

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

ELIEZER WILLIAMS, et al.,) Case No. 312 236

Plaintiffs,) Pages 1 - 259

VS.) VOL. I

STATE OF CALIFORNIA,)

DELAINE EASTIN, State)

Superintendent Of Public)

Instruction, STATE)

DEPARTMENT OF EDUCATION,)

STATE BOARD OF EDUCATION,)

Defendants.)

_____)

AND RELATED CROSS-ACTION.)

_____)

DEPOSITION OF JASMINE DONALDSON

TAKEN ON

SATURDAY, DECEMBER 1, 2001

REPORTED BY: ASHALA TYLOR, CRR, RPR, CSR No. 2436

CERTIFIED REALTIME REPORTER

1 Deposition of JASMINE DONALDSON, taken on
2 behalf of the Defendants at 400 South Hope Street,
3 Los Angeles, California, on SATURDAY, DECEMBER 1,
4 2001, at 9:46 A.M., before ASHALA TYLOR,
5 CSR No. 2436, RPR, pursuant to Notice.

6
7 APPEARANCES:

8
9 FOR THE PLAINTIFFS:

10 MORRISON & FOERSTER LLP
11 BY: MEGAN M. AUCHINCLOSS, ESQ.
12 425 Market Street
13 San Francisco, California 94105
14 415 268-6551

15
16 FOR THE DEFENDANT STATE OF CALIFORNIA:

17 O'MELVENY & MYERS LLP
18 BY: SABRINA HERON STRONG, ESQ.
19 400 South Hope Street
20 Los Angeles, California 90071-2899
21 213 430-6000
22
23
24
25

1 APPEARANCES (continued)

2
3 FOR THE DEFENDANT STATE DEPARTMENT OF EDUCATION:

4 LOZANO SMITH
5 BY: CYNTHIA S. FLOYD, ESQ.
6 2800 28th Street
7 Suite 240
8 Santa Monica, California 90405-6205
9 310 382-5300
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1 I N D E X

2
3 WITNESS EXAMINATION PAGE
4 JASMINE DONALDSON (By Ms. Strong) 6
5
6
7
8
9

10 EXHIBITS PAGE

11
12 1 - Defendant State of California's
13 Notice of Depositions of Plaintiffs',
14 Plaintiffs' Guardians Ad Litem, and
15 Non-Party Declarants; Request for
16 Production of Documents 23
17
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1 LOS ANGELES, CALIFORNIA
2 SATURDAY, DECEMBER 1, 2001; 9:46 A.M.

3
4 JASMINE DONALDSON,
5 Having been first duly
6 sworn, was examined and testified
7 as follows:
8

9 EXAMINATION

10
11 BY MS. STRONG:

12 Q. Good morning. I'm Sabrina Strong, and I'm
13 an attorney representing the State of California in
14 this lawsuit.

15 Will you please state and spell your full
16 name for the record.

17 A. Jasmine Nicole Donaldson, J-A-S-M-I-N-E,
18 N-I-C-O-L-E, D-O-N-A-L-D-S-O-N.

19 Q. What would you prefer to be called,
20 Miss Donaldson or Jasmine?

21 A. Jasmine.

22 Q. Okay. Have you ever had your deposition
23 taken before?

24 A. No.

25 Q. What I want to first do then is explain to

1 you what's going to happen today and how the
2 process works.

3 I'm going to ask you a series of questions
4 today, Jasmine, just to get some information from
5 you regarding what you understand to be the facts
6 relating to your claims in this lawsuit.

7 And everything that we say today will be
8 taken down by the court reporter today. It will be
9 transcribed into a booklet, and then you will have
10 an opportunity to review the questions and answers
11 that you've given at a later time; and at that
12 time, you can change any of your answers.

13 If you do make changes to the answers, any
14 of the attorneys in the action can comment upon
15 those changes. So it's really important that you
16 give your full, complete, honest testimony here
17 today.

18 Okay? Do you understand that?

19 A. Yes.

20 Q. When you're testifying today, it's also
21 important that you give verbal answers. You can't
22 just nod your head or shake your head no, because
23 obviously she can't take that down on the records.
24 She can only get verbal answers. So it's important
25 that you answer my questions.

1 Q. And you're required to answer the
2 questions to the best of your ability today, but we
3 don't want you to guess. Okay? We are entitled to
4 your best estimate at times, but that's important
5 that you don't guess.

6 Do you understand the difference?

7 A. Yes.

8 Q. Okay. Also, because your testimony will
9 be given under oath today, it will have the same
10 force and effect as if you were testifying in a
11 court of law. Even though we're in a relatively
12 informal setting, it's important that you testify
13 truthfully and honestly today.

14 Do you understand that?

15 A. Yes.

16 Q. If you need a break at any time, just let
17 me know, and we'll try and come to a point where we
18 can take a break and you can use the restroom, or
19 if you'd like to speak with your attorney, whatever
20 the case may be. Just let me know. Okay?

21 A. (Unreportable response.)

22 Q. Do you understand that?

23 A. Yes.

24 Q. If at any time during the deposition you
25 remember something that was responsive to one of my

1 Do you understand that?

2 A. Yes.

3 Q. It's also important that only one person
4 in the room speaks at a time, because it's very
5 hard for her to take down two people talking at
6 once.

7 Do you understand that?

8 A. Yes.

9 Q. I will always try and let you complete an
10 answer before I begin with my next question. And
11 before you begin an answer, if you could please
12 wait until I complete my questions, that would be
13 really helpful.

14 Do you understand that?

15 A. Yes.

16 Q. It's important that you listen to my
17 questions carefully. And if at any time you do not
18 understand any of my questions, please stop me and
19 tell me that you don't understand the question, and
20 I'll either try and repeat the question or rephrase
21 it for you. Otherwise, I'm going to assume that
22 you have understood the question that I've asked,
23 when you give an answer.

24 Do you understand that?

25 A. Yes.

1 prior questions, please let me know that, and we
2 can come back and go over that information if you'd
3 like to supplement your answers at some point later
4 in the deposition today.

5 Do you understand that?

6 A. Yes.

7 Q. Okay.

8 MS. AUCHINCLOSS: Do you know what she
9 means by "supplement"?

10 THE WITNESS: No.

11 BY MS. STRONG:

12 Q. Okay. Make sure you --

13 MS. AUCHINCLOSS: It's okay. Just don't
14 say yes if you don't understand what she's saying.
15 She's saying that if she asks you a question and
16 later in the day you think, "Oh, there's something
17 I forgot to tell her" --

18 THE WITNESS: I can go back.

19 BY MS. STRONG:

20 Q. You can remind you. You can say, "You
21 know what, I remember something that I didn't tell
22 you earlier today in response to one of your other
23 questions, and I'm remembering it now, so I want to
24 tell you now."

25 You can go ahead and say that to me at any

1 time in the deposition, so that -- I want to get
2 your full and complete answers here today. That's
3 what I'm trying to do. Okay?

4 A. Okay.

5 MS. AUCHINCLOSS: But that's really
6 important, because if you don't understand what
7 she's saying, don't say yes. Tell her that you
8 don't understand, because that's what she wants you
9 to do. All right?

10 THE WITNESS: Okay.

11 MS. AUCHINCLOSS: I know you are nervous.
12 It will be fine.

13 BY MS. STRONG:

14 Q. So do you have any questions regarding
15 what we've said so far and what I've said to you so
16 far?

17 A. No.

18 Q. Okay. Is there any reason why you think
19 that you won't be able to give your best testimony
20 here today?

21 A. No.

22 Q. Okay. Have you recently taken any
23 medication, any substance that would cloud your
24 mind or affect your ability to give your best
25 testimony today?

1 A. No.

2 Q. Okay. And do you suffer from any
3 disability of any kind that could affect your
4 testimony here today?

5 A. No.

6 Q. All right. Are you represented by an
7 attorney here today?

8 A. Yes.

9 Q. Okay. Who is your attorney?

10 A. (Indicating.)

11 Q. Megan?

12 A. Yes.

13 Q. And when did you first meet Megan, or
14 Miss Auchincloss?

15 A. Last night.

16 Q. Last night?

17 A. Yes.

18 Q. Okay. How did you first learn about this
19 lawsuit?

20 A. In the summer -- we were going over it at
21 the Community Coalition, and they were just talking
22 about the lawsuit.

23 Q. Okay. So you participate in the Community
24 Coalition?

25 A. Yes, I do.

1 Q. Are you -- is it fair to say that you're a
2 member of the Community Coalition?

3 A. Yes.

4 Q. When did you first become a member of the
5 Community Coalition?

6 A. September in my 9th-grade year.

7 Q. Was that September of 2000?

8 A. Yes.

9 Q. So when was the first time you heard about
10 this lawsuit at the Community Coalition?

11 A. I don't remember the exact day or month,
12 but it was like going towards the summer.

13 Q. Okay. So it would have been summer of
14 2001?

15 A. Yes.

16 Q. After your 9th-grade year?

17 A. Going towards the -- we were about to get
18 out of school, but they were there. And that's
19 when we started to go back to the coalition, before
20 we got out of school for our break.

21 Q. Just before your summer break in 2001?

22 A. Right.

23 Q. And who did you first learn about the suit
24 from?

25 A. Laura.

1 Q. Laura?

2 A. Yes.

3 Q. Do you know Laura's last name?

4 A. No, I do not.

5 Q. Okay. Who is Laura?

6 A. She's a -- another representative of ours
7 with the ACLU.

8 Q. So is she a member of the Community
9 Coalition?

10 A. No.

11 Q. Why was Laura at the Community Coalition,
12 do you know?

13 A. In the summer I didn't know, because there
14 were other people talking about the case, and they
15 wanted me to talk about the conditions in our
16 school. And I was talking to her about it.

17 Q. Did she speak to a group of the students
18 at the Community Coalition?

19 A. Yes.

20 Q. And you were one of the group of students
21 there?

22 A. Yes.

23 Q. Did you ever have any other conversations
24 with Laura?

25 A. After that conversation, I don't remember

1 the exact one, but we were just talking about the
2 case. That was it.

3 Q. With --

4 A. And that was with Laura. We was talking
5 about the case.

6 Q. So you met with Laura once again?

7 A. Yes, at the coalition.

8 Q. At the coalition?

9 A. Yes.

10 Q. And was that the only other time you spoke
11 with Laura?

12 A. Yes.

13 Q. Okay. Do you know when that was?

14 A. It was like -- I think it was like two
15 months later.

16 MS. AUCHINCLOSS: And at that point, the
17 representation started at that meeting, so we can
18 go through that. I just wanted to let you know.

19 BY MS. STRONG:

20 Q. Okay. So at that first -- the first day
21 when you spoke with Laura at the Community
22 Coalition, what did she tell you about the lawsuit?

23 A. I don't really exactly remember exactly
24 what she said. She wanted to know the conditions
25 at Crenshaw, what it's like, what goes on at

1 Q. There was the first one with Laura at the
2 Community Coalition, a second one with Laura at the
3 Community Coalition, and then a conversation with
4 Miss Auchincloss last night; is that correct?

5 A. Correct.

6 Q. Have you had any other communications with
7 any of the attorneys involved in this matter, other
8 than an in-person communication as you've described
9 to me already?

10 A. No.

11 Q. So you've not had any written
12 correspondence with your counsel?

13 A. I don't know what you mean by written
14 correspondence.

15 Q. Letters, for example.

16 A. Oh. I got one letter regarding the case,
17 telling me how it was going so far.

18 Q. Okay. How did you learn about your
19 deposition here today?

20 A. I don't know what you mean.

21 Q. Okay. How did you learn that you were
22 going to be deposed here today?

23 A. She was telling me the same day that I was
24 talking to her, she told me later on, probably, in
25 the case, I would be.

1 Crenshaw High School, and what do I think that
2 should be changed. And that's basically what I
3 really remember.

4 Q. And when did you decide that you wanted to
5 become a plaintiff in the lawsuit?

6 A. The same day.

7 Q. The same day?

8 A. Yes.

9 Q. Did you tell Laura that, that day?

10 A. Yes.

11 Q. Do you know if Laura is an attorney?

12 A. I think she is.

13 Q. Okay. What other attorneys, if any, have
14 you had conversations with regarding this lawsuit?

15 A. No one else besides her.

16 Q. You met with Laura and now
17 Miss Auchincloss?

18 A. Yes.

19 Q. Are there any other conversations with
20 those two women, other than those that you've
21 already described to me?

22 A. No. There is no more conversation we had
23 after that.

24 Q. So there's three conversations, correct?

25 A. Right.

1 Q. And this is Laura that you are referring
2 to?

3 A. Yes.

4 Q. Okay. And so when was it that you first
5 learned that you were actually going to come here
6 today?

7 A. I really can't remember the last part when
8 she told me. I think it was -- I could estimate
9 about two weeks ago.

10 Q. Did someone call you?

11 A. Laura called me.

12 Q. Laura called you?

13 A. Yes.

14 Q. There was one other conversation with
15 Laura; is that correct?

16 A. Yes.

17 Q. Are there any other conversations? I know
18 it's hard to remember them all.

19 A. Except the one she was talking about the
20 deposition, no.

21 Q. Now, your counsel suggested that the
22 second time you met with Laura was when Laura
23 became your attorney. Do you remember what you did
24 that made Laura become your attorney at that time?

25 A. No, I do not know what I did before her

1 becoming my attorney. But I think after we were
2 discussing the case, I think that's when she
3 actually became our case -- she became our attorney
4 when we started to go over the deposition.

5 Q. Deposition?

6 MS. AUCHINCLOSS: Declaration.

7 MS. STRONG: Oh, okay.

8 Q. The second day you met with Laura, you
9 began to discuss the deposition in the case?

10 A. Correct.

11 MS. AUCHINCLOSS: I object under
12 privilege.

13 BY MS. STRONG:

14 Q. Okay. So do you know any of the other
15 students involved in this lawsuit?

16 A. I know two of them that was involved,
17 which is Delwin Lampkin and the other Lampkin.

18 Q. Other than Delwin and D'Andre Lampkin, do
19 you know any of the other students involved in this
20 litigation?

21 A. No.

22 Q. How do you know Delwin and D'Andre
23 Lampkin?

24 A. Before they transferred out of Crenshaw,
25 we went to school together. We still see each

1 Q. And who was it that you were talking to?

2 A. D'Andre -- no, Delwin.

3 Q. Delwin, okay. And did Delwin tell you
4 that he had been deposed in this case?

5 A. Yes.

6 Q. Did Delwin discuss some of the questions
7 with you?

8 A. No.

9 Q. Just a couple more follow-up questions on
10 this issue and we'll move on.

11 The first day that you met with Laura, do
12 you know how long you met with her for?

13 A. I think about 30 minutes. I can estimate
14 about 30 minutes.

15 Q. And was that with you individually, or was
16 that Laura meeting with the group of students for
17 30 minutes?

18 A. We're in like a room, something similar to
19 this, and they took each other individually, and we
20 talked to them about the schools.

21 Q. So when you were speaking with Laura
22 individually, how long was that conversation for?

23 A. About 30 minutes.

24 Q. Okay. And then the second time that you
25 met with Laura, do you remember how long you met

1 other at the coalition.

2 Q. All of you are members of the Community
3 Coalition; is that correct?

4 A. Right.

5 Q. And have you discussed this lawsuit with
6 D'Andre and Delwin?

7 A. No, not -- no. It's basically the
8 declaration. That's all we was talking about.

9 Q. You discussed your declaration with them?

10 A. That day.

11 Q. Do you remember the last time you had a
12 conversation with either one of them about your
13 declaration or anything relating to this case?

14 A. The last time?

15 Q. Yes.

16 A. It was on Thursday.

17 Q. And what happened on Thursday?

18 A. It was like -- we were talking about don't
19 be nervous, just answer correctly.

20 Q. So you were talking about the deposition?

21 A. I get those mixed up.

22 Q. Declaration and deposition.

23 A. We was talking about be calm, answer
24 questions with a straight answer, and just tell the
25 truth.

1 with her that time?

2 A. I estimate about 20.

3 Q. About 20 minutes?

4 A. (Unreportable response.)

5 Q. Okay. And then last night, how long was
6 that meeting with your attorney?

7 A. I estimate about an hour.

8 Q. Okay. And the one phone conversation you
9 had with Laura, how long was that conversation? Do
10 you remember?

11 A. I guess about ten minutes.

12 Q. And there are no other conversations with
13 your attorneys; is that correct?

14 A. Correct.

15 Q. I know we talked about this a little bit,
16 but did you do anything to prepare for this
17 deposition?

18 MS. AUCHINCLOSS: I'm going to object on
19 attorney-client privilege, so I don't want you to
20 talk about anything that we talked about in our
21 meeting. But if you did anything outside of that
22 meeting, or your conversation with Laura, you can
23 tell her.

24 THE WITNESS: Okay. I talked to my mom.

25 BY MS. STRONG:

1 Q. And when did you talk to your mother about
2 this?
3 A. Last night.
4 Q. Okay. What did you say to your mother?
5 A. "I'm nervous."
6 Q. That's a fair thing to say.
7 MS. AUCHINCLOSS: Did you do anything else
8 last night or this morning to get ready?
9 THE WITNESS: No.
10 MS. STRONG: It's okay. I'll ask the
11 questions. I'll ask the questions.
12 Q. Did you review any documents in
13 preparation for this deposition?
14 A. Besides reading mine, my dec --
15 Q. Your declaration?
16 A. My declaration. I read over that, and
17 that was it.
18 Q. When did you read over your declaration?
19 A. I think I did this morning while I was in
20 the car.
21 Q. Okay. And did your mother give you any
22 advice about your testimony in this case today?
23 A. To be calm. That's it.
24 Q. Did you talk about any of the substantive
25 issues? Do you know what I mean by that?

1 A. No, I don't know what you mean.
2 Q. Did you talk about any of the issues
3 raised by the lawsuit -- the conditions of the
4 school, for example, things like that?
5 A. No.
6 Q. Okay. And so other than your declaration,
7 you didn't review any other documents; is that
8 correct?
9 A. Correct.
10 Q. Did you, by any chance, ever read a
11 declaration prepared by either Delwin or D'Andre
12 Lampkin?
13 MS. AUCHINCLOSS: Objection. Compound.
14 THE WITNESS: No.
15 BY MS. STRONG:
16 Q. You didn't read the declaration of either
17 one, correct?
18 A. Oh, theirs? No.
19 MS. STRONG: I'm going to mark as
20 Exhibit 1, Defendant State of California's Notice
21 of Depositions of Plaintiffs', Plaintiffs'
22 Guardians Ad Litem, and Non-Party Declarants;
23 Request for Production of Documents.
24 (Deposition Exhibit 1 was marked by the
25 reporter for identification and is attached

1 hereto.)
2 BY MS. STRONG:
3 Q. Jasmine, have you ever seen this document
4 before?
5 A. No.
6 Q. I'd like to look at page 13 of the
7 document. At the bottom of the page it says,
8 "Description of Documents, Request Number 1."
9 Do you see that?
10 A. Yes.
11 Q. I'd like you to read that paragraph which
12 proceeds on to page 14. So if you can just take
13 your time, and just go ahead and read that for me.
14 A. Okay.
15 Q. Not out loud. You can read it to
16 yourself.
17 Okay. Have you had an opportunity to read
18 the paragraph I just described to you at pages 13
19 and 14 of Exhibit 1?
20 A. Yes.
21 Q. Now, do you know if you have any of the
22 documents that are described in that paragraph?
23 MS. AUCHINCLOSS: Objection. Calls for a
24 legal conclusion.
25 BY MS. STRONG:

1 Q. Go ahead. You can answer.
2 A. Oh. On me right now? No.
3 Q. Not on you, but do you know if you have
4 any of those documents at home?
5 A. I probably have some of them.
6 Q. For example, what do you think you have at
7 home that might be described in that paragraph?
8 MS. AUCHINCLOSS: Objection. Calls for a
9 legal conclusion.
10 If you understand, you can answer.
11 THE WITNESS: Like the things I probably
12 have at home, birth and verification of date of
13 birth. I have progress reports, I think. And that
14 would be it that I know of.
15 BY MS. STRONG:
16 Q. Okay. Do you have any notes or anything
17 in writing about the conditions at your school, at
18 home?
19 A. That I have, that I wrote about? No.
20 Q. Or that you have from other people, any
21 type of writing.
22 A. From other people, I don't.
23 Q. Do you have anything from yourself?
24 A. No.
25 Q. Do you understand my question?

1 A. Do I have something I wrote about the
 2 declaration or some of the things that I wrote
 3 about school, period?
 4 Q. This is in general, not just relating --
 5 it could be both. Either you maybe have something
 6 written relating to your declaration, or maybe you
 7 took some notes or wrote down some thoughts about
 8 the conditions of the schools, independent from
 9 your declaration. I'm asking you about all of
 10 that.
 11 A. No.
 12 Q. No, you don't have any notes or any
 13 writings regarding the conditions of the school; is
 14 that correct?
 15 A. Correct.
 16 MS. AUCHINCLOSS: Objection. Asked and
 17 answered.
 18 BY MS. STRONG:
 19 Q. Okay. Do you have any correspondence,
 20 which means, again, letters primarily, between
 21 someone at your school and yourself or your
 22 parents, regarding the conditions at your school?
 23 A. No.
 24 Q. Did anyone ask you to look for your
 25 progress reports or any of the documents identified

1 in the paragraph that you just read?
 2 A. No.
 3 Q. Okay. Well, what I'd like is I'm going to
 4 ask you to go ahead and look for those documents at
 5 home and then turn those things over to your
 6 counsel so that they be produced in this action.
 7 Okay? Is that --
 8 MS. STRONG: Is that understood, Counsel?
 9 MS. AUCHINCLOSS: That's fine. We have
 10 had not had discussions, but we'll get you those.
 11 BY MS. STRONG:
 12 Q. Will you get me those, Jasmine?
 13 A. Yes.
 14 MS. AUCHINCLOSS: I'll call you and get
 15 them from you.
 16 THE WITNESS: Okay.
 17 BY MS. STRONG:
 18 Q. Did you bring any other documents with you
 19 here today at all?
 20 A. No.
 21 Q. All right. How old are you?
 22 A. 14.
 23 Q. What school are you currently attending?
 24 A. Crenshaw High School.
 25 Q. What grade are you in at Crenshaw?

1 A. 10th.
 2 Q. Where do you live?
 3 MS. AUCHINCLOSS: Objection. We accepted
 4 service, so you don't need the address.
 5 MS. STRONG: You'll stipulate that you'll
 6 accept service for all purposes of this litigation?
 7 MS. AUCHINCLOSS: Yes.
 8 BY MS. STRONG:
 9 Q. How long have you lived at the address
 10 you're currently located at?
 11 A. I can estimate about three years.
 12 Q. Where were you before that? Just
 13 generally. You don't have to give me your prior
 14 address. But just generally, what area were you
 15 living in?
 16 A. What --
 17 Q. What area? What city, for example?
 18 A. Los Angeles.
 19 Q. And where in Los Angeles?
 20 MS. AUCHINCLOSS: Not the address, but
 21 Beverly Hills, or if you know the town.
 22 THE WITNESS: Like -- I don't know, like,
 23 what area, but -- how should I put it? I don't
 24 know.
 25 BY MS. STRONG:

1 Q. We'll get to your prior schools, and that
 2 will give me an idea of maybe where you lived.
 3 A. Okay.
 4 Q. Who else lives with you at your house?
 5 A. My mother, my sister, her boyfriend, and a
 6 friend of the family.
 7 Q. And how far is your home from Crenshaw?
 8 A. I don't know how far it is, but it's,
 9 like, I take transportation. I catch the school
 10 bus to go to Crenshaw.
 11 Q. Okay. And how long does it take you on
 12 the school bus to get to Crenshaw?
 13 A. Estimate about 20 minutes.
 14 Q. Okay. Where do you get on the bus to take
 15 that bus to Crenshaw?
 16 A. I get it -- I go to a bus -- there's an
 17 elementary school, and they pick us up in front of
 18 there.
 19 Q. Do you know the name of the elementary
 20 school?
 21 A. Yes. Lauren Miller.
 22 Q. Norma Miller?
 23 A. Lauren Miller.
 24 Q. Lauren?
 25 A. Miller Elementary.

1 Q. What time do you catch the bus in the
 2 morning to go to school?
 3 A. At 7:05.
 4 Q. So you usually arrive at school by 7:30?
 5 A. Correct.
 6 Q. And do you also take that bus home from
 7 school?
 8 A. Yes.
 9 Q. And what time do you catch the bus leaving
 10 from Crenshaw to go home?
 11 A. She comes very late, so I could estimate
 12 we leave at about 3:20.
 13 Q. Is it, again, approximately 20 minutes for
 14 you to take the bus home again; is that correct?
 15 A. No, because depends on traffic, or we have
 16 to wait for other bus drivers that put more kids on
 17 the bus, or another bus driver didn't come, so we
 18 have to take another stop home. Sometimes it would
 19 be 20 or longer, or less.
 20 Q. So it could be more or less than 20, it
 21 just depends on the day?
 22 A. Yes.
 23 Q. Have you ever gone to school by any other
 24 means, meaning have you gone to school not on the
 25 school bus?

1 A. Yes.
 2 Q. How else have you gone to school?
 3 A. If I was late, my mom would take me.
 4 Q. Do you know how long it takes when your
 5 mother has driven you to school?
 6 A. The same exact time.
 7 Q. Okay. About 20 minutes?
 8 A. Yes.
 9 Q. Is there a high school that's closer to
 10 your home where you live, other than Crenshaw?
 11 A. Yes.
 12 Q. And what high school is that?
 13 A. The two closest high schools I have would
 14 be either Manual or Fremont.
 15 MS. AUCHINCLOSS: What's the first one?
 16 THE WITNESS: Manual or Fremont.
 17 BY MS. STRONG:
 18 Q. It's Manual Arts, correct?
 19 A. Yes.
 20 Q. And Fremont?
 21 A. Correct.
 22 Q. Why are you attending Crenshaw as opposed
 23 to Manual or Fremont?
 24 MS. AUCHINCLOSS: Objection. Overbroad.
 25 BY MS. STRONG:

1 Q. Go ahead.
 2 A. What does that mean?
 3 Q. It's okay. You can answer the question.
 4 Some legal stuff.
 5 A. She wanted me to be in the teacher
 6 training program and that's only at Crenshaw, so
 7 that's why I went there.
 8 Q. And "she" is your mother?
 9 A. My mom.
 10 Q. And when you are referring to the teacher
 11 training program, that's the magnet school at
 12 Crenshaw, correct?
 13 A. Correct.
 14 Q. Would you rather go to either Manual Arts
 15 or Fremont instead of Crenshaw?
 16 MS. AUCHINCLOSS: Objection. Compound.
 17 THE WITNESS: No.
 18 BY MS. STRONG:
 19 Q. You would prefer to go to Crenshaw?
 20 A. Yes.
 21 Q. And why is that?
 22 A. I believe that it will be better for me to
 23 go to Crenshaw because it is extremely packed at
 24 those two high schools, but it's still packed at
 25 Crenshaw, but I would rather go to Crenshaw.

1 Q. So I want to make sure I understand. You
 2 think that it's -- you said it's packed at Manual
 3 and Fremont, but then -- and also at Crenshaw, but
 4 you'd still prefer to go to Crenshaw; is that
 5 correct?
 6 A. Yes.
 7 Q. Now, can you tell me a little bit more
 8 about why it is that you'd like to go to Crenshaw
 9 as opposed to either one of those other schools?
 10 A. Because I thought it had, like, a good
 11 magnet school -- it would be a good magnet school
 12 for me to go to, like harder classes, and that's
 13 why I just wanted to go.
 14 Q. And now that you've had a year at
 15 Crenshaw, would you still prefer to stay at
 16 Crenshaw as opposed to going to either Manual Arts
 17 or Fremont?
 18 A. I would go to neither.
 19 Q. None of the three schools?
 20 A. No.
 21 Q. But if you had your choice among the
 22 three --
 23 A. I would still stay at Crenshaw.
 24 Q. You would stay at Crenshaw?
 25 A. Yes.

1 Q. Why do you say that?

2 A. Because I like -- I know the school there,
3 and I know where the classes are. So it's like I'm
4 beginning to know a lot of the teachers there. So
5 I would stay at Crenshaw, if I had a choice to
6 either of the three schools.

7 Q. Okay. Do you study or do homework while
8 at your house?

9 A. Yes.

10 Q. Okay. And where do you tend to study
11 while you are at home?

12 A. In my room, at my desk.

13 Q. Do you have your own room?

14 A. Yes.

15 Q. And so is it quiet where you study?

16 A. Yes.

17 Q. When do you ordinarily study?

18 A. Okay. Mondays, Wednesdays and Fridays, I
19 come straight home, and around 5:30 or 6:00, I
20 would say. But on Thursday -- Tuesday and
21 Thursdays, at the coalition, I will study over
22 there because they have UCLA tutors and they will
23 help me with my homework.

24 Q. So you ordinarily study approximately one
25 hour at home on Monday, Wednesdays, and Fridays; is

1 A. Yes.

2 Q. Okay. Do you ever use the computers at
3 the Community Coalition while you are there on
4 Tuesdays and Thursdays?

5 A. When it's necessary, I do.

6 Q. And when is it -- what does that mean,
7 when it's necessary?

8 A. When I have reports to do, I will use
9 them; or I need to use them, I'll use the computers
10 to look for information.

11 Q. So they are available for you whenever you
12 want to use them; is that right?

13 A. Right.

14 Q. Do you have access to the Internet on
15 those computers at the Community Coalition?

16 A. Right.

17 Q. Other than the tutors that you identified
18 that work with you at the Community Coalition, do
19 you have anybody else that ever helps you with your
20 homework?

