

SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

ELIEZER WILLIAMS, et al.,)
)
Plaintiffs,)
)
vs.) No. 312 236
)
STATE OF CALIFORNIA, DELAINE)
EASTIN, State Superintendent)
Of Public Instruction, STATE)
DEPARTMENT OF EDUCATION, STATE)
BOARD OF EDUCATION,)
)
Defendants.)
-----)
)
STATE OF CALIFORNIA,)
)
Cross-Complainant,)
)
vs.)
)
SAN FRANCISCO UNIFIED SCHOOL)
DISTRICT, et al.,)
)
Cross-Defendants.)
-----)

DEPOSITION OF CARLA WALDEN
Menlo Park, California
Friday, June 8, 2001
Volume 2

Reported by:
GINA GLANTZ
CSR No. 9795
JOB No. 848554

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 CITY AND COUNTY OF SAN FRANCISCO
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4 ELIEZER WILLIAMS, et al.,)
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10 EASTIN, State Superintendent)
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12 DEPARTMENT OF EDUCATION, STATE)
13 BOARD OF EDUCATION,)
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15 Defendants.)
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17 STATE OF CALIFORNIA,)
18)
19 Cross-Complainant,)
20)
21 vs.)
22)
23 SAN FRANCISCO UNIFIED SCHOOL)
24 DISTRICT, et al.,)
25)
26 Cross-Defendants.)
27)
28 Deposition of CARLA WALDEN, Volume 2,
29 taken on behalf of Defendant/Cross-Complainant
30 State of California, at 990 Marsh Road, Menlo
31 Park, California, beginning at 1:04 p.m. and
32 ending at 5:00 p.m., on Friday, June 8, 2001,
33 before GINA GLANTZ, Certified Shorthand
34 Reporter No. 9795.
35

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15 2A Three-page document entitled "English 390
16 Learners (ELs) and Fluent-English
17 Proficient (FEP) Students"
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1 Menlo Park, California, Friday, June 8, 2001
2 1:04 p.m. - 5:00 p.m.
3
4 CARLA WALDEN,
5 having been first duly sworn, was examined and testified
6 as follows:
7
8 EXAMINATION
9 BY MS. WELCH:
10 Q Good morning, Ms. Walden.
11 A Good afternoon.
12 Q Good afternoon, you're right.
13 Is there anything we want to discuss before I
14 start asking questions, or should I just get going?
15 A I did want to make a clarification about the
16 II/USP plan.
17 Q Okay.
18 A That it is a two-year plan. And what you do is
19 you prioritize what you want to implement the first year
20 and what you want to implement the second year.
21 Q Does that differ from something that you had
22 said or you're just adding something?
23 A Well, I mentioned Perfect Copy as an example of
24 something that would be required to be purchased, but it
25 does not have to be purchased this year.

1 Q Okay. So following up on where I left off when
 2 we were talking on Friday about the II/USP, how did
 3 you -- you received money from being involved in this
 4 program; correct?
 5 A We got a planning grant money, \$50,000, to help
 6 plan -- write our action plan. Then from the action
 7 plan, we received money to implement the plan.
 8 Q How did you spend the \$50,000?
 9 A We used it towards the external evaluator,
 10 because you have to pay him for his services, and for
 11 any teacher hourly time, where we ask the teachers to
 12 help plan and write things up that was beyond their
 13 normal workday.
 14 Q Okay. Besides the \$50,000, have you received
 15 any other money?
 16 A To implement the plan, yes.
 17 Q How much did you receive to implement the plan?
 18 A My understanding, it was 123,000-and-some
 19 dollars.
 20 Q Have you received all of this money?
 21 A My understanding, it is in the district.
 22 Q So the district received the money?
 23 A Yes, my understanding.
 24 Q Do you know how this -- do you know if any of
 25 this money has been used?

1 A Oh, yes.
 2 Q How has it been used?
 3 A I have used it to pay for the building subs; I
 4 bought Scholastic Spelling with it.
 5 Q Anything else?
 6 A Teacher hourly, we paid for the retreat, which
 7 was a five-day retreat at Silicon Graphics, which
 8 included Bay Area Writing Project consultant fees. We
 9 paid for conflict resolution consultant fees also.
 10 Q So besides the building subs, the Scholastic
 11 Spelling program, the teacher hourlies and the cost of
 12 the retreat --
 13 A I also bought classroom libraries for each
 14 classroom, and dictionaries for every student in the
 15 school, for use at school.
 16 Q So each child has their own dictionary to use
 17 at the school?
 18 A Yes, every child has a dictionary.
 19 Q Can you think of anything else that the money
 20 was used for?
 21 A That's all I can remember.
 22 Q Do you know who administers the II/USP?
 23 A It's under -- I'm under direct supervision of
 24 Mrs. Clark, who advises me. She went over the plan with
 25 me this year, asked me what I had already implemented,

1 what I planned to continue to implement.
 2 Q And who is -- is she --
 3 A She's our director of special projects.
 4 Q Is she employed by the district?
 5 A Yes.
 6 Q So is it your understanding that the II/USP is
 7 a district program or a state program?
 8 A It's a state-funded program.
 9 Q Is Mrs. Clark the only person that you have
 10 discussed the II/USP with?
 11 A No, I've also discussed it with Mrs. Rouse, the
 12 associate superintendent, in general terms. "How is
 13 everything going?" "Everything going okay?" Any way
 14 she can help me, let her know.
 15 Q But in terms of supervising the program itself
 16 and the allocation of funds, Mrs. Clark has been your
 17 contact person?
 18 A Yes, she has.
 19 Q Do you think the money that you've received
 20 from being part of the program has improved your school?
 21 A Yes, I do.
 22 Q Why do you think it's improved your school?
 23 A We were able to hire personnel that -- for
 24 example, the building subs, they actually release
 25 teachers so they can watch other teachers' best

1 practices. They can go to teachers at our school, they
 2 can go to other school districts, they can go to other
 3 schools within the district. Also, being able to
 4 supplement the Open Court reading series, we bought the
 5 Scholastic Spelling, and that really complements what
 6 the Open Court does, because it goes over the same
 7 spelling patterns that they're learning in the reading
 8 series.
 9 The parent liaison, that was one I left off.
 10 We also pay for a parent liaison. And, of course,
 11 that's wonderful, because she's our contact with parents
 12 if parents have any concerns or questions. She also
 13 calls parents if attendance -- if children are having
 14 problems with attendance or with tardiness and things
 15 like that. So that has been a great help.
 16 The dictionaries, of course; being able to buy
 17 classroom libraries helps the children with their
 18 literacy. The more they read, the better readers they
 19 become. The dictionaries, of course; having them in
 20 Spanish and in English. I tried to select those that
 21 had really big print, bigger print, had beautiful
 22 visuals and pictures that help the children comprehend
 23 the definitions, and that there's good translations
 24 between the two languages.
 25 Q Are all the dictionaries in both Spanish and

1 English?

2 A Not all of them. Only in the classes that need
3 that type of support.

4 Q Which classes are those?

5 A Those are the bilingual classes, and the
6 classes that are in SEI, immersion classes. Yeah,
7 immersion classes.

8 Q How many bilingual classes do you have?

9 A Four.

10 Q And which grades are they?

11 A One is in K, one is in first, one is in second,
12 and one is in third.

13 Q If a child is above the third grade level but
14 needs a bilingual class, what would you do for that
15 child?

16 A We have sheltered immersion classes. In those
17 classes, the children receive help in a variety of ways,
18 a variety of techniques that the teachers have learned
19 to make sure the information is understandable to the
20 children. There's also instructional aide help that the
21 children can get, so they may take them in small groups
22 and work with them.

23 Q Did the II/USP funds also allow you to purchase
24 any materials for English-language learners?

25 A Well, the dictionaries that are bilingual help.

1 Also the Scholastic Spelling is also formatted in a way
2 that is very useful and helps the English-language
3 learners help to get the patterns of spelling and things
4 like that. Let's see --

5 Q I think I recall you talking about at the
6 II/USP retreat, that you had some seminars for teachers
7 involving English -- well, that -- to teach them about
8 teaching English-language learners; is that correct?

9 A Yes, that's correct, we did. They were called
10 English-language development classes. So what I -- what
11 we did, we bought, with school money, extra
12 English-language development kits, and then the
13 publishers came and did some training on the kits, as
14 well as strategies on how to help English-language
15 learners.

16 Q So the II/USP funding went to training, but the
17 materials you had purchased out of another fund?

18 A It's my understanding that they expect matching
19 funds from the school district. So if they give some --
20 you're supposed to also match those funds too.

21 Q And when you say "they," who are you referring
22 to?

23 A The State Department from the grant -- the
24 state-funded grant.

25 Q So it's your understanding that -- just so that

1 I'm clear, that whatever dollar amount the state gives
2 to you as part of this program, the district has to
3 match it?

4 A Yes.

5 Q Dollar for dollar?

6 A I don't know.

7 Q Okay. But they have to match some amount of
8 it?

9 A My understanding, yes.

10 Q Do you know why that is?

11 A I think some grants stipulate that, while
12 others don't. But I don't know the reasoning behind it,
13 for this particular grant.

14 Q Have you had any contact with anyone at the
15 state level about II/USP?

16 A No, not that I remember.

17 Q Now, kind of switching gears, before the first
18 day of your deposition, did you do anything to prepare
19 for the deposition?

20 A In what way?

21 Q Anything: talking to anyone, reviewing
22 documents. Is there any kind of preparation before your
23 first day of deposition?

24 A Other than talking to Ms. Hernandez.

25 Q So you spoke with Ms. Hernandez about the

1 deposition, and that's it?

2 A And I got documents of the accusations from the
3 child, as well as from the parents.

4 Q So you reviewed those documents with
5 Ms. Hernandez?

6 A Because I needed a translation.

7 Q Did you speak with anyone else about the
8 deposition?

9 A No -- well, I let Dr. Knight know that, and she
10 actually knew before, because she had the secretary call
11 me and tell me, remind me about the deposition.

12 Q So you spoke with the superintendent of your
13 district about the deposition?

14 A Um-hmm.

15 Q What did you say to her?

16 A That there was a deposition, and she just said
17 "Just do your best."

18 Q Did you speak with anyone at O'Melveny & Myers
19 about the deposition?

20 A I called someone when I first got it, because I
21 didn't know what it was, so I called somebody and they
22 said they couldn't tell me any information, but that it
23 was from the ACLU bringing a lawsuit to the state, and
24 that's all the person would say. I didn't know who --
25 it was on the top -- the name was on top of the number,

1 so I did do that.
 2 Q They didn't speak with you about anything other
 3 than the fact that it was a lawsuit and you -- did they
 4 tell you you needed to contact your own counsel and talk
 5 with them about it?
 6 A I don't recall anyone saying that to me. It
 7 was a very, very short conversation.
 8 Q So when you had -- did you just have one
 9 conversation with Ms. Hernandez prior to the deposition?
 10 A I don't recall how many times.
 11 Q Did you meet with her in person?
 12 A Yes.
 13 Q Was anyone else at the meeting?
 14 A Not that I recall.
 15 Q And you said, at the meeting, you looked at the
 16 complaint; is that correct?
 17 A Yeah, from the parents; it was in Spanish, and
 18 I don't read Spanish so I needed a translation.
 19 Q So you looked at some of the declarations --
 20 A Yes.
 21 Q -- that were given from --
 22 A Yes.
 23 Q -- the parents?
 24 A Yes.
 25 Q And those were the only documents that you

1 looked at?
 2 A That I can recall right now.
 3 Q Other than the document that you provided last
 4 week about English-language learners --
 5 A Yes.
 6 Q What is it called?
 7 A The language census.
 8 Q Language census. -- have you provided any
 9 other documents to anyone at O'Melveny & Myers?
 10 A Is this this place here?
 11 Q Yes.
 12 A I don't think so.
 13 Q Okay. Have you given a declaration to
 14 O'Melveny & Myers about the facts in this case?
 15 A I don't think so, no.
 16 Q We talked a bit last week about your
 17 responsibilities as a principal. And one of the things
 18 I don't think we touched on is -- too much at least, is
 19 whether or not you're responsible for formulating a
 20 budget for your school. Are you -- is that one of your
 21 responsibilities?
 22 A That would be my responsibility for the next
 23 year. The budget was already formulated by the former
 24 principal.
 25 Q So -- but that is the responsibility of the

1 principal?
 2 A Of a principal, yes.
 3 Q Have you begun formulating that budget for next
 4 year?
 5 A I have done the administrative one -- not very
 6 many. The administration, and general funds, and they
 7 asked me to look at the staffing.
 8 Q So are there separate budgets for each of these
 9 items?
 10 A Yes.
 11 Q So you have an administrative budget, a general
 12 funds budget, and a staffing budget; is that correct?
 13 A The staffing comes under general funds.
 14 Q So you have two different budgets?
 15 A That I looked at.
 16 Q How do you go about formulating a budget?
 17 A Well, they gave me what was done last year, and
 18 the items under each one. Then they tell me how much I
 19 have, total, for next year, and so I either increased or
 20 decreased depending on the priorities that I saw for the
 21 school year.
 22 Q And how did you -- how did you determine those
 23 priorities?
 24 A From what I -- how I spent this year. So if I
 25 saw that I needed more money in a particular item

1 because I would have wanted to spend more in that item,
 2 that's how I did it.
 3 Q Just generally speaking, can you say which
 4 items you decided to increase this year?
 5 MS. HERNANDEZ: Objection. Vague.
 6 THE WITNESS: I can't remember.
 7 BY MS. KOURY:
 8 Q Do you understand my question?
 9 A I do understand it. I just can't remember
 10 which items they were.
 11 Q How -- are the items divided into large
 12 categories such as textbooks and materials, personnel,
 13 those types of larger categories, or is it a very
 14 detailed categorization?
 15 A I didn't deal with textbooks or anything like
 16 that. That would be the 300 series of budget, and I
 17 haven't been asked for that yet.
 18 Q So the budget for textbooks and materials is
 19 separate from the administrative budget and the general
 20 funds budget; is that correct?
 21 A Well, what we have -- yeah, the state-
 22 adopted -- I mean, the district-adopted materials, we
 23 pay out of our general funds money. So for example,
 24 this Tuesday, I have to give Elaine Kohn my textbook
 25 orders for next year. So that's how I buy my reading

1 books and the math books that are district-adopted. But
2 if I want to buy supplemental stuff, I use categorical
3 funds to pay for those items, for example, the
4 Scholastic Spelling, which isn't a district-adopted
5 program, but we saw that there was a need for a spelling
6 series.

7 Q How did you see that there was a need for a
8 spelling series?

9 A That was part of the II/USP plan, where we did
10 barriers and improvement needed, and we looked at test
11 data, and saw that the children weren't doing as well in
12 spelling. And we felt that Open Court was lacking in
13 that in some areas, so we wanted to enhance that. And
14 that's what categorical money is usually used for, where
15 you see for your particular school the special needs for
16 your school that maybe another school may not have, and
17 that's how you -- that's how the principal can spend
18 that money, to help -- make sure the instructional
19 program is effective.

20 Q What do you mean by the "barriers" component of
21 the II/USP?

22 A That was one part of the process, where you had
23 to talk about the barriers you might be facing or the --
24 then you talked about what are some things that are
25 going well at the school. You might talk about things

1 A These were brainstorming sessions that were
2 done by the planning team, which, again, I said was
3 composed of parents and teachers and administrators and
4 district people and board members. So this was a
5 planning, brainstorming type of -- and we got input from
6 our parent advisory committee that was brought to it.
7 Teachers gave input and it was brought. So this is part
8 of that planning team, the process that we went through.

9 Q So would the barriers be the equivalent to kind
10 of the biggest challenges that you have at the school?

11 A I think that's a good way to characterize it,
12 yes. And that had to be submitted by anyone who was
13 applying for the grant.

14 Q And I understand that you would need to look at
15 the paper itself to remember what the barriers are, but
16 as the principal of the school, do you have a sense of
17 what you think are the biggest challenges of the school?

18 A I think the biggest challenge that I see is
19 the -- servicing the needs of our English-language
20 learners, the mobility of our students, the transient
21 nature of our students. I think that's what comes to
22 mind.

23 Q Why do you think that servicing -- well, first
24 of all, what do you mean by "servicing the needs" of
25 your English-language learners?

