilatory."

23 Why is it that you believe that you became more  
24 dilatory?

25 A. If I didn't feel like doing the work, I didn't

1 feel I was a much better student," better student than  
2 what?

3 A. Than I was at the end of the 12th.

4 Q. And do you believe that that's true?

5 A. Yes.

6 Q. And what do you base that on?

7 A. When I was in the -- when I was in junior high,  
8 I was much more motivated. My teachers used to push me a  
9 lot harder. The work was a lot harder. They would give  
10 us really difficult assignments and tell us that's what  
11 high school was going to be like and that we had to get  
12 used to it. And I wasn't lazy at all. They would assign  
13 the homework. I would do it. I was happy to do it. And  
14 the years at Jefferson, I got lazy. I didn't -- even  
15 though I did have good teachers that were pushing me, it  
16 just wasn't challenging; so I just wasn't really  
17 interested in doing the work.

18 Q. Who do you think is responsible for that change  
19 in your attitude, if anyone?

20 A. I don't really know who I would blame. Part of  
21 it is me because I just got lazy. Part of it is just the  
22 environment, just because nobody seems to care at that  
23 school. Like, the overall expectancy isn't high, and so  
24 it was just like "Well, they don't do their work. Why  
25 should I?"

1 do it. I was just lazy. I was like -- like, I'd do my  
2 work. I would do it. I'd just do it at, like, the last  
3 minute. Like, I'd put whatever together, and I knew I'd  
4 get a good grade anyway. Like, if I had a class during  
5 third period, it was, like, "Okay. I'll do it during  
6 nutrition." I would do the work, but I didn't put any  
7 effort into it.

8 Q. But you were still studying approximately  
9 2 1/2 hours a night; correct?

10 A. Yes.

11 Q. And you did that throughout your time at  
12 Jefferson High School, the four years that you were  
13 there; correct?

14 A. Yes.

15 Q. So what you would have expected from yourself  
16 was something more than 2 1/2 hours of studying a night  
17 and attending your classes during the day; is that  
18 correct?

19 A. Yes.

20 Q. And what more would that have been?

21 A. I didn't push myself hard enough. I didn't do  
22 everything to the best of my ability. I know that I  
23 didn't. I know I could have done a lot better. I know I  
24 could have gotten straight A's if I wanted to. I never  
25 pushed myself. I was always, "That's good enough." And

1 I shouldn't have been that way.

2 And my teachers were telling me, "Betty, you're  
3 lazy. You're really smart, but you're lazy. You should  
4 do the work. You can do better than this." I would get  
5 a good grade. It was still good, but I was told I could  
6 do better.

7 Q. And even when teachers told you that, would you  
8 respond to that?

9 A. It would motivate me, and the next two  
10 assignments I would do good. But then it was like, I  
11 would rather play on the computer or talk on the phone  
12 and just became lazy again.

13 Q. And you explain here that:

14 "This comes in part from my lack of  
15 seriousness for school in part for the lack  
16 of experienced teachers which are found in  
17 inner-city schools."

18 Why is it that you think that your laziness,  
19 using your word, stemmed from a lack of experienced  
20 teachers?

21 A. Because a lot of teachers that I had were young,  
22 and they didn't know how to motivate students. They  
23 didn't know -- I mean, they knew how on -- they knew  
24 their stuff, but they didn't know how to teach it. And  
25 they didn't know how to like -- they wouldn't keep my

1 teaching or something.

2 Q. So I guess I'm just not understanding why it is  
3 that you think that an experienced teacher is necessary  
4 to motivate you to perform at your highest level?

5 A. Well, from what I saw, teachers with experience  
6 just knew how to -- because anybody could know the  
7 material, but it's hard to teach it to someone. And so  
8 you could only get that through experience, learning how  
9 to teach someone stuff, because I might know how to do  
10 the math, but I wouldn't be able to teach you how to do  
11 it. You know, like I don't know how to teach something.  
12 So not until, like, I had teachers with experience did  
13 they motivate me, did they know how to keep the students'  
14 attention and how to get students involved and stuff.  
15 It's harder for a teacher that's new because they don't  
16 really know what to do, what to expect.

17 Q. Do you think it has anything to do with the  
18 teacher's personality as opposed to experience in the  
19 classroom, per se?

20 A. Part of it would be the teacher's personality.  
21 You would have to be able to get along with the students.

22 Q. Do you think any of it has to do with a  
23 teacher's innate ability to teach?

24 A. For example, Ms. Yule had no personality. She  
25 never cracked a smile. She was really serious, really

1 attention because it wasn't challenging; so they made me  
2 kind of lazy.

3 Q. But I think also you testified earlier that some  
4 of your most motivating teachers -- your best teachers  
5 were those with little experience; is that correct?

6 A. Not little experience. I said that they were  
7 uncredentialed, but not necessarily little experience.  
8 Like, ██████████ taught there for, like, six years or  
9 something. It wasn't that he didn't have experience. He  
10 just didn't have a credential.

11 Q. So what teacher -- I know you identified three  
12 teachers that you considered to be not such good  
13 teachers, and they were the ones that had credentials.