21 A. My mom.

22 Q. How often does your mom help you with your
23 homework?

24 MS. AUCHINCLOSS: Objection. Vague as to
25 time.

1 that correct?

2 A. Correct.

3 Q. How long are you at the coalition on
4 Tuesdays and Thursdays?

5 A. It depends what time I get there. I'd say
6 about from 3:30 to 7:00. And from 3:30 to 5:00, we
7 have study hour. So the UCLA tutors will come
8 there and help us.

9 Q. And this has been your study schedule
10 since you began attending Crenshaw in 9th grade; is
11 that correct?

12 A. Correct.

13 Q. I think you probably told me this earlier.
14 Did you begin attending the coalition the same time
15 you began attending Crenshaw? Is that correct?

16 A. Not at the same time, but in the month I
17 did.

18 Q. Within the first month of beginning
19 school; is that correct?

20 A. Right.

21 Q. At your home do you have a computer that
22 you can use?

23 A. No.

24 Q. Are there computers that you can use at
25 the Community Coalition?

1 BY MS. STRONG:

2 Q. Since you have been at Crenshaw.

3 A. If I need help with my work, that's the
4 only time I will ask her for help. But other than
5 that, I know what I'm doing, so I don't really need
6 a lot of help on my homework.

7 Q. How often would you say, since you have
8 been at Crenshaw, have you asked your mother for
9 help with your homework?

10 A. I can estimate about five or six times.

11 Q. Okay. So we know that you have been at
12 Crenshaw now for approximately a year and a half;
13 is that correct?

14 A. Right.

15 Q. Okay. Where did you go to school prior to
16 Crenshaw?

17 A. Like high school or middle school?

18 Q. A middle school, correct? You didn't go
19 to any other high school, did you?

20 A. No.

21 Q. So what middle school did you go to before
22 Crenshaw?

23 A. John Muir Middle School.

24 Q. And what grades did you attend at
25 John Muir?

1 A. 7th and 8th.
 2 Q. Where did you go to 6th grade?
 3 A. Catholic school, St. Cecilia.
 4 Q. St. Cecilia?
 5 A. (Unreportable response.)
 6 Q. Is that a private school?
 7 A. Yes.
 8 Q. And how long did you attend St. Cecilia
 9 private school?
 10 A. Estimate 2nd grade through 6th.
 11 Q. Does St. Cecilia Catholic school continue
 12 on to 7th grade, or does it end at 6th grade?
 13 MS. AUCHINCLOSS: Objection. Compound.
 14 Go ahead.
 15 THE WITNESS: After I left, they had just
 16 built a 7th grade there, so I didn't know, so I
 17 still went to a regular school. I didn't want to
 18 go back anyway.
 19 BY MS. STRONG:
 20 Q. Why didn't you want to go back?
 21 A. I just wanted to see if I could find
 22 bigger challenge in a different school. So I went
 23 to John Muir to see if I can just have a bigger
 24 challenge, instead of staying at the Catholic
 25 school.

1 Q. When you are referring to a challenge,
 2 what do you mean by that?
 3 A. Harder work.
 4 Q. Okay. So you wanted something harder than
 5 what you were receiving at St. Cecilia, that
 6 private school; is that correct?
 7 A. Correct.
 8 Q. Was John Muir more challenging to you?
 9 A. No.
 10 Q. Did you try and return to private school
 11 at any time?
 12 A. No. But they wanted me to return, but I
 13 decided not to.
 14 Q. Who wanted you to return?
 15 A. My mother.
 16 Q. When did your mom want you to return to
 17 private school?
 18 A. Towards the end of the semester, my first
 19 year at John Muir.
 20 Q. And you said that you didn't want to
 21 return to private school. Why not?
 22 A. It was just because it's, like, I wanted
 23 to have an experience of being in a public school
 24 because I never been. So I wanted to stay there
 25 instead of going back to a private school.

1 Q. What was it that you liked about your
 2 experience at public school more than private
 3 school?
 4 MS. AUCHINCLOSS: Objection. Lacks
 5 foundation.
 6 BY MS. STRONG:
 7 Q. Go ahead.
 8 A. It was more open. It's like -- like I had
 9 a better -- it was, like, in a public -- private
 10 school, it will be smaller classes and stuff like
 11 that, and I didn't really interact with a lot of
 12 people in that class. So in a public school it
 13 would be a lot of kids in the class, but I still
 14 would be able to learn, but it was, like, I could
 15 really get the chance to get different experiences
 16 from certain people, like they would be able to
 17 help me with the work if I didn't know how to do
 18 it. In public school, it wasn't like that.
 19 Q. You mean in private school?
 20 A. In a private school, it wasn't like that.
 21 Q. In public school, you're able to learn
 22 from the students that you are in class with, and
 23 you had -- you felt that you were able to learn in
 24 the larger classes, kind of working with the other
 25 students; is that correct?

1 A. Correct.
 2 MS. AUCHINCLOSS: Object to
 3 mischaracterizing the testimony.
 4 Are you talking about when you were at
 5 John Muir?
 6 THE WITNESS: Yeah.
 7 BY MS. STRONG:
 8 Q. Did you ever want to go back to private
 9 school at any time after attending John Muir?
 10 A. The second semester, in my 7th grade --
 11 Q. I'm sorry, I didn't understand.
 12 A. In my second semester at John Muir, in
 13 the 7th grade, I wanted to go back, and it was too
 14 late to enroll back in, and so I had to stay there.
 15 Q. I thought you said your mom wanted you to
 16 go back, but you actually wanted to stay.
 17 A. I did. I wanted to leave because there
 18 was, like, too many distractions going on in the
 19 class, and it grew harder and harder to learn the
 20 materials in class because either the class was too
 21 loud or the teacher wouldn't teach or the teacher
 22 wasn't there, or the books we didn't have.
 23 Q. Okay. And so did you ever try to go back
 24 to private school anytime after that?
 25 A. No.

1 Q. Why not?
 2 A. Because my mom had -- what happened? My
 3 mom was going through, like, depression at that
 4 time, and she had -- she wasn't working at the
 5 time. So she didn't have the money to put me back
 6 in a private school, so I had to stay at the public
 7 school.
 8 Q. And have you asked your mother at any time
 9 since then, to go back to private school?
 10 A. In my 9th -- in my 9th-grade year at
 11 Crenshaw I did. But she was, like, see if you like
 12 it there, and then I'll probably transfer you to a
 13 private school, like in my 10th or 11th grade year,
 14 if I wanted to go back.
 15 Q. And are you going to do that?
 16 A. She thinks -- I think I might get
 17 transferred into a private school, like, in my
 18 second semester at -- in my 10th-grade year.
 19 Q. That would be this next semester?
 20 A. Right.
 21 Q. What private school do you think you're
 22 going to go to?
 23 A. I want to go to Palisades or Dominguez
 24 Hills.
 25 Q. Palisades High School?

1 A. We are about to go on break, December
 2 the 14th. So that's -- that's going to be -- no.
 3 In probably February or January, we had a cutoff
 4 for the first semester. And that's, probably, I
 5 will transfer after I get my report card.
 6 Q. When was the last time you discussed --
 7 I'm sorry. Have you ever discussed transferring
 8 with your mother?
 9 A. Last month I did.
 10 Q. That was the last time you discussed
 11 transferring with her?
 12 A. Yes.
 13 Q. Have you ever attended a summer school?
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24 Q. Has there ever been a period of time when
 25 you've not been able to go to school for more than

1 A. Yes.
 2 Q. Is that a private school or a public
 3 school?
 4 A. I think it's a private, or a public. I'm
 5 not sure now.
 6 Q. And Dominguez Hills?
 7 A. (Unreportable response.)
 8 Q. Do you know anything more about the names
 9 of the schools?
 10 A. No.
 11 Q. Why do you think that they might be
 12 private schools?
 13 A. I don't know. I just -- I don't actually
 14 think they are private. I'm thinking that's the
 15 school she will probably put me in.
 16 Q. Palisades High School or Dominguez Hills
 17 High School?
 18 A. Correct.
 19 Q. And do you know anything about either of
 20 those schools?
 21 A. No, I do not.
 22 Q. Do you know if either of those schools
 23 have magnet programs?
 24 A. No, I do not.
 25 Q. When does the new semester start?

1 a one-week period of time since you have been in
 2 school?
 3 MS. AUCHINCLOSS: Objection. Overbread.
 4 THE WITNESS: Can you rephrase the
 5 question?
 6 BY MS. STRONG:
 7 Q. Since you have been in school -- why don't
 8 we start with public school. Since you have
 9 been -- let me rephrase.
 10 Since you began going to school in
 11 2nd grade, which you've identified as St.
 12 Cecilia's, has there ever been a time where you
 13 could not go to school for a period of more than
 14 one week for any reason?
 15 A. No, sir.
 16 Q. Have you ever had a job?
 17 A. No.
 18 Q. Have you ever done any volunteer work?
 19 A. Well, when I was in my teacher training
 20 class, we did volunteer work. We tutored students
 21 in elementary school. Because it's like -- it was
 22 basically a teacher training class. We used to go
 23 to the elementary school, and every -- I think it
 24 was Monday through Wednesday. And that would be
 25 our -- that was one of the volunteer work I did.

1 And another one I did was we had went to
2 the black college expo, and we volunteered to,
3 like -- we were just talking about the HB cameras.

4 Q. The what cameras?

5 A. I don't remember. The cameras, the
6 copier. And we were just talking about those for
7 our class project. It was like for a class
8 project. But we had to go there.

9 Q. So both of these volunteer experiences
10 were related to a class at Crenshaw; is that
11 correct?

12 A. Correct.

13 Q. What class was that?

14 A. My world -- no. Oh, basically a teacher
15 training class. I don't remember the name of the
16 class, though.

17 Q. Do you remember when you took the class?

18 A. My first year at Crenshaw.

19 Q. Was that your first semester?

20 A. First semester or second.

21 Q. It was a year-long class?

22 A. Yes.

23 Q. Do you play any sports?

24 A. No.

25 Q. Do you participate in any other activities

1 Q. Would you like a break?

2 A. No.

3 Q. You're okay? You want to keep going?

4 MS. AUCHINCLOSS: I'm going to need a
5 break in a few minutes.

6 MS. STRONG: That's fine. We'll get one
7 shortly.

8 I'm about to go into another section, so
9 why don't we take a quick break. If you want to
10 use the restroom, it's right around the corner.
11 We'll take a short couple of minutes and come back
12 and continue.

13 THE WITNESS: Okay.

14 MS. STRONG: We'll go off the record.

15 (Recess.)

16 BY MS. STRONG:

17 Q. Jasmine, can you describe for me the
18 school schedule at Crenshaw? Meaning, when does
19 school start in the fall? When do you get a break?
20 When does it end?

21 MS. AUCHINCLOSS: Objection. Compound.

22 THE WITNESS: Wait until we go off the
23 record to tell about that compound.

24 When does school start? For what time
25 does school start? I have to be there at a certain

1 outside of school?

2 A. I'm part of SCYEA, the Community
3 Coalition.

4 Q. I don't understand --

5 MS. AUCHINCLOSS: You're what?

6 THE WITNESS: I'm a part of SCYEA at the
7 Community Coalition.

8 BY MS. STRONG:

9 Q. What is that?

10 A. I'm a part of an organization called
11 SCYEA.

12 MS. AUCHINCLOSS: SCYEA.

13 THE WITNESS: South Central Youth
14 Empowered through Action.

15 BY MS. STRONG:

16 Q. Does it make sense that the acronym or the
17 abbreviation is SCYEA? Does that make sense?

18 A. Yes.

19 Q. Other than that activity, are there any
20 other activities that you are involved with outside
21 of school?

22 A. No.

23 MS. AUCHINCLOSS: We have been going for
24 about an hour. Whenever it's good for you.

25 BY MS. STRONG:

1 time, or --

2 BY MS. STRONG:

3 Q. No, I'm talking about the yearly schedule.

4 A. We start in September and end in December.

5 Come back January, and end in July.

6 Q. And are you on a semester system?

7 A. Semester, like the tracks? Or the --

8 Q. Are you broken down into quarters or
9 semesters?

10 A. Quarters. Well, semesters -- it's really
11 semesters, like first and second semester.

12 Q. So why do you think it might be quarters?

13 A. I don't know. I thought it was another
14 word for semesters.

15 Q. Okay. And you mentioned something about
16 tracks. What were you referring to with that?

17 A. Oh, I thought you were talking about -- do
18 we have, like, one track comes on -- because a
19 while back, before I came to Crenshaw, they had
20 that, but they took it off and they make it like a
21 regular school. Like we wouldn't have tracks at
22 Crenshaw anymore.

23 Q. You're speaking of a multitrack school
24 system?

25 A. Right.

1 Q. You don't have multitrack schooling at
2 Crenshaw?
3 A. Correct.
4 Q. Okay. You mentioned earlier that you're a
5 student at the teacher training magnet at Crenshaw.
6 A. Yeah.
7 Q. Are there any other magnets at Crenshaw?
8 A. Besides the gifted magnet, there's a
9 gifted magnet and a teacher training magnet.
10 Q. And how is your -- do you know -- how is
11 your school different for you going to the teacher
12 training magnet than a student who attends the
13 ordinary school at Crenshaw? Do you know?
14 MS. AUCHINCLOSS: Objection. Overbroad.
15 THE WITNESS: I actually don't know. It's
16 like -- I don't know how it actually really works.
17 It's, like, regular classes have different ones
18 from ours. I don't have the slightest clue. I
19 know if you are in a magnet class and you are a
20 regular student, they have to check you out,
21 because you can't be in a magnet class. That
22 happened a lot lately.
23 BY MS. STRONG:
24 Q. Okay. So magnet students attend
25 classes --

1 A. Only for magnet.
2 Q. Only for magnet students?
3 A. Yes.
4 Q. And students in the ordinary school or the
5 regular school are not allowed to attend the magnet
6 classes? Is that what your understanding of the
7 situation is?
8 A. Yes.
9 Q. And does that apply to all of your
10 classes, every class that you have at the school?
11 A. Well, every magnet class that I know of.
12 Q. Do you know how many magnet classes you
13 are in?
14 A. I think I'm in three or four. I'm not
15 sure.
16 Q. So what are some nonmagnet classes that
17 you attend, for example?
18 A. I think it would be actually PE and -- I
19 don't think my --
20 MS. AUCHINCLOSS: Speak up so she can
21 hear.
22 THE WITNESS: I forget. I think biology
23 class.
24 BY MS. STRONG:
25 Q. You think biology is magnet?

1 A. Yes. Let me name all the magnet classes.
2 My first, honors English, is a magnet class. Oh,
3 my second period is not a magnet class. That's a
4 regular class.
5 Q. What is it?
6 A. Spanish 2-A.
7 Third period is a magnet class, which is
8 world history. Fourth period, it's PE. Fifth
9 period is geometry, I think. That's a magnet
10 class. And sixth period is biology. And that's a
11 magnet class.
12 Q. The only nonmagnet classes you have right
13 now are Spanish and PE; is that correct?
14 A. Correct.
15 Q. But in terms of the school day, do you
16 know if the number of hours you are in a class is
17 the same as those who attend the ordinary school?
18 A. Yeah. We all get out, go to school at the
19 same time, get out at the same time.
20 Q. So the only difference you can tell is
21 which classes you're allowed to take; is that
22 correct?
23 A. Correct.
24 Q. Do you know the principal of the school?
25 A. We just got a new principal. His name is

1 Mr. Hammond.
2 Q. Do you know how to spell that?
3 A. H-a-m-m-o-n-d, I think.
4 Q. H-a-m-m-o-n-d?
5 A. Correct.
6 Q. Do you know Mr. Hammond?
7 A. No.
8 Q. Do you know when Mr. Hammond started at
9 the school?
10 A. The beginning of our school year.
11 Q. So is that September 2001?
12 A. Correct.
13 Q. And who was the principal prior to
14 Mr. Hammond?
15 A. Before Mr. Hammond was Mr. Kiel.
16 Q. That's K-i-e-l, correct?
17 A. (Unreportable response.)
18 Q. Did you know Mr. Kiel?
19 A. No.
20 Q. Do you know any of the assistant
21 principals at Crenshaw?
22 MS. AUCHINCLOSS: Objection. Vague as to
23 "know."
24 Go ahead and answer.
25 THE WITNESS: No.

1 BY MS. STRONG:
 2 Q. Do you know their names?
 3 A. No.
 4 Q. And do you know any of the counselors at
 5 Crenshaw?
 6 A. Besides my counselor, I don't know.
 7 Q. Okay. Who was your counselor?
 8 A. Miss Silverstein.
 9 Q. When did you first meet Miss Silverstein?
 10 A. When I went to Crenshaw to pick up my
 11 classes. No, not before -- before I picked up my
 12 classes, when I was just getting checked into
 13 Crenshaw, that's when me and my mom and my aunt met
 14 with her.
 15 Q. Was that during the summer, prior to
 16 beginning school?
 17 A. The summer part before I just checked in.
 18 Q. And you went and had a meeting with
 19 Miss Silverstein, with your mother?
 20 A. Not a meeting with her. I just met her
 21 with -- "Oh, that's my counselor there." If I need
 22 to change my classes or talk to her about anything,
 23 that's my counselor I need to go to.
 24 Q. Who introduced you to her? Who explained
 25 Miss Silverstein was your counselor and if you

1 needed to change any classes, you should go see
 2 here?
 3 A. My aunt. Because a lot of my cousins went
 4 to Crenshaw and were either enrolled in the
 5 program, and we knew we all had the same counselor,
 6 and we almost had all the same teachers, too.
 7 Q. You said all of your cousins went there?
 8 A. Yes.
 9 Q. What are your cousins' name?
 10 A. James Dear.
 11 Q. D-E-E-R?
 12 A. D-E-A-R.
 13 Q. Okay.
 14 A. Deetra Dear. Durell Gardener, I think.
 15 Q. Gardener?
 16 A. (Unreportable response.)
 17 Q. Okay.
 18 A. I forgot the last name of my cousin, but
 19 her name is Deetri. I don't know her last name.
 20 Q. Are any of them still attending Crenshaw?
 21 A. No.
 22 Q. When did James graduate, do you know?
 23 A. I think in 1998. I'm not sure.
 24 Q. How about Deetra?
 25 A. She graduated before him, but I'm not

1 sure.
 2 Q. How about Durell?
 3 A. Durell graduated the same year as my
 4 cousin James.
 5 Q. Deetri?
 6 A. Same year as my cousin Deetra.
 7 Q. So before James and Durell?
 8 A. Right.
 9 Q. Did any of them go on to college?
 10 MS. AUCHINCLOSS: Objection, compound.
 11 THE WITNESS: Two, I can remember. Two of
 12 them did, and two of them didn't.
 13 BY MS. STRONG:
 14 Q. Who went to college of those four?
 15 A. Deetra and Deetri did go to college, and
 16 James and Durell didn't.
 17 Q. Do you know what college Deetra went to?
 18 A. Berkeley.
 19 Q. Is Deetra still at Berkeley, or has she
 20 graduated? Do you know?
 21 MS. AUCHINCLOSS: Objection. Compound.
 22 THE WITNESS: Graduated.
 23 BY MS. STRONG:
 24 Q. She graduated Berkeley?
 25 A. Uh-huh.

1 Q. Do you know what Deetri is doing now?
 2 A. I think she's an intern -- not intern,
 3 secretary. I'm not sure what is her position.
 4 Q. Do you know what company she's with?
 5 A. I don't know.
 6 Q. That's okay.
 7 And Deetri, do you know where she went to
 8 college?
 9 A. I think Berkeley also.
 10 Q. Do you know if she graduated from
 11 Berkeley?
 12 A. I'm not sure.
 13 Q. And do you know what James did after he
 14 went to Crenshaw?
 15 A. I think he was getting his music business.
 16 He just came out with a CD. And now he's at --
 17 he's working now, and he might go to college.
 18 Q. So he was involved with producing a CD; is
 19 that correct?
 20 A. Correct.
 21 Q. Is he a musician?
 22 A. Yeah.
 23 Q. Do you know where he's thinking of going
 24 to college?
 25 A. No, I do not.

1 Q. And Durell, do you know what he did after
2 he went to Crenshaw?
3 A. Same thing. They both did the same thing.
4 Because they were trying to come up with -- all my
5 cousins, trying to come out with their CD, and they
6 didn't go to college. So afterwards, when they
7 finally did come out with their CD, they got a job
8 and they wanted to go to college, or soon be trying
9 to check into going.
10 Q. Going to a college?
11 A. Correct.
12 Q. Do you know the name of their CD?
13 A. I do not know. I have it at home.
14 Q. What kind of a cousin are you?
15 A. I have the CD at home, but I just don't
16 remember the name of the title.
17 Q. And do you know if any of them -- so you
18 said each of those four of your cousins attended
19 the magnet, the teacher training magnet; is that
20 correct?
21 A. Correct.
22 Q. Okay.
23 A. I think one of them had gifted, though.
24 Q. Do you know which one?
25 A. Deetra.

1 MS. AUCHINCLOSS: Are you in the gifted
2 program?
3 THE WITNESS: I'm in magnet. I'm in
4 teacher training.
5 MS. AUCHINCLOSS: I wanted to make sure
6 you weren't in the gifted as well.
7 BY MS. STRONG:
8 Q. You can't be in both, can you?
9 A. No.
10 Q. So after you met Miss -- saw
11 Miss Silverstein before you entered your 9th-grade
12 year at Crenshaw, did you have an opportunity to
13 speak with Miss Silverstein ever again?
14 A. No, not --
15 MS. AUCHINCLOSS: Objection. Overbroad.
16 Vague as to time.
17 BY MS. STRONG:
18 Q. Go ahead.
19 A. No.
20 Q. So in your year and a half at Crenshaw,
21 have you had any conversations with
22 Miss Silverstein?
23 A. You're saying like individual, any --
24 Q. Have you ever talked to her?
25 A. Yes.

1 Q. Okay. How many times have you talked to
2 her since you have been at Crenshaw?
3 A. I think about twice.
4 Q. Do you remember the first time you talked
5 to her, when that was?
6 A. My first semester at Crenshaw. I was
7 trying to talk about my teacher training program
8 because she was a part of it, too. And we was just
9 trying to get our schedules straightened out for
10 our classes and stuff like that.
11 Q. I'm sorry. I don't know if I quite
12 understand you. She was a part of your teacher
13 training class?
14 A. Yeah, because she was like the sponsor of
15 us to go to elementary schools and tutor there. So
16 she was, like, the main sponsor again, and get all
17 our stuff coordinated so we can go there. She was
18 like the sponsor that would be over us, and then
19 our teacher.
20 Q. Okay. And so the first conversation was
21 regarding scheduling. In what regard? What do you
22 mean by that?
23 A. I wanted to transfer one of my classes,
24 but she said it was too packed. I don't remember
25 what class I wanted to change at the time. But she

1 wanted me to change -- I wanted to change one of my
2 classes. She was, like, "It's too packed. You'll
3 have to wait." I was, like, "Okay."
4 Q. Why did you want to change the class?
5 A. Because I was, like, I felt like I didn't
6 learn -- I don't remember what class, but I wasn't
7 learning nothing in that class. And it was too
8 packed.
9 Q. Do you remember the subject matter that
10 was taught in the class?
11 A. No.
12 Q. Do you remember who the teacher was in the
13 class?
14 A. No. I have to really think back. Wait a
15 minute.
16 Q. This is your 9th-grade year, correct?
17 A. Right.
18 Q. So this is last year?
19 A. Uh-huh. Oh, I was trying to change my
20 algebra class.
21 Q. And what -- you wanted to go from one
22 algebra class to another algebra class, or what is
23 it that you wanted to do with your schedule?
24 A. I wanted to change to a different algebra
25 class.

1 Q. Did that have anything to do with your
2 teacher training class?
3 A. Yeah, because if I changed to a different
4 algebra class, I would have switched the teacher
5 training class and algebra class. And if I
6 switched that, I wouldn't be able to go to
7 tutoring. Besides, the algebra classes were packed
8 and I couldn't get into none. So I had to keep my
9 schedule as it was.
10 Q. So if you had changed into the other
11 algebra class that you wanted, you wouldn't have
12 been able to participate in the tutoring in the
13 teacher training class; is that correct?
14 A. Correct.
15 Q. And is it -- do all the students in the
16 teacher training class have to participate in the
17 tutoring?
18 A. Yes, if you wanted to get credit. It's,
19 like, it was mandatory, because that's basically
20 what we did in our teacher training. We tutored,
21 and we recorded the things that -- like build up
22 their vocabulary, reading level, how fast they can
23 read. That was our grade for the class. So we had
24 to go.
25 Q. So is that the reason why your counselor

1 your schedule so you could participate in the
2 tutoring with respect to the teacher training
3 class; is that correct?
4 A. Correct.
5 Q. And then did the number of students in
6 that algebra class get reduced?
7 A. Yes, to 30.
8 Q. Okay. And so after everyone rearranged
9 their schedule during the first week of school, the
10 number dropped to 30 in that class; is that
11 correct?
12 MS. AUCHINCLOSS: Objection.
13 Mischaracterizes the testimony. She hasn't said
14 anything about --
15 THE WITNESS: Correct.
16 BY MS. STRONG:
17 Q. When do scheduling changes take place in
18 your school?
19 A. If you don't change it by the first week
20 of school, you can't change the schedule at all.
21 It depends on the situation. And, like, I have,
22 like, certain teachers, like -- it's, like, from
23 this semester I have at Crenshaw, it was, like,
24 people were getting checked out just now, because
25 they said it's too packed. And this is my world

1 didn't want you to change classes? She wanted you
2 to make sure that you could participate in the
3 tutoring for the teacher training class, so you
4 could take the class?
5 MS. AUCHINCLOSS: Objection. She already
6 testified that the other class was too crowded.
7 BY MS. STRONG:
8 Q. You can answer.
9 Please don't make speaking objections.
10 Go ahead.
11 A. The reason why she probably wanted me to
12 stay in that class -- but mainly, though, I was
13 trying to get at, because it was too crowded in
14 that class that I had. And when I first got in the
15 class, they were already taking students out,
16 because it was just over the amount of students in
17 that class. And I just found out they was talking
18 about a law, the magnet classes could have only 30
19 students. And at the time, I estimated 36. People
20 were checking out and I was trying to get out also,
21 but it was too packed.
22 Q. Did the number of students in that
23 class -- well, let me go back.
24 So when you spoke with Miss Silverstein
25 about it, she explained that you needed to keep

1 history class. So they have to start all over on
2 their grades. And this is about to be the 15th
3 report card. So they probably receive a fail or a
4 D because they have to go to a different class
5 because it's too packed.
6 Q. This is not dealing with your schedule; is
7 that correct?
8 A. Right.
9 Q. So with respect to your schedule, though,
10 I wanted to make sure that the algebra class that
11 you were talking about the first year, after the
12 first week of school, it dropped to 30 students; is
13 that correct?
14 A. It dropped to 30.
15 Q. Okay. After that first conversation with
16 Miss Silverstein, did you ever -- you said you had
17 one other conversation with her. Do you remember
18 when that was?
19 A. Oh, now I remember. It was this year, I
20 was trying to check out of my geometry class.
21 Q. First semester of this year, correct?
22 A. Correct.
23 Q. Do you remember at what point in the
24 semester you had this conversation with her?
25 A. About the first five weeks of -- about the

1 first five weeks of school. Like on the fifth
2 week, I think I had a conversation with her, that
3 fifth or fourth -- I think it was the fifth week of
4 school, though.

5 Q. Did you make an appointment to go see her?

6 A. We can go see her on nutritional lunch, at
7 the office.

8 Q. You just stopped in at her office during
9 one of those times?

10 A. Yes.

11 Q. When did you go?

12 A. Lunch. Before she left to go to lunch. I
13 was on her about my class, how I wanted to check
14 out, because the first five weeks we weren't
15 learning nothing, and she refused to teach us
16 because she claimed that we were too loud and we
17 were talking so much, and she said she doesn't
18 teach one student, she teaches a whole class. So
19 she sat there for, like, five weeks and didn't
20 teach anything. We didn't learn anything for five
21 weeks.

22 [REDACTED]
23 [REDACTED]
24 Q. What did you tell Miss Silverstein when
25 you had this conversation with her?

1 too packed for me to go to a different class.

2 Q. Was there any other reason why you
3 couldn't change the class, that you are aware of?

4 A. No. That's the only reason that she gave
5 us.

6 Q. What did she say was packed?

7 A. All the other geometry classes.

8 Q. Do you know how many other geometry
9 classes there are at your school?

10 A. No. I'm only aware there are two geometry
11 classes, but I don't know how many there actually
12 are.

13 Q. Okay. Did you -- I think we'll come back
14 to this geometry class later.

15 Other than those two conversations with
16 Miss Silverstein, did you ever try and talk with
17 her about -- well, did you ever talk to her ever
18 again at Crenshaw?

19 A. No.

20 Q. Okay. And other than discussing your
21 algebra class during the first year at Crenshaw and
22 discussing your geometry class during the second
23 year, did you ever discuss any other issues with
24 Miss Silverstein?

25 A. No.

1 A. I told her I felt like I should be taking
2 a different class because I haven't learned nothing
3 yet, and it's setting me back in my class schedule,
4 and what's the point in me staying in my geometry
5 class if I'm not learning nothing.