1 like that. And then it was just through a whole
2 process, which is usually -- which is a normal process
3 whenever you're going to a planning-type situation.

4 Q What were the barriers that you identified?

5 A I don't remember them, I would have to have the
6 paper to read them off.

7 Q Do you remember -- sorry.

8 A Yeah, because this was over a year, so --

9 Q Do you remember --

10 A I don't know.

11 Q -- any of them?

12 A I wouldn't be able to speak -- speak well on
13 it. I really don't. It would be very fuzzy. I would
14 have to look at the paper.

15 Q Do you have the paper at your school?

16 A Yes, within the plan, the whole II/USP plan,
17 yes. You had to submit that to the state.

18 Q Did you submit it directly to the state or did
19 you submit it to someone at the district?

20 A I don't know how the process was, because the
21 principal last year handled that.

22 Q Were the barriers in the II/USP -- were they
23 things that were identified by the person filling out
24 the plan, or were they set, kind of, categories that you
25 could circle or choose?

1 A Well, as an English-language learner, it takes
2 several years to acquire a language, but they are also
3 supposed to be learning content at the same time. So
4 that's a challenge, for someone who is trying to learn a
5 language and learning content. So that's a challenge
6 that I think any school with second-language learners
7 have.

8 Q What do you think a school should be doing to
9 meet that challenge?

10 A Focusing staff development on effective
11 teaching strategies, we're doing that; having parent
12 training and education preparedness on how -- what they
13 can do to help at home; making sure there's materials
14 and supplies that are readily available to teachers to
15 help them in implementing the program; having an
16 effective curriculum.

17 Q And you -- what do you mean by "the mobility"
18 of your students?

19 A We have large -- a portion of our students who
20 leave in and out during the school year, so they may be
21 there for two months and they may go to Mexico for a
22 couple months, and they may come back. So that has been
23 a problem, keeping their education consistent when they
24 come back and forth.

25 Q What sorts of things can you do to try to keep

1 their education consistent?

2 A We try and -- if we know in advance, they can
3 take work with them, and hopefully, they can work on
4 that if they come back. Sometimes they go and they just
5 leave, and they don't come back. So there's a lot of
6 that; moving not just out of the country, but to a
7 different city, and there's not much we can do about
8 them leaving.

9 Q So we were -- before we got on this tangent, we
10 were talking about your budget, and you told me that you
11 have an administrative budget. And is the general funds
12 budget the same thing as the categorical funds?

13 A No.

14 Q Okay.

15 A The general -- my understanding, the general
16 fund is how you pay your staffing, how you pay for the
17 district-adopted materials. That's that general fund.
18 But then the school has categorical funds in which they
19 can use to buy extra stuff. So I wouldn't buy chalk
20 with my categorical funds, because I'm already getting
21 it out of my general fund money. But I can buy a
22 spelling series because we don't have it in the general
23 fund.

24 Q And when you're determining what you're going
25 to decrease and what you're going to increase in each

1 A There's a budget under the 700 that -- yes, I
2 do, I buy custodial supplies, cleanser, buy -- a
3 custodian needs a paper picker-upper, so I put it on
4 that. So I think it's in the 700. So, yes, I have
5 money where I can buy custodial, housekeeping supplies,
6 and things like that.

7 Q Would that -- would any of those funds be used
8 for improvements such as construction or anything of
9 that nature?

10 A I don't believe so.

11 Q So that fund is primarily used for the supplies
12 that your custodial staff will need?

13 A Yes.

14 Q Is the funding that you're getting through the
15 II/USP program -- I guess it's II/USP. P stands for
16 program?

17 A Or plan.

18 Q Plan?

19 A Underperforming School Plan.

20 Q Is that a -- is that a one-shot funding? I
21 mean, do you just get that funding one time or is that
22 something that will continue on after the two years is
23 over?

24 MS. KOURY: Objection. Calls for speculation.

25 THE WITNESS: My understanding is that we have

1 category of your budget, what do you -- how do you base
2 that decision?

3 A Well, we have benchmark tests called the RSAT,
4 and so it shows us where children are doing well, where
5 children aren't doing well. So if I see that, under
6 "Instructional Materials," I need -- I would have bought
7 such and such if I had had the money, then I might
8 increase it so that I could buy it next year. So it's
9 based on what I've spent this year, and if it was -- I
10 mean, I just may leave it the same. "Oh, yeah, I had
11 \$5,000 under this, I spent \$4,500, everything is fine,"
12 then I'll leave it there. I may go to another one, "I'm
13 going to increase this by a thousand and decrease this
14 by 500," because I need more, to buy in that particular
15 category.

16 Q Do you spend any of the funds in your budget on
17 teacher recruiting?

18 A My categorical?

19 Q Or any of your funds.

20 A Categorical, no, I don't think so.

21 Q So is it your understanding that that is
22 something that the district pays for?

23 A Yes.

24 Q Do you spend any of your funds on facilities
25 improvements?

1 been funded for two years, and so we will be getting the
2 same amount we got this year next year, but I don't know
3 beyond that.

4 BY MS. WELCH:

5 Q Do you have to meet any goals in order to get
6 that funding?

7 A For the second year?

8 Q Yes.

9 A I speak from what I remember and know. You
10 have to make a 5 percent increase in your API score. If
11 you don't, there are certain things that can be done,
12 and I think it's done locally by your school board, but
13 I don't remember the detail of what will happen. And
14 after the second year, there's some other sanctions that
15 the state can do to a school if you have not met your
16 API score.

17 Q So after the first year, your API score has to
18 improve by 5 percent?

19 A Percent.

20 Q And does your API score have to improve by 5
21 percent after your second year as well?

22 A I believe so. I believe so.

23 Q And I know you've told us that your API score
24 did improve. Do you know what percentage it improved
25 by?

1 A I know it's 80 points. It was at 408 and now
2 it's at 488.

3 MS. KOURY: Just for clarification, what year
4 was that?

5 THE WITNESS: This would have been -- this is
6 2000-2001. It would have been 1999-2000, when I was a
7 school site project coordinator there. Our schools
8 improved by 80 points then. So that's why we got the
9 Governor's Award this year.

10 BY MS. WELCH:

11 Q When did you get the Governor's Award?

12 A This year. We got the letter that we improved
13 our test scores, that we made all of our subpoints,
14 subsets, and so we got \$69,000, and half of it goes to
15 staff members that were here last year, and then the
16 other half is decided by the school site council, the
17 parent group, where that money goes.

18 Q And was that the money that you said was going
19 to be used for a new playground set?

20 A Exactly.

21 Q Do you know whether you're going to be the
22 principal of your school for this coming school year?

23 A No, I don't.

24 Q Is the district actively looking for a
25 permanent principal?

1 A I don't know. I'm not part of that process.

2 Q Will you have any new responsibilities for next
3 year, that you're aware of?

4 A No, I don't. No, I'm not aware of that. We
5 will know -- my understanding is -- because this is my
6 first year, my understanding is at the end of my -- my
7 time ends Friday, June 29th, if that's a Friday. At
8 that time, I'll be told what my assignment is. And it
9 could be a variety of things. It could be a vice
10 principalship, it could be a principalship, it could be
11 in the classroom. So it can be a variety of options
12 that the district has.

13 Q What kind of classroom positions might you get?

14 A It could be anything, because -- anything, any
15 classroom position that they want to give me. And as an
16 administrator, you come with the understanding that
17 that's what happens.

18 Q And is that how it works for all
19 administrators?

20 A The way I'm understanding, yes, in our
21 district.

22 Q Do you ever communicate with anyone at the
23 State Board of Education?

24 A I don't think so.

25 Q When you say you don't think so --

1 A I don't recall.

2 Q -- is there a question in your mind?

3 A Yes, there is, because I talk to so many people
4 every day that I don't recall a conversation with
5 anybody from the State Department, but I talk to many
6 people, many days. I do recall, I called the State
7 Department two weeks -- several weeks ago, asking a
8 question about the Governor's Award for next year.

9 Q What was your question?

10 A My question was "How many" -- "What percentage
11 of parental waivers can you have and still be eligible
12 for the Governor's Award?"

13 Q What do you mean by "parental waivers"?

14 A The only way a child -- there's two ways a
15 child can be exempted from taking the SAT 9. It could
16 be in their IEP, individual education program, if you're
17 a special ed student, or it can be -- a parent may
18 write, "I do not want my child to take the SAT 9," and
19 so there's a particular percentage that you have to be
20 under in order to be eligible for the Governor's Award.

21 Q Did you get an answer to your question?

22 A Yes, I did.

23 Q What was the answer?

24 A "Less than 10 percent."

25 Q Why did you call the state about this question?

1 A Because I wanted to know eligibility for it. I
2 wanted to know the percentage.

3 Q But was there a reason why you chose to call
4 someone at the state versus someone at the district
5 level?

6 A No, no particular reason.

7 Q Do you know whether anyone on your staff
8 communicates with the State Board of Education on a
9 regular basis?

10 A No, I don't know.

11 Q Do you have an understanding of what the State
12 Board of Education does?

13 A I believe they set policy for the school
14 districts.

15 Q Why do you believe that?

16 A I think that's what they do.

17 Q Have you seen policies that they've set?

18 A Well, for example, our Open Court reading
19 series, what happens is a recommendation for a
20 particular series or reading program goes to them for
21 approval. And on TV, I've seen the State Board, and
22 they're talking about different issues and having people
23 from the audience in dialogue; I've seen that. But
24 that's been my only contact with the State Board.

25 Q Do you know who at the Open Court program --

1 you said that someone from the Open Court committee gets
2 their curriculum approved by the State Board of
3 Education?

4 A No, what I meant was, publishers -- and Open
5 Court is the example of a publisher who does that --
6 publishers submit, if they say it's -- a reading series
7 is up for adoption, they submit their book or their
8 materials to the commission -- there's a commission
9 committee that previews all of them. And then through
10 whatever the process is, they come up with a
11 state-approved list, and then our district looks at that
12 state-approved list, and chooses, through our process,
13 which book is -- or materials are -- that we want to
14 purchase.

15 Q I see. Do you have any understanding of
16 whether the State Board of Ed makes inquiry into the
17 needs of your school?

18 MS. HERNANDEZ: Objection.

19 MS. KOURY: Objection. Vague.

20 THE WITNESS: I don't know of any, so no, I'm
21 not aware of any.

22 BY MS. WELCH:

23 Q Have you ever -- well, you probably have
24 answered this question, but have you ever communicated
25 to the State Board about a need that you had at your

1 Q But did they come to your school in particular?

2 A Yes, they did.

3 Q Did you speak with someone about your special
4 ed program?

5 A They had all the principals come to a meeting,
6 and they spoke to us about the process.

7 Q Who is "they" now?

8 A Oh, I'm sorry. The people from the State
9 Department --

10 Q Okay.

11 A -- who were evaluating our special ed program;
12 they came -- there was a meeting, and all the principals
13 came, and they told us what they were going to do there.
14 And then we -- they trained us on how -- what they were
15 going to be looking for when they looked at our IEPs,
16 and they did come to the school site, and they
17 interviewed a student and several teachers about their
18 involvement with special ed. And I'm trying to remember
19 if they met with me too. I don't think they did. I
20 don't think anyone interviewed me.

21 Q Did they -- when you had this meeting with the
22 State Board of Ed, did they tell you what the purpose of
23 the meeting was?

24 A It was to see how effectively we were
25 implementing our special ed program, was my

1 school?

2 A No.

3 Q As far as you know, has anyone from the State
4 Board of Education visited your school during the time
5 that you've been an administrator?

6 A Last year and this year?

7 Q Yes.

8 A No, I'm not aware of any visits. Oh, we
9 have -- for example, the special ed from the State Board
10 has come to visit our district and looked at our IEPs
11 and evaluated them. Comite, which is another evaluation
12 from the State Department, has come in and evaluated our
13 effectiveness in teaching English-language learners.

14 Q So were you in charge of working with that
15 person from the State Board about the Comite process?

16 A No, I wasn't.

17 Q Who was that at your school?

18 A That was Ms. Woods. That was last year.

19 Q Has anyone from the Comite program visited this
20 year?

21 A No.

22 Q Did you say that someone from the State Board
23 visited this year about your special ed program?

24 A And district, looked at the districtwide
25 effectiveness.

1 understanding.

2 Q Was there some question that it wasn't being
3 effectively implemented?

4 A No, nothing was said like that.

5 Q So they were just checking in?

6 A I think that's exactly what it is, that they
7 review at different districts.

8 Q Since the person came to your school to inquire
9 about special ed and talk to student and teacher --

10 A Yes.

11 Q -- have you heard anything more from the State
12 Department of Ed about special education at your school?

13 A No.

14 Q So other than the Comite process and special
15 ed, can you think of any other communications that the
16 State Board of Ed has had with your school?

17 A No, I can't.

18 Q Do you have an understanding of the difference
19 between the State Board of Education and the California
20 Department of Education?

21 A Could you say that again.

22 Q Sure. Do you have an understanding of the
23 difference between the State Board of Education and the
24 California Department of Education?

25 A No, I don't.

1 Q Have you ever had any communications with
2 anyone at the state superintendent's office?

3 A No.

4 Q Do you have an understanding of what the state
5 superintendent does?

6 A I don't think I can -- no.

7 Q So as between the Department of Ed, the Board
8 of Ed, and the state superintendent's office --

9 A Would --

10 Q -- do you have a sense of the difference -- the
11 different roles that they play in education?

12 MS. HERNANDEZ: Objection. Overbroad.

13 THE WITNESS: I have a sense of it, but I don't
14 know if I can articulate. I know that the
15 superintendent, of course, would be the leader and would
16 oversee all programs that the state administers, just
17 like our superintendent of the district would be. And
18 probably that person sets recommendations for policies
19 to the State Board.

20 BY MS. WELCH:

21 Q Has the state superintendent ever visited Cesar
22 Chavez?

23 A I don't know of any visit.

24 Q So --

25 A The last two years, no.

1 A Well, I really strongly believe that the II/USP
2 plan has been a great help to us at the local level, and
3 the whole standards and accountability movement I think
4 is excellent, and I think it is doing a lot.

5 Q Why do you think it's excellent?

6 A Because a standard system, everyone has a
7 focus, a target to go towards, and the accountability is
8 the assessments. Hopefully we're doing multiple
9 assessments and not just relying on the SAT 9. Right
10 now we are pretty much relying on the SAT 9 to tell us
11 how we're doing. But the assessment, helping us make
12 sure that we're meeting our targets or we're going
13 towards our goal.

14 Q And why do you think that the II/USP is a good
15 program?

16 A Because even with us in the process of
17 planning, the I -- the SAT 9 scores show that we have
18 improved.

19 Q What do you -- do you have a sense of what it
20 is about the II/USP that has helped you to improve?

21 A Well, we use data. We just didn't think, well,
22 maybe this is what it is, and maybe it isn't. We looked
23 at test scores. We looked at the transient rate of our
24 students. We looked at all sorts of data to make
25 decisions, and I think that helped.

1 Q I can't remember an exact quote, but I believe
2 last Friday you said that you support reform work --

3 A Yes.

4 Q -- is that correct?

5 Why do you -- generally, why do you support
6 reform work?

7 A In order to improve and to effectively meet the
8 needs of students, education has to continue to change.
9 You cannot do the same thing over and over again if you
10 know that there's a better way. So I enjoy that because
11 it's challenging. And as you're working towards that,
12 if you're working towards helping students, then it's
13 exciting because you see the children will best benefit
14 from any improvement that is done.

15 Q Do you think there's a need for reforming the
16 California public schools?

17 A I think so. I think -- yes.

18 Q Why do you think so?

19 A I think anything can be made better, and I know
20 that we can make education better. And that's what's
21 exciting, because it's happening. I believe that we're
22 really in an age where we are constantly improving, and
23 that the children benefit from that.

24 Q What sorts of things do you attribute the
25 improvement to?

1 Q So do you think data collection is important?

2 A Yes, I do.

3 Q Why do you think it's important?

4 A Because then you're not just making decisions
5 because you feel like it should be this way, but that
6 you have some evidence for the reasons why you're doing
7 what you're doing. And data also gives you feedback on
8 if you are doing well, or if you're not. You're going
9 one way and it's not working, data helps you to know
10 that.