14 Other than --

15 Were those teachers you would have considered to  
16 be teachers with experience?

17 A. Not ██████████

18 Q. Even though he had his credential, he didn't  
19 have experience?

20 A. No. It was only his second year of teaching.

21 Q. And how about the other two?

22 A. ██████████ had a lot experience, but he  
23 still wasn't a good teacher. And ██████████ I'm not  
24 sure how long she had been a teacher. She had been  
25 teaching more than -- I think she had maybe four years

1 dry; but she was a really good teacher. She knew how to  
2 teach. So it's not really all personality. It's just  
3 knowing how to teach. And it takes a great deal to  
4 actually hold a student's attention and get them to learn  
5 the stuff and get them to want to do the work and  
6 challenge their mind.

7 Q. And a lot of teachers did, in fact, motivate you  
8 to learn and were good teachers in your mind at Jefferson  
9 High School?

10 MS. SIEVERS: Vague as to "a lot."

11 THE WITNESS: I had, like, a lot of the same  
12 teachers over and over again; so yeah, basically.

13 BY MS. STRONG:

14 Q. If you had to say, looking at your schedule  
15 alone, the percentage of teachers that you consider to be  
16 good teachers and motivational teachers, what would that  
17 be if you had to give your best estimate as to that?

18 A. Probably like -- maybe like 65 to 70 percent.

19 Q. Can you identify for me just a list of teachers  
20 you felt did not motivate you?

21 A. My typing teacher.

22 Q. His or --

23 A. Her name was ██████████. I think her name was,  
24 or ██████████ or something like that.

25 Q. Anyone else?

1 A. My history teacher, [REDACTED]  
 2 [REDACTED] my biology teacher, [REDACTED]  
 3 Q. Any others?  
 4 A. [REDACTED] my math teacher.  
 5 Q. What year?  
 6 A. He was my math teacher in the ninth and tenth.  
 7 That's all I can remember.  
 8 Q. So that's six teachers out of all the teachers  
 9 you had over the period of four years; is that correct?  
 10 A. Yes.  
 11 Q. Now, help me out. I can't tell if there's a  
 12 page missing here.  
 13 A. I think I typed it wrong; so I think there's  
 14 words missing.  
 15 Q. You don't think there's a page missing, because  
 16 at the bottom here it reads -- in the last sentence in  
 17 part, it reads:  
 18 "I would be lying if I said all of the  
 19 teachers I have encountered my high school  
 20 year were unfit for -- of this that I feel  
 21 that I am not as prepared to go to a  
 22 four-year university like UCLA."  
 23 A. Yeah, there's words missing. It's supposed to  
 24 say:  
 25 "I would be lying if I said all the

1 you feel that you're actually more prepared for your  
 2 university or for your college than you initially  
 3 thought; is that correct?  
 4 A. Yes.  
 5 Q. And you never applied for UCLA; so you don't  
 6 know if, in fact, you would have been equal to the other  
 7 students attending in the first year class or not; is  
 8 that correct?  
 9 A. That's correct.  
 10 Q. And do you agree with the sentence in your  
 11 autobiography that says:  
 12 "I used to believe that if someone wanted  
 13 to learn, it didn't matter where they were  
 14 if they would get the job done, but now I  
 15 realize this is not true."  
 16 Do you agree with that?  
 17 A. Yes.  
 18 Q. Because I think you testified earlier a student  
 19 can learn wherever they are, as long as they want to  
 20 learn, they'll be able to learn.  
 21 A. Well, I think that to -- that's what I always  
 22 used to say. Like, if you want to learn, then you'll  
 23 learn. You'll find the books. You'll get the material.  
 24 You'll learn. But it's not that easy. I mean, you could  
 25 do all of that on your own, but still you're -- you're

1 teachers I encountered in my high school  
 2 career weren't fit for the job. It is  
 3 because of this that I feel I am not  
 4 prepared to go to a four-year university  
 5 like UCLA."  
 6 Q. So if I am to understand it correctly, what you  
 7 intended to say is that many of the teachers were fit,  
 8 not all were unfit?  
 9 A. Uh-huh.  
 10 Q. Is that correct?  
 11 A. Yes.  
 12 Q. And then "it is because of this that I feel I am  
 13 not prepared" -- it is because of what?  
 14 A. Because of everything that I was talking about  
 15 before.  
 16 Q. Not the fact that some of the teachers were fit  
 17 to teach you?  
 18 A. Well, because of the unfit teachers.  
 19 Q. And also because of your lack of seriousness for  
 20 school that you feel you are responsible for in part; is  
 21 that correct?  
 22 A. Yes.  
 23 Q. So you don't blame that all on the teachers?  
 24 A. No.  
 25 Q. And as it turns out, I think you testified that

1 not going to learn as much as if you go to, like, a  
 2 really good school and they help you out. It's like --  
 3 Q. But even at a really good school, you have to be  
 4 willing to do the work; correct?  
 5 A. Yes. So like --  
 6 Q. So is the answer just being at a really good  
 7 school?  
 8 MS. SIEVERS: Objection; incomplete  
 9 hypothetical.  
 10 THE WITNESS: It's a combination. Like, you  
 11 have to want to learn, and you have to have someone  
 12 that's willing to teach you. It's both. But I think  
 13 that -- I used to think that it didn't matter, if you  
 14 wanted to learn, you were going to learn. But, like,  
 15 being -- by going to Jefferson, it showed me it's not  
 16 that easy. You can't do it all on your own. You have to  
 17 have somebody to guide you and somebody to teach you the  
 18 things at the same time.  
 19 Q. And you had teachers that would guide you and  
 20 teach you things at Jefferson; is that correct?  
 21 A. Yes.  
 22 Q. So for your personal experience, you had those  
 23 tools there for you, and you didn't take advantage of  
 24 them to the extent that you felt you could have; is that  
 25 correct?