6 Q. What did she respond?

7 A. She told me it's too packed, I can't
8 change it, and you have to wait until the second
9 semester to change. And ever since I got my
10 classes, I wanted to change my class. And she
11 said, I've already made a schedule for you, and I
12 can't change it.

13 Ever since I first went to school I was
14 trying to change it, and I haven't had a chance to
15 change it, and she wouldn't let me because she said
16 it was too packed.

17 Q. Did you try and change that schedule
18 during the first week of school?

19 A. Yes.

20 Q. Why did you try and change it during the
21 first week of school?

22 A. Because I heard that she was a -- well, a
23 bad teacher, and you should get out as soon as
24 possible to go to a good, better class, or just try
25 to get out. And I tried. And she was, like, it's

1 MS. AUCHINCLOSS: Objection. Overbroad.
2 BY MS. STRONG:

3 Q. So those were the only two topics you
4 covered; is that correct?

5 A. Correct.

6 Q. And have you had an opportunity to meet
7 any of the other counselors at the school?

8 A. No.

9 Q. Do you like Miss Silverstein?

10 A. I do, but she has like a lot of favorites
11 from certain people. That makes me not really like
12 her as much as I should. But it's, like, I like
13 her, but she just have a lot of favorites. She try
14 to send people to classes, but not that I've
15 seen --

16 Q. I'm sorry?

17 A. I said not that I've seen that she would,
18 but I feel that she would if they wanted to change
19 their class.

20 Q. She hasn't shown any favoritism by
21 changing anybody's classes, but you think she might
22 do that for some students?

23 A. If she wanted to.

24 Q. Why do you feel that way?

25 A. Because that's the way she acts towards

1 some people, certain people.

2 Q. Do you know who those people are?

3 A. There's some friends that I have that she
4 has favoritism with. Like, because there's another
5 teacher training thing going on where they tutor
6 students after school, and she's with those
7 students now, and she has favoritism with those
8 students and not with the ones that she have now.
9 So it's like --

10 Q. Meaning she -- are you saying that she
11 spends more time with the students in the teacher
12 training program?

13 A. Yeah, the other one.

14 Q. The ones in the teacher training class
15 that you described that you took during 9th-grade
16 year; is that right?

17 A. Not even in that class anymore. It's
18 like, because they have a new one that's -- it's,
19 like, another teacher training class. It's not a
20 class, but it's something they actually do after
21 school now, for them to go tutor just like we did.
22 But they are tutoring after school instead of
23 during class time.

24 Q. I see.

25 A. But she sees them more than she sees us.

1 want to know what the requirements are for
2 graduating.

3 A. Okay.

4 Q. How do you know what the requirements are?

5 A. Because at the coalition they -- the
6 Community Coalition, they were talking about do you
7 know the A through G requirements you have to
8 graduate. From time to time, they would check up
9 on us to see if we actually have them, so we
10 actually have a chance to go to college.

11 Q. I want to step back for one moment.

12 You said that you didn't know Mr. Kiel
13 personally, and that you don't know Mr. Hammond,
14 and you don't know any of your assistant principals
15 at Crenshaw; is that correct?

16 A. Right.

17 Q. Have you ever tried to talk with any one
18 of those individuals?

19 A. No, not really, because when I see them on
20 campus, like the new principal, he's, like, really
21 busy. I wouldn't know what to actually say to him.
22 So I really wouldn't know.

23 Q. Okay. But you never made an effort to go
24 talk to him? There was no reason for you to go and
25 talk to him?

1 It's, like, she will get more familiar with them,
2 and so that's how she has, like, more favoritism
3 towards them than she would have with us.

4 Q. And do you know how students can
5 participate in that class after school?

6 A. In the beginning of the semester, she
7 wanted us -- she asked us -- did she want us to be
8 a part of it. Whoever wanted to be a part of it
9 could have. But that would take an interview to
10 see if you were qualified to be part of it, part of
11 the -- so I didn't want to, so --

12 Q. So you never went through the interview
13 process?

14 A. Correct.

15 Q. Why didn't you want to participate in it?
16 Any reason?

17 A. No, not really. Just basically trying to
18 do my schoolwork.

19 Q. Okay. Do you know what subjects you have
20 to take to graduate from school?

21 A. Actually, like my basic class is
22 algebra -- well, my 9th-grade year was algebra,
23 ECP, world history -- I mean health, those -- okay,
24 what else I had?

25 Q. You don't have to try and explain it. I

1 A. Correct.

2 Q. So the Community Coalition has told you
3 about your A through G requirements. Do you know
4 if anyone at Crenshaw has given you any information
5 about what you need to graduate?

6 A. No.

7 Q. Do you know if your counselor pays
8 attention to your requirements, what you need --
9 making sure that you are taking the classes that
10 you need to graduate?

11 A. No, I do not.

12 Q. You don't know one way or the other; is
13 that correct?

14 A. Right.

15 Q. Have you ever asked your counselor about
16 what you need to graduate from Crenshaw?

17 A. No, I haven't made an attempt to do that.

18 Q. And then do you know what classes you need
19 to get into a college?

20 A. I know my classes I need to get into a
21 four-year university.

22 Q. And that -- are the classes that you need
23 to get into a four-year university different than
24 your A through G requirements?

25 A. No, they are like the basic classes I need

1 to take to go to college.
 2 Q. They are one and the same? So what you
 3 need to graduate is the same as what you need to go
 4 to a four-year university, correct?
 5 A. Correct.
 6 Q. How do you know that?
 7 MS. AUCHINCLOSS: Objection. Asked and
 8 answered.
 9 THE WITNESS: How do I know what?
 10 BY MS. STRONG:
 11 Q. That the classes you need to get into
 12 college are the same as those for the A through G
 13 requirements.
 14 A. Because that's a Community Coalition --
 15 they sat there and told us that the same classes
 16 that you need to graduate and college -- to go to
 17 college for university, they say it's all the same.
 18 Just taking them and passing them is just what we
 19 have to do.
 20 Q. And have you had any conversations with
 21 anyone at Crenshaw regarding what classes you need
 22 to get into a four-year university?
 23 A. No.
 24 Q. Do you know if Crenshaw offers any
 25 programs or any assistance to any of the students,

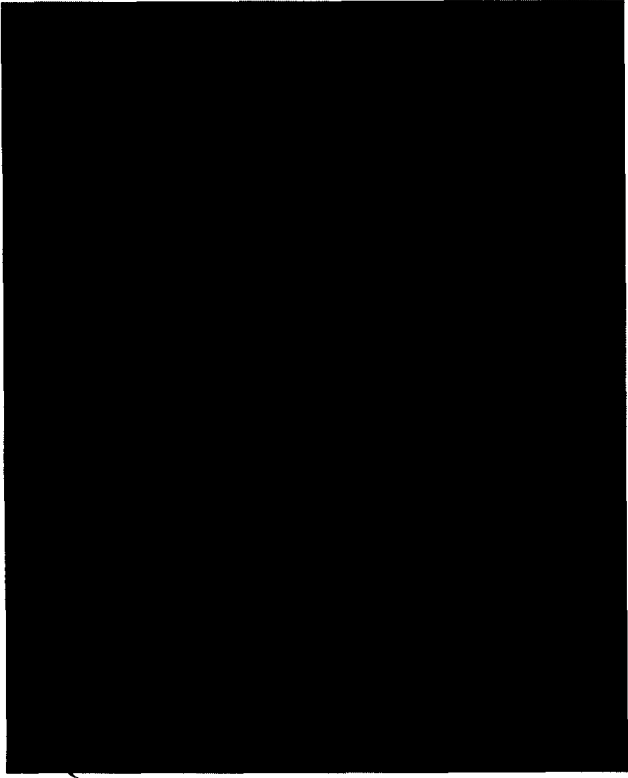
1 talking about there is a class that you can take to
 2 get -- like, prepare us, and actually take the
 3 PSATs at school, but I'm not actually sure, because
 4 I haven't took even the class. After that, she
 5 told me, I never heard about it.
 6 Q. That was for PSAT. How about SAT?
 7 A. I'm not sure about the SAT.
 8 Q. What have been your best classes at
 9 Crenshaw?
 10 MS. AUCHINCLOSS: Objection. Vague as to
 11 "best."
 12 THE WITNESS: My honors, English.
 13 BY MS. STRONG:
 14 Q. Is that during your 9th-grade year or
 15 10th-grade year?
 16 A. 9th.
 17 Q. Do you have any other classes that you
 18 consider your best class?
 19 MS. AUCHINCLOSS: Same objection.
 20 THE WITNESS: No.
 21 BY MS. STRONG:
 22 Q. Why do you consider your honors English in
 23 9th grade to be your best class at Crenshaw?
 24 A. Because he actually sat down and, like,
 25 help us and taught us how to do certain things.

1 with respect to applying to colleges?
 2 A. Not that I know of.
 3 Q. Have you ever asked anybody at Crenshaw
 4 regarding whether any such programs exist?
 5 A. I remember asking somebody. I don't
 6 remember who. But I remember asking any classes
 7 that we need to take that I have -- like, any
 8 college prep classes that we could take to, like,
 9 go to college or help us with SATs or pre-SATs or
 10 something like that. I don't remember who I was
 11 talking to, though.
 12 Q. It wasn't your counselor?
 13 A. No.
 14 Q. Do you remember what the person said?
 15 A. No.
 16 Q. Have you taken your PSATs?
 17 A. Not yet.
 18 Q. Do you know, for example, if there is a
 19 class at Crenshaw to help student prepare for the
 20 SAT?
 21 A. I believe there is, but I'm not actually
 22 sure.
 23 Q. Why do you think that there is?
 24 A. Because last year my friend was talking
 25 about it in my honors English class. She was

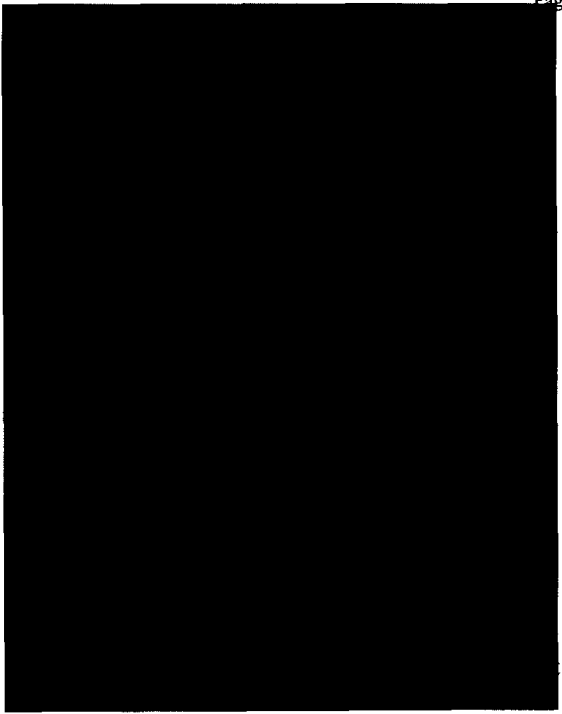
1 Things I wouldn't think my teachers would normally
 2 do. Like help us do essays, how to write them, how
 3 to put them together, how to do a lot of things.
 4 Basically that's one of my best teachers, and best
 5 classes I had.
 6 Q. Who was the teacher at that class?
 7 A. Mr. Hornbeck.
 8 Q. Hornbeck?
 9 A. Uh-huh.
 10 Q. He would sit down and help you learn about
 11 writing essays and how to put them together.
 12 Can you think of anything else that you
 13 liked about the class, as to why it was your best
 14 class?
 15 A. No, not at this time.



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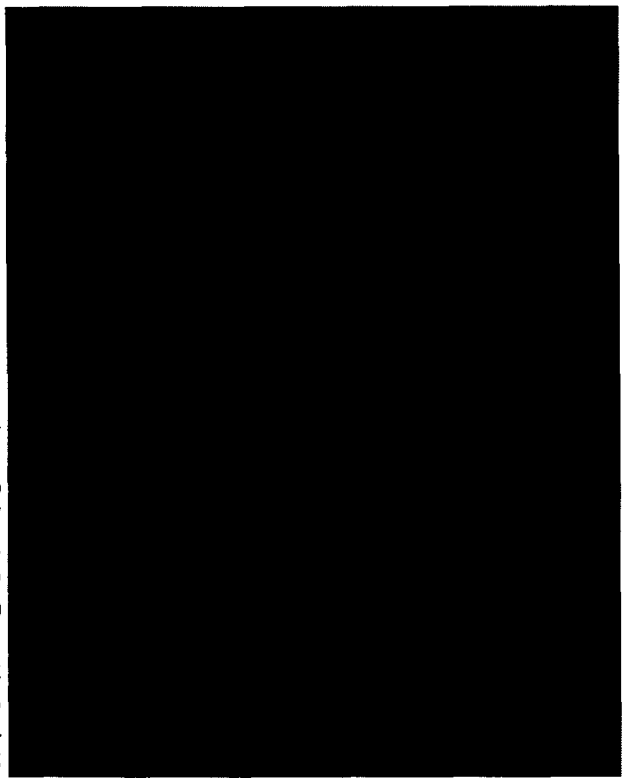


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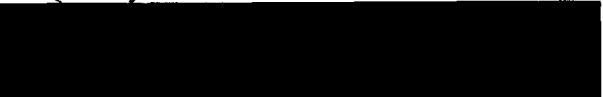
BY MS. STRONG:
Q. It's hard to remember.
All right. So you referred to

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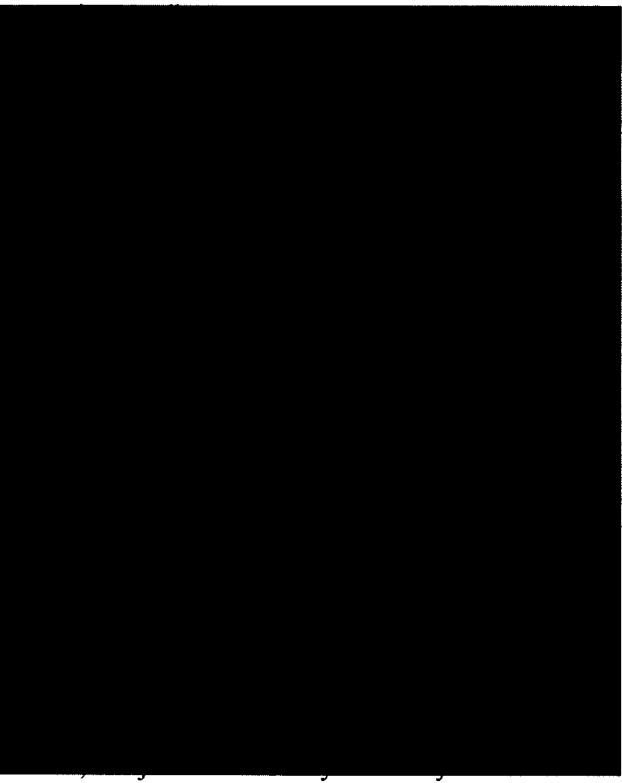


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Mr. Hornbeck's class as your best class. Do you think that's because you're good in English, or do you think -- what's the reason why you think you did so well in that class?
A. He's a good teacher. He has a lot of patience with the students. He takes the time to break down the work. Like, if we didn't understand it, he would go individually and ask them what's the problem, and what sections are you having trouble in? He would take time to help us with our work. That's why I think it was my best class.
Q. So the most important thing to you with respect to determining whether it's a good class or not a good class is the teacher; is that correct?
MS. AUCHINCLOSS: Objection. Misstates the prior testimony.
BY MS. STRONG:
Q. Is that correct?
A. Correct.
Q. What?
A. Correct.
Q. Okay.



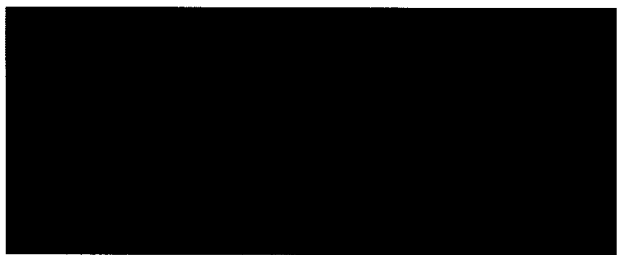
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Q. Okay. And was that during the entire semester that she offered tutoring on Wednesdays during lunch and after school on Thursdays?
A. Correct.
Q. Did you ever attend any of the tutoring sessions?
A. From time to time I did in, like, parts that I knew I was weak and strong in.
Q. The parts that you knew you were weak in?
A. The parts I knew I was weak in, I would go ask her for help so she could help me better my grade. The parts I was strong in, I knew what I was doing. I didn't really need help until the second semester.
Q. I'm referring to the second semester. I'm sorry.
With respect to the second semester, did you ever attend tutoring session, during either lunch or after school? And this is the second semester of your 9th grade, with respect to your algebra class.
A. In my second semester of algebra class, I went about three, three or four times at lunch, because after school on Thursdays I would attend the coalition.

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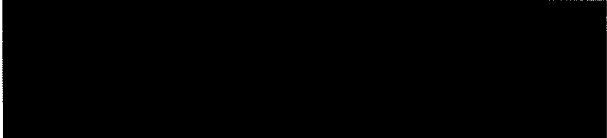
Q. Okay. Do you know if your teacher offered -- who was your teacher for your algebra class during second semester 9th grade?
A. Miss Smith.
Q. Do you know if she offered any tutoring?
A. Yes.
Q. When did she offer tutoring?
A. Because she had a certain schedule -- I'm not sure. I think it was Wednesdays at lunch and after school Thursdays in another room. And then she would -- it's a tutor that would help you with the work, another teacher. They were friends, and they know the same work. So.
MS. AUCHINCLOSS: So they would --
BY MS. STRONG:
Q. They would work together?
A. Together.

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Q. Did you find those sessions when you met with Miss Smith during the three or four times that you met during lunch useful?
A. Yes.
Q. How did you think they were useful?
A. Because she sat there. She would have certain students come over with the piece of work that day they didn't understand, and actually broke it down to where we did understand it, so we could build up our skills on that certain -- on that math. That's how it was really helpful for us in that class.
Q. Okay. And did you -- why didn't you go to more than three or four sessions during that semester, which is the second semester of your 9th-grade year?
A. The second semester, the main reason I didn't go is because I was trying to -- I was doing a lot of work, and the more work I get, the less time I had to go to the tutoring. So I was just trying to keep up on those grades so those wouldn't fall, instead of all my classes falling. It was, like, I had one class for all the -- instead of all of them. It was like I had a lot of work to do, and I didn't have that much time to do it in, do it

1 every Friday at certain times.
 2 Q. You found that the work you had to do for
 3 the school pretty hard that year -- that semester?
 4 A. Yes.
 5 Q. It was quite challenging, right?
 6 A. Correct.
 7 Q. Did you work on other classes, those other
 8 classes, during your lunch periods on Wednesdays?
 9 A. Yes. Me and my friends would go to the
 10 library and work on it. Sometimes we worked on her
 11 work, or work on other classes.
 12 Q. Did you ever ask Miss Smith to meet with
 13 you at some other time, other than a Wednesday,
 14 because it fit into your schedule better?
 15 A. No, because she had track meets on other
 16 days. That's why she met with us at those times.
 17 Q. Did you ever ask her if she was available
 18 to meet with you at any other time?
 19 A. No.
 20 Q. But again, I want to make sure I
 21 understand you. What you've tried to explain to me
 22 is that you actually did like the class and thought
 23 Miss Smith was a good teacher, you just had a
 24 difficult time with algebra; is that correct?
 25 Correct me if I am wrong.

1 sometimes?
 2 A. Uh-huh.
 3 Q. Do you know how many times you went during
 4 the first semester?
 5 A. No. I could estimate. I would constantly
 6 go regularly that last semester, but it was like I
 7 would go almost every week, but I don't know how
 8 many times I actually went.
 9 Q. So on the first semester you went almost
 10 every week?
 11 A. Right.
 12 Q. And then second semester you went three or
 13 four times; is that correct?
 14 A. Correct.
 15 Q. And your grade was higher during the first
 16 semester than the second semester; is that correct?
 17 A. Correct.
 18 Q. Do you think it helped you that you went
 19 to the tutoring sessions more often during the
 20 first semester?
 21 A. Correct.



1 MS. AUCHINCLOSS: Objection.
 2 Mischaracterizes the testimony.
 3 BY MS. STRONG:
 4 Q. Go ahead.
 5 A. It's like at first I thought I was -- I
 6 wasn't learning nothing because it was, like, a lot
 7 of students, and either they were loud or I
 8 couldn't pay attention because I didn't understand
 9 what I was doing. So that's why in that first
 10 semester I was trying to change that class, because
 11 I couldn't -- because the other classes were
 12 packed.
 13 So in my second semester, I was trying to
 14 work to bring my grade up. It wasn't she was a bad
 15 teacher. I just didn't understand the work, and I
 16 was trying to build up my grade.
 17 Q. Did you have Miss Smith for the entire
 18 year?
 19 A. Yes.
 20 Q. Okay. I just want to make -- you don't
 21 think that Miss Smith was a bad teacher?
 22 A. No.
 23 Q. Okay. And during the first semester, she
 24 also had her tutoring periods on Wednesdays and
 25 Thursdays. And you said you did attend those

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 11 Q. Okay. If I were -- we've talked about
 12 some of your classes now. With respect to your
 13 teachers, I'd like to know who you thought to be
 14 your best teachers at the school. I assume
 15 Mr. Hornbeck is going to be one of them; is that
 16 correct?
 17 A. Yes.
 18 Q. Would there be anybody else that you would
 19 describe as your best teacher while at Crenshaw?
 20 MS. AUCHINCLOSS: Objection. Vague as to
 21 "best."
 22 THE WITNESS: My teacher training teacher,
 23 Miss Amicci.
 24 BY MS. STRONG:
 25 Q. Miss Amicci?



1 A. Yes.
 2 Q. Is that 9th grade?
 3 A. Yes.
 4 Q. Is that for the entire year of 9th grade?
 5 A. Yes.
 6 Q. Anyone else?
 7 A. And Miss Smith.
 8 Q. Miss Smith, your algebra teacher?
 9 A. (Unreportable response.)
 10 Q. That's 9th grade?
 11 A. Right.
 12 Q. Anybody else that you would describe as
 13 your best teacher, either 9th grade or 10th grade?
 14 A. 10th, let me see. Grading teachers. Oh,
 15 boy. None.
 16 Q. Okay. You've explained to me why you
 17 liked Mr. Hornbeck and thought he was a good
 18 teacher.
 19 Can you tell me why you think that
 20 Miss Amicci was your best teacher, one of your best
 21 teachers.
 22 A. She practically did all the same things
 23 that Mr. Hornbeck did. She, like, sat down and
 24 took time with us, to see what we were struggling
 25 in. Like, we had to record the things that the

1 A. Because basically, now that I realize my
 2 geometry, she prepared us for that geometry class.
 3 And the work that I now understand from the
 4 algebra, I can just use that in my geometry class.
 5 And the work that she helped me to understand, I
 6 can use now.
 7 Q. Okay.
 8 A. So that's why she was one of my best
 9 teachers.
 10 Q. And that's -- you're referring to the time
 11 that she spent with you in class and out of class;
 12 is that correct?
 13 A. Well, not out of class, but in class.
 14 Like during the times I'm there.
 15 Q. Okay. When I meant out of class, I meant
 16 with respect to the time you spent with her during
 17 lunch, for example.
 18 A. Oh, yes.

1 students did, make sure we have their work
 2 together, like, in this one folder, and make sure
 3 the dates are correct that we did our entries and
 4 everything. And some people didn't know how to do
 5 that. So she would take time for certain people
 6 during lunch or nutrition and see what was wrong
 7 and help them correct their work.
 8 Q. Okay. And do you believe that the
 9 teachers spending more time with the students was
 10 really important then?
 11 A. For certain students it was.
 12 Q. What do you mean by that?
 13 A. Like, for certain students, spending a lot
 14 of time was, like, if, like, for certain students,
 15 if they can't catch on quickly to the work, have
 16 more time spent with the student, that would help
 17 them with their work. So that time, the extra time
 18 they need, it would bring up their grade.
 19 Q. Any other reasons why you thought
 20 Miss Amicci was one of the best teachers at your
 21 school?
 22 A. No.
 23 Q. With respect to Miss Smith for your
 24 algebra class, why do you consider her one of your
 25 best teachers?

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 8 Q. Who would you identify as one of your
 9 worst teachers at school?
 10 MS. AUCHINCLOSS: Vague as to "worst."
 11 THE WITNESS: Actually, I don't consider
 12 none of my teachers worst. But right now I
 13 consider one of my -- my geometry teacher not
 14 even -- it's not worse. It's just like -- it's not
 15 worse -- worse is not the word for it. It's not
 16 she's a bad teacher. It's the way she did things
 17 so far is not good, and it set us back in our work.
 18 And for us not to learn nothing for five weeks,
 19 that was just -- I don't have a word for it right
 20 now.
 21 BY MS. STRONG:
 22 Q. What?
 23 A. I don't have a word for it, but it's,
 24 like, unbelievable that we did nothing for five
 25 weeks and [REDACTED] for doing nothing because she

1 didn't want to teach us nothing.

2 Q. Okay. But you don't think she's a bad
3 teacher?

4 A. Well, it's not she's a bad teacher. She
5 can teach the material. But at the time I consider
6 her a bad teacher. She know what she's doing and
7 she could be a good teacher when she wants to be.
8 She can give extra credit when she wants to, but
9 it's just certain times -- like I said, a bad
10 teacher the way she runs her class.

11 Q. Do you know if -- what's her name?

12 A. [REDACTED]

13 Q. [REDACTED]

14 A. Uh-huh.

15 Q. Do you know if [REDACTED] offers any
16 tutoring outside of class time?

17 A. No.

18 Q. Have you asked her if she's willing to
19 tutor any of her students or work with any of her
20 students outside of class?

21 A. She told us she don't work with students
22 out of class.

23 Q. She did?

24 A. Yes.

25 Q. Do you know if there's anybody at Crenshaw

1 subject and that she can teach it, but she hasn't
2 chosen to teach it to you during the first five
3 weeks of the school; is that correct?

4 A. Correct.

5 MS. AUCHINCLOSS: Objection.
6 Mischaracterizes the testimony.

7 BY MS. STRONG:

8 Q. Do you have any other teachers that you
9 think are not good teachers or bad teachers since
10 you have been at Crenshaw?

11 A. Besides [REDACTED]? Well, kind of, my
12 world history teacher. Because we have -- like, he
13 gives us things to do, and we have to copy off the
14 book and then turn them in, and we get points for
15 doing it. Because he says he actually sees us --
16 if we copy off the book and he sees us doing the
17 work, he says we probably reading the chapters.

18 He have us do 20-page summaries, due every
19 Friday, or do 25. And we have to do current events
20 and stuff like that. We really hardly do anything
21 in that class.

22 Q. You have to do -- what class is this?

23 A. World history.

24 Q. What grade is this?

25 A. 10th.

1 who you can go to, to get assistance with geometry?

2 A. Not that I know of.

3 Q. You know how -- you explained to me
4 Miss Smith would have her friend teach on
5 Thursdays. Do you know if there are any other
6 teachers that will give tutoring in geometry
7 outside of class time?

8 A. I do not know. All I remember is I
9 seen -- all I remember is my teacher saying that
10 Miss C teaches Algebra I and tutors Algebra I.
11 That's the one that has the class after school,
12 that would help us. Now, I remember that she
13 teaches geometry. I don't know anybody that would
14 help us with geometry.

15 Q. Have you asked anybody at Crenshaw, either
16 your counselor or anyone else, if there's any way
17 you can get assistance in geometry?

18 A. No, I haven't.

19 Q. I'm trying to understand if -- you
20 explained to me that the reason why you're not as
21 happy with [REDACTED] -- is that her name,
22 [REDACTED]??

23 A. Uh-huh.

24 Q. I didn't really write that very well.
25 -- is because you think she knows a

1 Q. And what's the teacher's name?

2 A. [REDACTED]

3 Q. Is that your teacher that gave you 20-page
4 summaries every week?

5 A. 16. First we start out with 12. And then
6 it goes up to 16. And now it's rising up to either
7 20 or 25. This week was 20.

8 Q. And summaries of what?

9 A. Out the book. We have to copy either word
10 for word or in our own words.

11 Q. Word for word, or in your own words, you
12 can choose what you'd like to do?

13 A. Yes.

14 Q. And what is it that you are copying?

15 A. Word for word from what pages he wants us
16 to do. We have to copy by hand, out the book.

17 Q. I am trying to figure out what it is
18 you're copying from the book. Is it a story about
19 a particular society?

20 A. It could be anything.

21 Q. Can you give me some examples? Because
22 I'm not in your world history class, so I don't
23 know what you are learning.