11 Q Is there anything else about the II/USP process
12 that you think helped improved your school?

13 A That it was a collaboration, that we had input
14 from a variety of all the stakeholders, and not just one
15 or two people deciding what the plan should be.

16 Q And by "the stakeholders," what do you mean?

17 A The parents, the students, district
18 administration, teachers, students. Everyone who has a
19 stake in the education of the child.

20 Q Do you think there was input from the state on
21 this program as well?

22 A In the form of the external evaluator and the
23 format itself, so yes, because you had a framework in
24 which you had to do the planning.

25 Q And you thought that framework was helpful?

1 A Very much so.
 2 Q Do you know when's the last time your school
 3 was reviewed as part of the coordinated compliance
 4 review?
 5 A No, I don't.
 6 Q Has that -- has the -- can I just refer to it
 7 as CCR?
 8 A Yes, you can.
 9 Q Has the CCR occurred since you've been
 10 principal?
 11 A We're doing a self-study now. We're in the
 12 process of doing that.
 13 Q So is this self-study your first involvement
 14 with the CCR process as the principal?
 15 A As a principal, yes.
 16 Q When were you involved with it before?
 17 A As a teacher, our principal would give lead
 18 teaches little pieces of stuff to do. But this is
 19 really the only time I've been responsible for it.
 20 Q And what is a self-study?
 21 A It's to look at all your different programs and
 22 judge the effectiveness of them.
 23 Q Where are you in the process of judging the
 24 effectiveness of your programs?
 25 A We have divided the tasks out to our

1 leadership.
 2 Q And what are the tasks?
 3 A To look at the different programs and see -- to
 4 evaluate their effectiveness and to match them with what
 5 we're doing.
 6 Q So you've -- you've assigned certain programs
 7 to certain individuals?
 8 A Yes.
 9 Q When do you have to complete the self-study?
 10 A I believe it is -- I'm not sure. But I believe
 11 it's June 30th.
 12 Q So it's before next school year?
 13 A Yes.
 14 Q Do you know -- who will you give the self-study
 15 to once it's completed?
 16 A Vera Clark.
 17 Q And she works for the district?
 18 A Director of special projects. Yes, she does.
 19 Q Do you know what she does with the self-study
 20 after she receives it from you?
 21 A No, I don't.
 22 Q Do you know if -- do you know what the next
 23 step is once you turn in the self-study?
 24 A No, I don't.
 25 Q Are you aware of the most recent CCR review

1 that was completed at your school?
 2 A No, I'm not.
 3 Q Do you know if your school keeps on file past
 4 CCR compliance reviews?
 5 A I have the binder, but the binder has the
 6 pieces. I don't know what the results were.
 7 Q And what are the pieces?
 8 A The pieces that you put in for each of the
 9 programs. So there's a binder there at school, from the
 10 last CCR.
 11 Q Does the binder have any correspondence
 12 relating to compliance?
 13 A You mean if they were complying or not?
 14 Q Correct.
 15 A I don't know. I don't know.
 16 Q So you don't have a sense of whether your
 17 school has been compliant or noncompliant in the past in
 18 certain categories of the CCR?
 19 A No, I don't.
 20 Q Do you think that the CCR process, the process
 21 of evaluating these different programs, is useful?
 22 MS. HERNANDEZ: Objection. Overbroad.
 23 THE WITNESS: I don't know. I don't know. I
 24 have not done this before, so I don't know.
 25 BY MS. WELCH:

1 Q I know we touched briefly on the Comite
 2 process, and then the meetings about special education
 3 at your school. Leaving those two things aside, do you
 4 know if there are any other state-review processes at
 5 your school?
 6 A Going on now?
 7 MS. KOURY: Objection. Vague.
 8 THE WITNESS: Going on now?
 9 BY MS. WELCH:
 10 Q Yes.
 11 A No, I don't think there's any. No.
 12 Q With the self-study component of the CCR, does
 13 it ask -- does it ask the school to -- what does the
 14 self-study ask the school to do?
 15 MS. KOURY: Objection. Asked and answered.
 16 THE WITNESS: Yeah, it asks us to look at the
 17 program effectiveness, the effectiveness of certain
 18 programs, and I haven't gone through the process, so
 19 that's about all I can say at this point.
 20 BY MS. WELCH:
 21 Q Does it ask you -- in looking at different
 22 programs, does it ask you to provide information on
 23 whether you think that program needs improvement?
 24 MS. HERNANDEZ: Objection. Vague, overbroad.
 25 THE WITNESS: I believe it does.

1 BY MS. WELCH:

2 Q And you believe that the self-study that you
3 all are working on hasn't been completed to the point
4 where you could say whether or not there are certain
5 programs that need improvement?

6 A Exactly.

7 I need to clarify. There's another study
8 evaluation that we've gone through; it's called PQR,
9 program quality review. And we went through that in the
10 beginning of the school year. And the process had us go
11 through our programs, see if they're being effective.
12 It really looked at student samples, and we chose, as
13 our focus, reading comprehension. So we looked at
14 student samples, we looked at assessment, we talked
15 about how the children were doing in reading
16 comprehension, and the different subskills. And from
17 that, we developed a rubric that we can use, how to
18 assess how children are doing in main idea and
19 summarizing and those types of things.

20 At the end, what we did was -- our consultant,
21 because we went through the San Mateo County Office of
22 Education, and we met there, myself and two other
23 teachers, and at the end we had to submit our action
24 plan as our plan. Because they used the same format for
25 the PQR.

1 Q So what were the steps?

2 A We had to -- it's pretty similar to the II/USP
3 plan, where you have to look at the effectiveness of the
4 programs, you have to use data to decide which area you
5 want to focus on, and we decided to focus on reading
6 comprehension.

7 Q Why do you have to focus on a particular area?

8 MS. HERNANDEZ: Objection. Calls for
9 speculation.

10 THE WITNESS: You're required to do an area in
11 reading and an area in math.

12 BY MS. WELCH:

13 Q The program requires you --

14 A Yes.

15 Q -- to choose an area in reading and an area in
16 math?

17 A Yes.

18 Q And how did you decide to focus on reading
19 comprehension?

20 A Well, again, having the II/USP plan and going
21 through that process, you know, we had a lot of learning
22 just from that. And then, of course, we got input from
23 the SAT 9, that we -- the information we got from there,
24 so testing, teacher input, things like that, that
25 finally said that that was an area of need.

1 Q And who administers the PQR?

2 A "Administers"; what do you mean?

3 Q Well, is that a districtwide program or is that
4 a statewide program?

5 A I believe it's state-mandated.

6 MS. KOURY: Objection. Assumes facts.

7 THE WITNESS: I believe it's state-mandated, to
8 see how we're doing, again, with our programs.

9 BY MS. WELCH:

10 Q Why do you believe that it's state-mandated?

11 A Because -- because we have to submit it to the
12 state, or our consultants submit it to the state.

13 Q Is this a voluntary program?

14 A No, you have to go through PQR after so many
15 years. I don't remember exactly how many years.

16 Q How did you know that you had to -- that it was
17 time for your PQR?

18 A I believe, in August, Mrs. Clark told me that
19 it was time, and that I could go through the San Mateo
20 County Office of Education to get consultants, and we
21 were able to get our consultants from there. And so we
22 went to the San Mateo County Office with other schools
23 from other districts, as well as one more from our
24 district, and they trained us on the PQR process, how to
25 go through it, and what the steps were.

1 Q And then what programs or what did you put in
2 place to meet that need?

3 A The II/USP plan.

4 Q Do you think the PQR process was helpful?

5 A Very much so.

6 Q Why is that?

7 A It actually validated what we had done
8 previously -- the previous year with the II/USP, that
9 this was an area of need, and that what we had planned
10 to implement from the II/USP would help that need.

11 Q Did you change your curriculum in any way to
12 focus more on reading comprehension?

13 A Mostly instructional strategies and techniques
14 and staff development, test-taking skills, and formats
15 and making sure the children are familiar with format of
16 testing, and talking about reading all the choices and
17 eliminating, you know, the choices that don't fit and
18 things like that. So a lot about teaching strategies
19 and working with students; we did a lot of that.

20 Q And when you say you "did a lot of that," what
21 do you mean?

22 A Training, staff training from the learning --
23 we would look at student work and see that children --
24 for example, if they read a paragraph, and they kept
25 consistently missing the main idea, then grade-level

1 teams would work together on what strategies, what can
2 we do to help children with main idea. And sometimes
3 our categorical money was spent if a group said, well,
4 you know, if we had -- we see this particular material,
5 it really works on main idea, then I would purchase it
6 for them with the categorical money.

7 Q What do you do to try to recruit teachers to
8 Cesar Chavez?

9 A We get, from Marilyn Gurley, a list of
10 teachers' applications. From there we can call the
11 person and talk to them on the phone, and we can set up
12 an interview.

13 Q And Marilyn Gurley is an employee of the
14 district?

15 A Yes, she is; personnel analyst.

16 Q Do you do anything else to try to recruit?

17 A Principals can go to recruitment fairs if
18 they're able to. I haven't gone to any.

19 Q Does your district ask you to -- excuse me.
20 Does your district ask you to go to recruitment fairs?

21 A I was asked to go to one, but the person that I
22 would have gone with wasn't able to go, and she's the
23 one that takes the principals with her. And she wasn't
24 able to go. She had gone on a trip to the Philippines
25 to recruit teachers.

1 BY MS. WELCH:

2 Q Is it more than five?

3 A Probably around that number.

4 Q Which paper are you referring to?

5 A To the staff roster that I submitted to Marilyn
6 Gurley.

7 Q Has Ms. Gurley given you any teachers'
8 applications for these open positions?

9 A I received some today.

10 Q How many did you receive?

11 A I didn't count.

12 Q Do you know if you received enough to cover the
13 positions that are open?

14 A No, I don't know.

15 Q You don't know or --

16 A I don't know. I don't know if I got enough. I
17 haven't -- I haven't dealt with that yet.

18 Q When will you start to deal with that?

19 A When I was putting them up, my feeling was I
20 will take them out on Monday and start making phone
21 calls.

22 Q When you have identified a need for a teacher
23 to the district in the past, have they responded
24 promptly to that need?

25 A This is my first year recruiting, being the

1 Q Besides giving you a list of teachers'
2 applications, do you know if there's anything else the
3 district does to help with recruiting teachers?

4 A Well, they do go to the recruitment fairs at
5 different colleges and the like. They put vacancies --
6 they post vacancies in the various publications. That's
7 all I know.

8 Q What steps do you follow to identify that you
9 need a teacher?

10 MS. HERNANDEZ: Objection. Vague.

11 MS. KOURY: Assumes facts.

12 THE WITNESS: Approximately two months ago I
13 sent a form to every teacher asking them -- it said on
14 there, "Are you coming back?" "I'm not coming back," or
15 "I'm not sure. I'll let" -- and I put in parentheses,
16 "I'll let you know April 3rd." So I got those back.
17 And from that, I wrote a -- I typed a staff roster with
18 the vacancies, and I have given that to Marilyn Gurley.
19 So she knows what my vacancies are.

20 BY MS. WELCH:

21 Q Do you recall how many vacancies you'll have
22 next year?

23 MS. KOURY: Objection. Never mind.

24 THE WITNESS: I can't recall, not without the
25 paper here. I would be afraid I would make a mistake.

1 principal at this point. So the principal last year
2 dealt with recruitment, so I don't know.

3 Q But I know, from your earlier testimony, that
4 you've had vacancies this past year.

5 A In the very beginning of the school year, okay.

6 Q So we can divide it up, then, into the
7 beginning of the school year. Are you saying that you
8 did not have to work with the district to fill the
9 vacancies in the beginning of the school year last year?

10 A Let me see, how -- I did not do anything in the
11 process, coming right in new with it. So I did not do
12 anything. I don't know if that -- I don't know if
13 that's answering.

14 Q You became principal last -- or acting
15 principal --

16 A Yeah.

17 Q -- last August; is that correct?

18 A I don't know if I was appointed -- I don't know
19 when I was appointed officially. Dr. Knight said, "I
20 want you to do what you can until a principal comes."
21 And so what I did was, I set up the retreat and I did
22 things like that. And when there were vacancies, I
23 talked to Marilyn, and Marilyn said that she was trying
24 to find people. And that was basically the extent that
25 I did.

1 Q When you started the school year last year, I
2 think that you've testified that there were two or three
3 vacancies?

4 A Yes, when we started, yes.

5 Q Do you think that the district responded
6 promptly to your need to fill those vacancies?

7 MS. KOURY: Objection. Vague.

8 THE WITNESS: I had no feelings that they
9 weren't trying to. I really didn't. I felt they were
10 doing all that they could.

11 BY MS. WELCH:

12 Q Why did you feel that they were doing all that
13 they could?

14 A Because they told me that. And I had no reason
15 to think that they weren't.

16 Q You testified that it was months that these
17 vacancies were left unfilled; correct?

18 A Yes, the various ones, yes.

19 Q Other than the district telling you that they
20 were doing all that they could, did you have a personal
21 belief that they were doing all that they could do?

22 A I really did.

23 Q Why do you think -- do you think that it was
24 difficult for them to fill these positions?

25 A I really did. And also, not knowing the

1 A I really don't know. I don't know.

2 Q Have you ever talked to any other principals
3 about their teacher needs?

4 A Yes.

5 Q What have you talked about?

6 A This -- during my classes for my second tier,
7 we would talk about issues that are impacting all of us,
8 and that would be one of the issues that principals
9 would bring up.

10 Q Did you talk about what other principals did to
11 recruit teachers?

12 A No, that wasn't part of the conversation.

13 Q Do you think it's a principal's responsibility
14 to recruit teachers?

15 A Yes, to recruit -- recruit means to go out and
16 look for them?

17 Q Yes.

18 A They can be a part of that process, but I don't
19 know if it's the whole responsibility of the principal.
20 Like, for example, going to a recruitment fair -- that's
21 why I agreed to go, because I did want to be part of the
22 process and help out, but I don't think it's ultimately
23 my responsibility to go out and actually look for
24 somebody.

25 Q Whose responsibility do you think that part is?

1 process, and never been in the process myself, I had
2 confidence in the district, that they were doing all
3 that they could.

4 Q Looking back on it, do you still have that
5 confidence?

6 A Looking back on what they did?

7 Q Yes.

8 A Yes. Again, there was no reason for me to --
9 even to feel now that they weren't doing all they could.

10 Q Why do you think that it was difficult for them
11 to recruit teachers for your school?

12 MS. HERNANDEZ: Objection. Calls for
13 speculation.

14 THE WITNESS: I don't know. I don't know why
15 they were having trouble, other than I know there's a
16 general teacher shortage.

17 BY MS. WELCH:

18 Q How do you know that?

19 A Because generally, talking to other people in
20 other districts, that it's very difficult to find
21 teachers. Also, the -- on the news, watching the news,
22 they do issues, teacher shortages, and they talk about
23 how it's hard to find teachers.

24 Q Do you think that it's harder for some schools
25 to find teachers than for other schools?

1 A I think, ultimately, it's the district, with us
2 as partners helping in any way we can.

3 Q Do you think that the state has any
4 responsibility in that process?

5 A That's a good question. I suppose they do,
6 because, for example, if you have someone who has gotten
7 their degree, but they don't have their credential, we
8 have to go to the state to get an emergency in order to
9 get that teacher in there. So if we didn't have that
10 kind of program, we would have even more trouble, having
11 more shortages. So I see their role in that.

12 Q Do you think they have any other sort of role?

13 MS. KOURY: Objection. Vague.

14 THE WITNESS: I don't think so. I can't think
15 of anything else.

16 BY MS. WELCH:

17 Q Do you know if other schools in your district
18 have had the same success in recruiting teachers as
19 Cesar Chavez has?