1 MS. SIEVERS: Objection; compound and misstates  
2 testimony.

3 THE WITNESS: For the most part, I did have  
4 teachers that did the job. And I don't think that I  
5 worked to my full capability. But not all my teachers  
6 were the best. Like, I know that I could have had better  
7 teachers, like, if I went to a school like El Camino.

8 BY MS. STRONG:

9 Q. Do you think you could have had a teacher better  
10 than Ms. Burke at El Camino?

11 A. I don't know if it would have been better. Like  
12 her, yes.

13 Q. Do you think you could have had a teacher better  
14 than Mr. Bachrach at El Camino?

15 MS. SIEVERS: Objection; calls for speculation.

16 THE WITNESS: I don't know if they would have  
17 been better, but I'm sure they would have been at least  
18 as good as them.

19 BY MS. STRONG:

20 Q. Do you think at El Camino there are any teachers  
21 that aren't that good?

22 MS. SIEVERS: Objection; calls for speculation.

23 THE WITNESS: I'm sure there is. There should  
24 be. Not every teacher can be 100 percent at every  
25 school.

1 A. That is correct.

2 Q. And you had [REDACTED]

3 And is it correct for me to understand that you  
4 still feel that you were lazy towards the end of your  
5 educational experience at Jefferson?

6 A. Yes.

7 Q. So even though you had [REDACTED]  
8 [REDACTED] you felt that you personally could have done more to  
9 push yourself further?

10 A. Yes.

11 Q. Do you think that's typical of students in high  
12 school?

13 MS. SIEVERS: Objection; calls for speculation.

14 THE WITNESS: I don't know. Everybody has their  
15 own way of thinking. I just -- these classes weren't  
16 hard at all. Like, I wasn't in the AP classes this  
17 semester. It was just regular honors. And in my history  
18 class, we never did anything. Like, I got an [REDACTED] but we  
19 never did anything in the first place. [REDACTED]

20 never read anything. Almost everybody got an [REDACTED] in that  
21 class. Service was service. It's not like I could have  
22 failed it. Spanish is really easy because I speak  
23 Spanish; so of course I was going to get an [REDACTED] in that.

24 And chemistry wasn't difficult because I wasn't  
25 in the honors class; so he explained everything over and

1 BY MS. STRONG:

2 Q. And one other thing that -- I noticed you  
3 produced some report cards with the documents today, and  
4 I don't know if there are report cards for every year.  
5 Maybe there are. It looks like you did produce report  
6 cards for every year that you were at Jefferson.

7 I'd like to mark this as Exhibit 10.

8 (Whereupon, Defendants' Exhibit 10  
9 was marked for identification.)

10 BY MS. STRONG:

11 Q. I notice that your comments on your report cards  
12 are in Spanish.

13 Why is that?

14 A. Usually things that are sent home are in Spanish  
15 so that my parents can understand them.

16 Q. And with respect to your second semester of your  
17 11th grade year, it looks like you had [REDACTED]

18 [REDACTED]  
19 A. Actually, I did have [REDACTED] My first  
20 period teacher changed the grade later.

21 Q. So that was actually all [REDACTED] is  
22 that correct?

23 A. Yes.

24 Q. So you couldn't have gotten a better report  
25 card; is that correct?

1 over again. The class was really slow because nobody  
2 else would really get it; so it was easy for me to get an

3 [REDACTED] The only class I really worked at was the math.

4 BY MS. STRONG:

5 Q. Do you think that service classes are always  
6 easy and you can always get [REDACTED] in them?

7 A. Yeah. There's no reason not to.

8 Q. Why would you not get an [REDACTED] in a service class?

9 A. For example, I didn't get an [REDACTED] in my service  
10 class the first semester because I had a personal problem  
11 with one of the teachers so -- not that teacher  
12 specifically, but that was like -- it was in the ROTC; so  
13 there's always two teachers, both teachers from each  
14 track. And I had a personal problem with the other  
15 teacher; so my teacher gave me a [REDACTED] even though I did  
16 everything that he asked me to do. Like, there's no  
17 reason for him to have given me a [REDACTED]

18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 Q. And with respect to your senior year, throughout  
23 your deposition you've testified a lot about Ms. Burke  
24 and how much you appreciated your class and how much she  
25 pushed you.

1 Your senior year, you received a [REDACTED] from her  
2 both semesters; is that correct?

3 A. Yes.

4 Q. Do you feel that you worked hard and you were  
5 pushed in that class notwithstanding the fact that you  
6 received [REDACTED]?

7 A. I don't think I worked as hard as I should have,  
8 but I did learn a lot. She was always really motivating,  
9 and she was just, like, a really good person. But I  
10 think I could have done better. I think I did deserve  
11 the [REDACTED].