24 A. It depends on the chapter that he has us
25 read -- copy. It could talk about the revolution.

1 Anything. I don't remember the stuff that I did so
 2 far, because we copy so many chapters, I don't
 3 remember.
 4 Q. Okay. And it is up to you, you can either
 5 write word for word, or you can write it in your
 6 own words; is that correct?
 7 A. Correct.
 8 Q. What do you choose to do?
 9 A. Word for word.
 10 Q. Why is that?
 11 A. Because I don't think I would be able to
 12 summarize all that in 20 pages. Oh, my God. Every
 13 week by Friday.
 14 Q. That's hard to do?
 15 A. Yes.
 16 And then sometimes it really messes up my
 17 work that I have to do for class, because he says,
 18 oh, you have to do five pages a night. Five pages
 19 a night is like two and three hours. And, like, it
 20 takes me that long to try to do my math homework,
 21 plus my biology homework that I have, projects to
 22 do.
 23 Sometimes they don't give us the right
 24 date to turn it in. It could be turned in the next
 25 day, we have to do it, or by Friday or the next

1 week. And sometimes it's, like, all of them have
 2 to be done by that Friday.
 3 So I have 20-page summaries, biology work,
 4 English work, and there's so much. And sometimes
 5 it sets back my other classes, and I have to just
 6 focus on that work.
 7 Q. This is all your homework?
 8 A. This is all my homework.
 9 Q. You have a lot of homework?
 10 A. Yes.
 11 Q. Wow.
 12 With respect to -- you said there was
 13 something else that he gives you; summaries, and
 14 then current events?
 15 A. He have us do current events almost every
 16 Monday.
 17 Q. And what do you have to do for a current
 18 event? What does that mean?
 19 A. Find an article in the newspaper that's
 20 political, or something that's important. And give
 21 a summary and cut out the newspaper.
 22 Q. Okay. And you have to do this every
 23 Monday?
 24 A. Yes.
 25 Q. And then what do you do with the summary

1 that you bring to class?
 2 A. We either read it in class, if you think
 3 it's presentable, and then he just throws it away.
 4 Q. Okay. Have you had to ever present a
 5 current event in class?
 6 A. Yes.
 7 Q. How many have you done?
 8 A. I would estimate I did seven or eight.
 9 Q. And do you -- you don't like that current
 10 event assignment?
 11 A. It --
 12 MS. AUCHINCLOSS: Objection.
 13 Mischaracterizes the testimony.
 14 THE WITNESS: Sometimes I can't --
 15 BY MS. STRONG:
 16 Q. I'm just curious. If you like it, tell me
 17 you like it. I was getting a sense that you didn't
 18 like that assignment.
 19 A. It's, like, I do -- it's -- I really
 20 don't. I see how it could be a part of class, but
 21 barely we do work off the book. And we're starting
 22 this week to do work off the book. I say, what's
 23 the purpose of having the book besides doing
 24 summaries?
 25 For a couple of weeks that we had in that

1 class, all we did -- he had us read a book and do,
 2 like, a book report. So you have to learn -- we
 3 have a literature book -- not literature. It's a
 4 reading, for reading class, like, every Wednesday.
 5 And when the book is over, we have to turn in a
 6 book report.
 7 Half of the time he's not basing the work
 8 on world history. He's going outside, where he's
 9 either doing current events or having us do the
 10 summaries every week.
 11 Q. Okay. And what was this reading book?
 12 This was in addition to your summaries that you do
 13 on a weekly basis; and in addition to the current
 14 events that you do, pulling articles from the
 15 newspaper every week, he also had you read some
 16 book and write a report on it?
 17 A. Correct.
 18 Q. Did everyone read the same book?
 19 A. Well, some of my classes -- some students
 20 got the same literature book, and we still had to
 21 read it. But we all had different books.
 22 Q. Did you all have different stories then?
 23 A. Yes.
 24 Q. Do you remember what your story was on?
 25 A. Mine was -- the name of the book was

1 "Sister Soldier." And the title of the book was
 2 "Coldest Winter Ever."
 3 Q. Code?
 4 A. "The Coldest Winter Ever."
 5 Q. I'm sorry.
 6 A. That's what I had to read.
 7 Q. Did you have a choice?
 8 A. We had a choice to get any book we wanted,
 9 other than a literature book or a book we had to
 10 read for another class.
 11 Q. What did he ask you to do with respect to
 12 the report on the book?
 13 A. He asked questions about the book. One
 14 question said we had to photocopy a page we liked
 15 off the book, seeing if we actually read a book,
 16 because some books have movies to them. And the
 17 key things, that they are not going to read the
 18 book and watch the movie and turn the report in.
 19 So he wanted us to Xerox the page.
 20 One of the questions said, "What part in
 21 the book was your favorite part or favorite page?"
 22 So he will have us Xerox a copy of the book, the
 23 favorite page, and turn it in with our report, to
 24 see if we actually read the book. So that was that
 25 book report.

1 A. It's just he gave us that amount of work.
 2 It's like he doesn't give us book reports all the
 3 time. Just when we finish our book or -- that's
 4 what we get our book reports. And we have them due
 5 by a certain time. Well, he gave us a lot of time
 6 to do our book reports so --
 7 Q. You think you should have less time to do
 8 your book report?
 9 A. No, he gave us a good time. That helps me
 10 catch up, which is his work and my other work in my
 11 other classes.
 12 Q. Do you think he gives you a fair amount of
 13 time to do your book reports?
 14 A. Not our book reports. But our summaries,
 15 he should give us two weeks to do 20 pages, because
 16 he expect us to do a certain amount of pages in a
 17 certain amount of nights, and it's -- we have other
 18 work we have to complete.
 19 Q. You think you should have more time for
 20 your work in his class, not less time?
 21 A. Correct.
 22 Q. Okay. But do you think he's a good
 23 teacher for this, or a bad teacher for this, or
 24 maybe neither? But I'm trying to get your
 25 understanding of how you think [REDACTED] teaches

1 Q. Was that a hard assignment?
 2 A. Not really.
 3 But the questions -- I don't think the
 4 questions were -- like, they were easy, and I'm --
 5 I was suspecting, like, real hard questions on a
 6 book report. So I don't understand.
 7 Q. But he gives you a lot of work, that
 8 teacher?
 9 A. Yes.
 10 (Recess.)
 11 BY MS. STRONG:
 12 Q. So with respect to [REDACTED] do you
 13 have any other complaints regarding his teaching?
 14 A. No.
 15 Q. Other than I think you identified that he
 16 gave a lot of work; and you've identified the three
 17 assignments, the summaries, current events, and
 18 book report. Is that why you believe he's not a
 19 good teacher?
 20 MS. AUCHINCLOSS: Objection,
 21 mischaracterizes your testimony.
 22 BY MS. STRONG:
 23 Q. Is that testimony that you've given on
 24 those issues the reasons why you think that he's
 25 not that good of a teacher?

1 the class.
 2 MS. AUCHINCLOSS: Objection. Vague,
 3 compound.
 4 BY MS. STRONG:
 5 Q. Go ahead.
 6 A. I don't think he's -- it's not even
 7 either. He's not considered a bad or a good
 8 teacher. He's neither. He -- he's just a regular
 9 teacher that gives us a lot of work.
 10 But he's preparing us -- I know the work
 11 he's giving us is preparing us for the next world
 12 history class we have to take. So I understand the
 13 work that he give us now, because next year I know
 14 I'll get more work than I am getting now. I'm
 15 really not complaining that I'm getting a lot of
 16 work, but it's a lot of work I have to complete at
 17 a certain time.
 18 Q. I think we began this as I was asking you
 19 to explain to me some teachers that you thought
 20 weren't really good teachers, or teachers you
 21 considered to be bad teachers. You identified
 22 [REDACTED] and then we began to talk about
 23 [REDACTED]
 24 But am I understanding you correctly now
 25 that you don't think [REDACTED] is a bad teacher?

1 Is that correct?
 2 A. I don't consider him a bad teacher. I
 3 don't like the way he teaches or runs his class.
 4 That's the only thing I don't like.
 5 Q. Is that because you think that he gives
 6 too much work for the amount of time it takes to do
 7 the work? Is that correct?
 8 A. The amount is -- I get something like
 9 that, because he give us a lot of work. But he
 10 expect us to do it in a certain amount of time. It
 11 means that's impossible. But we do have to have it
 12 at a certain time. Or if we turn it in late, he
 13 deducts points from our grade. So it's like it can
 14 really hurt our grade if we are trying to bring up
 15 our grade.
 16 Q. Do you have any other complaints about
 17 [REDACTED]
 18 A. No.
 19 Q. Do you have any other complaints about any
 20 other teacher that you have had while at Crenshaw?
 21 MS. AUCHINCLOSS: Objection. Overbroad.
 22 THE WITNESS: No.
 23 BY MS. STRONG:
 24 Q. Go ahead.
 25 A. No.

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

1 Q. Do you consider yourself to be a good
 2 student?
 3 A. I consider myself to be a -- I'm in
 4 between, I guess. I'm okay. I can get my
 5 grades -- I work as much as I can to what my
 6 ability is in order to do my certain classes. It's
 7 like to be a good student, is it like I make my
 8 efforts to study to make good grades in my classes,
 9 or are you trying to say am I a good student as far
 10 as my grades are concerned?
 11 Q. I wanted to see what you thought of your
 12 own experience at school and whether you considered
 13 yourself a good student, and I'd ask you to explain
 14 why.
 15 Why don't we start with respect -- I kind
 16 of have a sense to your grades. Do you think that
 17 the grades you receive indicate that you're a good
 18 student?
 19 A. Somewhat, so far.
 20 Q. I'm sorry?
 21 A. Somewhat, so far.
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 Q. Okay, good.
 12 And then the other aspect of what a good
 13 student is, as you defined it, was someone who
 14 studies really hard and tries to work to the most
 15 of their potential. I think that's what you said,
 16 correct?
 17 A. Correct.
 18 Q. Do you consider yourself a student who
 19 works really hard and tries to achieve to the best
 20 of your potential?
 21 A. Yes.
 22 Q. Do you think there's anything that you
 23 could do to become an even better student?
 24 A. So far that I can -- mainly that I can do,
 25 that I think I can do, is just try to study more.

1 But that's -- I'm not really having that much time
2 I should or need because of the work I'm doing now.
3 So far, I think I'm a good student, that I'm doing
4 good with my grades in my classes.

5 Q. If you wanted to be an even better
6 student, you think the way to do that would be to
7 study more; is that correct?

8 A. Study more and know the material. And
9 try -- well, try to know the material for that
10 class.

11 Q. And with the Community Coalition and with
12 your mother, do you think that you have got the
13 tools that you need to study more if you'd like to
14 study more?

15 A. So far that I've seen, I have. The UCLA
16 tutors, they really help me with my work because
17 they have been through high school, so they know
18 basically all the materials that I need to cover.
19 Knowing that they haven't been to my school, they
20 know what they have to do and learn.

21 My mom already been in school and college.
22 I know that she knows what she's doing. So
23 basically, yes.

24 Q. So you feel that you have got the tools
25 that you need if you wanted to learn more or become

1 Q. You said, "It's not a matter of resources,
2 it's up to me. It's" -- you said, "It's how much
3 time I need to focus."

4 We can have the court reporter read it
5 back. Do you remember that's what you testified?

6 A. Yes.

7 Q. So I was trying to have you develop that a
8 tad more.

9 Do you mean to say if you were given more
10 time to focus on your studies, that would be what
11 would be most important for you to become an even
12 better student?

13 A. If I was given more time for the work, for
14 the work that was done or turned in, I think I
15 would have a better chance of getting the grade I
16 want to receive. Because the short time I have, I
17 can barely -- it's like I get the good grades that
18 I can get, but -- in that short period of time.
19 It's either raising my grade up or lowering my
20 grade because of the work in my other classes.

21 Q. And have you ever been late to class at
22 Crenshaw?

23 A. Yes.

24 [REDACTED]
25 [REDACTED]

1 an even better student? You have access to that at
2 this point in time; is that correct?

3 MS. AUCHINCLOSS: Objection.

4 Mischaracterizes the testimony.

5 BY MS. STRONG:

6 Q. Go ahead. You can answer.

7 A. At this point in time that if I wanted to
8 become a better student, it's not depending on the
9 resources that I have to become a better student.
10 It's upon me. Because it's, like, I have the work
11 that I can do. And if I don't turn it in on a
12 certain time, that's my fault because I didn't turn
13 it in.

14 But the fact that they gave me short --
15 not that much time, that's not helping me out
16 trying to become a better student that I want to
17 be, because they gave me a short time.

18 Q. So in your eyes, what is most important to
19 you is just the time it takes to focus on your
20 studies; is that correct?

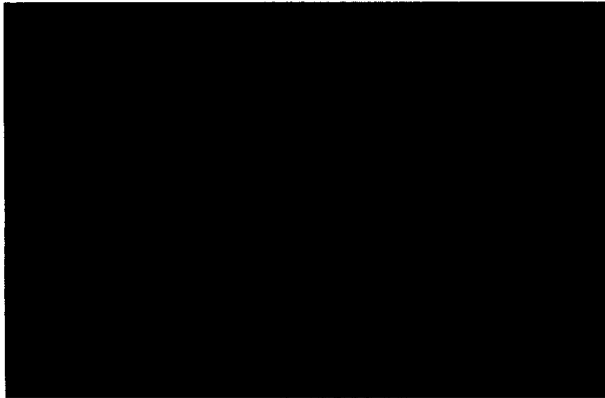
21 MS. AUCHINCLOSS: Objection; object as to
22 form, and mischaracterizes testimony.

23 THE WITNESS: Can you state the question
24 again?

25 BY MS. STRONG:

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2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
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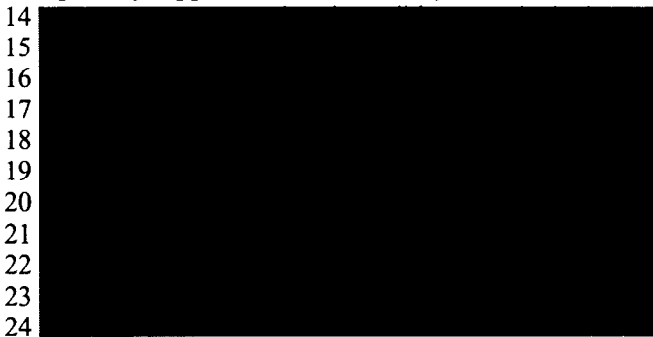
Q. Okay. You said something about you're late because she locks you out of class. Can you explain that to me?

A. Okay. One reason why I would be late is because if I don't have my book, she's going to mark me down for my grade. We have to get our books to go to class.

Or if I have to use the bathroom, which I never can because all the bathrooms are locked and only, like, one bathroom we can use in the main building, and that is really nasty. And so I wouldn't try -- I would attempt to go in there, but

1 Q. Can you bring your book with you to lunch period?

2 A. Yes. But I end up carrying, like, half my
3 books with me, though. If I either put in my
4 locker, I would have to put half my books from my
5 other classes. Sometimes I do need them because
6 I'm either trying to do the summaries during
7 class -- but if I'm doing them in class, I prefer
8 doing them where we have our own free time. So
9 that's when I would bring my books with me. And
10 that's the time -- that's like four books in my
11 backpack, plus like five books I need for my class,
12 plus my supplies and the rest of my other stuff.



14 THE WITNESS: What can I do to avoid that?

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it smells too bad.

If I have to get my book out of my locker and it's really crowded to go towards class -- and it takes me a while to get to my locker. From my locker is -- like, down the hall is our class. So as soon as the bell ring, I could be like two steps from the door, she would slam the door and wouldn't let me in until, like, 10 or 20 minutes later.

Q. What do you do during that time?

A. I have to wait outside until she opens the door.

Q. Do you know if anybody else is late to her class?

A. Some of my friends that I know of. Sometimes they used to be late because they have to try and get their book. And if you was late -- it's like if you forgot your book and walked in the class, she wouldn't let you out, because she says you're in a class, you can't walk out, you can't go get your book. This is, like, before your bell rings. If you walk in the class without your book, she won't let you out.

Q. What happens if you go to that class without your book?

A. She lowers your grade.

1 It's, like, I try to get to class on time, but
2 it's, like, extremely hard to rush to my locker.
3 Or if I have my backpack on me and have all my
4 books, still it's hard getting to class on time,
5 trying to go to fifth period, because I have to
6 go -- it's like going to the second level. It is,
7 like, I start walking before the bell rings, but as
8 soon as the bell rings, it's a lot of people trying
9 to go to class, go to their lockers, and extremely
10 crowded in the hallways. And it takes me a while
11 to get to my class. It's like I could be right
12 here, and my class is all the way in the back, or
13 in the main building, but still in the far corner.
14 BY MS. STRONG:

15 Q. Okay. But what I'm asking is, do you
16 think -- do you think there's anything that you
17 could do to avoid being late to that class with
18 your book in the future?

19 A. Anything I can do? I don't even know
20 anything I can do right now. I have been trying to
21 get to class on time.

22 Q. I understand. Sometimes it's hard to get
23 places on time.

24 For example, do you think it would help if
25 you brought your geometry book to the lunch period

1 with you?
 2 A. To the lunch period?
 3 Q. Do you think it would be helpful to you if
 4 you could bring your geometry book to class with
 5 you to the lunch period, so that from lunch you
 6 could just go straight to the class without having
 7 to stop at your locker first? Do you think that
 8 would be something that would help you get to class
 9 on time?
 10 A. You are trying to say have the whole class
 11 with me? I'm not understanding the question.
 12 Q. That's perfect. I appreciate that.
 13 What I'm asking is, do you think it would
 14 help you get to class, your geometry class on time,
 15 with your book, if you would take your geometry
 16 book with you to lunch and then go -- when the
 17 lunch period ended, go straight to your geometry
 18 class with your book? Do you think that would help
 19 you get there on time with your book?
 20 A. No.
 21 Q. No?
 22 A. I do that now.
 23 Q. You do take your geometry --
 24 A. I have all my books in my backpack. I
 25 know if I try to put some in my locker before I try

1 you and went straight to class and you were late?
 2 A. I could say -- I could answer about two or
 3 three times.
 4 Q. Is it for any other reason other than what
 5 you've already described to me so far, those times
 6 that you were late? Was it for any reason other
 7 than you've -- what you've explained, which is that
 8 the halls were crowded and it was difficult for you
 9 to get through the halls to your classroom?
 10 A. Those are all the reasons, that's why I
 11 would be late.
 12 Q. Okay. Well, there anything else that you
 13 can do? For example, can you leave the lunch
 14 period a little bit early to get to your class?
 15 A. That's what I do. I do that now and try
 16 to get on time.
 17 Q. And now that you do that, have you been
 18 able to get to class on time, leaving the lunch
 19 period a little bit early?
 20 A. I do that now, but I -- this Thursday I
 21 left early, and I still was late.
 22 Q. Why was that?
 23 A. Because it was very crowded in the
 24 hallways. And it was, like, people are walking
 25 slow, and I have to try to go around them, and it

1 to go to class, I know I'll be late. And if I
 2 don't go to my locker, I still end up being late or
 3 getting locked out the classroom, because it's a
 4 lot of people in the hallway, and it's a hard time
 5 trying to go up the steps and going towards your
 6 class. And so much things going on in the hallway.
 7 Crowded.
 8 Q. You said almost being late. You are not
 9 late; is that correct?
 10 MS. AUCHINCLOSS: Objection.
 11 THE WITNESS: Am I not late when I try to
 12 just have my book on me?
 13 BY MS. STRONG:
 14 Q. Correct.
 15 A. Sometimes I'm almost late.
 16 Q. But you haven't yet had that experience
 17 when you've brought your geometry book with you to
 18 lunch and then you've gone straight from lunch to
 19 class; you've not been late yet? Even though it's
 20 been close, you haven't been late; is that correct?
 21 A. I have been late.
 22 Q. You have been late in that circumstance?
 23 A. Yes.
 24 Q. How many times has that happened to you,
 25 where you brought your geometry book to lunch with

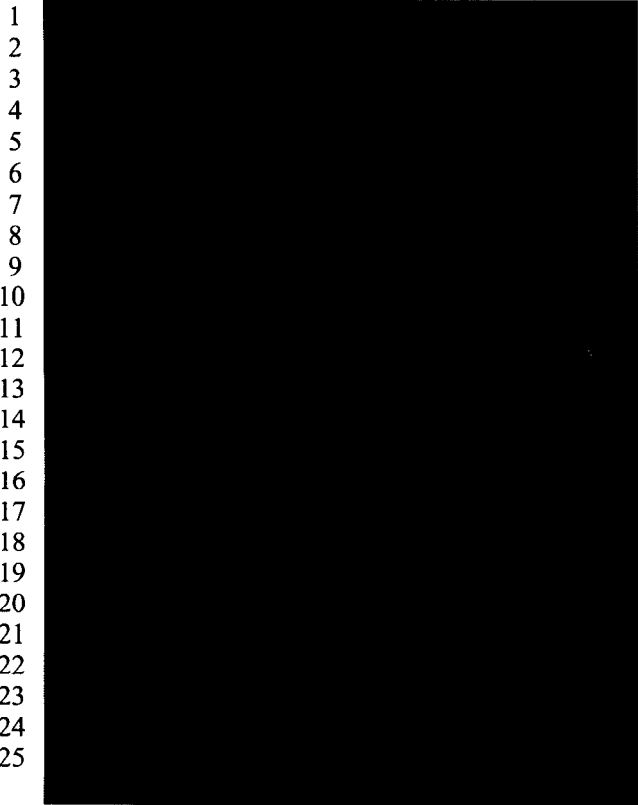
1 was, like, really packed, and it was hard trying to
 2 go -- to make it to my one class.
 3 Q. Was anyone else late to class this
 4 Thursday, this last Thursday that you were late to
 5 class?
 6 A. No.
 7 Q. You were the only student that was late to
 8 class?
 9 A. (Unreportable response.)
 10 Q. Does everyone go to lunch at the same time
 11 in your school?
 12 A. Yes.
 13 Q. So all of the other students were able to
 14 make it from the lunch period to the geometry
 15 class, except you, last Thursday?
 16 A. Yes.
 17 Q. Do you know why that was?
 18 A. Because -- I don't even know why. Because
 19 this week I was the only person that was actually
 20 late this week. But for other times, other weeks,
 21 it wouldn't just be me. It would be other
 22 students.
 23 Q. But you don't know -- I'm referring to
 24 just this last Thursday. You don't know why you
 25 were the only student that didn't make it to class

1 on time this last Thursday?
 2 A. Yes.
 3 Q. Did you talk to anyone on the way?
 4 A. (Unreportable response.)
 5 Q. Sometimes that happens, you get distracted
 6 on your way.



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1 A. No.
 2 Q. Have you ever been disciplined for
 3 disrupting class in any way at Crenshaw?
 4 A. What do you mean by disrupting?
 5 Q. The same like with respect to the last
 6 question.
 7 A. No.
 8 Q. Have you ever disrupted class?
 9 A. No.
 10 Q. Have you ever been sent to the principal's
 11 office by a teacher at Crenshaw, or any counselor's
 12 office, since you have been at Crenshaw?
 13 A. No.
 14 Q. Do you know what you're going to do when
 15 you graduate from high school?
 16 A. Yes.
 17 Q. What are you going to do?
 18 A. Interior designer or fashion designer.
 19 Q. And you -- do you think that you're going
 20 to go to school for that?
 21 A. Yes.
 22 Q. Do you know if there are any special
 23 requirements to get into a fashion designer school?
 24 A. Not that I know of right now. But I'm
 25 looking on the Internet to see if there are, or



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1 where to get into certain colleges for fashion or
 2 interior design, anything.
 3 Q. How many students attend Crenshaw, do you
 4 know?
 5 A. I do not know. I could estimate about
 6 2,000 or less. But I think it's 2,000 at Crenshaw.
 7 Q. Do you know if the student population has
 8 increased or decreased this year as opposed to last
 9 year?
 10 A. Since 9th-grade year, it increased.
 11 Q. So from -- how do you know that?
 12 A. Many people that went to Crenshaw, they
 13 are here, and it was a big increase when people
 14 came to Crenshaw and checked into certain grades.
 15 So it's, like, our -- it's, like, our graduation
 16 class, our graduation class increased this year,
 17 because just now, people checking into Crenshaw for
 18 this semester.
 19 Q. Okay. I want to know if you think that
 20 the entire student population, all the students
 21 that were attending Crenshaw last year, was less
 22 than the number of students total attending
 23 Crenshaw this year. Do you know one way or the
 24 other?
 25 A. No, I think it was the same. I think

1 it's -- but including them, it's more. It's all of
 2 them that was there last year in 9th grade are
 3 still there.
 4 Q. Are you referring to the 9th-grade class,
 5 or entire school?
 6 A. The entire school.
 7 Q. So that you think that the amount of
 8 students that were attending Crenshaw last year is
 9 lower than the number of students attending
 10 Crenshaw this year? Or week -- say it vice versa:
 11 The number of students attending Crenshaw this year
 12 is higher than the number of students attending
 13 Crenshaw last year? Is that what you understand
 14 the situation to be?
 15 A. Wait a minute. You're trying to say it
 16 was, like, the amount of students that would attend
 17 Crenshaw last year was lower or higher?
 18 MS. AUCHINCLOSS: That's what she's asking
 19 you.
 20 BY MS. STRONG:
 21 Q. I'm asking either way. I want to know
 22 what your understanding is. I don't know. I'm not
 23 there. I'm asking you what you believe the
 24 situation to be.
 25 A. I believe last year it was higher. And

1 now the whole population in the school was higher
 2 last year. And now this year it's even higher.
 3 Q. Okay. And what do you base that on?
 4 A. I base that on the population. It's,
 5 like, I go by, like, starting the years that people
 6 graduate, like, since people graduated last --
 7 like, the whole senior year, same class going. But
 8 there was a lot of people last year, all together.
 9 But now this year, it's still more -- it's more
 10 than it was last year. It's, like, both years --
 11 Q. I understand that you think it's more this
 12 year. I'm wondering why you think it's more this
 13 year. I'm not quite understanding.
 14 A. Why do I think? It's like --
 15 Q. Did someone tell you it's more this year?
 16 I'm trying to understand why it is that you believe
 17 that there are more students this year.
 18 A. Actually, somebody told me there's more
 19 this year.
 20 Q. Do you know who told you that?
 21 A. My friend. I think she works at the
 22 library. She said it's more students this year
 23 that checked in Crenshaw than they did last year.
 24 Q. More students checked into Crenshaw this
 25 year than last year? And that would be the 9th

1 grade student class?
 2 A. All the students.
 3 Q. Okay. Do you know who this person in the
 4 library is?
 5 A. Yes.
 6 Q. What's her name?
 7 A. Ashley Allen.
 8 Q. Is she a student?
 9 A. Yes.
 10 Q. What grade is she in?
 11 A. 11th.
 12 Q. Other than this comment from Ashley Allen,
 13 is there any other reason why you believe that
 14 there are more students at Crenshaw this year than
 15 last year?
 16 A. For example, in the halls it's, like, it
 17 wasn't as packed as it was last year. And it's --
 18 like, this year it's -- like, trying to make it to
 19 class has made it very hard because it's really
 20 packed.
 21 Q. So you think the halls are more crowded
 22 this year than last year; is that correct?
 23 A. Correct.
 24 Q. Is there any other reason why you think
 25 that there are more students at Crenshaw this year

1 than last year?
 2 A. No.
 3 Q. Do you know how many students the school
 4 can hold?
 5 MS. AUCHINCLOSS: Objection. Vague as to
 6 "hold."
 7 THE WITNESS: No.
 8 BY MS. STRONG:
 9 Q. Do you understand my question?
 10 A. How many students are actually -- that I
 11 see in the classroom, or are you talking about just
 12 in the whole entire school all together?
 13 Q. Yeah, how many students in the entire
 14 school. What's the capacity of the school?
 15 Do you understand what that means?
 16 A. Like how big the school is?
 17 Q. How many students can attend the school.
 18 MS. AUCHINCLOSS: Objection. Calls for
 19 expert testimony.
 20 THE WITNESS: I do not know.
 21 BY MS. STRONG:
 22 Q. Okay. Do you know how many students can
 23 be enrolled in an individual class at Crenshaw?
 24 A. Are you talking how many students can be,
 25 like, in a magnet class or regular class?

1 Q. Is it different for the two?
 2 A. I believe it is. I am not sure. But I
 3 know for a magnet class, there only could be 30
 4 students.
 5 Q. You think it may be different for an
 6 ordinary school class, different than a 30-student
 7 limit, but you don't know one way or the other?
 8 A. I don't know one way or the other.
 9 Q. Okay. Out of your classes at Crenshaw
 10 during the past year and a half, which class had
 11 the largest number of students?
 12 MS. AUCHINCLOSS: Objection. Overbroad.
 13 THE WITNESS: Which class? I can think
 14 about my -- at first, my Spanish and my teacher
 15 training class.
 16 BY MS. STRONG:
 17 Q. This is first year? Meaning 9th grade?
 18 A. I'm meaning 9th grade, first semester.
 19 9th grade, Spanish, teachers training, and PE.
 20 Q. Those you consider your largest classes?
 21 A. Those are my largest classes.
 22 But the only classes, like, it really
 23 wasn't -- they really didn't take that many
 24 students from was my teaching training class.
 25 Q. Okay. Let's start with your PE class.

1 So I really don't know.
 2 Q. When you say there were 36 students in the
 3 class, is that after students checked in and out
 4 during the first week of school?
 5 A. This was when I first was in the class.
 6 Everyone was actually checked in, but the number
 7 had actually decreased, I can probably estimate to
 8 about 29 or 30. I'm not sure.
 9 Q. This is your PE class during the first
 10 year, correct?
 11 A. Correct.
 12 Q. Okay. So just to make sure I understand
 13 it -- sorry, but we have to have a clear record.
 14 During the first week of your PE class,
 15 during 9th-grade year, you think there were
 16 approximately 36 students in the class?
 17 MS. AUCHINCLOSS: Objection.
 18 Mischaracterizes the testimony. She has not said
 19 first week at all.
 20 BY MS. STRONG:
 21 Q. Is that correct?
 22 A. Correct. I think I can approximate when I
 23 checked into the class, it could have been 36
 24 students in the class.
 25 Q. And then that number changed, it decreased

1 How many students in your PE class for --
 2 is this during the entire 9th-grade year or your
 3 first semester?
 4 A. Basically all students in the first
 5 semester changed in the second semester. Some did
 6 get checked in and some did get checked out.
 7 Q. The class proceeded for a year?
 8 A. Correct.
 9 Q. With respect to your PE, students for that
 10 year, how many students were in that class, to the
 11 extent that you can remember?
 12 MS. AUCHINCLOSS: Objection. Vague as to
 13 time.
 14 THE WITNESS: I can estimate about 36, but
 15 I'm not exactly sure.
 16 BY MS. STRONG:
 17 Q. Okay. And did this number change at all?
 18 When you first entered in PE class, were there more
 19 students than later on in the semester?
 20 A. It actually decreased, because there
 21 was -- like, they wanted to transfer the class and
 22 they couldn't. Only a certain amount of students
 23 could be in certain classes. But the number of
 24 students that would decrease out the class, I don't
 25 know, and the number of students that checked out.