20 MS. KOURY: Objection. Assumes facts.

21 MS. HERNANDEZ: Speculation.

22 THE WITNESS: Have they had the same success,
23 or rate of success, you're talking about?

24 BY MS. WELCH:

25 Q Yes.

- 1 A Yes, there were a number of vacancies at other
2 schools.
- 3 Q How do you know that?
- 4 A It was discussed at meetings.
- 5 Q What sorts of meetings?
- 6 A Principals meetings.
- 7 Q How often do the -- so do the principals of the
8 districts have meetings together?
- 9 A Well, this was a particular meeting to talk
10 about the shortages, because some schools, by
11 enrollment, they may have had an extra teacher that --
12 because of pure numbers. So it was discussed on how to
13 transfer a teacher, for example -- you know, just
14 different ways of problem-solving, of how to get the
15 vacancies filled, so it may be discussed: Well, one
16 teacher may come from another school. In fact, that's
17 how we got one teacher that had filled the fifth grade
18 class. The enrollment was lower at a particular school,
19 so they had an extra teacher, so they sent her to our
20 particular school.
- 21 Q When did this meeting take place?
- 22 A There were several, so I can't tell you when,
23 just several times that we met. It may have been about
24 four times.
- 25 Q Was it -- do you know what month it was?

- 1 A September.
- 2 Q Do you know if other schools in the state have
3 the same rate of success in recruiting teachers that
4 Cesar Chavez has?
- 5 A No, I don't.
- 6 Q Have you found that there are particular
7 subjects for which you have trouble recruiting teachers
8 more than others?
- 9 A For Chavez?
- 10 Q Yes.
- 11 A Not for particular subjects. The primary
12 grades are usually easier to fill than the upper grades.
- 13 Q Why do you think that's the case?
- 14 A Some people feel more comfortable working with
15 primary students.
- 16 Q What kinds of support -- well, does Cesar
17 Chavez offer training or support to its new teachers?
- 18 A Just at the site level? Just at our site
19 level? We have BTSA providers who are trained at the
20 county office, and they help provide support. We also
21 have peer coaches; that's another part of the II/USP
22 plan where we pay teachers hourly for helping new
23 teachers.
- 24 Q Can you talk about the first thing, the BTSA?
- 25 A BTSA, B-T-S-A. It's a program that trains

- 1 experienced teachers to help less experienced teachers.
- 2 Q Is that a program that's run out of the county
3 office; is that what you said?
- 4 A Yes.
- 5 Q And you also said that your school uses peer
6 coaches?
- 7 A Yes.
- 8 Q What do the peer coaches do?
- 9 A They help the new teachers in the area of how
10 to set up your first day, how to set up a week, how to
11 discipline, the procedures of the school, so they help
12 to acclimate the teachers to the new school, whatever
13 the needs of the new teachers are.
- 14 Q Are there any other kinds of support for new
15 teachers at your school?
- 16 A We have the two ed specialists, and again, that
17 comes out of my categorical funds, and they help new
18 teachers also.
- 19 Q Any other kinds of support?
- 20 MS. KOURY: Objection. Vague as to whether
21 you're referring simply to the site, school site.
- 22 MS. WELCH: I'm trying the same question I
23 asked three times.
- 24 Q What kind of support does Cesar Chavez offer to
25 new teachers?

- 1 A We had a retreat, which -- we had a five-day
2 retreat in the beginning of the school year where we,
3 again, did the training and things like that. So that
4 was a great support. So we paid those teachers hourly,
5 because it was before their school time. And again,
6 that was funded by the II/USP plan.
- 7 Q So besides the BTSA program, peer coaches, the
8 educational specialists and the retreat in which there
9 was training, any other types of support for your new
10 teachers?
- 11 A We also, through categorical funds, bought the
12 Fred Jones tapes. They're on classroom management and
13 discipline. They also talk about, you know, when a
14 child is not behaving, how not to get into a power
15 struggle with them. You know, real practical, good
16 tips, and they're videotapes. And we also pay for a
17 consultant to come and go through the videotapes with
18 the new teachers. I also pay hourly for them -- no, I
19 didn't pay hourly. I paid for dinner for them, those
20 who stayed after to go through the program.
- 21 Q So with the different sorts of support that
22 you've just talked about, is it voluntary for the
23 teachers to participate, or are they required to
24 participate?
- 25 A The BTSA -- I don't know if I can really speak

1 on that. Depending on their status, I believe that it's
 2 mandatory.
 3 Q For BTSA in particular?
 4 A Yes. For the Fred Jones, no. We just try to
 5 entice them with dinner. With the peer coach, we paid
 6 hourly for the peer coach, but not for the teacher, so
 7 it was just a voluntary-type thing.
 8 Q Was the retreat voluntary or was that required?
 9 A It was voluntary.
 10 Q Besides these programs that you've just talked
 11 about, do you have any other programs that support
 12 teachers that have been in the classroom? And I mean as
 13 opposed to brand-new teachers, so, I guess, ongoing
 14 training.
 15 A Again, through our II/USP plan, we have
 16 building subs so that teachers who want to see model
 17 classrooms or model -- can go and visit. They were also
 18 invited for the Fred Jones. We also had conflict
 19 resolution come in and do some classroom management. So
 20 basically they were invited to join in on other things
 21 that were school-site, school-based also.
 22 Q Do you think these kinds of supports for
 23 teachers and training for teachers are important?
 24 A Yes, I do.
 25 Q Why do you think they're important?

1 MS. KOURY: Objection. Calls for expert
 2 testimony.
 3 THE WITNESS: They -- teachers have told me
 4 that they appreciate the extra help. As I monitor and
 5 observe, if an ed specialist had come in and done a demo
 6 or has helped a teacher out, I would observe there had
 7 been improvement in the technique. Classroom
 8 management, discipline referrals, for a particular
 9 teacher, went down, because he went through the Fred
 10 Jones program and had been helped by a peer coach. So
 11 that's how I kind of measure. If I see less discipline
 12 problems, if I hear from the teacher that's doing well,
 13 then I observe that the teachers are doing better.
 14 BY MS. WELCH:
 15 Q Do you take steps to assess the quality of your
 16 teachers' training?
 17 A Yes, just like what I just mentioned. Those
 18 are the ways I know if it's being effective, or if
 19 someone needs more support in some other way.
 20 Q How do you assess the quality of their teaching
 21 skills?
 22 A I observe them.
 23 Q Anything else?
 24 A Number of discipline referrals, meeting
 25 deadlines, looking at report cards, seeing how children

1 are doing, looking at student work, and the RSAT scores
 2 for particular teachers.
 3 Q Do the students have an opportunity to review
 4 their teachers?
 5 A No.
 6 Q Do you ever solicit the input of parents in
 7 reviewing teachers?
 8 A Not individual teachers, but a program,
 9 effectiveness of their feelings. We had a seven-week
 10 workshop series on -- parent institute workshops, and it
 11 ended yesterday. And they had a principal forum, we had
 12 it twice, once in the morning and once in the evening.
 13 And so they asked me questions about the school and how
 14 things are going, and any questions they had.
 15 Q Was that part of your II/USP funding?
 16 A I am paying for it out of II/USP.
 17 Q Have the parents been asked to review the
 18 workshops?
 19 A That they went through?
 20 Q Yes.
 21 A There is an evaluation form that the parent
 22 institute has collected.
 23 Q Who runs your parent institute?
 24 A This was just a seven-week series. Jose Moran,
 25 and that's the name of their parent workshop. It's

1 called The Parent Institute, and so they go to different
 2 schools and present these workshops. And topics are how
 3 to help your child with their homework, home-school
 4 connection, things like that.
 5 Q What is Jose Moran?
 6 A He's the director of the program.
 7 Q So he's just the individual?
 8 A Yes.
 9 Q So is he -- does he have a company or is he
 10 just an individual consultant, or what is his role?
 11 A This is his organization. And my
 12 understanding, he's the director of that organization.
 13 Q Is the organization called The Parent
 14 Institute?
 15 A Yes, it is.
 16 Q Do you know where it's located?
 17 A In San Jose.
 18 Q Do the -- did the seminars take place in
 19 English and other languages as well?
 20 A There's actually 19 languages available.
 21 Q Really?
 22 A So they did it in -- we had speakers for
 23 Tongan, Samoan, Spanish and Figian, if we needed it, and
 24 English.
 25 Q So were the programs then divided up by

1 languages?

2 A Exactly, and they would be one classroom per
3 language.

4 Q You're assessing the quality of teachers'
5 teaching abilities. If you identify an area where a
6 teacher could improve, what do you do to monitor the
7 improvement?

8 A We give -- we have a formal evaluation
9 procedure. If I observe an area or areas where the
10 teacher has not observed, has problems, then I have a
11 meeting with the -- there's a meeting, anyway, with the
12 teacher. I go over the areas in which I'm concerned
13 with, and I am to have two more formal observations of
14 that person.

15 Q Are the reviews annual?

16 A Yes, they are, if you are not tenured. If you
17 are tenured, it's every other year.

18 Q How many teachers at your school are tenured?

19 A Can I say about?

20 Q Sure.

21 A About four.

22 Q What do you have to have --

23 A Four.

24 Q -- to be tenured, if you know?

25 A You have to be credentialed, and have had --

1 development that your district offers to teachers?

2 A Yes. Every Wednesday we have minimum days, and
3 we either -- it's either called a district day or a
4 site-based day. If it's a district day, then the topic
5 is developed by the district, and it may be on special
6 ed or on compliance issues, or it might be on EL
7 learners, but there's a topic, and then usually they
8 meet at Chavez. There's a cluster group that meets at
9 Chavez. It may be three schools that meet at one
10 school. Then there may be another cluster at another
11 school site.

12 And then we have our site-based days which,
13 again, are based on our II/USP plan. So we had --
14 that's where we would have our conflict resolution
15 training, and our accelerator reader training, a
16 consultant came on one of those minimum days. And what
17 did I just say? Bay Area Writing Project.

18 Q Can you think of any other types of training
19 that the district does?

20 A In the areas of special ed, areas of
21 English-language learners. Nothing else. I think those
22 have been the main two areas. I can't think of anything
23 right now that the district days have been used for.

24 Q Are teachers required to go to those district
25 days?

1 start a third year at -- in our district. So you've
2 done two previous years, and your third year you become
3 tenured, if you are credentialed.

4 Q When you were talking about the different
5 things that your school does in terms of professional
6 development for teachers --

7 A Um-hmm.

8 Q -- do you have a sense of how many teachers
9 take advantage of these opportunities?

10 MS. KOURY: Objection. Vague, calls for
11 speculation.

12 THE WITNESS: It depends on what the program
13 was. I believe every one that we did, it was a high
14 percentage of teachers that took advantage of it.

15 BY MS. WELCH:

16 Q By "a high percentage," do you mean -- can you
17 give a more concrete percentage?

18 A Probably not, because I don't know the -- I
19 haven't done the calculations to see how -- you know,
20 what percentage went to each one.

21 Q Do you think it was more than 50 percent?

22 A Oh, yes.

23 Q Do you think it was more than 75 percent?

24 A About that.

25 Q Are you aware of any kinds of professional

1 A Yes, they are. It's during their normal
2 contracted time. The children are dismissed at 1:10 and
3 they start at 1:30, and the teachers stay there until
4 3:20.

5 Q Do you know how many days there are, how many
6 minimum days there are?

7 A It's --

8 MS. HERNANDEZ: Objection. Vague, time frame.

9 THE WITNESS: It's from the very beginning
10 Wednesday until the very end last Wednesday of the
11 school year, so it's every Wednesday.

12 BY MS. WELCH:

13 Q Every Wednesday there is a minimum day?

14 A Yes, there is.

15 Q Did you say that those days -- that those days,
16 the training starts at 1:20?

17 A 1:30.

18 Q What happens to the classrooms if all the
19 teachers are going to the minimum days at 1:20?

20 A The children are dismissed at 1:10, and they go
21 home.

22 Q Every Wednesday the children go home at 1:10?

23 A Yes.

24 Q And on other days, they go home at 2:30; is
25 that correct?

1 A 2:30 for K-3; 3 o'clock, 4-8.
 2 Q How many of those minimum days are site-based
 3 days?
 4 A I don't recall. A lot.
 5 Q Would you say it would be half? I mean, is it
 6 every other day district day, site-based day; is it that
 7 kind of give and take?
 8 A I believe it's at least once a month, is
 9 site-based.
 10 Q What do you do at a site-based day?
 11 A Whatever your school plan calls for. So again,
 12 the II/USP plan, that's when we did conflict resolution
 13 and all those.
 14 Q I see.
 15 Have you noticed an improvement in the
 16 professional development of your teachers through the
 17 district days?
 18 A Yes, they're much more knowledgeable about
 19 special ed, and much -- when I observe them, they try
 20 the techniques that they have learned in the
 21 English-language learner workshops. So whatever they've
 22 learned there, that gives them a chance to talk to their
 23 peer coaches. I observe, the peer coaches observe, the
 24 ed specialists observe, and see if they're implementing
 25 those techniques, if they have any problems or concerns

1 with it.
 2 Q When you were talking about tenure a few
 3 minutes ago, you said that to become tenured at your
 4 school -- or at your district? Were you referring to at
 5 your school or at your district?
 6 A District.
 7 Q To become tenured at your district, you have to
 8 have three -- you have to start on your third
 9 consecutive year of being a teacher in the district; is
 10 that correct?
 11 A As a credentialed teacher.
 12 Q As a credentialed teacher?
 13 A Yes.
 14 Q Is there anything else you have to do to become
 15 tenured?
 16 MS. HERNANDEZ: Objection. Calls for legal
 17 information, legal conclusion.
 18 MS. KOURY: And asked and answered.
 19 THE WITNESS: I don't know.
 20 BY MS. WELCH:
 21 Q So --
 22 A I don't know of any other legal requirements.
 23 Q Well, I wasn't really asking for legal
 24 requirements.
 25 A Oh, I'm sorry. I'm sorry. What was the

1 question?
 2 Q You had said that to become tenured in your
 3 district, you have to stay for three years consecutively
 4 at a particular -- is it a particular school or at any
 5 school in the district?
 6 A In the district, in the district.
 7 Q And other than that, you're not aware of any
 8 other requirements?
 9 A And being credentialed.
 10 Q And being credentialed?
 11 A That's all I know of.
 12 MS. WELCH: I'd like to take a quick break.
 13 (Recess.)
 14 MS. WELCH: Could you read back the last
 15 question.
 16 (Record read.)
 17 BY MS. WELCH:
 18 Q Does every class at Cesar Chavez have a
 19 permanent teacher assigned to the class?
 20 A What do you mean by "permanent"?
 21 Q Permanent as versus substitute.
 22 A No.
 23 MS. HERNANDEZ: Objection. Vague.
 24 BY MS. WELCH:
 25 Q No?

1 A Not every class has a teacher that is not a
 2 sub.
 3 MS. KOURY: Objection as to time frame.
 4 BY MS. WELCH:
 5 Q And I'm talking as of right now.
 6 A Right.
 7 Q Is that clear?
 8 A Yes.
 9 Q So do you understand what I mean when I say
 10 "permanent teacher"?
 11 A Are you saying that they are not subs? Yes, I
 12 do have classes covered by subs.
 13 MS. HERNANDEZ: Can we go off the record for a
 14 minute.
 15 (Discussion off the record.)
 16 BY MS. WELCH:
 17 Q So when I say "permanent," I mean a -- someone
 18 who is assigned to that classroom and is not a
 19 substitute teacher.
 20 A And so the question is?
 21 Q Does everyone at Cesar Chavez -- does every
 22 class at Cesar Chavez have a permanent teacher assigned
 23 to it?
 24 A No, they don't.
 25 Q How many classes do not have permanent teachers

1 assigned to them?
 2 A Four.
 3 Q Other than four classes, how many of the
 4 teachers are long-term substitute teachers?
 5 MS. KOURY: Objection. Vague as to the term
 6 "long-term."
 7 THE WITNESS: Two.
 8 BY MS. WELCH:
 9 Q And when I use -- do you understand what I mean
 10 by the term "long-term"?
 11 A I believe I do.
 12 Q It's a credential of sorts; correct? I mean, I
 13 guess not a credential, but it's a category of
 14 substitute teachers that is statewide or districtwide?
 15 A That's not my definition.
 16 Q Okay. What would your definition be?
 17 A Someone who has been placed in a particular
 18 class for a period of time, and then they become the
 19 long-term, as opposed to a day-to-day sub, someone who
 20 just comes in for the day.
 21 Q Is there any particular credential that a
 22 long-term sub needs to have?
 23 A As opposed to a --
 24 Q Short-term or day-to-day sub.
 25 A Day-to-day?