12 Q. So even though in that case you had a really  
13 motivating teacher, probably one of your most motivating  
14 teachers in the school, you chose not to push yourself as  
15 hard as you could have; is that correct?

16 A. It's not that I didn't push myself. I just --  
17 yeah, I guess it was that I didn't push myself. I just  
18 didn't -- I didn't get all the assignments done. I  
19 didn't try as hard as I should have.

20 Q. So it's not always the teacher pushing you to  
21 make you perform at your best; correct?

22 A. That's correct.

23 MS. STRONG: That's all I have for now.

24 As I said earlier, I'll review these documents  
25 and see if there's any further questions, and we can

1 Q. And why did she ask you specifically to write a  
2 letter for her?

3 A. I was always one of, like, her closest students.  
4 I couldn't stand her at first in the ninth grade, but  
5 after the 10th grade, we became really good friends. And  
6 we still -- I still see her quite often. We actually  
7 still hang out. And she just -- she thought it would be  
8 nice to have a letter from a student, and so she asked me  
9 to write it for her.

10 Q. You write here that:

11 "I first encountered Ms. Burke as a  
12 substitute teacher and later had the  
13 privilege of being her student in my 10th  
14 and 12th years of high school."

15 When did you first have her as a substitute?

16 A. Well, she had first period -- first or second --  
17 I'm not sure which one of the two -- conference period  
18 when I was in ninth grade. So my ninth grade teacher,  
19 [REDACTED] was, like, her best friend; and she was always  
20 out sick. And so Ms. Burke would serve as a substitute.  
21 She would cover her class, basically, for first period  
22 during her conference period.

23 Q. And what was your impression of her as a  
24 substitute teacher at that time?

25 A. I couldn't stand her. She was really bossy.

1 continue the deposition at a later time once I've had a  
2 chance to review all the documents.

3 MS. FLOYD: Okay. Thank you, Counsel.

4

5 EXAMINATION

6 BY MS. FLOYD:

7 Q. I have here a letter dated November 8, 2001.  
8 I'm going to pass this down to the court reporter and  
9 refer --

10 Will you please mark that as Exhibit 11.

11 (Whereupon, Defendants' Exhibit 11  
12 was marked for identification.)

13 BY MS. FLOYD:

14 Q. Did you write this letter?

15 A. Yes, I did.

16 Q. And what is this letter? What was the purpose  
17 of writing this letter?

18 A. I wrote Ms. Burke a letter of recommendation  
19 because she was applying for the position of assistant  
20 principal at four high schools or like -- I'm not sure if  
21 it was two middle schools and two high schools or  
22 something like that.

23 Q. Did she ask you to write the letter of  
24 recommendation?

25 A. Yes, she did.

1 She used to think, like, we were just like really  
2 arrogant. She would always tell us that we thought that  
3 we were too much. Like, the first day she was ever my  
4 substitute, as soon as I walked in the door, she was like  
5 "You sit in the front."

6 I said, "What do I do?"

7 She said, "You talk too much."

8 I was like, "You don't even know me."

9 I couldn't stand her. She would always give us  
10 the assignments and make sure we got it done. She was  
11 really mean. And we weren't used to that because  
12 [REDACTED] was completely opposite. [REDACTED] was,  
13 like, completely opposite. She was like, "Okay. You  
14 guys do the work." Ms. Burke was completely opposite.  
15 She was, like, "You guys aren't going to play with me.  
16 You guys better do the work." So I couldn't stand her at  
17 first.

18 Q. Did she show up prepared for class?

19 A. Yes. She was actually more prepared than our  
20 actual teacher, and she was the substitute.

21 Q. Your impression of her was that she was a  
22 competent teacher even though she was a substitute?

23 A. She seemed like a good teacher. She just seemed  
24 really mean. I couldn't stand her. I thought she was  
25 really, like, too bossy. But I guess you need to be like

1 that if you're going to be a teacher.

2 Q. And you then write here that you had the  
3 privilege of being her student in 10th grade. And you go  
4 on to say that she inspired you and pushed you in the  
5 right direction later on in this letter.

6 When did you first become inspired by Ms. Burke  
7 as a teacher?

8 A. I think it was during the 10th grade, because  
9 she was teaching her five periods a day. She was a  
10 full-time college student, and she just always seemed --  
11 she was, like, always running around. She seemed like  
12 she had a lot going on, and she was still going. And it  
13 seemed, like, really inspirational. Like, I hope I can  
14 do that one day, like be able to be as competent as she  
15 is and have so much going on. She just seemed like she  
16 had everything together.

17 Q. And did she continue to inspire you in the 12th  
18 grade?

19 A. Yes. In the 12th grade, it was -- actually, she  
20 impressed me more because she was still a full-time  
21 student. She was teaching a class she had never taught  
22 before, and it was like an AP class. And she's really  
23 young. And she just -- she was the professional  
24 development coordinator. She was the accreditation  
25 co-coordinator. She was writing the AIAA grant. She was

1 homework." They wouldn't put up with our stuff. Like,  
2 all of our nagging and stuff, "Oh, no. I have problems  
3 at home."