1 to approximately 29; is that correct?
 2 A. Correct.
 3 Q. Okay. And when do you think it decreased
 4 to approximately 29 students? How long after the
 5 first day of school?
 6 A. I'd say -- I can actually say about the
 7 second and third week of school.
 8 Q. Okay. By the second or third week of
 9 school.
 10 And did you explain to me earlier that the
 11 changing of schedules takes place during the first
 12 week? Is that correct?
 13 A. Because it's, like, for PE classes, it all
 14 changed a lot, until we really get a steady
 15 schedule, around the fourth or fifth week of
 16 school.
 17 Q. By the end of the first week of school, do
 18 you remember how many students were in your first
 19 week of class?
 20 A. No.
 21 Q. Had it decreased from 36?
 22 A. Yes.
 23 Q. You don't know if it decreased all the way
 24 to 29 students; is that correct?
 25 A. Correct.

1 Q. And then for the remainder of the year,
2 did it stay around 29 students, give or take a few
3 students?

4 A. It stayed -- it didn't decrease or
5 increase. It was, like, we just had the same
6 amount of students for that class.

7 Q. Throughout the entire first year of your
8 PE class, 9th-grade PE class; is that correct?

9 A. Correct.

10 Q. Let's go to your Spanish class. Your
11 Spanish class, first in 9th, your first year of
12 Crenshaw, when you first entered the class, how
13 many students were in the class, approximately?

14 A. Approximately about 34.

15 Q. And did the number of students in your
16 Spanish class change at some point in time?

17 A. No.

18 Q. Did you have 34 students in your Spanish
19 class during the entire first year at Crenshaw?

20 A. Yes.

21 Q. And with respect to your teachers training
22 class, teacher training class, how many students
23 enrolled in that when you first entered the class?

24 A. I can't -- oh, man. I don't know. In the
25 beginning there were -- I can approximate 40

1 A. No.

2 Q. Is it possible that more than five
3 students, based on your recollection, checked out
4 of class during the first week of school?

5 MS. AUCHINCLOSS: Objection. Calls for
6 speculation.

7 THE WITNESS: Would you repeat the
8 question?

9 BY MS. STRONG:

10 Q. Yes. Based on your recollection of being
11 in that teacher training class in your 9th-grade
12 year, do you think it's possible that more than
13 five students checked out during the first week of
14 school?

15 MS. AUCHINCLOSS: Same objection.

16 THE WITNESS: More than five? I'm not
17 absolutely sure how many actually checked out. It
18 could have been more than five or less than five.
19 But I'll probably say more than five, but I'm not
20 actually sure.

21 BY MS. STRONG:

22 Q. Okay. And then once the class reached
23 approximately 30 students, did it maintain that
24 number of students in the class during the entire
25 year?

1 students.

2 Q. Okay.

3 A. But all of them didn't actually check in
4 because of the roll sheet. It was like three
5 papers long because that's how many were in our
6 class. And then about -- about the 5th or 6th week
7 of school it decreased to approximately 30. And
8 then it finally got to at least -- yeah, I'd say
9 about 30 students.

10 Q. Do you know if any students were checked
11 out of your teacher training class during the
12 9th-grade year during the first week of school?

13 A. Yes.

14 Q. Do you know how many were checked out
15 during the first week of school?

16 A. No.

17 Q. Do you know more or less? Was there
18 approximately five students checked out or more?

19 MS. AUCHINCLOSS: Objection. Compound;
20 asked and answered.

21 If you know, you can answer.

22 THE WITNESS: I don't know.

23 BY MS. STRONG:

24 Q. You don't know how many checked out during
25 the first week?

1 A. No. Because in my second semester in that
2 class a lot of them checked out because they had to
3 take another required class and half of them were
4 seniors. So a lot of the seniors were -- well,
5 basically almost all the seniors checked out the
6 class so they could take a different class.

7 Q. Okay. So the number of students in your
8 class for your teacher training class during your
9 9th-grade year decreased during the second
10 semester?

11 A. Correct.

12 Q. So it was under 30 for the second
13 semester?

14 A. Correct.

15 Q. Do you know how many students were in the
16 class during your second semester?

17 A. I could estimate about 25.

18 Q. Those were the three largest classes that
19 you've had during your 9th-grade year; is that
20 correct?

21 A. Correct.

22 Q. The remainder of your classes, were they
23 all 30 students or less?

24 MS. AUCHINCLOSS: Objection. Overbroad.

25 BY MS. STRONG:

1 Q. During your 9th-grade year.

2 A. Were they all large or --

3 Q. No, I'm sorry. You described three of
4 your largest classes during the 9th-grade year,
5 which is Spanish, teacher training and your PE
6 class, and we've gone through the details with
7 respect to each.

8 What I'm asking you now is with respect to
9 your other classes that you had during 9th grade,
10 were the number of students in those classes less
11 than 30 during the year, 30 or less during the
12 year?

13 A. There --

14 MS. AUCHINCLOSS: Same objection.

15 THE WITNESS: There were at least 30
16 because half of them checked out the class because
17 they didn't want the class or they didn't like the
18 teacher. So that's how it -- the other classes
19 were decreased. And my honors English class there
20 were only eight students in there. So there really
21 wasn't many students to begin with.

22 BY MS. STRONG:

23 Q. Maybe I can rephrase this differently. I
24 think we understand each other, but so the record
25 is clear. The remaining classes you had during the

1 because that was my teacher training class and they
2 said it was overcrowded. So we got checked into --
3 all the students that I came from, at least two or
4 three teacher training classes got checked into a
5 regular Spanish class because our classes were too
6 crowded and we were like 36 -- that was one of the
7 classes I'd like 36 students in there. And that's
8 why they had to check us out.

9 Q. I'm a little confused. Is this your
10 teacher training class or Spanish class?

11 A. It's a teacher training class. It's like
12 our Spanish class. It has a title teacher training
13 II because it's like --

14 Q. It's a combination Spanish teacher
15 training class?

16 A. No. How shall I put this? It's hard to
17 understand because certain classes there are
18 teacher training classes. It's not they don't
19 teach us teacher training in Spanish, but it's --

20 Q. Do you mean it's a teacher training magnet
21 class?

22 A. Right.

23 Q. All right. So if it's a teacher training
24 magnet class, that would be your Spanish class?

25 A. Spanish II-A. But they checked us out and

1 9th-grade year, none of those had more than 30
2 students in the class; is that correct?

3 A. Correct.

4 MS. AUCHINCLOSS: Objection.
5 Mischaracterizes testimony.

6 THE WITNESS: None of them had more than
7 30 students?

8 BY MS. STRONG:

9 Q. Correct, that's what I'm asking.

10 A. Yes, none of them had more than 30
11 students.

12 Q. Okay. Now, with respect to your
13 10th-grade year, what has been your largest class
14 during your 10th-grade year?

15 A. I have to think about it. Boy, it's
16 really hard to think about your classes.

17 Q. Are there any that you think are really
18 large this year?

19 A. Yes, but I forgot my classes. Where do I
20 have second period? Oh, Spanish. Spanish I have
21 got checked out with my class.

22 Q. I'm sorry?

23 A. In my first year, Spanish 2-A, in the
24 fourth week of school I got checked out my class
25 and I was the -- I was about to turn in some work

1 I was about to turn in the work and I had to check
2 out the class because -- no, they actually checked
3 me out the class without me knowing when I came
4 back to school because it was too crowded.

5 Q. I have a few questions now. With respect
6 to Spanish class, I thought you were enrolled in
7 regular Spanish class, not part of your magnet. Is
8 that correct or not?

9 A. Can you repeat it?

10 Q. Your Spanish class, is that part of the
11 teacher training magnet or part of the ordinary
12 school?

13 A. It's part of the teacher training magnet.

14 Q. Were you ever enrolled in a Spanish class
15 in your school that was not part of the teacher
16 training magnet?

17 A. No. All my classes like the main classes
18 I needed to graduate with are teacher training
19 classes. But this year they gave me -- after I had
20 gotten checked out of my teacher training class,
21 they gave me a regular Spanish class.

22 Q. Okay.

23 A. And a couple days ago people got checked
24 out the class and I don't know now.

25 Q. Now, with respect to your first year at

1 Crenshaw you identified three large classes, a
2 Spanish class, a teacher training class and a PE
3 class. What teacher training class are you
4 referring to? I thought it was a class called
5 teacher training. Maybe I'm not understanding it.

6 A. You're correct, it was an actual teacher
7 training class.

8 Q. I want to make sure we're clear.

9 A. Some classes have the title of teachers
10 training on them but they don't have teacher
11 training. They don't have Spanish teacher
12 training. They don't have the title. It's a
13 regular class. That's why because by law my
14 teacher told me they can only have 30 students
15 instead of 36 and they kicked us out.

16 Q. So the record is clear, that your teacher
17 training class during 9th grade that you identified
18 in your prior testimony as one of your larger
19 classes was actually called teacher training?

20 A. Correct.

21 Q. Before we get to the details of your
22 Spanish class in 10th grade, are there any classes
23 you would identify as being large classes for your
24 10th-grade year?

25 A. Not the ones I named. That's the only

1 classes I know that this year -- last year were my
2 big classes.

3 Q. And I'm now referring to your 10th-grade
4 year. Can you think of any other classes that you
5 consider to be a large class for your 10th-grade
6 year other than the Spanish class?

7 A. Oh, my 10th-grade year now?

8 Q. Correct.

9 A. My students student got checked out my
10 world history class. They checked 13 students out
11 because they said in the beginning of the year
12 Miss Silverstein said she's going to need to check
13 out students but not yet. So it's toward the
14 report card. Thursday they checked the students
15 out.

16 Q. So you have got world history you want to
17 talk about and Spanish class. Is there any other
18 class that you would identify as being a large
19 class that you are enrolled in for your 10th-grade
20 year?

21 A. My fourth period PE, that's a big class.

22 Q. Any other classes?

23 A. And that's it.

24 Q. With respect to your Spanish class for
25 your 10th-grade year, Spanish II-A, correct?

1 A. Correct.

2 Q. How many students were there when you
3 first enrolled in the class?

4 A. I don't know. I don't know how many
5 students are enrolled into the class.

6 Q. Approximately.

7 A. Approximately 34. I'm not sure.

8 Q. Okay. Did the number of students in that
9 class change after the first day of class?

10 A. No, not until that fourth week of school.

11 Q. Okay. And what happened during the fourth
12 week of school in your Spanish class?

13 A. I along with two other students got
14 checked out the class.

15 Q. Okay. So you and one other student are
16 the only two students checked out of the class from
17 your knowledge?

18 A. Yes. No, there were two more.

19 Q. Okay. So --

20 A. All together three of us got checked out
21 that class.

22 Q. You, along with two other students. I
23 apologize.

24 Do you know of any other students who have
25 been checked out of the class?

1 A. After the class I had last semester --
2 well, this semester -- well, I mean this semester,
3 that's -- my Spanish II-A class, I don't know of
4 any other students that got checked.

5 Q. Do you know why you were checked out of
6 the Spanish II-A class during the fourth week of
7 the year?

8 A. All I was told was because it was too
9 packed and only could have a certain amount of
10 students in that class.

11 Q. Did you ask to be checked out of the
12 class?

13 A. No. I asked to be checked back in the
14 class.

15 Q. You wanted to stay in that class?

16 A. I would say that I would stay. She was
17 saying there were not enough desks and people were
18 sitting in the back of the class where they was,
19 like, facing the wall. It was extremely packed in
20 the class. There wasn't enough desks for people.

21 But I was willing to stand up if it was
22 necessary just to be back in that class. But she
23 said it was too packed and Miss Silverstein, which
24 is my counselor, she wasn't going to let me back in
25 the class because she said I had to go to a

1 different class.

2 I asked her, well, how it came to pick my
3 name to be checked out of the class. She said she
4 collected three people out of the class.

5 Q. The teacher did or who selected?

6 A. Miss Silverstein just happened to select
7 me and to go check into a regular class. And I'm
8 now just finding out that this is a regular class.
9 This is not -- I'm supposed to be in a teachers
10 training Spanish class, not a regular Spanish
11 class. And I told her that -- I attempted to tell
12 her that, but she wasn't at her desk.

13 Q. Who?

14 A. Miss Silverstein.

15 Q. So you haven't yet had an opportunity to
16 tell her that the class that you have been checked
17 into is a non-teacher training Spanish class? Is
18 that what I'm understanding?

19 A. Correct.

20 Q. When did you try and tell her this?

21 A. I can approximately say about two weeks
22 ago.

23 Q. Okay. Do you know what week of school
24 you're in right now?

25 A. I'd say about the 14th week.

1 A. He's okay. But the work that I get is
2 like it pertains to Spanish, but it's like we don't
3 really -- he just give us the work to do and tell
4 us conjugate the verbs in Spanish and stuff like
5 that.

6 Q. Is the work in Mr. G's class different
7 than the work in Miss Ortiz's class?

8 A. Yes.

9 Q. How is it different?

10 A. In Miss Ortiz's class she would give us
11 homework to do when we -- she would have us do
12 extra credit like start off in the class. We get
13 extra credit when we first walk in. We would have
14 warm up to do. We'll have homework to do. We'll
15 have like a lot -- anything to give us a lot of
16 points to get a good grade in the class. But in
17 Mr. G class, it's like half -- which I don't
18 understand half our grade is based on
19 participating. You can do all your work and not
20 participate and still receive a fail. And that's
21 why I still don't understand.

22 And the way -- we don't even get homework
23 because we don't have books. We don't have one
24 class set. The class set that we have is horrible
25 because half the books have graffiti in them, torn

1 Q. The 14th week. And you were transferred
2 out approximately at the fourth week?

3 A. Correct.

4 Q. And then you talked to Miss Silverstein
5 about the new class you were in approximately on
6 the 12th week of school?

7 A. That is correct. Yeah. Actually, the day
8 I was checked out the class my mom called the next
9 day to ask why I was checked out. She was never
10 told that I was and I was never told that I was
11 going to get checked out the class. And she
12 actually told my mom was it's too crowded in the
13 class and she can't check me back in class and she
14 has to stay in the class that she's in. And that's
15 all I was told. And that was it.

16 Q. Okay. So who was your teacher in your
17 Spanish class for the first four weeks of school?

18 A. What was her name? Miss Ortiz.

19 Q. Miss Ortiz. Did you like Miss Ortiz?

20 A. Yes.

21 Q. And who is your Spanish teacher now?

22 A. Name is Mr. G.

23 Q. Mr.?

24 A. G.

25 Q. Okay. Do you like Mr. G?

1 out. Pages are torn out in the back. It's like if
2 you wanted to translate a word, half the books
3 could go up to "T" in English or in Spanish. It's
4 like -- and we could have a few books that are
5 good.

6 Q. I want to talk about your books in your
7 classes a little bit later. I'm just trying to get
8 a sense of the numbers in these classes and what
9 happened in terms of transferring from one class to
10 the next right now. Okay?

11 Can you think of any other ways in which
12 Mr. G's class is different than Miss Ortiz's class?

13 A. It's the way they both work in class.
14 Like she would give you time to do your work, and
15 she won't base all your credit on participation.
16 It's like if you really don't participate and
17 actually do all your work, that is, quote, required
18 to for the class, you can get the grade that you
19 think you deserve.

20 But in Mr. G's class you can do
21 everything, everything that is possible besides
22 participate, and you could still receive a fail
23 because you --

24 Q. Because he thinks it's important to
25 participate?

1 A. He thinks it's important to participate in
2 that class. Basically all the participation is
3 what you have to do is say the word that you
4 conjugated for the day. You have to say that word
5 in a sentence.

6 Q. The participation requires you to state
7 the word that you conjugated during the day in a
8 sentence?

9 A. Yes.

10 Q. Have you been able to participate in the
11 class?

12 A. Yes.

13 Q. That's not going to present a problem with
14 you with respect to your grade in the class; is
15 that correct?

16 MS. AUCHINCLOSS: Objection.
17 Mischaracterizes testimony. Objection as to form.

18 BY MS. STRONG:

19 Q. Go ahead.

20 A. What do you mean by -- can you rephrase
21 the question?

22 MS. STRONG: Can you read it back.

23 (The following question was read by the
24 reporter):

25 "Q. That's not going to present a

1 respect to how to conjugate the words?

2 A. Conjugate, I don't have I have a problem
3 with.

4 Q. Pronouncing them, is that the main issue?

5 A. Pronouncing the words.

6 Q. Can you ask Mr. G for help in pronouncing
7 the words?

8 A. I can, but half the time he's really busy
9 trying to help students. He be trying to walk back
10 and forth around the classroom.

11 Q. Can you think of a time when you wanted
12 help from Mr. G that you didn't get help?

13 A. I can think of a time this week, week
14 before. Like if I wanted to get help for work,
15 everybody would call for his name. He would pay
16 more attention to people than he would do to
17 certain people.

18 Q. So can you go to Mr. G after class and ask
19 for help?

20 A. I can. But he says I have to come back at
21 lunch. And when I do come back at lunch, he's not
22 there.

23 Q. Have you ever tried to make an appointment
24 with him to meet him at lunch?

25 A. Yes.

1 problem with you with respect to your
2 grade in the class; is that correct?"

3 BY MS. STRONG:

4 Q. Now I'll rephrase for you.

5 You've explained to me that your concern
6 with Mr. G's class is because so much of your grade
7 is dependent on participation; is that correct?

8 A. Correct.

9 Q. And you also explained to me that you do
10 participate in that class as required; is that
11 correct?

12 Do you have any reason to believe that
13 Mr. G's emphasis on participation in going to pose
14 a problem for you with respect to how well you do
15 in that class?

16 A. How shall I do this? In a way I do and in
17 a way I don't. If I don't participate, it's
18 because I don't understand the question -- no, not
19 the question, but the word and how should I
20 conjugate it into a sentence. If we can't
21 pronounce the word right, we don't get the credit
22 for it. So when I try to do it, I either get the
23 credit where I can or can't. Sometimes it can hold
24 a grade against me in that class or it can't.

25 Q. And can you ask Mr. G for help with

1 Q. You have?

2 A. (Unreportable response.)

3 Q. Were you able to meet with him?

4 A. No. He wasn't there.

5 Q. How many times did that happen where you
6 tried to make an appointment with him and he didn't
7 meet you for lunch?

8 A. So far twice.

9 Q. Have you ever been able to meet with Mr. G
10 at lunch?

11 A. No.

12 Q. Have you tried to meet with Mr. G at any
13 other time, after school, for example?

14 A. No.

15 MS. AUCHINCLOSS: We're at 12:45.
16 Wherever a good breaking point is.

17 BY MS. STRONG:

18 Q. Do you know how many students are in
19 Mr. G's Spanish class?

20 A. I estimate about 20.

21 Q. How many?

22 A. 20.

23 Q. Even with 20 students in the class, you
24 feel there are too many students in the class for
25 you to get attention from Mr. G; is that correct?

1 MS. AUCHINCLOSS: Objection.
 2 Mischaracterizes testimony.
 3 THE WITNESS: It's like -- could you
 4 rephrase the question?
 5 BY MS. STRONG:
 6 Q. You just explained to me that there are
 7 times when you've asked for help in Mr. G's class
 8 but there are too many students in the class for
 9 you to get the help. Is that what you stated in
 10 your prior testimony?
 11 Correct me if I am wrong. I don't mean to
 12 misstate your testimony.
 13 A. Yes.
 14 Q. That is what you stated?
 15 A. Yes.
 16 Q. And so you believe that with 20 students
 17 in the class, in Mr. G's class, there's still too
 18 many students in the class for you to get the
 19 attention you need in that Spanish class; is that
 20 correct?
 21 MS. AUCHINCLOSS: Objection as to form.
 22 THE WITNESS: Yes.
 23 BY MS. STRONG:
 24 Q. I'm sorry?
 25 A. Yes.

1 Q. How many student do you think it would be
 2 appropriate to have in that class for you to
 3 receive the proper attention that you would like to
 4 receive in that Spanish class?
 5 A. I think maybe at least 15 students in that
 6 class. In a bigger classroom it would be very
 7 easier to get us, the students, than it is now.
 8 Because the classroom is like half this size
 9 (indicating). Well, half this size and a little
 10 bit wider.
 11 And it's, like, really hard trying to move
 12 around the tables and trying to help the students.
 13 And everybody is calling his name to try to get his
 14 attention so he can help them with their work. He
 15 won't get to all the students because they don't
 16 know -- sometimes they don't know what they are
 17 doing.
 18 Q. And in Miss Ortiz's class you stated there
 19 were approximately 34 students; is that correct?
 20 A. Yes.
 21 Q. And do you feel that you were able to get
 22 the attention that you thought was appropriate for
 23 you in Miss Ortiz's Spanish class?
 24 A. No.
 25 Q. But you would prefer to be in Miss Ortiz's

1 class?
 2 A. Yes. It's because that she gives -- like
 3 she could help you after class. She helps you with
 4 your work. Even though there's a lot of students
 5 in that class, after class, lunch or nutrition, she
 6 stays behind and helps students when they don't
 7 know what they are doing and help them boost up
 8 their grade. I think she stays after school until
 9 4:00. So she helps them after school also. But
 10 I'm not sure. I know for a fact that during lunch
 11 and nutrition she stays in there and helps
 12 students.
 13 Q. She is like Mrs. Smith? You like her
 14 because she's willing to come and give her time to
 15 the students out of class and to help those
 16 students who need the extra assistance; is that
 17 correct?
 18 A. Correct.
 19 MS. STRONG: Maybe we better take a break.
 20 (At the hour of 12:44 P.M., a luncheon
 21 recess was taken. The deposition resumed at
 22 1:30 P.M., the same persons being present.)
 23
 24
 25

1 LOS ANGELES, CALIFORNIA; SATURDAY, DECEMBER 1, 2001
 2 1:30 P.M.
 3
 4 THE REPORTER: Did you want a copy of the
 5 deposition?
 6 MS. FLOYD: Yes, please.
 7
 8 EXAMINATION (resumed)
 9
 10 BY MS. STRONG:
 11 Q. Do you remember all of the admonitions
 12 that we discussed this morning? And I assume --
 13 let me rephrase that.
 14 Do you remember at the beginning of the
 15 deposition when I went through all of the
 16 procedures of how we would proceed with this
 17 deposition today?
 18 A. Yes.
 19 Q. Good. Okay. And so do you have any
 20 questions regarding any of them? Would you like me
 21 to remind you of what those are or do you remember
 22 them?
 23 A. Remind me, please.
 24 Q. Okay. I will try and briefly go through.
 25 It's important that you explain to me if you don't

1 understand the question that I've asked. Please
2 stop me and let me know that, and I will rephrase
3 the question for you or attempt to rephrase it or
4 restate for you.

5 You have to give verbal answers today
6 given that we have a court reporter who is trying
7 to take down all of our testimony.

8 A. Okay.

9 Q. It's important that you do that. It's
10 also important that you give full and complete
11 testimony today. And if at any time you remember
12 something that you'd like to address that we had
13 discussed earlier, please let me know because we
14 are going to assume that you have given full and
15 complete answers here today.

16 Do you understand that?

17 A. Yes.

18 Q. Okay. And also if you need a break at any
19 time, you'll let me know that. Correct?

20 A. Yes.

21 Q. Okay. Did you have anything at lunch, any
22 substance or medication that would cloud your mind
23 in testifying here today?

24 A. No.

25 Q. Before we took our lunch break we were

1 for world history.

2 Q. Okay. That class never went down to 30
3 students like your other teaching training magnet
4 classes?

5 MS. AUCHINCLOSS: Objection as to form.

6 THE WITNESS: This Thursday they took 13
7 students out the class just now.

8 BY MS. STRONG:

9 Q. Okay. So prior to Thursday, how many
10 students were in the class?

11 A. 36 students.

12 Q. Okay. And how do you know that there were
13 36 students in the class?

14 A. I'm just estimating a number.

15 Q. Who was your teacher in your world history
16 class?

17 A. [REDACTED]

18 Q. So [REDACTED] is the teacher that gave
19 you the 20-page summaries that you have to do and
20 the current events that you did once a week and the
21 reading book report; is that correct?

22 A. Correct.

23 Q. So we've already learned a little bit
24 about [REDACTED] this morning, right?

25 A. Yes.

1 talking about classes that you are enrolled in in
2 10th grade. And you had identified three classes
3 that you considered to be large classes, the first
4 of which is your Spanish class which we've already
5 discussed. And then you identified two other
6 classes, your world history class and your PE
7 class.

8 Do you recall that testimony?

9 A. Yes.

10 Q. Okay. With respect to your world history
11 class in 10th grade, when you first entered that
12 class how many students were in the class?

13 A. World history?

14 Q. Yes.

15 A. I would estimate about 36 students in the
16 class.

17 Q. Okay. Did the number of students in your
18 world history class change after the first day of
19 the class?

20 A. No.

21 Q. Okay. So 36 students remained in that
22 class during the semester; is that correct?

23 A. Yes.

24 Q. Is that a teacher training magnet class?

25 A. Yes. It's a teacher training magnet class

1 Q. Okay. Now, this Thursday you said -- this
2 past Thursday -- 13 students were removed from the
3 class?

4 A. Yes.

5 Q. Are you one of the students that was
6 removed from the class?

7 A. No.

8 Q. Okay. Do you know what class those
9 students went to instead of [REDACTED] world
10 history class?

11 A. They went to another world history class
12 but their grades had to start all over again.

13 Q. I'm sorry?

14 A. They went to another world history class,
15 but all their grades that they had, they had to
16 start all over again. He took the lowest fails and
17 Ds off the class.

18 Q. [REDACTED] identified the students with
19 the lowest grades in the class and those are the
20 ones that moved. Is that what you are saying?

21 MS. AUCHINCLOSS: Objection. Lacks
22 foundation. Objection as to form.

23 THE WITNESS: All he said that the only --
24 the 13 students that I'm taking out of the class is
25 going to be the ones with the lowest grades, the

1 lowest fails and Ds. That's the ones that he's
2 taking out the classroom.

3 BY MS. STRONG:

4 Q. Okay. And do you know why the students
5 were taken out of the classroom?

6 A. Earlier in the semester he was telling us
7 that Miss Silverstein is going to want to take some
8 students out of the class but it's not going to be
9 any time soon. So now it's the 15th week and she's
10 just now taking them out the class. And now it's
11 smaller. But still their grades have to start all
12 over again and they have to build up their grades
13 to get their grades that they deserve.

14 Q. And do you have an understanding as to why
15 the students were taken out of the class?

16 A. All he said the reason why they were going
17 to be taken out of the class is because the class
18 is too packed. And we're in like a small bungalow.

19 Q. And who is this that said this to you?

20 A. [REDACTED] stated this is why.

21 Q. And he stated that at the beginning of the
22 semester?

23 MS. AUCHINCLOSS: Objection. Lacks
24 foundation.

25 THE WITNESS: [REDACTED] stated that in

1 to go.

2 Q. And did [REDACTED] this past Thursday
3 say anything about the number of students in the
4 class?

5 A. No.

6 Q. Okay. So the only time he made a comment
7 regarding the number of students in the class and
8 the need to remove students because of the number
9 of students in the class was the comment that he
10 made during the first few weeks of school; is that
11 correct?

12 MS. AUCHINCLOSS: Objection as to form;
13 leading question; mischaracterizes prior testimony.

14 BY MS. STRONG:

15 Q. Go ahead.

16 A. Basically what he say was that's the only
17 time he would say it. He basically told us how
18 many students were in the class. All he said was
19 there are only 13 students. And I really don't
20 know how many students were in the class.

21 Q. Okay. With respect to your -- well,
22 actually, staying with your world history class for
23 a moment.

24 Would you prefer that the students that
25 were just removed on last Thursday remain in your

1 around two or three weeks he had found out and then
2 he told us.

3 BY MS. STRONG:

4 Q. Okay. But this is something that he said
5 to you during the first few weeks of school at some
6 point in time as opposed to last Thursday; is that
7 correct?

8 MS. AUCHINCLOSS: Objection. Compound.
9 Leading.

10 BY MS. STRONG:

11 Q. Go ahead.

12 A. Can you repeat your question?

13 Q. I'm trying to get an understanding as to
14 when [REDACTED] made a statement regarding
15 students being removed from his class because of
16 the number of students in his class. And I want to
17 know -- you've explained to me that he made some
18 statement to that effect. I'd like to know when
19 that statement was made.

20 A. Like I could estimate the fourth week of
21 school he would have made that statement. And now
22 he was just telling us this Thursday, well, I feel
23 bad that I had to remove these students because I
24 want to help all the students with their grade. He
25 said these 13 students that have lower grades have

1 class, your world history class?

2 A. Do I feel that they should have been
3 remained?

4 Q. Uh-huh.

5 A. I felt that they should remain since they
6 been there their whole entire -- almost the whole
7 semester, and we're about to get out and December
8 the 14th.