1 Q Or permit.
 2 A I don't know.
 3 Q So then the difference, in your mind, between a
 4 long-term and a day-to-day is just the length of time
 5 they stay in the classroom?
 6 A And actually being called that.
 7 Q Do you know how you get that title, the title
 8 of long-term sub versus day-to-day sub?
 9 A If the assignment goes for a certain number of
 10 days, and that person's qualified to take the class,
 11 then Marilyn will tell me that person will be a
 12 long-term substitute.
 13 Q So then what do you have to do to be qualified
 14 to take the class?
 15 A I know you have to have -- you have to have --
 16 I'm sorry, your degree, you have to have passed the
 17 CBEST. I don't know if it's any other requirements.
 18 Q So you have two long-term subs and then you
 19 have two day-to-day subs covering classrooms?
 20 A Yes.
 21 Q Did any of these teachers start the year as --
 22 start the school year as substitute teachers or did they
 23 come in after the school year started?
 24 A Wow. One started -- started as a long-term sub
 25 in another position and when that teacher came back, he

1 did move to the other classroom. That's one; okay? The
 2 other one took over from a teacher that left, and has
 3 been there ever since.
 4 Q Going back to the first one, do you know when
 5 he came in?
 6 A The first one from the --
 7 Q He started as a long-term sub for one class.
 8 And do you know --
 9 A Right.
 10 Q -- when he became the long-term sub for the
 11 second class?
 12 A I believe it happened after the new year.
 13 Q And then going on to the second long-term sub.
 14 I'm sorry if I interrupted you.
 15 A No, that's okay. That's for the second term?
 16 Oh, and so the question is, now that -- I've got to
 17 remember who I'm --
 18 Q With the second long-term sub, when did that --
 19 did that person start the year or -- as a long-term sub,
 20 or did they come in at a point after the beginning of
 21 the school year started?
 22 A They came in after a point when the teacher
 23 left.
 24 Q Do you know when that point was?
 25 A Before the new year.

1 Q Then as to the two day-to-day subs, do you know
 2 when they started in their classrooms?
 3 A One very recently. I had a teacher leave on
 4 medical leave.
 5 Q I remember you talking about that.
 6 A Very recently.
 7 And then the second one, he was originally a
 8 long-term sub in another room, and he has now taken over
 9 this one. This teacher had to leave because she did not
 10 pass all the parts of her CBEST. So in between the
 11 time, we had day-to-day subs, and then this person is
 12 working now -- is he considered day-to-day? Oh, my
 13 goodness. He's working, I believe, day-to-day.
 14 Q When did the teacher who he has replaced have
 15 to leave?
 16 A First part of the new year, probably around the
 17 second month.
 18 Q Has she had day-to-day subs since she left?
 19 MS. KOURY: By "she," Counsel, do you mean the
 20 class?
 21 BY MS. WELCH:
 22 Q The classroom teacher that left.
 23 A My ed specialist, one of my ed specialists was
 24 in there for a period of time, and then, also, we've had
 25 day-to-day.

1 Q Which grade is this?
 2 A This is seventh grade.
 3 Q And what did the teacher teach?
 4 A Reading/language arts.
 5 Q Do you recall the name of the teacher?
 6 A Yes.
 7 Q What was her name?
 8 A Maria -- I'm sorry, the teacher who did what?
 9 Q The teacher that left.
 10 A Yes, Maria Ayala.
 11 Q Is there a reason why Ms. Ayala's class hasn't
 12 had the same substitute teacher since she left?
 13 A I was only sent day-to-day subs.
 14 Q Did you make the request to the district for a
 15 permanent -- or, I'm sorry, for a long-term substitute?
 16 A Yeah. She has a contract until the end of the
 17 school year. So we couldn't permanently replace her
 18 with another teacher, so that's why we have to keep a
 19 day-to-day in there.
 20 Q You couldn't replace her with a long-term
 21 substitute even?
 22 A Because that is -- I don't know. I don't know.
 23 MS. HERNANDEZ: Calls for a legal conclusion.
 24 BY MS. WELCH:
 25 Q Did you make the request to replace her with a

1 long-term sub?
 2 A I probably said, in effect, I would like
 3 somebody in there longer than a day-to-day situation.
 4 Q Would that be your preference?
 5 A Yes.
 6 Q Why would that be your preference?
 7 A The continuity of instruction from one person.
 8 Q Do you think that the continuity of instruction
 9 is important?
 10 A Yes, I do.
 11 Q And then the other day-to-day sub, you said,
 12 replaced a teacher who had -- who had left, I think it's
 13 been in the past couple weeks, to go on medical leave;
 14 correct?
 15 A Correct.
 16 Q And we talked about him on Friday?
 17 A That is correct.
 18 Q I know we talked -- we've talked quite a bit
 19 about the vacancies that you had at the beginning of the
 20 school year and the problems that you faced in trying to
 21 fill those vacancies. Are you aware of what sorts of --
 22 of whether there were vacancies for 1999-2000?
 23 A At Chavez?
 24 Q At Chavez; sorry.
 25 A You mean the beginning of 1999? 1999?

1 Q The beginning of the school year and then --
 2 A Of 19 --
 3 Q Let's start with the beginning of the school
 4 year, yes.
 5 A I don't remember any vacancies.
 6 Q Do you remember any vacancies occurring later
 7 on in the year?
 8 A I don't remember any.
 9 Q Do you think that -- well, I know that we've
 10 talked a little bit already about some of the reasons
 11 why there were more vacancies last year than there had
 12 been in the past. And please correct me if I'm wrong,
 13 but I think you said one of the reasons, in your
 14 opinion, was that the teachers left to go with the prior
 15 principal; is that correct?
 16 A That's correct.
 17 Q Are there any other reasons that you -- reasons
 18 for the fact that there's more vacancies in 2000 --
 19 MS. HERNANDEZ: Objection.
 20 BY MS. WELCH:
 21 Q -- than there were in 1999?
 22 MS. HERNANDEZ: Objection. Calls for
 23 speculation.
 24 BY MS. WELCH:
 25 Q Do you have an opinion as to the --

1 A An opinion?
 2 MS. HERNANDEZ: Speak up.
 3 THE WITNESS: Sorry. No, not really. I
 4 don't -- I haven't thought about it.
 5 BY MS. WELCH:
 6 Q Do you think it's become more difficult to
 7 recruit teachers since 1999?
 8 MS. KOURY: Objection. Assumes facts.
 9 THE WITNESS: That could be a reason, but I
 10 don't know. I really haven't thought about it. I
 11 didn't think about the condition that year as opposed to
 12 this year. I haven't made -- I haven't thought of
 13 comparisons. I haven't thought about it.
 14 BY MS. WELCH:
 15 Q I wasn't trying to offer a reason.
 16 A Oh.
 17 Q I was just wondering if you think there is a
 18 reason for the difference in the number of vacancies,
 19 other than the fact that teachers left to go to
 20 Ms. Wood's school.
 21 MS. KOURY: Objection. Calls for speculation
 22 and assumes facts.
 23 THE WITNESS: I don't know.
 24 BY MS. WELCH:
 25 Q And then I guess my other question was if you

1 think -- if you, in your opinion, think it's more
 2 difficult to recruit teachers now than it was in the
 3 beginning of 1999.
 4 MS. HERNANDEZ: Objection. No basis for
 5 knowledge.
 6 THE WITNESS: I don't know --
 7 MS. HERNANDEZ: No foundation.
 8 THE WITNESS: -- because I wasn't a principal
 9 then, so I don't know how hard it was or wasn't to
 10 recruit teachers.
 11 BY MS. WELCH:
 12 Q Do you think that when a classroom is taught by
 13 a day-to-day sub, there is -- it has an impact on
 14 students' education in class?
 15 MS. KOURY: Objection. Calls for expert
 16 testimony, speculation.
 17 MS. HERNANDEZ: Vague.
 18 THE WITNESS: I think it's the fact of more the
 19 person that's teaching. I know of day-to-day subs who
 20 are excellent teachers, and who can take what has been
 21 learned previously and continue. So I think it's the
 22 quality of the teacher that determines that.
 23 BY MS. WELCH:
 24 Q So do you think that if you have a high-quality
 25 teacher -- if you have a series of high-quality teachers

1 coming into a class every week, do you think that that
 2 has an impact on students' education in that class?
 3 MS. KOURY: Same objection.
 4 MS. HERNANDEZ: Objection.
 5 THE WITNESS: And many times that day-to-day
 6 sub is not literally day-to-day. It doesn't mean that
 7 person comes in on Monday and they don't come back until
 8 next Monday. They can come in and stay for a number of
 9 days. So there can still be continuity of the program
 10 with a day-to-day sub.
 11 BY MS. WELCH:
 12 Q Isn't there a cap on the number of days that a
 13 day-to-day sub can come in?
 14 A There is. There is.
 15 Q Are you aware of what that cap is? I can't
 16 recall the number. Is it less than a month of teaching,
 17 do you know?
 18 A I don't remember what it is.
 19 Q Do you think that -- you testified earlier that
 20 you think it's important to -- and I don't want to
 21 misquote you, but you testified earlier that -- I think
 22 that it's important -- that you think it's important for
 23 students to have -- I can't remember your exact quote.
 24 How do you think that substitutes can ensure
 25 continuity in the educational program of the classroom

1 that they are tending to?
 2 MS. HERNANDEZ: Objection. Vague, overbroad.
 3 MS. KOURY: Calls for expert testimony and
 4 assumes facts.
 5 THE WITNESS: From the support of the school --
 6 for example, making sure that the person has the
 7 schedule, knows the day-to-day routine, having
 8 information about certain children, if they go in and
 9 out, if they need special attention, who shouldn't work
 10 with whom. All that's in our sub packets, so they know
 11 about that.
 12 My ed specialists help the substitute. I go in
 13 and help and make sure, if they have any questions, if
 14 they have any concerns, making sure they know where
 15 they've left off, and be able to continue, things like
 16 that. So the support from the school is extremely
 17 important in making sure that the continuity of
 18 education is effective.
 19 BY MS. WELCH:
 20 Q Do you think a classroom that has the same
 21 teacher throughout the year is preferable to a classroom
 22 that has different teachers?
 23 A Yes.
 24 Q Why is it preferable?
 25 A Because the support from the -- the level of

1 support from the school is not as needed, because the
 2 person knows the children, and they know what page
 3 they're on, and they know what goal they're on -- going
 4 to.
 5 Q So how do you think it impacts the children to
 6 have a number of different teachers coming into their
 7 class throughout the course of a year?
 8 MS. HERNANDEZ: Objection. Vague, calls for
 9 speculation.
 10 MS. KOURY: Assumes facts, and calls for expert
 11 testimony.
 12 THE WITNESS: Would you say it again.
 13 MS. WELCH: Could you read it back.
 14 (Record read.)
 15 MS. HERNANDEZ: Can I add: Overbroad.
 16 THE WITNESS: I don't know. It depends on the
 17 class.
 18 BY MS. WELCH:
 19 Q Why does it depend on class?
 20 A Because, again, it depends on the teacher and
 21 the support it's getting from the school.
 22 Q When you were a teacher, were there times that
 23 you had to rely on substitutes?
 24 A Yes.
 25 Q Did you ever have to rely on substitutes for

1 longer than a week?
 2 A Yes.
 3 Q Did you -- when you came back into your --
 4 how -- can you remember the longest that you had to rely
 5 on a substitute teacher when you had to be out of your
 6 classroom, the longest period of time?
 7 A Eight weeks.
 8 Q When you came back into your classroom, did
 9 you -- did you talk to the children about their
 10 experience with -- did the children in your classroom at
 11 that time have one substitute teacher?
 12 A That was 20 years ago. I don't know. I don't
 13 know. I have no idea. I don't remember. 20 years ago.
 14 Q Do you remember anything -- when you returned
 15 to your classroom, do you remember anything that -- did
 16 the children -- so you don't have any recollection of
 17 whether the children talked with you about their
 18 experience, having a substitute?
 19 A I don't remember. That was only my second year
 20 of teaching, so probably the substitute was more
 21 experienced than me.
 22 Q So do you recall any impact in the educational
 23 program to your -- that your absence had on the students
 24 in your class?
 25 MS. KOURY: Objection. Asked and answered.

1 THE WITNESS: Not that I can remember.
 2 BY MS. WELCH:
 3 Q So do you think that if the school supports are
 4 in place, that using a number of substitute teachers
 5 during the course of a semester is just as good as
 6 having a permanent teacher there throughout the course
 7 of the semester?
 8 MS. KOURY: Objection.
 9 MS. HERNANDEZ: Objection. Vague, overbroad,
 10 calls for speculation, calls for expert testimony.
 11 THE WITNESS: My preference would be that a
 12 teacher -- that the students have a teacher all year
 13 long, not a number of substitutes. That would be my
 14 preference.
 15 BY MS. WELCH:
 16 Q When -- you said earlier that part of the
 17 reason it would be your preference is because continuity
 18 is important in teaching. Is there any other reason why
 19 it would be your preference?
 20 A No.
 21 Q You talked about the assistance that you get
 22 from the district in terms of filling teacher vacancies.
 23 Do you know if you get any assistance from the state in
 24 filling teacher vacancies?
 25 A No, I don't.

1 Q No, you don't know, or --
 2 A I don't know.
 3 Q -- or the state doesn't --
 4 A I don't know.
 5 Q Has anyone from the state ever asked you
 6 whether there are teacher vacancies at the start of the
 7 school year?
 8 A No.
 9 Q Have you ever had to report the number of
 10 vacant teacher positions at your school to anyone at the
 11 state level?
 12 MS. HERNANDEZ: Objection. Vague as to "anyone
 13 at the state level."
 14 THE WITNESS: I don't think so.
 15 BY MS. WELCH:
 16 Q But you have had to report the number of
 17 teacher vacancies to the district-level office; correct?
 18 A That's correct.
 19 Q Do you know the number of teachers that have
 20 left Cesar Chavez since you've been an administrator
 21 over the past two years?
 22 A I could probably more accurately tell you about
 23 this year.
 24 Q Do you know the number for this year?
 25 A I believe it's six.

1 Q Do you keep records of the number of teachers
 2 that leave during the course of the year?
 3 A I don't think I have anything in writing. No,
 4 I don't think I have.
 5 Q Do you have to report to the district when a
 6 teacher has left?
 7 A If I know about it first.
 8 Q What happens if you don't know about it first?
 9 A Then Marilyn tells me. It depends on the
 10 person, who did they contact.
 11 Q Do you think that the teacher turnover rate has
 12 an impact on the students at your school?
 13 MS. HERNANDEZ: Objection.
 14 MS. KOURY: Vague, ambiguous, calls for expert
 15 testimony.
 16 THE WITNESS: I really don't know.
 17 BY MS. WELCH:
 18 Q Have any students ever talked with you about
 19 the impact of their teacher leaving?
 20 A Not the impact, but maybe asking me when
 21 they're going to get a permanent teacher, or when -- why
 22 a teacher left. Those are the kind of questions
 23 children ask me.
 24 Q Have they complained about the fact that they
 25 don't have a permanent teacher?

1 A It's not a complaint, but it's asking me why,
2 or when someone's coming.
3 Q I think you talked about, before, that at the
4 beginning of this school year, you received some parent
5 complaints about the fact that there were classrooms
6 that didn't have teachers assigned to them; is that
7 correct?
8 A Yes.
9 Q Did any of the -- did any of the parents
10 complain to you in writing?
11 MS. KOURY: Objection. Mischaracterizes her
12 testimony. I believe what she said was that there were
13 concerns.
14 THE WITNESS: I don't remember anything in
15 writing.
16 BY MS. WELCH:
17 Q Do you take any steps to try to retain your
18 teachers at Cesar Chavez?
19 MS. KOURY: Objection. Vague.
20 THE WITNESS: Well, we've just passed out
21 contracts and had them sign them. So that's one way to
22 get them. So yes, so we've done that.
23 BY MS. WELCH:
24 Q Is there anything else that you do to try to
25 encourage your teachers to stay at the school?