4 "Everybody has problems at home." They wouldn't  
5 care. They cared. They were always there. Like, if you  
6 had a personal problem, they would always help you out,  
7 but they knew how to separate the friend help and being  
8 the teacher. And that made them really good teachers and  
9 really good people.

10 Q. So you would describe them as phenomenal  
11 teachers as well?

12 A. Yes.

13 MS. FLOYD: I have here another document on the  
14 letterhead of Mike Lansing, L.A. Unified School Board  
15 Member being marked as Exhibit 12.

16 (Whereupon, Defendants' Exhibit 12  
17 was marked for identification.)

18 BY MS. FLOYD:

19 Q. Now, Mr. Lansing writes here that his office was  
20 recently in communication with you to address concerns  
21 about Jefferson high. This letter is dated August 23,  
22 2000.

23 Do you recall what communication he's referring  
24 to?

25 A. Yes. I wanted to get -- I wanted Mr. Lansing to

1 doing all kinds of things. She would, like, sleep two  
2 hours a night and still show up ready and still be there  
3 motivating us, still teaching us, still making sure that  
4 we got everything together.

5 During our vacation, she would call us up, and  
6 she would be, like, "You guys better come and get ready  
7 for this test. You guys have to do it." She just had  
8 everything together. She was just, like, really  
9 impressive.

10 Q. You say here that "Ms. Burke is a phenomenal  
11 teacher and person."

12 Would you say that about any of the other  
13 teachers you had while you were at Jefferson?

14 A. I think Ms. Burke, Mr. Bachrach and Ms. Yule  
15 were the three best teachers I had at Jefferson. It was  
16 just that they didn't put up with our stuff. You know,  
17 students at Jefferson -- since nobody really expects much  
18 of them, it was like "Why should we do the work? Why  
19 should we even push ourselves?" It was like if we'd have  
20 to write an essay and they said three to five pages, we  
21 would just do three. It was whatever the minimum was as  
22 long as we got it done.

23 They never put up with that. They were like "If  
24 you guys can spend two hours in the morning getting ready  
25 to come to school, you better spend two hours doing your

1 grant me permission to film my documentary at school, and  
2 he -- after speaking to his people -- I didn't speak  
3 directly to him, but I spoke to -- his name -- what was  
4 his name? Louie Mardesich or something. It's, like, one  
5 of his people. I spoke to him. And we discussed some of  
6 the problems at Jefferson. And then he set me up with a  
7 meeting with another one of his people. Her name is Anna  
8 Fernandez. And she actually sat down with me and my  
9 partners and just wrote down pages and pages of notes  
10 about concerns that we had about our school and kind of  
11 summarized them into these things stated here.

12 Q. So this list of issues -- it's an accurate list  
13 of the issues and concerns that you spoke with Anna  
14 about?

15 A. Yes.

16 Q. Mr. Lansing writes here:

17 "Perhaps you can schedule a meeting" --

18 Well, he says:

19 "It is of great importance for you to  
20 address these issues of concern with your  
21 administration. Perhaps you can schedule a  
22 meeting with them to outline your concerns."

23 Did you do that?

24 A. Yes. I did speak with Ms. Preciado, our  
25 principal, about these problems.

1 Q. And what was her response?

2 A. She basically just thanked me for letting her  
3 know about the problems, and that's it. She just said,  
4 "Oh, I'm glad that you took the initiative, and thank you  
5 for bringing the problems to my attention." And that's  
6 it. Nothing was really done to address them.

7 Q. Did you schedule a meeting with anyone else  
8 besides her to discuss these concerns?

9 A. No.

10 Q. Why not?

11 A. I figured she's the highest in power, she's the  
12 principal, so who else could I speak to about it?

13 Q. Do you know what a local district is within  
14 L.A. Unified?

15 A. Yes.

16 Q. And do you know what local district Jefferson  
17 High falls within?

18 A. I think it's "H" or "J," one of those two.

19 Q. And did you contact anyone at the local district  
20 to discuss these concerns?

21 A. No, I didn't.

22 Q. Why not?

23 A. It never occurred to me.

24 Q. Okay. And Mr. Lansing ends his letter by  
25 saying:

1 so they got more of a feel of what was going on.

2 Q. Between the time Mr. Lansing wrote this letter  
3 to you and the time you graduated from Jefferson, did you  
4 notice any progress being made with respect to graffiti?

5 A. I did notice that graffiti -- at first graffiti  
6 would last up to two, three months without being painted  
7 over. And afterwards, they would try to -- like, if it  
8 was on the outside of the building -- like, for example,  
9 if one week it got spray painted on, by the next week it  
10 would be painted over already. Like, they tried to --  
11 every weekend the school would get written on basically;  
12 so they would try as soon as possible to get rid of it.  
13 But if it was inside the buildings, it would last a  
14 little longer. But they did try. But it's hard to keep  
15 the walls rid of graffiti because of the neighborhood  
16 it's in.

17 Q. What about low student morale? Did you notice  
18 any progress between August 23, 2000, until the time you  
19 graduated?

20 A. Not really. Students just are really not  
21 motivated there. They just kind of show up to school and  
22 not do much from what I see.

23 Q. Okay. Now, you earlier testified that one of  
24 the good aspects about Jefferson High is the school  
25 spirit and the unity there amongst the students.