9 Why take them out now before the 15th
10 report card comes next week and that messes up
11 their grade? They are about to turn in work but
12 they are not going to get credit for it because
13 they have to start all over again in a different
14 class.

15 Q. Are you going to stay in this world
16 history class next semester as well?

17 A. I don't know if I'm going to stay in that
18 class or even be at that school.

19 Q. Will the students -- if you were to stay
20 at Crenshaw, would you remain in that world history
21 class for second semester?

22 A. I would want to transfer my class.
23 Because it's like we do work but it's not
24 pertaining to the lesson.

25 Q. Do you know if the remainder of the class,

1 the remainder of students that are there now, will
2 continue with [REDACTED] in the second semester
3 if they don't do anything to change their schedule?

4 A. No, I do not know. But I know the
5 students that still want to check out the class
6 because they don't like the class.

7 Q. Okay. Was there ever a time in
8 [REDACTED]'s class that you tried to ask a
9 question but weren't able to ask a question of the
10 teacher?

11 A. Not that I know of.

12 Q. Okay. So there was never a time that you
13 were in class and wanted to ask a question but
14 couldn't because there were too many students in
15 the class; is that correct?

16 MS. AUCHINCLOSS: Objection.
17 Mischaracterizes testimony; objection as to form;
18 leading.

19 THE WITNESS: During the time that it was,
20 it was very crowded. And I -- I couldn't have his
21 attention because he's trying to focus on other
22 students and trying to calm them down. So I
23 wouldn't be able to ask him a question or for him
24 to answer my question.

25 BY MS. STRONG:

1 class period. And I wasn't able to ask the
2 question. Because I remember very vaguely asking
3 him questions because I'm trying to do the
4 summaries. So I wouldn't always try to ask him a
5 question, but if I attempted to ask him a question,
6 he wouldn't -- he would have time to answer it, but
7 he's trying to calm the class down to get the work
8 down because it would be too loud.

9 Q. But in terms of your experience in class,
10 you remember one time where you tried to ask a
11 question and you weren't able to; is that correct?
12 Or do you remember more than one time?

13 MS. AUCHINCLOSS: Objection. Compound.
14 Objection as to form. Objection. Mischaracterizes
15 testimony.

16 THE WITNESS: Well, I remember just like
17 that one time I was trying to ask him a question
18 and he wasn't able to answer my question. But I
19 can remember another time I tried to ask him a
20 question or attempted to.

21 BY MS. STRONG:

22 Q. Okay. That's what I'm asking. Thank you.
23 That's good.

24 So we have that one time that you just
25 described, correct?

1 Q. Okay. I thought you just testified that
2 there wasn't ever a time when you tried to ask a
3 question when --

4 A. I miss --

5 Q. Let me finish my question. Okay?
6 What I understood is you just testified
7 that there was never a time that you could remember
8 when you tried to ask a question but couldn't for
9 any reason. Am I understanding now that you would
10 like to change that testimony?

11 A. Yes.

12 Q. Okay. How would you like to change that
13 testimony?

14 A. It was like -- it was one particular time
15 we were going over a current event. And he was --
16 it's like a big classroom, a big bungalow in the
17 back because we're in the back of the building.
18 And we were trying to do the current events and
19 people were talking. And I was trying to ask him a
20 question. I don't remember the question I was
21 trying to ask him, though. But we were trying to
22 get something done.

23 And he was trying to focus on trying to
24 get them to calm down so we could get all the work
25 together and have the work done by the end of the

1 A. Yes.

2 Q. And I don't know if you testified to this
3 earlier or not, but is [REDACTED] ever available
4 during lunch, nutrition or after school to meet
5 with any of his students, if you know?

6 MS. AUCHINCLOSS: Objection. Compound.

7 THE WITNESS: I do not know that he is
8 there to help during school or nutritional lunch,
9 but I came to his class several times and he wasn't
10 there.

11 BY MS. STRONG:

12 Q. Okay. Did you ever ask [REDACTED] to
13 meet with him at any time outside of class?

14 A. One particular time I did to ask him,
15 "Well, I'm not going to turn in my summaries on
16 time. Is that going to lower my grade?"

17 He said, "Come at lunch."

18 When I came at lunch, he wasn't there. He
19 wasn't there so I couldn't ask him.

20 Q. Okay. Did you ever try and meet with
21 [REDACTED] at any other time outside of class to
22 go over work or discuss the class in any regard?

23 MS. AUCHINCLOSS: Objection. Compound;
24 vague as to time.

25 THE WITNESS: I actually don't remember

1 the times I asked him to meet after school or any
2 time because he would be extremely busy, and I
3 would be trying to rush to get to my other class so
4 I wouldn't be late.

5 BY MS. STRONG:

6 Q. So you don't remember doing that any other
7 time?

8 A. I don't remember no other time.

9 Q. Okay. And the third class that you
10 identified as being a large class for your
11 10th-grade year was your PE class. How many
12 students were in your PE class when you first
13 entered the class this year?

14 A. I can estimate about 36, but I couldn't
15 give the exact number.

16 Q. Did that number ever change after the
17 first day of class?

18 A. No.

19 Q. So there are still approximately 36
20 students in the class?

21 A. Yes.

22 Q. Okay. And what do you base that on?

23 MS. AUCHINCLOSS: Objection. Vague as to
24 "that."

25 THE WITNESS: What do you mean how do I

1 Q. Okay. You don't remember who it was in
2 the administration?

3 A. (Unreportable response.)

4 Q. Was it somebody in the administration, a
5 friend or --

6 MS. AUCHINCLOSS: Objection. Compound.

7 THE WITNESS: It wasn't administration.

8 It was a friend.

9 BY MS. STRONG:

10 Q. Okay. So would that have been another
11 student in school?

12 A. Yes.

13 Q. Do you recall ever having complained to
14 anyone in the administration or one of your
15 teachers regarding the number of students in the
16 classes at Crenshaw?

17 MS. AUCHINCLOSS: Objection. Compound.

18 THE WITNESS: I never did complain to
19 administration or any counselors or anything.

20 BY MS. STRONG:

21 Q. Okay. Is there a reason why you never
22 complained to anyone other than your friend at
23 Crenshaw regarding the number of students in your
24 classes?

25 A. I never even really have time to go

1 base that on?

2 BY MS. STRONG:

3 Q. I'm just -- how do you know that there
4 are -- you said that there are approximately 36
5 students in the class. Do you know one way or the
6 other how many students are in the class exactly?

7 A. No.

8 Q. And so then my question is: Why is it
9 that you know that there are 36 students in the
10 class?

11 A. I actually base it on how many people I
12 see a day in my class and how many people actually
13 come to class.

14 Q. That's perfectly reasonable.

15 Since you've been at Crenshaw, have you
16 ever complained to anyone at Crenshaw regarding the
17 number of students in your classes?

18 MS. AUCHINCLOSS: Objection. Overbroad;
19 vague as to time.

20 THE WITNESS: I actually don't remember
21 complaining. I remember complaining to somebody,
22 but I don't actually remember what I said and what
23 was happening because I remember complaining to
24 somebody but I don't remember what happened.

25 BY MS. STRONG:

1 because it's like certain times you can go there
2 and ask them about it. Half the time they are busy
3 trying to do other things.

4 If you go to the dean's, they trying to
5 suspend somebody or trying to do their business in
6 there. And then in the counselor office, she'd be
7 in a meeting or talking with a parent or handling
8 some kind of business. And I have to come at
9 certain times. And the times I would actually try
10 and come she wouldn't be there.

11 Q. Did you ever go and try to talk to any
12 counselor, any teacher at your school regarding the
13 number of students in your classes? Do you
14 remember an incident where you tried to go and
15 discuss this issue with somebody?

16 A. I know one time in my 9th-grade year I
17 tried to talk to my counselor, Miss Silverstein,
18 but she wasn't there.

19 Q. Did you ever try to make an appointment
20 with Miss Silverstein?

21 A. Those were my appointments. She would
22 never be there or she'll be in a meeting.

23 Q. Did you leave a note for Miss Silverstein?

24 MS. AUCHINCLOSS: Objection. Vague as to
25 time.

1 THE WITNESS: I actually don't remember
 2 what I left. I don't think I left a note there
 3 because I was trying to hurry and get to class.
 4 BY MS. STRONG:
 5 Q. What was it that you were trying to talk
 6 to Miss Silverstein about when you tried to meet
 7 with her on those three occasions?
 8 MS. AUCHINCLOSS: Objection. Overbroad.
 9 THE WITNESS: I wanted to talk to her
 10 about how big the population at Crenshaw is and how
 11 could someone -- how could someone change the
 12 population at Crenshaw, or is there any way that
 13 the classes could get smaller or people could get
 14 collected into a smaller magnet class, or anything
 15 like that.
 16 BY MS. STRONG:
 17 Q. Okay. What year was this when you tried
 18 to go meet with her?
 19 A. My 9th-grade year, first semester.
 20 Q. And what class were you concerned with at
 21 the time?
 22 A. I was concerned about all of my classes.
 23 Q. Okay. Even those that had fewer than 30
 24 students in them?
 25 A. Yes.

1 Q. Do you believe that 30 students were too
 2 many students in the class?
 3 A. Depends on the class setting. If it's a
 4 small setting, I think it's a small. And the
 5 teacher will have enough time to get to everybody
 6 and someone will not be left out.
 7 Q. If there's a larger setting for the class,
 8 do you think that gives the teacher more time to
 9 get to each one of the students?
 10 A. No.
 11 Q. So does it depend on the class setting?
 12 A. It can depend on the class. You can have
 13 20 students in the classroom and have a big
 14 classroom and you still don't need to get to
 15 everybody because everybody has their needs.
 16 That's why.
 17 Q. So even if you had a very large classroom
 18 setting, do you believe that there are still
 19 circumstances when 30 students is simply too many
 20 students to have in a class?
 21 A. I really do. But they believe that if
 22 they have a smaller class, can still be. You still
 23 don't have the same attention to the teacher. If
 24 you have a smaller class then you still not going
 25 to have the same attention because every student he

1 has certain needs and no telling how long it would
 2 take for certain students. It could take the whole
 3 class period. It could take half the class period.
 4 It could take five minutes. It depends on the
 5 student and what the situation is.
 6 Q. And that could still be the situation then
 7 if you have 20 students in the class, is that what
 8 you are saying?
 9 A. It could be.
 10 Q. Now, with respect to your classes for your
 11 10th-grade year, are there any other classes where
 12 you have concerns regarding the size of the class
 13 other than your Spanish class, world history class
 14 or your PE class?
 15 A. The size of the class? Are you referring
 16 to the class setting?
 17 Q. The numbers -- if you have concerns
 18 regarding the numbers of the students in the class.
 19 A. Yes, because -- okay. For my Spanish
 20 class, it's like -- this is for my 9th-grade year
 21 or 10th-grade year?
 22 Q. 10th-grade year. We discussed your
 23 Spanish class. Other than your Spanish class,
 24 world history class and other than your PE class,
 25 do you have concerns regarding the number of

1 students in any one of your other classes?
 2 A. I think if there -- I believe that there's
 3 30 students in a class, it's still big because the
 4 teacher can't get to everybody in the same amount
 5 of time and depending on the work. But it's, like,
 6 if you have -- it's like if there's at least the
 7 classroom has 20 students or even 15, he could get
 8 into a problem with the whole portion of the class
 9 and that would be much more better. It's like 30
 10 students -- it's 36 students is better than 30, but
 11 30 is still a lot.
 12 Q. You mean 30 is better than 36?
 13 A. 30 is better than 36. But alone 36 is a
 14 lot of students. And if it was reduced down -- if
 15 it was reduced down to at least 20 or 15, at least
 16 the teacher could get to almost the whole classroom
 17 instead of getting to one or two students per day
 18 or per period.
 19 Q. So would you be unhappy with a class of 25
 20 students, for example?
 21 A. I wouldn't be happy. I actually wouldn't
 22 be happy because it would be -- at least I'll kind
 23 of try to get -- I know I have to have more
 24 attention from the teacher because of the class
 25 setting.

1 Q. But you've already testified that you
2 think that even with 20 students there are times
3 when a teacher just can't get to all the needs in a
4 classroom; is that correct?
5 A. Yes.
6 Q. Just depends on the circumstances?
7 A. (unreportable response.)
8 Q. Okay. So my question was: Were there any
9 other classes that you attended in 10th grade that
10 you have concerns with the numbers of students in
11 the class. And you said -- your answer was that
12 you still have concerns whether there are 30
13 students in the class.
14 So can you, please, identify for me any
15 classes that you are in that you still feel there
16 are too many students in the class other than your
17 Spanish class, world history class, and PE class?
18 MS. AUCHINCLOSS: Objection.
19 Mischaracterizes prior testimony.
20 THE WITNESS: My experience would be the
21 English, world history, geometry -- geometry I
22 have -- I have to estimate about 30. 30 students
23 in that class. And sixth period is about 28
24 students in that class. I have to estimate at
25 least 28 or 30. I'm not sure.

1 BY MS. STRONG:
2 Q. And do you think there are too many
3 students in each of those classes?
4 A. Yes.
5 Q. So English, geometry. And what was your
6 6th grade class?
7 A. Biology.
8 Q. Each of those classes have 30 students or
9 less?
10 A. Correct.
11 Q. Can you think of a time in any of those
12 classes where you tried to ask a question but you
13 weren't able to because of the number of students
14 in the class?
15 MS. AUCHINCLOSS: Objection. Overbroad.
16 THE WITNESS: Geometry class.
17 BY MS. STRONG:
18 Q. How many times did that happen to you?
19 A. Several. Like I'd estimate about five or
20 seven times. That's the time she wouldn't teach.
21 Q. How do you know that that was because
22 there were too many students in the class?
23 A. Because she would tell us that it was too
24 many students in the class.
25 Q. Did she also tell you that the students

1 were talking in the class and that was the problem?
2 A. She would tell us numerous of things every
3 day because she hates us in the classroom. She'd
4 tell us since she came to Crenshaw we're the worst
5 class she had. Since she came to Crenshaw -- if I
6 asked her a question or anyone asked her a
7 question, she wouldn't answer it. She'd just sit
8 there and look at you. She wouldn't answer it.
9 You talk too much. The amount of time we tried to
10 talk to her that's why she criticized us talking
11 too much because we try to talk to her. Well, if
12 we don't say anything, we're still not going to get
13 a grade.
14 Q. Is there any other reason why you think
15 there were too many students in the class that she
16 didn't answer your questions?
17 A. That's mainly because she was -- she said
18 it was too big. She says she's used to teaching 15
19 or 20 students instead of 30.
20 Q. You have been in classes of 30 students
21 where the teacher does answer students' questions,
22 correct.
23 A. Yes.
24 Q. Can you think of any other incidents where
25 you believe you weren't able to get the attention

1 that you needed in the class due to the number of
2 students in those classes?
3 A. In my biology class when I first started
4 there were at least 36 students in there, and some
5 of them, like, a lot of them checked out. But it's
6 like now the students in there, my teacher can't
7 get to everybody like she wants to. And it's like
8 sometimes she -- she comes, but sometimes she don't
9 come. A lot of times she don't. So it's like we
10 have to try to work on our own to get the work
11 done.
12 Q. Okay. I really want you to focus on my
13 questions because I want to make sure we're
14 proceeding through this, and I know you're trying
15 your best. I want to know if there's any other
16 time when you believe you weren't able to get the
17 attention you needed in the class due to the number
18 of the students in the class. I want to know if
19 there's a specific incident you can think of?
20 A. One time I asked her what -- I didn't
21 understand what was this paragraph talking about
22 because she had us read the body book. And she
23 didn't have time to answer my question because she
24 was trying to help this other boy get situated with
25 his notebook, and there were people besides myself.

1 So that was one time that I wasn't able -- I was
2 trying to go ask her a question and she wasn't able
3 to answer it.

4 Q. Do you think that same situation could
5 have occurred had there been only 20 students in
6 the class?

7 MS. AUCHINCLOSS: Objection. Calls for
8 speculation.

9 THE WITNESS: I really don't know.

10 BY MS. STRONG:

11 Q. And at that time when you had that
12 question, did you attempt to try to talk to the
13 teacher after class or at any other time regarding
14 the question?

15 MS. AUCHINCLOSS: Objection. Compound.

16 THE WITNESS: If I would have stayed in
17 the class I would have missed my school bus. I
18 really didn't have time to stay after class. I had
19 to go home.

20 BY MS. STRONG:

21 Q. Did you try and ask her that question that
22 you had the next day when you came to class?

23 A. The next day did I ask her? I attempt to
24 ask her. She wasn't there.

25 Q. You remember she was missing from class

1 had to sit on the stage or in a high chair in the
2 classroom.

3 Q. Okay. So there's one class where you have
4 this experience in a year and a half at Crenshaw;
5 is that correct?

6 A. Yes.

7 MS. AUCHINCLOSS: Objection.
8 Mischaracterizes testimony.

9 BY MS. STRONG:

10 Q. Okay. How many times did you have to sit
11 on something other than a desk or sit at something
12 other than a desk in your teacher training class?

13 A. Almost the whole entire semester.

14 Q. All of the first semester?

15 A. Yes.

16 Q. Again, how many students did you say were
17 in your teacher training class when you first
18 entered that class?

19 A. At least 40 students.

20 Q. And that number did change, correct? I
21 believe you testified earlier that that number
22 changed.

23 A. Yes.

24 Q. And do you recall what that number changed
25 to? I'm sorry to make you go through this again.

1 the following day?

2 A. Yes.

3 Q. Do you remember when she came back to
4 class?

5 A. When she came back to class we had to
6 start on a whole new project. So had us stop what
7 we were doing in the book and have us go straight
8 to a different project.

9 Q. Did you try and ask her a question at that
10 time?

11 A. At that time I was trying to build this
12 project for our class. So I totally forgot about
13 it.

14 Q. Are there any classes that you have been
15 in at Crenshaw -- and I'm talking about you,
16 yourself -- that you have been in at Crenshaw where
17 there have not been enough desks for the students?

18 A. Yes.

19 Q. Okay. Can you identify those classes?
20 And I'm including both 9th and 10th grade. We can
21 run through them all together.

22 A. There is only one -- one class in my
23 9th-grade year, first semester was my teacher
24 training class when there wasn't enough desks for
25 us in the classroom. And I along with other people

1 A. Reduced to 36 and then reduced again to
2 like 20. I'm not sure.

3 Q. Okay. And so after the first week of
4 school, you believe it was reduced to how many
5 students?

6 A. No, it wasn't the first week. It was
7 around the fourth week.

8 Q. Okay. I'm sorry. How many students did
9 it reduce to around the fourth week?

10 MS. AUCHINCLOSS: Objection. Asked and
11 answered.

12 BY MS. STRONG:

13 Q. Go ahead.

14 A. I estimate about 36.

15 Q. Okay. And throughout the entire semester
16 you were not able to sit in a desk periodically, is
17 that your testimony?

18 MS. AUCHINCLOSS: Mischaracterizes prior
19 testimony. Objection.

20 BY MS. STRONG:

21 Q. I'm asking you what your testimony is.
22 Why don't you clarify it for me if I misstated it.

23 A. Basically throughout my whole first
24 semester and my teacher training class, I wasn't
25 able to stay in a desk because there were too many

1 students.

2 Q. I thought that's what I said. Maybe you
3 and I don't understand each other.

4 Do you know if your teacher asked for some
5 more chairs?

6 A. No, I'm not aware if my teacher asked for
7 any chairs.

8 Q. Did you ever complain to your teacher
9 about not having a desk to sit at in your class?

10 A. Yes, I did. She was trying to get
11 something. She was trying to get some chairs from
12 different teachers, but it's like our -- it was
13 like the chairs in the classroom they were sitting
14 around so if we were able to get some chairs we
15 would have to put in the back of the classroom or
16 around the class setting.

17 Because it's like there was a stage right
18 here, a desk -- the teacher's desk. And it was
19 three rows of chairs and it was bolted to the
20 ground and we wouldn't be able to move the desks or
21 anything. If we had gotten the chairs we would
22 have had to put in a big C because of the way the
23 classroom setting was.

24 Q. Did your teacher not want to get the
25 additional chairs then for that reason?

1 A. Can you repeat the question?

2 Q. Do you know if there's a procedure or
3 policy in place at your school for teachers to get
4 additional chairs for their class if they need
5 them?

6 A. I don't know.

7 Q. Do you think you were still able to learn
8 in that class?

9 MS. AUCHINCLOSS: Objection. Vague.

10 THE WITNESS: Because there wasn't chairs?

11 BY MS. STRONG:

12 Q. Yes.

13 A. It was very hard to learn in that class
14 because it was hard to pay attention because when
15 you are in the back of the classroom standing or
16 sitting on the stage when the classroom was facing
17 her and we are facing the back. It was very
18 difficult.

19 Q. And Miss Amicci was one of your favorite
20 teachers, right?

21 A. Right.

22 Q. Was she still able to teach you well,
23 given that she was such a good teacher, in that
24 setting?

25 MS. AUCHINCLOSS: Objection. Vague as to

1 A. I am not sure. She tried to get chairs,
2 though. But it was like they needed chairs also
3 because there were lots of students in other
4 classes, too.

5 Q. How do you know your teacher tried to get
6 chairs for the class?

7 A. Because she attempted to go to
8 Mr. Kamagian class and attempt to get chairs from
9 his class. I mean there weren't too big -- I mean,
10 he didn't even have any.

11 Q. How do you know she went to Mr. Kamagian's
12 class to get chairs?

13 A. She asked me to go.

14 Q. She asked you to go?

15 A. Yes.

16 Q. Who is your teacher in the teacher
17 training class?

18 A. Miss Amicci.

19 Q. Do you know if Miss Amicci made any other
20 efforts to get chairs from that classroom other
21 than sending you to Mr. Kamagian's class?

22 A. I do know.

23 Q. Do you know if there's a procedure in
24 place for your teacher to follow to get additional
25 chairs for her class?

1 "well."

2 THE WITNESS: She would try to go like to
3 the people that were around the classroom. She
4 would try to help them as much as possible and try
5 to help them.

6 BY MS. STRONG:

7 Q. Do you think that worked to teach those
8 students?

9 A. It worked because some people didn't have
10 like their binders or stuff. So we had to end up
11 sharing our stuff, and that made it difficult for
12 us to learn.

13 Q. I'm sorry, I didn't understand that.

14 A. Like, for our class we have binders and we
15 have to put our work in them. And some students
16 didn't receive them because there was so many of
17 us. And it was the, like, it made it really hard
18 for us to work because we having to share our
19 binders with somebody else. It's, like, you have
20 to make sure your work is not messed up with his
21 work and your work is in order and everything.

22 Q. Would you have preferred to take teacher
23 training from another teacher who maybe wouldn't
24 have been as good as Miss Amicci in a class where
25 there were fewer students?

1 MS. AUCHINCLOSS: Objection.
 2 BY MS. STRONG:
 3 Q. Or would you refer to be in Miss Amicci's
 4 class?
 5 MS. AUCHINCLOSS: Objection. Overbroad.
 6 THE WITNESS: She was the only one
 7 teaching us when we was there or only one went to
 8 the elementary school. I had no choice to change
 9 the class. If I had to change the class, it would
 10 have messed up my own schedule and I would have to
 11 pick an elective that would put me into a class
 12 that I need for college.
 13 BY MS. STRONG:
 14 Q. And so what I'm asking is: If you had the
 15 opportunity to be in another teacher training class
 16 at the same time but the teacher wasn't as good as
 17 Miss Amicci, and there were fewer students, would
 18 you prefer that class over Miss Amicci's class?
 19 A. If they were referring students, I think I
 20 have the capability to learn.
 21 Q. Even if the teacher wasn't as good as
 22 Mrs. Amicci?
 23 A. If she wasn't as good as Miss Amicci, I
 24 would have still the gone because I would have
 25 learned as much as I could have learned in

1 A. It depends on what do you consider as not
 2 good with Mrs. Amicci.
 3 Q. Well, that's what I'm just wondering what
 4 it would take. If the teacher was really bad, then
 5 you would stay with Miss Amicci? Or if she was a
 6 little bit not quite as good, then you would go to
 7 the other teacher? I'm trying to get a sense for
 8 how you would be in the situation.
 9 MS. AUCHINCLOSS: Objection. Calls for
 10 speculation; compound.
 11 THE WITNESS: I think I would still be
 12 able to go to other teachers. Even though
 13 Mrs. Amicci is good, if I was in that situation, I
 14 would have went to that other teacher. But if she
 15 wasn't that good, I would still the go to
 16 Miss Amicci for help if there was work that was
 17 needed.
 18 BY MS. STRONG:
 19 Q. Other than --
 20 (Discussion off the record.)
 21 BY MS. STRONG:
 22 Q. Have you ever seen students using a stray
 23 board to write on while in class?
 24 MS. AUCHINCLOSS: Objection. Vague as to
 25 "stray board."

1 Miss Amicci's class.
 2 Q. So you don't think how much you learned
 3 really depends on the teacher in the class?
 4 MS. AUCHINCLOSS: Objection.
 5 Mischaracterizes testimony; objection to form.
 6 THE WITNESS: Can you repeat?
 7 BY MS. STRONG:
 8 Q. I'm trying to understand, based on your
 9 experience at Crenshaw, why you think that it makes
 10 a difference to have a teacher who is a really good
 11 teacher or not. And I'm just trying to understand
 12 how everything fits into your world experience at
 13 Crenshaw.
 14 So my question to you is: If you had two
 15 scenarios, one where Mrs. Amicci, whom you
 16 identified as one of your best teachers at
 17 Crenshaw, where some of the students have to sit on
 18 the stage for part of the class as opposed to being
 19 in a class where the teacher is not as good as
 20 Miss Amicci but everyone is sitting at a desk,
 21 which would you prefer to be in?
 22 MS. AUCHINCLOSS: I object. That calls
 23 for speculation. That situation never occurred.
 24 BY MS. STRONG:
 25 Q. You can answer.

1 THE WITNESS: I do not know what a stray
 2 board is.
 3 BY MS. STRONG:
 4 Q. Okay. It was just in the complaint in
 5 this case regarding your school. I was wondering
 6 if you knew or had any information regarding what a
 7 stray board was.
 8 You don't know what that is, correct?
 9 A. Right.
 10 Q. Okay. So you've now told me all of the
 11 classes -- the one class at Crenshaw where there
 12 weren't enough desks for the students to sit in
 13 during the class, which is your teacher training
 14 class in 9th grade.
 15 When I refer to "desks," do you interpret
 16 that as also meaning a chair to sit in?
 17 A. Yes.
 18 Q. So if I were to ask the following
 19 question: Are there any classes where there are
 20 not enough chairs for the students in Crenshaw out
 21 of the classes that you attend, would your answer
 22 be the same, only the teacher training class?
 23 A. It's the same thing. It's like there's
 24 not enough -- it's like there are not enough chairs
 25 in certain classes where people have to stand.

1 Some of them had to get checked out.
 2 Q. My question. I thought I was going to
 3 save time, but I'll go through the question
 4 entirely.
 5 Are there any classes that you attended
 6 while at Crenshaw where there were not enough
 7 chairs for the students to sit in?
 8 A. That one class.
 9 Q. Okay. Can you think of any other class
 10 other than the teacher training class during the
 11 9th-grade year?
 12 A. No.
 13 Q. Okay.
 14 MS. AUCHINCLOSS: I'm sorry, was the
 15 question as to the 9th-grade year or total? Can
 16 you think of any other class at all?
 17 MS. STRONG: The question was total other
 18 than that one class in 9th grade.
 19 Q. Correct.
 20 A. Yes.
 21 Got chills.
 22 (Discussion off the record.)
 23 BY MS. STRONG:
 24 Q. Do you know of any other classes where
 25 there are not enough chairs or desks for the

1 Q. That was Mr. Kamagian's class?
 2 A. Yes.
 3 Q. Did you ever complain to anyone else other
 4 than that one time when you complained to
 5 Miss Amicci about not having enough chairs in the
 6 teacher training class?
 7 MS. AUCHINCLOSS: Objection.
 8 Mischaracterizes testimony.
 9 THE WITNESS: Can you say that again?
 10 BY MS. STRONG:
 11 Q. You explained to me one incident you
 12 complained to Miss Amicci regarding chairs in her
 13 class, correct?
 14 A. Correct.
 15 Q. Was there any other time that you
 16 complained to Miss Amicci or anyone else in her
 17 school regarding the number of chairs in that
 18 class?
 19 A. No.
 20 Q. Do you have any classes -- let me
 21 rephrase.
 22 Out of the classes that you attended at
 23 Crenshaw, both 9th grade and 10th grade, have there
 24 been any classes where the teacher does not use a
 25 textbook?

1 students to sit in?
 2 MS. AUCHINCLOSS: Objection. Vague as to
 3 time.
 4 BY MS. STRONG:
 5 Q. Any other classes in total.
 6 A. Just like the one class I stated, I don't
 7 know of any other classes.
 8 Q. Okay. And I was asking that question in
 9 reference to your experience at Crenshaw in total.
 10 Do you understand that?
 11 A. Yes.
 12 Q. Okay. And did you answer that question
 13 with that in mind?
 14 A. Yes.
 15 Q. Thank you.
 16 Did you ever complain to anyone about not
 17 having enough chairs in your teacher training class
 18 in your 9th-grade year?
 19 A. I complained to my teachers.
 20 Q. And which teacher was that?
 21 A. Miss Amicci. That's when she asked me to
 22 go -- to go across the hall to go see if they had
 23 any more chairs for us to sit down. They didn't
 24 have any because they were using them for his
 25 class. There were a lot of kids in his class, too.