1 MS. HERNANDEZ: Objection. Vague.
2 THE WITNESS: Try to make the morale of the
3 school where the people are comfortable and happy to be
4 there, try and have a policy where teachers feel free to
5 talk to me about concerns, try to make sure that their
6 input is listened to and to try and put some of their
7 ideas into place, so they feel ownership, they feel a
8 part of the school.
9 BY MS. WELCH:
10 Q Do you think it affects the teachers when they
11 see other teachers leaving the school?
12 MS. HERNANDEZ: Objection. Vague, calls for
13 speculation.
14 THE WITNESS: I don't know. I don't know.
15 BY MS. WELCH:
16 Q Have any of the teachers ever talked about the
17 fact that it's difficult or frustrating to see their
18 colleagues leaving the school?
19 MS. HERNANDEZ: Objection. Assumes facts.
20 THE WITNESS: Yes, they have come to me and
21 wondered when there would be a teacher or, you know -- I
22 don't know if they got into feelings, how they felt
23 about it, I don't know if they did.
24 BY MS. WELCH:
25 Q Do you think that the teacher turnover rate has

1 an impact on the morale of your teachers?
2 MS. HERNANDEZ: Objection. Calls for
3 speculation, vague.
4 THE WITNESS: Truly, I haven't seen it
5 affected.
6 BY MS. WELCH:
7 Q Do you think that the professional development
8 activities that we discussed earlier --
9 A Yes.
10 Q -- do you think that that helps teacher
11 retention?
12 MS. HERNANDEZ: Objection. Calls for
13 speculation.
14 MS. KOURY: Also calls for expert testimony.
15 THE WITNESS: I think that can be one of the
16 factors, yes.
17 BY MS. WELCH:
18 Q Other than those professional programs or
19 professional development programs that we've talked
20 about that the district sponsors, do you think -- do you
21 receive any other assistance from the district in trying
22 to retain teachers?
23 MS. HERNANDEZ: Objection. Vague.
24 THE WITNESS: We have an employee recognition
25 day, where people are recognized for the number of years

1 they've been at the district. We have teacher
2 appreciation day, and then we also have classified
3 appreciation week. So in the districtwide, various
4 activities happen. Gifts are given by the
5 administration, appreciation letters or notes are given
6 out. Some schools have food, some -- to show
7 appreciation to their staff. And then again, the
8 signing of the contracts, early -- as early as they're
9 doing them now.
10 BY MS. WELCH:
11 Q Do you receive any assistance from anyone at
12 the state level to try to retain teachers?
13 A I don't know.
14 MS. KOURY: Objection. Vague.
15 BY MS. WELCH:
16 Q I believe you said last week that the
17 district -- that your district has a database that
18 contains information concerning the credentials that
19 teachers have; correct?
20 MS. HERNANDEZ: Objection. Calls for
21 speculation, no foundation.
22 MS. WELCH: Well, there actually was a lot of
23 questioning about it, so I think there is foundation,
24 but --
25 THE WITNESS: When I have been in Marilyn's

1 office, and if I've asked a question about a certain
2 person, she's typed it in and she's been able to give me
3 answers. So I call that a database.

4 BY MS. WELCH:

5 Q So it's your understanding that the district
6 has information concerning the credentials that the
7 teachers at your school have?

8 A Yes.

9 Q Does your school keep a list of the credentials
10 that the teachers have?

11 MS. KOURY: Objection. Asked and answered.

12 THE WITNESS: I don't think I have anything at
13 school.

14 MS. WELCH: I'm looking at the language census
15 that we were provided today, that I understand has some
16 changes when compared to the language census that we
17 were provided last Friday. So we can either mark it as
18 a new exhibit or we can call it Exhibit 2A, whichever
19 you'd prefer.

20 MS. KOURY: Both are clear to me, so --

21 MS. HERNANDEZ: Could you revise 2 or whatever?

22 MS. KOURY: I think actually if I -- could we
23 go off the record for a second.

24 (Discussion off the record.)

25 MS. WELCH: We're going to call the document

1 A Because I know how many children are in
2 structured English immersion classes.

3 Q How do you know that?

4 A Because there are designated structured
5 immersion classes, and there are a certain number of
6 children in each one of them, and so when I add them up,
7 I get this number.

8 Q So did you revise all of the numbers that have
9 been changed for Ms. DeSoto?

10 A It was a collaboration, where we discussed it,
11 because I wanted to make sure I understood what each one
12 of these meant, that we had the same understanding.

13 Q And on page 4 of 4, you had changed the number
14 of teachers with the CTC bilingual authorization on the
15 form you gave me last week from 2 to 0. And did you
16 also provide that information to Ms. DeSoto, allowing
17 her to make the change on the form that we were given
18 today?

19 A We discussed it, and it was determined that it
20 really was zero.

21 Q And how did you -- I notice that in -- under
22 5A, 28, the total teachers providing primary language
23 instruction, your handwritten note indicated for -- the
24 new typed version indicates zero. Do you know how you
25 reached that number? The new number, I should say.

1 that we just received, which is a revised version of the
2 language census that we received last week, Exhibit 2A.

3 (Deposition Exhibit 2A was marked for
4 identification by the court reporter.)

5 BY MS. WELCH:

6 Q Looking at this language census that you gave
7 us, Ms. Walden, there were no changes to the first page
8 of the exhibit, correct, where you talk about the
9 credentials of the teachers at your school? And when I
10 say "talk about," I mean where you have indicated with
11 handwritten notes what the different credentials are of
12 the teachers at your school.

13 A I have not made any changes.

14 Q And looking at the second page, which is
15 actually page 3 of 4, the number of children under
16 category 2A appears to be different. If you look at
17 number 4 under 2A where it says "structured English
18 immersion," it did say 295, now it says 409. Could you
19 explain why there was a change in the numbers?

20 A I went to Mariana DeSoto, and I told her I felt
21 the numbers were incorrect, and when she -- after
22 discussion with me, getting my input on it, the numbers
23 were changed.

24 Q How did you figure out that the numbers were
25 incorrect?

1 A I don't remember. I don't know why it's not
2 clear.

3 Q Do you remember if that was the number you gave
4 Ms. DeSoto or if that was something you discussed?

5 A We did discuss it, and I cannot remember why
6 it's 0 now, and not 4.

7 Q Do you know how many teachers in Cesar Chavez's
8 math department are fully credentialed?

9 A Which grades are you talking about?

10 Q All of your math teachers.

11 MS. HERNANDEZ: Objection. Vague.

12 THE WITNESS: And what was the question about
13 those?

14 BY MS. WELCH:

15 Q If you know how many teachers -- and if it's
16 "department" that is confusing, just let me know. I
17 mean, my question really is getting at how many teachers
18 that teach math are fully credentialed.

19 A Wow. That is hard to answer because most of
20 them are self-contained classes, so I don't know how to
21 answer it.

22 Q Do you have some teachers in your upper grades,
23 like 4 to 8, that are specifically math teachers?

24 A Yes, I have two of them, one seventh grade
25 teacher and one eighth grade teacher.

1 Q Do you know if those math teachers are fully
2 credentialed?
3 A My understanding is they are.
4 Q Is the reason why it's a hard question is
5 because some of your teachers that are fully
6 credentialed have Multiple Subject Credentials?
7 MS. HERNANDEZ: Objection. Mischaracterizes.
8 MS. WELCH: I'm just asking and trying to --
9 THE WITNESS: Say it again. I want to make
10 sure I'm understanding.
11 BY MS. WELCH:
12 Q My initial question was how many teachers that
13 teach math are fully credentialed. And if your answer
14 is two, then I don't need to go any further. But if
15 that question doesn't make sense to you, then I can try
16 to revise it in such a way that it does make sense.
17 MS. KOURY: Just for clarification, she was
18 speaking to only teachers that teach fourth through
19 eighth grade, math teachers.
20 THE WITNESS: And I only have two teachers who
21 do that, one in seventh and one in eighth, who
22 specifically only teach math, science.
23 BY MS. WELCH:
24 Q Do you have teachers in the earlier grades that
25 are specifically teaching math and science as well?

1 A No, they're all self-contained.
2 Q When you have a teacher at your school that's
3 absent, how does -- how does Cesar Chavez go about
4 finding a substitute teacher?
5 A The teachers have been instructed that if
6 they're going to be absent, if they know before 6
7 o'clock a.m., to call me at home if they know after 6:00
8 a.m., to leave a message on my voice mail. And either
9 way, they're to leave a message, as soon as they know,
10 at the substitute line.
11 Q And when you get that message, what do you do?
12 A What -- oh, find out from the substitute line
13 if there's a sub.
14 Q And what is the substitute line?
15 A That's a line on which the teachers call in to
16 tell them that they're not going to be there for that
17 day.
18 Q So if you get a message from a teacher that
19 that teacher can't be there that day, you call the
20 substitute line to try to arrange a substitute to teach
21 that person's class?
22 A No, they call me, and let me know -- by a
23 certain time, they usually call, let me know that
24 person -- that person is going to be out and if they
25 have a sub or not, a substitute or not.

1 Q What happens if they don't have a substitute?
2 A I have two building subs, and so they go in
3 first. If -- that's it. They go in first.
4 Q If they are not available, what do you do?
5 A If they're not there, my ed specialists go in.
6 Q And then if your ed specialist isn't available,
7 what do you do?
8 A The vice principal can go in and I can go in.
9 Q Have you ever had trouble finding enough
10 substitute teachers to cover the classes at your school
11 that don't have a teacher that day?
12 A Yes.
13 Q We have talked a few times now about the period
14 earlier in the year where you had some vacancies and
15 where you had some other teachers leave and where there
16 were problems. Is that the -- is that what you were
17 referring to when I -- in your response to my last
18 question?
19 MS. KOURY: Objection. Mischaracterizes her
20 testimony.
21 THE WITNESS: What was your last question?
22 BY MS. WELCH:
23 Q I asked if you had trouble finding substitutes
24 to come to your school.
25 A Just for that period of time?

1 Q No, no. Well, my question was broader, and you
2 answered "Yes," and I'm wondering if -- I mean, is it a
3 continual problem that you have in finding substitutes?
4 A Meaning classes uncovered?
5 Q Meaning does it happen frequently.
6 MS. KOURY: Objection. Vague.
7 MS. HERNANDEZ: Objection.
8 THE WITNESS: What's frequently?
9 BY MS. WELCH:
10 Q Well, my initial question was do you have
11 trouble finding substitute teachers to cover classes at
12 Cesar Chavez, and you answered "Yes."
13 A Yes.
14 Q And I'm just wondering if it -- how frequently
15 do you have trouble finding substitutes?
16 A I don't know if -- I don't know how to answer
17 that. I don't have a number to give you.
18 Q Do you think you have trouble every month?
19 MS. KOURY: Objection. Vague as to "trouble."
20 THE WITNESS: Meaning -- trouble in what way?
21 BY MS. WELCH:
22 Q Trouble finding substitutes to cover classes at
23 your school.
24 MS. KOURY: Same objection.
25 THE WITNESS: I think it's a general concern

1 throughout the district. I don't know if trouble is a
2 good word for it, because our building subs have been
3 able to pretty much cover those, when someone's absent,
4 or we get substitutes.

5 BY MS. WELCH:

6 Q You talked about, earlier, a period of time
7 where you weren't able to get substitutes to cover the
8 classes that were vacant in your school; correct?

9 A Yes.

10 MS. KOURY: Objection. Mischaracterizes her
11 testimony.

12 BY MS. WELCH:

13 Q Have there -- since you found teachers for
14 those classes, which I believe you said it took -- well,
15 it wasn't exactly clear, but it seemed as if you were
16 able to find teachers before the end of the semester to
17 resolve the problem that you were having at the
18 beginning of the school year; is that correct?

19 A That's correct.

20 Q Have there been times this semester where you
21 have had similar problems?

22 MS. HERNANDEZ: Objection. Vague.

23 THE WITNESS: Nothing we couldn't handle or
24 cover. We were able to cover classes, unlike that very
25 first beginning where we -- where it was very

1 somewhere else, that would happen.

2 Q Do you monitor what substitutes do during class
3 time?

4 MS. KOURY: Objection. Vague.

5 THE WITNESS: Yes, I do.

6 BY MS. WELCH:

7 Q How do you do that?

8 A By going in and observing, helping out,
9 supporting, seeing how they're doing.

10 Q Do you or someone on your staff provide lesson
11 plans for substitute teachers?

12 A The teachers themselves have substitute plans
13 that they provide.

14 Q Does -- is each teacher required to prepare a
15 substitute plan when they're going to be absent?

16 A Yes.

17 Q Is that something that you require of them?

18 A Yes, it is.

19 Q Do you know whether substitute teachers
20 sometimes show movies during class?

21 A Yes, they can, if it's in the lesson plan.

22 Q Do they -- do they have to get authorization to
23 show a movie and get video equipment necessary to show
24 it?

25 A In order for a teacher to show movies, I need

1 troublesome.

2 BY MS. WELCH:

3 Q If you know that a teacher is going to be
4 absent for more than a day, is it your practice to use
5 the same substitute for the duration of that teacher's
6 absence?

7 A The teacher is supposed to call before 2:00
8 p.m. and let the school know that we need to retain a
9 sub, and then we'll retain a sub for the next day.

10 Q So would you say that it's your practice to try
11 to use the same substitute?

12 A Oh, yes.

13 Q Why is that your practice?

14 A It's easier to keep the education continuous.
15 It's easier for the delivery of it, because the sub
16 knows what they just covered, and they know what they're
17 going to cover the next day.

18 Q Does your school ever have to deviate from that
19 practice?

20 A Practice of what? Which part?

21 Q Practice of trying to find -- trying to use the
22 same substitute for the duration of the teacher's
23 absence.

24 A Yes, if a teacher doesn't call by 2:00 p.m.,
25 and the sub is not retained, and if the sub is sent

1 to know prior and give prior approval. So I will
2 already know that the substitute is going to show a
3 movie. And in order for the movie to be approved by me,
4 it has to be related to the curriculum.

5 Q And in what way does it have to be related?

6 A For example, if they're studying China, it may
7 be a videotape about China.

8 Q Okay. So you would be the one that would
9 authorize whether a movie can be shown in class?

10 A That's what I've told my staff.

11 Q I believe you testified earlier that you have
12 two computer labs on campus; is that correct?

13 A I have one computer lab.

14 Q One computer lab. How many computers are in
15 the computer lab?

16 A I believe it's 30.

17 Q Do you know how your school got the money for
18 these computers?

19 A They were donated by People PC.

20 Q Do you know when they were donated?

21 A We got them in classrooms in September.

22 Q You said last Friday that you, at one point,
23 were a reading coach; is that correct?

24 A That's true.

25 Q What were your responsibilities as a reading

1 coach?

2 A I did demonstration lessons, I observed

3 teachers as they taught and gave them feedback. I led

4 grade-level meetings, I gave workshops, and I got

5 training as a reading coach from the Reading Alliance

6 Project.

7 Q When you -- as a reading coach, were you

8 involved in taking the inventory of the textbooks that

9 were on campus at the time?

10 A Yes, I was.

11 Q How was that part of your responsibility?

12 A I was to make sure that all the teachers had

13 all the materials they needed for Open Court reading

14 program, K-3, at Bellhaven School.

15 Q So you were responsible for the inventory of

16 the reading books, but were you responsible for the

17 inventory of other books as well?

18 A No, just the Open Court reading series, and the

19 materials that were part of it.

20 Q So how did you -- did you actually take the

21 inventory of the reading books?

22 A Yes, I did.

23 Q And what process did you use that?

24 A I counted every single card, every single

25 thing, and we had a sheet, and if there was anything

1 missing, then I would order it.

2 Q Did that inventory occur annually?

3 A I usually did it twice a year. The semester

4 break was a good time to do that and then, of course, at

5 the end, more extensively, making sure that every

6 component was there; if not, to give the order to Elaine

7 Kohn.

8 Q How long were you a reading coach?

9 A Two years.

10 Q Did you ever -- in conducting the inventory,

11 did you ever observe that there weren't enough reading

12 textbooks for the students at Bellhaven?

13 A No, because I had a storage of materials.

14 Q And you said that, at Cesar Chavez, you and

15 your staff determined the textbook needs for the school

16 by conducting an inventory; is that correct?

17 A Yes.

18 Q Do you know if your school maintains records of

19 the inventory that you conduct?

20 A Yes.

21 Q What sorts of records?

22 A I have inventory forms that are filled out with

23 the help of the -- you're talking about Chavez?

24 Q Right.

25 A -- with the help of the ed specialists in

1 making sure that the materials -- what we have, and

2 what's needed. And next Tuesday, I will turn it in to

3 Elaine Kohn, my order, for the whole school.

4 Q Does anyone at the school conduct an

5 inventory -- at Cesar Chavez, conduct an inventory to

6 determine whether students are assigned textbooks or

7 instructional materials?