1 "Please keep our office apprised of the  
2 progress that is being made regarding your  
3 issues."

4 And did you keep his office apprised of any  
5 progress?

6 A. We did keep in touch for a while after. He  
7 would actually make periodical visits to the school to  
8 make sure that certain things were going better. Like,  
9 their main concern was the bleachers. It wasn't, like, a  
10 big deal to me. I don't really care about the bleachers.  
11 Like, their big thing was "We'll have your bleachers  
12 made." So he kept coming to the school until the project  
13 was completed. And we would keep in contact with him,  
14 but lately -- like, since I graduated, I haven't spoken  
15 to him.

16 Q. Okay. And how did you keep in contact with him?

17 A. I would call Louie Mardesich. I think that's  
18 how you pronounce his name. I would contact him and kind  
19 of keep him updated about what's going on. Basically, we  
20 would keep him updated on our video mostly, because they  
21 were part of our documentary, too. So we would keep in  
22 touch with what was going on with our documentary and  
23 kind of tell them, you know, "Not much has changed."

24 And they'd be like "We're going to schedule  
25 another visit." And they'd actually show up unannounced;

1 How do you --

2 Is there a difference between what you were  
3 describing earlier about the school spirit versus the low  
4 student morale concerns that you voiced to Mr. Lansing?

5 A. Yeah. Like, the school spirit -- what I mean by  
6 the school spirit is that in sports events, things like  
7 that, we pack the stands. Everybody goes to all the  
8 football games. Everybody goes to all the basketball  
9 games. And the volleyball games, pep rallies --  
10 everybody is all into them. Every Wednesday we have a  
11 DJ, and the leadership class decorates the whole quad,  
12 and we play games and stuff like that. And everybody is,  
13 like, really united in that sense.

14 But when it comes to actual learning, nobody is  
15 motivated; so that's what I mean. Like, they like the  
16 school dances and they like the sporting events and stuff  
17 like that. They're really into all that stuff. But when  
18 it comes to actually the learning part of it, they're  
19 kind of like, "Oh, I just show up."

20 Q. When you say "nobody is motivated," you're  
21 speaking for all the students or with the exception of  
22 the AP students?

23 A. Not everybody. I mean, there are students that  
24 do want to learn, and they do try their best. The  
25 majority of students just aren't interested in school.

1 Q. And what do you base that opinion on?

2 A. Just you walk around school and there's a lot of  
3 students just walking around. Or if you go into a  
4 classroom, a lot of students aren't doing their work.  
5 They just -- like, you have students that go to the tardy  
6 room every day just because they don't want to go to  
7 class, things like that. There's always students  
8 ditching in the PE field. There's just people that  
9 really don't care about school.

10 Q. Did you notice any progress with rodent and  
11 insect infestation from the time you received this letter  
12 to the time you graduated?

13 A. During my senior year, I didn't -- except with  
14 the exception of the time that the toilets were  
15 overflowed in the restroom that I saw, like, the large  
16 roach in the toilet -- besides that time, I didn't see  
17 any rodents or anything in my senior year. But I wasn't  
18 in the classrooms that had the problems; so I wouldn't  
19 know.

20 Q. Okay. And what about unbalanced student  
21 leadership class?

22 A. That remained the same. Like, they couldn't  
23 change them. Well, they did -- nobody asked them to  
24 change the master schedule; so that remained the same.

25 Q. And can you explain what you meant or he meant

1 made with respect to that condition?

2 A. No. Since there was always construction going  
3 on around the school, they kind of like just had the  
4 dumpsters parked by classrooms and by, like, where we  
5 would eat by, like, the quad. There was always big  
6 dumpsters around there.

7 Q. And with respect to the remainder of the  
8 conditions here listed in the letter, was there any  
9 progress made with any of those remaining conditions by  
10 the time you graduated?

11 A. No, those things remained the same.

12 Q. "No"?

13 A. No.

14 MS. FLOYD: I have no further questions.

15  
16 FURTHER EXAMINATION

17 BY MS. STRONG:

18 Q. You mentioned in response to one of her  
19 questions that Mike Lansing would show up unannounced.

20 Is it Mike Lansing that would show up or Mike  
21 Lansing and others or others from L.A.U.S.D.? Who is it  
22 that would show up?

23 A. It was Mike Lansing and others, like Mike  
24 Lansing and Louie Mardesich. And they would bring along  
25 another person with them. Not necessarily the same

1 by unbalanced student leadership class? I'm not sure I  
2 understand what that is.

3 A. It's referring to the fact that on "C" track,  
4 AP students couldn't take -- couldn't be in the student  
5 government or in the leadership class because it  
6 conflicted with our AP class -- with our AP government  
7 class; so that's basically what it's talking about. If  
8 you were on any other track, you could because it was a  
9 different period of the day. Like, "C" track leadership  
10 was during fifth period, and whatever other track was  
11 during fourth. So other tracks were able to be in that  
12 class. Like, the AP students could be in that class.  
13 But on "C" track, you couldn't.

14 Q. Okay. And did you notice any progress in the  
15 condition of the restrooms between August 23, 2000, until  
16 the time you graduated?