1 A. A class textbook or a home set?
 2 Q. A class textbook.
 3 A. Not that I'm aware of.
 4 Q. For example, like PE class, did you use a
 5 textbook?
 6 A. We didn't use a textbook in that class.
 7 Q. Okay. That's kind of what I'm getting at.
 8 Was there any other class where you didn't use a
 9 textbook?
 10 A. Besides PE, that was the only class I
 11 didn't use a textbook in. And my teacher training
 12 class. But that is a folder basically describing
 13 the work that we had to do.
 14 Q. Okay. So there was no textbook for your
 15 teacher training class?
 16 A. No.
 17 Q. Okay. Other than your PE class and
 18 teacher training class, can you think of any other
 19 classes in which you were enrolled where the
 20 teacher did not use a textbook?
 21 A. In my 9th-grade year or overall?
 22 Q. Overall, your experience at Crenshaw a
 23 year and a half.
 24 MS. AUCHINCLOSS: In class.
 25 THE WITNESS: In class, sewing.

1 BY MS. STRONG:
 2 Q. Okay.
 3 A. In the first couple of weeks in my Spanish
 4 class I didn't have a textbook.
 5 Q. I'm not talking about when you actually
 6 didn't have a textbook. I'm wondering -- I'm
 7 looking for the classes where the teacher never
 8 used a textbook to teach the students. I think you
 9 identified PE, teacher training and sewing. Are
 10 there any other classes like that?
 11 A. And during the summer school, ECP.
 12 Q. Any other classes you can think of?
 13 A. No.
 14 Q. Do you know why the teacher did not use a
 15 textbook in your teacher training class?
 16 A. Because it's like our folders were
 17 basically our textbooks that showed us what we had
 18 to do.
 19 Q. When you say a folder, what do you mean?
 20 Can you describe that for me?
 21 A. It is a big binder with, like, showing us
 22 how to assess ourselves, how to -- we had to learn
 23 first how we should apply the skills to help the
 24 students build their vocabulary, show them how to
 25 read better than they did because they had poor

1 reading skills. That's basically what I'm doing
 2 now.
 3 Q. All of the materials that you needed for
 4 the class were contained in this folder; is that
 5 correct?
 6 MS. AUCHINCLOSS: Mischaracterizes
 7 testimony.
 8 THE WITNESS: That's all that I had.
 9 That's all basically that we had was our textbook
 10 was basically our folder.
 11 BY MS. STRONG:
 12 Q. And did that work to convey the issues and
 13 the concepts that you needed to learn in that
 14 class, from your understanding?
 15 A. I don't know what "convey" means.
 16 Q. Was that sufficient to teach you the
 17 materials -- you looked at me again with a crazy
 18 look.
 19 Did that work to teach you the material
 20 that you think you needed to learn for that class?
 21 MS. AUCHINCLOSS: Objection. Vague as to
 22 "that," vague as to "work."
 23 THE WITNESS: Okay. But one thing you
 24 have to really realize when we had our textbooks,
 25 there wasn't enough textbooks for everybody to go

1 around. So the problem came about when we had to
 2 share our textbooks with certain people.
 3 BY MS. STRONG:
 4 Q. In teacher training?
 5 A. Yes.
 6 Q. There were textbooks?
 7 A. Not the textbooks. I'm talking about the
 8 binders.
 9 Q. The folders?
 10 A. It's, like, we had to share our folders
 11 with certain people because there weren't enough
 12 folders to go around for everybody. Some people
 13 couldn't have their own individual folder and some
 14 had to share the folder with someone else. They
 15 had to share the work, the things that we had to
 16 use for the students, everything. So it's just
 17 like we didn't have -- everyone didn't have their
 18 personal folder that they were supposed to have
 19 because it was too many.
 20 Q. Too many?
 21 A. Students.
 22 Q. Can you tell me what made up the folder
 23 then? What was the material inside? Was it
 24 photocopied pages? Can you describe to me what was
 25 inside the folder?

1 A. Some were photocopy pages about -- well,
 2 they didn't photocopy. They were pages talking
 3 about how to use -- do written assessments and how
 4 to build up the kids vocabulary, how to help them
 5 learn how to speed read and how to just develop the
 6 vocabulary. Like how many words they can read per
 7 minute, stuff like that.
 8 Q. But the paper that it was on, could you
 9 tell if it was something that could be photocopied
 10 or was it a little workbook? That's what I'm
 11 trying to understand. Is it something that your
 12 teacher could copy?
 13 A. Some of it was like a workbook, some parts
 14 of it was. And some parts were photocopied.
 15 Q. It was a combination?
 16 A. Combination of both of them.
 17 Q. And in sewing you said there was no
 18 textbook for that class?
 19 A. There was none.
 20 Q. How does the teacher teach sewing then?
 21 A. She actually just taught us how to -- she
 22 taught us step by step and we asked her for her
 23 help. But half the time if we asked for help, we
 24 had to wait two or three days because she had a
 25 long list for somebody to help you. Or she write

1 your name on the board and wait until she gets your
2 name and you have to wait until she calls you to
3 see what part you have to sew together. And we
4 didn't work out of a book. We just worked by her.
5 We didn't have a book.

6 Q. Do you think that you should have had a
7 textbook in your sewing class?

8 A. Should at least have a textbook so I know
9 what pieces I put together. So since she had to
10 help other students, I would have been ahead so I
11 can finish up my project.

12 Q. Do you think there is a textbook for
13 sewing?

14 A. I think there really is.

15 Q. Do you think handouts from the teacher
16 explaining how pieces get sewn together would work
17 to teach you how they go together?

18 MS. AUCHINCLOSS: Objection. Calls for
19 speculation, a handout.

20 THE WITNESS: She was giving us a handout
21 because handouts are not explainable, and you
22 wouldn't understand it, o the handout wouldn't help
23 us.

24 BY MS. STRONG:

25 Q. How is that different from a textbook?

1 A. Not really. Because if we had our book,
2 we would have learned more than we did. But she
3 helped us learn life experiences and stuff like
4 that. But if -- I am learning more from the book
5 than I'm going to learn by stuff she taught us out
6 of a handout. It wasn't explained to me. It
7 probably would have been more in the book.

8 Q. Do you know if there's a book for an ECP
9 class?

10 A. I do not know.

11 Q. Have you ever seen a book for an ECP
12 class?

13 A. No.

14 Q. Do you know any other student who has ever
15 had a book for an ECP class?

16 A. No. Well, no, I take that back. I know
17 one of my students -- one of my friends, she had a
18 book for ECP class that I remember her telling me
19 she can't stand taking it around every day because
20 she has, like, five or six books in her backpack as
21 it is and they hardly give us no lockers so it
22 makes us hard for us to travel to class.

23 Q. Do you think that a teacher should ever be
24 allowed to teach any class without a textbook?

25 A. It depends on what class.

1 A. Same thing. It's like it would help us
2 more because you can break down to certain parts to
3 understand it. Look up the words you don't
4 understand and then you can finally put the pieces
5 together to see how would you do it and what this
6 part means, what part you shouldn't mess with on
7 the sewing machine and stuff like that.

8 Q. Could a teacher accomplish that with
9 handouts, do you think?

10 MS. AUCHINCLOSS: Objection. Calls for
11 speculation.

12 THE WITNESS: It could, but she never
13 attempted to give us handouts, so we never
14 accomplish that goal.

15 BY MS. STRONG:

16 Q. In your ECP class [REDACTED]
17 [REDACTED] you said there was not textbook for that
18 class. What did the teacher use to teach the class
19 if she did not use a textbook?

20 A. We did current events and she had handouts
21 actually photocopied in the magnet office.

22 Q. What does ECP stand for?

23 A. Educational career planning.

24 Q. Do you think you learned in that class
25 using current events and handouts?

1 Q. Okay.

2 A. If we are talking about PE, you shouldn't
3 need a textbook to teach class.

4 Q. Okay.

5 A. But if you are talking about ECP class,
6 actually you should have -- ever student should
7 have a textbook no matter what class it is besides
8 PE. This is --

9 Q. What if the teacher could give you all of
10 that material?

11 MS. AUCHINCLOSS: She wasn't finished.
12 BY MS. STRONG:

13 Q. Were you done testifying?

14 A. Yes.

15 Q. I want to make sure. I wouldn't dare want
16 to interrupt you.

17 Would you ever think that a teacher could
18 ever give you all of the material that you need for
19 class without actually having a physical textbook?

20 MS. AUCHINCLOSS: Objection. Calls for
21 speculation.

22 THE WITNESS: I didn't really hear what
23 you said. Can you repeat the question?

24 BY MS. STRONG:

25 Q. Sure, of course.

1 Do you think that a teacher could give you
 2 all of the material that you needed to learn what
 3 that teacher wanted to teach you in a class without
 4 giving you an actual physical textbook?
 5 MS. AUCHINCLOSS: Same objection.
 6 THE WITNESS: Actually, I've -- it's like
 7 my teacher attempted -- my Spanish -- Spanish class
 8 my teacher attempted to do that and was not capable
 9 of that happening because she actually needed
 10 everyone to have a textbook. And it took her,
 11 like, a while to get textbooks because they never
 12 did come. So almost towards the end, around this
 13 time, of the semester we got our books. And it was
 14 extremely hard for us to learn because we didn't
 15 have our textbooks in our classroom or classes.
 16 BY MS. STRONG:
 17 Q. My question is: Do you think a teacher
 18 could, though, provide you materials outside of a
 19 textbook that would be sufficient for you to learn
 20 materials in the class?
 21 MS. AUCHINCLOSS: Objection. Calls for
 22 speculation; asked and answered.
 23 THE WITNESS: No, I don't think so.
 24 BY MS. STRONG:
 25 Q. Okay.

1 A. Because she attempted many times and
 2 didn't work.
 3 Q. Your Spanish teacher?
 4 A. Yes.
 5 Q. You don't think it would work in any
 6 class, ECP or otherwise; is that correct?
 7 MS. AUCHINCLOSS: Objection.
 8 THE WITNESS: I really don't think so.
 9 BY MS. STRONG:
 10 Q. Now, with respect to the classes where
 11 your teachers did use textbooks, were you ever in a
 12 class at Crenshaw where you did not have -- I'm
 13 sorry, let me start this again.
 14 With respect to the classes where the
 15 teacher did use a textbook to teach the class, was
 16 there ever a time when you did not have a textbook
 17 to use in that class?
 18 A. For a short period of time in one of my
 19 classes --
 20 Q. First -- I don't mean to interrupt. I
 21 want to make sure we go through this as quickly as
 22 we can. What are those classes? Can you list
 23 those for me first, and then we can get to the
 24 details?
 25 A. So far it was my first Spanish before I

1 transferred out that class. My Spanish class when
 2 I was first entering that class, too.
 3 MS. AUCHINCLOSS: Go back. The first one
 4 was your magnet class before you transferred out?
 5 THE WITNESS: Right.
 6 MS. AUCHINCLOSS: The second one was which
 7 Spanish class?
 8 THE WITNESS: The Spanish class I have
 9 now.
 10 BY MS. STRONG:
 11 Q. Both of those Spanish classes are 10th
 12 grade Spanish classes?
 13 A. Correct.
 14 Q. Go on.
 15 A. Before that, they didn't have any books at
 16 all or --
 17 Q. I'm talking about the classes where the
 18 teacher used a textbook to teach a class but you
 19 did not actually have a textbook in class for you
 20 to use yourself.
 21 A. Okay. In the beginning, my biology class.
 22 Q. Any other classes?
 23 A. No.
 24 Q. Is it fair to say in all of the other
 25 classes where the teacher did use a textbook, you

1 had a textbook for you to use in class, in those
 2 classes; is that correct?
 3 A. I had a textbook for those classes that I
 4 could use or either, if there are textbooks we had
 5 to take home and bring to school, where we had our
 6 own.
 7 Q. Okay. Now with respect to the Spanish
 8 classes that you just referred to. First, your
 9 Spanish magnet Spanish class that you started at
 10 the beginning of your 10th-grade year. The teacher
 11 used a book in that class, correct?
 12 A. Right.
 13 Q. Why is it that you believe you did not
 14 have a textbook to use in that class?
 15 A. Why do I believe I didn't have a textbook
 16 to use --
 17 Q. Start again, please.
 18 A. She said it wouldn't be fair for us -- for
 19 certain people to have a textbook, so she rather
 20 not give out all the textbooks because it was too
 21 many people in the class and only certain students
 22 wouldn't have one. So she worked out her textbook
 23 that was the teacher's manual for the textbooks we
 24 supposed to be using.
 25 But it was kind of, like, hard because she

1 was, like, it's very difficult for her to do that
 2 because everyone doesn't have the textbook.
 3 Q. And when you said she worked out of the
 4 teacher's manual, did she copy the teacher's manual
 5 or she just teach from the teacher's manual? I'm
 6 trying to understand what you testified to.
 7 A. I believe that she taught from the
 8 teacher manual.
 9 Q. Okay. She didn't photocopy the teacher's
 10 manual for the students?
 11 A. No.
 12 Q. Okay. The teacher chose to work from the
 13 teacher's manual instead of passing out the
 14 textbooks she had and allowing the students to
 15 share the textbooks; is that correct?
 16 A. Correct.
 17 Q. How do you know it was because there
 18 weren't enough textbooks that the teacher didn't
 19 hand out the textbooks to the students?
 20 A. Because she said that's the main reason
 21 why she wasn't going to pass them out because the
 22 homework that we have -- if we would have gotten
 23 the books, we would have to take the books home.
 24 And some people wasn't able to work together. So
 25 some people wouldn't be able to turn in their

1 homework. So no use to pass out the books and the
 2 people never do the work.
 3 Q. So you know this based on something that
 4 your teacher said?
 5 A. Yes.
 6 Q. Is there any other reason why you believe
 7 that you weren't given textbooks in that class
 8 because there weren't enough textbooks?
 9 A. That was basically the only reason she
 10 didn't give us the textbooks because either the
 11 textbooks weren't good and too many people were in
 12 the class and it wouldn't have been fair.
 13 Q. Your understanding comes from something
 14 that your teacher said, correct?
 15 A. Correct.
 16 Q. Who was the teacher in that magnet Spanish
 17 class?
 18 A. Miss Ortiz.
 19 Q. Do you know if Miss Ortiz asked anybody at
 20 the school to get more textbooks for the class?
 21 A. I'm not aware.
 22 Q. Okay. And do you know if Miss Ortiz ever
 23 put in an order for additional textbooks?
 24 A. I'm not aware.
 25 Q. Did the class ever receive textbooks, that

1 you're aware of?
 2 A. You're talking about when I was there we
 3 did not receive any textbooks.
 4 Q. Okay. And so what did you use to work
 5 on -- what did you use in class, if anything, as
 6 materials to learn from?
 7 A. She gave us warmups and work to do that
 8 was on the board on the projector. She would help
 9 us do. Or little handouts she would give us.
 10 Q. What would she give you for homework in
 11 that class?
 12 A. It depends on what she's trying to teach.
 13 If she's teaching us, like, the numbers in Spanish,
 14 she would give us, like, some kind of number
 15 handout to work on at home instead of trying to
 16 take the book home. So it's just depends on the
 17 different lessons she teach if she give us handouts
 18 to do at home or tell us to write some numbers up
 19 to certain numbers. It depends on what she's
 20 trying to teach that day.
 21 Q. But how often did Miss Ortiz give homework
 22 in that class?
 23 A. Every day. Not -- except for Fridays.
 24 Q. Do you think it would have helped if you
 25 had more homework in that class?

1 A. Well, I had enough homework at that class.
 2 I was learning stuff in that class until they
 3 checked me out.
 4 Q. But in terms of while you were in
 5 Miss Ortiz' class, you felt that there was enough
 6 homework for you to do in that class?
 7 A. There was enough homework for me to do in
 8 that class.
 9 Q. You didn't need more homework from here?
 10 A. (Unreportable response.)
 11 Q. Okay. I think you testified earlier that
 12 you thought Miss Ortiz was a pretty good Spanish
 13 teacher; is that correct?
 14 A. Right.
 15 Q. Now, with -- then you transferred into --
 16 one other question. Do you know if Miss Ortiz -- I
 17 don't know if you testified to this or not. I'm
 18 sorry. Do you know if Miss Ortiz ever wanted to
 19 get textbooks for the class by the time you left
 20 the class?
 21 A. I don't know.
 22 MS. AUCHINCLOSS: We should take a break
 23 as some point.
 24 MS. STRONG: Do you want a break now?
 25 THE WITNESS: Yes.

1 MS. STRONG: We'll go off the record.
 2 (Recess.)
 3 BY MS. STRONG:
 4 Q. Now with respect to the second Spanish
 5 class that you went into in your 10th-grade year,
 6 which was Mr. G; is that correct?
 7 A. Yes.
 8 Q. Okay. He used a textbook to teach the
 9 class?
 10 A. Yes. Eventually he had, like, the time I
 11 was there, he was working on getting our books from
 12 our first -- well, my 9th grade Spanish teacher,
 13 and he finally got those books from there.
 14 Q. Do you know the name of the textbook in
 15 the class?
 16 A. Paso y Paso.
 17 Q. Paso y Paso?
 18 A. A -- no, E.
 19 Q. Paso y Paso with a Y?
 20 A. We had Paso y Paso II.
 21 Q. Paso y Paso II, yeah.
 22 When you got into the class, did students
 23 have Paso y Paso to use in the class?
 24 A. No.
 25 Q. No student had that textbook to use?

1 A. No.
 2 Q. What did students use in the class when
 3 you first arrived in class in terms of materials to
 4 learn from while in class?
 5 MS. AUCHINCLOSS: Objection. Vague as to
 6 "materials."
 7 THE WITNESS: We didn't have any kind of
 8 books. He wouldn't even give us handouts. We had
 9 to wait a while before we got any work done. We
 10 didn't do for the first two weeks. We barely even
 11 did anything unless he got the books.
 12 BY MS. STRONG:
 13 Q. You didn't go into the Spanish class until
 14 what week?
 15 A. The fourth week.
 16 Q. So the teacher got Spanish books by the
 17 sixth week of school; is that correct?
 18 A. (Unreportable response.)
 19 Q. From what you remember?
 20 A. Yes.
 21 Q. At the time the teacher got the Spanish
 22 books the sixth week of school, was there enough
 23 books for each child to use in class?
 24 A. No, there wasn't.
 25 Q. Okay. How many books would you say the

1 class was lacking for each child to have their own?
 2 A. They were lacking five more books. So the
 3 total books we had was at least 35.
 4 Q. You had approximately 35 books?
 5 A. Yes.
 6 Q. Do you know if Mr. G asked for textbooks
 7 or -- I'm sorry. Let's -- do you know if Mr. G
 8 wanted to use textbooks initially in that class?
 9 A. I don't know.
 10 Q. Okay. Do you know if Mr. G ever asked for
 11 Spanish textbooks?
 12 A. I assumed that he asked to use textbooks
 13 from my Spanish I teacher because every time I see
 14 her she was talking about, "Did your teacher get
 15 the Spanish books he needed?"
 16 And I'm, "Yeah, finally got them."
 17 I don't know if it was additionally she
 18 wanted to use them or he wanted the class to
 19 actually have them to use in class.
 20 Q. Okay. So you don't know whether there
 21 were textbooks available in the school that your
 22 teacher was choosing not to use for a period of
 23 time?
 24 A. I do not know.
 25 Q. Okay. But eventually by the sixth week of

1 school, approximately 35 books were brought into
 2 your class; is that correct?
 3 A. That is correct.
 4 Q. Okay. Did anything change about how the
 5 teacher taught the class once the books were there?
 6 MS. AUCHINCLOSS: Objection. Overbroad.
 7 THE WITNESS: Actually, we tried to -- he
 8 tried to have us work more at the books instead of
 9 he would have us conjugate the words on the board.
 10 He have us do that now. Once we out of the room we
 11 wouldn't work out the books. That's, like,
 12 probably two or three times a week. Or we would do
 13 it -- or another week we would work out the books
 14 for another entire week and didn't do it the next
 15 week. He changed it. Sometimes he teaches out of
 16 the book and sometimes he doesn't.
 17 BY MS. STRONG:
 18 Q. Do you think it's better when he teaches
 19 out of the book?
 20 A. Yes.
 21 Q. Do you think you learn more from Mr. G
 22 teaching out of the book than Mr. Ortiz?
 23 MS. AUCHINCLOSS: Objection. Calls for
 24 speculation.
 25 THE WITNESS: I learn more when they -- I

1 learn more when they teach out the book instead of
2 teaching without the book because it's, like, I'm a
3 person that I can learn from a book than I can
4 learn from somebody just telling me what to do.
5 It's, like, I wouldn't catch on that quickly if I
6 just read it and see what I have to do.

7 BY MS. STRONG:

8 Q. You would learn more from Mr. G with the
9 book than Miss Ortiz without the book?

10 MS. AUCHINCLOSS: Objection.

11 Mischaracterizes testimony. That's not what she
12 said. She said she learned from both.

13 MS. STRONG: She can testify.

14 MS. AUCHINCLOSS: She just did.

15 BY MS. STRONG:

16 Q. Go ahead, you can answer. It's okay.

17 A. Okay. I can learn from Mr. G classes like
18 I can learn with the book. But in Miss Ortiz class
19 it's, like, when I didn't have the book it was,
20 like, a little bit difficult for me to catch on as
21 fast as I do with the book. If I had the book in
22 front of me, I can really catch on more to the work
23 and how to understand the work and comprehend it.

24 Q. Okay. And did you learn more, though, in
25 Miss Ortiz's class than in Mr. G's class?

1 BY MS. STRONG:

2 Q. So it's easier to learn with Miss Ortiz
3 who was spending time with you and actually taking
4 time to learn and teach you the concepts; is that
5 correct?

6 MS. AUCHINCLOSS: Objection as to form.

7 Leading.

8 BY MS. STRONG:

9 Q. Go ahead.

10 A. It's, like, it was easier for me to be in
11 that class. It might have been a larger class, but
12 still after class she took time to help me. It's,
13 like, if I would have stayed in the class. But in
14 Mr. G's class, it's, like, he doesn't take as much
15 time as he would to other students and it's harder
16 for him.

17 Q. It's harder to learn even though you have
18 a book in that class as a result?

19 MS. AUCHINCLOSS: Objection.

20 Mischaracterizes testimony.

21 THE WITNESS: It's not harder to learn.

22 It's like -- it's like you don't -- you need that
23 extra help with your teacher because that's what
24 they are there for is to help you.

25 BY MS. STRONG:

1 MS. AUCHINCLOSS: Objection. Calls for
2 speculation.

3 THE WITNESS: Actually, I didn't have --
4 really, I haven't been in that class that long to
5 really learn a lot of the stuff. I can basically
6 say I learned as much as she taught me without the
7 book. But I didn't learn as much as I should have.

8 BY MS. STRONG:

9 Q. I thought you testified earlier that you
10 actually felt you learned more from Miss Ortiz than
11 Mr. G, that you liked her better than Mr. G as a
12 teacher.

13 MS. AUCHINCLOSS: Objection.

14 Mischaracterizes testimony. Objection as to form.

15 THE WITNESS: I said that I learned more
16 with her in the classroom because she takes time
17 with me to help me do my work. That's what made it
18 more better without the book because she's like
19 helping me more because she know what's in the
20 book. With me not having a book, that's like an
21 accessory I don't have. With her helping me, that
22 helped me more understand what the work is about.

23 In Mr. G's class, even though I had the
24 book, but with him not helping me it's not easy
25 because I don't know what I'm doing.

1 Q. The only other class that you identified
2 as a class that you were in where the teacher used
3 a textbook yet you did not have a textbook in class
4 for a period of time was your biology class. And
5 you said that that was with respect to the
6 beginning of your biology class. Biology is 10th
7 grade?

8 A. Yes, it is.

9 Q. Okay. And when you first got into biology
10 class, was the teacher using a textbook?

11 A. No, she wasn't.

12 Q. Okay. What was the teacher using to teach
13 the class?

14 A. She was using her textbook that we
15 supposed to have. When we went down there to see
16 if our textbooks were there, they wasn't there.
17 And we would go almost, like, every week, and she
18 would call down there but they never came until,
19 like, I can estimate, about the sixth week of
20 school or seventh. I'm not actually sure.

21 Finally, our books came and that's when we
22 started working from books.

23 Q. Okay. So during the first six or seven
24 weeks of class when you didn't have the textbooks
25 in class, did you have any materials to use in

1 class to work from?

2 MS. AUCHINCLOSS: Objection. Vague as to
3 "materials."

4 THE WITNESS: I would have to get handouts
5 when she wasn't there. Or when she was there, she
6 gave us handouts. If she wasn't planning to be
7 there, she would prepare us for projects we would
8 do to help us study or do just certain things.

9 BY MS. STRONG:

10 Q. Did she give you homework in that class?

11 MS. AUCHINCLOSS: Objection. Vague as to
12 time.

13 THE WITNESS: We started receiving
14 homework when we had our biology books. That's
15 when we first received our homework.

16 BY MS. STRONG:

17 Q. Who is the teacher in biology?

18 A. Miss Harris.

19 Q. Miss Harris?

20 A. But what I'm aware of -- the only homework
21 I'm aware of getting from our class is doing essay
22 on the theory of evolution because she wants to get
23 information off the computer. We didn't have our
24 books and we were supposed to write on the theory
25 of evolution.

1 assignments and stuff to do off the books.

2 Q. Are you saying that before you had the
3 books you weren't to do your essay at home?

4 A. She would give us the essay to do at home
5 and we had our choice of either, like, working on
6 it in class or at home. It was like -- it was our
7 option to do that.

8 Q. Okay. And so she didn't give any other
9 homework than the essay during the second through
10 the fifth week?

11 A. That's the only one I'm aware of.

12 Q. Okay. And then after the fifth week, what
13 was the next time that you received a homework
14 assignment?

15 A. That's when she started telling us what
16 chapter of the book we need to start working on,
17 what chapter of the book we need to start reading
18 to answer questions. And she started giving us
19 handouts that go along with the chapters in the
20 books. That's when we got our books, that's when
21 she started giving us more work.

22 Q. For home?

23 A. For homework.

24 Q. Okay. And so once you received -- do you
25 know -- let me rephrase.

1 Q. First six or seven weeks when you didn't
2 have books in the class you were given an
3 assignment of an essay regarding evolution, right?

4 A. Correct.

5 Q. How long were you given to complete that
6 assignment?

7 A. She gave us it from the second week of
8 school and we supposed to turn it in for the
9 cut-off week for our fifth week for school.

10 Q. Did the teacher ask that you work on that
11 every day after school during the second through
12 the fifth week?

13 A. She required us to work on it every day.
14 But she wanted it done at a certain time. And she
15 gave us time to work on it in class so we could
16 catch up on our work. And she would give us
17 handouts until we received our books.

18 Q. I'm sorry, I didn't follow that answer.
19 Can you repeat that answer? I didn't get what you
20 said.

21 A. At times she would give us handouts and
22 tell us to prepare or have us to do the essay in
23 class -- it wouldn't always be a homework
24 assignment -- until we received our books. That's
25 when she would basically would give us homework

1 So once you received the books of the
2 sixth or seventh week of class, were there
3 sufficient books for every student in the class to
4 have one?

5 MS. AUCHINCLOSS: Objection. Vague as to
6 "have one."

7 THE WITNESS: Sufficient as to?

8 BY MS. STRONG:

9 Q. Were there enough textbooks for each
10 student in the class?

11 MS. AUCHINCLOSS: Vague as to "enough."

12 THE WITNESS: Okay. For every subject
13 that came to class and --

14 (Discussion off the record.)

15 THE WITNESS: When she first gave us our
16 books, everyone that was there received the book.
17 The people that wasn't there, they didn't receive
18 their book because they didn't come on a day that
19 the books were passed out. That's when the people
20 that didn't get their books were not -- she would
21 try to send them down there so that they can
22 receive their books and have to wait on them for a
23 while because they either ordered them or already
24 gave them to different students that needed them
25 before they did.