8 MS. KOURY: Objection. Vague.

9 THE WITNESS: The teachers are supposed to

10 assign books to the individual students. So the

11 teachers, it would be their responsibility.

12 BY MS. WELCH:

13 Q Do you know if they keep any sort of records of

14 which books were assigned to which students?

15 A At the beginning of the staff meetings in the

16 beginning of the school year, that was my policy, that

17 they are to do that. It's their responsibility to keep

18 up those records.

19 Q Have you seen any of those records from your

20 teachers?

21 A No, I haven't.

22 Q Do you have knowledge of whether they are, in

23 fact, keeping those records?

24 A No, I don't.

25 Q To your knowledge, has there ever been a

1 classroom at Cesar Chavez in which the teacher could not

2 assign textbooks to students to take home because the

3 teacher didn't have enough textbooks for all the

4 students?

5 A Not to my knowledge, no.

6 Q Do you have knowledge of textbook availability

7 in the 1999 to 2000 school year?

8 A No.

9 Q So would your knowledge be limited to the

10 2000-2001 school year, and then what you know in terms

11 of the next school year?

12 A Definitely.

13 MS. KOURY: Counsel, when it's a good moment

14 for you, can we break for a moment?

15 MS. WELCH: Yeah, let's take a break.

16 (Recess.)

17 BY MS. WELCH:

18 Q You were talking earlier about your budgets.

19 A Yes.

20 Q And did you say that you used your categorical

21 funds to purchase textbooks?

22 A As long as they're not district-adopted

23 textbooks.

24 Q So which funds do you use to purchase the

25 district-adopted textbooks?

1 A From the general fund money.
 2 Q What other things do you use -- what other
 3 things do you purchase with the general funds money
 4 besides the textbooks?
 5 MS. HERNANDEZ: Objection. Overbroad.
 6 THE WITNESS: I believe staffing is taken care
 7 of in the general fund. And what I just said, the
 8 district-adopted materials.
 9 BY MS. WELCH:
 10 Q You've already talked about certain materials
 11 that you've purchased using state funds; correct?
 12 A Yes.
 13 Q Other than the funds that we've talked about
 14 that have come from the II/USP that you've used to
 15 purchase certain learning materials, do you receive any
 16 other state funds to purchase the textbooks or other
 17 instructional materials?
 18 A Through my categorical funds.
 19 Q So your categorical funds, that money is coming
 20 from the state; is that correct?
 21 A I believe so.
 22 Q Do you know how much you get from the state for
 23 your categorical fund?
 24 A Can I give you about?
 25 Q Sure.

1 A About \$500,000.
 2 Q You testified last Friday about the fact that
 3 as part of your book inventory you check to see if a
 4 book is damaged; correct?
 5 A Yes.
 6 Q And if -- what happens if a book is damaged?
 7 A A letter goes home to the parents requesting
 8 that they replace the book by paying for the book.
 9 Q In terms of your -- when you're completing your
 10 inventory, if a book is damaged, you request a book in
 11 its place; is that correct?
 12 A Money to pay for a book to -- oh, I'm -- for
 13 the parent or for the school, the district?
 14 Q I'm talking now about the inventory process.
 15 A Right. So we're talking about how do I let the
 16 district know?
 17 Q Right.
 18 A Oh, okay. So ask your question again, because
 19 I was still on the parent.
 20 Q I think you've testified that if you have --
 21 when you're completing your inventory --
 22 A Yes.
 23 Q -- if you have a book that's damaged, you ask
 24 for a replacement book; is that correct?
 25 A Yes, that's correct.

1 Q Why do you ask for -- why is it -- do you think
 2 it's important to have books that are not damaged?
 3 A Yes.
 4 Q Why do you think it's important?
 5 A It may -- it depends on the severity of the
 6 damage. What we consider a damaged book is a book that
 7 can be unreadable because of pages missing, it could be
 8 that -- wrinkled and someone couldn't read, you know, it
 9 correctly.
 10 Q So you think that it's important that a book
 11 not be damaged because children might not be able to
 12 read the book; is that correct?
 13 A That's correct.
 14 Q Are there any other reasons why it's important
 15 for a book not to be damaged?
 16 A I can't think of any.
 17 Q Do you have any way of knowing whether students
 18 at your school are using damaged books currently?
 19 A I believe they're not.
 20 Q Why do you believe that?
 21 A Because we have a system in place that if there
 22 is a damaged book, the teacher is to let the ed
 23 specialist or me know about it. No one has come and
 24 told me about any damaged books, or my ed specialists.
 25 Q I believe that you've testified -- that you

1 testified on Friday that there aren't any classes at
 2 Cesar Chavez in which there are more students than there
 3 are seats; is that correct?
 4 A That's correct.
 5 Q Do you have any knowledge of whether there were
 6 any classes at Cesar Chavez in the 1999-2000 school year
 7 where there were more students than there were seats?
 8 A I have no knowledge of that. I don't remember
 9 anything like that.
 10 Q Do you know if your school has a maximum
 11 capacity? And by that I mean a maximum number of
 12 students that your school can house?
 13 MS. HERNANDEZ: Objection. Vague.
 14 THE WITNESS: No, I don't.
 15 BY MS. WELCH:
 16 Q You don't know if there is a maximum capacity,
 17 or --
 18 A I don't know.
 19 Q Is there any construction that's currently
 20 being done at your school?
 21 MS. KOURY: Objection. Vague.
 22 THE WITNESS: What type of construction would
 23 you be talking about?
 24 BY MS. WELCH:
 25 Q Work on buildings, repairing windows, repairing

1 roofs, building a new building, anything like that,
 2 any --
 3 A That's happening right now?
 4 Q Yes.
 5 A No, not that I could recall happening right
 6 now.
 7 Q During the course of this school year, have you
 8 ever received any complaints -- well, during the course
 9 of the school year, has there been any construction
 10 projects ongoing at your school?
 11 A Including repairs, yes.
 12 Q Has any of this construction -- have there been
 13 any machines at your school to do this construction?
 14 MS. KOURY: Objection. Vague.
 15 THE WITNESS: Like what? Like what machine
 16 would be --
 17 BY MS. WELCH:
 18 Q Jackhammers, cranes, that sort of thing.
 19 A I don't think cranes. They would have had to
 20 use -- there's a space between the portables and they
 21 wanted to cover the space with wooden planks so children
 22 couldn't go in between the portables, and so I think the
 23 motorized -- that puts nails in --
 24 Q Drills?
 25 A Drills, the drills were used.

1 Q Have you ever received any complaints about the
 2 noise associated with this construction?
 3 A There was one teacher calling -- called, it was
 4 during the SAT 9 testing, and that's when they decided
 5 to do it. And so I got a call, and I went out there and
 6 told them to stop, and they stopped.
 7 Q Is that the only complaint that you have
 8 received about the noise from the construction?
 9 MS. KOURY: Objection. Vague.
 10 THE WITNESS: I believe so. I can't recall
 11 anything else.
 12 BY MS. WELCH:
 13 Q Have you ever seen mice, rats, or roaches or
 14 other vermin on your campus?
 15 A We did have a mouse in the office area.
 16 Q When did you see -- did you see a mouse in the
 17 office area?
 18 A No, I heard my secretary scream, and I ran into
 19 my office.
 20 Q When was that?
 21 A And -- when did that happen? Close to the
 22 beginning of the school year.
 23 Q Were you able to find the mouse?
 24 A We have a pest control group that's hired by
 25 the district, and the person came out and they were able

1 to catch it in one of those little trap things.
 2 Q Is that the only time you've seen a mouse or
 3 other sort of vermin at your school?
 4 A Yes.
 5 Q Have you received any complaints from anyone
 6 about vermin on your school campus?
 7 A And that would be mice -- what else is there?
 8 Q Mice, rats, roaches, that sort of thing.
 9 A No. Those three, no. I don't know of any
 10 other.
 11 Q Have there been complaints about other kinds of
 12 insects or anything like that?
 13 MS. HERNANDEZ: Objection. Vague.
 14 BY MS. WELCH:
 15 Q I'm only asking because you said "Those three,
 16 no." And I'm wondering if there are other things that
 17 you have gotten complaints about.
 18 A Right, I understand. The only thing that comes
 19 to mind is maybe an ant problem. When it gets cold,
 20 then the ants will gather by the door, and then there
 21 would be spraying, when the children are gone, to
 22 alleviate that.
 23 Q So the ants -- when it gets cold, the ants
 24 congregate inside the classrooms along the door; is that
 25 what you're saying?

1 A It could happen. I don't recall it happening
 2 this year.
 3 Q Do you recall it happening last year?
 4 A No. I recall, as a teacher, it happening.
 5 That's the only reason why it came to my mind.
 6 Q But you don't have any recollection of it
 7 happening at Cesar Chavez?
 8 A No.
 9 Q Do you know how often the exterminator comes to
 10 your school?
 11 MS. KOURY: Objection. Assume facts.
 12 MS. WELCH: She just said there was an
 13 exterminator that came with the mouse, and I'm wondering
 14 how often they come.
 15 THE WITNESS: He has a regular schedule, but I
 16 don't know how often, because sometimes he comes when
 17 I'm not there.
 18 BY MS. WELCH:
 19 Q But -- so it's not a situation where he only
 20 comes when there's a problem; correct?
 21 A Yes, that's correct.
 22 Q How many bathrooms are there for girls on your
 23 campus?
 24 A Four.
 25 Q Are there also four for boys?

1 A Yes.

2 Q Do you know how many toilets there are in each
3 girls' bathroom?

4 A No, I don't.

5 Q Do you know how many toilets there are in each
6 boys' bathroom?

7 A No, I don't.

8 Q Do you know if all the toilets are currently
9 working?

10 A My understanding, yes.

11 MS. KOURY: Objection. Vague.

12 BY MS. WELCH:

13 Q What is your understanding based on?

14 A The last time I went in and monitored, and then
15 I have received no complaints from students saying that
16 any of the bathrooms aren't working.

17 Q Do you recall when the last time was that you
18 monitored the bathrooms?

19 A Last week. And I mean, by that, flushing the
20 bathroom, but I go two or three times a week just to
21 look in and see if it looks clean, if it's -- if there
22 are children in there, if they're using the bathroom
23 correctly or if they're playing in there. So a
24 different kind of monitoring.

25 Q Do you keep all of the bathrooms locked when

1 bathrooms are locked the students can get in them
2 because they can ask the teacher for a bathroom key?

3 A That's my understanding, yes.

4 Q Have you ever sought the assistance of the
5 district to fix anything in the bathrooms at Cesar
6 Chavez?

7 A Yes, I have.

8 Q Do you know how many times?

9 A Ooh, I don't know. In the course of a year,
10 no, I don't.

11 Q More than --

12 A Numerous times.

13 Q Do you think more than ten times?

14 A Probably, yes.

15 Q And I know you've talked about some of those
16 times already. I believe there was a time that you
17 needed a toilet seat replaced and a mirror replaced?

18 A Um-hmm, yes.

19 Q Are those -- are those -- besides -- have you
20 ever had problems with plumbing that you asked the
21 district for assistance with?

22 A Just the other day, my bathroom.

23 Q What happened?

24 A The water suddenly stopped, and so it was late
25 at night, it was like 4:30, so I called Maria Chavez,

1 class is in session?

2 A Well, our classes are in session at different
3 times, so for example, at 9:30 our kindergarteners go
4 outside, so our bathrooms are open then. So there's a
5 bathroom open whenever there's a break or lunch break.

6 Q There are bathrooms in the hallways near the
7 classrooms; correct?

8 A Yes.

9 Q When are those bathrooms locked?

10 A When class is in session, and there's no recess
11 or lunch recess near that area.

12 Q So what happens if a student needs to use the
13 restroom during class?

14 A Their teacher has a bathroom key, and they can
15 get the bathroom key from the teacher.

16 Q Do you know if the eighth-graders are allowed
17 to use bathroom keys?

18 A As far as I know, yes.

19 MS. KOURY: Objection. Vague.

20 BY MS. WELCH:

21 Q Have you ever heard of any eighth-grader not
22 being allowed to use a bathroom key when they needed to
23 use the restroom?

24 A No.

25 Q So is it your understanding that when the

1 the secretary, and told her about it. The next morning,
2 the person came and they had to put a whole new bathroom
3 in there. But that's the only time I believe I've had
4 to say that there's something wrong with the plumbing.

5 Q So do you think the district is -- the district
6 is responsive when you contact them with a problem
7 that's occurring in your bathrooms?

8 A I believe they are.

9 Q Have there ever been any times when they
10 haven't responded as quickly as you would have liked
11 them to?

12 A The bathroom seat, I had to do a second
13 request.

14 Q Can you think of any other times?

15 A When a paper towel dispenser was broken, I did
16 a second request.

17 Q Have you ever sought any assistance from anyone
18 at the state level concerning the bathrooms at Cesar
19 Chavez?

20 A No, I haven't.

21 Q Have you ever received any guidance from the
22 district about the number of bathrooms that your campus
23 is required to have?

24 A No, I haven't.

25 Q Have you ever received any guidance from the

1 state about the number of bathrooms that your school is
 2 required to have?
 3 A No, I haven't.
 4 Q Have you ever received any complaints from your
 5 teachers at Cesar Chavez concerning classroom
 6 temperatures?
 7 A Yes, I have.
 8 Q How many times?
 9 A Twice.
 10 Q Do you remember each of those occasions?
 11 A Yes, I do.
 12 Q When was the first time?
 13 A This happened at the beginning of the school
 14 year, in one classroom -- actually, it was a parent,
 15 that it was too hot in the room, and the teacher
 16 wouldn't leave the door open.
 17 Q Was this problem resolved?
 18 A I told them to leave the door open.
 19 Q So leaving the door open resolved the
 20 temperature problem that the parent had, as far as you
 21 know?
 22 A It apparently did. No one came to complain
 23 about it after that.
 24 Q What was the second time there was a complaint?
 25 A It was a concern that I might be moving the

1 third grade teachers somewhere else and putting another
 2 grade in there for next year, and a third grade teacher
 3 commented that not to do that because it gets real hot
 4 in those rooms where they are, where they're located.
 5 Q Which rooms are those?
 6 A Those are rooms 23, 24, 25.
 7 Q And why didn't a teacher want that class to be
 8 moved there?
 9 A Because she said it would be -- it's hot there,
 10 in those rooms.
 11 Q Did she think that it was harder on a third
 12 grade class than on another type of class, or what was
 13 her reasoning, if you know?
 14 A She didn't. She didn't give me a reason for
 15 that. We were talking about actually moving a fourth
 16 grade class, which would have more students, and in
 17 those particular classrooms, they seem to be smaller
 18 than where the fourth grade -- the fourth grade are
 19 out -- are situated where -- by the playground area,
 20 where the second -- first through third play.
 21 So we were thinking about moving the fourth
 22 grade away from that area, but our third grade teacher
 23 had said, well, it's smaller, so they would have only 20
 24 kids in third, we would have 29. So she felt it would
 25 be smaller and maybe, perhaps, warmer for that many

1 bodies in there.
 2 Q So she thought it would be better to have a
 3 classroom that was -- that had 20 kids in there -- I
 4 mean, a class with 20 kids in there rather than a class
 5 with 29 kids?
 6 A Yes.
 7 MS. HERNANDEZ: Objection. Calls for
 8 speculation.
 9 THE WITNESS: That's what we -- yes.
 10 BY MS. WELCH:
 11 Q So that's what she said to you?
 12 A Yes.
 13 Q Have you ever received any complaints from your
 14 students about classroom temperatures?
 15 A I don't remember any.
 16 Q Going back to the second complaint that you
 17 talked about, did you end up moving the third grade
 18 class to the classrooms?
 19 A This would be for the next -- the coming year,
 20 and so I haven't made a decision yet.
 21 Q Okay. Do you think there's anything else you
 22 could do to try to alleviate the temperature issue in
 23 those classrooms?
 24 A No, nothing I can do.
 25 Q Why not?