17 A. Like I said, the toilet paper issue wasn't as  
18 big of a problem. They did try to address it. Like,  
19 when you'd go to the restroom, for the most part there  
20 was toilet paper. But there was occasions when there  
21 wasn't, which is like the time that I complained about.  
22 So it was still -- there was still problems with  
23 unsanitary conditions, but it wasn't as big of a problem.

24 Q. And what about the dumpsters located too close  
25 to bathrooms and student paths? Was there any progress

1 person, but it was always, like, a group of three. And  
2 they'd kind of walk around with our assistant principal  
3 Mr. Hugo and check how things were going and make sure  
4 that the bleachers were being worked on most of the time.  
5 They came to our classroom to speak to our classroom  
6 once, to Mr. Bachrach's class to address some of the  
7 issues. That's it.

8 Q. How many times did they come to your school  
9 after this August 23, 2000, letter?

10 A. They would show up like once a month.

11 Q. And that's through until when you graduated in  
12 April or June?

13 A. April -- well, I was there until April of 2001.

14 Q. And how do you know that their visits were  
15 unannounced?

16 A. I asked -- when he went to go speak to our  
17 class, Mr. Bachrach's, I asked him if -- because he said  
18 he was going to go walk around. And I asked him, "Did  
19 you tell them?" because that was one of the things that I  
20 said to them. When I had the meeting with them, I told  
21 them "People need to show up unannounced to see what it's  
22 really like."

23 And he said that when he showed up, he'd show up  
24 unannounced. He would go and check in in the main  
25 office, but he wouldn't tell them ahead of schedule "I'm

1 going to be coming to visit today." So he said that when  
2 he would come to visit, that he was going to be doing it  
3 that way, like unannounced, like no pattern. He would  
4 always show up once a month, but you never knew what day.  
5 When I was at nutrition, I'd see him walking around. He  
6 would come over and say "Hello."

7 Q. And what was the impact of these unannounced  
8 visits by Mike Lansing and his colleagues?

9 MS. SIEVERS: Objection; lacks foundation.

10 THE WITNESS: Well, the only thing that I really  
11 saw come out of it was the bleachers were completed,  
12 like -- probably like two months after the school year  
13 started. So, like, by October, I think, which was --  
14 like, the football season had just started. We were able  
15 to have home games again. That was, like, the only thing  
16 that I saw that really -- that was, like, the first thing  
17 that I noticed, the only really noticeable change, and  
18 that the graffiti was, like, removed a lot faster.

19 BY MS. STRONG:

20 Q. Do you know whether he was giving feedback to  
21 teachers or to administrators at your school with respect  
22 to any of the conditions that he was seeing at your  
23 school?

24 MS. SIEVERS: Objection; calls for speculation.

25 THE WITNESS: I don't know. I don't think he

1 credential, it only helps you. It won't make you a worse  
2 teacher. So it's always going to at least improve their  
3 style of teaching. If they're already originally good  
4 leaders, then that can only make them better. So, like,  
5 a doctor gets a license to practice medicine. Then they  
6 should get a license to practice -- you know, to teach  
7 people.

8 Q. You also stated earlier that you think that  
9 schools reflect society and that the State needs to fix  
10 society before they fix schools.

11 But in the meantime, do you think that there's  
12 things the State can do to improve conditions in the  
13 school?

14 MS. STRONG: Objection; calls for speculation.

15 THE WITNESS: I think that there is. I think  
16 that -- I mean, it's really difficult to change society  
17 completely, and it's not going to be something you can do  
18 overnight. But in the meantime, they can go and visit  
19 schools. They can give the administrators and teachers  
20 feedback and advice on how to manage their school and  
21 things like that. I really don't know what else they  
22 could do, but things like that.

23 BY MS. SIEVERS:

24 Q. You also stated earlier that there was a system  
25 in place to deal with the situation of no toilet paper or

1 visited classrooms. I think he used to walk around  
2 campus. I never saw him actually being in a classroom.  
3 I always saw him walking around campus and talking to  
4 some of the students during nutrition and lunch.

5 BY MS. STRONG:

6 Q. Do you know if he ever gave feedback to any of  
7 the administrators or teachers at your school regarding  
8 the conditions he saw on the campus?

9 MS. SIEVERS: Objection; calls for speculation.

10 THE WITNESS: No, I don't.

11 MS. STRONG: That's all for now.

12 MS. SIEVERS: I have a couple of questions I  
13 wanted to ask her; and then, I think, we're done.

14

#### 15 EXAMINATION

16 BY MS. SIEVERS:

17 Q. Betty, you stated earlier that you didn't think  
18 teacher credentialing was a main problem but that you  
19 thought it was important.

20 What did you mean by that?

21 A. I just think that it's not -- you don't  
22 necessarily need a credential to be a good teacher  
23 because there are good uncredentialed teachers. But it's  
24 always important to do it -- to have a credential  
25 because, like, the classes that it takes to get the

1 soap in a bathroom and that if you complained, it would  
2 be fixed.

3 Do you think that this is an adequate system?

4 A. I think that --

5 MS. STRONG: Objection; vague and ambiguous as  
6 to "adequate."

7 THE WITNESS: I think that it's adequate in that  
8 if I have -- if I ever need supplies for the restroom,  
9 I'm sure I could go and ask them. And they'll give them  
10 to me. But I shouldn't have to ask them. It should  
11 already be there. A more adequate system would be that  
12 it doesn't happen at all, that they're always there.