1 BY MS. STRONG:
 2 Q. Okay. So did you have a book in class at
 3 that time?
 4 A. Yes.
 5 Q. And so you know of students who did not
 6 have a book after you received a book in that
 7 class?
 8 A. Yes.
 9 Q. How many students do you know of in that
 10 circumstance?
 11 A. I estimate about four to three students
 12 that didn't have their books.
 13 Q. Okay. And from what you understand, the
 14 teacher told them to go down and pick up their
 15 books from the book room; is that correct?
 16 A. She told them to go see if they have any
 17 more books left for them to get so if they know at
 18 least they can order their books and share with
 19 someone else until they got their books.
 20 Q. Do you know if those students have now
 21 received their books in that class?
 22 A. I think. I'm not actually sure, but I
 23 think they have their books so far.
 24 Q. Okay. Now with respect to the first six
 25 or seven weeks of school, do you know if

1 classes, if there were any, where a teacher used a
 2 textbook but you did not have a textbook to take
 3 home in that class? Can you list those classes for
 4 me?
 5 MS. AUCHINCLOSS: Objection. Overbroad.
 6 THE WITNESS: Overall --
 7 BY MS. STRONG:
 8 Q. Including 9th and 10th, this year and a
 9 half of information.
 10 A. Okay.
 11 MS. AUCHINCLOSS: We're going to go
 12 through your declaration at some point. If you
 13 can't think of something now, we'll go over it.
 14 THE WITNESS: Let's go over it.
 15 BY MS. STRONG:
 16 Q. We're not going to go over it. I'm going
 17 to ask you the questions.
 18 To the best of your recollection, I know
 19 it's difficult, why don't you try and remember
 20 which classes, if any, where you used a textbook in
 21 the class but you didn't have one to take home.
 22 A. At first it was my health class, my
 23 Algebra I class. Oh, yeah, my arts English class.
 24 Do you have my Spanish I?
 25 MS. AUCHINCLOSS: You haven't said that

1 Miss Harris asked anyone in the administration for
 2 a biology book?
 3 A. I do not know.
 4 Q. Okay. And so you don't know one way or
 5 the other whether books were available and the
 6 teacher was choosing not to use the available
 7 books?
 8 MS. AUCHINCLOSS: Objection to the form.
 9 BY MS. STRONG:
 10 Q. Is that correct?
 11 A. I do not know if there were any books
 12 available at that point in time. If they were
 13 available, and if she chose or didn't choose not to
 14 give it to us, she would have told us if there were
 15 any books for us to use because she was always
 16 talking about that, we need our textbooks. I
 17 believe that there were none down there. That's
 18 why we didn't have our books at that time.
 19 Q. So, have you now told me all of the
 20 classes that you attended at Crenshaw where the
 21 teacher used a textbook in class but for a period
 22 of time each of the students did not have a
 23 textbook in class to use?
 24 A. Yes.
 25 Q. Okay. Now, can you tell me about any

1 yet. Which Spanish?
 2 THE WITNESS: Spanish I.
 3 BY MS. STRONG:
 4 Q. Okay.
 5 A. There is none other that I can think of.
 6 Q. Okay. Were those all classes during the
 7 9th-grade year?
 8 A. Yes.
 9 Q. You got health, Algebra I, honors English
 10 and Spanish I. Can you think of any during your
 11 10th-grade year where you have been enrolled in the
 12 class, the teacher use a textbook but for any
 13 period of time you were not able to take a textbook
 14 home?
 15 A. My English class that I have this year.
 16 We have textbooks, but we don't even -- at the
 17 beginning we used them but now we don't. We don't
 18 even take those home.
 19 Q. I'm sorry?
 20 A. In the beginning we have textbooks, and we
 21 still do, but I think they took them back down to
 22 the textbook room because we stopped using them.
 23 Q. Any other classes you can think of?
 24 A. Not at this time.
 25 Q. Okay. With respect to your health class

1 in 9th grade, so you did have a class textbook --
 2 I'm sorry. You did have a textbook to use in
 3 class; is that correct?
 4 MS. AUCHINCLOSS: Objection to form.
 5 THE WITNESS: Correct.
 6 BY MS. STRONG:
 7 Q. And was health a one-year class or
 8 semester class?
 9 MS. AUCHINCLOSS: Objection. Compound.
 10 THE WITNESS: Health class was a -- for
 11 both semesters.
 12 BY MS. STRONG:
 13 Q. So it was a one-year-long class?
 14 A. Yes.
 15 Q. Do you remember the name of the textbook
 16 that you used in that class?
 17 A. No.
 18 Q. You testified that you did not have a
 19 textbook to take home in that class; is that
 20 correct?
 21 MS. AUCHINCLOSS: Objection as to form.
 22 THE WITNESS: I didn't have a textbook to
 23 take home.
 24 BY MS. STRONG:
 25 Q. Okay. Were you given homework in the

1 MS. AUCHINCLOSS: Objection. Overbroad,
 2 vague as to time.
 3 THE WITNESS: The only homework I remember
 4 from the class was we had current events we had to
 5 do and certain projects we had to do. And we would
 6 work out the book. And sometimes we have to --
 7 BY MS. STRONG:
 8 Q. This is prior to getting the book. I
 9 don't mean to interrupt. I want to make sure we're
 10 staying focused.
 11 A. We work out the book but, see, we -- how
 12 shall I put this? Turning our work in at a certain
 13 time because it would be hard because sometime we
 14 can't complete our work and the book is at school
 15 and we can't use it because we can't bring -- we
 16 didn't have books to bring home.
 17 Q. So sometimes you would assign assignments
 18 out of the book in class and he would give you time
 19 to do work in class, but sometimes there wasn't
 20 enough time to finish the assignments in class; is
 21 that what you are saying?
 22 MS. AUCHINCLOSS: Objection as to form.
 23 THE WITNESS: Yes.
 24 BY MS. STRONG:
 25 Q. Okay. But just focusing on the homework

1 class?
 2 A. Yes, we was. We kept complaining that we
 3 need our textbooks. At some point in the semester
 4 we eventually got our textbooks.
 5 Q. Okay. So eventually you did get books to
 6 take home in that class, is that what you are
 7 saying?
 8 A. Yes.
 9 Q. Initially, though, when you didn't have
 10 books to take home in that class, did the teacher
 11 give any homework?
 12 A. It wouldn't be based on, like, working --
 13 Q. That's not my question.
 14 My question is: Did you get homework in
 15 that class when you didn't have a textbook to take
 16 home?
 17 A. Yes.
 18 Q. Okay. What was the name of the teacher in
 19 that class?
 20 A. Mr. Hill.
 21 Q. Mr. Hill?
 22 A. Yes.
 23 Q. What did the teacher give for you as
 24 homework in your health class when you didn't have
 25 a textbook?

1 that he gave you. When you didn't have a textbook
 2 to take home, you identified different things that
 3 he would give you as homework such as current
 4 events. What else would he give you as homework
 5 when you didn't have a textbook to take home?
 6 A. I really don't remember.
 7 Q. Okay. Do you know how often he would give
 8 you current events, for example, as homework?
 9 MS. AUCHINCLOSS: Objection. Overbroad,
 10 vague as to time.
 11 THE WITNESS: I don't remember. It was a
 12 while back.
 13 BY MS. STRONG:
 14 Q. Okay. Did you feel like you needed more
 15 homework at that time from him, Mr. Hill?
 16 A. He gave a lot of work so he kept us really
 17 busy.
 18 Q. Now, was there ever a time when you asked
 19 Mr. Hill to take the textbook home?
 20 A. Yes.
 21 Q. Okay. When did you ask Mr. Hill -- how
 22 many times did you ask Mr. Hill to take a textbook
 23 home in his class?
 24 A. I could estimate about five or six times.
 25 Q. Do you know why you wanted to take the

1 textbook home on that five or six times?
 2 A. To complete my homework or to complete the
 3 work that I had in class.
 4 Q. So it wasn't to do a homework assignment?
 5 It was to complete work that had been given to you
 6 in class; is that correct?
 7 A. Or --
 8 MS. AUCHINCLOSS: Objection,
 9 mischaracterizes testimony.
 10 THE WITNESS: It would complete homework
 11 or work I had to do in class.
 12 BY MS. STRONG:
 13 Q. Okay. What homework assignment did you
 14 want to use your textbook for that you recall?
 15 MS. AUCHINCLOSS: Objection. Overbroad.
 16 THE WITNESS: Homeworks that I can't
 17 remember that I had to do with the book was, like,
 18 chapters -- like review chapters -- it was, like,
 19 little reviews that he had in the book. And then,
 20 like, I have the question and the answers were in
 21 the books. Sometimes it would be due the next day.
 22 If you didn't do it in class, like copy
 23 the question down. Because sometimes he'll give us
 24 notes and take it from our notes. And if all the
 25 notes were -- all the answers were at the end of

1 the notes, they were in the book. So it would be
 2 hard. So I asked him to take it home and he would
 3 let me take it home.
 4 BY MS. STRONG:
 5 Q. But the assignment that he gave to you and
 6 gave to all the other students in the class was
 7 something that he expected you to do without the
 8 textbook at home, correct? Because not every
 9 student had a textbook to take home; is that
 10 correct?
 11 MS. AUCHINCLOSS: Object to form,
 12 mischaracterizes testimony.
 13 BY MS. STRONG:
 14 Q. Go ahead.
 15 A. He was expecting us to do it for class
 16 work and homework because he was, like, "If you
 17 didn't finish, do it for homework."
 18 We had no choice but to do it for homework
 19 even though we didn't have a textbook. He knew we
 20 would ask to borrow the textbook for home until we
 21 got our books.
 22 Q. Well, so the times that you asked him to
 23 take the textbook home, you were able to take it
 24 textbook home; is that correct?
 25 MS. AUCHINCLOSS: Objection. Lacks

1 foundation. Form.
 2 THE WITNESS: The times that I asked him,
 3 he let me take the textbook home.
 4 BY MS. STRONG:
 5 Q. Was there ever a time in Mr. Hill's class
 6 when you wanted to take a textbook home but you
 7 weren't able to?
 8 A. No.
 9 Q. There wasn't any time?
 10 A. Yes, there was. If I wanted to take a
 11 textbook home and he wasn't there, that's the only
 12 time I wouldn't be able to. Because of the date we
 13 wouldn't bring them back or had graffiti on them or
 14 something like that.
 15 Q. How many times did that happen?
 16 A. That was very rarely. I would estimate
 17 probably one or two times.
 18 Q. Do you know if they held Mr. Hill's health
 19 class in the library?
 20 A. Was our class ever held in the library?
 21 Q. I'm sorry, I wasn't clear.
 22 Do you know if Mr. Hill's health textbook
 23 was in the library at your school?
 24 A. No, the textbook that we had, it wasn't.
 25 You couldn't get it out the library.

1 Q. How do you know that?
 2 A. Because I asked the library and she was
 3 like, "You'll have to go through the textbook room
 4 to get that kind of book."
 5 Q. Did you ever try to go to the textbook
 6 room --
 7 A. I attempted many times to go to the
 8 textbook room and --
 9 Q. I'm sorry.
 10 -- to try and get Mr. Hill's health book?
 11 A. To get Mr. Hill's health book. And if
 12 they are not there, they are not going to open
 13 their door. Or you have to have a pass from your
 14 teacher. It's like some teachers won't give you
 15 passes to go get your book. You have to do it on
 16 your own time. When there's time to do it on your
 17 own time they are not in there or they are not
 18 going to open the door because they are eating or
 19 out to lunch.
 20 Q. You don't know one way or the other
 21 whether there were health textbooks in the book
 22 room for you to check out at any point in time for
 23 Mr. Hill's class? Is that correct or not?
 24 MS. AUCHINCLOSS: Objection as to form.
 25 Leading.

1 BY MS. STRONG:

2 Q. Go ahead.

3 A. I had -- wait a minute. It's like -- I
4 don't know that they had the books in there, but
5 when I tried to attempt to get the books out of the
6 textbook room they were not there. I had no choice
7 but to wait until I had a chance to receive my
8 books.

9 Q. But you could also check them out from the
10 classroom with Mr. Hill?

11 A. Right.

12 Q. Did you ever ask anyone the hours of the
13 textbook room there?

14 A. Yes, I did. I asked Miss Silverstein. I
15 asked Mr. Hill. And I asked the librarian. And
16 they said, "Well, the textbook room is open from
17 8:00 in the morning until 4:00 -- well, 3:00 until
18 school ends."

19 Well, if it's open certain times they
20 require you have a pass from your class. If I got
21 a pass from my teacher, which they never give one
22 because they wouldn't give us a pass. Now they put
23 us a no pass school. What's the point of trying to
24 get a pass and they are not going to give it to me?
25 And if I go on my own time, they are not going to

1 BY MS. STRONG:

2 Q. Through to the end of the school year; is
3 that correct?

4 A. Yeah, until that's when Mr. -- no, because
5 that was like a one-semester class because it
6 wasn't like a year-round class, well, a year class
7 because the other class I had to take was ECP, but
8 it was too full.

9 Q. Health was a one-semester class?

10 A. Correct.

11 Q. So you had sufficient textbooks in that
12 class until the end of the semester?

13 A. Yes.

14 Q. Okay. With respect to your Algebra I
15 class, you said that was another class where there
16 were textbooks in the class but not always enough
17 textbooks for the students to take home. When you
18 first got into that class, do you remember what
19 textbook you were using?

20 A. What class are you referring to?

21 Q. Algebra I.

22 A. Oh. We went -- at the first five weeks of
23 the actual class we didn't have textbooks, so she
24 would try to do like -- so we could take notes in
25 our books.

1 open the doors for me to receive my book. So I had
2 no choice but to wait or ask Mr. Hill to get my
3 book.

4 Q. At what point in the semester did
5 Mr. Hill's class receive textbooks -- sufficient
6 numbers of textbooks for the students to take home?

7 A. Actually around this time.

8 Q. Does that mean -- did you say the 14th
9 week of school or 16th week?

10 A. No, the 14th or 16th week we'd be out of
11 school, around these weeks of schools because
12 people complaining about getting the books. They
13 finally told him go on this date to get your book.
14 I can't -- wait.

15 I estimate about the 16th or 15th week of
16 school.

17 Q. Okay. And then you proceeded to have
18 sufficient textbooks in your health class during
19 the remainder of the school year during the
20 9th-grade year -- I'm sorry, sufficient textbooks
21 in the class to take home; is that correct?

22 MS. AUCHINCLOSS: Objection to form.
23 Mischaracterizes testimony.

24 THE WITNESS: Yes, I'd like books to take
25 home in that class around -- around this time.

1 So the sixth week we received a book, she
2 ordered some books, but it wasn't the right kind of
3 books that we needed. So she calls the textbook
4 room to order the books that we needed. So we was
5 working out the other ones for a little while until
6 we received the new box that she wanted. But it
7 took like a little while to get them because they
8 kept saying, "Well, your order haven't come in and
9 Miss Smith will get mad because we supposed to have
10 the books like a week later and I gave them like an
11 extra week longer for us to get our books."

12 Q. Okay. So you had one set of books the
13 sixth week. And at that point there was sufficient
14 books for the student to take home. But it wasn't
15 the book that the teacher intended to order, so
16 you -- is that correct?

17 MS. AUCHINCLOSS: Objection as to form.

18 THE WITNESS: It's like -- it was the
19 books -- we could take the book home but she didn't
20 like how the book was, and it was the wrong
21 material and didn't give us the information in the
22 book. She decided to give us a different book to
23 work out of.

24 BY MS. STRONG:

25 Q. When did you get that next book?

1 A. I would say about the eleventh week of
 2 school, I estimate.
 3 Q. During the first five weeks of school, did
 4 the teacher give you homework in your Algebra I
 5 class?
 6 A. Yes. She would give us homework from our
 7 notes.
 8 Q. What was the teacher's name?
 9 A. Miss Smith.
 10 Q. Okay. How often would Miss Smith give you
 11 homework during the first five weeks of school?
 12 A. Every day.
 13 Q. And when you say she would give homework
 14 from your notes, can you describe to me, for
 15 example, what one assignment would have been from
 16 your notes?
 17 A. I don't remember. It was so long.
 18 Q. Well --
 19 A. It depends on the notes that we had to
 20 take that day, like -- she was -- she was
 21 explaining us how to do Y intercept form. And she
 22 was explaining to us how to use this in a real
 23 situation and learn the concept in doing it.
 24 She would give us homework to do from the
 25 notes until we got the right kind of books.

1 Q. Do you think you had enough homework from
 2 Miss Smith when she was giving you homework from
 3 your notes?
 4 MS. AUCHINCLOSS: Objection. Vague as to
 5 "enough."
 6 BY MS. STRONG:
 7 Q. Go ahead.
 8 A. We received a lot of work. It was enough
 9 for us to maintain in that class.
 10 Q. Again, you thought Miss Smith was a really
 11 good teacher, correct?
 12 A. Yes, I did.
 13 Q. Upon the sixth week of school when you
 14 received the first set of textbooks where you could
 15 actually take a textbook home in that class -- this
 16 is the Algebra I class -- did your homework
 17 assignments change?
 18 MS. AUCHINCLOSS: Objection. Vague as to
 19 "change."
 20 THE WITNESS: What do you mean by change?
 21 BY MS. STRONG:
 22 Q. Did they change in any way?
 23 MS. AUCHINCLOSS: Objection. Overbroad.
 24 THE WITNESS: Yes, they did. It's like
 25 since we got our book we can understand more than

1 what she was teaching us from the projector and on
 2 the board, and we could actually see the work in
 3 the book. So instead of us having -- instead of
 4 her having us do -- giving her -- she giving us
 5 work from what she had, she would have us to do
 6 work out the book and to solve the problems or what
 7 have you. So the work kind of changed, but she
 8 still explained the notes and everything. But
 9 instead of her giving us the homework that she had
 10 from the green book -- it was like a green book and
 11 blue book.
 12 The green book she already had but it
 13 wasn't enough for all of us. She had only that one
 14 book. She would give us homework out of that book.
 15 So the one book that we did receive, the book that
 16 we did that she would give us homework from, she
 17 would give us homework off the book and give us
 18 notes out of the book so we could understand the
 19 work. So the work did change.
 20 BY MS. STRONG:
 21 Q. Even though she didn't like that textbook,
 22 she still was able to use that textbook?
 23 A. That was the book she didn't like. She
 24 was trying to call down there at certain times to
 25 try to order the other book.

1 Q. But she still used that book to give you
 2 homework assignments even though she didn't like
 3 the book?
 4 A. Yes.
 5 Q. With respect to your -- well,
 6 eventually -- I'm sorry. At the sixth week period
 7 when you received that first set of books, there
 8 were sufficient books for every student in the
 9 class to take them home; is that correct?
 10 MS. AUCHINCLOSS: Objection to form,
 11 leading.
 12 THE WITNESS: If students were there to
 13 receive their books, everyone was there to receive
 14 their books.
 15 BY MS. STRONG:
 16 Q. Okay. Again upon the eleventh week when
 17 you received the second set of books in that class
 18 there were, again, sufficient numbers of those
 19 books for each of the students to take home; is
 20 that correct?
 21 MS. AUCHINCLOSS: Objection as to form.
 22 Leading.
 23 THE WITNESS: If they were there to
 24 receive their books, they got their books. If you
 25 wasn't there to receive your books, you will have

1 to go to the textbook room on your own time to get
2 your book.

3 BY MS. STRONG:

4 Q. Were you there on both occasions on the
5 sixth week period and 11th week period to get a
6 book?

7 A. Yes, I was.

8 Q. With respect to your honors English class,
9 you stated that there were not sufficient books for
10 the students to take home in that class. Describe
11 to me what book it was you were using in your
12 honors English class.

13 A. It was a literature book. And I can't
14 remember what the title of it was. At the
15 beginning of the semester we had eleven books. And
16 from time to time people would ask to borrow the
17 books but never bring them back home. And they
18 decreased to five books we had in the classroom.
19 We had eight students. And we had to end up
20 sharing the books with everybody because it was
21 only five left. Other classes he had 36, 30
22 people. So it was like even worse in their class
23 because my friends told me about it.

24 But it was, like, we had 11 and decreased
25 and people started borrowing books and people

1 wouldn't do that -- it was, like, that would be our
2 class work unless we had an essay to do or essay,
3 that would be our homework.

4 Q. So your homework in that class wasn't ever
5 with the literature book because the literature
6 book was for in-class use; is that correct?

7 MS. AUCHINCLOSS: Objection as to form.

8 THE WITNESS: No.

9 MS. AUCHINCLOSS: Mischaracterizes
10 testimony.

11 THE WITNESS: It's, like, we had the work
12 in the class to do but it wouldn't be for homework.
13 We would use that book.

14 BY MS. STRONG:

15 Q. That's what I thought I just said. We
16 have to make sure that we understand one another.
17 That's what I thought I just tried to explain.

18 I'm trying to understand your testimony.
19 So when I restate it like this, it's to make sure
20 that we have a clear record and to make sure I'm
21 not misunderstanding what you are saying.

22 A. Okay.

23 Q. What I thought you just testified to is
24 that there were eleven books in the class at one
25 point, it reduced to five at some point. But at no

1 brought them home. So we'd like five books and it
2 would be hard for us to do work in the classroom
3 even though we did have books.

4 BY MS. STRONG:

5 Q. At what point in time were there fewer
6 than eight books in the class?

7 A. It was like when we went off our break and
8 when we came back, our books decreased to like five
9 books. That's when we didn't have enough for
10 everybody.

11 Q. During the first semester of your honors
12 English class in 9th grade, there were sufficient
13 books in the class for each of you to take one home
14 in your class; is that correct?

15 A. No.

16 MS. AUCHINCLOSS: Objection as to form.
17 Leading.

18 BY MS. STRONG:

19 Q. I'm just trying to understand your
20 testimony. Help me, please.

21 A. We wouldn't take our books home because he
22 needed all the books for everyone to use in his
23 other classes so we would work out the books in
24 class. Our work is was he had packets for us to do
25 out the books. And we work on them in class. We

1 time did you ever take your literature book home
2 because there weren't enough for the students to
3 take home at any time; is that correct?

4 A. That is correct.

5 Q. Okay. So when Mr. Hornbeck would give you
6 homework assignments, he wouldn't ask you to take
7 the literature book home at any time during that
8 class; is that correct?

9 A. Right.

10 MS. AUCHINCLOSS: Objection as to form.

11 THE WITNESS: He would never have us take
12 our books home because he needed it for the other
13 classes.

14 BY MS. STRONG:

15 Q. Okay. So what kind of homework did
16 Mr. Hornbeck give you in that class, if any?

17 A. It depends on what part of the book are we
18 working out of. And if it's a part of the book
19 that we don't need the book to work on with, we
20 could do that at home for homework or he gave us
21 certain work to do that doesn't require us to have
22 books or our book. And when we got to school,
23 that's the only time we will use our books to,
24 like, help us do our packets unless at one certain
25 time we didn't have to do our packets we were

1 workings essays for the class.

2 Q. Okay. So if you were to explain to me
3 what assignments you were given at home, you would
4 identify a work packet. Is that one of the things
5 you were given to do at home?

6 A. Not a work -- how shall I put this? He
7 have certain things he written on the board for do
8 at the end of the week. And some stuff we don't
9 have to use the book to do the work in the packets.
10 So that's what we would do if we didn't really need
11 the book to work in. That's what we would do for
12 homework.

13 Q. Okay. Is working out of the packet one of
14 the things that you would do at home?

15 A. Yes, if it's necessary.

16 Q. What is the packet? Can you explain that
17 to me?

18 A. A packet is like he would put seven or
19 eight things on the board, or five things. He
20 would name packets about certain stories and see
21 if -- how shall I put this? He would list certain
22 things for us to do in that packet. And the packet
23 has to be complete by Friday. And sometimes we
24 have to work out the book to finish one section for
25 the packet. Some things you don't. And those are

1 class and then work on it for an essay. That's the
2 only thing we would do without the book. We would
3 do our essays. And sometimes we would do certain
4 things to build up our essays and we wouldn't need
5 our books. That's the times we wouldn't need to
6 use our books at all.

7 Q. Okay. And can you give me an example of
8 at least one thing that you would do at home for
9 your packet in Mr. Hornbeck's class?

10 A. Okay. For one packet we had to do, like,
11 30 poems. Each poem -- he gave us poems one at a
12 time. Each poem we had to do, we had to type it up
13 on the computer and illustrate what the poem is
14 talking about. That's one thing we didn't have to
15 do without our books.

16 Q. That's one thing you could do without your
17 books?

18 A. Correct.

19 Q. Do you believe that Mr. Hornbeck gave you
20 enough homework?

21 MS. AUCHINCLOSS: Vague as to "enough."

22 THE WITNESS: Yes, I believe he -- I think
23 he gave us enough work for us to do. He kept us
24 occupied in doing our work.

25 BY MS. STRONG:

1 the things we would work on at home, the ones we
2 don't need the book for. When we go back to
3 school, that's when we needed to use our books.

4 Q. You would create a packet each week, is
5 that what you are explaining to me?

6 A. Yes.

7 Q. You would create a packet of your work
8 that would get turned in on a periodic basis; is
9 that correct?

10 A. Yes.

11 Q. Okay. And some of those things would
12 require work from the literature work in class and
13 some of the things in the packet would require work
14 that you do at home without the literature; is that
15 correct?

16 MS. AUCHINCLOSS: Objection as to form.

17 THE WITNESS: Yes, that is correct.

18 BY MS. STRONG:

19 Q. Okay. Good.

20 Were there any other work assignments that
21 Mr. Hornbeck would give you other than the work
22 that would be involved with the packet?

23 A. The only other homework assignments,
24 besides essays, that's the only thing we would do.
25 We would do essays. We would read something in

1 Q. And you thought he was a great teacher?
2 He was your favorite teacher at the school?

3 A. Yes.

4 Q. You learned a lot in the class; is that
5 correct?

6 MS. AUCHINCLOSS: Objection as to form.

7 BY MS. STRONG:

8 Q. Is that correct?

9 A. I learned a lot in that class.

10 Q. Is that the class you learned the most in,
11 do you think, since you've been there, since you've
12 been at Crenshaw?

13 A. Yes, that's the most I learned most out of
14 all my classes I had at Crenshaw.

15 Q. And you never had a book to take home; is
16 that correct?

17 A. I never had a book.

18 MS. AUCHINCLOSS: Objection as to form.

19 BY MS. STRONG:

20 Q. Okay. Now, with respect to your Spanish I
21 class in 9th grade, you said that was another class
22 where the teacher used a textbook in the class but
23 there weren't sufficient books for the students to
24 actually take home in that class.

25 When you first got into your Spanish I

1 class, what was the next book you were using, do
2 you remember?

3 A. Paso y Paso.

4 Q. Pass y Paso?

5 A. Yes.

6 Q. And at any time did you ever get books in
7 that class, sufficient numbers of books in that
8 class to take the books home?

9 A. Eventually around the same time, around
10 the 14th week of school.

11 MS. AUCHINCLOSS: What did you say?

12 THE WITNESS: Around the 14th week of
13 school.

14 BY MS. STRONG:

15 Q. You received sufficient books for the
16 students to take home; is that correct?

17 A. Correct.

18 Q. During the first 14 weeks of school did
19 you receive homework in that class?

20 A. Yes, I did.

21 Q. Who was the teacher in that class?

22 A. Miss Madjai.

23 Q. I'm sorry?

24 A. She got a crazy name.

25 Q. How to you spell it?

1 meantime, like we discussed this morning, you're
2 going to go home and look for the documents that
3 were identified in that exhibit that I showed you
4 this morning and give them to your attorney so she
5 can produce them in this litigation, okay?

6 Do you understand that?

7 THE WITNESS: Yes.

8 MS. STRONG: Okay. And when do you
9 think -- we can go off the record.

10 (Recess.)

11 MS. STRONG: Off the record we just
12 discussed when we can reconvene for another day of
13 deposition of Jasmine Donaldson. And Megan
14 Auchincloss represented she can get back to me as
15 soon as possible this week -- hopefully, by
16 midweek -- with some potential dates. She will
17 contact Jennifer Vance of my office regarding this
18 issue.

19 Is that agreed?

20 MS. AUCHINCLOSS: Yes.

21 MS. STRONG: May he we stipulate that
22 copies of the documents attached to the deposition
23 may be used as originals?

24 MS. AUCHINCLOSS: Yes.

25 MS. STRONG: May we stipulate that the

1 A. M-a-d-j-a-i.

2 Q. M-a-d-j-a-i?

3 A. What time is it? I'm tired.

4 Q. Are you tired?

5 A. Yes.

6 Q. Should we finish this question about
7 Miss Madjai's class?

8 Can you give your best testimony if I
9 continue to just to finish off just this one little
10 section?

11 A. Please, last question.

12 Q. If you can't testify anymore, we would
13 stop right here. I want to make sure that I can
14 have your best testimony.

15 MS. AUCHINCLOSS: She's asking you what
16 you want. But you need to give your best testimony
17 if you stay.

18 THE WITNESS: I stop because I'm not going
19 to give my best testimony if I keep going.

20 BY MS. STRONG:

21 Q. You don't want to proceed with three or
22 four more questions?

23 A. No.

24 MS. STRONG: Okay. Then we'll continue
25 this deposition on another date. And in the

1 original of this deposition be signed under penalty
2 of perjury; that the originally be delivered to the
3 office of Morrison & Foerster in San Francisco,
4 attention: Megan Auchincloss; that the reporter is
5 released of liability for the original of the
6 deposition; that the witness will have 30 days from
7 the date of the court reporter's transmittal letter
8 to Morrison & Foerster to sign and correct the
9 deposition; that Morrison -- someone from
10 Morrison & Foerster will notify all of the parties
11 in writing of any changes in the deposition. And
12 that if there are no such changes communicated or
13 signature within that time, that any unsigned and
14 uncorrected copy may be used for all purposes as if
15 signed and corrected.

16 MS. AUCHINCLOSS: Yes.

17 THE REPORTER: Did you need a copy of
18 this?

19 MS. AUCHINCLOSS: Yes, please, with a
20 disk.

21 THE REPORTER: How about a condensed?

22 MS. AUCHINCLOSS: Yes.

23 (The deposition was recessed at 4:00 P.M.)

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DECLARATION

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I hereby declare I am the deponent in the within matter; that I have read the foregoing deposition and know the contents thereof, and I declare that the same is true of my knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I declare under the penalties of perjury of the State of California that the foregoing is true and correct.

Executed on the _____ day of _____, 2001.
_____, California.

WITNESS

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I, ASHALA TYLOR, a Certified Shorthand Reporter for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition, was by me duly sworn to testify as to the truth, the whole truth, and nothing but the truth pursuant to Section No. 2093 of the Code of Civil Procedure;

That said deposition was taken before me at the time and place therein set forth, and was taken down by me in shorthand and thereafter reduced to typewriting via computer-aided transcription under my direction;

I further certify that I am neither counsel for, nor related to, any party to said action, nor in anywise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name this _____ day of _____, 2001.

ASHALA TYLOR
CSR No. 2436, RPR, CRR