1 A I can't think of anything that I can do.
 2 Q Is there something that you could ask from the
 3 district to alleviate the temperature problem?
 4 A I did discuss, with Jose Alcaraz, fans, but he
 5 said that would be a safety issue.
 6 Q Did you make any requests to receive an
 7 air-conditioning unit?
 8 A He said that it would not work, they couldn't
 9 have -- there was not an air-conditioning unit in there
 10 or --
 11 Q So you did make a request for an air-
 12 conditioning unit?
 13 A Verbally, just discussing what are some things
 14 we could do for those classrooms.
 15 Q And what is his name again?
 16 A Jose Alcaraz.
 17 Q And Mr. Alcaraz told you that that wasn't an
 18 option; is that correct?
 19 A Yes, he did.
 20 Q I believe you testified on Friday that all the
 21 children at Cesar Chavez get a free lunch; is that
 22 correct?
 23 A That's correct.
 24 Q Why do all the children get a free lunch?
 25 A My understanding, we have a waiver from the

1 state.
 2 Q Do you have any understanding of what this
 3 waiver is?
 4 A No, I don't.
 5 Q How do you know that -- or on what do you base
 6 your belief that you have a waiver from the state?
 7 A Had a conversation with somebody very recently
 8 and that was mentioned.
 9 Q Do you remember who the person was?
 10 A I can't remember.
 11 Q Was it someone at your school or at the
 12 district level?
 13 A I don't want to say for sure, because I'm not
 14 quite sure --
 15 Q Okay.
 16 A -- the conversation.
 17 Q Okay.
 18 A But it just confirmed to me what I already
 19 thought was true.
 20 Q Okay. Have you ever received any complaints
 21 about the food at Cesar Chavez?
 22 A Yes.
 23 Q How often have you received complaints?
 24 A Perhaps no more than five times.
 25 Q Do you remember each of the times?

1 A No, no.
 2 Q Do you remember any of the times in particular?
 3 A Yes.
 4 Q Which time do you remember?
 5 A One parent who -- whose children are
 6 vegetarians, and so anytime they have meat, they would
 7 give her child grilled cheese sandwiches. And she said
 8 the child is tired of just getting grilled cheese
 9 sandwiches when it's a meat day.
 10 Q Do you remember any other complaints?
 11 A Students saying -- you know, complaining about
 12 the food, not the kind of food they like to eat.
 13 Q Have you ever heard of a child getting sick
 14 from eating the food at the cafeteria?
 15 MS. KOURY: Objection. Vague.
 16 THE WITNESS: I had a parent complain and say
 17 that he felt that was the reason why his child was sick.
 18 BY MS. WELCH:
 19 Q Do you remember who that was?
 20 A Yes.
 21 Q Who was that?
 22 A Autharius is the student.
 23 Q Do you remember when that happened?
 24 A No, I really don't. It probably was in the
 25 beginning of the school year. I investigated. None of

1 the other children -- no one else got sick, it was only
 2 him.
 3 Q Did he say what caused -- or what he thought
 4 caused the sickness?
 5 A He felt that the food was traveled from
 6 another -- he was under the impression that we get our
 7 food from somewhere else and so he felt -- the father
 8 felt that the food had spoiled coming from one site to
 9 this site. But, in fact, our food is cooked at the
 10 site. And so when I told him that, he was satisfied
 11 with it, and then we found out no other children had
 12 gotten sick, and so that was it, of the conversation.
 13 Q Is that the only time you ever heard of a
 14 parent complaining that their children got sick from the
 15 food?
 16 A I believe that's it.
 17 Q Do you have an understanding of what the term
 18 "school fees" means?
 19 A Spell it for me.
 20 Q School fees.
 21 A F --
 22 Q F-e-e-s.
 23 A No, I don't.
 24 Q Do you know what a fee is?
 25 A Payment, yes.

1 Q Yes.
 2 A Yes, I do. A payment of some kind.
 3 Q Do you know if Cesar Chavez has a policy
 4 concerning charging fees to students?
 5 A For what?
 6 Q For anything: for a class, for materials for a
 7 class, for a field trip, for any instructional materials
 8 or activities that they are participating in during the
 9 school day.
 10 A Recently we had our graduation trip for the
 11 eighth grade, and it was purely voluntary, and if the
 12 children wanted to go, then they had to pay the group
 13 rate in order to go.
 14 Q Where did they go for the field trip?
 15 A They went to Marine World, so it was purely
 16 fun, their graduation trip.
 17 Q Do you know what the fee was?
 18 A Ooh, \$18.
 19 Q Other than that graduation trip, do you know of
 20 any other times where kids have had to pay a fee in
 21 order to participate in an activity that was going on at
 22 school, or instructional materials?
 23 A Not that I know of.
 24 Q Do you know if Cesar Chavez is allowed to
 25 charge students fees?

1 A No, I don't.
 2 MS. KOURY: Objection.
 3 BY MS. WELCH:
 4 Q Do you know if Cesar Chavez undergoes an annual
 5 fiscal audit?
 6 A I don't know.
 7 Q During the time you've been an administrator at
 8 Cesar Chavez, do you know if there -- if Cesar Chavez
 9 has undergone an annual fiscal audit?
 10 A I don't know.
 11 Q So you've never had to give materials to an
 12 auditor?
 13 MS. KOURY: Objection. Vague, also
 14 mischaracterizes her testimony.
 15 THE WITNESS: I don't think so.
 16 MS. WELCH: If we can take a short break, I'm
 17 pretty close to wrapping it up.
 18 (Recess.)
 19 MS. WELCH: We're back on the record.
 20 THE WITNESS: There was one time when we had a
 21 Halloween dance and we collected a dollar from each
 22 student, and it was eighth grade only, and we collected
 23 a dollar per person to pay for the jukebox DJ. So I had
 24 forgotten about that.
 25 BY MS. WELCH:

1 Q Okay.
 2 A But this was after hours, and it was strictly
 3 voluntary if the children came.
 4 Q Okay. You talked last week about the library
 5 at Cesar Chavez.
 6 A Yes.
 7 Q And you said that it had been closed down for a
 8 period of time; is that correct?
 9 A That's correct.
 10 Q Do you know how long it was closed down?
 11 A No, I don't.
 12 Q Do you know -- do you have any approximate
 13 time?
 14 A I know it was closed in the school year 1999
 15 when I was school site project coordinator.
 16 Q And during that time, was it being used as a
 17 classroom?
 18 A It was a staff lounge last year.
 19 Q Did you say that the year before that it had
 20 been used as a classroom?
 21 A I thought it had been used as a classroom at
 22 some point when class-size reduction began, but I had no
 23 personal knowledge. I wasn't there and I didn't see it
 24 as a classroom.
 25 Q Okay.

1 A So this was from talking to the principal
 2 before that. That's why I thought it had been, but I
 3 never saw it myself.
 4 Q You didn't. But you did see it being used as a
 5 staff lounge last year?
 6 A Yes, I did.
 7 MS. WELCH: I don't have any other questions.
 8 MS. KOURY: I just have a couple follow-up
 9 questions.
 10 EXAMINATION
 11 BY MS. KOURY
 12 Q You were discussing earlier about the II/USP
 13 program and various ways that you spent the
 14 implementation money, one of which was purchasing
 15 classroom libraries for each class; is that correct?
 16 A That's correct.
 17 Q What do you mean by that?
 18 A There are sets, you can buy sets of library
 19 books that stay only in the classroom, and so the
 20 teacher uses it for reading aloud or for silent reading
 21 time. So I purchased kits per classroom so that each
 22 class had a library in the classroom.
 23 Q When you say "per classroom," do you mean for K
 24 through eighth?
 25 A Yes, I do.

1 Q And last year we were discussing a book issue
 2 with respect to your eighth grade language arts class,
 3 and you indicated that you had found -- you indicated to
 4 the effect that you had found a book shortage in that
 5 class. Were you referring to the language arts book as
 6 opposed to the literature book?
 7 A There's a district-adopted book that there was
 8 not a shortage of. The shortage was a supplemental
 9 workbook that the teacher brought with him, and that he
 10 used to reinforce lessons, and so he did not have enough
 11 copies for every student.
 12 Q And this is in reference to what we had
 13 discussed where you went into the classroom and realized
 14 that several students had not brought back or had lost
 15 textbooks?
 16 A Exactly.
 17 Q Okay. And earlier today you were discussing
 18 various funds, the general fund, the categorical fund,
 19 and you mentioned that the district-adopted books are
 20 purchased from the general fund. What about
 21 state-adopted books, do you have an understanding of
 22 which fund is used to purchase those books?
 23 A My understanding is the district-adopted books
 24 are the ones that were on the state-approved list for
 25 adoption. So they're one and the same. For example,

1 Open Court reading series was a list of recommended
2 books from the state, and that we adopted that from the
3 state list.

4 Q Have you ever heard the term "Schiff-Bustamante
5 funds"?

6 A No, I haven't.

7 Q Last week we were discussing various vacancies,
8 and also earlier today with respect to teachers, and you
9 mentioned that you passed out a staff roster; is that
10 correct, earlier this -- before spring break?

11 MS. WELCH: Objection. Mischaracterize her
12 testimony.

13 BY MS. KOURY:

14 Q When I say "staff roster," I thought you had
15 indicated that you had sent a letter to all the teachers
16 that are currently teaching, asking whether they would
17 return the following year. Is it called a staff roster?

18 A Yes, it is. Oh, I'm sorry. It's the -- the
19 staff roster was created from the information that I got
20 from the teachers.

21 Q You said -- or did you receive letters from
22 teachers that are currently teaching that they would not
23 return next year?

24 A They filled out the form, and yes, some of them
25 indicated they were not coming back.

1 Q Do you know why these teachers are not coming
2 back?

3 A One of them, the sister is having a baby and
4 she wants to be there. The other one, the sister -- I
5 mean, I'm sorry, the family -- she's originally from
6 Ohio, and she wants to be closer to her family. One
7 person is going back to school full-time and another
8 one -- two of them are going back because -- one's going
9 to law school, but two of them -- two or three of them,
10 when they came to my office, they were crying, because
11 they were so upset about leaving Chavez, and they did
12 not want to leave, but they felt they had family
13 obligations to fulfill, but they were upset that they
14 had to leave.

15 Q With respect to the one teacher you said is
16 going back to law school and another teacher is going
17 back to school --

18 A Full-time.

19 Q -- do you know what the other teacher is going
20 back to school for?

21 A To get her credential, and she wants to hurry
22 up and get it. Instead of taking a few classes after
23 school and things like that, she wants to go ahead,
24 finish up full-time, and then be able to have her
25 credential and come back, the following school year,

1 with a credential.

2 Q Do you have an understanding that she will come
3 back to Cesar Chavez after she receives her full
4 credential?

5 A We haven't talked about that.

6 Q Have you received any positive feedback from
7 teachers regarding the Governor's Award?

8 A Oh, they're so proud, so pleased, because they
9 worked so hard to get that. It's a real morale booster.
10 It's not much money, so it's not the money, it's the
11 recognition, that you have really tried hard. So yeah,
12 it means a lot to us.

13 Q Have you ever seen positive feedback from
14 teachers about BTSA?

15 A Yes, I have. They -- just from their feedback,
16 they have told me that they have got a lot of help and
17 support from their providers.

18 Q Have you received positive feedback from
19 II/USP -- I'm sorry, from the teachers regarding II/USP?

20 A Definitely.

21 Q As a teacher yourself, or in the past you have
22 been a teacher, would these various programs and awards,
23 such as the Governor's Award, BTSA, and II/USP, make a
24 school more attractive to you?

25 A Definitely.

1 Q Why?

2 A Because it's telling you that teachers are
3 being appreciated for the work they're doing, that
4 they're not afraid of change at that school, that it
5 shows that a reform is happening, and it's being done in
6 a systematic way and there's funding to support it.

7 Q As a teacher, which you were in the past, would
8 these programs help retain you at a school?

9 A Definitely.

10 Q Would that be for the same reasons?

11 A Same reasons, yes.

12 Q Earlier, you mentioned with respect to II/USP
13 and various action plans, not limited to the II/USP,
14 including PQR, that -- I'm sorry. I misstated that.

15 With the II/USP action plan, you stated that
16 various stakeholders collaborated; is that correct?

17 A That's correct.

18 Q And with the action plan for PQR, did various
19 stakeholders also collaborate in making that action
20 plan?

21 A That's correct.

22 Q And you indicated that the stakeholders consist
23 of people at the district level as well as at the school
24 level, including students, parents, teachers and
25 administrators?

1 A That's correct.

2 Q Do you believe it's important that stakeholders
3 such as these are integrally involved in the day-to-day
4 actions of the school, including creating such action
5 plans that are implemented at the school?

6 MS. WELCH: Objection. Vague.

7 THE WITNESS: Yes, I do.

8 BY MS. KOURY:

9 Q Why?

10 A When you get ideas from different perspectives,
11 every -- not one particular group has all the answers,
12 so when you get information from a variety of
13 individuals, you get different perspectives about the
14 effectiveness of the school. And then, therefore, also
15 ideas and suggestions, again from different people, not
16 just from only teachers, for example, but from everyone.
17 So you get different perspectives, and you can make a
18 better plan that way.

19 MS. KOURY: I have no further questions.

20 MS. WELCH: I just have one follow-up question.

21 THE WITNESS: I knew it.

22 MS. KOURY: We can go all day.

23 MS. WELCH: Just really for clarity sake.

24 FURTHER EXAMINATION

25 BY MS. WELCH:

1 because you forgot it at home, come and get a book so
2 you don't have to share."

3 Q So then five children identified themselves to
4 you as not having textbooks; is that correct?

5 A It was more than -- it was several children who
6 said they left it at home. So when they brought it back
7 the next day, I went back to all three classes.
8 Everyone had their books except for the five children
9 that said the previous teacher took their book.

10 Q Do you know how long -- did those children tell
11 you how long that they had not had a book?

12 MS. KOURY: Objection. Vague as to which
13 children.

14 MS. WELCH: The five children that didn't have
15 books.

16 THE WITNESS: No, I didn't ask them.

17 MS. WELCH: No further questions.

18 FURTHER EXAMINATION

19 BY MS. KOURY:

20 Q Can I just ask you one follow-up question?

21 Do you know the name of that textbook, the
22 textbook that you went and got ten extra textbooks from?

23 A "Literature of Language."

24 Q Thank you.

25 A And the workbook was when another teacher

1 Q When you were talking about the eighth grade
2 class that had the textbook shortage, my understanding
3 is that you said that there were some textbooks that the
4 children had taken home that they said they hadn't
5 returned, and that other kids said that the previous
6 teacher had taken their textbooks, which you, of course,
7 you didn't -- weren't able to verify.

8 And I thought that you also said that there
9 were textbooks that you kept in your office for that
10 particular eighth grade class to ensure that there were
11 adequate textbooks. And so I'm confused about your
12 statement, now that you're talking about workbooks.
13 Could you explain?

14 A I certainly can. What I did was, this was the
15 district-adopted textbook, where I went to another
16 school to pick up ten extra ones. There were -- after
17 we got -- made sure -- because this was all three
18 classes, so there's three classes of eighth grade that
19 we're talking about, not just one particular class. All
20 the children brought their books back except for those
21 five that said the previous teacher took them. So I
22 went to another school, picked up ten extra, and then
23 gave those five those books. And then those five, I
24 just kept in my office, and I told each class -- I went
25 to each class and told them, "If you forget your book,

1 took -- another teacher took that previous teacher's
2 position, he brought with him a workbook called -- some
3 type of grammar workbook that he didn't have enough
4 copies of, and so he was using that as a supplemental
5 book.

6 Q Was this another eighth grade class?

7 A This is the same class that the teacher who
8 left, so reading/language arts, because, again, they do
9 all three classes, not just one class. So that was the
10 workbook that I just referred to, was supplemental.

11 MS. KOURY: Okay. Nothing further.

12 Counsel, can we go off the record for a minute?
13 (Discussion off the record.)

14 MS. KOURY: Counsel, the same stipulation that
15 we have with respect to part one of Carla Walden's
16 deposition will be effective as to this transcript as
17 well?

18 MS. HERNANDEZ: Yes.

19 MS. WELCH: Agreed.

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I, CARLA WALDEN, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made such corrections as noted herein, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this _____ day of _____, 2001, at _____, _____ (City) (State)

CARLA WALDEN
Volume 2

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: _____

GINA GLANTZ
CSR No. 9795