13 BY MS. SIEVERS:

14 Q. You've also stated on numerous occasions that  
15 some of the issues that have come up with your school  
16 that you didn't think to complain to anyone about that,  
17 and I'm wondering why that is.

18 MS. STRONG: Objection; asked and answered.

19 THE WITNESS: I just never really thought of  
20 complaining, just because after four years or after being  
21 there for a while, you don't even really notice it  
22 anymore. You just kind of become used to it, and you  
23 don't think to complain. It's like, you know, you sort  
24 of think "Well, it's something that I have to put up  
25 with." And even if you did complain -- I mean things

1 like bathroom supplies are easy to fix, but other  
 2 problems don't really get fixed unless you bring your  
 3 parents in. Parents in low-income families either don't  
 4 know how to access that or don't have time to. They work  
 5 long hours, and they don't have time to go and do things  
 6 like that.  
 7 BY MS. SIEVERS:  
 8 Q. And when you complained about the bathrooms and  
 9 you said they fixed the supplies, did they fix it  
 10 permanently, or did they just fix it for that one day?  
 11 MS. STRONG: Objection; vague and ambiguous.  
 12 THE WITNESS: They would remedy the problem for  
 13 the day. But I mean, if they remedied it forever, then  
 14 the restrooms wouldn't look the way they do now.  
 15 BY MS. SIEVERS:  
 16 Q. You also stated that you couldn't bring books  
 17 home over your vacation.  
 18 If you were able to bring books home over your  
 19 vacation and there had been assignments that were given  
 20 to you by your teachers, would you have completed them?  
 21 MS. STRONG: Objection; vague and ambiguous,  
 22 incomplete hypothetical, compound.  
 23 THE WITNESS: I would have done my homework if  
 24 they would have assigned me homework. And if I would  
 25 have had the books, of course I would have.

1 BY MS. SIEVERS:  
 2 Q. So is it fair to say that you would have learned  
 3 more if you were able to bring your books home over  
 4 vacation?  
 5 MS. STRONG: Objection; calls for speculation.  
 6 MS. FLOYD: Objection; calls for speculation.  
 7 THE WITNESS: I think I would have learned more  
 8 if I had my books to study from.  
 9 MS. SIEVERS: That's everything I have.  
 10 MS. STRONG: As I said earlier, I'll review the  
 11 documents and also wait for production of additional  
 12 documents identified today and see if we need to continue  
 13 this further.  
 14 But for now, we'll go ahead with the closing of  
 15 the stipulation for the day. May we stipulate that  
 16 copies of documents attached to the deposition may be  
 17 used as originals; that the original of this deposition  
 18 be signed under penalty of perjury; that the original be  
 19 delivered to the office of plaintiff's counsel; that the  
 20 reporter is relieved of liability for the original of the  
 21 deposition; that the witness will have 30 days from the  
 22 date of the court reporter's transmittal letter for  
 23 plaintiff's counsel to sign and correct the deposition  
 24 and that plaintiff's counsel should notify all parties in  
 25 writing of any changes in the deposition; and that if

1 there are no such changes communicated or signature  
 2 within that time, that any unsigned and uncorrected copy  
 3 may be used for all purposes as if signed and corrected.  
 4 MS. SIEVERS: So stipulated.  
 5 MS. FLOYD: So stipulated.  
 6 THE REPORTER: Same copy orders, Counsel?  
 7 MS. STRONG: Yes.  
 8 MS. SIEVERS: Please.  
 9 (Whereupon, the deposition adjourned  
 10 at 4:31 p.m.)  
 11 -o0o-

1 DECLARATION  
 2  
 3  
 4  
 5 I hereby declare I am the deponent in the within  
 6 matter; that I have read the foregoing deposition and  
 7 know the contents thereof, and I declare that the same is  
 8 true of my knowledge except as to the matters which are  
 9 therein stated upon my information or belief, and as to  
 10 those matters, I believe it to be true.  
 11 I declare under the penalties of perjury of the  
 12 State of California that the foregoing is true and  
 13 correct.  
 14 Executed on the day of 2002, at  
 15 , California.  
 16  
 17  
 18  
 19  
 20 BEATRIZ LIZARRAGA  
 21  
 22  
 23  
 24  
 25

1 I, DENISE A. ROSS, a Certified Shorthand  
2 Reporter for the State of California, do hereby certify:

3 That prior to being examined, the witness named  
4 in the foregoing deposition was by me duly sworn to  
5 testify as to the truth, the whole truth, and nothing but  
6 the truth pursuant to Section No. 2093 of the Code of  
7 Civil Procedure;

8 That said deposition was taken before me at the  
9 time and place therein set forth and was taken down by me  
10 in shorthand and thereafter reduced to typewriting via  
11 computer-aided transcription under my direction;

12 I further certify that I am neither counsel for,  
13 nor related to, any party to said action, nor in anywise  
14 interested in the outcome thereof.

15 IN WITNESS WHEREOF, I have hereunto subscribed  
16 my name this day of 2002.

17  
18  
19

20 \_\_\_\_\_  
Denise A. Ross  
CSR No. 10687

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